

Council Committees and Advisory Groups Membership

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INTRODUCTION

This booklet contains details of:

1. Council Committees
 2. Council Portfolios
 3. Advisory Groups
 4. Council Representation on External Organisations
-

PART 1 – COUNCIL COMMITTEES

Section 5.8 of the **Local Government Act 1995** provides that Council can establish committees of three (3) or more persons. An **Absolute Majority** decision is required.

1.1 *Types of Committees*

Section 5.9 provides that a committee can comprise:

- a) Council Members only
- b) Council Members and Employees
- c) Council Members and Employees and other persons
- d) Council Members and other persons
- e) Other persons only

1.2 *Appointment of Committee Members*

Section 5.10 provides for the appointment of committee members. A decision to appoint committee members requires an **Absolute Majority** decision of Council.

At any given time each Council member is entitled to be a member of at least one committee that comprises Council members only, or Council members and employees. If a Council member nominates himself/herself to be a member of such committee/s, the Council is to include that Council member to at least one of those committees as the Council determines.

If the Council is to make an appointment to a committee that has or could have a Council member as a member and the President informs Council of his/her wish to be a member of the committee, the Council is to appoint the President to be a member of the committee.



If the Council is to make an appointment to a committee that has or will have an employee as a member and the Chief Executive Officer informs the Council of his/her wish:

- a) to be a member of the committee, or
 - b) that a representative of the Chief Executive Officer be a member of the committee
- the Council is to appoint the Chief Executive Officer or the Chief Executive Officer's representative, as the case may be, to be a member of the committee.

1.3 *Tenure of Committee Membership*

Where a person is appointed as a member of a committee under *section 5.10(4) or (5)* (i.e. the sections relating to appointing the President and the Chief Executive Officer or the Chief Executive Officer's representative to a committee), the person's membership of the committee is valid until:

- a) *the person no longer holds the office by virtue of which the person becomes a member, or is no longer the Chief Executive Officer, or the Chief Executive Officer's representative, as the case may be,*
 - b) *the person resigns from membership of the committee,*
 - c) *the committee is disbanded, or*
 - d) *the next ordinary elections day,*
- whichever happens first.*

Where a person is appointed as a member of a committee other than under *section 5.10(4) or (5)*, the person's membership of the committee continues until:

- a) *the term of the person's appointment as a committee member expires,*
 - b) *the Council removes the person from the office of committee member or the office of committee member otherwise becomes vacant,*
 - c) *the committee is disbanded, or*
 - d) *the next ordinary elections day,*
- whichever happens first.*

1.4 *Elected members obligation when appointed by Council*

Councillors are to represent the views of Council, as deemed by resolution Policy or strategic objectives, when attending Committee meetings and Working Groups that include "**other persons**".

"Other Persons" means a person who is not a Council member or employee

1.5 *Election of Presiding Member and Deputies*

The members of a committee are to elect a presiding member and deputy presiding member from amongst themselves in accordance with *section 5.12*.

1.6 Quorum

The quorum for a meeting of a committee is at least 50% of the number of offices whether vacant or not.

The Council may, with an **Absolute Majority** decision, reduce the number of offices of committee members required for a quorum at a committee meeting specified by the Council if there would not otherwise be a quorum for the meeting.

1.7 Presiding at Committee meetings

The presiding member elected by the committee is to preside at meetings of the committee.

If, in relation to the presiding member of a committee:

- a) the office of presiding member is vacant, or
- b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,

then the deputy presiding member, if any, may perform the functions of presiding member.

If, in relation to the presiding member of a committee:

- a) the office of presiding member and the office of deputy presiding member are vacant, or
- b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

1.8 Delegation of some powers and duties to certain committees

Under and subject to *section 5.17*, Council may delegate to a committee any of its powers and duties other than the power of delegation. An **Absolute Majority** decision of Council is required.

A delegation is to be in writing and may be general or as otherwise provided in the instrument of delegation.

A delegation has effect for the period of time specified in the delegation or if no period has been specified, indefinitely.

Any decision to amend or revoke a delegation is to be made by an **Absolute Majority**.

Although Council may have delegated authority to a committee, nothing prevents the Council from performing any of its functions by acting through another person.

1.9 *Limits on the delegation of powers and duties to certain committees*

The Council can delegate:

- a) to a committee comprising Council members only, any of the Council's powers or duties under the Act except:
 - i. any power or duty that requires a decision of an absolute majority or a 75% majority of the Council; and
 - ii. any other power or duty that is prescribed;
- b) to a committee comprising Council members and employees, any of the council's powers or duties that can be delegated to the Chief Executive Officer; and
- c) to a committee comprising Council members, employees and other persons, Council members and other persons, and employees and other persons, any of the council's powers or duties that are necessary or convenient for the proper management of:
 - i. the Council's property; or
 - ii. an event in which the Council is involved.

The Council cannot delegate any of its powers or duties to a committee comprising "other persons only".

1.10 *Statutory compliance*

The Presiding Member, deputy presiding member, committee members and the Council officer responsible for the committee are to make themselves fully conversant with all of the provision of the **Local Government Act 1995** and Council's Standing Orders relating to committees and committee meetings.

Council has resolved to formally establish the following committees with the membership and other relevant information as shown.

