



UNCONFIRMED MINUTES

**Special Council Meeting
Monday, 20 October 2025**

Date: Monday, 20 October 2025

Time: 8:30 AM

Location: Council Chambers, York Town Hall, York

Order Of Business

1	Opening	3
1.1	Declaration of Opening.....	3
1.2	Acknowledgement / Disclaimer	3
1.3	Swearing In of Councillors-Elect and Declaration of Office	3
1.4	Standing Orders	4
1.5	Announcement of Visitors	4
1.6	Declarations of Proximity Interests	4
1.7	Declaration of Financial Interests	4
1.8	Disclosure of Impartiality Interests.....	4
2	Attendance	4
2.1	Members	4
2.2	Staff	4
2.3	Apologies	4
2.4	Leave of Absence Previously Approved	4
2.5	Number of People in the Gallery at Commencement of Meeting	4
3	Election of Shire President and Declaration of Office.....	4
4	Election of Deputy Shire President and Declaration of Office.....	5
5	Draw for Position at Council Table.....	5
6	Public Question Time	5
6.1	Written Questions – Current Agenda.....	6
6.2	Public Question Time	6
7	Applications For Leave of Absence	6
8	Announcements by Presiding Member Without Discussion	7
9	Closure	8

**MINUTES OF SHIRE OF YORK
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, YORK TOWN HALL, YORK
ON MONDAY, 20 OCTOBER 2025 AT 8:30 AM**

1 OPENING

1.1 Declaration of Opening

In accordance with Clause 3 of Schedule 2.3 of the Local Government Act 1995 the Chief Executive Officer is to preside at the meeting until the office of President is filled.

As such, the Temporary Chief Executive Officer welcomed those in attendance and declared the meeting open at 8.30am.

1.2 Acknowledgement / Disclaimer

The Temporary Chief Executive Officer advised the following:

"The York Shire Council acknowledges the Ballardong people of the Noongar Nation who are the Traditional Owners of the country where this meeting is being held and recognise their continuing connection to land, water, sky and culture. We pay our respects to all these people and their Elders past, present and emerging.

In accordance with Regulations 14I and 14J of the Local Government (Administration) Regulations 1996, notice is given that this meeting is being video and audio recorded to facilitate community participation and for minute-taking purposes. By being present at a meeting, members of the public consent to the possibility that their image and voice may be recorded. Audio recordings are published on the Shire's website following the meeting and may be released upon request to third parties.

Members of the public are reminded that, in accordance with Section 6.16 of the Shire of York Local Government (Council Meetings) Local Law 2016, nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the Presiding Member.

I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today can be revoked in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996. Therefore, members of the public should not rely on any decisions until formal notification in writing from the Shire has been received.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."

1.3 Swearing In of Councillors-Elect and Declaration of Office

In accordance with Section 2.29 of the Local Government Act 1995, Section 13 of the Local Government (Constitution) Regulations 1998 and the Oaths, Affidavits and Statutory Declarations Act 2005 the Temporary Chief Executive Officer invited Mr R Sullivan JP to perform the Swearing In Ceremony and witness the Declaration of Office for the following Councillors-elect:

- *Cr Elaine Ashford*
- *Cr Monique Hutchinson*
- *Cr Kevin Trent*
- *Cr Melissa Welsh*

1.4 Standing Orders

Nil

1.5 Announcement of Visitors

Mr R Sullivan JP

1.6 Declarations of Proximity Interests

Nil

1.7 Declaration of Financial Interests

Nil

1.8 Disclosure of Impartiality Interests

Nil

2 ATTENDANCE

2.1 Members

Cr Elaine Ashford, Cr Chris Gibbs, Cr Monique Hutchinson, Cr Denese Smythe, Cr Kevin Trent, Cr Melissa Welsh

2.2 Staff

Alina Behan, Temporary Chief Executive Officer; Anneke Birlson, Acting Executive Manager Corporate & Community Services; Lindon Mellor, Executive Manager Infrastructure & Development Services; Vanessa Green, Council & Executive Support Officer

2.3 Apologies

Cr Kevin Pyke

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were six (6) people in the Gallery at the commencement of the meeting.

3 ELECTION OF SHIRE PRESIDENT AND DECLARATION OF OFFICE

The Temporary Chief Executive Officer called for nominations for the position of President of the Council for the ensuing two (2) years.

The following nominations were received:

Cr Gibbs nominated by Cr Gibbs and Cr Smythe

Cr Trent nominated by Cr Trent

Nominees were offered one (1) minute to outline their intent for the role of Shire President.

An election was held in accordance with Schedule 2.3 of the Local Government Act 1995 with the Temporary Chief Executive Officer, Council & Executive Support Officer and Mr R Sullivan JP conducting the count of votes.

