



MINUTES

Special Council Meeting

24 October 2024

CONFIRMATION OF MINUTES

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Special Council Meeting held on 24 October 2024.



**Councillor L Balcombe
SHIRE PRESIDENT**

Date of Confirmation: 19 November 2024

DISCLAIMER

Members of the public are advised that Council agendas, recommendations, minutes and resolutions are subject to confirmation by Council and therefore, prior to relying on them, one should refer to the subsequent meeting of Council with respect to their accuracy.

No responsibility whatsoever is implied or accepted by the Shire of Gingin for any act, omission or statement or intimation occurring during Council meetings or during formal/informal conversations with staff.

The Shire of Gingin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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.

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	5
2	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	5
2.1	ATTENDANCE	5
2.2	APOLOGIES.....	5
2.3	LEAVE OF ABSENCE.....	5
3	ELECTION OF PRESIDENT AND DEPUTY PRESIDENT	5
3.1	ELECTION OF PRESIDENT	5
3.2	ELECTION OF DEPUTY PRESIDENT	7
4	DISCLOSURES OF INTEREST	8
5	PUBLIC QUESTION TIME	8
5.1	RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE	8
5.2	PUBLIC QUESTIONS.....	8
6	PUBLIC STATEMENT TIME	9
7	PETITIONS.....	9
8	APPLICATIONS FOR LEAVE OF ABSENCE.....	9
9	ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	9
10	UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS.....	10
11	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	10
12	REPORTS - OFFICE OF THE CEO.....	11
12.1	APPOINTMENT OF MEMBERS - AUDIT COMMITTEE.....	11
12.2	APPOINTMENT OF MEMBERS - COUNCIL COMMITTEES, ADVISORY GROUPS AND WORKING GROUPS	16
12.3	APPOINTMENT OF COUNCIL REPRESENTATIVE - WHEATBELT NORTH REGIONAL ROAD GROUP - MOORA SUB GROUP.....	47
13	REPORTS - CORPORATE AND COMMUNITY SERVICES.....	49
14	REPORTS - REGULATORY AND DEVELOPMENT SERVICES	49
15	REPORTS - OPERATIONS AND ASSETS.....	49
16	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	49
17	COUNCILLORS' OFFICIAL REPORTS.....	49

**MINUTES
SPECIAL COUNCIL MEETING
24 OCTOBER 2024**



17.1 COUNCILLOR FRANK JOHNSON	49
18 NEW BUSINESS OF AN URGENT NATURE	49
19 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC.....	49
20 CLOSURE.....	49

ORDER OF BUSINESS

1 DECLARATION OF OPENING

The CEO declared the meeting open at 3:32 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – L Balcombe (Deputy President), F Johnson, R Kestel, F Peczka, E Sorensen, A Vis, J Weeks and N Woods

Staff – S Wildgoose (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), J Bayliss (Executive Manager Regulatory and Development Services), R March (Executive Manager Operations and Assets), L Burt (Coordinator Governance), and T Rush-Harvey (Governance Support Officer/Minute Officer)

Gallery – There were 7 members of the public present in the Gallery.

2.2 APOLOGIES

Cr L Stewart

2.3 LEAVE OF ABSENCE

Nil

3 ELECTION OF PRESIDENT AND DEPUTY PRESIDENT

3.1 ELECTION OF PRESIDENT

Schedule 2.3, cl. 2 of the *Local Government Act 1995* requires that the office of President is to be filled at the first meeting of the Council after an extraordinary vacancy occurs in the office. If the first ordinary meeting of the Council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the Council is to be held within that period for the purpose of filling the office.

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

The election must be conducted by the CEO in accordance with Schedules 2.3 and 4.1 of the Act.

In essence, the election will be conducted as follows:

1. Nomination forms will be provided to all Councillors to assist with the election process and, where possible, should be lodged with the CEO prior to the commencement of the meeting. The CEO 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 CEO is not to accept the nomination unless the nominee has confirmed to the CEO, either verbally or in writing, that they are 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.
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. 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.
6. At this point, any nomination previously submitted may be withdrawn and new nominations will be received by the CEO up to a specified time.
7. If, at the recommencement of the meeting, there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot.
8. 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.
9. The result will be declared by the CEO. 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 two nominations for the position of President, both being for Cr Balcombe. He then called for any further nominations.

No further nominations being received, the Chief Executive Officer declared Cr Balcombe elected unopposed to the office of President of the Shire of Gingin for a term expiring at the October 2025 local government elections.

Cr Balcombe made her Declaration of Office before Mrs Margaret Greenwell JP and assumed the Chair at 3:36pm

3.2 ELECTION OF DEPUTY PRESIDENT

Schedule 2.3, cl. 7(3) of the *Local Government Act 1995* requires that an election for the office of Deputy President must be dealt with as the next item of business after the election of the President at the first meeting of Council after an extraordinary vacancy occurs, **only if the office of Deputy President becomes vacant as a result of the Deputy President being elected to be the President.**

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

1. Nomination forms will be provided to all Councillors to assist with the election process and, where possible, should be lodged with the CEO prior to the commencement of the meeting. The CEO 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 CEO is not to accept the nomination unless the nominee has confirmed to the CEO, either verbally or in writing, that they are 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.
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. 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.
6. 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.
7. If, at the recommencement of the meeting, there is still more than one nomination for the position then Councillors will be required to vote again by secret ballot.
8. 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.

