



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Agenda

Special Council Meeting

23 October 2017



NOTICE PAPER
Ordinary Council Meeting
23rd October 2017

President and Councillors

I inform you that a Special Council meeting will be held in the Council Chambers, located at 395 Fitzgerald Street, Northam on 23rd October 2017 at 5:30pm.

Yours faithfully



Jason Whiteaker
Chief Executive Officer

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. A light supper will be provided at the conclusion of the meeting.

Newly elected members will be listed in alphabetical order.

1. DECLARATION OF OPENING

The Chief Executive Officer will open the meeting.

2. ATTENDANCE

Council:

Councillors

J E Williams
J Proud
R W Tinetti
C L Davidson
C R Antonio

Dependent on outcome of local government elections:

Shire President
Deputy Shire President
Councillors

S B Pollard
T M Little
D G Beresford
U Rumjantsev
D A Hughes

Staff:

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

J B Whiteaker
C D Kleynhans
C B Hunt
R Rayson
C Young
A C Maxwell

2.1 APOLOGIES

Nil.

2.2 APPROVED LEAVE OF ABSENCE

Nil.

3. DISCLOSURE OF INTERESTS

Item Name	Item No.	Name	Type of Interest	Nature of Interest

4. ELECTION OF SHIRE PRESIDENT

Address:	N/A
Owner:	N/A
File Reference:	2.1.3.3
Reporting Officer:	Jason Whiteaker Chief Executive Officer
Responsible Officer:	Jason Whiteaker Chief Executive Officer
Voting Requirement	N/A

BRIEF

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

ATTACHMENTS

Nil.

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.

CONSIDERATIONS

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.

Financial / Resource Implications

Nil.

Legislative Compliance

Local Government Act 1995, Schedule 2.3.

Policy Implications

N/A

Stakeholder Engagement / Consultation

N/A

Risk Implications

N/A

OFFICER'S COMMENT

At the time of writing this report, no nominations have been received. 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 'assume the chair'.

5. ELECTION OF DEPUTY SHIRE PRESIDENT

Address:	N/A
Owner:	N/A
File Reference:	2.1.3.3
Reporting Officer:	Jason Whiteaker Chief Executive Officer
Responsible Officer:	Jason Whiteaker Chief Executive Officer
Voting Requirement	N/A

BRIEF

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

ATTACHMENTS

Nil.

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 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.

CONSIDERATIONS

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.

Financial / Resource Implications

Nil.

Legislative Compliance

Local Government Act 1995, Schedule 2.3.

Policy Implications

N/A.

Stakeholder Engagement / Consultation

N/A.

Risk Implications

N/A.

OFFICER'S COMMENT

At the time of writing this report, one 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).

At the conclusion of electing the Deputy Shire President, the Deputy Shire President will 'assume their chair'.

6. 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.

7. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

N/A.

8. PUBLIC QUESTION/STATEMENT TIME

8.1 PUBLIC QUESTIONS

8.2 PUBLIC STATEMENTS

9. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

10. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

10.1 PETITIONS

Nil.

10.2 PRESENTATIONS

Nil.

10.3 DEPUTATIONS

Nil.

11. APPLICATION FOR LEAVE OF ABSENCE

Nil.

12. CONFIRMATION OF MINUTES

Nil.

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

14. REPORTS OF COMMITTEE MEETINGS

Nil.

15. SPECIAL ITEMS

15.1 SHIRE OF NORTHAM COMMITTEES OF COUNCIL

Address:	N/A.
Owner:	N/A.
File Reference:	Audit Committee, 2.1.3.5 Bush Fire Advisory Committee, 5.1.3.1 Chief Executive Officer Review Committee, 1.1.1.1
Reporting Officer:	Jason Whiteaker Chief Executive Officer
Responsible Officer:	Jason Whiteaker Chief Executive Officer
Voting Requirement	Absolute Majority

BRIEF

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

This report only deals with three of the seven Council committees. The appointment of these are believed to be of an urgent nature and therefore it is requested that these be dealt with prior to the next Ordinary Council meeting. The remaining committee's will be presented to the November meeting of Council for determination.

ATTACHMENTS

The proposed committee Terms of Reference for 2017 to 2019 have been included as follows:

Attachment 1: Audit Committee.

Attachment 2: Bush Fire Advisory Committee.

Attachment 3: Chief Executive Officer Review Committee.

BACKGROUND / DETAILS

Committee Name:

Audit 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.

Meeting Frequency: Quarterly.
Next Meeting: October 2017.
Current Meeting day: Wednesday.
Meeting Location: Shire of Northam Council Chambers.
Current Council representatives: Cr Steven Pollard, Cr Terry Little, Cr John Proud and Cr Chris Antonio.
Terms of reference: Attachment 1.
Officer Comment: No Changes are proposed to the previous Terms of Reference as these were recently subject to a review and subsequently adopted by the Council at its meeting held on 21st June 2017.

