

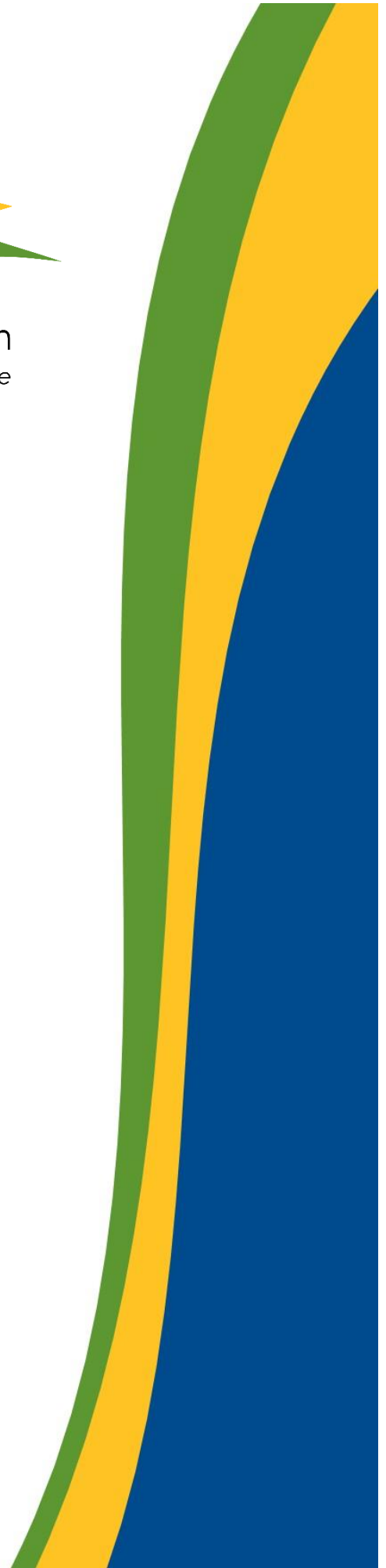


# **Shire of Northam**

## **Minutes**

### **Special Council Meeting**

**18 October 2021**



## DISCLAIMER

This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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## **SWEARING IN OF NEW COUNCILLORS / DECLARATION OF OFFICE**

All recently elected Councillors are required to undertake a declaration to office in accordance with the requirements of Section 2.29 of the Local Government Act 1995, section 13 of the Local Government (Constitution) Regulations 1998 and the Oaths, Affidavits and Statutory Declarations Act 2005.

In accordance with previous precedents the swearing in will be witnessed by the Chief Executive Officer of the Shire of Northam. The prescribed form will be provided by the Chief Executive Officer on the night of the Ordinary Council meeting.

Elected Members are encouraged to invite friends and family to attend the meeting to witness the swearing in ceremony.

### **1. DECLARATION OF OPENING**

The Chief Executive Officer, Mr J B Whiteaker declared the meeting open at 5:50pm.

### **SWEARING IN PROCESS**

Each Councillor was sworn into the office of Council of the Shire of Northam by the Chief Executive Officer, Mr Jason Whiteaker. Each Councillor made and signed the requisite declaration. The order of Councillors being sworn in is as follows:

- Cr Paul Curtis
- Cr Attila Mencshelyi
- Cr Michael Ryan
- Cr Desmond Hughes
- Cr Hayden Appleton

### **2. ACKNOWLEDGEMENT TO COUNTRY**

The Chief Executive acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past present and emerging.

### **3. ATTENDANCE**

**Council:**  
Councillors

C R Antonio  
J E G Williams  
M I Girak

A J Mencshelyi  
D Galloway  
D Hughes  
H Appleton  
R W Tinetti  
M P Ryan  
P Curtis

**Staff:**

Chief Executive Officer  
Executive Manager Community Services  
Executive Manager Corporate Services  
Executive Assistant – CEO

J B Whiteaker  
J Metcalf  
C Young  
A C McCall

**Public:**

Darcy Williams  
Vic Williams  
Debbie Hughes  
Chelsea Hughes  
Nicki Antonio  
Gary Williams  
Prudence Williams  
Anastasia Williams  
Nicole Curtis

**3.1 APOLOGIES**

Executive Manager Development Services C B Hunt

**3.2 APPROVED LEAVE OF ABSENCE**

Nil.

**3.3 ABSENT**

Nil.

**4. DISCLOSURE OF INTERESTS**

Nil.

*Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.*

*As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct*

or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial** interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

## 5. ELECTION OF SHIRE PRESIDENT

<b>File Reference:</b>	2.1.3.3
<b>Reporting Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Responsible Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	N/A
<b>Press release to be issued:</b>	Yes

### BRIEF

To elect the President of the Council for the following two (2) year term of office.

### ATTACHMENTS

Nil.

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### A. BACKGROUND / DETAILS

Schedule 2.3 provides the legislative framework for how the positions of President are filled by the Council;

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the CEO in accordance with the procedure prescribed.
- Nominations for the office are to be given to the CEO 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 CEO, which is to be a sufficient time after the announcement by the CEO 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 CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- The votes cast under are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.

- As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Theme Area 6: Governance and Leadership.

Outcome 6.4: The Elected Members of the Shire of Northam provide accountable, strong and effective community leadership.

### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

Local Government Act 1995, Schedule 2.3.

### B.4 Policy Implications

N/A

### B.5 Stakeholder Engagement / Consultation

N/A

### B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Nil.	N/A	N/A
Health & Safety	Nil.	N/A	N/A
Reputation	Nil.	N/A	N/A
Service Interruption	Nil.	N/A	N/A
Compliance	Nil.	N/A	N/A
Property	Nil.	N/A	N/A
Environment	Nil.	N/A	N/A

## C. OFFICER'S COMMENT

At the time of writing this report, Two (2) nominations have been received from Cr Chris Antonio and Cr Julie Williams. On receiving nominations and undertaking the Election process the newly Elected Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the Local Government Act 1995 and Local Government (Constitutional) Regulations 1998 (Form 7).



At the conclusion of electing the Shire President, the President will 'take the chair'.

## **ELECTION PROCESS**

The Local Government Act 1995 states that the nomination for President is to be made in writing before the meeting or at the meeting before close of nominations. The election is to be conducted by the Chief Executive Officer in accordance with the procedure prescribed.

The Chief Executive Officer advised that he had received two (2) nominations for the position of President, from Cr Chris Antonio and Cr Julie Williams.

