



MINUTES

SPECIAL MEETING

OF COUNCIL

7 APRIL 2020



TABLE OF CONTENTS
SPECIAL MEETING OF COUNCIL
HELD ON
7 APRIL 2020

	PAGE
1. <u>DECLARATION OF OPENING</u>	1
2. <u>RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE</u>	1
2.1 Attendance	1
2.2 Apologies	1
2.3 Leave of Absence	2
3. <u>DISCLOSURES OF INTEREST</u>	2
4. <u>PUBLIC QUESTION TIME</u>	2
4.1 Responses to Public Questions Previously Taken on Notice	2
4.2 Public Questions	2
5. <u>PETITIONS, DEPUTATIONS AND PRESENTATIONS</u>	2
5.1 Petitions	2
5.2 Deputations	2
5.3 Presentations	2
6. <u>APPLICATIONS FOR LEAVE OF ABSENCE</u>	3
7. <u>CONFIRMATION OF MINUTES</u>	3
8. <u>ANNOUNCEMENTS BY THE PRESIDING MEMBER</u>	3
9. <u>UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS</u>	3
10. <u>QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN</u>	3
11. <u>REPORTS</u>	4
11.1. <u>Office of the CEO</u>	4
11.1.1 Coronavirus (Covid-19) Response and Action	4
11.1.2 Council and Committee Meeting Procedures During the Covid-19 Pandemic	13
11.2. <u>Corporate and Community Services</u>	19
11.3. <u>Regulatory and Development Services</u>	19
11.4. <u>Operations</u>	19
12. <u>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u>	19
13. <u>COUNCILLORS' OFFICIAL REPORTS</u>	19
14. <u>NEW BUSINESS OF AN URGENT NATURE</u>	19
15. <u>MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC</u>	19
16. <u>CLOSURE</u>	19

SHIRE OF GINGIN

MINUTES OF THE SPECIAL MEETING OF THE SHIRE OF GINGIN HELD IN THE COUNCIL CHAMBER ON TUESDAY, 7 APRIL 2020, COMMENCING AT 3.00 PM

DISCLAIMER

Members of the Public are advised that decisions arising from this Council Meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

ORDER OF BUSINESS

1. DECLARATION OF OPENING

The Shire President declared the meeting open at 3.01pm and welcomed those in attendance.

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster (Shire President), J K Rule (Deputy Shire President), L Balcombe, J Court (via video conference), F J Johnson (via video conference), J C Lobb (via video conference), F J Peczka (via video conference), J Morton (via video conference) and A R Vis (via video conference).

Staff – A Cook (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), A Butcher (Executive Manager Operations), R Kelly (Executive Manager Regulatory and Development Services) and L Burt (Governance/Minute Officer) (via video conference).

Gallery – There were no members of the public present in the Gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3. DISCLOSURES OF INTEREST

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

4.2.1 Kathryn Enright – Edward Street, Guilderton

Q1. *Will Council consider reducing their commercial rent considerably as the income from our grocery space has been significantly affected due to an initial incorrect excavation undertaken for the floor arm which has left the space unfinished and not able to be rented?*

Q2. *If rent reductions are available, would Council consider extending our lease for a corresponding time period once normal rental payments resume?*

Response from CEO

The matter of commercial rent reductions during the COVID-19 pandemic is the subject of an Agenda Item for consideration at this meeting. No response can be provided to these questions until Council has considered the matter and resolved a course of action.

5. PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 PETITIONS

Nil

5.2 DEPUTATIONS

Nil

5.3 PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

Not applicable

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

9. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11. **REPORTS**

11.1. **OFFICE OF THE CEO**

11.1.1 **CORONAVIRUS (COVID-19) RESPONSE AND ACTION**

File:	FIN/18; FIN/46-20/21;RDS/21
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	7 April 2020
Refer:	Nil
Appendices:	1. Shire of Gingin Properties Subject to Commercial Leases

DISCLOSURES OF INTEREST

Nil

PURPOSE

To facilitate discussion by Elected Members and provide direction to the organisation and community regarding matters that have emanated from the Coronavirus (Covid-19) outbreak.