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: 7th November 2017.
Current Meeting day: Tuesday.
Meeting Location: Shire of Northam Council Chambers.
Current Council representatives: Cr Terry Little
Terms of reference: Attachment 2.
Officer Comment: The Bush Fire Advisory Committee Terms of Reference have been subject to a major review with the changes including:

1. Removing all legislation text and replacing with the reference to the section of legislation;
2. Addition of voting rights for the Chief and Deputy Chief Bushfire Control Officers who were elected by the BFAC as their leaders but do not hold a vote (Note Council resolved in November 2016 that these two positions were non-voting members);
3. A second councillor which was overlooked in the last review; and



4. Condense and simplify document to make it easy to read, consistent with other Council Committee Terms of Reference.

Committee Name:	<u>Chief Executive Officer Review Committee.</u>
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:	November 2017.
Current Meeting day:	Wednesday.
Meeting Location:	Shire of Northam Committee Room.
Current Council representatives:	Cr Steven Pollard, Cr Terry Little, Cr Denis Beresford, Cr Rob Tinetti, Cr Julie Williams.
Terms of reference:	Attachment 3.
Officer Comment:	Council are required to review the performance of the CEO annually. The 2016/17 review has been completed by an external consultant as per a previous resolution of Council. Upon this committee being endorsed they will be required to develop the 2017/18 Key Performance Indicators (KPI's) for the CEO.

The only change required to the terms of reference is the naming on Elected Members appointed to the committee.

CONSIDERATIONS

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.

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.

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.*

Policy Implications

Nil.

Stakeholder Engagement / Consultation

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

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

Risk Implications

If Council committees do not operate in accordance with relevant legislation there may be a potential breach of the relevant Act and/or subsidiary legislation. The Terms of Reference are designed to ensure that the committees operate in accordance with this.

AUDIT COMMITTEE

RECOMMENDATION

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 2;**
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 _____;
 - Cr _____;
 - Cr _____; and
 - Cr _____.

ABSOLUTE MAJORITY VOTE OF 6 REQUIRED

BUSH FIRE ADVISORY COMMITTEE

RECOMMENDATION

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 3;
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:
 - Chief Bush Fire Control Officer;
 - Deputy Chief Bush Fire Control Officer;
 - Two (2) Shire of Northam Elected Members;
 - Cr _____; and
 - Cr _____.
 - 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 (Once Registered); and
 - Wundowie Bush Fire Brigade (Once Established).
 - 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.

ABSOLUTE MAJORITY VOTE OF 6 REQUIRED

CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE

RECOMMENDATION

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 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 Chief Executive Officer Review Committee;
 - Shire President, Cr _____
 - Deputy Shire President, Cr _____
 - Cr _____
 - Cr _____
 - Cr _____

ABSOLUTE MAJORITY VOTE OF 6 REQUIRED

Attachment 1

Audit Committee Terms of Reference 2017 to 2019

TERMS OF REFERENCE SHIRE OF NORTHAM AUDIT COMMITTEE

1. Objectives of Audit Committee

The primary objective of the Audit 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.

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 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.

Audit Committee Terms of Reference 2017 to 2019

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. Meetings

The committee shall meet at least four 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.

6. 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 an appropriate process for the selection and appointment of a person as the local government's auditor.
- c) 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 as auditor.
 - Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;

Audit Committee Terms of Reference 2017 to 2019

- 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.
- d) Meet with the auditor once in each year.
- e) 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.
- f) 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.
- g) 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.
- h) Review the scope of the audit plan and program and its effectiveness.
- i) Address issues brought to the attention of the committee that are within the parameters of the committee's terms of reference.
- j) 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.
- k) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO
- l) 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;

Audit Committee Terms of Reference 2017 to 2019

- m) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs
- n) 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;
- o) 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;
- p) 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;
- q) 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;
- 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 2017 to 2019

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. 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.

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 2017 to 2019

3. Membership

3.1 Full voting members

- Chief Bush Fire Control Officer;
- Deputy Chief Bush Fire Control Officer;
- 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 (Once Registered); and
 - Wundowie Bush Fire Brigade (Once Established).
- 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 2017 to 2019

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.

Bush Fire Advisory Committee Terms of Reference 2017 to 2019

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.

Bush Fire Advisory Committee Terms of Reference 2017 to 2019

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

Shire of Northam CEO Review Committee Terms of Reference 2017 to 2019

<p style="text-align: center;">TERMS OF REFERENCE SHIRE OF NORTHAM CHIEF EXECUTIVE OFFICER REVIEW COMMITTEE</p>
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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; and
- 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 2017 to 2019

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.

6. 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 in October 2019.

7. 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.

Shire of Northam CEO Review Committee Terms of Reference 2017 to 2019

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.

16. MATTERS BEHIND CLOSED DOORS

Nil.

17. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

18. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil.

19. DECLARATION OF CLOSURE