



MINUTES

ANNUAL MEETING OF ELECTORS OF THE SHIRE OF GINGIN

16 MARCH 2021



TABLE OF CONTENTS
ANNUAL MEETING OF ELECTORS
HELD ON
16 MARCH 2021

	PAGE
1. <u>OFFICIAL OPENING – WELCOME BY PRESIDENT</u>	1
2. <u>ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE</u>	1
2.1 ATTENDANCE	1
2.2 APOLOGIES	1
2.3 LEAVE OF ABSENCE	1
3. <u>PUBLIC NOTICE OF AGM AND ANNUAL REPORT</u>	2
4. <u>CONSIDERATION OF THE 2019/20 ANNUAL REPORT</u>	2
5. <u>OTHER GENERAL BUSINESS</u>	3
5.1 QUESTIONS SUBMITTED IN WRITING PRIOR TO THE MEETING	3
5.1.1 Single Access And Egress To Coastal Communities	3
5.1.2 Seniors' Accommodation/Aged Persons' Accommodation	4
5.2 QUESTIONS ASKED AT THE MEETING	8
5.2.1 Seniors' Accommodation/Aged Persons' Accommodation	8
5.2.2 Construction of Old Ledge Point Road	8
5.2.3 Roll-Out of New Bin Covers in Lancelin	9
5.2.4 Removal of Wind-Blown Sand – Lancelin Plaza Area	9
5.2.5 Thanks to Upper Coastal Maintenance Staff	9
5.2.6 Development of Land Surrounding Guilderton Lighthouse	9
5.2.7 Implementation of Trails Master Plan	10
5.2.8 Guilderton Pontoon	11
6. <u>CLOSURE</u>	11

SHIRE OF GINGIN

In accordance with Section 5.27 of the *Local Government Act 1995* (the Act), an Annual Meeting of Electors is to be held once in each financial year to consider the contents of the Shire's Annual Report for the previous year, and to consider other general business.

ORDER OF BUSINESS

1. OFFICIAL OPENING – WELCOME BY PRESIDENT

The Shire of Gingin would like to acknowledge the Yued people who are the traditional custodians of this land. The Shire would like to pay respect to the Elders past, present and emerging of the Yued Nation and extend this respect to all Aboriginal people. The Shire also recognises the living culture of the Yued people and the unique contribution they have made to the Gingin region.

The Shire President declared the meeting open at 5.03pm and welcomed those in attendance.

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCE

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

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), M Wallace (Communications and Marketing Officer) and L Burt (Governance/Minute Officer).

Public – There were three members of the public present.

2.2 APOLOGIES

2.3 LEAVE OF ABSENCE

Councillor J C Lobb

3. PUBLIC NOTICE OF AGM AND ANNUAL REPORT

Section 5.29 of the Act requires that members of the public must be notified of a forthcoming Annual Meeting of Electors, and of the availability of the Annual Report, by way of a notice appearing in a newspaper circulating throughout the district. Public notice must be given at least 14 days prior to the date of the meeting.

In accordance with this requirement, the Shire of Gingin gave public notice of the forthcoming Annual Meeting of Electors and the availability of the Annual Report in The West Australian on 20 February 2021.

The notice was also published on the Shire's website and Facebook page, included in the Council to Community electronic newsletter emailed to subscribers on 2 March 2021, and displayed on official notice boards at the Shire's Gingin Administration Centre and Lancelin Office, and the Gingin Public Library.

4. CONSIDERATION OF THE 2019/20 ANNUAL REPORT

The Annual Financial Statements for 2019/20 were received by Council at a Special Meeting on 22 December 2020 (Item 11.2.1), with the 2019/20 Annual Report being received at a Special Council meeting on 2 February 2021 (Item 11.1.2).

Consistent with Section 5.27 of the Act and Regulation 15 of the *Local Government (Administration) Regulations 1996* (the Regulations), electors present at the Annual General Meeting of Electors are invited to raise for discussion any matters concerning the content of the Annual Report and Financial Statements.

No matters concerning the content of the Annual Report and Financial Statements were raised from the floor.

