

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

16.1 CR STEWART – LANCELIN COASTAL EROSION COMMUNITY MEETING

File	ENV/17
Reporting Officer	James Bayliss - Acting Chief Executive Officer
Refer	Nil
Appendices	Nil

PURPOSE

To address a Notice of Motion submitted by Cr Stewart in relation to outcomes from a community meeting held in Lancelin on 13 July 2026.

COUNCILLOR MOTION

That Council:

1. *Acknowledge the Lancelin Coastal Erosion Community Meeting held on 13 July 2026, note that the town of Lancelin does not support a managed retreat option to coastal erosion, and note the community's expectation that future coastal erosion management works be directed towards protecting the township, its assets and infrastructure. Council further notes the community feedback and requests outlined in the Reasons for this motion.*
2. *Request the Chief Executive Officer present a report to Council, no later than the next Ordinary Council Meeting, with appendixes including:*
 - a. *all engineering reports, technical advice, concepts and designs relating to coastal erosion at Lancelin;*
 - b. *all consultant reports and recommendations;*
 - c. *all estimated costs and quotations for proposed coastal protection works;*
 - d. *all correspondence with the State Government, Commonwealth Government and other relevant agencies relating to coastal erosion, funding and proposed works;*
 - e. *all records, briefing notes and correspondence relating to the recent Ministerial meeting;*
 - f. *details of the proposed expenditure of the \$460,000 State Government funding; and*
3. *Resolve that all significant strategic decisions relating to the planning, funding and implementation of coastal erosion management measures at Lancelin be determined by Council.*

COUNCILLOR REASON FOR MOTION

The Lancelin Coastal Erosion Community Meeting identified clear community expectations regarding the future management of coastal erosion. The community expressed the view that the engineering reports and advice already obtained are sufficient to progress coastal protection works and that further expenditure on engineering reports and consultant advice is not supported. This motion formally acknowledges those views, requests the relevant information be presented to Council, and ensures future strategic decisions are determined by Council.

OFFICER COMMENT

It is considered that the motion, if carried in its current form, has the potential to adversely affect the Shire's relationships with State Government agencies, funding bodies and technical advisers at a time when continued collaboration is critical to securing long-term coastal protection outcomes for Lancelin.

Item 12.5 of this agenda relates to further consultation on the Coastal Hazard Risk Management Adaptation Plan (CHRMAP). That consultation is expected to provide the community with direct access to State agency representatives and coastal engineers. It would be premature to draw conclusions regarding the preferred long-term management approach prior to completion of that consultation process. It is also noted that the CHRMAP considers all four coastal townships within the Shire, whereas this motion is confined to Lancelin.

Section 5.41 of the *Local Government Act 1995* requires the CEO to provide Council with the information and advice necessary to enable informed decision-making. The Act does not contemplate that every operational document, working paper, email or item of correspondence generated or received by the Administration be routinely provided to Council. The statutory framework establishes a distinction between Council's governance and decision-making role and the CEO's responsibility for the day-to-day operations and administration of the local government.

The scope of the recently announced State Government funding is outlined in the Shire's media release of 17 July 2026. Council will also be involved in considering the basis of design for protection works in North Lancelin on 21 July 2026, with the intention of considering the preferred design option at a future Council meeting (likely August) once the engineering work has progressed.

While this is unlikely to be the intention of the motion, the practical effect may be to undermine the collaborative relationships upon which future funding, technical support and engineering solutions depend. This may unintentionally compromise the very objective the motion seeks to achieve, protecting north Lancelin from further impacts of coastal erosion.

RISK IMPLICATIONS

Risk: Legal

Some documents may be subject to legal professional privilege, confidentiality agreements, copyright restrictions or contractual obligations that prevent unrestricted disclosure. These documents may need to be withheld or provided in a modified form.

Risk: Legal

Correspondence from State or Commonwealth agencies may contain information provided on a confidential basis. Disclosure without appropriate consideration could affect legal obligations or intergovernmental relationships.

Risk: Commercial

Engineering reports, designs and quotations may contain commercially sensitive information belonging to consultants or contractors. Disclosure could prejudice future procurement processes or expose the local government to contractual claims.

Risk: Commercial

Releasing estimate costs before procurement is complete may compromise the local government's negotiating position and potentially increase future project costs.

Risk: Strategic

Preliminary concepts or superseded engineering advice may be misunderstood if considered without appropriate technical context.

Risk: Intergovernmental Relations

Disclosure of correspondence with State and Commonwealth agencies may affect ongoing negotiations regarding funding, approvals or future collaboration if communications are released inappropriately as requested.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 2 Constitution of local government

s.2.7 Role of council

s.2.8 Role of mayor or president

s.2.10 Role of councillors

Part 5 Administration

Division 4 Local government employees

s.5.41 Role of CEO

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2024-2034

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable, and principled environment.

VOTING REQUIREMENTS - SIMPLE MAJORITY

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 - e. all records, briefing notes and correspondence relating to the recent Ministerial meeting;
 - g. Details of the proposed expenditure of the \$460,000 State Government funding; and
3. Resolve that all significant strategic decisions relating to the planning, funding and implementation of coastal erosion management measures at Lancelin be determined by Council.