

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Town of Cottesloe Beach Access Path Committee, established by Council pursuant to Section 5.8 of the *Local Government Act 1995* (the Act).

1. Name

The name of this Committee is 'Town of Cottesloe Beach Access Path Committee'. All references to 'Committee' in this charter mean 'Town of Cottesloe Beach Access Path Committee'.

2. Establishment

This Committee is established under the provisions of the *Local Government Act 1995*, particularly section 5.8 of the Act.

At the Ordinary Meeting of Council held 25 October 2016 it was resolved:

That Council:

1. *Authorise the Chief Executive Officer to publish the style guide developed by Blackwell and Associates for refurbishing the Town's Beach Access Paths for the purposes of community consultation;*
2. *Set a minimum period for submissions on the style guide of 28 days; and*
3. *Appoint a committee comprising of Cr Angers, Cr Pyvis and Cr Birnbrauer, Ms Vicki Woods, a representative of Cottesloe Coast Care and a representative of the ICEA Foundation, to oversee the final design of each beach access path.*

Carried 9/0

3. Guiding Principles

This Committee is established with its guiding principles in accordance with the *Local Government Act 1995*, sections 5.8 to 5.25.

4. Vision

The vision of this committee is to provide enhanced beach access to all beach users within the Town of Cottesloe.

5. Terms of Reference

- a. To develop the design of and the implementation of beach access path replacements;
- b. To oversee the maintenance, regular reviews and evaluation of beach access paths and associated infrastructure; and
- c. Make recommendations to Council on matters relevant to the Committee.

6. Membership

At the Ordinary Meeting of Council held 31 October 2017 it was resolved:

That Council

1. *Appoints Cr Boulter, Cr Pyvis and Cr Tucak be appointed member and Mayor Angers as deputy member of the Beach Access Paths Committee;*
2. *Appoints Ms Vicki Woods as a member of this Committee; and*
3. *Allows one representative of Cottesloe Coastcare Association as a voting member of this Committee.*

Carried 9/0

Membership of this Committee will comprise of:

-) Three Town of Cottesloe Elected Members;
-) One Coastcare representative;
-) One expert member;
-) Two community representatives;

Vacancies for the community representatives will be advertised in the local papers, the Town of Cottesloe webpage and notice boards. Council will then select and appoint new members.

Community representation is valid for two years, until the person resigns, the Committee is disbanded or the next Ordinary Council Election, which ever happens first. Nothing prevents an existing member re-nominating.

Organisations that provide representatives are free to select and endorse their representative as per their governing rules and processes. Council will endorse each organisation which provides a representative following each Ordinary Council Election. Organisations will be able to be represented until they write to the Town formally requesting to be relieved of representation on the Committee, the Committee is disbanded or Council resolves to amend the representation on the Committee.

7. Meetings

7.1 Annual General Meeting

Nil

7.2 Committee Meetings

Meetings shall be held not more frequently than every month, unless a special meeting of the Committee is called for a specified purpose.

7.3 Quorum

The quorum for any meeting of this Committee shall be 50 percent plus 1 members (voting or non-voting) as endorsed by Council at the time of the meeting.

7.4 Voting

Shall be in accordance with section 5.21 of the Act, with all members endorsed as voting members entitled and required to vote, subject to the provisions of the Act which deal with Financial and Proximity Interests.

Non-voting members are able to be counted towards a quorum and may move and vote on the acceptance of the Minutes of the previous meeting only.

7.5 Minutes

The Minutes of the meeting shall be recorded and prepared as per the provisions of section 5.22 of Act.

The content of the minutes shall be in accordance with the *Local Government (Administration) Regulations 1996* section 11.

The content of minutes of a meeting of a council or a committee is to include —

- (a) the names of the members present at the meeting; and*
- (b) where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; and*
- (c) details of each motion moved at the meeting, the mover and the outcome of the motion; and*
- (d) details of each decision made at the meeting; and*
- (da) written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); and*
- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and*
- (f) in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest.*

If the Committee resolves, the minutes may include a table of ‘action items’, summarising the agreed actions.

7.6 Who acts if the presiding member is unavailable

Shall be in accordance with section 5.14 of the Act.

7.7 Meetings

Meetings shall be generally open to the public as per the provisions of section 5.23 of the Act.

7.8 Public Question Time

As the Committee has no delegated powers (section 5.24 of the Act), there is no specific provision for public question time.

7.9 Members’ Conduct

Council Members of the Committee shall be bound by the following

-) The provisions of section 5.65 of the Act;

CHARTER – BEACH ACCESS PATH COMMITTEE

) Town of Cottesloe *Standing Orders Local Law 2012*;
) Town of Cottesloe Code of Conduct;
) *Local Government (Rules of Conduct) Regulations 2007*; and
) Regulation 34C of the *Local Government (Administration) Regulations 1996*,
with respect to their conduct at meetings and their duty of disclosure.

Elected Members and Officers of the Town of Cottesloe will be bound by these provisions, relating specifically to their participation in the Committee, at all times.

Any community member appointed to this Committee is not bound to declare impartiality interests, unlike Councillors and Employees of Local Government. Community members are not bound by the Rules of Conduct Regulations but will be bound by the Town of Cottesloe Code of Conduct.

7.10 Secretary

The Chief Executive Officer (or their nominated representative) shall undertake the following secretarial duties;

-) Prepare and distribute meeting papers as required
-) Attend and record the Minutes of the meeting
-) Provide the administrative support required to present the outcomes of the meeting to Council for consideration where required.

7.11 Presiding Member

The members (voting) will elect a presiding member and deputy member at the first meeting after these positions become vacant for any reason. The voting on and appointment of the presiding member and deputy member shall be in accordance with the provisions of section 5.12 of the Act.

7.12 Meeting attendance fees

Nil

8. Delegated Authority

This committee has no delegated authority.

9. Endorsement

This Charter was endorsed by the Town of Cottesloe Beach Access Path Committee at its meeting on _____.

This Charter was endorsed by the Town of Cottesloe Council at its meeting on _____.