



MINUTES

Special Meeting of Electors

13 August 2024

LEGISLATIVE ENVIRONMENT

This Special Meeting of Electors was conducted in accordance with the requirements of s.5.30 of the *Local Government Act 1995* and Regulations 17 and 18 of the *Local Government (Administration) Regulations 1996*.

ACKNOWLEDGEMENT OF COUNTRY



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

TABLE OF CONTENTS

1 DECLARATION OF OPENING	4
2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE.....	4
2.1 ATTENDANCE.....	4
2.2 APOLOGIES.....	4
3 BUSINESS OF THE MEETING	4
4 CLOSURE.....	8

ORDER OF BUSINESS

1 DECLARATION OF OPENING

The President declared the meeting open at 6:01pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster (President), L Balcombe (Deputy President), R Kestel, F Peczka, E Sorensen, L Stewart, J Weeks and N Woods

Staff – A Cook (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), J Bayliss (Executive Manager Regulatory and Development Services), L Fidge (Coordinator Corporate Planning), G Koorasingh (Manager HR), M Kingston (Rates Assistant), B Mosher (IT Officer) and L Burt (Coordinator Governance/Minute Officer)

There were 4 other members of staff assisting with proceedings.

Electors – There were 171 members of the public present in the Gallery. As far as can be ascertained, 154 of those present were electors and/or ratepayers.

2.2 APOLOGIES

Apologies were received from Cr Frank Johnson and 22 members of the public.

3 BUSINESS OF THE MEETING

The only matters to be discussed at this meeting are those matters listed on the Request for a Special Meeting of Electors received by the Shire on 10 July 2024, which are as follows:

ITEM 1

That the Council defers voting to adopt the Coastal Hazard Management Assessment Plan (CHRMAP) as is proposed for the Council meeting to be held in July 2024.

Shire Comment

The updated CHRMAP was included as an item for discussion on the Agenda for the Ordinary Council Meeting (OCM) on 16 July 2024 after being deferred at the OCM on 17 June 2024. The officer's recommendation was that the CHRMAP be released for public submissions for a period of 28 days, with all submissions received to be provided to Council for consideration at the close of the submission period.

At the OCM on 16 July 2024 Council was also advised of the petition received requesting a special meeting of electors to address matters relating to the CHRMAP. Cl. 5.10(3) of the Shire of Gingin Meeting Procedures Local Law 2014 prevents Council from voting on any matter that is the subject of a petition presented to that meeting unless it has considered the issues raised in the petition, and the matter was therefore withdrawn from the business of the meeting.

ITEM 2

That the Councillors comply with Council policy to act for and in the interests of the ratepayers they represent and recognize the overwhelming rejection of the CHRMAP recommendations.

ITEM 3

That the Council amend the CHRMAP to incorporate the comments and recommendations from the 2023 public consultation process and report whether the recommended proposed changes set out in Table 8 of the CHRMAP (commencing page 258) have been adopted, to what extent and why.

ITEM 4

That the Council re-engage with the public concerning the (amended) plan as outlined by the International Association of Public Participation (IAPP) and the Coastal Hazard Risk Management and Adaptation Planning Guidelines issued by the WA Dept. of Planning, Lands and Heritage and Western Australian Planning Commission (dated July 2019).

ITEM 5

That the Council comply with the governance requirements outlined in section VI of the IAPP and engage a Steering Committee throughout all aspects of the process.

The President invited those members of the public present who wished to make statements or ask questions to do so by coming forward to the lectern when requested and stating their name and locality.

Those present at the meeting expressed a high level of dissatisfaction and concern with the manner in which the CHRMAP has been progressed.

Issues of concern raised included:

1. Failure to advertise the CHRMAP for community feedback as referenced in Council's resolution at its Ordinary Council Meeting (OCM) on 20 February 2024.
2. Presentation of the CHRMAP to the OCM on 18 June 2024 without the community consultation taking place.

3. Inclusion in the CHRMAP of references to managed retreat. This should be removed and replaced with “protect and accommodate”.
4. The belief that the Shire of Gingin is taking a very heavy-handed approach to inundation, which will present an issue all around the world. There is no evidence of the same approach being taken by other local governments such as the City of Busselton.
5. The complexity of the CHRMAP document, which makes it extremely difficult for the public to read and understand.
6. The effect of the CHRMAP on the property market in Lancelin, particularly for ocean-front properties.
7. The inability of the Shire to address people’s fears when it can’t explain what the proposals mean.
8. Many people believed that they had provided feedback for the CHRMAP when they made submissions in relation to the Coastal Management Strategy.
9. Lack of public consultation compared with the measures undertaken by the City of Busselton.
10. Why managed retreat is being proposed now when the threat profile doesn’t reach high until 2070 and from the data that exists for the WA coast Lancelin is under no threat whatsoever.
11. Department of Transport studies on vegetation lines show that sand is accreting in Lancelin rather than eroding.
12. Information from the internet shows that water level rise is less than one third of what the CHRMAP predicts.
13. Difficulty in reading the CHRMAP online and a request that the Shire provide copies of the document in public libraries for people to read.

Note: The President gave a commitment to have at least 4-5 copies of the document in each library.
14. The degree of sea level rise contemplated by the CHRMAP is disputed. The consultants engaged to produce the CHRMAP are media specialists not hydrographic engineers.
15. Council is trying to adopt a document that will have a severe impact on people’s homes, lives and businesses.

16. The consultants have done a very poor job of providing information that Council is basing its decisions on.
17. If the State has not imposed a deadline for having a CHRMAP in place, why is there such a push to adopt this document.

MOTION

MOVED: Michael Cramb SECONDED: Kerry Van Blitterswyck

That a motion of no confidence be moved in the CEO and that he should be dismissed immediately.

The President refused to put this motion to the meeting as it was not a matter listed on the Request for a Special Meeting of Electors.

RESOLUTION

MOVED: Michael Cramb SECONDED: Terry Shinnick

To condemn the behaviour of both Cr Fewster and Mr Cook in relation to the handling of the CHRMAP.

CARRIED

RESOLUTION

MOVED: Vin O'Sullivan SECONDED: Mike Cardy

That a peer review be undertaken on the CHRMAP.

CARRIED

RESOLUTION

MOVED: Mal Lobb SECONDED: Peter Murphy

That the meeting vote on all 5 items listed as the purpose for which the meeting has been called, noting that the words “to be held in July 2024” are to be removed from Item 1.

1. That the Council defers voting to adopt the Coastal Hazard Management Assessment Plan (CHRMAP) as is proposed for the Council meeting.
2. That the Councillors comply with Council policy to act for and in the interests of the ratepayers they represent and recognize the overwhelming rejection of the CHRMAP recommendations.
3. That the Council amend the CHRMAP to incorporate the comments and recommendations from the 2023 public consultation process and report whether the recommended proposed changes set out in Table 8 of the CHRMAP (commencing page 258) have been adopted, to what extent and why.
4. That the Council re-engage with the public concerning the (amended) plan as outlined by the International Association of Public Participation (IAPP) and the Coastal Hazard Risk Management and Adaptation Planning Guidelines issued by the WA Dept. of Planning, Lands and Heritage and Western Australian Planning Commission (dated July 2019).
5. That the Council comply with the governance requirements outlined in section VI of the IAPP and engage a Steering Committee throughout all aspects of the process.

CARRIED

4 CLOSURE

There being no further business, the President declared the meeting closed at 7:27pm.