The Chief Executive Officer then called for any further nominations from Councillors for the position of President. No further nominations were forthcoming and as such the Chief Executive Officer announced that nomination period closed.

The Chief Executive Officer read out the two nominations as received and requested that the nominees make a short (maximum 5 minute) presentation to Council.

Cr Williams made her presentation to Council, followed by Cr Antonio.

An election was undertaken in accordance with the Local Government Act 1995 and the Local Government (Elections) Regulations 1997, by secret ballot. The Chief Executive Officer conducted the count and at the conclusion announced that Cr Antonio was elected as Shire President, for a period of two (2) years..

Cr Antonio made his declaration in accordance with Form 7 – Declaration by elected member of Council and was seated at 5:55pm.

## 6. ELECTION OF DEPUTY SHIRE PRESIDENT

<b>File Reference:</b>	2.1.3.3
<b>Reporting Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Responsible Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	N/A
<b>Press release to be issued:</b>	Yes

### BRIEF

To elect the Deputy President of the Council for the following two (2) year term of office.

### ATTACHMENTS

Nil.

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### A. BACKGROUND / DETAILS

Schedule 2.3 provides the legislative framework for how the positions of Deputy President are filled by the Council;

- The council is to elect a councillor to fill the office.
- The election is to be conducted by the Shire President in accordance with the procedure prescribed.
- Nominations for the office are to be given to the Shire President 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 Shire President, which is to be a sufficient time after the announcement by the Shire President 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 Shire President is not to accept the nomination unless the nominee has advised the Shire President, orally or in writing, that he or she is willing to be nominated for the office.
- The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
- The votes cast under are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with

determining the result of an election) as if those votes were votes cast at an election.

- As soon as is practicable after the result of the election is known, the Shire President is to declare and give notice of the result in accordance with regulations, if any.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Theme Area 6: Governance and Leadership

Outcome 6.4: The Elected Members of the Shire of Northam provide accountable, strong and effective community leadership.

### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

Local Government Act 1995, Schedule 2.3.

### B.4 Policy Implications

N/A.

### B.5 Stakeholder Engagement / Consultation

N/A.

### B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Nil.	N/A	N/A
Health & Safety	Nil.	N/A	N/A
Reputation	Nil.	N/A	N/A
Service Interruption	Nil.	N/A	N/A
Compliance	Nil.	N/A	N/A
Property	Nil.	N/A	N/A
Environment	Nil.	N/A	N/A

## OFFICER'S COMMENT

At the time of writing this report, one (1) nomination has been received from Cr Julie Williams. On receiving nominations and undertaking the Election process the newly Elected Deputy Shire President will be required to be declared into office by the Chief Executive Officer, in accordance with the Local Government Act 1995 and Local Government (Constitutional) Regulations 1998 (Form 7).

## **ELECTION PROCESS**

The Local Government Act 1995 states that the nomination for Deputy President is to be made in writing before the meeting or at the meeting before close of nominations. The election is to be conducted by the Shire President in accordance with the procedure prescribed.

The Shire President advised that he has received two (2) nominations for the position of Deputy President, from Cr Michael Ryan and Cr Julie Williams.

The Shire President then called for any further nominations from Councillors for the position of Deputy President. No further nominations were forthcoming and as such the Shire President declared the nomination period closed.

The Shire President read out the two nominations as received and requested that the two nominees make a short (maximum 5 minute) presentation to Council.

Cr Ryan made his presentation to Council, followed by Cr Williams.

An election was undertaken in accordance with the Local Government Act 1995 and the Local Government (Elections) Regulations 1997, by secret ballot. The Chief Executive Officer and Shire President conducted the count and at the conclusion, the Shire President announced that Cr Ryan was elected as Deputy Shire President, for a period of two (2) years.

Cr Ryan made his declaration in accordance with Form 7 – Declaration by elected member of Council and was seated at 6:06pm.

## **7. BALLOT FOR SEATING**

A ballot will be conducted by the Chief Executive Officer for seating of Councillors in the Chambers.

The Shire President will invite Councillors to take their seats after the ballot.

## **BALLOT PROCESS**

The Chief Executive Officer, Mr Jason Whiteaker commenced the ballot process with the names being drawn as follows in a clockwise direction from the President and Deputy President:

- Cr Galloway
- Cr Tinetti
- Cr Mencshelyi
- Cr Girak
- Cr Williams
- Cr Hughes
- Cr Appleton
- Cr Curtis

## **8. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

Nil.

## **9. PUBLIC QUESTION TIME**

### **9.1 PUBLIC QUESTIONS**

Nil.

## **10. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

## **11. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS**

### **11.1 PETITIONS**

Nil.

### **11.2 PRESENTATIONS**

Nil.

### **11.3 DEPUTATIONS**

Nil.

**12. APPLICATION FOR LEAVE OF ABSENCE**

Nil.

**13. CONFIRMATION OF MINUTES**

Nil.

**14. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY**

Nil.

**15. REPORTS OF COMMITTEE MEETINGS**

Nil.

## 16. SPECIAL ITEMS

### 16.1 SHIRE OF NORTHAM COMMITTEES OF COUNCIL

<b>File Reference:</b>	Audit & Risk Management Committee, 2.1.3.5 Bush Fire Advisory Committee, 5.1.3.1 Chief Executive Officer Review Committee, 1.1.1.1 Local Emergency Management Committee, 5.1.2.1 Northam Safety Committee, 1.3.12.2 Nyoongar Cultural Advisory Group, 2.1.3.8
<b>Reporting Officer:</b>	Alysha McCall, Executive Assistant – CEO
<b>Responsible Officer:</b>	Jason Whiteaker, Chief Executive Officer
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Absolute Majority
<b>Press release to be issued:</b>	No

#### BRIEF

As a result of the recent election, there is a need to reappoint the Committees of Council and appoint their delegates.

#### ATTACHMENTS

- Attachment 1: Audit & Risk Management Committee Terms of Reference
- Attachment 2: Bushfire Advisory Committee Terms of Reference
- Attachment 3: CEO Review Committee Terms of Reference
- Attachment 4: Community Grants Assessment Committee Terms of Reference
- Attachment 5: Local Emergency Management Committee Terms of Reference
- Attachment 6: Community Safety Committee Terms of Reference
- Attachment 7: Nyoongar Cultural Advisory Group Terms of Reference

#### A. BACKGROUND / DETAILS

Committee Name:

##### **Audit & Risk Management Committee**

Committee Purpose:

To accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. The Committee will also oversee critical areas including risk management & internal audit.

