



MINUTES

SPECIAL MEETING

OF COUNCIL

22 OCTOBER 2019



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SHIRE OF GINGIN

MINUTES OF THE SPECIAL MEETING OF THE SHIRE OF GINGIN HELD IN THE COUNCIL CHAMBER ON TUESDAY, 22 OCTOBER 2019 AT 3.10 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 Chief Executive Officer declared the meeting open at 3.10pm and welcomed those in attendance.

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – L Balcombe, J Court, C W Fewster, F J Johnson, J C Lobb, J E Morton, F J Peczka, J K Rule and A R Vis.

Staff – A Cook (Chief Executive Officer), Z Edwards (Acting Executive Manager Corporate and Community Services), A Butcher (Executive Manager Operations), B Kelly (Executive Manager Regulatory and Development Services), J Bayliss (Acting Manager Statutory Planning Officer), O Edwards (Minute Officer) and K Okely (Personal Assistant Chief Executive Officer)

Gallery – There was one member of the public present in the gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3. ELECTION OF SHIRE PRESIDENT

Schedule 2.3, Division 1 of the *Local Government Act 1995* requires that an election be conducted for the position of Shire President as the first item of business at the first meeting of Council following an ordinary local government election.

The Chief Executive Officer is to preside at the meeting until the office of Shire President is filled and is to act as Returning Officer for the electoral process.

The election must be conducted by the Chief Executive Officer in accordance with the prescribed procedure.

In essence, the election will be conducted as follows:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.

8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.
10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Chief Executive Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the Chair as Presiding Member for the remainder of the meeting.

The Chief Executive Officer advised that he had received one nomination for the position of President, being for Councillor Fewster.

The Chief Executive Officer then called for any further nominations.

There being no further nominations, the Chief Executive Officer declared Councillor Fewster elected unopposed to the position of President of the Shire of Gingin for a two year term ending at the October 2021 local government elections.

Councillor Fewster made his Declaration of Office before Mr George Gifford JP and assumed the Chair at 3.13 pm

4. ELECTION OF DEPUTY SHIRE PRESIDENT

Schedule 2.3, Division 2 of the *Local Government Act 1995* requires that an election be conducted for the position of Deputy Shire President as the next item of business after the election of the Shire President at the first meeting of Council following an ordinary local government election.

The election must be conducted in accordance with the procedure prescribed by the Shire President, as follows, with the Chief Executive Officer acting as Returning Officer:

1. Nomination forms have been previously provided to all Councillors to assist with the election process and, where possible, should be lodged with the Chief Executive Officer prior to the commencement of the meeting. The Chief Executive Officer will, however, announce the closing time for the submission of nominations at the commencement of the meeting and will continue to receive nomination forms up until that time.
2. If a Councillor is nominated by another Councillor, then the Chief Executive Officer is not to accept the nomination unless the nominee has confirmed to the Chief Executive Officer, either verbally or in writing, that he or she is willing to be nominated for the office.
3. If more than one nomination is received, then Councillors will be required to vote on the matter by secret ballot, as if they were electors voting at an election. Positions on the ballot paper will be drawn at the meeting and ballot papers will be compiled and distributed at that time. Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
4. Once all votes have been cast, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast at an election.
5. As soon as is practicable after the result of the election is known, the Chief Executive Officer will declare and give notice of the result.
6. If there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count then the meeting will be adjourned for a period of five minutes. At the recommencement of the meeting, the voting process will be commenced again.
7. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the Chief Executive Officer up to a specified time.
8. If there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot. New ballot papers will be prepared and distributed at that time and Councillors will be asked to indicate their vote by placing a tick against the name of their preferred candidate as shown on the ballot paper and to place their completed ballot paper in the ballot box provided.
9. Once all votes have been cast for a second time, the ballot box will be opened, all votes counted and the successful candidate determined as if those votes were votes cast in an election.

10. If there is still an equality of votes following the second count, then in accordance with Schedule 4.1 of the *Local Government Act 1995* and Regulation 77A of the *Local Government (Election) Regulations 1997* the Chief Executive Officer will draw lots to determine which candidate is elected.

The result will be declared by the Returning Officer. The successful candidate will be called upon to make their Declaration of Office and will then assume the seat reserved for the Deputy Shire President.

The Chief Executive Officer advised that he has received two nominations for the position of Deputy Shire President, being for Councillor Rule and Councillor Johnson. He then called for further nominations.

No further nominations being received, the Chief Executive Officer advised that an election would be conducted for the position of Deputy Shire President of the Shire of Gingin, in accordance with Schedule 2.3 of the Local Government Act 1995.

Both candidates confirmed that they were happy for names to appear on the ballot paper in alphabetical order.

Ballot papers were prepared in accordance with Schedule 10 of the Local Government (Elections) Regulations 1997 and issued to all Councillors. Once all votes had been cast, a count of ballot papers was conducted, with the following result being declared:

1. Councillor Johnson – 4 votes
2. Councillor Rule – 5 votes

The Chief Executive Officer accordingly declared Councillor Rule elected to the Office of Deputy Shire President of the Shire of Gingin for a term of two years, expiring at the October 2021 local government elections.

Councillor Rule, having been elected to the position of Deputy Shire President of the Shire of Gingin, made his declaration of office before Mr George Gifford JP.

5. ALLOCATION OF COUNCILLOR SEATING

Clause 7.1 of the Shire of Gingin Meeting Procedures Local Law 2014 states as follows:

- (1) *Seating arrangements for members at council meetings are to be determined -*
 - (a) *at the first council meeting after each ordinary election day –*
 - (i) *by member consensus; or*
 - (ii) *in the absence of member consensus, by the CEO allotting, by random draw, a position at the Council table to each member; and*
 - (b) *at any time, by a council resolution.*

- (2) *During a council meeting, a member must sit only in the seat allocated to him or her under subclause (1).*

Following previous elections, it has been customary for any new Councillors to occupy the seats of outgoing Councillors.

Councillors will be requested to indicate their satisfaction with the current seating positions. In the event that a consensus cannot be reached, then a draw will be conducted by the Chief Executive Officer to allocate seating in the Council Chambers.

Once seating positions have been determined, Councillors will continue to occupy the same position at all meetings of Council until such time as there is a call by a majority of Councillors for a re-allotment of positions, or until the next local government election.

The Shire President sought a consensus from Councillors with respect to proposed seating arrangements.

Consensus was reached and Councillors took their positions within the Council Chamber.

6. DISCLOSURES OF INTEREST

Nil

7. PUBLIC QUESTION TIME

7.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Not applicable.

7.2 PUBLIC QUESTIONS

Nil

8. PETITIONS, DEPUTATIONS AND PRESENTATIONS

8.1 PETITIONS

Not applicable

8.2 DEPUTATIONS

Nil

8.3 PRESENTATIONS

Nil

9. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

10. CONFIRMATION OF MINUTES

Not applicable

11. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

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

Nil

14. REPORTS

14.1. OFFICE OF THE CEO

14.1.1 BUSH FIRE ADVISORY COMMITTEE - APPOINTMENT OF MEMBERS

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1. Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Bush Fire Advisory Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing Election Day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each Election Day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

Section 67 of the *Bush Fires Act 1954* provides a local government with the power to *appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control...*

If a local government establishes a BFAC under Section 67 then it must also appoint a member of the Council as its representative on the Committee. It is Council's practice to appoint the Shire President as its representative on the BFAC to ensure continuity of representation on this Committee and the Shire's Local Emergency Management Committee (see Item 14.1.2), and this practice is reflected in the Committee's Terms of Reference.

In the event that Council wishes to appoint a Councillor other than the Shire President as its representative on the Bush Fire Advisory Committee, then it will be necessary to also resolve to amend the Terms of Reference.