On a vote of five (5) votes to one (1) vote, Cr Chris Gibbs was declared as the Shire President of the Shire of York.

Mr R Sullivan JP performed the Swearing In Ceremony and witnessed the Declaration of Office for Cr Gibbs as Shire President.

The President took the chair at 8.53am.

4 ELECTION OF DEPUTY SHIRE PRESIDENT AND DECLARATION OF OFFICE

The Shire President called for nominations for the position of Deputy Shire President of the Council for the ensuing two (2) years.

The following nominations were received:

Cr Smythe nominated by Cr Gibbs

Cr Trent nominated by Cr Trent

An election was held in accordance with Schedule 2.3 of the Local Government Act 1995 with the Temporary Chief Executive Officer, Council & Executive Support Officer and Mr R Sullivan JP conducting the count of votes.

On a vote of five (5) votes to one (1) vote, Cr Denese Smythe was declared as the Deputy Shire President of the Shire of York.

Mr R Sullivan JP performed the Swearing In Ceremony and witnessed the Declaration of Office for Cr Smythe as Deputy Shire President.

The Deputy Shire President assumed their chair at 9.02am.

The Shire President thanked Mr R Sullivan JP for officiating over the Swearing In Ceremonies.

5 DRAW FOR POSITION AT COUNCIL TABLE

Clause 8.1 of the Shire's Local Government (Council Meetings) Local Law 2016 states:

"Members to be in their proper places

(1) At the first meeting held after each election day, the CEO is to allot, alphabetically, a position at the Council table to each member.

(2) Each member is to occupy his or her allotted position at each Council meeting."

As such, Councillors took their position in alphabetical order around the Council table.

6 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the Local Government Act 1995 and Regulations. In addition to this the Shire's Local Government (Council Meetings) Local Law 2016 states:

6.7 Other procedures for question time for the public

(1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.

(2) A question may be taken on notice by the Council for later response.

(3) When a question is taken on notice the CEO is to ensure that—

- (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where—
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have 2 minutes to submit a question.
- (9) The Council, by resolution, may agree to extend public question time.
- (10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.
- (11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

Public Question Time commenced at 9.05am.

6.1 Written Questions – Current Agenda

Nil

6.2 Public Question Time

Nil

As there were no questions asked, Public Question Time concluded at 9.05am.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Trent requested Leave of Absence from 3 November 2025 to 18 November 2025 inclusive.

MOTION**RESOLUTION
011025****Moved: Cr Kevin Trent****Seconded: Cr Denese Smythe****That Cr Trent be approved Leave of Absence from 3 November 2025 to 18 November 2025 inclusive.****In Favour: Crs Elaine Ashford, Chris Gibbs, Monique Hutchinson, Denese Smythe, Kevin Trent, Melissa Welsh****Against: Nil****CARRIED: 6/0**

Cr Ashford requested Leave of Absence from 21 October 2025 to 1 November 2025 inclusive.

MOTION**RESOLUTION
021025****Moved: Cr Elaine Ashford****Seconded: Cr Denese Smythe****That Cr Ashford be approved Leave of Absence from 21 October 2025 to 1 November 2025 inclusive.****In Favour: Crs Elaine Ashford, Chris Gibbs, Monique Hutchinson, Denese Smythe, Kevin Trent, Melissa Welsh****Against: Nil****CARRIED: 6/0****8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President:

- 1. Congratulated the new Councillors on their election and the returning Councillor on his re-election, and thanked the ongoing Councillors for their continued service.*
- 2. Reminded Councillors of the Agenda Briefing being held Tuesday 21 October 2025, advising it was an opportunity for Council to ask questions or seek points of clarification on matters listed in the agenda, adding support will be provided on protocols and processes.*
- 3. Advised that next month the new Councillors will experience a full Council cycle which includes Concept Forum, followed by Agenda Briefing followed by the Ordinary Council Meeting.*
- 4. Informed Councillors of the Joint Induction and Networking Event being hosted by the Shire of Toodyay on behalf of the Avon Regional Organisation of Councils (AROC), of which the Shire of York is a member. The event is being held on Saturday 25 October 2025 from 2pm to 6pm.*

5. *Informed Councillors of the Seminar for New Councillors being hosted by WALGA being held on Friday 14 November 2025.*
6. *Informed Councillors of the training course being conducted by WALGA on Monday 3 November 2025 relating to CEO Recruitment and encouraged Councillors to register their attendance by informing the Council & Executive Support Officer.*

9 CLOSURE

The Shire President thanked everyone for their attendance and closed the meeting at 9.12am.