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

Meeting Frequency: Quarterly.  
Next Meeting: 25 November 2021, 5:00pm.  
Current Meeting day: Thursday.  
Meeting Location: Shire of Northam Council Chambers.  
Current Council representatives: Cr Chris Antonio, Cr Attila Mencshelyi, Cr Michael Ryan, Cr Steven Pollard  
Terms of reference: Attachment 1.  
Officer Comment: Give the technical nature of the Audit Committee subject matter, Council should consider appointing an external member, as allowed under the LG Act, if it considers there is a need.

Committee Name:  
Committee Purpose:

**Bush Fire Advisory Committee**

To provide efficient and responsive fire service and as a Committee to advise the Council on matters relating to bush fire, make recommendations and advise Council on all matters relating to bush fire planning, control, management and rehabilitation and will liaise with other emergency organisations and relevant bodies with regard to Fire and Emergency Management within the Shire of Northam.

Meeting Frequency: Bi-annually, further meetings convened as required.  
Next Meeting: 14 December 2021, 5:30pm.  
Current Meeting day: Tuesday.  
Meeting Location: Shire of Northam Council Chambers.  
Current Council representatives: Cr Terry Little, Cr Carl Della.  
Terms of reference: Attachment 2.  
Officer Comment: No changes to the Terms of Reference are recommended.



Committee Name: **Chief Executive Officer Review Committee**  
Committee Purpose: To make recommendations to Council on the Shire of Northam's CEO's past performance and future performance requirements.  
Meeting Frequency: As required, approximately four (4) meetings annually.  
Next Meeting: 25 November 2021, 4:00pm.  
Current Meeting day: Thursday.  
Meeting Location: Shire of Northam Committee Room.  
Current Council representatives: Cr Chris Antonio, Cr Julie Williams, Cr Michael Ryan, Cr Attila Mencshelyi and Cr Rob Tinetti.  
Terms of reference: Attachment 3.  
Officer Comment: No changes to the Terms of Reference are recommended.

Committee Name: **Community Grants Assessment Committee**  
Committee Purpose: To make recommendations to Council on the Shire of Northam's grants scheme.  
Meeting Frequency: As required, approximately four (4) meetings annually.  
Next Meeting:  
Current Meeting day: Thursday.  
Meeting Location: Shire of Northam Committee Room.  
Current Council representatives: Cr Chris Antonio, Cr Julie Williams, Cr Michael Ryan, Cr Attila Mencshelyi and Cr Rob Tinetti.  
Terms of reference: Attachment 4.  
Officer Comment: Staff would recommend Council consider the need for this Committee. If Council determines a need, no changes to the Terms of Reference are recommended.

Committee Name: **Local Emergency Management Committee (LEMC)**  
Committee Purpose: This Committee is made up of Hazard Management Agencies (HMA's), operational and combat agencies. While the LEMC is a non-operational committee, if requested by the HMA members may become an Incident Support Group (ISG) to assist in an incident. This Committee is also to assist in the development of the local government's emergency plans and procedures.  
Meeting Frequency: Quarterly.  
Next Meeting: 11 November 2021, 2:00pm.  
Current Meeting day: Tuesday.

Meeting Location: Various, held at various committee members offices.  
Current Council representatives: Cr Chris Antonio and Cr Steven Pollard (Proxy).  
Terms of reference: Attachment 5.  
Officer Comment: No changes to the Terms of Reference are recommended.

Committee Name: **Community Safety Committee**  
Committee Purpose: To enhance community safety and reduce criminal and anti-social behaviour through a collaboration of key interests and agencies.  
Meeting Frequency: Quarterly.  
Next Meeting: 16 November 2021, 11:00am.  
Current Meeting day: Tuesday.  
Meeting Location: Shire of Northam Council Chambers.  
Current Council representatives: Cr Julie Williams, Cr Maria Girak and Cr Rob Tinetti.  
Terms of reference: Attachment 6.  
Officer Comment: Minor amendments are proposed to the Terms of Reference. This includes changing some voting members to ex-officio members.

Committee Name: **Nyoongar Cultural Advisory Group (NCAG)**  
Committee Purpose: To provide guidance and recommendations to the Shire of Northam on all Nyoongar related matters focusing on the BKB Centre for Nyoongar Culture & Environmental Knowledge and the development of a community wide Reconciliation Action Plan.  
Meeting Frequency: Four (4) times annually.  
Next Meeting: To be confirmed.  
Current Meeting day: None determined. Meetings held as required.  
Meeting Location: Bilya Koort Boodya – Centre for Nyoongar Culture and Environmental Knowledge  
Current Council representatives: Nil. Previous representatives on the RAP Working Group were Cr Michael Ryan, Cr Attila Mencshelyi and Cr Chris Antonio.  
Terms of reference: Attachment 7.  
Officer Comment: Officers recommend including a section relating to sitting fees which the NCAG members currently receive. It appears the LG Act precludes payment to external Committee Members.

## **B. CONSIDERATIONS**

### **B.1 Strategic Community / Corporate Business Plan**

Theme Area 3: Safety and Security

Outcome 3.1: Shire of Northam residents are able to pursue the fullest life possible without fear of or hindrance from crime and disorder.

Theme Area 6: Governance and Leadership

Outcome 6.3: The Shire of Northam council is a sustainable, responsive, innovative and transparent organisation.

Outcome 6.4: The Elected Members of the Shire of Northam provide accountable, strong and effective community leadership.

### **B.2 Financial / Resource Implications**

As elected members are paid annual fees in lieu of fees for attending meetings, travel expenses for attendance at any meeting called will be an additional expense incurred. Committee Members attending committee meetings are entitled to claim for expenses incurred. No meeting fees are payable to employees or non-Councillors.

### **B.3 Legislative Compliance**

- Local Government Act 1995, Part 5 Administration, Division 2 Council meetings, committees and their meetings and electors' meetings.
- Local Government Act 1995 Section 7.1A. Audit committee.
- Local Government Act 1995 Section 7.12A. Duties of local government with respect to audits.
- Bush Fires Act 1954, Section 67.
- Emergency Management Act 2005 Section 38 – Local Emergency Management Committees.

### **B.4 Policy Implications**

Nil.

### **B.5 Stakeholder Engagement / Consultation**

Advertising will be undertaken for the appointment of community members to committees (where required).

Once committee members have been endorsed, Officers will liaise with relevant groups in relation to confirming their representatives (where required).