The Shire President and Councillor Morton were appointed as representative deputy representative on the Bush Fire Advisory Committee prior to the 2019 elections.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

Bush Fires Act 1954

Part V - Miscellaneous

Section 67 – Advisory committees

Shire of Gingin Bush Fire Brigades Local Law 2004

Division 4 – Bush Fire Advisory Committee

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka SECONDED: Councillor Court

That Council resolve to appoint the following Councillors as member and deputy member of the Bush Fire Advisory Committee for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Shire President	Councillor Morton

**CARRIED BY ABSOLUTE MAJORITY
9-0**

APPENDIX 1



TERMS OF REFERENCE

BUSH FIRE ADVISORY COMMITTEE

15 October 2019

Name:	Bush Fire Advisory Committee
Role/Purpose:	To advise Council with regard to matters relating to bush fire control within the Shire of Gingin.
Aims & Functions:	<ol style="list-style-type: none"> 1. To make recommendations to Council with respect to the appointment of Fire Control Officers; 2. To determine training requirements and strategies; and 3. To consider and make recommendation to Council with respect to all bush fire mitigation issues.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting</u> <ul style="list-style-type: none"> • Shire President or delegate; • Chief Bush Fire Control Officer; • Deputy Chief Bush Fire Control Officers; and • One nominated representative from each volunteer bush fire brigade. <u>Non-Voting</u> <ul style="list-style-type: none"> • Chief Executive Officer or delegate; • One representative - Department of Fire and Emergency Services; • One representative – Department of Parks and Wildlife; • One representative – Department of Agriculture and Food; • One representative – Gingin Volunteer Fire and Rescue Service; and • One representative – Lancelin Volunteer Fire and Rescue Service. 2. A nominated deputy member may attend in place of the endorsed representative member. 3. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 4. Committee membership shall be appointed or removed by the Council. 5. Members must comply with the Shire's Code of Conduct.

	6. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) Council's nominated representative shall fill the position of Presiding Member at all meetings. b) In the absence of the Presiding Member, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair for the duration of that meeting. c) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of four meetings in any one calendar year (March, June, September and December). b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councillors. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.
Appointing legislation:	The Committee is established under section 67 of the <i>Bush Fires Act 1954</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.3	Committee structure reviewed and Terms of Reference adopted.
2.	17/12/2013 – Item 11.1.1	Amended to include volunteer bush fire brigade representatives as voting members.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	19/01/2016 – Item 11.1.3	Operating Procedures Clause 1b amended to specify that Community Emergency Services Manager/Chief Bush Fire Control Officer to assume the Chair in the absence of the Presiding Member.
5.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.

14.1.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE - APPOINTMENT OF MEMBERS

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1. Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Local Emergency Management Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

Section 38 of the *Emergency Management Act 2005* requires every local government to establish at least one local emergency management committee (LEMC) within its district.

The functions of the LEMC are:

- a. To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- b. To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- c. to carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the regulations.

State Emergency Management Policy 2.5 requires that the LEMC must meet at least once every three months. The Shire of Gingin LEMC currently holds meetings in March, June, September and December and membership includes representatives from the following agencies:

Voting

- Shire of Gingin
- Shire President (Chairperson)
- Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer)
- Coordinator Community Development and Services (Local Recovery Coordinator)
- Community Services and Events Officer (Local Recovery Coordinator)
- WA Police
- OIC Gingin (Local Emergency Coordinator)
- OIC Lancelin (Local Emergency Coordinator)
- Department of Fire and Emergency Services
- Department for Child Protection and Family Support
- Red Cross
- St John Ambulance Chittering/Gingin Sub-Centre
- St John Ambulance Lancelin and Coastal Districts Sub-Centre

Non-Voting

- WA Police
- Inspector Wheatbelt District
- Department of Parks and Wildlife
- Western Power
- Main Roads WA
- Image Resources
- Royal Australian Air Force Base Pearce
- Lancelin Volunteer Marine Rescue Group Inc
- Department of Education
- Gingin District High School
- Lancelin Primary School

- Yanchep District High School
- Two Rocks Primary School
- Silver Chain
- Tronox
- State Emergency Management Committee
- Department of Agriculture and Food
- Department of Health – WA Country Health Service

The Western Australia Local Emergency Management Committee (LEMC) Administration Guide recommends that the LEMC should be chaired by the Shire President or Chief Executive Officer and this requirement is reflected in the Terms of Reference. Prior to the 2019 elections the Shire President was appointed as Chairperson and Council's representative on the LEMC, with Councillor Morton being appointed as deputy member.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Community Wellbeing</i>
Objective	<i>1. To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire's service delivery.</i>
Outcome	<i>1.3 Healthy and Safe Our community has access to quality health and community safety programs, services and initiatives that promote resilience.</i>
Key Service Areas	<i>Local Emergency Services</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Morton SECONDED: Councillor Peczka

That Council appoint the following Councillors as member and deputy member of the Local Emergency Management Committee for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Shire President	Councillor Morton

CARRIED BY ABSOLUTE MAJORITY

9-0

APPENDIX 1



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

15 October 2019

Name:	Local Emergency Management Committee
Role/Purpose:	To advise and assist Council in the development, review and testing of the Shire of Gingin Local Emergency Management Arrangements.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise and assist Council in establishing local emergency management arrangements for the district; 2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and 3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by regulations.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Coordinator Community Development and Services (Local Recovery Coordinator) Community Services and Events Officer (Local Recovery Coordinator) WA Police <ul style="list-style-type: none"> OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department for Child Protection and Family Support Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> WA Police <ul style="list-style-type: none"> Inspector Wheatbelt District Department of Parks and Wildlife Western Power Main Roads WA Image Resources Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc

	<p>Department of Education Gingin District High School Lancelin Primary School Yanchep District High School Two Rocks Primary School Silver Chain Tronox State Emergency Management Committee Department of Agriculture and Food Department of Health – WA Country Health Service</p> <p>2. A nominated deputy member may attend in place of the endorsed representative member.</p> <p>3. The Shire's Chief Executive Officer will act as deputy member for the Shire President.</p> <p>4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate.</p> <p>5. Committee membership shall be appointed or removed by the Council.</p> <p>6. Members must comply with the Shire's Code of Conduct.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <p>a) The Shire President shall fill the position of Presiding Member at all meetings.</p> <p>b) In the absence of the Shire President, the Chief Executive Officer, as Council's appointed deputy member, will attend and assume the Chair as Presiding Member for the duration of that meeting.</p> <p>c) In the event that neither the Shire President or the Chief Executive Officer are present, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair as Presiding Member for the duration of that meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of one meeting every three months (February, May, August and November).</p> <p>b) Additional meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p>

	<p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing Legislation:	The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.7	Terms of Reference adopted.
2.	16/12/2014 – Item 11.1.10	Amendments to membership and who shall chair meeting in absence of Shire President.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	21/03/2017 – Item 11.1.1	Amendments to membership and who shall chair meeting in absence of Shire President.
5.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Operating procedures cl. 2c deleted.
6.	18/07/2017 – Item 11.1.3	Minimum requirement for meetings amended from March, June, September, December to February, May, August, November.

14.1.3 GUILDERTON CARAVAN PARK ADVISORY COMMITTEE - APPOINTMENT OF MEMBERS

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1 Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Guilderton Caravan Park Advisory Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Guilderton Caravan Park Advisory Committee was originally established as the Guilderton Caravan Park Management Committee by resolution of Council at its meeting on 19 July 2011 to consider management options for the Guilderton Caravan Park.

Following the resolution of this issue, Council's desire to retain the Committee and expand its scope to consider the future development of the Park and other issues associated with the management of this important Shire asset was recognised and Terms of Reference were subsequently adopted to reflect this new role.

At its meeting on 15 October 2019, Council resolved to amend the name of the Committee from Guilderton Caravan Park Management Committee to Guilderton Caravan Park Advisory Committee to reflect the Committee's current focus.