BACKGROUND

On 31 March 2020 a Special Briefing Session was facilitated via video conference to allow Elected Members to receive information on, and discuss, a number of issues relating to the current pandemic and its potential implications for the Shire of Gingin. As a result of these discussions, the Shire President called for a Special Meeting of Council to deal with Covid-19 issues affecting the Shire, the State of Western Australia, and the nation.

Covid-19 came to the attention of the world in late 2019 and early 2020. From there the virus has slowly spread across the globe and has now been affecting Australia for approximately 8 -10 weeks, with more serious impacts first becoming evident some four weeks ago.

Due to the infectious nature of the virus, governments across the globe have been attempting to slow the spread through locking down communities and cities to “Flatten the Curve”.

Whilst it is still early days for Australia, there is significant concern being expressed by both State and Federal Governments, with the Australian and State borders now being closed. In WA, community movements have been greatly limited as a result of people being requested to remain at home if at all possible and many businesses being forced to close. A ban on travel between the various Regions of the State came into effect on 31 March 2020 which has created a great deal of confusion for the public, businesses and contractors, and the significant impact of Police road closures will be starting to manifest within a few days.

The nature of information that is being provided by the State is very much reactionary to actions by the Federal Government, and nearly all agencies are now taking their cues from the Prime Minister's announcements rather than waiting for the State to provide formal advice.

It is important to note that the Shire's administration has already taken a wide range of actions in order to implement all State and Federal requirements, including closure of the Gingin Aquatic Centre, the Gingin and Lancelin Public Libraries and community meeting spaces such as the Granville Civic Centre

A number of very significant assistance and economic stimulus packages have been announced by the Federal Government including Jobseeker and Jobkeeper payments, tax subsidies, childcare assistance, access to superannuation funds etc.

COMMENT

All of the issues listed above and more were discussed by Council during the Briefing Session, and as a result of these discussions it became evident that Council would need to formally consider and make decisions with respect to the following:

1. **Rent assistance to Commercial Businesses Occupying Premises Leased by the Shire of Gingin**

Council needs to consider whether it will offer rental assistance to commercial businesses that operate from Shire-owned properties. Details of the businesses and properties concerned are provided as **Confidential Appendix 1**.

State and Federal subsidies have been made available to businesses and, although it is early days, these subsidies are significant. For example, employees of small businesses which have experienced a drop in revenues of at least 30% are being provided with \$1,500 per fortnight per employee through the Australian Taxation Office. There is also a direct subsidy to small businesses, and talk of rental subsidies.

Recognising that income is down and that customer levels are low, it is proposed that the Shire offer a 50% rental subsidy for the next three months to 30 June 2020, to be reviewed if extension is required. The impacts on business as a result of the pandemic are extensive, and it is impossible at this point to say definitively how long rental assistance may be required.

Whilst details of residential properties owned by the Shire are included in **Confidential Appendix 1**, it is not proposed that rental assistance be provided to these properties. The tenants of these properties are either Shire staff, or those in receipt of Commonwealth payments (ie. pension, disability) who already receive subsidised housing.

It should be recognised that the Shire will also be facing a huge reduction in revenue and potentially reduced grants and funding in the future.

2. Freeze on Rates Increases for 2020/21 Financial Year

This matter has been proposed by the Premier. It has not been made mandatory for local government, however a small number of local governments have already accepted a rate freeze.

The freezing of rates, on the back of two previous years of minimal rate increases, will not allow the administration to keep up with the community's expectations and growth. However, Covid-19 is not a normal circumstance and requires all levels of Government to work together to stimulate the economy and attempt to support community members and residents. As discussed during the Briefing Session, any rate freeze can only be truly applied on the basis that general revaluations for both GRV and UV proposed for 2020/21 are delayed until the 2021/22 year.

While this will have significant implications for the Shire's ability to facilitate projects, employ new staff and provide support to the community for the next and future budget years, it is recommended that Council consider the implementation of a 0% rate increase in the 2020/21 budget.