1.11 Audit and Risk Committee

1.11.1 Membership

As at 22 October 2019:

Members
Cr

Quorum

4 members

1.11.2 Terms of Reference

Adopted by Council on 22 October 2019

1.11.3 Function

1.11.3.1

NAME

The name of the Committee shall be the Shire of Chittering Audit and Risk Committee hereinafter referred to in its abbreviated form as ARC.

1.11.3.2

DISTRICT

The ARC shall operate within the local government boundaries of the Shire of Chittering.

1.11.3.3

GUIDING PRINCIPLES

The guiding principles are in accordance with the *Local Government Operational Guidelines (No 9) for Audit Committees in Local Government – Their appointment, function and responsibilities*.

1.11.3.4

ESTABLISHMENT

The Committee is established pursuant to *Section 5.8* of the *Local Government Act 1995*.



1.11.3.5

OBJECTIVES

The Regulations state that an audit committee:

- a) is to provide guidance and assistance to the local government:
 - i. as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act;
 - ii. as to the development of a process to be used to select and appoint a person to be an auditor;
- b) may provide guidance and assistance to the local government as to:
 - i. matters to be audited;
 - ii. the scope of audits;
 - iii. its functions under Part 6 of the Act;
 - iv. the carrying out of its functions relating to other audits and other matters related to financial management;
- c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to:
 - i. report to the council the results of that review;
 - ii. give a copy of the CEO's report to the council;
- d) review the annual Compliance Audit Return and report to the council the results of that review, and
- e) consider the CEO's biennial reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance and report to the council the results of those reviews.

The role of the audit and risk committee is 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.

The audit and risk committee should critically examine the audit and management reports provided by the external auditor. The committee would then determine if matters raised in the reports require action to be taken by the local government and ensure that appropriate action is implemented.

A further role for the audit committee would be to receive and authorise the report relating to the audit prepared by the CEO that is to be sent to the Minister.

This report would outline any actions the local government has taken or intends to take in relation to the matters identified by the auditor.

While a formal internal audit function could be considered to be an operational function and therefore the responsibility of the CEO, it is desirable for an internal auditor to have a direct line of communication to the audit and risk committee.

The audit and risk committee needs to form an opinion of the local government's internal audit requirements and recommend a course of action that ensures that any internal audit processes adopted are appropriate, accountable and transparent. The role of the external auditor in this regard can be established at the time of appointment.

1.11.3.6 **POWERS OF THE AUDIT AND RISK COMMITTEE**

The ARC is a formally appointed committee of Council and is responsible to that body. The committee does not have executive powers or delegated authority to implement actions in areas over which the Chief Executive Officer 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.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer.

1.11.3.7 **MEMBERSHIP**

The committee shall consist of all elected members. All members shall have full voting rights.

The Chief Executive Officer and employees are not members of the committee.

The Chief Executive Officer and Executive Manager Corporate Services (or their nominee) is to attend all meetings to provide advice and guidance to the committee.

The local government shall provide secretarial and administrative support to the committee.

1.11.3.8 **REPORTING**

Reports and recommendations of each committee meeting shall be presented to the next Ordinary Meeting of the Council.

1.11.3.9 **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of the ARC will be to—

- (a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- (b) Develop and recommend to Council—
 - i. a list of those matters to be audited,
 - ii. the scope to be undertaken.
- (c) Liaise with the Chief Executive Officer to ensure that the local government does everything in its power to—
 - i. assist the auditor to conduct the audit and carry out his or her other duties under the **Local Government Act 1995**,
 - ii. ensure that audits are conducted successfully and expeditiously.
- (d) Examine the reports of the auditor after receiving a report from the Chief Executive Officer on the matters and—
 - i. determine if any matters raised require action to be taken by the local government,
 - ii. ensure that appropriate action is taken in respect of those matters.
- (e) Review the report prepared by the Chief Executive Officer on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or six months after the last report prepared by the auditor is received, whichever is the latest in time.

- (f) Review the scope of the audit plan and program and its effectiveness.
- (g) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's "Terms of Reference".
- (h) Seek information or obtain expert advice through the Chief Executive Officer on matters of concern within the scope of the Committee's "Terms of Reference" following authorisation from the Council.

1.11.3.10 **TENURE OF MEMBERSHIP**

Shall be in accordance with the **Local Government Act 1995, section 5.11.**

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until—*
 - (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
 - (b) *the person resigns from membership of the committee;*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,*
whichever happens first.
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until—*
 - (a) *the term of the person's appointment as a committee member expires;*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,*
whichever happens first.

1.11.3.11 **DELEGATED AUTHORITY**

Nil

1.11.3.12 **COMMITTEE**

Chairperson

The members shall appoint the Chairperson of the ARC.

Secretary

A Shire staff officer will fulfil the role of non-voting Secretary.

Standing Ex-Officio Members

Nil

1.11.3.13 **MEETINGS**

Annual General Meeting

Nil

Committee meetings

The ARC shall meet at least annually. Additional meetings shall be convened at the discretion of the presiding person.

Quorum

The quorum at any meeting shall be half plus one of the number of offices. Therefore the number for a quorum shall be four voting members.

Voting

Shall be in accordance with the **Local Government Act 1995, Section 5.21.**

5.21 Voting

- (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*
- (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
- (3) *If the votes of a member present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
- (4) *If a member of a council or a committee specifically requests that there be recorded —*
 - (a) *his or her vote; or*
 - (b) *the vote of all members present**On a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.*
- (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*

Minutes

Shall be in accordance with the **Local Government Act 1995, Section 5.22.**

5.22 Minutes of council and committee meetings

- (1) *The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings.*
- (2) *The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.*
- (3) *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

Who acts if no presiding member?