The Guilderton Caravan Park Advisory Committee currently has four elected member representatives. Prior to the 2019 elections, Councillors Court, Elgin, Fewster and Johnson held the position of Committee member, with Councillors Collard, Lobb, Morton and Rule as deputy members.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

<i>Focus Area</i>	<i>Economic Development</i>
<i>Objective</i>	<i>4. To support economic development through the Shire's service delivery</i>
<i>Outcome</i>	<i>4.1 Tourist Playground</i>
<i>Key Service Areas</i>	<ul style="list-style-type: none"><i>• Caravan Parks</i><i>• Economic Development and Tourism Infrastructure</i>
<i>Priorities</i>	<i>4.1.1 Support the development of the Shire of Gingin as a premier tourist destination in alignment with the Northern Growth Alliance Tourism Strategy</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis SECONDED: Councillor Court

That Council appoint the following Councillors as members and deputy members of the Guilderton Caravan Park Advisory Committee for a term of two years ending at the 2021 local government elections:

Members		Deputy Members	
1.	Councillor Court	1.	Councillor Rule
2.	Councillor Balcombe	2.	Councillor Lobb
3.	Councillor Johnson	3.	Councillor Morton
4.	Councillor Fewster	4.	Councillor Vis

CARRIED BY ABSOLUTE MAJORITY
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APPENDIX 1



TERMS OF REFERENCE

GUILDERTON CARAVAN PARK ADVISORY COMMITTEE

15 October 2019

Name:	Guilderton Caravan Park Advisory Committee
Role/Purpose:	To receive information on the operations of the Guilderton Caravan Park.
Aims & Functions:	<ol style="list-style-type: none"> 1. To explore expansion and growth models for the Caravan Park site and operations. 2. To consider officers' reports and provide input on any issues related to the management and operations of the Guilderton Caravan Park that may be presented to the Committee.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> • Four Councillors; 2. The CEO and Executive Manager Regulatory and Development Services will attend all meetings of the Committee to provide technical advice and guidance only. 3. The Caravan Park Manager will attend meetings by invitation only. 4. A nominated deputy member may attend in place of the endorsed representative member. 5. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 6. Committee membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct. 8. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member and Deputy Presiding Member: <ol style="list-style-type: none"> a) The members of a Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1.

	<ul style="list-style-type: none"> b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councillors. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	19/07/2011 – Item 14.2	Committee established.
2.	22/10/2013 – Item	Terms of Reference adopted.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Aims and Functions amended by deleting 1. <i>To facilitate effective communication between the Caravan Park management body and Council</i> , renumbering 2. as 1. and inserting a new 2. Membership amended by inclusion of Caravan Park Manager as a non-voting member. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. CEO, EMPD and Caravan Park Manager removed from committee membership. New Membership cl. 3 added. Operating Procedures cl. 2c deleted.

14.1.4 PLANT COMMITTEE - APPOINTMENT OF MEMBERS

Location:	Shire Of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1. Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Plant Committee.

BACKGROUND

Council has established a number of committees to provide it with advice on specific matters. The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election.

Council also appoints representatives to a number of external bodies and these appointments are also reviewed following each election day.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Plant Committee was originally established by resolution of Council at its Special Meeting on 22 October 2013 to provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.

The Plant Committee currently has five elected member representatives. Prior to the 2019 elections Councillors Elgin, Fewster, Lobb, Morton, Rule held the position of Committee member, with Councillors Collard, Court, Johnson and Peczka as deputy members.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Lobb

SECONDED: Councillor Peczka

That Council appoint the following Councillors as members and deputy members of the Plant Committee for a term of two years ending at the 2021 local government elections:

Members		Deputy Members	
1.	Councillor Lobb	1.	Councillor Johnson
2.	Councillor Vis	2.	Councillor Court
3.	Councillor Morton	3.	Councillor Peczka
4.	Councillor Rule	4.	Councillor Balcombe
5.	Councillor Fewster		

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APPENDIX 1



TERMS OF REFERENCE

PLANT COMMITTEE

15 October 2019

Name:	Plant Committee
Role/Purpose:	To provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.
Aims & Functions:	To assist Council in obtaining the most appropriate and cost effective plant to undertake projects and provide services within the Shire of Gingin.
Membership:	<ol style="list-style-type: none"> The Committee shall consist of the following representation: <ul style="list-style-type: none"> Five Councillors The Chief Executive Officer, Executive Manager Operations and Plant Mechanic will attend all meetings of the Committee to provide technical advice and guidance only. A nominated deputy member may attend in place of the endorsed representative member. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. Committee membership shall be appointed or removed by the Council. Members must comply with the Shire's Code of Conduct. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> Presiding Member and Deputy Presiding Member: <ol style="list-style-type: none"> The members of a Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. The Presiding Member will preside at all meetings.

	<p>e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair.</p> <p>f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting.</p> <p>g) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year.</p> <p>b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 – Item	Committee established and Terms of Reference adopted.
2.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Membership amended to include Plant Mechanic as non-voting member. Operating Procedure 2a amended to reduce the minimum number of meetings from 3 to 2. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
3.	16/08/2016 – Item 11.1.4	Chief Executive Officer, Executive Manager Operations and Plant Mechanic removed from Committee membership.
4.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Operating Procedures cl. 2c deleted.

14.1.5 ESTABLISHMENT OF GINGIN MEDICAL CENTRE COMMITTEE

Location:	Shire of Gingin
File:	GOV/30
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1. Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the establishment of Council's existing Gingin Medical Centre Working Group as a committee of Council.

BACKGROUND

The Gingin Medical Centre Working Group was established by resolution of Council at its Ordinary Meeting on 19 February 2019 to facilitate the process of seeking expressions of interest from interested parties for the lease of the Gingin Medical Centre. The Group meets on an as required basis.

The body was established as a working group rather than a formal committee of Council because the nature of its role required a more free flowing discussion process than would be possible for a committee that is bound to operate under Council's Meeting Procedures Local Law 2014. The Working Group did not have a Terms of Reference.

The matter of sourcing a doctor for the Gingin Medical Centre is now close to resolution, and therefore the role of the Working Group has largely been fulfilled. Nevertheless, given that the Shire's role in managing the Medical Centre is likely to be ongoing for the foreseeable future, it is now appropriate to consider the establishment of a more formal body to participate in this role.

COMMENT

A draft Terms of Reference has been drawn up for consideration, and is provided as **Appendix 1**.

The Working Group consisted of four elected member representatives including the Shire President, and the Chief Executive Officer. Prior to the 2019 elections Councillors Rule, Court, Morton and Collard held the position of members.

It is proposed that the membership of the Gingin Medical Centre Committee, if established by Council, would consist of the same number of elected members. In keeping with good governance practice, the Chief Executive Officer would not be a voting member of the Committee, but would attend all meetings to provide technical advice and guidance.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members for each committee. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Community Wellbeing</i>
Objective	<i>To support the Shire of Gingin community to be inclusive, vibrant, healthy and safe through the Shire's service delivery</i>
Outcome	<i>1.3 Our community has access to quality health and community safety programs, services and initiatives that promote resilience.</i>
Key Service Areas	<i>General Practitioners</i>
Priorities	<i>1.3.1 Develop improved access to medical services and allied health in each sub regional area.</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule

SECONDED: Councillor Vis

That Council:

- 1. Agree to establish the Gingin Medical Centre Committee in accordance with the Terms of Reference shown at Appendix 1.**
- 2. Appoint the following Councillors as members of the Gingin Medical Centre Committee for a term of two years ending at the 2021 local government elections:**

Members		Deputy Members	
1.	Councillor Court	1.	Councillor Vis
2.	Councillor Rule	2.	Councillor Johnson
3.	Councillor Balcombe	3.	Councillor Peczka
4.	Councillor Morton	4.	Councillor Fewster

CARRIED BY ABSOLUTE MAJORITY

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APPENDIX 1



TERMS OF REFERENCE

GINGIN MEDICAL CENTRE COMMITTEE

22 October 2019

Name:	Gingin Medical Centre Committee
Role/Purpose:	To oversee, at a strategic level, the continued operation of a viable medical centre for the Gingin community.
Aims & Functions:	<ol style="list-style-type: none"> 1. To continue efforts to attract the services of an additional medical practitioner to the Gingin Medical Centre. 2. To investigate options for attracting additional medical and/or health related services to operate from the Medical Centre.
Membership:	<ol style="list-style-type: none"> 1. The committee shall consist of the following representation: <ul style="list-style-type: none"> • Four Councillor representatives 2. The CEO and employees are not members of the committee. 3. The CEO or his/her nominee is to attend all meetings to provide technical advice and guidance to the committee. 4. A nominated deputy member may attend in place of the endorsed representative member. 5. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 6. Committee membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct. 8. The Committee has authority to second individuals from outside of the committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of a committee are to elect a presiding member from amongst themselves at the first meeting of the committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the Committee may also elect a Deputy Presiding Member. c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected.