3. Fees and Charges for 2020/21

Although Council has recently reviewed its Fees and Charges for the 2020/21 financial year, given the impacts of Covid-19 on the greater community it is now proposed that all Shire of Gingin Fees and Charges remain at the rate applied for the 2019/20 financial year. This excludes statutory fees and charges set by legislation.

4. Fines Enforcement

It is recommended that all current and future infringements be processed in the normal manner.

5. Current Outstanding Rates and Future Non-Payment of Rates Interest Discount

It is proposed that the collection of currently outstanding rates be continued in accordance with usual practice, but that the penalty and instalment interest rates for all outstanding rates for the 2020/21 financial year be reduced. The proposal to reduce and not remove is due to the fact that the Shire cannot afford to not receive rate payments; this would force Council to enter into overdraft to cover the loss of income.

It is therefore proposed that the instalment interest be set at 2% (normally 5.5%) and the instalment administration charge be set at \$0 for 2020/21 rates, and that penalty interest be set at 5.5% (normally 11%) for all rates outstanding.

6. Guilderton Foreshore Parking Meters

It is recommended that the parking meters at Guilderton be hooded for the duration of travel restrictions across the regions within the State. Although there are currently limited numbers of people visiting this area, removal of the requirement to pay for parking will assist in freeing up Shire staff to attend to other matters, and encourage people to attend the Guilderton General Store and Café.

7. Lancelin Off-Road Vehicle Area (LORVA)

Given the travel restrictions now in effect across the country, State and Regions, usage of the LORVA should now be confined to locals, or at the most residents of the Wheatbelt Region only. In order to encourage social distancing and support requests for members of the public to stay at home unless venturing out for essential services or to go to work, it is recommended that the LORVA be closed to the public whilst regional travel restrictions are in place, and that advisory signage be erected accordingly.

8. Closure of the Shire's Gingin Administration Centre and Lancelin Office to the Public

Given the contagious nature of the Covid-19 virus, it has been suggested that Council should consider preventing or limiting public access to its administration facilities for the safety of both the public and Shire staff.

A significant number of other local governments have already either closed their offices to the public, are only open for appointments, or are opening for restricted hours. Whilst it is understood that there will be additional issues created with this action, it does not mean that the Shire will cease to operate. We will continue to serve our community and all staff will continue to carry out their roles, but interaction with the public will be via email, phone or online technology where appropriate rather than in person.

It is proposed that an external drop box will be provided for members of the public to submit documents. Staff will then contact the customer to process the task. There may be some instances where a transaction cannot be carried out other than in person, and these instances will be managed through appointment only arrangements.

In the event that Council agrees to close its administration facilities to the public, it is proposed that the entry statement be roofed to provide coverage from the weather and protection for items in the drop box. It is estimated that the cost of providing coverage will be in the vicinity of \$6,000.

9. Council and Committee Meetings to be held via Electronic Means

After conducting a trial using Zoom for the Special Briefing Session on 31 March 2020, it is proposed that this electronic method will be utilised for all Council Meetings and Briefing Sessions conducted up until 30 September 2020, with the situation to be reviewed at that point. Issues that will need to be attended to in order to facilitate electronic meetings are addressed separately in Item 11.1.2.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 – Financial Management

Division 4 – General financial provisions

Section 6.12 - Power to defer, grant discounts, waive or write off debts

Under s.6.12, a local government may waive or grant concessions in relation to any amount of money (with the exception of rates and service charges) that is owed to it.

Division 5 – Financing local government activities

Section 6.16 – Imposition of fees and charges

Under s.6.16 a local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

Division 6 – Rates and service charges

Section 6.51 - Accrual of interest on overdue rates or service charges

Under s.6.51 a local government may, at the time of imposing a rate or service charge, resolve to impose interest (at the rate set in its annual budget) on a rate or service charge or any instalment of a rate or service charge, and on any costs of proceedings to recover any such charge that remain unpaid after becoming due and payable.