5. OTHER GENERAL BUSINESS

In accordance with Section 5.27 of the Act and Regulation 15 of the Regulations, electors present at the Annual General Meeting of Electors are invited to raise any items of general business for discussion.

5.1 QUESTIONS SUBMITTED IN WRITING PRIOR TO THE MEETING

5.1.2 Single Access And Egress To Coastal Communities Michael Henderson

I am writing this email in regards to the one way in and one out of the following locations:

- *Gabbadah;*
- *Redfield Park;*
- *Guilderton;*
- *Seabird; and*
- *Ledge Point.*

The reason for this is the fire that occurred on 5 February 2021 at Redfield Park near the entrance and Indian Ocean Drive. It was fortunate that the wind was blowing the fire away from Redfield Park itself, however if it was blowing towards Redfield Park how would people get out?

In relation to this it goes for the other places I have mentioned. All it takes for an incident to take place and the incident blocks the way out of these estates. Due to large bushfires and for that matter a major traffic accident involving a fuel tanker and the need to evacuate people from these areas how would it be done?

Also bear in mind that not all people have 4-wheel drive vehicles. What has the Shire in place if anything and if nothing in place what is the Shire going to do about it?

Response by CEO (provided in writing prior to the meeting)

In regards to your comments about “one way in one way out communities” you are quite correct that the Shire has a significant number of communities that have this issue, including the coastal communities and rural residential subdivisions along Indian Ocean Drive but also several others across the Shire.

The standards of subdivision have changed greatly over recent years and as such regulations that would be enforced today were not required on prior subdivisions. Now this does not make it right or safe, however in many instances for Council to resolve these issues would undertake significant consultation, potential forced land buybacks, potential clearing permits, large scale construction and a large amount of time.

Whilst the issue of “one way in and one way out” is an issue that Council has been aware of for a long time and has been discussed at length, there has not been community drive to have this resolved. One of the main reasons that this might be the case is that the resources that would be required to undertake these works would require significant financial funding and whilst officers have been exploring grants for these works this is unlikely and as such it would fall on Council/Community to pay for.

Currently there are no plans to resolve this issue across the Shire, however Council has been actively seeking to resolve alternative access for Ledge Point and Lancelin by constructing the Old Ledge Point Road to connect the two communities as there is an existing road reserve.

I previously advised another person who made contact in regards to the same issue that they should contact the Shire’s Community Emergency Services Manager/Chief Bushfire Control Officer, Mr Phil Barrett, to discuss alternative exit locations and strategies. The main reason for this is that, as you would be aware, the risk could be presented from various directions and the alternative route may not be accessible or in direct danger so other alternatives should be identified. Some of these alternatives may only be accessible by 4x4 and be sandy, like fire break tracks etc.

This is a serious issue and I suggest that you contact Mr Barrett and discuss your and your community’s situation so that the community can have multiple emergency egress points.

Additional Comments by Councillor Peczka

The Shire and the Department of Fire and Emergency Services have undertaken significant mitigation works in order to reduce the fire risk for the Shire’s coastal communities.

5.1.2 Seniors’ Accommodation/Aged Persons’ Accommodation Mary Cameron

Can Council please clarify their thinking on the issue of Seniors’Accommodation/Aged Persons’ Accommodation/ “Ageing in Place” in the Gingin townsite?

In the Shire’s Annual Report 2019/2020 titled Focus Area Community Priority 1.1.1 Support Ageing in Place etc:

Action 1.1.1 – 01 Support increase in number of Independent Living Units, the Council response in paraphrase was:

“Currently there are still insufficient numbers on waiting lists to support progression of this action so the Shire will continue to support the existing services.”

Then in The West Australian Saturday March 6th 2021 Local Govt. Notices section an advertisement has been published inviting submissions of Expressions of Interest for the future development of Lot 250 Barlee Street for the purpose of Aged Persons' buildings on this site. This Expression of Interest plus detailed information with regard to the application format is also published on the Shire's website.