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	<p>d) The Presiding Member will preside at all meetings.</p> <p>e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair.</p> <p>f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting.</p> <p>g) The Presiding Member is responsible for the proper conduct of the committee.</p> <p>2. Meetings:</p> <p>a) The committee shall meet as required, but must hold a minimum of two meetings in any one calendar year.</p> <p>b) Additional meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the committee members (including deputy delegates) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.</p> <p>e) All committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The Committee is established under section 7.1A of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2019 – Item 14.1.5	Committee established

**14.1.6 GINGIN OUTDOOR ACTIVITY SPACE TECHNICAL WORKING GROUP -
APPOINTMENT OF MEMBERS**

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1 Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Gingin Outdoor Activity Space Technical Working group.

BACKGROUND

The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election day.

Working groups are more informal bodies that are not recognised under the Act, and therefore technically are not subject to these requirements. However, the intention of the requirement for regular re-election of committee members is to ensure that all Councillors have the opportunity to “put their hand up” for involvement in various committees. In keeping with the spirit of this intention, most local governments also apply the requirements for re-appointment of members to working groups.

As a general rule, there is no requirement to appoint deputy members for working groups.

COMMENT

At its meeting on 16 July 2019, Council resolved to support the formation of the Gingin Outdoor Activity Space Technical Working Group for the purpose of progressing the development of the Gingin Outdoor Activity Space (GOAS). The Committee’s membership currently consists of two Councillors and up to five members of the GOAS Community Working Group.

Prior to the 2019 elections Councillors Rule and Morton held the position of Committee members.

A copy of the current Terms of Reference is attached for Council’s information (**Appendix 1**).

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Community Wellbeing</i>
Objective	<i>To support the Shire of Gingin community to be inclusive, vibrant and healthy through the Shire's service delivery.</i>
Outcome	<i>1.1 Inclusive Community: Our community has access to a range of community programs, services and initiatives that support wellbeing and inclusion. 1.2 Vibrant: Our community can participate in a range of activities and events that celebrate and promote our unique lifestyle and heritage 1.3 Healthy & Safe: Our community has access to quality health and community safety programs, services and initiatives that promote resilience</i>
Priorities	<i>1.1.1 Support aging in place through the implementation and monitoring of the Age Friendly Community Plan. 1.1.2 Encourage programs and facilities that engage and support children and young people to stay in the Shire. 1.1.4 Implement the Disability Action and Inclusion Plan</i>
Focus Area	<i>Infrastructure and Development</i>
Objective	<i>To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner.</i>
Outcome	<i>3.2 Community Infrastructure: The Shire provides fit for purpose community infrastructure in a financially responsible manner</i>
Priority	<i>3.2.1 Develop and plan community infrastructure to improve use and financial responsibility. 3.2.2 Improve the provision of age-friendly infrastructure for all, including Disability Access and Inclusion Planning.</i>
Focus Area	<i>Economic Development</i>
Objective	<i>To support economic development through the Shire's service delivery</i>
Outcome	<i>4.1 Tourist Playground: An internationally acclaimed tourist playground</i>

Priority	<i>4.1.3 Support funding for the Gingin Regional Children's playground</i>
Focus Area	<i>Governance</i>
Objective	<i>To demonstrate effective leadership, governance and advocacy on behalf of community</i>
Outcome	<i>5.3 Partner: The Shire works productively with a range of partners to deliver better outcomes for community</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY**COUNCIL RESOLUTION/OFFICER RECOMMENDATION****MOVED: Councillor Rule****SECONDED: Councillor Morton**

That Council appoint the following Councillors as members of the Gingin Outdoor Activity Space Technical Working Group for a term of two years ending at the 2021 local government elections.

Members		Deputy Members	
1.	Councillor Morton	1.	Councillor Fewster
2.	Councillor Rule	2.	Councillor Balcombe

CARRIED BY ABSOLUTE MAJORITY
9-0

APPENDIX 1



TERMS OF REFERENCE

GINGIN OUTDOOR ACTIVITY SPACE TECHNICAL WORKING GROUP

15 October 2019

Name:	Gingin Outdoor Activity Space (GOAS) Technical Working Group
Role/Purpose:	To progress the development of the Gingin Outdoor Activity Space Stage 1, located at the corner of Weld and Jones St, and adjacent to the Granville Centre car park.
Aims & Functions:	<ol style="list-style-type: none"> 1. To oversee and support the Design Specifications process and to determine the final design. 2. Liaise with the consultant during the Design Specifications preparation process. 3. Oversee Shire Officers preparation of the Tender documents. 4. Provide advice during the construction of the facilities should there be any changes to/amendments to the tender scope.
Membership:	<ol style="list-style-type: none"> 1. The Technical Working Group shall consist of the following representation: <ul style="list-style-type: none"> • two Councillors; • up to five members of the GOAS Community Working Group. 2. An (appointed) Shire Officer will attend each meeting to provide technical advice and guidance to the Technical Working Group (i.e. Coordinator Community Development and Services, Executive Manager Operations and/or Coordinator Assets/Projects.) 3. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 4. Technical Working Group membership shall be appointed or removed by consensus of Council. 5. Members must comply with the Shire's Code of Conduct. 6. The Technical Working Group has authority to second external individuals, on a voluntary basis, for their expert advice. 7. Membership will be disbanded upon completion of the construction of GOAS and the building fault period has closed.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of the Technical Working Group are to appoint a presiding member from amongst themselves at the first meeting of the Technical Working Group.

	<p>b) The Presiding Member must be a Councillor.</p> <p>c) In the absence of the Presiding Member a person is to be appointed by the Technical Working Group members present to lead the meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Technical Working Group.</p> <p>2. Meetings:</p> <p>a) The Technical Working Group shall meet as required.</p> <p>b) Technical Working Group members will be given at least 72 hours' notice of a proposed meeting where possible. However, if convenient and necessary, impromptu meetings may be held on occasions when all Technical Working Group members are present for other purposes if time permits.</p> <p>c) The Presiding Member shall ensure that notes of all meetings are kept and shall provide the Technical Working Group members with a copy of such notes.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>Any Technical Working Group outcomes requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	N/A
Delegated Authority:	The Technical Working Group has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	16/07/2019 – 11.4.1	Adopted

**14.1.7 UPPER COASTAL SPORTING FACILITIES WORKING GROUP -
APPOINTMENT OF MEMBERS**

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1 Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Upper Coastal Sporting Facilities Working Group.

BACKGROUND

The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election day.

Working groups are more informal bodies that are not recognised under the Act, and therefore technically are not subject to these requirements. However, the intention of the requirement for regular re-election of committee members is to ensure that all Councillors have the opportunity to “put their hand up” for involvement in various committees. In keeping with the spirit of this intention, most local governments also apply the requirements for re-appointment of members to working groups.

As a general rule, there is no requirement to appoint deputy members for working groups.

COMMENT

At its Ordinary Meeting of Council, 16 October 2018, Council resolved to establish a working group, to be known as the Lancelin Sporting Facilities Working Group, to undertake a reassessment of previously prepared plans for the complex, identifying which components are still relevant and what other facilities are, within reason, likely to be required in order to provide a facility that will cater for the upper coastal region as a whole in the future. The name of the Working Group was subsequently amended to the Upper Coastal Sporting Facilities Working Group.