## B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Nil		
Health & Safety	Nil		
Reputation	Nil		
Service Interruption	Nil		
Compliance	Non-compliance with the relevant legislation.	Moderate (9)	Adoption of Terms of Reference. The Terms of Reference are designed to ensure that the committees operate in accordance with this. In addition, Council has an adopted Code of Conduct for Council and Committee Members.
Property	Nil		
Environment	Nil		

## C. OFFICER'S COMMENT

Nil.

## **AUDIT & RISK MANAGEMENT COMMITTEE**

### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4308**

**Moved: Cr Ryan**

**Seconded: Cr Mencshelyi**

**That Council:**

- 1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes an Audit Committee and adopt the Terms of Reference as provided in Attachment 1;**
- 2. In accordance with the provisions of Section 5.10(1)(a) of the Local Government Act 1995 resolves that the Committee shall have as its Members:**
  - Cr Chris Antonio**
  - Cr Michael Ryan**
  - Cr Attila Mencshelyi**
  - Cr Hayden Appleton**

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

## **BUSH FIRE ADVISORY COMMITTEE**

### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4309**

**Moved: Cr Mencshelyi**

**Seconded: Cr Curtis**

**That Council:**

- 1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 and Section 67 of the Bush Fires Act 1954 establishes a Bush Fire Advisory Committee and adopt the Terms of Reference as provided in Attachment 2;**
- 2. In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Councillors, Staff and Other Persons;**
- 3. In accordance with provisions of Section 5.10(1)(a) of the Local Government Act 1995 resolves that the Committee shall have as its Members:**

#### **Voting Members**

- **Chief Bush Fire Control Officer;**
- **Two (2) Deputy Chief Bush Fire Control Officers;**
- **Two (2) Shire of Northam Elected Members;**
  - **Cr Paul Curtis**
  - **Cr Maria Girak**
- **One (1) delegate or proxy representative from each of the registered Shire of Northam Volunteer Bush Fire Brigades listed below:**
  - **Bakers Hill Bush Fire Brigade;**
  - **Clackline/Muresk Bush Fire Brigade;**
  - **Grass Valley Bush Fire Brigade;**
  - **Inkpen Bush Fire Brigade;**
  - **Irishtown Bush Fire Brigade;**
  - **Jennapullin Bush Fire Brigade;**
  - **Southern Brook Bush Fire Brigade;**
  - **Northam Central Bush Fire Brigade; and**
  - **Wundowie Bush Fire Brigade.**
- **One (1) delegate or proxy representative from Northam Volunteer Fire and Rescue Service; and**
- **One (1) delegate or proxy representative from Wundowie Volunteer Fire and Rescue Service.**

#### **Non-Voting Members**

- **Shire of Northam Community Emergency Services Manager;**

- Department of Fire and Emergency Service Northam District Officer; and
- Department of Parks and Wildlife Manager.

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

#### **CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE**

##### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4310**

**Moved: Cr Curtis  
Seconded: Cr Girak**

**That Council:**

1. In accordance with Section 5.8 of the Local Government Act 1995 establishes the Chief Executive Officer Review Committee and endorse the Terms of Reference as provided in Attachment 3; and
2. In accordance with Section 5.9 and 5.10(1)(a) of the Local Government Act 1995, Appoint the following Elected Members only to the Chief Executive Officer Review Committee;
  - Shire President, Cr Chris Antonio
  - Deputy Shire President, Cr Michael Ryan
  - Cr Julie Williams
  - Cr Des Hughes
  - Cr Attila Mencshelyi

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

#### **COMMUNITY GRANTS ASSESSMENT COMMITTEE**

##### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4311**

**Moved: Cr Galloway  
Seconded: Cr Hughes**

**That Council:**

1. In accordance with Section 5.8 of the Local Government Act 1995 establishes the Community Grants Assessment Committee and endorse the Terms of Reference as provided in Attachment 4; and

**2. In accordance with Section 5.9 and 5.10(1)(a) of the Local Government Act 1995, Appoint the following Elected Members only to the Community Grants Assessment Committee;**

- Cr Chris Antonio
- Cr Rob Tinetti
- Cr Attila Mencshelyi
- Cr Dave Galloway
- Cr Des Hughes
- Cr Paul Curtis

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

**LOCAL EMERGENCY MANAGEMENT COMMITTEE**

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4312**

**Moved: Cr Mencshelyi**

**Seconded: Cr Curtis**

**That Council:**

- 1. As required by provisions of the Emergency Management Act 2005 and in accordance with Section 5.8 of the Local Government Act 1995, establishes a Local Emergency Management Committee and adopt the Terms of Reference as provided in Attachment 5;**
- 2. In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Councillors, Staff and Other Persons;**
- 3. In accordance with State Emergency Management Policy 2.5 and provisions of Section 5.10(1) (a) of the Local Government Act 1995 resolves that the Committee shall have as its Members;**

**Voting Members:**

- **One (1) Elected Member;**
  - Cr Chris Antonio
  - Cr Michael Ryan (proxy)
- **Shire of Northam Local Recovery Coordinator;**
- **Shire of Northam Executive Manager of Development Services;**
- **Community Emergency Services Manager (Executive Officer);**
- **One (1) delegate or proxy Department of Fire and Emergency Service;**
- **One (1) delegate or proxy (Local Emergency Coordinator) Western Australian Police Service;**



- One (1) delegate or proxy Department of Communities;
- One (1) delegate or proxy Northam Regional Hospital;
- Police Northam; and
- Police Wundowie.

**Non-voting Members**

Non-voting membership of the LEMC may include One (1) delegate or proxy, but not to be limited to:

- SEMC Secretariat;
- Northam Airport;
- Australian Defence Force;
- Arc Infrastructure;
- Northam Bushfire Brigades;
- Department of Agriculture & Food WA;
- Department of Education;
- Dept. Parks and Wildlife;
- Disability Services Commission;
- Housing Authority;
- Aged Care (Juniper);
- Public Health Nurse;
- Main Roads WA Wheatbelt;
- Fire & Rescue Northam;
- Fire & Rescue Wundowie;
- Australian Border Force;
- Red Cross;
- Salvation Army;
- Immigration Detention Centre;
- Silver Chain;
- St John Ambulance;
- Water Corporation;
- Western Power; and
- Northam State Emergency Service.