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

There will be significant budget implications for this item if the recommendations are accepted as presented. The items that will directly affect Council are:

1. Zero Rate Increase 2020/21 Financial Year – It is expected that, if Council accepts a 0% rate increase rather than the 2.5% increase that would potentially be applied under normal conditions, then this will result in a revenue loss of \$215,000.
2. Fees and Charges – No increase in listed Fees and Charges for the 2020/21 financial year will result in a \$5,000 loss for the year.
3. A 50% reduction in commercial lease payments for a three month period will result in an estimated loss of \$24,000 over the three months.
4. The cost of enclosing the front entry to the Gingin Administration Centre is estimated at \$6,000 for the roof structure.
5. Based on normal rates of patronage, hooding of the parking meters in Guilderton is expected to generate a loss of \$52,000 if hooded until December.

In the event that Council supports the recommendations contained within this report, then the total loss of revenue to the Shire is estimated at \$302,000, or 3.55% of rates.

In addition to the above, it is estimated that revenue lost from the Guilderton Caravan Park for the period of up to December 2020 will be approximately \$871,000.

To put the above into context and understand the implications for administration in attempting to compensate for lost revenue in preparing a budget for 2020/21, total estimated losses will be \$1,173,000 or the equivalent of 13.8% of rates.

This loss of revenue needs to be seriously considered in all decisions of Council as it will take the organisation many years to get back to a position where Council will have the ability to allocate more funds to projects, provide additional services to the community and consider the employment of additional staff to support the needs of a growing community. The impacts of these decisions will be felt across the Shire for years to come.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Governance</i>
Objective	<i>5. To demonstrate effective leadership, governance and advocacy on behalf of community..</i>
Outcome	<i>5.1 Values Our Organisational/Business Values are demonstrated in all that we do.</i>
Key Service Areas	<i>Financial Management</i>
Priorities	<i>Nil</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

That Council, in recognising and responding to the implications of the Coronavirus (Covid-19) on all members of the community, agree to:

1. Budget for a zero rate increase for the 2020/21 Financial Year, recognising that this will result in a reduction in revenue of \$215,000.
2. Make provision in the 2020/21 Budget for a reduced instalment interest rate of 2% and instalment charge of \$0 for 2020/21 rates, and a reduced penalty interest of 5.5% on outstanding rates.
3. Budget for a zero increase to Council Fees and Charges for the 2020/21 Financial Year, recognising that this will result in a reduction in revenue of \$5,000.
4. Reduce rental payments by 50% to commercial tenants of Council properties as detailed in Confidential Appendix 1 for a three month period (April, May and June 2020), recognising that the estimated loss of revenue during this period will be \$24,000 for the three months.

5. Close the Shire's Gingin Administration Centre and Lancelin Office to the public for an initial period of three months whilst maintaining services to the community via alternative means.
6. Remove foliage and construct a roof over the front entry to the Gingin Administration Centre at an estimated cost of \$6,000.
7. Hood the parking meters at the Guilderton foreshore car park and remove the requirement for payment of parking fees, recognising that this will result in an estimated loss (under normal conditions) of \$52,000 if hooded until December 2020.
8. Require the Chief Executive Officer to present a further report to Council at its Ordinary meeting on 21 July 2020 meeting, providing an update on the arrangements made to address Covid-19 implications, including any proposed extension or lifting of Parts 4, 5, and 7 above.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION (WITH AMENDMENT)

Amend Part 4 by inserting at the end of the Part "The reduction in rental payments by commercial properties will be reviewed by Council during the period and may be terminated earlier than 30 June 2020 if changes occur to current travel restrictions and/or social distancing requirements."

Amend Part 5 by inserting the words "Grant retrospective approval to" at the beginning of the Part.