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

The Chief Executive Officer advised that he had received two nominations for the position of Deputy President, being for Cr Kestel and Cr Peczka. He then called for any further nominations.

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

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. Cr Kestel – 5 votes
2. Cr Peczka – 3 votes

The Chief Executive Officer accordingly declared Cr Kestel elected to the Office of Deputy President of the Shire of Gingin for a term expiring at the October 2025 local government elections.

Cr Kestel made his Declaration of Office before Mrs Margaret Greenwell JP.

4 DISCLOSURES OF INTEREST

Nil

5 PUBLIC QUESTION TIME

Nil

5.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

5.2 PUBLIC QUESTIONS

Nil

6 PUBLIC STATEMENT TIME

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Peczka

That Council resolve to amend the order of business for the meeting to include public statement time, statements must relate to matters listed on the Agenda for today's meeting.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Johnson, Councillor Vis, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Weeks and Councillor Woods*

AGAINST: *Nil*

6.2 Kate Lane – Neergabby Changing positions and future of the Shire

Ms Lane made a statement in relation to the change in leadership for the Shire of Gingin and welcomed the new CEO. She expressed her hope that Council would look to improve those areas shown to be unsatisfactory in the recent Perception Survey and wished the new President and Deputy President a successful term in office.

7 PETITIONS

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Cr Balcombe extended a welcome to the new CEO, Mr Scott Wildgoose, expressed her sincere thanks to the former President, Cr Fewster, for his many years of dedicated service to the Shire of Gingin community and for the guidance given to her in her Deputy President role, welcomed Cr Andrea Vis and thanked Margaret Greenwell JP for officiating over the Declarations of Office.

10 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

11 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12 REPORTS - OFFICE OF THE CEO

12.1 APPOINTMENT OF MEMBERS - AUDIT COMMITTEE

File	GOV/33
Author	Tasma Rush-Harvey - Governance Support Officer
Reporting Officer	Scott Wildgoose - Chief Executive Officer
Refer	Nil
Appendices	1. Audit Committee Terms of Reference [12.1.1 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of a member to the Audit Committee.

Current Deputy Members: Cr Balcombe, Cr Weeks

Current Members: Cr Johnson, Cr Peczka, Cr Stewart, **Vacant Position**

BACKGROUND

Section 7.1A of the *Local Government Act 1995* (the Act), requires that all local governments must establish an Audit Committee. The members of the Audit Committee are to be appointed by the local government, and at least 3 of the members, and the majority of the members, are to be Council members.

There is currently a vacancy on the committee as a result of the resignation of Councillor Wayne Fewster on 18 October 2024. All positions are to be reviewed following the October 2025 election.

COMMENT

In accordance with Council's adopted Terms of Reference for the Audit Committee, the committee membership includes 4 Councillor members.

It is therefore necessary for Council to appoint a member to fill the current vacancy.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings

Part 7 – Audit
Division 1A – Audit Committee

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2024-2034

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

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Peczka

That Council agree to appoint Councillor Balcombe as a member of the Audit Committee and Councillor Vis as a Deputy Member.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Balcombe, Councillor Johnson, Councillor Vis, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Weeks and Councillor Woods*

AGAINST: *Nil*



**TERMS OF
REFERENCE**

AUDIT COMMITTEE

August 2023

Name:	Audit Committee
Role/Purpose:	To support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, internal and external audit functions and ethical accountability.
Aims & Functions:	<ol style="list-style-type: none"> 1. To guide and assist the local government in carrying out – <ol style="list-style-type: none"> a. its functions under Part 6 (Financial Management) of the Act; and b. its functions relating to other audits and other matters related to financial management. 2. To guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under Part 7 (Audit) of the Act. 3. To review a report in relation to risk management and/or internal control and/or legislative compliance given to it by the CEO under <i>Local Government (Audit) Regulations 1996</i> regulation 17(3) (the CEO’s Report) and to: <ol style="list-style-type: none"> a. report to the Council the results of that review; and b. give a copy of the CEO’s report to the Council. 4. To monitor and advise the CEO when the CEO is carrying out functions in relation to a review under: <ol style="list-style-type: none"> a. the <i>Local Government (Audit) Regulations 1996</i> regulation 17(1) (a report in relation to risk management and/or internal control and/or legislative compliance); and b. the <i>Local Government (Financial Management) Regulations 1996</i> regulation 5(2)(c) (a report in relation to the appropriateness and effectiveness of the financial management systems and procedures of the local government). 5. To review the annual Compliance Audit Return and report the results of the review to Council in accordance with Regulation 14(3A) of the <i>Local Government (Audit) Regulations 1996</i>. 6. To perform any other function conferred on it by the <i>Local Government (Audit) Regulations 1996</i> or another written law.
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

	<ol style="list-style-type: none"> 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 and Executive Manager Corporate and Community Services will attend all meetings to provide technical advice and guidance to the Committee. 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. Committee membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 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>	<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 following an ordinary local government election. b) The Presiding Member will preside at all meetings. c) The members of the Committee will elect a Deputy Presiding Member from amongst themselves at the first meeting of the Committee and at each subsequent first meeting following an ordinary local government election. d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the Committee members present to assume the Chair. e) The Presiding Member is responsible for the proper conduct of the Committee. 2. Meetings: <ol 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 the Chief Executive Officer, 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 within seven working days of the Committee meeting.

