



# Climate Change, Adaptation and Sustainability Committee

## Notice of Council Meeting

The next Climate Change Adaptation and Sustainability Committee meeting of the Shire of Capel will be held on Wednesday 28 February 2024 in the Council Chambers, Forrest Road, Capel commencing at 3:00 pm.

A handwritten signature in blue ink, appearing to read 'G MacMile', is positioned above the name of the Chief Executive Officer.

Gordon MacMile  
Chief Executive Officer  
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## 1. Declaration of Opening/Announcement of Visitors

### Acknowledgement of Country

*'We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.'*

### Election of chair

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5.12. Presiding members and deputies, election of (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule –

- (a) to "office" were references to "office of presiding member"; and
- (b) to "council" were references to "committee"; and
- (c) to "councillors" were references to "committee members".

The *Local Government Act 1995* Schedule 2.3, Division 1, Section 4 indicates in part that:

1. The Council is to elect a Councillor to fill the office of President.
2. The election is to be conducted by the Chief Executive Officer in accordance with the procedures prescribed.
3. Nominations are to be given to the Chief Executive Officer in writing before the meeting or during the meeting before the close of nominations.
4. Nominations close at the meeting at a time announced by the Chief Executive Officer, which is sufficient time after the announcement by the Chief Executive Officer that nominations are about to close to allow for any nominations made to be dealt with.

Elected Committee Member to assume role of the Chair.

### Election of Deputy Chair

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(2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule –

- (a) to "office" were references to "office of deputy presiding member"; and
- (b) to "council" were references to "committee"; and
- (c) to "councillors" were references to "committee members"; and
- (d) to "mayor or president" were references to "presiding member".

The *Local Government Act 1995* Schedule 2.3, Division 2, Section 8 indicates in part that:

- The Council is to elect a Councillor (other than the Mayor or President) to fill the office of Deputy President
- The election is to be conducted in accordance with the procedures prescribed by the Mayor or President, or if he or she is not present, by the Chief Executive Officer.
- Nominations are to be given to the person conducting the election in writing before the meeting or during the meeting before the close of nominations.



- Nominations close at the meeting at a time announced by the person conducting the election, which is sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
- If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination, unless the nominee has advised the person conducting the election, orally or in writing, that he or she is willing to be nominated for the office.

## 2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)

## 3. Confirmation of Minutes

### 3.1. Climate Change Adaptation and Sustainability Minutes - 23 & 30 August 2023

#### Voting Requirements

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Simple Majority

#### Officer's Recommendation – 3.1.

That the Minutes of the Climate Change Adaptation and Sustainability Minutes - 23 & 30 August 2023 be confirmed as a true and correct record.

## 4. Presentations

## 5. Reports

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### 5.1. Climate Change Adaptation and Sustainability Terms of Reference Review

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<b>Author</b>	Strategic Governance and Risk Coordinator, Tahlia Shipley
<b>Authorising Officer</b>	Chief Executive Officer, Gordon MacMile
<b>Nature of the Decision</b>	Review
<b>Attachments</b>	1. Attachment CCAS Terms of Reference Tracked Changes [5.1.1 - 4 pages] 2. Attachment CCAS Terms of Reference Clean [5.1.2 - 4 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

#### Proposal

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Endorse the reviewed and amended draft Climate Change Adaptation and Sustainability Committee's Terms of Reference.

#### Officer's Recommendation

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That the Climate Change, Adaptation and Sustainability Committee endorses and recommends to the Council to adopt the updated Terms of Reference.

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## Background

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The Shire of Capel establishes Committees to assist Council in the performance of its duties. When establishing a Committee, Council should provide the Committee with Terms of Reference to ensure that the Committee fulfils the role asked of it by Council.

Terms of Reference for the Climate Change Adaptation and Sustainability are also beneficial for the Committee functions to reflect the aspirations of Council and the community.

### Previous Council Decisions

25 October 2023 (OC/2023/187) – Council appointed 5 Councillors (McCleery, Schiano, Fergusson, Sharp, Mogg) to the Climate Change Adaptation and Sustainability Committee for a period ending on the ordinary election day in October 2025.

