



SHIRE OF YORK

**MINUTES OF THE SPECIAL
MEETING OF THE COUNCIL
HELD ON 25 JULY, 2014
COMMENCING AT 12.18PM
IN THE MEETING ROOM OF THE SHIRE
ADMINISTRATION BUILDING, YORK**

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SHIRE OF YORK

THE SPECIAL MEETING OF THE COUNCIL
HELD ON FRIDAY, 25 JULY 2014, COMMENCING AT
12.18PM IN THE MEETING ROOM OF THE
SHIRE ADMINISTRATION BUILDING, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

1.1 Declaration of Opening

Cr Mark Duperouzel, Deputy Shire President declared the meeting open at 12.18pm in the absence of the Shire President – Local Government Act 1995 Section 5.6

1.2 Disclaimer

The Deputy Shire President advised the following:

“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, pursuant to the Local Government Act 1995.

Therefore members of the public should not rely on any decisions until formal notification in writing by Council 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 Suspension of Standing Orders

Clause 3.2 – Order of Business

Not Put

1.4 Announcement of Visitors

Nil

1.5 Declarations of Interest that Might Cause a Conflict

Financial Interest

Nil

Disclosure of Interest that May Affect Impartiality

Nil

2. ATTENDANCE

- 2.1 Members
Cr Mark Duperouzel, Deputy Shire President; Cr Pat Hooper, Cr Tony Boyle
- 2.2 Staff
Michael Keeble, Chief Executive Officer
- 2.3 Apologies
Nil
- 2.4 Leave of Absence Previously Approved
Nil
- 2.5 Number of People in Gallery at Commencement of Meeting
There were nil people in the Gallery at the commencement of the meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

- 3.1 Previous Public Questions Taken on Notice
Nil

4. PUBLIC QUESTION TIME
Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE
Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS
Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
Nil

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
Nil

REPORTS

9. MATTERS FOR RESOLUTION

9. MATTERS FOR RESOLUTION
9.2 ADMINISTRATION
9.2.1 Council Should Meet Behind Closed Doors

FILE NO:
COUNCIL DATE: 25 July 2014
REPORT DATE: 25 July 2014
APPLICANT: Chief Executive Officer
AUTHOR: Chief Executive Officer
DISCLOSURE OF INTEREST: none
REPORT APPROVED BY THE CEO: Michael Keeble

RESOLUTION
330714

Moved: Cr Hooper

Seconded: Cr Boyle

“That Council:

Resolve to close the meeting to the press and public to discuss a legal matter.”

CARRIED: 3/0

Statutory Environment
The Local Government Act 1995 section 5.23 (extract)

5.23. Meetings generally open to public

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting

Voting Requirements:
Simple Majority Required: Yes

The meeting closed to the press and public at 12.20pm.

9. MATTERS FOR RESOLUTION
9.2 ADMINISTRATION
9.2.2 The Fitzgerald Report

FILE NO:
COUNCIL DATE: 25 July 2014
REPORT DATE: 25 July 2014
APPLICANT: The Chief Executive Officer
DISCLOSURE OF INTEREST: None
DOCUMENTS TABLED: The Fitzgerald report
REPORT APPROVED BY THE CEO: Michael Keeble

RESOLUTION
340714

Moved: Cr Boyle

Seconded: Cr Hooper

“That Council:

Stop the distribution of the Fitzgerald report until legal advice has been sought concerning the possible liability accruing to Council and the community.”

CARRIED: 3/0

RESOLUTION
350714

Moved: Cr Hooper

Seconded: Cr Boyle

“That Councillors Hooper, Boyle and Duperouzel accompany the Shire President and the Chief Executive Officer to meet the Minister for Local Government on Monday, 28th July, 2014 at 2.30pm.”

CARRIED: 3/0

RESOLUTION
360714

Moved: Cr Hooper

Seconded: Cr Boyle

“That the Chief Executive Officer is directed to deliver a copy of the Fitz Gerald report to the Minister for Local Government immediately.”

CARRIED: 3/0

10. CLOSED:

Cr Duperouzel closed the meeting at 12.25