The Working Group’s membership currently consists of three Councillors, two members of the Lancelin Community Sporting Club Inc Committee and the Ledge Point community, and one representative from each of the Ocean Farm and Seaview Park communities.

A copy of the current Terms of Reference is attached for Council's information (**Appendix 1**).

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Infrastructure and Development</i>
Objective	<i>3. To effectively manage growth and provide for community through the delivery of community infrastructure in a financially responsible manner</i>
Outcome	<i>3.2 Community Infrastructure The Shire provides fit for purpose community infrastructure in a financially manner</i>
Key Service Areas	<i>Community Infrastructure</i>
Priorities	<i>3.2.1 Develop and plan community infrastructure to improve use and financial sustainability</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Lobb

SECONDED: Councillor Vis

That Council appoint the following Councillors as members of the Upper Coastal Sporting Facilities Working Group for a term of two years ending at the 2021 local government elections:

Member	
1.	Councillor Lobb
2.	Councillor Peczka
3.	Councillor Court

CARRIED BY ABSOLUTE MAJORITY

9-0

APPENDIX 1



TERMS OF REFERENCE

UPPER COASTAL SPORTING FACILITIES WORKING GROUP

16 April 2019

Name:	Upper Coastal Sporting Facilities Working Group
Role/Purpose:	To progress the preparation of a Master Plan for the future development of the Lancelin Sporting Complex as a consolidated facility for the Shire's Upper Coastal Region.
Aims & Functions:	<ol style="list-style-type: none"> 1. Undertake a reassessment of previously prepared plans for the complex, identifying which components are still relevant and what other facilities are, within reason, likely to be required in order to provide a facility that will cater for the upper coastal region as a whole in the future. 2. Prepare a scope of works for use by the Shire in engaging a consultant to formulate a new Master Plan. 3. Liaise with the consultant during the Master Plan preparation process.
Membership:	<ol style="list-style-type: none"> 1. The Working Group shall consist of the following representation: <ul style="list-style-type: none"> • three Councillors; • two members of the Lancelin Community Sporting Club Inc Committee; • two representatives of the Ledge Point community; • one representative of the Ocean Farm community; and • one representative of the Seaview Park community. 2. The Shire's Coordinator Community Development and Services will attend all meetings to provide technical advice and guidance to the Working Group. Other officers may attend in an advisory capacity as required. 3. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 4. Working Group membership shall be appointed or removed by consensus of Council. 5. Members must comply with the Shire's Code of Conduct. 6. The Working Group has authority to second external individuals, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of the Working Group are to appoint a presiding member from amongst themselves at the first meeting of the Working Group. b) The Presiding Member must be a Councillor.

	<p>c) In the absence of the Presiding Member a person is to be appointed by the Working Group members present to lead the meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Working Group.</p> <p>2. Meetings:</p> <p>a) The Working Group shall meet as required.</p> <p>b) Working Group members will be given at least 72 hours' notice of a proposed meeting where possible. However, if convenient and necessary, impromptu meetings may be held on occasions when all Working Group members are present for other purposes if time permits.</p> <p>c) The Presiding Member shall ensure that notes of all meetings are kept and shall provide the Working Group members with a copy of such notes.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <p>Any Working Group outcomes requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	N/A
Delegated Authority:	The Working Group has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	16/10/2018 – Item 11.1.1	Adopted
2.	16/04/2019 – Item 11.1.1	Working Group name changed to Upper Coastal Sporting Facilities Working Group

**14.1.8 MID-YEAR COMMUNITY GRANT SCHEME ASSESSMENT PANEL -
APPOINTMENT OF MEMBERS**

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Mid-Year Community Grant Scheme Assessment Panel.

BACKGROUND

The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election day.

Working groups are more informal bodies that are not recognised under the Act, and therefore technically are not subject to these requirements. However, the intention of the requirement for regular re-election of committee members is to ensure that all Councillors have the opportunity to “put their hand up” for involvement in various committees. In keeping with the spirit of this intention, most local governments also apply the requirements for re-appointment of members to working groups.

As a general rule, there is no requirement to appoint deputy members for working groups.

The Mid-Year Community Grant Scheme Assessment Panel is considered to have the same status as a working group.

COMMENT

The Panel was established by Council in 2014 for the purpose of assessing each application for funding under the Shire’s Mid-Year Community Grant Scheme, and making recommendation to the Chief Executive Officer with respect to whether the application should be approved or rejected. Council has granted delegated authority to the Chief Executive Officer to make the final decision as to the acceptance or otherwise of applications for funding under the Mid-Year Community Grant Scheme.

The Panel consists of three Councillors, the Executive Manager Corporate and Community Services and the Coordinator Community Development and Services.

Council has reduced the number of Community Grant rounds from two to one. Grant applications submitted for the single round will be considered by Council as part of its annual Budget adoption, and so it is likely that the mid-year round closing in September/October 2019 will be the last that the Panel is required to consider.

As the 2019 local government elections took place in the middle of the grant consideration process, it is necessary to retain the Panel for a period after the elections in order to complete this task.

Prior to the 2019 elections Councillors Court, Lobb and Rule held the position of Panel Member, with Councillors Johnson, Morton and Peczka as deputy members. At the time of writing, the results of the 2019 election process were not known, however in the interests of continuity it would be preferable to retain as many of the previous members as possible.

There is no Terms of Reference for the Mid Year Community Grant Scheme Assessment Panel.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule

SECONDED: Councillor Morton

That Council appoint the following Councillors as member and deputy member of the Mid-Year Community Grant Scheme Assessment Panel for a term of two years ending at the 2021 local government elections:

Members		Deputy Members	
1.	Councillor Vis	1.	Councillor Rule
2.	Councillor Lobb	2.	Councillor Peczka
3.	Councillor Court	3.	Councillor Morton

CARRIED BY ABSOLUTE MAJORITY
9-0

14.1.9 ESTABLISHMENT OF COASTAL EROSION ADVISORY COMMITTEE

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	1. Terms of Reference

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the establishment of Council's existing Coastal Erosion Working Group as a committee of Council.

BACKGROUND

The Coastal Erosion Working Group was not established by a formal decision of Council, but arose from Concept Forum discussions, with the intent that it would help Council to identify options for addressing coastal erosion issues within the Shire of Gingin.

The informal Terms of Reference developed for the Working Group state that the aims and functions of the Group are:

1. To consider all existing information and reports to Council and additional information and guidance from experts in the field to identify a preferred course or courses of action;
2. To make recommendations to Council with respect to the preferred course or courses of action with respect to addressing coastal erosion within the Shire of Gingin; and
3. To request Council Officers, as required, to facilitate discussions on behalf of the Working Group with communities and experts in the field to identify potential options.

In reviewing other formally adopted Terms of Reference for various committees and working groups at its meeting on 15 October 2019, Council resolved to request that Administration prepare a report with respect to re-identification of the Working Group as an advisory committee of Council.

COMMENT

A draft Terms of Reference has been drawn up for consideration (**Appendix 1**).

The Working Group consisted of four elected members, with the Chief Executive Officer attending to provide technical advice and guidance. From time to time the Working Group invited community representatives to attend meetings for the purpose of disseminating information to the broader community, and it is envisaged that the Committee would continue this practice.