MOVED: Councillor Rule SECONDED: Councillor Johnson

That Council, in recognising and responding to the implications of the Coronavirus (Covid-19) on all members of the community, agree to:

- 1. Budget for a zero rate increase for the 2020/21 Financial Year, recognising that this will result in a reduction in revenue of \$215,000.**
- 2. Make provision in the 2020/21 Budget for a reduced instalment interest rate of 2% and instalment charge of \$0 for 2020/21 rates, and a reduced penalty interest of 5.5% on outstanding rates.**
- 3. Budget for a zero increase to Council Fees and Charges for the 2020/21 Financial Year, recognising that this will result in a reduction in revenue of \$5,000.**
- 4. Reduce rental payments by 50% to commercial tenants of Council properties as detailed in Confidential Appendix 1 for a three month period (April, May and June 2020), recognising that the estimated loss of revenue during this period will be \$24,000 for the three months. The reduction in rental payments by commercial properties will be reviewed by Council during the period and may be terminated earlier than 30 June 2020 if changes occur to current travel restrictions and/or social distancing requirements.**

5. **Grant retrospective approval to close the Shire's Gingin Administration Centre and Lancelin Office to the public for an initial period of three months whilst maintaining services to the community via alternative means.**
6. **Remove foliage and construct a roof over the front entry to the Gingin Administration Centre at an estimated cost of \$6,000.**
7. **Hood the parking meters at the Guilderton foreshore car park and remove the requirement for payment of parking fees, recognising that this will result in an estimated loss (under normal conditions) of \$52,000 if hooded until December 2020.**
8. **Require the Chief Executive Officer to present a further report to Council at its Ordinary meeting on 21 July 2020 meeting, providing an update on the arrangements made to address Covid-19 implications, including any proposed extension or lifting of Parts 4, 5, and 7 above.**

**CARRIED BY ABSOLUTE MAJORITY
9-0**

REASON FOR AMENDMENT

Council was of the view that, in keeping with its obligations to responsibly manage the Shire's finances, Part 4 should be amended to make provision for earlier termination of the subsidy for commercial rental payments if changing circumstances mean that businesses are able to return to normal or near-normal operations. Part 5 was amended to recognise that the Shire's Administration Centre and Lancelin Office had been closed to the public on 3 April 2020 at the CEO's instruction.

CONFIDENTIAL

APPENDIX 1

11.1.2 COUNCIL AND COMMITTEE MEETING PROCEDURES DURING THE COVID-19 PANDEMIC

File:	LAW/1; GOV/8
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	7 April 2020
Refer:	Nil
Appendices:	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider preventing public attendance at Council meetings and suspending and/or varying Clauses 5.9 Deputations, 7.1(2) Members to occupy own seats, 7.4 Members who wish to speak, 9.6 Order of call in debate and 12.4 Method of taking vote, for the purpose of facilitating electronic Council and committee meetings.

BACKGROUND

Following the outbreak of Covid-19 (coronavirus) in Australia, both the Federal and State Governments have introduced a series of measures designed to limit social interaction. Businesses are encouraged to cancel all non-essential meetings and, where meetings cannot be cancelled, to hold them as electronic meetings (eMeetings).

On 26 March 2020 amendments to the *Local Government (Administration) Regulations 1996* (the Regulations) came into effect to enable local governments to hold Council and committee meetings as eMeetings in instances where a State of Emergency or a Public Health Emergency have been declared.

In accordance with Regulation 14D(2) of the Regulations, the Shire President has determined that, until 30 September 2020, the following meetings will be held as eMeetings:

1. Ordinary meetings of Council;
2. Special meetings of Council; and
3. Meetings of Council committees (including the Audit and Governance Committee).

The Western Australian Local Government Association (WALGA) has prepared guidance for local governments in facilitating eMeetings. Amongst other things, the guide draws attention to the potential need to address certain requirements of a local government's Meeting Procedures (or Standing Orders) Local Law where it isn't possible to comply with those requirements when holding an eMeeting, or where compliance may limit the effectiveness or efficiency of the meeting.