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

## **COMMUNITY SAFETY COMMITTEE**

### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4313**

**Moved: Cr Ryan**  
**Seconded: Cr Hughes**

**That Council:**

- 1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes the Community Safety Committee and adopt the Terms of Reference as provided in Attachment 6;**
- 2. In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Elected Members and Other Persons;**
- 3. In accordance with provisions of Section 5.10(1) (a) of the Local Government Act 1995 resolves that the Committee shall have as its Members;**

#### **Voting Members**

- **Two (2) Elected Members:**
  - **Cr Rob Tinetti**
  - **Cr Attila Mencshelyi**
- **Officer In Charge of the Northam Police Station or nominated representative;**
- **Officer In Charge of the Wundowie Police Station or nominated representative;**
- **One (1) representative of the Northam Roadwise Committee;**
- **One (1) representative of the Local Drug Action Group;**
- **One (1) representative of the Northam Chamber of Commerce;**
- **One (1) representative of the Department of Education;**
- **One (1) representative of the Department Local Government, Sport and Cultural Industries;**
- **One (1) representative of the Youth Wellbeing Plan;**
- **One (1) representative of the local youth services;**
- **One (1) representative of the Nyoongar Cultural Advisory Committee;**
- **Up to two (2) community representatives.**

#### **Standing Ex-Officio Members**

- **Chief Executive Officer or nominated representative, i.e. Executive Manager Community Services;**
- **Community Development Officer;**
- **One (1) representative of Holyoake;**

- One (1) representative of the Department of Health (Health Promotion);
- One (1) representative of the Department of Communities – Housing;
- One (1) representative of the Department of Communities - Child Protection and Family Support;
- One (1) representative of the Department of Justice;
- Ranger Services;
- Department of Main Roads (by invitation);
- Department Fire and Emergency Services (by invitation).

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

### **NYOONGAR CULTURAL ADVISORY GROUP**

#### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.4314**

**Moved: Cr Ryan  
Seconded: Cr Girak**

**That Council:**

1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes the Nyoongar Cultural Advisory Group and adopt the Terms of Reference as provided in Attachment 7;
2. In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Elected Members, Staff and Other Persons;
3. In accordance with provisions of Section 5.10(1) (a) of the Local Government Act 1995 resolves that the Committee shall have as its Members;
  - Two (2) Elected Members:
    - Cr Michael Ryan
    - Cr Attila Mencshelyi
    - Cr Paul Curtis (proxy)
    - Cr Chris Antonio (proxy)
  - One representative from each of the following families:
    - Ryder
    - Garlett
    - Stack
    - Slater
    - McGuire
    - Kickett
    - Moody

○ **Davis**

- **Two other Aboriginal and/or Torres Strait Islander Community Representatives;**
- **Member for Central Wheatbelt, State Legislative Assembly;**
- **Member of the WA Police Force;**
- **Shire of Northam CEO or nominated Executive Manager.**

**CARRIED 10/0  
BY ABSOLUTE MAJORITY**

## Attachment 1 – Audit & Risk Management Committee Terms of Reference

*Audit & Risk Management Committee Terms of Reference 2021 - 2023*

### TERMS OF REFERENCE

#### SHIRE OF NORTHAM AUDIT & RISK MANAGEMENT COMMITTEE

##### 1. Objectives of Audit & Risk Management Committee

The primary objective of the Audit and Risk Management Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. The Committee will also oversee critical areas including risk management & internal audit.

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The committee is to facilitate:

- the enhancement of the credibility and objectivity of external & internal financial reporting;
- compliance with laws and regulations as well as use of best practise guidelines relative to auditing;
  - the coordination of the internal audit
  - function with the external audit
- effective oversight of financial and other risks and the protection of Council assets
- the provision of an effective means of communication between the external auditor, the CEO and the Council.

##### 2. Powers of the Audit & Risk Management Committee

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.

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

*Audit & Risk Management Committee Terms of Reference 2021 - 2023*

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legislative functions and duties of the local government that have not been delegated to the CEO.

### **3. Membership**

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

The CEO and employees are not members of the committee.

The CEO and 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.

### **4. Quorum**

The quorum at any meeting shall be half plus one of the number of offices. Therefore the number for a Quorum shall be 3 voting members.

### **5. Meetings**

The committee shall meet at least four times annually.

Additional meetings shall be convened at the discretion of the presiding person.

### **6. Reporting**

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

### **7. Duties and Responsibilities**

The duties and responsibilities of the committee will be -

- 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 –
  - a list of those matters to be audited; and
  - the scope to be undertaken.
  - Recommend to Council the person or persons to be appointed for internal audits.
  - Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –



Audit & Risk Management Committee Terms of Reference 2021 - 2023

- the objectives of the audit;
  - the scope of the audit;
  - a plan of the audit;
  - details of the remuneration and expenses to be paid to the auditor; and
  - the method to be used by the local government to communicate with, and supply information to, the auditor.
- c) Meet with the auditor once in each year.
- d) Liaise with the CEO to ensure that the local government does everything in its power to –
- assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
  - ensure that audits are conducted successfully and expeditiously.
- e) Examine the reports of the auditor after receiving a report from the CEO on the matters and –
- determine if any matters raised require action to be taken by the local government; and
  - ensure that appropriate action is taken in respect of those matters.
- f) Review the report prepared by the CEO 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 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- g) Review the scope of the audit plan and program and its effectiveness.
- h) Address issues brought to the attention of the committee that are within the parameters of the committee's terms of reference.
- i) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council.
- j) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO

*Audit & Risk Management Committee Terms of Reference 2021 - 2023*

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- k) Review reports of internal audits, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;
- l) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs
- m) Review the local government's draft annual financial report, focusing on –
  - accounting policies and practices;
  - changes to accounting policies and practices;
  - the process used in making significant accounting estimates;
  - significant adjustments to the financial report (if any) arising from the audit process;
  - compliance with accounting standards and other reporting requirements; and
  - significant variances from prior years;
- n) Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
- o) 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;
- p) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;
- q) Oversee the effective management of risk within the Shire of Northam, including review of risk management policies & procedures, reviewing outstanding risk mitigation actions and periodically reviewing the Shire of Northam risk register.
- r) Review the annual Compliance Audit Return and report to the council the results of that review, and
- s) 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, required to be provided to the committee, and report to the council the results of those reviews.