In appointing committee members, Council is also requested to appoint a corresponding number of deputy members. The appointment of deputies who can attend a meeting if a sitting member is unavailable lessens the risk of a quorum not being achieved and enables committee meetings to proceed in a timely manner without undue delay.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

Prior to the 2019 Elections, Councillors Court, Fewster, Johnson and Lobb were appointed as members of the Coastal Erosion Working Group.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Natural Environment</i>
Objective	<i>2 – To develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management</i>
Outcome	<i>2.1 Conservation The Shire's ecological services and natural assets are respected and enhanced</i>
Key Service Areas	<i>Conservation and Environmental Management</i>
Priorities	<i>N/A</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson SECONDED: Councillor Rule

That Council:

- 1. Agree to establish the Coastal Erosion Advisory Committee in accordance with the Terms of Reference shown at Appendix 1.**
- 2. Appoint the following Councillors as members of the Coastal Erosion Advisory Committee for a term of two years ending at the 2021 local government elections:**

Members		Deputy Members	
1.	Councillor Johnson	1.	Councillor Vis
2.	Councillor Peczka	2.	Councillor Rule
3.	Councillor Lobb	3.	Councillor Morton
4.	Councillor Court	4.	Councillor Balcombe

CARRIED BY ABSOLUTE MAJORITY

9-0

APPENDIX 1



TERMS OF REFERENCE

COASTAL EROSION ADVISORY COMMITTEE

22 October 2019

Name:	Coastal Erosion Advisory Committee
Role/Purpose:	Identify options for addressing Shire of Gingin coastal erosion and inundation issues.
Aims & Functions:	<ol style="list-style-type: none"> 1. To consider all existing information and reports to Council and additional information and guidance from experts in the field to identify a preferred course or courses of action. 2. To make recommendations to Council with respect to the preferred course or courses of action with respect to addressing coastal erosion and inundation within the Shire of Gingin. 3. To request Council Officers, as required, to facilitate discussions on behalf of the Committee with communities and experts in the field to identify potential options.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> • four Councillor representatives. 2. The CEO and employees are not members of the Committee (s7.1.A(3) and (4) <i>Local Government Act 1995</i>). 3. The CEO will attend all meetings to provide technical advice and guidance to the Committee. Executive Managers and other officers will attend in an advisory capacity as required. 4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 5. Membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct. 8. The Committee has authority to second external individuals, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The members of the Committee are to elect a Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting of the Committee and at each subsequent first meeting following an ordinary local government election in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) Following the election of a Presiding Member, the members of the

	<p>Committee may also elect a Deputy Presiding Member.</p> <ul style="list-style-type: none"> c) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. d) The Presiding Member will preside at all meetings. e) In the absence of the Presiding Member, the Deputy Presiding Member (if one has been elected by the Committee) will assume the chair. f) In the absence of both the Presiding Member and the Deputy Presiding Member, or if a Deputy Presiding Member has not been elected, then a person is to be elected by the Committee members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Committee. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> <p>4. Reporting:</p> <ul style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councillors. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.
Appointing legislation:	The Committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2019 – Item 14.1.9	Committee established

14.1.10 RECONCILIATION ACTION PLAN (RAP) WORKING GROUP - APPOINTMENT OF MEMBERS

Applicant:	Shire Of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to the Reconciliation Action Plan (RAP) Working Group.

BACKGROUND

The *Local Government Act 1995* requires that all appointments to committees of Council must fall vacant at the next ensuing election day, with new appointments to be made subsequent to the election day.

Working groups are more informal bodies that are not recognised under the Act, and therefore technically are not subject to these requirements. However, the intention of the requirement for regular re-election of committee members is to ensure that all Councillors have the opportunity to “put their hand up” for involvement in various committees. In keeping with the spirit of this intention, most local governments also apply the requirements for re-appointment of members to working groups.

As a general rule, there is no requirement to appoint deputy members for working groups, however Council has previously elected to appoint a deputy member to the RAP Working Group.

Deputy members do not participate in committee meetings unless requested to do so in place of a sitting member. However, they are welcome to attend meetings as observers, and are included in meeting invitations and provided with copies of all relevant agendas and minutes so that they remain aware of the issues under discussion by a particular committee. This ensures that they are able to have meaningful input into discussions in the event that they are required to attend a meeting in an official capacity.

COMMENT

The Shire of Gingin RAP was commissioned following a request from the South West Aboriginal Land and Sea Council in May 2012 for a RAP to be undertaken between the Shire of Gingin and the Yued Nyoongar Traditional Owners.

Council has endorsed the RAP and has agreed to progress the actions/outcomes contained within the Plan subject to funds being made available in future adopted budgets.

This Working Group was originally formed to progress the development and implementation of the RAP. Although the RAP is now finalised and in place, there is a requirement for the Shire to report annually to the Working Group, and for the RAP to be subject to review every two years.

The Working Group membership currently consists of one Councillor, representatives of the Yued Nyoongar people, the Shire's CEO and Coordinator Community Development and Services and an external facilitator.

Prior to the 2019 Elections, Councillor Johnson held the position of Council representative on the RAP Working Group.

No Terms of Reference has been prepared for the Reconciliation Action Plan Working Group.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka SECONDED: Councillor Vis

That Council appoint the following Councillor as a member of the Reconciliation Action Plan Working Group for a term of two years ending at the 2021 local government elections:

Member	
1.	Councillor Johnson

CARRIED BY ABSOLUTE MAJORITY
9-0

14.1.11 EXTERNAL BODIES - APPOINTMENT OF COUNCIL REPRESENTATIVES

Location:	Shire of Gingin
File:	GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	N/A
Appendices:	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of Council representatives to a number of external committees, groups and boards.

BACKGROUND

Council appoints representatives to a number of external bodies, usually in response to a request from the particular organisation in question or because there is a requirement for Council to provide representation (for example the Avon-Midland Country Zone of WALGA).

Although there is no explicit requirement to do so in the *Local Government Act 1995* (the Act), in the interests of good governance local governments as a general rule review their appointed representatives to external bodies following each local government election in conjunction with the appointment of committee members required under Subdivision 2 of the Act.

This practice not only provides an opportunity for the local government to fill any vacancies that may have occurred as a result of an existing Councillor either retiring or not being re-elected to Council, but also allows newly-elected Councillors to nominate as representatives to any particular body or bodies in which they may have an interest.

Apart from the external bodies identified above, Council may also from time to time endorse the nomination of a Councillor to serve on a group whose members are selected via Ministerial appointment. In the event that the nomination is accepted, then the Councillor is appointed for a set term (usually two years) that often runs outside the biennial election cycle. In these circumstances the Councillor continues to serve out their term (unless they retire from or are not re-elected to Council) and new nominations are not sought until such time as a call for same is received.

Council currently has elected members serving on one such committee (being the Wheatbelt Joint Development Assessment Panel, and this will be affected by the 2019 election process.

COMMENT

A summary is provided below of all external bodies for which Council is required to appoint representatives following the 2019 elections.

1. Gingin Community Resource Centre Management Committee

The Gingin CRC is a not-for-profit organisation which provides access to a range of services, government information and training opportunities to the Gingin and Chittering communities and travellers to the region. Services provided include:

- a. Access to Government and agency (ie Centrelink, Australian Tax Officer, Veterans' Affairs etc) information;
- b. Administration (ie photocopying, printing, laminating and secretarial) services;
- c. Community services such as producing the Gingin Community News, Gingin Business Directory, events calendar etc;
- d. Delivery terminal for various courier services;
- e. Presence of employment agency on a monthly basis;
- f. Access to internet and IT facilities (including video conferencing); and
- g. Training and development opportunities.

The Management Committee consists of ten members, including a Council representative. The committee meets on a monthly basis and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies and monitoring operational management in collaboration with the Coordinator/Manager.

The Gingin CRC occupies a Council-owned building shared by the Shire-operated Gingin Public Library and CRC staff provide back-up staffing for the Library from time to time.

Prior to the 2019 elections, Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee were Councillors Fewster and Rule, respectively.

2. Gingin District High School Council

At the request of the Gingin District High School, since 2011 Council has appointed a Council representative to serve on the Gingin District High School Council.

The purpose of the School Council is to be a widely representative body that acts as the major decision making group and provides effective governance to the School.

The Council meets approximately four to six times per year. Meeting dates are determined at the first meeting of the school year.

From Council's point of view, membership on this body gives Council the opportunity to gain a better perspective of School operations, particularly in relation to determining funding requests during annual Budget deliberations.

Prior to the 2019 elections, Council's representative and deputy representative on the Gingin District High School Council were Councillors Rule and Fewster, respectively.