Shall be in accordance with the **Local Government Act 1995, Section 5.14.**

5.14 Who acts if no presiding member

- (1) *If, in relation to the presiding member of a committee —*
 - (a) *the office of presiding member and the office of deputy presiding member are vacant; or*
 - (b) *the presiding member and the deputy presiding member, if any, are not available or are unable or willing to perform the functions of presiding member, then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

Meetings

Meetings shall be generally open to the public pursuant to the **Local Government Act 1995, Section 5.23** and include question time for members of the pursuant to the **Local Government Act 1995, Section 5.24**.

Members interests to be disclosed

Members of the Committee are bound by the provisions of the **Local Government Act 1995, Section 5.65** with respect to disclosure of financial, impartiality or proximity interests.



1.12 Chittering Bush Fire Advisory Committee

1.12.1 Membership

As at 22 October 2019:

Members	Deputies
Shire of Chittering Councillor Cr	Shire of Chittering Councillor Cr
Chief Executive Officer Matthew Gilfellon	Nil
Community Emergency Services Manager / Chief Bush Fire Control Officer David Carroll	Nil
Deputy Chief Bush Fire Control Officer Southern Region David Wilson	Nil
Deputy Chief Bush Fire Control Officer Northern Region Kim Haeusler	Nil
Deputy Chief Bush Fire Control Officer Central Region Phillip Humphry	Nil
Muceha Brigade representative Shelly Pannell	Muceha Brigade representative Shane Robertson
Lower Chittering Brigade representative Graham Furlong	Lower Chittering Brigade representative Max Brown
Upper Chittering Brigade representative Aaron Cover	Upper Chittering Brigade representative Gordon Carter
Bindoon Brigade representative Peter Watterston	Bindoon Brigade representative Scott Ormsby
Wannamal Brigade representative Richard Rose	Wannamal Brigade representative Clayton Smith
Incident Support Brigade representative Peter Hall	Incident Support Brigade representative Sam Murray Whelan

QUORUM

6 members

1.12.2 Terms of Reference

Adopted by Council on 22 October 2019

1.12.3 *Function*

1.12.3.1 **NAME**

The name of the Committee shall be the Chittering Bush Fire Advisory Committee hereinafter referred to in its abbreviated form as CBFAC.

1.12.3.2 **DISTRICT**

The CBFAC shall operate within the local government boundaries of the Shire of Chittering.

1.12.3.3 **VISION**

Our vision is for the Shire of Chittering to have an efficient and responsive fire service and as a Committee to educate and inform the community of the dangers of fire.

1.12.3.4 **GUIDING PRINCIPLES**

Nil

1.12.3.5 **ESTABLISHMENT**

The CBFAC is established pursuant to the *Local Government Act 1995, Section 5.8* and the *Bush Fires Act 1954, Section 67*.

1.12.3.6 **OBJECTIVES**

To make recommendations and advise Council on all matters relating to the *Bush Fires Act 1954, Section 67(1)*.

To liaise with other emergency organisations and relevant bodies with regard to Fire and Emergency Management within the Shire of Chittering

The Committee will advise the local government all matters relating to:

- (a) Preventing, controlling and extinguishing of bush fires
- (b) The planning of the layout of fire-breaks in the district
- (c) Prosecutions for breaches of the *Bush Fire Act 1954*
- (d) The formation of bush fire brigades and the grouping thereof under group brigade officers
- (e) The ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- (f) Any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified.



1.12.3.7

MEMBERSHIP

Membership

- (a) One Shire of Chittering Councillor as member and one Councillor as deputy
- (b) Chief Executive Officer as member
- (c) Community Emergency Services Manager/Chief Bush Fire Control Officer as member
- (d) Deputy Chief Bush Fire Control Officer Southern Region as member
- (e) Deputy Chief Bush Fire Control Officer Northern Region as member
- (f) Deputy Chief Bush Fire Control Officer Central Region as member
- (g) Muchea Brigade
 - i. one Bush Fire Control Officer as member and
 - ii. one Bush Fire Control Officer as deputy
- (h) Lower Chittering Brigade
 - i. one Bush Fire Control Officer as member and
 - ii. one Bush Fire Control Officer as deputy
- (i) Upper Chittering Brigade
 - i. one Bush Fire Control Officer as member and
 - ii. one Bush Fire Control Officer as deputy
- (j) Bindoon Brigade
 - i. one Bush Fire Control Officer as member and
 - ii. one Bush Fire Control Officer as deputy
- (k) Wannamal Brigade
 - i. one Bush Fire Control Officer as member and
 - ii. one Bush Fire Control Officer as deputy
- (l) Incident Support Brigade
 - i. one Bush Fire Control Officer as member
 - ii. one Bush Fire Control Officer as deputy

Tenure of Membership

Shall be in accordance with the **Local Government Act 1995, Section 5.11.**

1.12.3.8

ATTENDANCE BY GOVERNMENT AGENCIES

The following are invited (non-voting) to attend meetings of the CBFAC:

- (a) DFES Fire Services Manager Perth North Coastal
- (b) DEC Conservation and Land Management Officer

1.12.3.9

DELEGATED AUTHORITY

Nil

1.12.3.10

COMMITTEE

Chairperson

The members shall appoint the Chairperson of the CBFAC.