	<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 within seven working days of the Committee meeting.</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.	06/09/2005 – Item 10.2.1	Committee established and Terms of Reference adopted.
2.	22/10/2013 – Item 10.2	Terms of Reference reviewed.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed.
4.	19/09/2017 – Item 11.1.3	Terms of Reference reviewed. Aims & Functions cl. 16 added. Operating procedures cl. 2c deleted. Membership cl. 1 amended to include one external person.
5.	17/04/2018 – Item 11.1.1	Membership cl. 1 amended to delete external member. Committee name changed from Audit Committee to Audit and Governance Committee.
6.	22/01/2019 – Item 11.1.1	TOR amended to align with amendments to the <i>Local Government (Audit) Regulations 1996</i> . Committee membership amended to include Shire President and a minimum of 4 other councillors. Additional function included with respect to coordination of CEO performance review process.
7.	15/10/2019 – Item 11.1.1	Membership cl. 1 amended to include all Crs. Membership cl. 4 deleted. Operating Procedures cl. 1a) and 1b) amended. New Operating Procedures cl. 1c) inserted. Operating Procedures cl. 2b) amended.
8.	17/08/2021 – Item 11.1	Amend Aims & Functions cl. 3 and cl. 4a). Delete Aims & Functions cl. 5 and 6. Amend Membership cl. 6. Amend Operating Procedures cl. 2d) and 4a).
9.	18/07/2023 – Item 11.1	Audit & Governance Committee renamed as Audit Committee. Committee membership amended from all Councillors to 4 Councillors (inc. Shire President), effective from 21 October 2023.
10.	15/08/2023 – Item 11.1	Membership amended to remove Shire President as a mandatory committee member and Chairperson.

12.2 APPOINTMENT OF MEMBERS - COUNCIL COMMITTEES, ADVISORY GROUPS AND WORKING GROUPS

File	GOV/33
Author	Tasma Rush-Harvey - Governance Support Officer
Reporting Officer	Scott Wildgoose - Chief Executive Officer
Refer	Nil
Appendices	<ol style="list-style-type: none"> 1. Bushfire Advisory Committee Terms of Reference [12.2.1 - 3 pages] 2. Local Emergency Management Committee Terms of Reference [12.2.2 - 3 pages] 3. Guilderton Caravan Park & Foreshore Development Advisory Group Terms of Reference [12.2.3 - 3 pages] 4. Medical Facilities Advisory Group Terms of Reference [12.2.4 - 3 pages] 5. Plant Advisory Group Terms of Reference [12.2.5 - 3 pages] 6. Waste Management Advisory Group Terms of Reference [12.2.6 - 3 pages] 7. Guilderton Foreshore Development Working Group Terms of Reference [12.2.7 - 3 pages] 8. Upper Coastal Sporting Facilities Working Group Terms of Reference [12.2.8 - 3 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of members to various Council Committees, Advisory Groups and Working Groups,

BACKGROUND

Following the resignation of Councillor Wayne Fewster on 18 October 2024, there are currently vacancies as member or deputy member on a number of Council and external bodies.

It is therefore necessary for Council to make new appointments to fill these vacancies. The term of appointment will end at the October 2025 local government elections.

COMMENT

Vacancies currently exist on the following:

1. Bush Fire Advisory Committee (BFAC) – Member

Current Member: **Vacant – to be filled by President**
Current Deputy Member: Cr Peczka

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...

The functions of the BFAC are:

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.

If a local government establishes a BFAC under s.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 given that the *Emergency Management Act 2005* recommends that a Local Emergency Management Committee should be chaired either by the Mayor/President or the CEO of the local government. This practice is reflected in the Committee's Terms of Reference.

A copy of the current BFAC Terms of Reference is included in the **appendices** to this report.

2. Local Emergency Management Committee (LEMC) – Member

Current Member: **Vacant – to be filled by President**
Current Deputy Member: Cr Woods

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

The functions of the LEMC are:

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.

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.

A copy of the current LEMC Terms of Reference is included in the **appendices** to this report.

3. Guilderton Caravan Park and Foreshore Development Advisory Group – Deputy Member

Current Members: Cr Balcombe, Cr Kestel, Cr Sorensen, Cr Weeks
Current Deputy Members: Cr Peczka, **Vacant Position**

The current role of this Group is to assist Council in progressing improvements to, and further development of, the Guilderton Caravan Park and Guilderton Foreshore Precinct in an integrated and consistent manner.

The Group's functions are to:

1. Provide a forum for the discussion of issues and the formulation of suggestions and recommendations with respect to the Guilderton Caravan Park and the Guilderton Foreshore Precinct, recognising the synergies between both facilities; and

2. Receive and consider input from the Guilderton Foreshore Development Working Group (addressed separately below) in relation to the improvement and future development of the Guilderton Foreshore Precinct and make recommendations to Council as required.