27 May 2020 - (OC051/2020) - Ordinary Council Meeting – Council adopted the draft Terms of Reference for the Climate Change, Adaptation and Sustainability Committee.

26 February 2020 - (CC02/2020) - Climate Change Adaptation and Sustainability Committee endorsed the draft Terms of Reference.

## Decision Framework

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### **Shire of Capel Strategic Community Plan 2023-2033**

Direction 2 - Manage and protect our environment

2.1 Improved management of our natural environment assets and attractions

2.2 Increased community capacity in supporting positive environmental management

2.3 A Shire committed to sustainable practices

2.5 Improved connection and access to natural assets of the forest and coastal environment

Direction 4 - Deliver good leadership, governance and decision-making

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

### **Corporate Business Plan 2023-2027**

GOV 27 - **Committee Framework** - Review Shire committee framework

## Statutory Framework

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### **Local Framework**

There are no local frameworks relevant to this item.

### **State Framework**

*Local Government Act 1995*

Section 5.8 Establishment of committees



### Federal Framework

There are no federal frameworks relevant to this item.

### Policy Framework

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The following Shire Policies apply:

- There are no Council policies relevant to this item.

### Implications

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#### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Reputation  <b>Rating: Low</b>	Unlikely	Minor	Ensuring the review of the Terms of Reference on a biannual basis.
<b>Risk Description: Failure to keep the purpose of the Committee relevant with the climate change and sustainability expectations of the community.</b>			
<b>Risk 2</b> Environmental  <b>Rating: Low</b>	Unlikely	Minor	Ensuring the review of the Terms of Reference on a biannual basis.
<b>Risk Description: Failure to have a continual review of the Committee can result in inconsistencies within the environmental management of the Shire.</b>			
<b>Opportunity:</b> A considered and regular review of the function of the Climate Change, Adaptation and Sustainability Committee.			

#### Financial Implications

##### Budget

There are no financial implications relevant to this proposal.

##### Long Term

As no assets/infrastructure are being created, there are no long term financial implications relevant to this proposal.

#### Sustainability Implications

The Climate Change, Adaptation and Sustainability Committee will consider on going implications from a social, environmental, asset and economic perspective. These implications will be considered at the time of the reports relevant to the committee.

### Consultation/Engagement

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## External Consultation

No external consultation was undertaken.

## Internal Consultation

Internal consultation was undertaken with the Chief Executive Officer, Governance Team and Director of Infrastructure and Development.

## Officer Comment

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The amendments to the Terms of Reference reflect amendments to the newly legislated changes to the appointment of the Chair and Deputy Chair.

Additionally, the incorporation of the Capel Coast Sub Committee oversight included within the duties and responsibilities has resulted from the recent Council decision made at the January 2024 Ordinary Meeting. The decision included the following point:

' 6. Resolves to set up a Capel Coast Sub-Committee to the Climate Change and Sustainability Committee with responsibility for the assistance in the implementation of the Final Capel CHRMAP and to include elected members, Shire Officers, community representatives and other appropriate organisations agencies.'

The draft Terms of Reference have been provided to the Climate Change, Adaptation and Sustainability Committee for consideration and recommendation to Council.

There have also been other minor amendments made for clarity and conciseness.

Subject to the recommendation for endorsement of the revised Terms of Reference, a report will be taken to the March 2024 Ordinary Meeting of Council for final approval.

## Summary

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The amendments to the Terms of Reference provide more clarity of the Committee and the roles and responsibilities of the members.

## Voting Requirements

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Simple Majority

## Officer's Recommendation – 5.1.

**That the Climate Change, Adaptation and Sustainability Committee endorses and recommends to Council to adopt the updated Terms of Reference.**



## ~~Climate Change Adaptation & Sustainability Committee~~ ~~Terms of Reference~~

### **Background**

A Climate Change Policy Advisory Committee was formed in 2009 to establish a Sustainability Policy and Climate Change Framework. A Committee meeting was held on 9 June 2010 and recommended a Corporate Sustainability Policy to Council on 30 June 2010, which was subsequently adopted by Council on 30 March 2011 (OC0315).