Clause 15.1 of the Shire of Gingin Meeting Procedures Local Law 2014 states as follows:

15.1 Suspension of Meeting Procedures

- (1) *A member may, at any time, move that the operation of one or more of the clauses of this local law be suspended.*
- (2) *A member moving a motion under subclause (1) is to identify the clause or clauses to be suspended, and state the reasons for the motion, but no other discussion is to take place.*
- (3) *A motion under subclause (1) which is seconded and carried is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting resolves otherwise.*

In addition, given that Council is considering closure of its Gingin Administration Centre and Lancelin Office to members of the public to ensure the safety of both public and staff, it is considered that the same principles should be applied to the question of public attendance at Council meetings. A number of other local governments already have information on their websites advising that members of the public will not be able to attend Council meetings until further notice.

COMMENT

As a result of amendments to the Regulations, where eMeetings are being held in response to the declaration of a State of Emergency or a Public Health Emergency, then meetings will be considered as being open to the public if:

- The meeting is instantaneously publicly broadcast on a website; OR
- The meeting or a broadcast of the meeting is otherwise instantaneously accessible to the public; OR
- The unconfirmed Minutes are made publicly available within 10 working days of the meeting.

It is the Shire of Gingin's usual practice to have unconfirmed Minutes of Council meetings available from the Shire website within 10 working days of the meeting. It is therefore recommended that Council agree to suspend attendance by members of the public at Council meetings, and agree that meetings will be deemed to meet the requirement to be open to the public by virtue of unconfirmed Minutes being made publicly available within 10 working days after each meeting.

With respect to the requirement for provision to be made at each Council meeting for Public Question Time, Regulation 14E(4)(a) specifies that Councils will be deemed to have met this requirement if means are provided for members of the public to submit questions prior to the meeting. The questions can then be considered at the meeting and a written response provided.

The Shire of Gingin already has a Public Question Time form available to the public on its website, and it is intended to further develop the form so that it can be completed electronically. Council is therefore already capable of meeting the Public Question Time requirements.

It is proposed that Council consider either suspending or modifying the following clauses in the Shire of Gingin Meeting Procedures Local Law 2014 until 30 September 2020.

1. Clauses to be Suspended

a. Cl. 5.9 Deputations

Cl. 5.9 allows members of the public to make deputations to Council or a Council committee if approval is granted by the Shire President or the Presiding Member of the committee concerned. However, deputations can only be refused by a decision of Council or the relevant committee.

It is recommended that cl. 5.9 be suspended for all electronic Council and committee meetings until 30 September 2020, with all requests for deputations to be determined by the Shire President or the Presiding Member of the relevant committee during that period.

b. Cl. 7.1(2) Members to occupy own seats

Cl. 7.1(2) requires that, during a Council meeting, Councillors must sit in their allocated seats in the Council Chamber.

It is recommended that Cl. 7.1(2) be suspended for all electronic Council meetings until 30 September 2020.

c. Cl. 9.6 Order of call in debate

Cl. 9.6 sets out the order in which Councillors will speak when debating an item. In an eMeeting situation it may be difficult to adhere to the protocol of one speaker for the motion followed by one speaker against, once the Mover and Seconder have spoken to the motion.

It is recommended that cl. 9.6 be suspended for all electronic Council and committee meetings until 30 September 2020. During this period, debate will be progressed by the Presiding Member, after the Mover and Seconder have been given the opportunity to speak to the motion giving each Councillor the opportunity to speak in relation to the motion in turn, regardless of whether they are speaking for or against the motion.

d. Cl. 12.4 Method of taking vote

Cl. 12.4 sets out how the Presiding Member is to take the vote on any motion.

It is recommended that cl. 12.4 be suspended for all electronic Council and committee meetings until 30 September 2020. During this period, the vote will be taken by the Presiding Member calling for an indication only from those Councillors wishing to vote against the motion. The outcome will then determine whether the motion is Carried Unanimously, Carried by Simple Majority, Carried by Absolute Majority or Lost.

2. Clauses to be Modified

a. Cl. 7.4 Members who wish to speak

Cl. 7.4 specifies that Councillors who wish to speak during a meeting must indicate either by raising their hand, or *by any other method determined by the Council or committee*.