3. Gingin Water Group

The Gingin Water Group was formed in 2010 at a public meeting of interested stakeholders with concerns about the sustainability of existing streams and aquifers in the Gingin area, given current usage rates and the continuing approval by the State of water licences for irrigated horticulture.

The aim of the Committee, as described in the Minutes of that meeting, is to:

... consult the various Departments and scientists involved in authorising these large scale water consuming developments and get a feel about the nature of the science underpinning the approvals, as well as the effectiveness of the interdepartmental communication and long-term monitoring processes.

The Group meets approximately every two months.

Council appoints a representative and deputy representative to the Gingin Water Group at the Group's request and, in the interests of consistency, this appointment previously has been the Councillor appointed to Council's own Gingin Water Advisory Committee. However, at its meeting on 15 October 2019 Council resolved to disband the Gingin Water Advisory Committee, and therefore no further appointments will be made to that body.

Prior to the 2019 elections, Council's appointed representative and deputy representative to the Gingin Water Group were Councillors Collard and Elgin, respectively.

4. Lancelin Community Resource Centre Management Committee

Like the Gingin CRC, the Lancelin CRC is a not-for-profit organisation which provides access to a range of services, government information and training opportunities to the Lancelin community and surrounding areas and to travellers to the region. Services provided include:

- a. Access to Government and agency (ie Centrelink, Australian Tax Officer, Veterans' Affairs etc) information;
- b. Administration (ie photocopying, printing, laminating and secretarial) services;
- c. Community services such as producing the Coastal Business Directory, "Follow the Rainbow" travel companion diary etc;
- d. Presence of employment agency on a fortnightly basis;

- e. Access to internet and IT facilities (including video conferencing); and
- f. Training and development opportunities.

The Management Committee consists of nine members, including a Council representative. The committee meets on a bi-monthly basis and is responsible for overseeing the CRC's strategic direction, setting the organisation's policies and monitoring operational management in collaboration with the Coordinator/Manager.

Prior to the 2019 elections, Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee were Councillors Lobb and Peczka, respectively.

5. Lancelin Defence Training Area Management Advisory Committee

The aim of the LMAC is to provide a consultative forum and focal point through which local environmental and social issues, commensurate with the Department of Defence's objective for sustainable military use of the Lancelin Defence Training Area, are highlighted and directed to the Department for inclusion in its consideration of planning and management activities.

The tasks of the LMAC include, but are not limited to, the following:

- a. Preparing advice on environmental, heritage and social management matters arising from the use and development of the Lancelin Defence Training Area;
- b. Providing advice on the implementation of the Lancelin Defence Training Area Environmental Management System; and
- c. Providing advice on the development of research priorities affecting the Lancelin Defence Training Area region.

Membership of the LMAC is as follows:

Full Members

- Department of Defence;
- Department of Environment and Conservation;
- Shire of Gingin;
- Shire of Dandaragan;
- Yued Working Group;
- WA Farmers' Federation Beekeepers' Section;
- Ocean Farm Community and Recreation Association;
- Lancelin Residents' and Ratepayers' Association;
- Wedge Island crayfishing industry;
- Western Rock Lobster Advisory Council; and
- Adjacent landowners.

Associate Members

- Environment Australia/Australian Heritage Commission;
- Wheatbelt Development Commission;
- Main Roads WA;
- Tronox Cooljarloo;
- Department of Fire and Emergency Services;
- Fisheries WA;
- Wedge Island Protection Association; and
- Department of Agriculture and Food.

Observers and Advisers

- Department of Defence Environment Officer – Perth Metro (Committee Secretary);
- Western Australian Speleological Group;
- Transfield Services Limited (Department of Defence garrison support contractor);
- Royal Australian Navy Fleet Base West Gunnery and Operations;
- Department of Defence Directorate of Operations and Training Area Management;
- Royal Australian Air Force RAAF Pearce Legal and Operations; and
- Western Australia Police Service – OIC Lancelin.

The LMAC Terms of Reference specify that the Committee shall meet at least once every four months.

Prior to the 2019 elections, Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee were Councillors Elgin and Court, respectively.

5. Western Australian Local Government Association (WALGA) Avon-Midland Country Zone

WALGA lobbies and negotiates on behalf of 139 WA local governments. As the peak lobbying and advocacy organisation for local government, WALGA has a strong influence on how policy decisions are made that affect the sector.

There are 17 WALGA zones across the state, including the Avon-Midland Country Zone which covers the local governments of Chittering, Dalwallinu, Dandaragan, Gingin, Goomalling, Moora, Northam, Toodyay, Victoria Plains, Wongan-Ballidu and York.

Each Council in the Zone is required to appoint a delegate to attend Zone meetings, which normally occur on a bi-monthly basis, as well as a deputy delegate who will attend meetings if the delegate is unavailable.

Prior to the 2019 elections, Council's delegate to the WALGA Avon-Midland Country Zone was Councillor Court. The position of deputy delegate was shared by Councillors Collard and Elgin

6. Wheatbelt North Regional Road Group – Moora Sub Group

Regional Road Groups are a requirement of the State Road Funds to Local Government Agreement 2011/12-2015/16. The role of Regional Road Groups is to make recommendations to the State Road Funds to Local Government Advisory Committee in relation to the Annual Local Government Roads Program for their Region.

The Wheatbelt North Regional Road Group is divided into the Avon, North-East, Kellerberrin and Moora sub groups, with the Moora Sub Group consisting of the Shires of Chittering, Dalwallinu, Dandaragan, Gingin, Moora, Victoria Plains and Wongan-Ballidu. Each member Shire is required to appoint a delegate and deputy delegate to their Sub Group following each local government election.

Prior to the 2019 elections, Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group were Councillors Collard and Johnson, respectively.

7. Wheatbelt Joint Development Assessment Panel

Joint Development Assessment Panels (JDAP) are panels of technical experts and local government representatives from two or more local government districts with the power to determine applications for development within those districts under the following circumstances:

- a. Where a proposed development has a value of \$7 million or over; or
- b. Where a proposed development has a value of \$3 million or more and the applicant elects to have the application considered by a DAP rather than the relevant local government.

Each Council represented on a JDAP is required to nominate a specific number of members and alternative members as its representatives.

It is a mandatory requirement for all DAP members to attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and who have undertaken training are not required to attend further training.

Local DAP members are entitled to be paid for their attendance at DAP training and meetings.

JDAP appointments have a life of three years, and therefore do not coincide with local government election periods. If a Councillor who is appointed as a DAP member is not re-elected to Council during their term, then one of the alternate members is required to take that member's place on the DAP. If an alternate member is not returned to Council then Council must nominate a new alternative member and submit that nomination for the Minister's approval.

At its meeting on 24 October 2017, Council resolved to nominate Councillors Court and Court as members and Councillors Elgin and Ammon as alternative members to be included on a register of local government members for the Wheatbelt JDAP for a term of up to three years expiring on 26 April 2020.

Prior to the 2019 elections, Councillors Elgin and Court held the JDAP member positions for the Shire of Gingin, with Councillors Johnson and Rule appointed as Alternate Members.

It will be necessary for Council to appoint either Councillor Johnson or Councillor Rule as a Member to fill the vacancy created by Councillor Elgin's retirement. If Councillor Court is returned to Council then she will retain her current Member position. However, if she is not returned then it will be necessary for the remaining Alternate Member (either Councillor Johnson or Councillor Rule) to fill her Member position.