During this time, the Committee considered key issues to be addressed. The Committee at its 26 June 2013 meeting recommended the Shire of Capel Sustainability Strategy 2013 – 2018 to be adopted by Council, which occurred on 17 July 2013 (OC0703).

In December 2017 the Council considered a discussion paper that recommended a change in direction for the Committee, reflected in a change in its name to the *Climate Change Adaptation and Sustainability Committee* (OC1204). In April 2018 the Committee then decided to broaden its focus to make provision for climate change **adaptation** and to better embed the principles of **sustainability** into the corporate business operations of the Shire. This is reflected in the change in Committee decision CC0403:

*That the Committee endorses the following recommendations:*

- 1. Review the Policy 2.25: Corporate Sustainability to reflect the preferred directions of the Committee;*
- 2. Review the Climate Change and Sustainability Framework to support the preferred directions of the Committee;*
- 3. Prepare a new Climate Change Adaptation and Sustainability Strategy as a Corporate Business Plan outcome;*
- 4. Undertake whole of Council and whole of organisation training in climate change adaptation and sustainability practices; and*
- 5. Embed climate change adaptation and sustainability into Executive and Management deliberations.*

Policy 2.25: Climate Change Adaptation & Sustainability was adopted by Council on 19 December 2018 (93/2018).

These Terms of Reference contribute to the governance of the Committee in delivering a preferred Climate Change and Sustainability Framework for the Shire of Capel.

## Terms of Reference

## 1. Objectives of the Committee Committee's Purpose

The objectives of the Climate Change and Sustainability Committee ~~are to~~ **is to** guide, advise and recommend to the Council on climate change adaptation focus areas and to embed sustainability efforts into the strategic and operational functions of the organisation.

This will occur through the formal recommendation to Council on:

- ~~• Periodic review of relevant policies, including Policy 2.25: Climate Change Adaptation and Sustainability;~~
- **Advocation for the Shire of Capel's Declaration on Climate Change.**
- **Development Implementation and advocacy of a the Shire of Capel's Climate Change and Sustainability Framework 2023-2027, supporting the preferred direction of the Committee, and by extension the preferred direction of the Council and the community;**
- ~~• Adoption of a Climate Change Adaptation and Sustainability Strategy that aligns with the Strategic Community Plan, Corporate Business Plan and Councils strategic direction; and~~
- **Review the ongoing implementation of the Corporate Sustainability Action Plan.**
- Embedment of climate change adaptation and sustainability principles in Council decision making and operational activities.

Reports from the Committee will assist Council in discharging its legislative responsibilities in adapting to climate change impact and operating more sustainably.

## 2. Powers of the Committee

The Committee is established under s5.8 of the Local Government Act 1995 and is convened under sections of the Act prescribed in *Subdivision 2 – Committees and their meetings*.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Term of Reference. This is to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government, which have not been delegated to the CEO.

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility.

The Committee does not have any management functions and cannot involve itself in management processes or procedures.

## 3. Membership

The Committee will consist of five (5) elected members, ~~all with full voting rights. The CEO, Director Infrastructure Development and other employees are not members of the Committee.~~

~~Appointment of elected members will occur at the Special Meeting of Council immediately after local government elections.~~

### Ex officio participation

~~The CEO and Other Employees are not members of the Committee and are to attend meetings to provide advice and guidance to the Committee.~~

~~The Committee or CEO may invite ex-officio members as necessary. Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chairperson.~~

~~The Director Infrastructure and Development is to attend meetings to provide advice and guidance to the Committee. The Local Government shall provide secretarial and administrative support to the Committee.~~

#### **4. Presiding Member**

**The Chairperson and Deputy Chairperson of the Committee will be appointed through an Election at the first meeting following the Committee Member appointment. The election will be undertaken in accordance with Schedule 2.3, Division 1 of the *Local Government Act 1995*.**

**The appointed Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Advisory Committee.**

**The Deputy Chairperson will chair meetings in the absence of the Chairperson.**

#### **5. Meetings**

The Committee shall meet at least twice a year, with additional meetings convened at the discretion of the presiding member.