Secretary

A Shire staff officer will fulfil the role of Secretary (non-voting).

Standing Ex-Officio Members

Nil

1.12.3.11

MEETINGS

Annual General Meeting

Nil

Committee meetings

Meetings shall be as determined by the CBFAC.

Quorum

At least 50% of the members of the Committee.

Voting

Shall be in accordance with the **Local Government Act 1995**, Section 5.21.

- (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*
- (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
- (3) *If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
- (4) *If a member of a council or a committee specifically requests that there be recorded —*
 - (a) *his or her vote; or*
 - (b) *the vote of all members present,**on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.*
- (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*

Members are to vote by secret ballot on the Election of Positions to be recommended to Council as if they were electors voting at an election.

Minutes

Shall be in accordance with the **Local Government Act 1995**, Section 5.22(1).

- (1) *The person presiding at a meeting is to ensure that minutes are kept of the meeting's proceedings.*

A copy of the unconfirmed minutes shall be forwarded to all CBFAC members within five to 10 days of the meeting for endorsement at the next meeting.

CBFAC recommendations arising from the minutes shall be presented to Council in the next available Council agenda for endorsement and/or action.

The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify confirmation.

Who acts if no presiding member?

In accordance with the provisions of the **Local Government Act 1995**, Section 5.14.

*If, in relation to the presiding member of a committee—
the office of a presiding member and the office of deputy presiding member are vacant; or the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of the presiding member, then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

Meetings

Meetings shall be open to the public pursuant to the **Local Government Act 1995**, Section 5.23 and is not required to have questions from the public as there are no Council delegations.

Brigade and Shire Training Coordinator reports

Each member brigade shall provide a brigade report to the meeting. The Shire Training Coordinator shall provide a report to the Chief Bush Fire Control for presentation at the meeting.

Working groups

The CBFAC may appoint any of its members to a working group to carry out specific tasks. A working group will undertake only those duties specified by the Committee.

Deputations

The CBFAC may invite any person or organisation to attend any meetings but such persons shall not be entitled to vote on any decision arising from such meetings.

Power of the Council

Nothing herein contained shall restrict the powers of Council.

Code of Conduct

Members must comply with the Shire's Staff Policy 3.1 Code of Conduct – Staff, Volunteers and Contractors.



1.13 Local Emergency Management Committee

1.13.1 Membership

As at 22 October 2019:

Members	Deputies
Shire President Cr	Shire Deputy President Cr
Chief Executive Officer	
Community Emergency Services Manager Chief Bush Fire Control Officer	Deputy Chief Bush Fire Control Officer Southern/Northern Region
Executive Manager Technical Services	
Executive Manager Corporate Services	
Executive Manager Development Services	
Principal Building Surveyor	
Principal Environmental Health Officer	
St John Ambulance Gingin/Chittering	
WA Police – Gingin	
Department of Fire and Emergency Services	
Department for Communities	
Australian Defence Force	
WA Meat Industry Authority	
Bindoon Primary School	
Edmund Rice College	
Immaculate Heart College	

Quorum

9 Members

1.13.2 Terms of Reference

Adopted by Council 22 October 2019



1.13.3 Functions

1.13.3.1 NAME

The name of the Committee shall be the Local Emergency Management Committee hereinafter referred to in its abbreviated form as LEMC.

1.13.3.2 DISTRICT

The LEMC shall operate within the local government boundaries of the Shire of Chittering.

1.13.3.3 VISION

Our vision is for the Shire of Chittering to have an efficient and responsive emergency management.

1.13.3.4 GUIDING PRINCIPLES

Nil

1.13.3.5 ESTABLISHMENT

The LEMC is established pursuant to *Section 5.8* of the **Local Government Act 1995** and Section 38 of the **Emergency Management Act 2005**.

1.13.3.6 OBJECTIVES

- (a) To plan, administer and test the Local Emergency Management Arrangements.
- (b) To keep up to date the Contact details in the Local Emergency Management Arrangements.
- (c) Meet and produce post-incident reports.
- (d) Meet and produce post-exercise reports.
- (e) Produce an Annual report.
- (f) Produce and approve an Annual Business Plan.

The Committee will advise the local government all matters relating to Emergency Management.

Shall be in accordance with the **Emergency Management Act 2005**, Section 39.

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

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

1.13.3.7 **MEMBERSHIP**

Membership

Membership of the LEMC is representative of agencies, community groups, non-government organisations and expertise relevant to the identified community hazards and risks and emergency management arrangements.

Chair	President
Deputy Chair	Deputy President
Executive Officer	Community Emergency Services Manager / Chief Bush Fire Control Officer
Members	SoC Local Recovery Coordinator SoC President St Johns Ambulance Gingin/Chittering SoC Principal Environmental Health Officer SoC Building Surveyor SoC Executive Manager Development Services SoC Executive Manager Corporate Services SoC Executive Manager Technical Services SoC Deputy Chief Bush Fire Control Officers SoC Local Welfare Liaison Officer WA Police – Gingin representative Department for Communities representative DFES District Manager North East RAAF Defence representative Western Australian Meat Industry Authority representative Bindoon Primary School Edmund Rice College Immaculate Heart College

Tenure of Membership

Shall be in accordance with the **Local Government Act 1995**, Section 5.11.