A copy of the current Advisory Group Terms of Reference is included in the **appendices** to this report.

The Guilderton Foreshore Development Working Group was formed in July 2022 to assist the Guilderton Caravan Park and Foreshore Development Advisory Group to fulfil its role. The functions of the Working Group are to:

1. Contribute, when requested by the Advisory Group, to identifying options for the Foreshore Precinct redevelopment; and
2. To provide input from a community perspective on redevelopment proposals.

The Working Group includes community representation.

The Terms of Reference for the Working Group (included in the **appendices** to this report) stipulate that the Councillors appointed as members of the Guilderton Caravan Park and Foreshore Development Advisory Group will also be the Council representatives on this Working Group. Therefore, the newly-appointed Deputy Member will also be appointed as a Deputy Member for the Guilderton Foreshore Development Working Group.

4. Medical Facilities Advisory Group – Member

Current Members: Cr Balcombe, Cr Kestel, Cr Woods, **Vacant Position**
Current Deputy Members: Cr Peczka, Cr Stewart

The Group's purpose is to oversee, at a strategic level, the continued operation of a viable medical centre for the Gingin community, and to advise Council with respect to other matters related to the provision of medical services within the Shire of Gingin. Its functions are:

1. To liaise with the CEO with respect to overseeing the lease arrangements for the Gingin Medical Centre and to advise Council with respect to matters requiring Council's formal consideration.
2. To liaise with the CEO and advise Council with respect to the payment of a subsidy to Jupiter Health and Medical Services towards the employment of an additional GP at the Lancelin Medical Centre.
3. To consider and advise Council with respect to other matters relating to medical facilities within the Shire of Gingin, as required.

A copy of the current Advisory Group Terms of Reference is included in the **appendices** to this report.

5. Plant Advisory Group – Member

Current Members: Cr Kestel, Cr Peczka, Cr Sorensen, **Vacant Position**
Current Deputy Members: Cr Balcombe, Cr Woods

The function of the Group is to oversee the preparation of, and make recommendations to Council with respect to, the Shire’s plant replacement program.

A copy of the current Advisory Group Terms of Reference is included in the **appendices** to this report.

6. Waste Management Advisory Group – Member

Current Members: Cr Peczka, Cr Sorensen, **Vacant Position**
Current Deputy Members: Cr Balcombe, Cr Stewart

The functions of the Waste Management Advisory Group are:

1. To advise Council on the strategic direction of waste management within the Shire of Gingin;
2. To advise Council on legislative requirements that impact on environmental, planning and engineering issues of waste management operations and facilities; and
3. To advise on consultation with relevant government and private stakeholders, service providers, and the community as appropriate.

A copy of the current Advisory Group Terms of Reference is included in the **appendices** to this report.

7. Upper Coastal Sporting Facilities Working Group - Deputy Member

Current Members: Cr Kestel, Cr Peczka, Cr Weeks
Current Deputy Members: Cr Balcombe, **Vacant Position**

The Upper Coastal Sporting Facilities Working Group was re-established by Council in September 2022 for the purpose of reviewing the Upper Coastal Sporting Facilities Master Plan 2021, including the priorities, timing and funding opportunities. The functions of the Working Group are to:

1. Review and prioritise the development of sporting facilities within the upper coastal region, including those detailed within the Upper Coastal Sporting Facilities Master Plan.
2. Review the progress, if any, of implementing agreed priorities of the Upper Coastal Sporting Facilities Master Plan 2021 as amended.
3. Ensure that the Upper Coastal Sporting Facilities Master Plan 2021 core priorities of long term sustainability are adhered to in accordance with the strategic direction of Council.

The Working Group membership includes community representation.

STATUTORY/LOCAL LAW IMPLICATIONS

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

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 2024-2034

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Sorensen

That Council make the following appointments to the vacancies on its various committees, advisory groups and working groups:

1. Bush Fire Advisory Committee – Appoint Cr Balcombe as a Member;
2. Local Emergency Management Committee – Appoint Cr Balcombe as a Member;
3. Guilderton Caravan Park and Foreshore Development Advisory Group – Appoint Cr Johnson as a Deputy Member;
4. Medical Facilities Advisory Group – Appoint Cr Peczka as a Member and Cr Vis as a Deputy Member;
5. Plant Advisory Committee – Appoint Cr Vis as a Member;
6. Waste Management Advisory Group – Appoint Cr Kestel as a Member; and
7. Upper Coastal Sporting Facilities Working Group – Appoint Cr Vis as a Deputy Member;

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Johnson, Councillor Vis, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Weeks and Councillor Woods*

AGAINST: *Nil*



TERMS OF REFERENCE

BUSH FIRE ADVISORY COMMITTEE

August 2021

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> • Shire President or Council's nominated deputy representative; • Community Emergency Services Manager/Chief Bush Fire Control Officer; • Deputy Chief Bush Fire Control Officers; and • Volunteer Bush Fire Brigade Captains <u>Non-Voting</u> • 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. In the event that a Brigade Captain is unable to attend a meeting, then the Brigade shall be represented by its 1st Lieutenant. 3. Voting members cannot hold two positions on the Committee. <ol style="list-style-type: none"> a. If a Council representative also holds the position of Deputy Chief Bush Fire Control Officer or Brigade Captain then they must attend meetings in their capacity as a representative of the Shire of Gingin. b. If a Brigade Captain is appointed to another voting position on the Committee, then the Brigade's 1st Lieutenant shall represent the Brigade.