Although the Committee has no powers delegated to it by Council, in the interests of open and accountable government, meetings of the Committee shall be open to the public.

Members of the Public will not be permitted to ask questions of the Committee. Any questions from the public should be directed in writing to the Chief Executive Officer of the Council or asked of Council direct in accordance with Section 5.24 of the Local Government Act 1995.

#### **6. Quorum**

Quorum shall be three (3) members.

#### **7. Reporting**

Reports and recommendations of each meeting shall be presented to the next ordinary meeting of Council.

Agendas and Minutes of the Committee shall be published on the Shire's website.

## 8. ~~Duties & Responsibilities~~ Climate Change Adaption and Sustainability Committee - 28 February 2024

The duties and responsibilities of the Committee are as follows:

- (a) Provide guidance and advice to Council on climate change adaptation and sustainability priority focus areas;
- (b) Implement strategies that align with the Sustainability Framework 2023 – 2027;**
- (c) Support the implementation of the Sustainability Action Plan;**
- (d) Oversee and consider recommendations of the Capel Coast Sub Committee for recommendations to the Council. Support ongoing development, appointments and management of the Sub Committee and through the endorsement of the Terms of Reference;**
- ~~(b) Periodic review of relevant policies, including Policy 2.25: Climate Change Adaptation and Sustainability;~~
- ~~(c) Support the development of a Climate Change and Sustainability Framework, supporting the preferred direction of the Committee, and by extension the preferred direction of the Council and the community;~~
- ~~(d) Support the development of a Climate Change Adaptation and Sustainability Strategy that aligns with the Strategic Community Plan, Corporate Business Plan and Councils strategic direction;~~
- (e) Ongoing recommendation to Council to embed climate change adaptation and sustainability principles in Council decision making and operational activities; and
- (f) Periodic review of the Committees preferred direction, including focus areas and these Terms of Reference.

## 9. Members Interests to be disclosed

**Members of the Committee are required to declare interests following the principles detailed in section 5.65 - Members' interest in matters to be discussed at meetings to be disclosed and section 5.70 – Employees to disclose interests relating to advice or reports - of the Local Government Act 1995.**

## 10. Shire of Capel Standing Orders

Unless otherwise stated in these Terms of Reference, any matters relating to the management and activities of the Climate Change Adaptation and Sustainability Committee shall be dealt with under the provisions of the Shire of Capel Standing Orders Local Law 2016.



# Climate Change, Adaptation and Sustainability Committee Terms of Reference

## 1. Committee's Purpose

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The objectives of the Climate Change and Sustainability Committee is to guide, advise and recommend to the Council on climate change adaptation focus areas and embed sustainability efforts into the strategic and operational functions of the organisation.

This will occur through the formal recommendation to Council on:

- Advocation for the Shire of Capel's Declaration on Climate Change.
- Implementation and advocacy of the Shire of Capel's Sustainability Framework 2023-2027.
- Review the ongoing implementation of the Sustainability Action Plan.
- Embedment of climate change adaptation and sustainability principles in Council decision making and operational activities.

Reports from the Committee will assist Council in discharging its legislative responsibilities in adapting to climate change impact and operating more sustainably.

## 2. Powers of the Committee

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The Committee is established under s5.8 of the Local Government Act 1995 and is convened under sections of the Act prescribed in *Subdivision 2 – Committees and their meetings*.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Term of Reference. This is to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government, which have not been delegated to the CEO.

The Committee is a formally appointed Committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

## 3. Membership

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The Committee will consist of five (5) elected members.

### Ex officio participation

The CEO and other employees are not members of the Committee and are to attend meetings to provide advice and guidance to the Committee.

The Committee or CEO may invite ex-officio members as necessary. Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chairperson.