1.13.3.8 **ATTENDANCE BY GOVERNMENT AGENCIES**

Department of Fire and Emergency Services
Department for Communities

1.13.3.9 **DELEGATED AUTHORITY**

Nil

1.13.3.10 **COMMITTEE**

Presiding Member

Shire of Chittering Councillor

Secretary

A Shire staff officer will fulfil the role of Secretary (non-voting)

Standing Ex-Officio Members

Nil



1.13.3.11

MEETINGS

Annual General Meeting

Nil

Committee meetings

Meetings shall be held quarterly

Quorum

At least 50% of the members of the Committee.

Voting

Shall be in accordance with the **Local Government Act 1995**, Section 5.21.

- (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*
- (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
- (3) *If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
- (4) *If a member of a council or a committee specifically requests that there be recorded—
 - (a) *his or her vote; or*
 - (b) *the vote of all members present,*on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.*
- (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*

Minutes

Shall be in accordance with the **Local Government Act 1995**, Section 5.22(1).

- (1) *The person presiding at a meeting is to ensure that minutes are kept of the meeting's proceedings.*

A copy of the unconfirmed minutes shall be forwarded to all LEMC members within five to 10 days of the meeting for endorsement at the next meeting.

LEMC recommendations arising from the minutes shall be presented to Council in the next available Council agenda for endorsement and/or action.

The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify confirmation.

Who acts if no presiding member?

In accordance with the provisions of the **Local Government Act 1995**, Section 5.14.

*If, in relation to the presiding member of a committee—
the office of a presiding member and the office of deputy presiding member are vacant; or the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of the presiding member, then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

Meetings

Meetings shall be open to the public pursuant to the **Local Government Act 1995**, Section 5.23 and is not required to have questions from the public as there are no Council delegations.

Working groups

The LEMC may appoint any of its members to a working group to carry out specific tasks. A working group will undertake only those duties specified by the Committee.

Power of the Council

Nothing herein contained shall restrict the powers of Council.

Code of Conduct

Members must comply with the Shire's Staff Policy 3.1 Code of Conduct – Staff, Volunteers and Contractors.



PART 2 – COUNCIL PORTFOLIOS

Councillors may choose to hold one or more portfolios in relation to a particular matter that is of interest to Council. An Elected Member may be delegated by Council the function of monitoring and providing elected member reports to Council on items of interest to Council.

Elected Members of Council holding a particular portfolio may be requested by the Council or Chief Executive Officer to attend various meetings in relation to the portfolio, and provide input from the Shire of Chittering’s perspective taking into consideration the corporate goals and policies of Council.

No sitting fee shall be paid in connection with an allocated portfolio; however any bona fide expense shall be reimbursed. Should a portfolio holder meet with a Minister in relation to the portfolio, the President in the first instance or Deputy President of the Council shall be invited to attend.

Council has resolved to formally establish the following portfolios in line with the Strategic Community Plan 2017-2027 with the membership and other relevant information as shown:

Description	Membership
Community Development	Cr
<ul style="list-style-type: none"> • Health and aged care • Youth and related services • Sport and recreation 	Cr
Natural Environment	Cr
<ul style="list-style-type: none"> • Chittering Landcare • Waste management • Catchment management 	Cr
Built Environment	Cr
<ul style="list-style-type: none"> • Precinct planning • Recreation trails and reserves • Infrastructure services • Project activities • Heritage 	Cr
Economic Development and Tourism	Cr
<ul style="list-style-type: none"> • Chamber of Commerce • Chittering Tourist Association • Regional tourism initiatives • Small business • Project activities • Events 	Cr
Governance	Cr
<ul style="list-style-type: none"> • Integrated Planning • Asset Management • Financial Sustainability 	Cr



PART 3 – ADVISORY GROUPS

An “Advisory Group” will **NOT** be a formal committee established under section 5.8 of the **Local Government Act 1995**. An “Advisory Group” is to meet as and when required and membership is to vary dependent on the issues to be addressed. The Officer responsible for the “Advisory Group” will report any outcomes from working group meetings direct to Council.

“Advisory Groups” will not attract a sitting fee to elected members as the “Advisory Group” is not a formal committee constituted pursuant to the **Local Government Act 1995**.

Council members are to represent the views of Council when attending an external organisation as a member appointed by the Council, not their personal views if these conflict with Council policy and position.

Representation of external organisations will not attract a sitting fee to elected members but any out of pocket expenditure or travelling expenses will be reimbursed.

3.1 Advisory Group Membership and Objectives

3.1.1 Chittering Community Planning Advisory Group

The Chittering Community Planning Advisory Group (CCPAG) is made up of representatives of diverse community interests from within the Shire of Chittering; representing the localities of Lower Chittering, Muchea, Bindoon, Mooliabeenee and Wannamal.

3.1.1.1 MEMBERSHIP

Sporting groups and Community groups from within the Shire of Chittering are encouraged to nominate one representative per group.

Alternatively, for those groups involved in a Chittering Shire facility user group a representative from the user group are encouraged to participate on CCPAG.