## Attachment 2 – Bush Fire Advisory Committee Terms of Reference

*Bush Fire Advisory Committee Terms of Reference 2021 - 2023*

### TERMS OF REFERENCE

#### SHIRE OF NORTHAM BUSH FIRE ADVISORY COMMITTEE

##### 1. Objectives of Bush Fire Advisory Committee

Northam Bush Fire Advisory Committee is established pursuant to Section 5.8 of the Local Government Act 1995 and Section 67 of the Bush Fires Act 1954 within the local government boundaries of the Shire of Northam. The committee's objective is to provide efficient and responsive fire service and as a Committee to advise the Council on matters relating to bush fire, make recommendations and advise Council on all matters relating to bush fire planning, control, management and rehabilitation.

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

Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources.

##### 2. Powers of the Bush Fire Advisory Committee

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.

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 CEO.

*Bush Fire Advisory Committee Terms of Reference 2021 - 2023*

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### **3. Membership**

#### **3.1 Full voting members**

- Chief Bush Fire Control Officer;
- Two (2) Deputy Chief Bush Fire Control Officers;
- Two (2) Shire of Northam Elected Members;
- One (1) delegate or proxy representative from each of the registered Shire of Northam Volunteer Bush Fire Brigades listed below:
  - Bakers Hill Bush Fire Brigade;
  - Clackline/Muresk Bush Fire Brigade;
  - Grass Valley Bush Fire Brigade;
  - Inkpen Bush Fire Brigade;
  - Irishtown Bush Fire Brigade;
  - Jennapullin Bush Fire Brigade;
  - Southern Brook Bush Fire Brigade;
  - Northam Central Bush Fire Brigade; and
  - Wundowie Bush Fire Brigade.
- One (1) delegate or proxy representative from Northam Volunteer Fire and Rescue Service; and
- One (1) delegate or proxy representative from Wundowie Volunteer Fire and Rescue Service.

#### **3.2 Non-voting**

- Shire of Northam Community Emergency Services Manager;
- Department of Fire and Emergency Service Northam District Officer; and
- Department of Parks and Wildlife Manager.

### **4. Meetings**

The committee shall meet at least two times annually.

Additional meetings shall be convened at the discretion of the presiding person.

### **5. Reporting**

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

*Bush Fire Advisory Committee Terms of Reference 2021 - 2023*

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**6. Duties and Responsibilities**

The committee is to facilitate:

- Preventing, controlling and extinguishing of bush fires
- The planning of the layout of fire-breaks in the district
- Prosecutions for breaches of the Bush Fire Act 1954
- The formation of bush fire brigades
- The ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities
- Any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified
- Provide guidance and advise to Council to the carrying out the functions of the local government in relation to bush fires.
- Develop and recommend to Council appropriate processes for bush fires.

**7. Tenure of Membership**

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

**8. Authority**

Bushfires Act 1954, 22 January 2016  
Section 67, Advisory committees

A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.

**9. Committee**

**9.1 Chairperson**

The committee shall elect one of their number to be chairman thereof in accordance with the Local Government Act 1995, section 5.12

**9.2 Secretary**

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

### **9.3 Quorum**

The quorum at any meeting shall be half plus one of the number of offices.

### **9.4 Voting**

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

### **9.5 Minutes**

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

A copy of the unconfirmed minutes shall be forwarded to all members within fourteen (14) days of the meeting for endorsement at the next meeting.

Members are given at least 5 working days after the minutes of a BFAC meeting are circulated to comment or raise issues associated with the wording of the minutes, before the BFAC minutes are included in a Council agenda; and

Each draft document considered by BFAC is amended in accordance with BFAC resolutions and the amended version is circulated to BFAC members for at least 5 working days for comment before it is included in the Council agenda.

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.

### **9.6 Who Acts If No Presiding Member**

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

### **9.7 Meetings**

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

### **9.8 Members Interests to be Disclosed**

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

### **9.9 Brigade Reports**

Each member brigade shall provide a brigade report to the meeting.

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*Bush Fire Advisory Committee Terms of Reference 2021 - 2023*

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### **9.10 Working Groups**

A working group can be established to carry out specific tasks. A working group will undertake only those duties specified by the committee.

### **9.11 Deputations**

A person or organisation maybe invited to attend any meetings but such persons shall not be entitled to vote on any decision arising from such meetings.



## Attachment 3 – Chief Executive Officer Review Committee Terms of Reference

*Shire of Northam CEO Review Committee Terms of Reference 2021 - 2023*

### **TERMS OF REFERENCE SHIRE OF NORTHAM CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE**

#### **1. Objectives of the Shire of Northam CEO Review Committee**

The primary objective of the Shire of Northam CEO Review Committee is to make recommendations to Council on the Shire of Northam's CEO's past performance and future performance requirements.

#### **2. Powers of the Shire of Northam CEO Review Committee**

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.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms 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 CEO.

#### **3. Membership**

The committee shall consist of elected members only, being:

- Shire President
- Deputy Shire President
- Three (3) Elected Members

All members have full voting rights.

#### **4. Meetings**

The committee shall meet as and when required.

Additional meetings shall be convened at the discretion of the presiding member.

#### **5. Reporting**

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

*Shire of Northam CEO Review Committee Terms of Reference 2021 - 2023*

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**6. Duties and Responsibilities**

The duties and responsibilities of the Committee will be to make recommendations to Council in regard to:-

- Managing CEO Review Process; and
- Making recommendations to Council in regards to CEO Performance and Remuneration.

**7. Tenure of Membership**

Shall be in accordance with the Local Government Act, section 5.11, i.e. until the next scheduled local government Ordinary Elections.

**8. Committee**

**8.1 Presiding Member**

The members shall appoint the Presiding Member.

**8.2 Secretary**

Available on request.

**8.3 Quorum**

The quorum at any meeting shall be half plus one of the number of offices. Therefore the number for a Quorum shall be 3 voting members.

**8.4 Voting**

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

**8.5 Minutes**

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

**8.6 Who Acts If No Presiding Member**

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

**8.7 Meetings**

Meetings shall NOT be open to the public pursuant to Section 5.23 of the Local Government Act.

**8.8 Members Interests to be disclosed**

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

**8.9 Code of Conduct**

Members of the committee are bound by Council's Code of Conduct.

## Attachment 4 – Community Grants Assessment Committee Terms of Reference

*Community Grants Assessment Committee Terms of Reference 2021 - 2023*

### TERMS OF REFERENCE SHIRE OF NORTHAM COMMUNITY GRANTS ASSESSMENT COMMITTEE

#### 1. Purpose of the Shire of Northam Community Grants Assessment Committee

The purpose of the Community Grants Assessment Committee is to oversee and make determinations on all matters associated with the Community Grants Scheme.