Q1a. *Does the town need accommodation or not?*

Action 1.1.1 – 01 states there is still insufficient numbers on waiting lists. (A straw poll survey, by me, of Gingin residents who have left the town because of inappropriate seniors' accommodation (Age 70 and over) and/or inadequate support for "Ageing in Place" over the last 5 years gives a figure of 20 persons.

Response by CEO

A1a. There are many different types of accommodation that can be provided that offer a greater level of options for people who are ageing. This development opportunity, being a Lifestyle Village proposal, would provide the ability for persons over the age requirement to consider their options and potentially remain in Gingin whilst downsizing their residential property. This additional option creates a fuller market for aged people in Gingin.

Does the Shire need accommodation for the aged? Yes it does, but it needs several options as the existing housing is limited and not fit for purpose for all.

Q1b. *How do people know of a waiting list for the existing 4 unit complex? Where is this advertised?*

Response by CEO

A1b. There is no advertised list as such, but staff keep tabs on the numbers of people interested and enquiries made through the Department of Housing. Council had requested the potential to undertake a joint development with the Department of Housing in Gingin to add several more units to its inventory, but the Department stated quite clearly that, due to the insufficient numbers, it would not consider the matter at this time.

Q2a. *What time frame is Council looking at in terms of the development of the Barlee Street site for the seniors' accommodation?*

Response by CEO

A2a. It is hoped that a list of preferred applicants will be chosen and a tender process facilitated shortly after the expressions of interest period closes. In essence, it is hoped that this development could progress quite quickly.

Q2b. Is Council retaining the title/ownership of the land and the submission is for "buildings and site only" with Council maintaining management of the site as it does with the existing 4 unit complex at 14 Barlee Street? Or is the lot to be sold freehold to the developers, who are then to manage the complex?

Response by CEO

A2b. No, Council would not retain ownership of the Barlee Street property as the developer will purchase and develop the land.

Q2c. Will it be subsidized rental accommodation/strata titled villas/hostel/nursing home type or a mix of levels?

Response by CEO

A2c. No, what is proposed is a lifestyle village development.

Q2d. What is Council's vision? I cannot find a brief for building specifications etc.

Response by CEO

A2d. It is hoped that, with an overall increase in the numbers of aged people residing within Gingin, over time there can then be an increase in services, increase in medical provision and attention and more options for people as they age in place and in Gingin.

Additional Comment by Shire President

It is envisaged that the proposed Barlee Street development will consist of a mix of unit types, including two and three bedroom formats.

Q3a. What is the long term future of the existing 4 units at 14 Barlee Street? These units were built partly from a grant of monies (Dorothy Wedge Memorial Fund) from a private resident for the express accommodation of residents some 40 years ago.

The Annual Report states there have been improvements to these units in the last financial year. As a regular visitor to this site I have seen no visible improvements, and at best the units could be described as shabby and at worst substandard.

Response by CEO

A3a. Council is aware of the units' actual condition and their overall upgrade needs to be considered as part of the overall forward capital works plan.

Q3b. Should the proposed development go ahead at Lot 250 Barlee Street, would the tenants of the existing units be invited to transfer their homes onto this new site and at the same rental value?

Response by CEO

A3b. No, this is a separate development and does not affect the residents in the existing units.

If this is to be a long term project in the making – up to 5 years – I urge Council to reconsider what is currently on site at 14 Barlee Street and institute a major renovation project for the comfort and convenience of the existing and future tenants.

I, for one, would not be putting my name down on any waiting list for what is currently on offer.

Q4a. *How does this project “fit in” with the Gingin Eco Lifestyle Village on the land sold by Council to H&H Development Enterprises (H&H D.E.) on Old Mooliabeenee Road? It is understood Council gave H&H D.E. an extension of time to commence this project. Is it to happen or not?*

Response by CEO

A4a. H&H Development Enterprises are still working on their proposal.

Q4b. *Does Council see it fitting in with the Focus Area – Community Wellbeing – as stated in the current Annual Report?*

Response by CEO

A4b. Council is of the opinion that any development of additional aged housing is of benefit to Gingin and the Shire.