Members	Deputies
Cr	Cr
Community Development Coordinator (CDC)	And any other Shire staff by invitation as determined by projects of the committee
Bindoon Agricultural Society representative	-
Bindoon Community Progress Association representative	-
Bindoon Chittering Retirees / CWA representative	-
Bindoon Theatre Incorporated representative	-



Members	Deputies
Brockman Historical Precinct user group representative representing the: <ul style="list-style-type: none"> • Bindoon Historical Society • Bindoon Arts & Crafts • Bindoon Men’s Shed 	-
Chittering Tourist Association representative	-
Chittering Progress Association representative	representing the Lower Chittering Hall user group
Bindoon Sport and Recreation Association representative	representing the Chinkabee Complex user group
Bindoon Primary School P & C representative	-
Sandown Park representative	-
Muclea User Group representative	-
Wannamal Community Centre representative	-

QUORUM

7 members (comprising of 5 community members, 1 Councillor and the CDC)

3.1.1.2

OBJECTIVES

- (a) Contribute and participate in the review of the Shire of Chittering Strategic Community Plan
A point of reference for the Shire of Chittering as part of community engagement activities. To ensure that community planning and development remain a key component of Council’s Strategic planning process.
- (b) Community attitudes and perceptions
A collective voice for advocating community attitudes and perception, ideas and projects of the communities within the Shire of Chittering between the Council, funding providers and government agencies.
- (c) Identify opportunities
To identify opportunities for community development through creative utilisation of existing and future resources and funding by collectively identifying, supporting and working towards projects that serve to build community pride. This will be achieved through the dissemination of information, brainstorming and/ or a collective think tank of ideas facilitated by the broad knowledge base of the group.



- (d) Promotion

To promote the importance of community planning development in the Shire of Chittering by being a conduit between the community, sporting and community groups, Shire of Chittering and potential partners i.e. funding providers and Government agencies.

Provide a focal point for the exchange of information among the local community and the Shire of Chittering, on issues of concern or projects of interest that serve to build pride within our community, being mindful of not replicating work that is already being done within the community.
- (e) Communication with Council

To facilitate and encourage widespread consultation with the community by communication to the council on community planning and development issues and; make recommendations to Council on all matters relating to this.
- (f) Budget priorities

To identify and make recommendations to Council on budget provisions for community development projects by advocating community priorities to council for budgetary considerations.
- (g) Community facilities

To advise and assist Council in the development of community facilities and services within the Shire of Chittering.
- (h) Community projects

Assist and support, where appropriate, any new community projects and; advocate for improved use of resources (time, people, financial etc.) through utilising the networking opportunities present within the group.

3.1.1.3

MEETING TIMES

Bimonthly on 2nd Thursday (February, April, June, August, October, December)

1 – 3pm in the Shire of Chittering Council Chambers

Meetings may be held more regularly where necessary to projects of the group.



3.1.2 Chittering Community Support Funding Advisory Group

3.1.2.1 MEMBERSHIP

Members	Deputies
Cr	Cr
Executive Manager Corporate Services	-
Community Development Officer	-

QUORUM

2 members

3.1.2.2 OBJECTIVES

(a) Recommendations

- i. To assess the Financial Assistance Grant applications received from not for profit organisations operating in the Shire of Chittering in order of priority and based on any Council policies with respect to donations.
- ii. To make recommendations to Council of the applications for inclusion in the annual Budget.

(b) Community initiatives

To encourage not for profit organisations operating in the Shire of Chittering to submit applications for financial assistance towards projects that will benefit the Chittering community based on the adopted annual budget.

(c) Community awareness

To ensure the Financial Assistance Grant scheme is advertised via media and correspondence to known 'not-for-profit' organisations.

3.1.2.3 MEETING TIMES

Twice a year (July and November)
Shire of Chittering Council Chambers

3.1.2.4 POLICY IMPLICATIONS

Community Development Policy 6.4 Financial Assistance Grant Scheme



3.1.3 Chittering Education Scholarship Advisory Group

3.1.3.1 MEMBERSHIP

Members	Deputies
Cr	Cr
Gingin Chittering Lions Club representative	-
Community Development Coordinator	

QUORUM

2 members

3.1.3.2 OBJECTIVES

(a) Promotion

To promote and assist education opportunities for the youth of the Shire.

(b) Determination

To assess and recommend to Council the Year 6 and Year 10 winners of the Education Scholarship (\$1,000) using the following selection criteria:

- i. Year 6 or 10 student residing in the Shire of Chittering
- ii. Applicants' ability to benefit financially from the Scholarship
- iii. Academic reports
- iv. Citizenship and community involvement
- v. Suitability for the chosen school.

To be eligible students must be residents of the Shire of Chittering and be continuing with their schooling during the next calendar year.

Selection is based on outstanding all round involvement and contribution to school life and the local community, including but not limited to:

- Academic achievement
- All round achievement
- Community involvement
- Outstanding leadership

(c) Process

That Council include an annual budget allocation of \$2,000 for education scholarships to be determined as follows:

- i. Advertising through the local schools and media the availability of two scholarships of an agreed budgeted annual amount.
- ii. The scholarships being open to residents of the Chittering Shire only and are for one graduating year 6 and one graduating year 10 student to further their education.
- iii. Application forms (pro forma) closing first Friday of November of each year to be assessed by a three-member panel appointed by Council.



iv. The winning scholarship for the successful students to be paid directly to the chosen school.

(d) Community initiatives
Nil

(e) Community awareness
To promote the Education Scholarship program to students residing in the Shire of Chittering.