#### 2. Powers of the Community Grants Assessment Committee

The Community Grants Assessment Committee is a formally appointed committee of Council and is responsible to that body. The Community Grants Assessment Committee is delegated authority by Council to receive and assess grant applications; and make a final determination on all grant applications received as part of the Community Grants Scheme.

#### 3. Membership

Voting members:

- Up to 6 Council Representatives

Ex-officio members:

- Chief Executive Officer or nominated representative, i.e. Executive Manager Community Services;
- Manager Community Recreation & Youth Services
- Community Development Officer

#### 4. Meetings

Meetings will be convened as required.

#### 5. Reporting

Minutes and decisions of each Community Grants Assessment Committee meeting shall be presented to the next Ordinary Meeting of the Council.

#### 6. Duties and Responsibilities

- a) Receive and assess grant applications for the Community Grants Scheme; and
- b) Make a final determination on all grant applications received as part of the Community Grants Scheme.



## Attachment 5 – Local Emergency Management Committee Terms of Reference

### Local Emergency Management Committee Terms of Reference 2021 - 2023

#### TERMS OF REFERENCE

#### SHIRE OF NORTHAM LOCAL EMERGENCY MANAGEMENT COMMITTEE

##### 1. Establishment

The Shire of Northam has established the Shire of Northam Local Emergency Management Committee (LEMC) under section 38 of the Emergency Management Act.

##### 2. Objectives of LEMC

Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Local governments also have specific responsibilities for pursuing emergency risk management as a corporate objective and as good business practice.

The Committee is made up of Hazard Management Agencies (HMA's) operational and combat agencies. While the LEMC is a non-operational committee if requested by the HMA members may become an Incident Support Group (ISG) to assist in an incident.

Assist in the development of the local government's emergency plans and procedures.

##### 3. Powers of the LEMC

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.

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 CEO.

***Local Emergency Management Committee Terms of Reference 2021 - 2023***

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**4. Membership**

The committee shall consist of the LEMC in accordance with State Emergency Management Procedures shall comprise of the following:

**4.1 Full voting members**

- One (1) Elected Member and (1) Proxy Elected Member;
- Shire of Northam Local Recovery Coordinator;
- Shire of Northam Executive Manager of Development Services;
- Community Emergency Services Manager (Executive Officer);
- One (1) delegate or proxy Department of Fire and Emergency Service;
- One (1) delegate or proxy (Local Emergency Coordinator) Western Australian Police Service;
- One (1) delegate or proxy Department of Communities; and
- One (1) delegate or proxy Northam Regional Hospital.

**4.2 Non-voting**

Non-voting membership of the LEMC may include One (1) delegate or proxy, but not to be limited to:

- SEMC Secretariat;
- Northam Airport;
- Australian Defence Force;
- Brookfield Rail;
- Northam Bushfire Brigades;
- Department of Agriculture & Food WA;
- Department of Education;
- Dept. Parks and Wildlife;
- Disability Services Commission;
- Housing Authority;
- Aged Care (Juniper);
- Public Health Nurse;
- Main Roads WA Wheatbelt;
- Fire & Rescue Northam;
- Fire & Rescue Wundowie;
- Police Northam;
- Police Wundowie;
- Australian Border Force;
- Red Cross;
- Salvation Army;
- Immigration Detention Centre;
- Silver Chain;
- St John Ambulance;
- Water Corporation;
- Western Power; and
- Northam State Emergency Service.

Local Emergency Management Committee Terms of Reference 2021 - 2023

**5. Meetings**

The committee shall meet at least quarterly as per State Emergency Management Procedures.

Additional meetings shall be convened at the discretion of the presiding person.

**6. Reporting**

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

**7. Duties and Responsibilities**

The functions of a local emergency management committee as per State Emergency Management Procedures:

- Advise and assist the local government in ensuring that local emergency management arrangements are established for its district.
- Liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements.
- Carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.
- After the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.
- The annual report is to be prepared within such reasonable time, and in the manner, as is directed in writing by the SEMC.

**8. Tenure of Membership**

Shall be in accordance with the Local Government Act, section 5.11 and the Emergency Management Act, section 38.

**9. Committee**

**9.1 Chairperson**

The members shall appoint the Chairperson.

**9.2 Secretary**

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

**Local Emergency Management Committee Terms of Reference 2021 - 2023**

**9.3 Quorum**

The quorum at any meeting shall be half plus one of the number of offices.

**9.4 Voting**

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

**9.5 Minutes**

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

**9.6 Who Acts If No Presiding Member**

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

**9.7 Meetings**

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

**9.8 Members Interests to be Disclosed**

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

**9.9 Working Groups**

A working group can be established to carry out specific tasks. A working group will undertake only those duties specified by the committee.

**Reference**

[State Emergency Management Procedures](#)



## Attachment 6 – Community Safety Committee Terms of Reference

*Community Safety Committee Terms of Reference 2021 to 2023*

### TERMS OF REFERENCE

#### SHIRE OF NORTHAM COMMUNITY SAFETY COMMITTEE

##### 1. Objectives of the Shire of Northam Community Safety Committee

The objective of the Shire of Northam Community Safety Committee (hereto referred to as the Committee) is to enhance community safety and reduce criminal and anti-social behaviour through a collaboration of key interests and agencies.

##### 2. Powers of the Shire of Northam Community Safety Committee

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 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 terms 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.

##### 3. Membership

The Committee shall consist of representatives from government, non-government, police and community agencies at the local level who share a collective commitment and expertise in relation to community safety and perceptions of safety. The Committee membership may include the following:

- Two (2) Elected Members:
- Officer In Charge of the Northam Police Station or nominated representative;
- Officer In Charge of the Wundowie Police Station or nominated representative;
- One (1) representative of the Northam Roadwise Committee;
- One (1) representative of the Local Drug Action Group;
- One (1) representative of the Northam Chamber of Commerce;
- One (1) representative of the Department of Education;
- One (1) representative of the Department Local Government, Sport and Cultural Industries;
- One (1) representative of the Youth Wellbeing Plan;
- One (1) representative of the local youth services
- One (1) representative of the Nyoongar Cultural Advisory Committee
- Up to two (2) community representatives.

All members have full voting rights.