Q5a. *Finally regarding medical, paramedical and ancillary services in Gingin, these are paramount to supporting a good standard for “Ageing in Place” for residents. It is noted in the Annual Report that Council states it has improved General Practitioner Services to the town.*

Is Council aware that since the Christmas break there have been weeks when the Gingin Medical Centre has been closed not only on Wednesdays but the next day, Thursday, leaving the town with only a 3 day service?

Response by CEO

A5a. This has not been the norm and as the practice is run as a private business the general public needs to support the GP to ensure that the Centre is sustainable. There are fortnightly meetings with the GP over how the practice is progressing.

Q5b. *Can you advise, given Council’s stated objective for a medical service in the town following the resignation of the two former General Practitioners, was for a two Doctor Practice, 5 days a week and a possible part weekend service?*

Response by CEO

A5b. This is still Council's desire, however this can only be provided when the patient numbers fit. Currently there are still gaps and vacancies through providing a 4 day practice. When all appointments are filled regularly then additional GP support and hours will be added to the practice by the GP.

5.2 QUESTIONS ASKED AT THE MEETING

5.2.1 Seniors' Accommodation/Aged Persons' Accommodation Mary Cameron

Q1. Are the existing four units in Barlee Street managed by the Shire or the Department of Housing?

Response by CEO

A1. The Barlee Street units are managed by the Shire.

Q2. Can they be considered for refurbishment?

Response by Shire President

A2. There have been some improvements carried out over recent years, but these have tended to be more internal than external. The Shire will start looking at the units this year with a view to improving the facilities.

5.2.2 Construction of Old Ledge Point Road Bevan Henderson

Q1. Is the business case document for this project available for viewing by residents and electors?

Response by Shire President

A1. At the moment the document is not available for the public as the Shire is still working through it and the detailed design hasn't been completed. However Council will review the document and determine whether it can be released for public information.

Response by CEO

A1. It must be borne in mind that the costings contained within the document are general and indicative at this point in time.

5.2.3 Roll-Out of New Bin Covers in Lancelin Bevan Henderson

Q1. It's great to see the new covers for public rubbish bins in the Lancelin commercial centre, which are very colourful and improve the streetscape. Is there a chance that the program can be expanded to provide similar covers for bins in other locations such as parks etc?

Response by Executive Manager Operations

A1. There are two more covers to be installed, however the roll-out of further bin covers will be subject to budget provisions.

Q2. Can Council ensure that there is a budget provision for this?

Response by Shire President

A2. Council will consider it as part of future budget discussions.

5.2.4 Removal of Wind-Blown Sand – Lancelin Plaza Area Bevan Henderson

Q1. Can we do something about the sand that blows into the commercial area of Lancelin? Can the area from which the sand is blowing be gravelled?

Response by Executive Manager Operations

A1. Much of the area from where the sand is blowing is actually privately-owned land and not under the control of the Shire. There are long-standing plans in place to upgrade the Lancelin Plaza area over time, which will help to alleviate the problem.

5.2.5 Thanks to Upper Coastal Maintenance Staff Bevan Henderson

Congratulations and thanks are extended to the Shire's staff based on the coast for their efforts.

Response by Shire President

Your thanks are greatly appreciated and will certainly be passed on to the staff members concerned.

5.2.6 Development of Land Surrounding Guilderton Lighthouse Bob Johnson

Q1. What progress has been made towards securing the land surrounding the lighthouse at Guilderton so that it can be developed as a public picnic area?

Response by CEO

A1. There is currently no project in place for the acquisition of management responsibility and development of this area. It is listed in the Shire's existing Forward Capital Works Plan, however the Plan is currently being reviewed and re-prioritised.

Response by Executive Manager Operations

A1. The Mortimer Road upgrade is intended to reduce maintenance costs associated with Forrester Road. Mortimer Road and Forrester Road are two of the most expensive roads to maintain in Guilderton.

If Council is willing to take over management of the land surrounding the lighthouse from the Maritime Safety Association (MSA) then this will need to be negotiated with the Association.

Q2. *The MSA has indicated that they would be happy to hand over management responsibility for the land surrounding the lighthouse to the Shire.*

Response by Shire President

A2. Council would have to consider what cost acquisition of the land may impose on the Shire and what potential uses the land could be put to. Can the information provided by the MSA be supplied to the Shire so that Council can give further consideration to the matter.

