



# SHIRE OF YORK

**MINUTES OF THE SPECIAL  
MEETING OF THE COUNCIL  
HELD ON 3 JUNE 2016  
COMMENCING AT 4.04PM  
IN COUNCIL CHAMBERS  
YORK TOWN HALL  
YORK**



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SHIRE OF YORK

THE SPECIAL MEETING OF THE COUNCIL  
HELD ON FRIDAY, 3 JUNE, 2016, COMMENCING  
AT 4.04PM IN COUNCIL CHAMBERS, YORK TOWN HALL, 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 David Wallace, Shire President, declared the meeting open at 4.04pm.*

1.2 Disclaimer

The 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 Standing Orders

Clause 3.2 – Order of Business

*Not Applicable*

1.4 Announcement of Visitors

*Nil*

1.5 Declarations of Interest that Might Cause a Conflict

Financial Interests

*Nil*

Disclosure of Interest that May Affect Impartiality

*Nil*

## **2. ATTENDANCE**

### **2.1 Members**

*Cr David Wallace, Shire President; Cr Denese Smythe, Deputy Shire President;  
Cr Heather Saint; Cr Pam Heaton; Cr Jane Ferro; Cr Trevor Randell; Cr Tricia Walters*

### **2.2 Staff**

*Paul Martin, Chief Executive Officer; Helen D'Arcy-Walker, Executive Support 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**

*Nil*

## **4. PUBLIC QUESTION TIME**

### **G 2.6 – Public Question Time - Policy Statement**

1.0 “Public Question Time” will be limited to 15 minutes\*. The Council may exercise a discretion to extend the time by resolution if required. If there are questions remaining unasked at the expiration of the time allotted members of the public will be asked to submit their questions in writing to the Chief Executive Officer who will provide a written reply with the response placed in the Agenda of the next Ordinary Meeting of the Council.

*\* A minimum of 15 minutes is provided by Regulation 6(1) of the Local Government (Administration) Regulations 1996 (S.5.24 of the Local Government Act 1995)*

2.0 Questions may be asked at the Ordinary Council Meeting and any Committee meeting on any matter affecting the Council and the Shire’s operations. Questions submitted to Special Meetings of the Council will be restricted to the subject matter of the meeting.

3.0 Each questioner will be limited to two (2) questions. Statements or long preamble are not permitted.

4.0 People wishing to ask questions will be encouraged to put their questions in writing or in a prescribed form and submit them to the Chief Executive Officer prior to 10 am on the day of the meeting. This allows for an informed response to be given at the meeting. Oral questions are permitted.

5.0 Priority will be given to questions about matters on the agenda for the meeting and which are submitted in accordance with 4.0 above.

6.0 Every person who wishes to ask a question must identify themselves and register with a Council Officer immediately prior to the meeting. Subject to 5.0 above questions will be taken in the order in which people register.

- 7.0 Questions containing offensive remarks, reference to the personal affairs or actions of Elected Members or staff, or which relate to confidential matters or legal action will not be accepted. Questions that the Presiding Member considers have been answered by earlier questions at the meeting or earlier meetings may not be accepted.
- 8.0 On receipt of a question the Presiding Member may answer the question or direct it to the Chief Executive Officer to answer. If the question is of a technical nature the Chief Executive Officer may direct the question to a senior technical officer present. If the question requires research it will be taken on notice.
- 9.0 There will be no debate on the answers to questions.
- 10.0 A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.
- 11.0 Public Question Time guidelines incorporating this policy are being prepared and will include information on the other methods of enquiry that are available to members of the public to obtain information from the Shire.

Adopted 21 October 2013  
Amended 17 September 2015  
Amended 23 November 2015

4.1 Written Questions – Current Agenda  
*Nil*

4.2 Public Question Time  
*Nil*

5. **APPLICATIONS FOR LEAVE OF ABSENCE**  
*Nil*

6. **PETITIONS / PRESENTATIONS / DEPUTATIONS**  
*Nil*

7. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**  
*Nil*

8. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**  
*Nil*

9. **OFFICERS' REPORTS**





## ***SY056-06/16 – Closing the Meeting to the Public & Press***

**FILE REFERENCE:**

**APPLICANT OR PROPOENT(S):** Paul Martin, CEO  
**AUTHORS NAME & POSITION:** Paul Martin, CEO  
**PREVIOUSLY BEFORE COUNCIL:** No  
**DISCLOSURE OF INTEREST:** Nil

**Statutory Environment:**

Local Government Act 1995 – Part 5 – Division 2 – Section 5.23:

(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 —*

*(a) a matter affecting an employee or employees;*

**Voting Requirements:**

**Absolute Majority Required:** No

**RESOLUTION  
010616**

**Moved: Cr Ferro**

**Seconded: Cr Saint**

***“That Council:***

***Close the meeting to members of the public and the press to deal with a matter affecting an employee or employees.”***

***CARRIED: 7/0***

Note to this Item:

The doors were Closed at 4.07pm.

*Helen D’Arcy-Walker left the room at 4.07pm and did not return to the meeting.*



***SY057-06/16 – Organisational Review – Stage 1***

**FILE REFERENCE:**

**APPLICANT OR PROPOENT(S):** N/A  
**AUTHORS NAME & POSITION:** Paul Martin, CEO  
**PREVIOUSLY BEFORE COUNCIL:** No  
**DISCLOSURE OF INTEREST:** Nil

**RESOLUTION**

**020616**

**Moved: Cr Walters**

**Seconded: Cr Smythe**

***“That Council:***

***Notes the actions of the Chief Executive Officer to date in relation to the organisational review.”***

***CARRIED: 7/0***



## ***SY058-06/16 – Opening the Meeting to the Public & Press***

**FILE REFERENCE:**

**APPLICANT OR PROPOENT(S):** Paul Martin, CEO  
**AUTHORS NAME & POSITION:** Paul Martin, CEO  
**PREVIOUSLY BEFORE COUNCIL:** No  
**DISCLOSURE OF INTEREST:** Nil

**Statutory Environment:**

Local Government Act 1995 – Part 5 – Division 2 – Section 5.23:

- (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 —*
- (a) *a matter affecting an employee or employees;*

**Voting Requirements:**

**Absolute Majority Required:** No

**RESOLUTION  
030616**

**Moved: Cr Smythe**

**Seconded: Cr Randell**

***“That Council:***

***Open the meeting to members of the public and the press.”***

***CARRIED: 7/0***

Note to this Item:

The doors were Opened at 4.22pm

## **10.CLOSURE**

*The Shire President thanked everyone for their attendance closing the meeting at 4.23pm.*