	<ol style="list-style-type: none"> 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. Committee membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 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>	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The Shire President or Council's nominated deputy representative shall fill the position of Presiding Member at all meetings. b) In the absence of both the Shire President and Council's nominated deputy representative, 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. 2. Meetings: <ol 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 within seven working days of the Committee meeting. e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014. 3. Quorum: <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p> 4. Reporting: <ol style="list-style-type: none"> a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting.

	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.
6.	15/10/2019 – Item 11.1.1	Operating Procedures cl. 2b) amended.
7.	21/07/2020 – Item 11.1.1	Membership cl. 1 amended by deleting CEO or representative as a non-voting member. Membership cl. 7 added.
8.	17/08/2021 – Item 11.1	Membership cl. 1, 2 and 6 amended. Membership cl. 7 deleted. Operating Procedures cl. 1a), 1b) 2d) and 4a) amended



**TERMS OF
REFERENCE**

LOCAL EMERGENCY MANAGEMENT COMMITTEE

March 2023

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 Shire President (Chairperson) WA Police OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department of Communities Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> Shire of Gingin Principal Environmental Health Officer Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Local Recovery Administrator Local Recovery Coordinator WA Police Inspector Wheatbelt District Department of Biodiversity, Conservation and Attractions Western Power Main Roads WA Image Resources

	<p>Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education Gingin District High School Lancelin Primary School Silver Chain Tronox State Emergency Management Committee Department of Water and Environmental Regulation Department of Agriculture and Food Department of Health – WA Country Health Service Golden Egg Farms</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 for Council Members, Committee Members and Candidates.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
<p>Operating procedures:</p>	<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 decision of the Council or the Committee, or at the discretion of the Committee’s Presiding Member.</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 within seven working days of the Committee meeting.</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: The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting: a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting. 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.	18/7/2017 – Item 11.1.3	Amendment to months for meetings to be held – now February, May, August and November
6.	15/10/2019 – Item 11.1.1	Membership cl. 1 amended. Operating Procedures cl. 2b) amended.
7.	16/6/2020 – Item 11.1.1	Addition of Principal Environmental Health Officer as a non-voting member, removal of Empire Oil Company (WA) Limited and replacing with Image Resources
8.	17/08/2021 – Item 11.1	Membership cl. 1 and 6 amended. Operating Procedures cl. 2d) and 4a) amended.
9.	18/01/2022 – Item 11.2	Membership c. 1 Local Recovery Coordinator re-added as Voting Member and representative from Golden Egg Farms added as a Non-Voting Member
10.	21/03/2023 – Item 11.2	Membership cl. 1 Local Recovery Coordinator and Community Bush Fire Control Officer removed as voting members and appointed as non-voting members



**TERMS OF
REFERENCE**

**GUILDERTON CARAVAN PARK AND FORESHORE
DEVELOPMENT ADVISORY GROUP**

July 2023

Name:	Guilderton Caravan Park and Foreshore Development Advisory Group.
Role/Purpose:	To assist Council in progressing improvements to and further development of the Guilderton Caravan Park and Guilderton Foreshore Precinct in an integrated and consistent manner.
Aims & Functions:	To: <ul style="list-style-type: none"> 1. Provide a forum for the discussion of issues and the formulation of suggestions and recommendations with respect to the Guilderton Caravan Park and the Guilderton Foreshore precinct, recognising the synergies between both facilities; and 2. Receive and consider input from the Guilderton Foreshore Development Working Group in relation to the improvement and future development of the Guilderton Foreshore precinct and make recommendations to Council as required.
Membership:	<ul style="list-style-type: none"> 1. Council will appoint four elected members as members of the Group. 2. Council will appoint two elected members as deputy members of the Group. 3. The Executive Manager Regulatory and Development Services and Executive Manager Operations and Assets will attend all meetings of the Group to provide technical advice and guidance only. 4. A senior representative of the Guilderton Caravan Park management will attend meetings by invitation only. 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. Group membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 8. The Group has authority to second individuals from outside of the Group, on a voluntary basis, for their expert advice.

1

<p>Operating procedures:</p>	<p>1. Presiding Member and Deputy Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a Group are to elect a Presiding Member from amongst themselves at the first meeting of the Group and at each subsequent first meeting following an ordinary local government election. b) Following the election of a Presiding Member, the members of the Group 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 Group) 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 Group members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Group. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Group shall meet as required but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by the Chief Executive Officer, by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Group. c) A Notice of Meeting, including an agenda, will be circulated to the Group 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. <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 Group meeting will be circulated for the information of all Councillors within seven working days of the Group meeting. b) Any Group 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:</p>	<p>N/A</p>

Delegated Authority:	The Group has no delegated power and has no authority to implement its recommendations without approval of Council.
----------------------	---

Version	Decision Reference	Synopsis
1.	OCM 19/07/2022 Item 11.4	Terms of Reference adopted.
2.	OCM 18/07/2023 Item 11.1	Renamed as Guilderton Caravan Park & Foreshore Development Advisory Group.