#### 4. Presiding Member

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The Chairperson and Deputy Chairperson of the Committee will be appointed through an Election at the first meeting following the Committee Member appointment. The election will be undertaken in accordance with Schedule 2.3, Division 1 of the *Local Government Act 1995*.

The appointed Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Advisory Committee.

The Deputy Chairperson will chair meetings in the absence of the Chairperson.

#### 5. Meetings

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The Committee shall meet at least twice a year, with additional meetings convened at the discretion of the presiding member.

Although the Committee has no powers delegated to it by Council, in the interests of open and accountable government, meetings of the Committee shall be open to the public.

Members of the public will not be permitted to ask questions of the Committee. Any questions from the public should be directed in writing to the Chief Executive Officer of the Council or asked of Council directly in accordance with Section 5.24 of the *Local Government Act 1995*.

#### 6. Quorum

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Quorum shall be three (3) members.

#### 7. Reporting

---

Reports and recommendations of each meeting shall be presented to the next ordinary meeting of Council.

Agendas and Minutes of the Committee shall be published on the Shire's website.

#### 8. Duties & responsibilities

---

The duties and responsibilities of the Committee are as follows:

- (a) Provide guidance and advice to Council on climate change adaptation and sustainability priority focus areas;
- (b) Implement strategies that align with the Sustainability Framework 2023 – 2027;
- (c) Support the implementation of the Sustainability Action Plan;

- AGENDA - Consider Change Adaptions of the Capel Coast Sub Committee February 2024
- (d) Oversee and consider recommendations to the Council. Support ongoing development, appointments and management of the Sub Committee and through the endorsement of the Terms of Reference;
- (e) Ongoing recommendation to Council to embed climate change adaptation and sustainability principles in Council decision making and operational activities; and
- (f) Periodic review of the Committees preferred direction, including focus areas and these Terms of Reference.

#### 9. Members Interests to be disclosed

---

Members of the Committee are required to declare interests following the principles detailed in section 5.65 - Members' interest in matters to be discussed at meetings to be disclosed and section 5.70 – Employees to disclose interests relating to advice or reports - of the Local Government Act 1995.

#### 10. Shire of Capel Standing Orders

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Unless otherwise stated in these Terms of Reference, any matters relating to the management and activities of the Climate Change Adaptation and Sustainability Committee shall be dealt with under the provisions of the Shire of Capel Standing Orders Local Law 2016.



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## 5.2. Capel Coast Sub Committee Terms of Reference

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<b>Author</b>	Strategic Governance and Risk Coordinator, Tahlia Shipley
<b>Authorising Officer</b>	Chief Executive Officer, Gordon MacMile
<b>Nature of the Decision</b>	Executive/Strategic
<b>Attachments</b>	1. Capel Coast Sub Committee ToR DRAFT [5.2.1 - 5 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Endorse the draft Capel Coast Sub Committee Terms of Reference and understand the Climate Change Adaptation and Sustainability Committee's ongoing responsibility to oversee the actions and recommendations from the Sub Committee.

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### Officer's Recommendation

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That the Climate Change, Adaptation and Sustainability Committee endorses the draft Capel Coast Sub Committee Terms of Reference and recommends to Council to adopt the Terms of Reference.

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### Background

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The background relating to the purpose of the Sub Committee has been outlined within the Terms of Reference.

The Sub Committee was identified to support the governance and consideration of initiatives in relation to coastal matters. Council recognises that the implementation of the CHRMAP along with the ongoing management of the Capel Coast with the community, requires a long-term commitment that is consistent and sustainable.