*Community Safety Committee Terms of Reference 2021 to 2023*

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**4. Standing Ex-Officio Members**

- Chief Executive Officer or nominated representative, i.e. Executive Manager Community Services;
- Community Development Officer
- One (1) representative of Holyoake
- One (1) representative of the Department of Health (Health Promotion);
- One (1) representative of the Department of Communities - Housing;
- One (1) representative of the Department of Communities - Child Protection and Family Support
- One (1) representative of the Department of Justice;
- Ranger Services
- Department of Main Roads (by invitation)
- Department Fire and Emergency Services (by invitation)

**5. Meetings**

The committee shall meet at least quarterly, with additional meetings convened at the discretion of the presiding member.

**6. Reporting**

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

**7. Duties and Responsibilities**

The Committee will:

- Develop, review and oversee the implementation of the Shire of Northam Community Safety and Crime Prevention Plan;
- Integrate and align with the Northam Youth Wellbeing Plan;
- Develop effective partnerships with local State Government agencies through local service agreements to support the coordination and integration of community safety and crime prevention activities within the Shire of Northam;
- Identify and coordinate funding opportunities to address priority issues that have been identified in the Community Safety and Crime Prevention Plan and the Northam Youth Wellbeing Plan;

**8. Working Parties**

Working parties may be established at the edict of this Committee to address specific issues in relation to community safety and appoint people with the necessary knowledge and skills to contribute to those working parties.

All auxiliary working parties shall report back to the Community Safety Committee on progress and outcomes with any recommendations.

**9. Tenure of Membership**

Shall be in accordance with the Local Government Act, section 5.11, ie, until the next scheduled local government ordinary elections.

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*Community Safety Committee Terms of Reference 2021 to 2023*

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**10. Committee**

**10.1 Chairperson**

The members shall appoint the Chairperson.

**10.2 Secretary**

A Shire of Northam employee will fulfil the role of non-voting minute taker.

**10.3 Quorum**

The quorum at any meeting shall be at least 50% of the number of offices of the committee.

**10.4 Voting**

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

**10.5 Minutes**

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

**10.6 Who Acts If No Presiding Member**

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

**10.7 Meetings**

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

**10.8 Members Interests to be Disclosed**

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

**10.9 Code of Conduct**

Members of the committee are bound by Council's Code of Conduct.

## Attachment 7 – Nyoongar Culturally Advisory Group Terms of Reference

*Nyoongar Cultural Advisory Group Terms of Reference 2021 to 2023*

### TERMS OF REFERENCE SHIRE OF NORTHAM NYOONGAR CULTURAL ADVISORY GROUP

#### 1. Objectives of the Shire of Northam NYOONGAR CULTURAL ADVISORY Group (NCAG)

The primary objective of NCAG is to provide guidance and recommendations to the Shire of Northam on all Nyoongar related matters focusing on the BKB Centre for Nyoongar Culture & Environmental Knowledge and the development of a community wide Reconciliation Action Plan.

#### 2. Powers of the Northam NCAG

NCAG is a formally appointed committee of Council and is responsible to that body. NCAG 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. NCAG does not have any management functions and cannot involve itself in management processes or procedures.

NCAG is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms 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 CEO.

#### 3. Membership

The Advisory Group shall consist of elected members, designated Shire of Northam employees and Aboriginal and Torres Strait Islander community members as follows:

- Two (2) Elected Members and Two (2) Proxy Elected Members;
- One representative from each of the following families;
  - Ryder
  - Garlett
  - Stack
  - Slater
  - McGuire
  - Kickett
  - Moody
  - Davis
- Two other Aboriginal and/or Torres Strait Islander Community Representatives
- Shire of Northam CEO or nominated Executive Manager.
- Member for Central Wheatbelt, State Legislative Assembly
- Member of the WA Police Force
- The CEO and or their nominee is to attend all meetings to provide advice and guidance to the committee. They do not have voting rights on the committee
- The local government shall provide secretarial and administrative support to the committee.



*Nyoongar Cultural Advisory Group Terms of Reference 2021 to 2023*

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#### **4. Meetings**

The NCAG shall meet at least four times annually.

Additional meetings shall be convened at the discretion of the presiding member.

#### **5. Reporting**

Minutes and recommendations of each NCAG meeting shall be presented to the next Ordinary Meeting of the Council.

The NCAG is responsible for liaising with all relevant business units to complete and submit the RAP Impact Measurement Questionnaire to Reconciliation Australia annually.

#### **6. Duties and Responsibilities**

The following activities will be carried out by the NCAG:

- Provide guidance and assistance to Council on the future development of the BKB.
- Provide input and advice in relation to the development of a Shire of Northam Reconciliation Action Plan.
- Meet with the Full Shire of Northam Council, not less than once each year to discuss progress of the Reconciliation Action Plan and BKB
- Develop a RAP within the context of the Shire of Northam's core business and in-line with:
  - Over-arching community strategic plan and corporate business plan.
  - Any existing Aboriginal and Torres Strait Islander employment strategy
  - Any existing supplier diversity strategy
  - Any existing equity and diversity policies.
- Establish a collaborative/consultative process for engaging staff across the organisation so that they can provide ideas for the RAP and comment on drafts.
- Develop a project plan and timeline to development, launch and begin implementing the RAP, including consultation with Reconciliation Australia at regular intervals.
- Regularly liaise with relevant business units and key stakeholders to review progress of RAP actions and:
  - Report RAP progress to internal and external stakeholders, including Reconciliation Australia, Shire of Northam elected members and staff, and Aboriginal and Torres Strait Islander stakeholders
  - Reflect on key learnings in the development of new RAPs.
  - Consider RAP implementation issues and consult with relevant business units to find solutions.
- Develop a new RAP when the current plan expires.

#### **7. Sitting Fees**

The nominated representative for the below Advisory Group members will receive a \$100 sitting fee for meeting attendance:

*Nyoongar Cultural Advisory Group Terms of Reference 2021 to 2023*

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- One representative from each of the following families;
  - Ryder
  - Garlett
  - Stack
  - Slater
  - McGuire
  - Kickett
  - Moody
  - Davis
- Two other Aboriginal and/or Torres Strait Islander Community Representatives

**17. MATTERS BEHIND CLOSED DOORS**

Nil.

**18. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

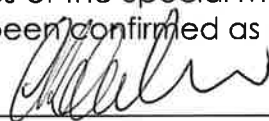
**19. URGENT BUSINESS APPROVED BY DECISION**

Nil.

**20. DECLARATION OF CLOSURE**

There being no further business, the Shire President Cr C R Antonio declared the meeting closed at 6:23pm.

"I certify that the Minutes of the Special Meeting of Council held on Monday, 18 October 2021 have been confirmed as a true and correct record."



President

17/11/2021

Date