3.1.3.3

MEETING TIMES

Once a year (November)
Shire of Chittering Council Chambers

3.1.3.4

POLICY IMPLICATIONS

Community Development Policy 6.2 Education Scholarship Award



3.1.4 Chittering Mining Advisory Group

3.1.4.1

MEMBERSHIP

Members	Deputies
Cr	Cr
Chief Executive Officer	-
Landcare representative	-
<ul style="list-style-type: none"> • Rosanna Hindmarsh 	-
Community representatives	-
<ul style="list-style-type: none"> • Derek Gascoine • Claire Medhurst • Jackie Shervington • Ron Renton 	-

QUORUM

5 members

3.1.4.2

OBJECTIVES

- (a) To advise Council on all matters concerning mining applications pertaining to the Shire of Chittering in a neutral format.
- (b) To facilitate community consultation while at all times providing an impartial forum for all interested parties.
- (c) To advise Council on mining applications with special reference to the prohibition on "Industry Mining" contained within **Local Planning Scheme 6**.
- (d) To facilitate community consultation on all pertinent matters while providing an impartial forum for all interested parties.

3.1.4.3

MEETING TIMES

As and when required

Shire of Chittering Council Chambers



3.1.5 Chittering Youth Krew Advisory Group

The Chittering Youth Krew (the Krew) is a group of youth aged between 10 – 17 years who live, work or go to school in the Shire of Chittering, covering the areas of Lower Chittering, Muchea, Bindoon, Mooliabeenee and Wannamal.

Youth aged 18 – 25 years are encouraged to remain on the Krew as mentors to the younger Krew members. Parents are also welcome to assist as mentors.

3.1.5.1 MEMBERSHIP

The Krew are supported by the Shire of Chittering’s Community Development Coordinator who mentors the group and facilitates group meetings.

Members	Deputies
Cr	Cr
Community Development Coordinator	And any other Shire staff by invitation as determined by projects of the Group
Youth Membership by application to the Shire	Nil

QUORUM

Not applicable

3.1.5.2 OUR ROLE

The Krew are passionate about keeping young people in the local area by having events, activities, services and spaces for young people to access.

3.1.5.3 OUR AIM

- (a) Find solutions to youth getting into trouble and to prevent boredom by developing and organising activities and events for local young people.
- (b) Represent the views of local young people to the broader community and to the Shire.
- (c) Learn leadership skills
- (d) Learn event management skills
- (e) Increase youth participation by communicating to local people what is happening in our Shire.
- (f) Work alongside community groups, sports clubs and businesses to improve youth engagement and participation.
- (g) Work alongside the Community Development Officer to plan and deliver annual youth related events and workshops.



3.1.5.4

WE WILL DO THIS BY

- (a) Speaking with young people at events and activities about the Krew and what we are trying to do.
- (b) Assist the Shire in communicating information to the broader youth population.
- (c) Communicating youth issues and suggestions to the Shire.
- (d) Assist community and sporting groups to connect with young people.

3.1.5.5

MEETING TIMES

As determined by the current membership



3.1.5 Chittering Community Complex Advisory Group

The Chittering Community Complex Advisory Group is established to support the implementation of works associated with the Building Better Regions Project, with Terms of Reference established to guide their involvement. This group is expected to comprise of senior Shire Staff, Council representative/s and representative/s of Immaculate Heart College.

3.1.5.1 MEMBERSHIP

The Project Advisory Group are supported by the Shire of Chittering’s Building Surveyor who is the Project Manager and facilitates the Groups meetings.

Members	Deputy
Cr	Cr
Cr	
Immaculate Heart College Lucas Hurley (Principal)	
Community Representatives Kerrie Read Kathryn Mizzi Michelle Rossouw	Nil

QUORUM

Not applicable

3.1.5.2 OUR ROLE

The Advisory Group is to contribute to the task of overseeing the Chittering Community Complex project and to where required, make recommendations to the Chief Executive Officer and/or Council as per the Roles and Responsibilities outlined below.

3.1.5.3 OUR ROLE AND RESPONSIBILITY

The Group is to make recommendations to the Chief Executive Officer and/or Council on:

- a) development of a *Communication Plan* to guide how the Shire should share information and seek input from stakeholders and community;
- b) Updated designs and reports regarding estimated cost, risk, and deliverables;
- c) The register of design changes, including impact to cost / size / scope;
- d) Final documented designs before presentation to Council for endorsement;
- e) Wherever timeliness allows, major variations (over \$100,000 in cost, or exceed total budget, or change in scope that affects functionality or purpose of area) for recommendation to the Chief Executive Officer/Council;
- f) An *Agreement of Operational Use and Costs Responsibility* for the various Stakeholder Groups and for the various parts of the Facility; and
- g) The development of a *Facility Programming Framework* outlining how the various users will utilise the Facility.



3.1.5.4

MEETINGS

Membership of the Reference Group to be:

- Two Elected Members of the Shire of Chittering (one of whom is to be the Presiding Person);
- One representative from the Immaculate Heart College;
- Three community/sporting club members.

Note - Other individuals may attend meetings as guests/observers, with the prior approval of the Presiding Person.

3.1.5.5

ORGANISATIONAL SUPPORT

The Project Officer will facilitate the Group and attend meetings to provide administrative support and advice.