### Previous Council Decisions

31 January 2024 Ordinary Meeting of Council - (OC/2024/12) Council resolved the following:

'That Council,

1. Endorses the Final Capel Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) (Attachments 14.5.1 to 14.5.12) as a guide for future planning and coastal management in the Shire.
2. Notes all the comments made by members of the community throughout the process of the production of the Capel CHRMAP as detailed in Attachments 14.5.4, 14.5.11, 14.5.12, 14.5.14 and 14.5.15;
3. Accepts the Recommendations for Management Units MU1-Peppermint Grove Beach, MU2-Capel Coast and MU3-Dalyellup as set out in Section 8.7 of the Final Shire of Capel CHRMAP and summarized in Attachment 14.5.16



4. Does not accept the funding mechanisms detailed in the Benefit Distribution Analysis in Attachments 14.5.8 and 14.5.9 for Management Units 1 and 2 to construct a levee on the Capel River (PR6) and for Management Unit 3 to construct groynes in Dalyellup and resolves to investigate alternative funding mechanisms for the actions identified in the Final Capel CHRMAP.
5. Refers the Final Capel CHRMAP to the Department of Planning, Lands and Heritage and the Western Australian Planning Commission for their consideration and recommends that a two-stage approach to CHRMAP production is considered, in order to allow for better community understanding and engagement.
6. Resolves to set up a Capel Coast Sub-Committee to the Climate Change and Sustainability Committee with responsibility for the assistance in the implementation of the Final Capel CHRMAP and to include elected members, Shire Officers, community representatives and other appropriate organisations agencies.
7. Resolves to continually update the Final Capel CHRMAP as necessary as new data or information becomes available.'

## Decision Framework

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### Shire of Capel Strategic Community Plan 2023-2033

Direction 2 - Manage and protect our environment

- 2.1 Improved management of our natural environment assets and attractions
- 2.2 Increased community capacity in supporting positive environmental management
- 2.3 A Shire committed to sustainable practices
- 2.5 Improved connection and access to natural assets of the forest and coastal environment
- 2.7 Urban planning that supports sustainable development

Direction 4 - Deliver good leadership, governance and decision-making

- 4.2 Informed and transparent decision making
- 4.3 Contemporary planning and local development

Direction 5 - Provide and maintain suitable infrastructure and facilities

- 5.4 Improved beach infrastructure to support a healthy beach lifestyle

### Corporate Business Plan 2023-2027

DEVS 4 - **CHRMAP** - Prepare and implement a joint Coastal Hazard Risk Mitigation Plan including community engagement and consultation.

## Statutory Framework

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### Local Framework

There are no local frameworks relevant to this item.

### State Framework

There are no state frameworks relevant to this item.



**Federal Framework**

There are no federal frameworks relevant to this item.

**Policy Framework**

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There are no Council policies relevant to this item.

**Implications**

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**Risk Implications**

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Reputation  <b>Rating: Medium</b>	Possible	Moderate	A fit for purpose and operational Terms of Reference that supports the Sub Committees future work.
<b>Risk Description:</b> Failure to consider the future impacts on the community from the findings and recommendations of the CHRMAP.			
<b>Risk 2</b> Environmental  <b>Rating: Medium</b>	Possible	Moderate	A fit for purpose and operational Terms of Reference that supports the Sub Committees future work.
<b>Risk Description:</b> Failure to start the implementation and consideration of future environmental impacts.			
<b>Opportunity:</b> The future advocacy and considerations of the Sub Committee for the impacts and actions identified through the CHRMAP.			

**Financial Implications**

Budget

There are no financial implications relevant to this proposal. However, future recommendations through the Sub Committee for future budgetary impacts and considerations may be put to the Climate Change, Adaptation and Sustainability Committee.

Long Term

There are no future long term financial implications relevant to this proposal. However, future recommendations through the Sub Committee for future budgetary impacts and considerations may be put to the Climate Change, Adaptation and Sustainability Committee.

**Sustainability Implications**

The Capel Coast Sub Committee will consider ongoing implications from a social, environmental, asset and economic perspective. These implications will be considered at the time of the reports relevant to the committee.



## Consultation/Engagement

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### External Consultation

No external consultation has been undertaken. Following the endorsement of the Terms of Reference, the Shire will engage with the relevant stakeholders that have been identified as potential members of this sub-committee.

An Expression of Interest process will also be undertaken for community representation, and the applications received will be considered by the Climate Change, Adaptation and Sustainability Committee.