**TERMS OF
REFERENCE**

MEDICAL FACILITIES ADVISORY GROUP

July 2023

Name:	Medical Facilities Advisory Group
Role/Purpose:	To oversee, at a strategic level, the continued operation of a viable medical centre for the Gingin community, and to advise Council with respect to other matters related to the provision of medical services within the Shire of Gingin.
Aims & Functions:	<ol style="list-style-type: none"> 1. To liaise with the CEO with respect to overseeing the lease arrangements for the Gingin Medical Centre and to advise Council with respect to matters requiring Council's formal consideration. 2. To liaise with the CEO and advise Council with respect to the payment of a subsidy to Jupiter Health and Medical Services towards the employment of an additional GP at the Lancelin Medical Centre. 3. To consider and advise Council with respect to other matters relating to medical facilities within the Shire of Gingin, as required.
Membership:	<ol style="list-style-type: none"> 1. The Group 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 Group. 3. The CEO or his/her nominee is to attend all meetings to provide technical advice and guidance to the Group. 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. Group membership shall be appointed or removed by the Council. 7. Members must comply with the Shire's Code of Conduct for Council Members, Group Members and Candidates. 8. The Group has authority to second individuals from outside of the Group, 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 Group are to elect a presiding member from amongst themselves at the first meeting of the Group and at each subsequent first meeting following an ordinary local government election.

	<ul style="list-style-type: none"> b) Following the election of a Presiding Member, the members of the Group 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 Group) 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 Group members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Group. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Group shall meet as required, but must hold a minimum of two meetings in any one calendar year. b) Meetings can be scheduled by the Chief Executive Officer, by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Group. c) A Notice of Meeting, including an agenda, will be circulated to the Group members (including deputy delegates) 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 Group members (including deputy members) with a copy of such minutes within seven working days of the Group meeting. <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 Group meeting will be circulated for the information of all Councillors within seven working days of the Group meeting. b) Any Group 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:	N/A
Delegated Authority:	The Group has no delegated power and has no authority to implement its recommendations without approval of Council.

**MINUTES
SPECIAL COUNCIL MEETING
24 OCTOBER 2024**

**APPENDIX
12.2.4**

Version	Decision Reference	Synopsis
1.	22/10/2019 – Item 14.1.5	Committee established
2.	17/08/2021 – Item 11.1	Aims & Functions amended. Membership cl. 7 amended. Operating Procedures cl. 2d) and 4a) amended.



**TERMS OF
REFERENCE**

PLANT ADVISORY GROUP

July 2023

Name:	Plant Advisory Group.
Role/Purpose:	To provide input and advice to Council with respect to the Shire of Gingin's plant replacement program.
Aims & Functions:	To oversee the preparation of, and make recommendations to Council with respect to, the Shire's plant replacement program.
Membership:	<ol style="list-style-type: none"> 1. The Group shall consist of the following representation: <ul style="list-style-type: none"> • Five Councillors 2. The Chief Executive Officer, Executive Manager Operations and Plant Mechanic will attend all meetings of the Group to provide technical advice and guidance only. 3. A nominated deputy member may attend in place of the endorsed representative member. 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. Group membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates. 7. The Group has authority to second individuals from outside of the Group, 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 Group are to elect a Presiding Member from amongst themselves at the first meeting of the Group and at each subsequent first meeting following an ordinary local government election. b) Following the election of a Presiding Member, the members of the Group 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.

	<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 Group) 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 Group members present to assume the Chair for that meeting.</p> <p>g) The Presiding Member is responsible for the proper conduct of the Group.</p> <p>2. Meetings:</p> <p>a) The Group 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 the Chief Executive Officer, by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Group.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Group 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 Group members (including deputy members) with a copy of such minutes within seven working days of the Group meeting.</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 Group meeting will be circulated for the information of all Councillors within seven working days of the Group meeting.</p> <p>b) Any Group 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:	N/A
Delegated Authority:	The Group 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.
5.	15/10/2019 – Item 11.1.1	Operating Procedures cl. 1a), 1b), 1e), 1f) and 2b) amended.
6.	17/08/2021 – Item 11.1	Aims & Functions amended. Membership cl. 6 amended. Operating Procedures cl. 2d) and 4a) amended.
7.	18/07/2023 – Item 11.1	Renamed as Plant Advisory Group.



**TERMS OF
REFERENCE**

WASTE MANAGEMENT ADVISORY GROUP

July 2023

Name:	Waste Management Advisory Group
Role/Purpose:	To have oversight and provide expert advice on waste management and recommendations to Council. This includes the ongoing development of the Waste Management Operational Plan and the Refuse Collection and Recycling Contract.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise Council on the strategic direction of waste management within the Shire of Gingin. 2. To advise Council on legislative requirements that impact on environmental, planning and engineering issues of waste management operations and facilities. 3. To advise on consultation with relevant government and private stakeholders, service providers, and the community as appropriate.
Membership:	<ol style="list-style-type: none"> 1. The Group shall consist of the following representation: <ul style="list-style-type: none"> • Three Shire Councillors with one being the Chairperson. 2. The CEO and employees are not members of the Group. 3. The CEO or his/her nominee, Executive Manager Regulatory and Development Services, Executive Manager Operations and Assets, Principal Environmental Health Officer and Executive Manager Corporate and Community Services are to attend all meetings to provide technical advice and guidance to the Group. 4. A nominated proxy 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. Group membership shall be appointed or removed by the Council.