At the time of writing, the outcome of the 2019 elections was not known. However, it will be necessary for Council to appoint, as a minimum, either Councillor Johnson or Councillor Rule to fill the vacant Member position created by Councillor Elgin's retirement, and at least one Alternative Member to fill the subsequent vacancy.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION**MOVED: Councillor Rule****SECONDED: Councillor Balcombe****That Council:**

1. Appoint the following Councillors as Council's representative and deputy representative on the Gingin Community Resource Centre Management Committee for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Balcombe	Councillor Rule

2. Appoint the following Councillors as Council's representative and deputy representative on the Gingin District High School Council for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Rule	Councillor Fewster

3. Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Community Resource Centre Management Committee for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Lobb	Councillor Peczka

4. Appoint the following Councillors as Council's representative and deputy representative on the Lancelin Defence Training Area Management Advisory Committee for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Vis	Councillor Peczka

5. Appoint the following Councillors as Council's representative and deputy representative on the Western Australian Local Government Association Avon-Midland Country Zone for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Court	Councillor Fewster

6. Appoint the following Councillors as Council's representative and deputy representative on the Wheatbelt North Regional Road Group – Moora Sub Group for a term of two years ending at the 2021 local government elections:

Member	Deputy Member
Councillor Fewster	Councillor Vis

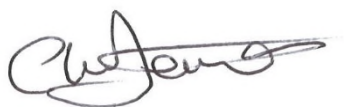
7. **Appoint the following Councillors as Council's members and alternate members on the Mid West Wheatbelt Joint Development Assessment Panel for a term expiring on 26 April 2020:**

Member		Alternate Member	
1.	Councillor Court	1.	Councillor Rule
2.	Councillor Johnson	2.	Councillor Vis

CARRIED BY ABSOLUTE MAJORITY

9-0

Part 7 revoked by resolution of Council 19 November 2019 Item 11.1.1



Shire President

14.1.12 AUSTRALIAN COASTAL COUNCILS' ASSOCIATION COMMITTEE OF MANAGEMENT – NOMINATIONS FOR COMMITTEE POSITIONS

File:	ENV/17; GOV/33
Author:	Lee-Anne Burt – Governance Officer
Reporting Officer:	Aaron Cook – Chief Executive Officer
Report Date:	22 October 2019
Refer:	Nil
Appendices:	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider nominating a representative of the Shire of Gingin for a position on the Australian Coastal Councils' Association (ACCA) Committee of Management.

BACKGROUND

The Australian Coastal Councils' Association Inc. is a national body which represents the interests of coastal councils and their communities. The organisation was previously known as the National Sea Change Taskforce.

The role of the Association is to advocate on behalf of coastal councils. It also commissions research on behalf of councils in coastal areas in relation to a range of coastal issues, including:

- The shortfall in resources to meet increasing demand for infrastructure and services;
- Coastal erosion and the projected impacts of sea level rise;
- The legal risks faced by coastal councils in relation to planning for climate change;
- Proposed changes to arrangements for natural disaster funding, which will shift more of the recovery costs onto the States and local government;
- The impact of tourists and other visitors on coastal communities;
- The continuing impacts of high population growth in peri-urban and regional coastal councils.

The Association is the only body that specifically represents the interests of Australia's coastal councils at a national level in relation to these issues.

The objectives of the Association are:

- To support and advance the interests of coastal councils and their constituencies;
- To provide national leadership in addressing the impact of the sea change phenomenon;
- To work collaboratively with local State and Federal Governments to develop a coordinated approach to managing population and tourism growth in coastal areas; and
- To assist coastal councils to increase their capacity to respond to coastal issues including projected climate change impacts and adaptation.

Management of the nation's 36,000 kms of coastline is left almost entirely to local councils which do not have sufficient resources to tackle the enormous challenges involved.

These challenges include dealing with extensive coastal erosion, maintaining and re-nourishing the nation's beaches, cleaning up and recovering from severe weather events and restoring coastal habitat.

One of the reasons Councils find it so difficult to deal with these issues is the vertical fiscal imbalance that exists between the three levels of government in Australia. Local councils receive only 3.4% of Australia's taxation revenue, while the Federal Government receives 81% and the states and territories 15%. As a result, much of the work required to manage the coast is beyond the financial capacity of local government.

Australia is a coastal nation, with all of the state capitals, most of the nation's industrial assets and more than 85% of the population located in the coastal zone. The coast is Australia's most highly-prized natural asset, yet there is no co-ordinated national approach to managing the coast for the benefit of future generations.

In March 2019 Council was represented by two elected members and the Chief Executive Officer at the 2019 National Coastal Councils Conference, and the Shire of Gingin is a member of the ACCA.

COMMENT

On 15 October 2019, the ACCA contacted member Councils, calling for nominations for positions on the Association's Committee of Management for the period 2019 to 2021.

The Committee consists of two elected representatives from each State, who serve a two year term. The Association's Rules allow for one nomination from each member Council. In the event that more than two nominations are received for a particular State, then a ballot of members in that State will be held.

Nominations must be lodged by email with the ACCA by close of business on Friday, 8 November 2019. The election will then be conducted at the conclusion of the Association's 2019 Annual General Meeting on 22 November 2019.

Coastal erosion is one of the most significant issues facing the Shire of Gingin, with three locations within the Shire being identified as Category 2 "erosion hot spots" by the State Government. As such, it is considered that a representative from the Shire of Gingin would have a significant contribution to make to the ACCA, and therefore the nomination by Council of a representative to sit on the Committee of Management would be entirely appropriate.

Committee meetings are held monthly (excluding January) by teleconference. An "in person" Committee meeting is held on conjunction with the annual National Coastal Councils Conference (usually in March or May). Flight costs for Committee members, destination transfers and accommodation for two nights are paid by the Association, although Committee members can also attend this meeting by teleconference if they are unable to attend in person.

If the Committee member is also attending the National Conference, then conference registration fees must be paid for by the local government.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

In accordance with the information provided by the Association, there will be no cost to the Shire of Gingin if Council's nominated representative is elected to the Committee.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2019-2029

Focus Area	<i>Natural Environment</i>
Objective	<i>2 – To develop the Shire's capacity to support the conservation of natural assets and undertake sustainable resource management</i>
Outcome	<i>2.1 Conservation The Shire's ecological services and natural assets are respected and enhanced</i>
Key Service Areas	<i>Conservation and Environmental Management</i>
Priorities	<i>N/A</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Peczka **SECONDED:** Councillor Morton

That Council nominate Councillor Johnson for a position on the Australian Coastal Councils' Association Committee of Management.

CARRIED
7-2

For: Councillors Johnson, Vis, Peczka, Lobb, Fewster, Morton, Balcombe
Against: Councillors Rule, Court

14.2. CORPORATE AND COMMUNITY SERVICES

Nil

14.3. REGULATORY AND DEVELOPMENT SERVICES

Nil

14.4. OPERATIONS

Nil

15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16. COUNCILLORS' OFFICIAL REPORTS

13.1 INQUIRY INTO PRIVATE PROPERTY RIGHTS

Location:	Gingin
File:	GOV/20-1
Councillor:	Wayne Fewster
Report Date:	22 October 2019

Councillor Fewster advised that he attended an Inquiry into Private Property Rights held by the Legislative Council Committee of Western Australia on Monday 21 October 2019, together with Councils CEO. He advised that all who participated were sworn in under oath after completing a witness statement.

Community members also attended the hearing and raised matters that concerned them. The CEO enquired in relation to the \$5.3 million Orange Springs road project which is being held up by attempts to obtain a clearing permit.

All in all the meeting was very enlightening and Councillor Fewster enjoyed the experience.

13.2 NILGEN FIRE SHED OPENING

Location:	Nilgen
File:	GOV/20-1
Councillor:	Frank Johnson
Report Date:	22 October 2019

Councillor Johnson advised that he attended the Nilgen Fire Shed opening on Saturday, 19 October 2019, together with Councillor Morton and the CEO. Councillor Johnson advised there was a great attendance and it was a nice day.

17. **NEW BUSINESS OF URGENT NATURE**

Nil

18. **MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC**

Nil

19. **CLOSURE**

There being no further business, the Shire President declared the meeting closed at 4.07 pm.

The next Ordinary Meeting of Council will be held in the Council Chamber at the Shire of Gingin Administration Office, 7 Brockman Street, Gingin on Tuesday, 19 November 2019.

These Minutes are confirmed as the official record of the Special Meeting of the Gingin Shire Council held on 22 October 2019.

Councillor C W Fewster
Shire President
19 November 2019