### Internal Consultation

Consultation between the Chief Executive Officer, Director of Infrastructure and Development, Strategic Governance and Risk Coordinator and Planning Coordinator has been undertaken.

## Officer Comment

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The Capel Coast Sub Committee will consider the impacts of:

- temporary coastal flooding;
- permanent marine inundation;
- increased heat-related health issues;
- changes in mosquito activity; and
- subsequent impact on residents and economic impacts on those industries which rely on our waterways and coast, such as tourism and accommodation businesses and commercial fishing.

The Sub Committee will work to identify future solutions and investigations of these impacts on the Capel community.

A vital part of the future mitigation and management strategies will involve investigations to be undertaken on the financial impacts and provide recommendations on strategies and financial assistance opportunities.

This sub-committee should consist of several community representatives to ensure proper engagement and involvement of the community, along with elected members, Shire Officers and representatives from other relevant organisations. These members have been identified through internal consultation on the relevant stakeholders. Noting that due to current staff roles being reviewed, titles of officers may be subject to change, and this will be amended in the Terms of Reference if required.

## Summary

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The Sub Committees Terms of Reference provides an opportunity for the ongoing consideration and action of the CHRMAP recommendations and findings.

## Voting Requirements

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Simple Majority

**Officer's Recommendation – 5.2.**

**That the Climate Change, Adaptation and Sustainability Committee endorses the draft Capel Coast Sub Committee Terms of Reference and recommends to Council to adopt the Terms of Reference.**



# Capel Coast Sub Committee

## Terms of Reference

## Background

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Coastal hazards can result in property damage, loss of life and / or environmental degradation. The impacts are generally greatest where the shoreline has been modified and developed for infrastructure or settlements. The most significant hazards include:

- Erosion – occurs when winds, waves and coastal currents act to shift sediments away from an area of the shore, often during a storm. In most locations this is a short-term process, and the shore gradually regains sediment;
- Inundation – during a storm, low atmospheric pressure and onshore winds can cause storm surge and extreme wave heights along the coast. When these coincide with high tide, inundation may result; and
- Landform mobility (dunes and estuary entrance) – is influenced by a range of factors including stress due to vehicles or pedestrians (through damage to vegetation), coastal erosion, drought, bushfires and man-made activities, disturbances and modifications to dunes and estuary entrances.

These impacts and risks will affect Capel's natural and built environments and may have further consequences on the community, which could include;

- temporary coastal flooding;
- permanent marine inundation;
- increased heat-related health issues;
- changes in mosquito activity; and
- subsequent impact on residents and economic impacts on those industries which rely on our waterways and coast, such as tourism and accommodation businesses and commercial fishing.

At the 31 January 2024 Ordinary Meeting of Council, a resolution was made for a Capel Coast Sub-Committee to the Climate Change and Sustainability Committee with responsibility for the assistance in the implementation of the Final Capel CHRMAP and to include elected members, Shire Officers, community representatives and other appropriate organisations / agencies.

## 1. Purpose

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The purpose of the Capel Coast Sub Committee (CCSC) is to report, advocate, consider and make recommendations on action and options for the sustainable management of the Shire of Capel's coastlines.

- advocate for local policies and regulations consistent with State risk management approaches;
- consider and make recommendations to the CCAS and Council regarding actions and options for climate change mitigation and the sustainable management of the district coastline;
- assist in the implementation the recommendations of the Final Capel CHRMAP, as endorsed by Council;
- facilitate building resilience and adaptive capacity within the local community, including developing strategies for consideration by Council on future financial and

infrastructure needs to protect against known coastal hazards like erosion and inundation;

- work in partnership with the community to identify and manage risks through a community engagement strategy; and
- communicate with the community and Shire through advocacy strategies to ensure an open communication channel is established.

## **2. Powers**

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The Capel Coast Sub Committee will operate under the Climate Change, Adaptation and Sustainability Committee and provide appropriate advice and recommendations on matters relevant to this Terms of Reference.

The CCSC provides advice relevant to their represented interest and does not have power to make stand-alone decisions, or any authority over the Shire of Capel.