Response by CEO

A2. Thought would also have to be given to exactly what facilities would need to be provided and maintained.

5.2.7 Implementation of Trails Master Plan Bob Johnson

What progress overall for the Guilderton area is going to be made with respect to the Plan?

Response by CEO

Implementation of the Trails Master Plan forms part of the Shire's Forward Capital Works Plan which is, as previously advised, currently under review. As such I am unable to give any indication as to when the component of the Plan relating to Guilderton will be progressed. Given the costs involved with implementation of the Master Plan as a whole, any progression is likely to be a long-term goal.

5.2.8 Guilderton Pontoon Bob Johnson

The location of a pontoon in the Moore River has been an amazing success. There are some concerns that the Shire might remove the structure given the two fatalities that have occurred in the River over recent years.

Thanks to the Shire for fitting a number of flotation devices in the area.

We would also like to see a sign erected advising of penalties applying to unauthorised breaking of the bar at the river mouth. The previous sign was washed away during an unauthorised "break".

Response by Shire President

We will look into replacing the sign at the bar. It is certainly not Council's intention to remove the pontoon.

Response by Executive Manager Operations

The pontoon has been re-moored after recent vandalism. All moorings have been professionally assessed as satisfactory.

6. CLOSURE

Before closing the meeting, the Shire President again thanked the members of the public present for their attendance. He drew attention to the opportunity available to all members of the public to raise issues of concern during the Public Question Time segment at all ordinary Council meetings held on the third Tuesday of every month. Ideally questions for Public Question Time should be submitted prior to the Council meeting via the Shire's website, which will ensure that answers are available at the meeting. Questions can also be raised in person at the meeting, however occasionally they may need to be taken on notice and a response provided in writing after the meeting itself.

There being no further business, the Shire President declared the meeting closed at 5.42pm and invited all those in attendance to join Councillors and staff for refreshments.

FOOTNOTES:

The following footnotes provide an overview of the legislative provisions governing the format and procedure for the Annual Meeting of Electors.

Prepare Annual Report

The Act requires that the Local Government is to prepare an Annual Report (Section 5.53), accept the Annual Report (Section 5.54), advertise its availability to the public (Section 5.55) and hold an Annual Meeting of Electors within 56 days of accepting the Annual Report (Section 5.27).

Matters for discussion at the Annual Meeting of Electors

In accordance with Section 5.27 (3) of the Act and Regulation 15 of the Regulations, the matters to be discussed at the Annual Meeting of Electors are firstly the contents of the Annual Report for the previous Financial Year and then any other general business.

President to preside at the Annual Meeting of Electors

Section 5.30 of the Act stipulates that the President (or if not available, the Deputy President) is to preside at an Electors' Meeting.

Voting at the Annual Meeting of Electors

Regulation 17 of the Regulations outlines the voting provisions at an Electors' Meeting as follows:

Each elector at the Meeting is entitled to one vote on each matter to be decided, but does not have to vote;

All decisions are to be made by a "Simple Majority" vote; and

Voting is to be conducted so that no voter's vote is secret.

Procedure at the Annual Meeting of Electors

Regulation 18 of the Regulations states that the procedure at an Annual Meeting of Electors is to be determined by the person presiding (President or Deputy President) at the meeting.

Decisions made at an Annual Meeting of Electors

In accordance with Section 5.33 of the Act, all decisions made at an Annual Meeting of Electors are to be considered at the next Ordinary Meeting of Council or, if that is not practicable –

At the first Ordinary Meeting of Council after that meeting or

At a Special Meeting called for that purpose.

If at a Meeting of the Council a Local Government makes a decision in response to a decision made at an Annual Meeting of Electors, the reasons for the decision are to be recorded in the Minutes of the Council Meeting.

Definition of Elector

An Elector is defined under the Act as a person who is eligible to vote in an election of the Shire of Gingin.

Speaking at Electors' Meetings

When addressing the Meeting, please step up to the lectern and state your name and address for minute taking purposes.