	<p>7. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>8. The Group has authority to second individuals from outside of the Group, on a voluntary basis, for their expert advice.</p>
<p>Operating procedures:</p>	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a Group are to elect a presiding member from amongst themselves at the first meeting of the Group and at each subsequent first meeting following an ordinary local government election. b) Following the election of a Presiding Member, the members of the Group 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 Group) 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 Group members present to assume the Chair for that meeting. g) The Presiding Member is responsible for the proper conduct of the Group. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) Meetings shall be held not more frequently than every 2 months, unless a special meeting of the Group is called by specific resolution of the Group for the specified purpose(s). b) Meetings can be scheduled by the Chief Executive Officer, by a written request of the Presiding Member to the Chief Executive Officer, or by a decision of the Council or the Group. c) A Notice of Meeting, including an agenda, will be circulated to the Group members (including deputy delegates) 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 Group members (including deputy members) with a copy of such minutes within seven working days of the Group meeting.

	<p>3. Quorum: 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 Group meeting will be circulated for the information of all Councillors within seven working days of the Group meeting.</p> <p>b) Any Group 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:	N/A
Delegated Authority:	The Group has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	19/11/2019 - Item 11.3.4	Adopted
2.	17/08/2021 – Item 11.1	Membership cl. 7 amended. Operating Procedures cl. 2d) and 4a) amended.
3.	18/07/2023 – Item 11.1	Renamed as Waste Management Advisory Group



**TERMS OF
REFERENCE**

Guilderton Foreshore Development Working Group

July 2022

Name:	Guilderton Foreshore Development Working Group
Role/Purpose:	To assist the Guilderton Caravan Park and Foreshore Development Management Committee with respect to identifying options for the future development of the Guilderton Foreshore Precinct.
Aims & Functions:	<ol style="list-style-type: none"> 1. To contribute, when requested by the Committee, to identifying options for the Foreshore Precinct redevelopment; and 2. To provide input from a community perspective on redevelopment proposals.
Membership:	<ol style="list-style-type: none"> 1. The Working Group shall consist of the following representation: <ul style="list-style-type: none"> • Members of the Guilderton Caravan Park and Foreshore Development Management Committee; • A maximum of five community representatives; • Executive Manager Regulatory and Development Services; • Executive Manager Operations and Assets; and • CEO. 2. Other Shire of Gingin officers may attend meetings in an advisory capacity as required. 3. Community representatives must be ratepayers or residents of the Shire of Gingin with an interest in the Guilderton Foreshore Precinct. 4. Nominations for community representatives will be sought by giving local public notice. 5. Membership shall be for a period of up to two years, with all positions terminating on the day of the next ordinary Council election. Local public notice will be given seeking nominations for community representative positions following each election. Previous members are eligible to re-nominate, but will be required to submit a new nomination. 6. Working Group membership shall be approved or terminated by consensus of Council. 7. If a community representative misses two or more consecutive meetings then their membership may be terminated by decision of Council. 8. Members may resign from the Working Group by submitting a written resignation to the CEO.

	<p>9. In the event that a community representative resigns from the Working Group, or their membership is terminated, prior to the end of their term, then Council may appoint a replacement from other nominations received during the most recent nomination period.</p> <p>10. All members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>11. All members must commit to:</p> <ul style="list-style-type: none"> a) actively participating in and contributing to meetings in a constructive and objective manner; and b) reviewing any agenda or other material that may be provided prior to a meeting. <p>12. The Working Group has authority to second external individuals, on a voluntary basis, for their expert advice.</p>
<p>Operating procedures:</p>	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) The members of the Working Group are to appoint a Councillor representative as Presiding Member at the first meeting of the Working Group. b) The Presiding Member will preside at all meetings. c) In the absence of the Presiding Member another Councillor representative is to be appointed by the Working Group members present to lead the meeting. d) The Presiding Member is responsible for the proper conduct of the Working Group. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Working Group shall meet as required. When called, meetings will, in most cases, be held on the first or third Tuesday of the month prior to a Council Briefing Session or Ordinary Council Meeting. b) Meetings will primarily be held at the Shire's Gingin Administration Centre, but may be held at other venues as required, c) 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 able to attend. d) The Presiding Member shall ensure that minutes of all meetings are kept and that Working Group members are provided with a copy of such minutes. <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>Outcomes from Working Group meetings will be the subject of a separate Officer's report on the agenda for the next meeting of the Guilderton Caravan Park and Foreshore Development Advisory Committee.</p>

	<p>6. Remuneration:</p> <p>Membership is voluntary and Working Group members will not be remunerated for their participation.</p>
Appointing legislation:	N/A
Delegated Authority:	The Working Group has no delegated power and has no authority to implement any recommendations without approval of Council, or to direct staff to expend funds or undertake any action or duties.