The Capel Coastal Sub Committee does not have any administrative or management functions and cannot involve itself in administrative processes or procedures related to the Shire of Capel or any organisations / agencies represented on the Sub Committee.

## **3. Membership**

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The Sub Committee will consist of:

Council and staff representatives:

- 2 Councillor Representatives (the Chair and the Deputy Chair of the Climate Change, Adaptation and Sustainability Committee)
- Manager of Development Services
- Manager of Projects, Engineering and Assets
- Senior Sustainability Officer

Community representatives:

- 1 Community member representative of the Capel Coast sub area and 1 proxy
- 1 Community member representative of the Peppermint Grove Beach sub area and 1 proxy
- 1 Community member representative of the Dalyellup area and 1 proxy

Agency representatives on an invitational basis:

- 1 member from Department of Planning, Lands and Heritage
- 1 member from Department of Water and Environmental Regulations
- 1 member from Department of Biodiversity, Conservation and Attractions
- 1 Member from Department of Transport
- 1 member from Peron Naturaliste Partnership
- 1 Member from Geocatch

The CCSC may authorise people who are not members to attend meetings to provide advice and guidance.

### **Presiding Member**

The Chair of the Climate Change, Adaptation and Sustainability Committee will be the designated Chairperson. The Deputy Chairperson will be the Deputy of the Climate Change, Adaptation and Sustainability Committee.

The Chairperson is responsible for the conduct of meetings, ensuring fair and equitable opportunities for views and opinions to be voiced and discussed by the Sub Committee.

The Deputy Chairperson may be appointed to chair meetings in the absence of the Chairperson.

### **Community representatives**

- Currently working and / or living within their sub area region they intend to represent.
- An ability to constructively participate in an advisory capacity.
- An ability to represent a broad range of views that reflect the diversity of future planning requirements.
- A strong knowledge and understanding of the local and regional area they are representing.
- Good communication and active participation within their local community.
- An ability and willingness to encourage participation / input and information from and provide feedback to the community they are representing.
- A capacity to commit to the CCSC for the required duration of two (2) years.

### **Appointment of Community Representatives**

The selection of the community representatives will involve a call for expressions of interest / nominations.

A nomination form addressing the criteria above must be completed by interested representatives and all nominations will be assessed against the criteria for Sub Committee representation above. The Climate Change, Adaptation and Sustainability Committee will assess nominations and will have the absolute discretion / decision making regarding the selection of representatives.

The appointment of Capel Coast Sub Committee representatives will be for a 2 yearly period in line with the Local Government Election cycle.

### **Members responsibility**

The members of the Sub Committee are to abide by the Shire of Capel Code of Conduct for Elected Members, Committee members and candidates.

## **4. Administration and Reporting**

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Reports and recommendations of each CCSC meeting shall be presented to the Climate Change, Adaptation and Sustainability Committee. Any item that requires action from the Shire in a financial, planning or infrastructure will require approval through the Council. Preparation of CCSC agendas, reports and minutes will be facilitated via administrative support from the Shire of Capel.

#### **5. Attendance and Quorum**

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Quorum for meeting commencement and continuation shall be five (5) members.

The CCSC shall meet on a quarterly basis or as required, with additional meetings convened as required at the discretion of the Chairperson.

Meeting attendance will be by in-person or via virtual attendance. A member attending virtually shall be deemed to be in attendance as if in person.

General meetings will not be open to the public, unless otherwise specified.

#### **6. Members Interests to be Disclosed**

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Members of the CCSC are required to declare interests following the principles detailed in the *Local Government Act 1995* sections:

- 5.65 - Members' interest in matters to be discussed at meetings to be disclosed and section
- 5.70 - Employees to disclose interests relating to advice or reports.

#### **7. Shire of Capel Standing Orders**

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Unless otherwise stated in these Terms of Reference, any matters relating to the management and activities of the CCSC shall be addressed with guidance from the Shire of Capel Standing Orders Local Law 2016.



## 6. Meeting Closure