It is recommended that, until 30 September 2020, Councillors wishing to speak at eMeetings must do so via the approved method for that meeting and wait until acknowledged by the Presiding Member.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 5 – Administration

Division 2 - Council meetings, committees and their meetings and electors' meetings

Section 5.25 - Regulations about council and committee meetings and committees

Local Government (Administration) Regulations 1996

Part 2 – Council and committee meetings

Regulation 14D - Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))

Shire of Gingin Meeting Procedures Local Law 2014

Clause 5.9 – Deputations

Clause 7.1 – Members to occupy own seats

Clause 7.4 – Members who wish to speak

Clause 9.6 – Order of call in debate

Clause 12.4 – Method of taking vote

Clause 15.1 – Suspension of meeting procedures

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Infrastructure & development</i>
Objective	<i>5. To demonstrate effective leadership, governance and advocacy on behalf of community.</i>
Outcome	<i>5.1 Values Our Organisational/Business Values are demonstrated in all that we do.</i>
Key Service Areas	<i>Elected Member Services</i>
Priorities	<i>Nil</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule **SECONDED:** Councillor Vis

That Council:

1. **Suspend public attendance at all Council meetings until 30 September 2020, with the position to be reassessed at that time. In accordance with *Local Government (Administration) Regulations 1996 Regulation 14E(3)*, meetings will be deemed to be open to the public by virtue of the unconfirmed Minutes of each meeting being made available to the public within 10 working days of the meeting.**
2. **Require all public questions to be considered during Public Question Time to be submitted to the Chief Executive Officer in writing prior to the meeting, with a written response to be provided after the meeting.**
3. **Suspend Shire of Gingin Meeting Procedures Local Law 2014 cl. 5.9 Deputations for all electronic Council and committee meetings, with all requests for deputations to be determined by the Shire President or the Presiding Member of the relevant committee.**
4. **Suspend Shire of Gingin Meeting Procedures Local Law 2014 cl. 7.1(2) Members to occupy own seats be suspended for all electronic Council meetings.**
5. **Suspend Shire of Gingin Meeting Procedures Local Law 2014 cl. 9.6 Order of call in debate for all electronic Council and committee meetings. Debate will be progressed by the Presiding Member, after the Mover and Seconder have been given the opportunity to speak to the motion giving each Councillor the opportunity to speak in relation to the motion in turn, regardless of whether they are speaking for or against the motion.**

- 6. Suspend Shire of Gingin Meeting Procedures Local Law 2014 cl. 12.4 Method of taking vote for all electronic Council and committee meetings. The vote will be taken by the Presiding Member calling for an indication only from those Councillors wishing to vote against the motion. The outcome will then determine whether the motion is Carried Unanimously, Carried by Simple Majority, Carried by Absolute Majority or Lost.**
- 7. In accordance with Shire of Gingin Meeting Procedures Local Law 2014 cl. 7.4 Members who wish to speak, determine that Councillors wishing to speak at eMeetings must indicate using the agreed method for the electronic meeting and wait until acknowledged by the Presiding Member.**
- 8. Agree that the above provisions will remain in effect until 30 September 2020, at which time consideration will be given to whether extension is necessary.**

CARRIED UNANIMOUSLY

11.2. CORPORATE AND COMMUNITY SERVICES

Nil

11.3. REGULATORY AND DEVELOPMENT SERVICES

Nil

11.4. OPERATIONS

Nil

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. COUNCILLORS' OFFICIAL REPORTS

Nil

14. NEW BUSINESS OF AN URGENT NATURE

Nil

15. MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

16. CLOSURE

There being no further business, the Shire President declared the meeting closed at 3.30pm.

The next Ordinary Meeting of Council will be held as an electronic meeting on Tuesday, 21 April 2020 commencing at 3.00pm.

These Minutes are confirmed as the official record of the Special Meeting of the Gingin Shire Council held on 7 April 2020

Councillor C W Fewster
Shire President
21 April 2020