Version	Decision Reference	Synopsis
1.	OM19/07/2022 Item 11.4	Adopted by Council.
2.	OM16/08/2022 Item 11.3	Community representatives amended from 3 to 5.



**TERMS OF
REFERENCE**

UPPER COASTAL SPORTING FACILITIES WORKING GROUP

20 September 2022

Name:	Upper Coastal Sporting Facilities Working Group
Role/Purpose:	To review the Upper Coastal Master Sporting Facilities Master Plan 2021 including the priorities, timing, and funding opportunities.
Aims & Functions:	<ol style="list-style-type: none"> 1. Review and prioritise the development of sporting facilities within the upper coastal region, including those detailed with the Upper Coastal Sporting Facilities Master Plan 2. Review the progress, if any, of implementation agreed priorities of the Upper Coastal Sporting Facilities Master Plan 2021 as amended. 3. Ensure that the Upper Coastal Master Plan 2021 core priorities of Long-term Sustainability are adhered to in accordance with the strategic direction of Council.
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; • One representative from each of member sporting clubs of the Lancelin Community Sporting Complex; • One representative from each of the member sporting clubs of the Ledge Point Country Club; • One representative from the Lancelin Community and Sporting Club Inc. • One representative from the Ledge Point Country Club Inc. 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 terminated by decision of Council. 5. If a representative of a member body misses two or more consecutive meetings then their membership may be terminated by decision of Council. 6. Members may resign from the Working Group by submitting a written resignation to the CEO. 7. In the event that a member body representative resigns from the Working Group, or their membership is terminated, prior to the end of their term, then the relevant member body will be required to nominate a replacement representative.

	<p>8. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>9. All members must commit to:</p> <ul style="list-style-type: none"> a) actively participating in and contributing to meetings in a constructive and objective manner; and b) reviewing any agenda or other material that may be provided prior to a meeting. <p>10. The Working Group has authority to second external individuals, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) Council will appoint a Councillor representative as Presiding Member at the first meeting of the Working Group, and thereafter at each first meeting following a Shire of Gingin local government election. b) The Presiding Member will preside at all meetings. c) In the absence of the Presiding Member another Councillor representative is to be appointed by the Working Group members present to lead the meeting. d) The Presiding Member is responsible for the proper conduct of the Working Group. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The Working Group shall meet as required. 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 able to attend. c) The Presiding Member shall ensure that notes of all meetings are kept and that Working Group members are provided with a copy of such notes. <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 consensus 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, or to direct staff to expend funds or undertake any action or duties.

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
3.	19/07/2022 – Item 15.1.1	Amended Terms of Reference to provide clarity on the role and purpose of the Upper Coastal Sporting Facilities Working Group and provide a timeframe for it to undertake its functions.
4.	20/9/2022 – Item 12.5	Amended Terms of Reference to provide further clarity on role and purpose of the Working Group.

12.3 APPOINTMENT OF COUNCIL REPRESENTATIVE - WHEATBELT NORTH REGIONAL ROAD GROUP - MOORA SUB GROUP

File	GOV/33
Author	Tasma Rush-Harvey - Governance Support Officer
Reporting Officer	Scott Wildgoose - Chief Executive Officer
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider the appointment of a Council representative to the Wheatbelt North Regional Road Group – Moora Sub Group.

Current Representative: **Position Vacant**
Current Deputy Representative: Cr Kestel

BACKGROUND

Following the resignation of Councillor Wayne Fewster on 18 October 2024, there is currently a vacancy on the Wheatbelt North Regional Road – Moora Sub Group for a term ending at the October 2025 local government elections.

COMMENT

Regional Road Groups are a requirement of the State Road Funds to Local Government Agreement 2023/24 to 2027/28. 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.

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 1.29 Councillors’ Entitlements

BUDGET IMPLICATIONS

Under *Local Government Act 1995* s.5.98(2) and Council Policy 1.29 Councillors’ Entitlements cl.2.1, Councillors are entitled to be reimbursed by the Shire for motor vehicle travel expenses, parking expenses and child care expenses incurred when attending (amongst other things)... *Any meeting of a body to which the Councillor has been appointed by Council, unless the Councillor is eligible to claim reimbursement of travel costs direct from that body.*

An allocation is included in Council’s adopted annual budget for reimbursement of expenses of this nature.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2024-2034

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Woods

That Council appoint Cr Kestel as Shire of Gingin representative and Cr Vis as a deputy representative to the Wheatbelt North Regional Road Group – Moora Sub Group.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Balcombe, Councillor Johnson, Councillor Vis, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Weeks and Councillor Woods*

AGAINST: *Nil*

13 REPORTS - CORPORATE AND COMMUNITY SERVICES

Nil

14 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

Nil

15 REPORTS - OPERATIONS AND ASSETS

Nil

16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17 COUNCILLORS' OFFICIAL REPORTS

17.1 COUNCILLOR FRANK JOHNSON

On 20 October 2024 I attended the Woodridge Community Association AGM.

18 NEW BUSINESS OF AN URGENT NATURE

Nil

19 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

20 CLOSURE

There being no further business, the President declared the meeting closed at 4.04 pm.