3.1.5.6

MEETING TIMES

To be held as required.



3.2 Advisory Groups Terms of Reference

3.2.1 NAME

The names of the Advisory Groups shall be as follows:

Name	Abbreviation
Chittering Community Planning Advisory Group	CCPAG
Chittering Community Support Funding Advisory Group	CCSFAG
Chittering Education Scholarship Advisory Group	CESAG
Chittering Mining Advisory Group	CMAG
Chittering Youth Krew Advisory Group	CYKAG
Chittering Community Complex Advisory Group	CCCAG

3.2.2 RESPONSIBLE OFFICER

The Responsible Officer shall be a Shire officer who will ensure agendas and minutes are produced and forwarded to Council, and report any recommendations from the Advisory Group to Council.

Name	Responsible Officer
Chittering Community Planning Advisory Group	Community Development Officer
Chittering Community Support Funding Advisory Group	Community Development Officer
Chittering Education Scholarship Advisory Group	Community Development Coordinator
Chittering Mining Advisory Group	Executive Assistant
Chittering Youth Krew Advisory Group	Community Development Coordinator
Chittering Community Complex Advisory Group	Principal Building Surveyor

3.2.3 DISTRICT

The Advisory Groups shall operate within the local government boundaries of the Shire of Chittering.

3.2.4 OBJECTIVES

To make recommendations and advise Council on all matters relating to objectives of the Advisory Group as outlined in the Council Committees and Advisory Groups booklet.



3.2.5 **MEMBERSHIP**

General

Council will appoint at least one Council member to the Advisory Group and one staff members.

Community representation may also be appointed to the Group.

Membership shall be no greater than 15 inclusive of members and deputies.

Membership of each advisory group is outlined in the Council Committees and Advisory Groups Booklet.

Tenure of membership

Where a person is appointed as a member of an advisory Group, the person's membership of the advisory group continues until—

- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the Chief Executive Officer, or the Chief Executive Officer's representative, as the case may be;
 - (b) the person resigns from membership of the advisory group; or
 - (c) the advisory group is disbanded;
- whichever happens first.

3.2.6 **DELEGATED AUTHORITY**

Nil

3.2.7 **ADVISORY GROUP**

Chairperson

The Council member will act as Chairperson of the Advisory Group.

Secretary

A Shire staff officer will fulfil the role of Secretary.

Standing Ex-Officio Members

Nil

3.2.8 **MEETINGS**

Advisory Group meetings

Meetings of the Advisory Group shall be as determined by the Group. Meetings are determined at the final year meeting for the next calendar year.

Quorum

The quorum at any meeting shall be half plus one of the number of offices. Therefore the number for a Quorum shall be half plus one voting members.

Voting

As advisory groups do not have delegated authority, voting is not required.

Notes

1. Any notes from an advisory group are to be forwarded to Council via the monthly Elected Members Information Bulletin.
2. A report is to be prepared by the responsible officer of the Advisory Group of any recommendations made by the Advisory Group to be presented to Council at the next ordinary meeting of the council, for consideration.

Who acts if no presiding member?

If, in relation to the presiding member of an Advisory Group —

- a. the office of presiding member and the office of deputy presiding member are vacant; or
- b. the presiding member and the deputy presiding member, if any, are not available or are unable or willing to perform the functions of presiding member,

then the Advisory Group members present at the meeting are to choose one of themselves to preside at the meeting.

Meetings

Meetings shall be closed to the public and are not required to have questions from the public as there are no Council delegations.

Members interests to be disclosed

Members of the Advisory group are bound by the provisions of the **Local Government Act 1995**, Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

Code of Conduct

Members must comply with the Shire's Staff Policy 3.1 Code of Conduct – Staff, Volunteers and Contractors.

PART 4 – COUNCIL REPRESENTATION ON EXTERNAL ORGANISATIONS

From time to time Council is requested to nominate a Council member to represent the Council on committees of external organisations. Sometimes the constitution of the external organisation requires Council to nominate a representative.

External organisations will be informed in writing of Council representatives. Where appropriate, the external organisations and the Council representative/s are to determine the extent of representation required e.g. attendance at meetings only when necessary, acting as a contact person etc.

Council has resolved to formally establish representation on the following external organisations with the membership as shown:

Association	Position	Membership	Meeting Frequency	Term Expires
Avon Midland Zone (WALGA)	Delegate	Shire President Cr	Quarterly	16 October 2021
	Deputy	Deputy Shire President Cr		
Chittering Tourist Association	Representative	Cr	Monthly	16 October 2021
Chittering Land Conservation District Committee (t/a Chittering Landcare Group)	Delegate	Cr	Bi-monthly	16 October 2021
	Proxy	Cr		
Ellen Brockman Integrated Catchment Committee	Delegate	Cr	Six times a year	16 October 2021
	Deputy	Cr		
Muchea Hall User Group	Representative	Cr	Bi-monthly	16 October 2021
Northern Growth Alliance	Delegate	Shire President Cr	As required	16 October 2021
	Deputy	Deputy Shire President Cr		
Wheatbelt Development Assessment Panel	Members	Cr Gordon Houston Cr Peter Osborn	As required	26 January 2020
	Alternate Members	Cr Carmel Ross Cr Mary Angus		
Wheatbelt North Regional Road Group	Delegate	Cr	As required	16 October 2021
	Deputy	Nil		

