

Shire of Lake Grace

Special Council Meeting



NOTICE PAPER

To the President and Councillors

In accordance with the provisions of Section 5.5 of the Local Government Act 1995, you are hereby notified that a Special Meeting of Council has been convened:

Date: Monday 28 October 2019

At: Council Chambers, 1 Bishop Street, Lake Grace, WA 6353

Commencing: 5.30pm

To consider the following items;

- Swearing in of new Councillors;
- Election of President;
- Election of Deputy President;
- Ballot for seating; and
- Nomination of Committees.

as per the item of business in the agenda set out on the following pages.

A handwritten signature in black ink, appearing to read 'Denise Gobbart'.

Denise Gobbart
Chief Executive Officer

24 October 2019
Date

Shire of Lake Grace

Special Council Meeting

Agenda

28 October 2019

Meeting Commencing at 5.30pm



Disclaimer

No responsibility whatsoever is implied or accepted by the Shire of Lake Grace for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Lake Grace disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Lake Grace during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Lake Grace. The Shire of Lake Grace warns that anyone who has an application lodged with the Shire of Lake Grace must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Lake Grace in respect of the application.

CONTENTS

1.0	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	4
2.0	CONSTITUTIONAL MATTERS	4
2.1	ELECTION OF PRESIDENT	5
2.2	ELECTION OF DEPUTY SHIRE PRESIDENT	6
2.3	SEATING OF COUNCILLORS	6
3.0	DISCLAIMER READING	7
4.0	RECORD OF ATTENDANCE/APOLOGIES/ LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	8
4.1	PRESENT	8
4.2	APOLOGIES	8
4.3	LEAVE OF ABSENCE PREVIOUSLY GRANTED	8
5.0	PUBLIC QUESTION TIME	8
6.0	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	8
7.0	NOTATIONS OF INTEREST	8
7.1	DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60A	8
7.2	DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B	8
7.3	DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATIONS 1996 SECTION 34C.....	9
8.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	9
9.0	REPORTS OF COMMITTEES	9
10.0	REPORTS OF OFFICERS.....	9
10.1	ADMINISTRATION.....	9
10.1.1	NOMINATIONS TO COMMITTEES	9
11.0	CONFIDENTIAL ITEMS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)	62
12.0	CLOSURE	62

SHIRE OF LAKE GRACE

Agenda for the Special Meeting of Council to be held at Council Chambers, 1 Bishop Street, Lake Grace, WA 6353 on Monday 28 October 2019

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chief Executive Officer opened the meeting at __ pm and advised that today's special meeting has been convened to consider the matters presented;

- Swearing in of new Councillors;
- Election of President;
- Election of Deputy President;
- Ballot for seating; and
- Nomination of Committees.

2.0 CONSTITUTIONAL MATTERS

The Chief Executive Officer will swear in the Councillors elect who were declared elected by the Returning Officer at the election held on Saturday 19 October 2019.

In accordance with the *Local Government Act 1995*, s2.29(1) a person elected as a Councillor has to make a declaration before acting in the office.

Regulation 13 of the *Local Government (Constitution) Regulations 1998* prescribes the form of declaration. This is contained in Form 7 of those regulations and is to be made before a person authorised to take statutory declarations under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

The declaration is as follows:

I.....of.....
 have been elected to the Council of the Shire of Lake Grace declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability, and will observe the Local Government (Rules of Conduct) Regulations 2007.

In Schedule 2.3 of the *Local Government Act 1995* provides:

2. When Council Elects Mayor or President

- (1) *The office is to be filled as the first matter dealt with –*
 - (a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.1.4 election or after an ordinary elections day; and*
 - (b) *at the first meeting of the council after and extraordinary vacancy occurs in the office.*
- (2) *If the first ordinary meeting of the Council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.*

3. CEO to Preside

The CEO is to preside at the meeting until the office is filled.

4. How Mayor or President is Elected

- (1) *The Council is to elect a councillor to fill the office.*
- (2) *The election is to be conducted by the CEO in accordance with the procedure prescribed.*
- (3) *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.*
- (3a) *Nominations close at the meeting at a time announced by the CEO that nominations are about to close to allow for any nominations made to be dealt with.*
- (4) *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.*
- (5) *The Councillors are to vote on the matter by secret ballot as if they were electors voting at an election.*

2.1 ELECTION OF PRESIDENT

The Chief Executive Officer is to call for nominations for the office of Shire President.

The Shire President is to be elected by the Council from amongst the Councillors.

Nominations for the position of Shire President are to be made in writing before the meeting, or during the meeting prior to the close of nominations. If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, verbally or in writing, that he or she is willing to be nominated.

The Council members are to vote on the matter by secret ballot as if they were voting in an election.

The Chief Executive Officer is to declare the result and the elected Shire President is to make a declaration pursuant to Regulation 13(3) of the *Local Government (Constitution) Regulations 1998*:

13. Oaths, Affirmations and Declarations (s. 2.29, 2.42)

- (3) *A declaration required by section 2.29 to be made by a person elected as a Councillor, Deputy Mayor or Deputy President is to be made before an authorised person.*

The Declaration of elected Shire President:

I.....of.....

Having been elected to the office of **Shire President** of the Shire of Lake Grace declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the for the people in the district according to the best of my judgement and ability, and will observe the *Local Government (Rules of Conduct) Regulations 2007*.

The Declaration will be witnessed by the Chief Executive Officer.

The Chief Executive Officer will then hand the meeting over to the newly elected Shire President.

2.2 ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President to call for nominations for the office of Deputy Shire President.

The Deputy Shire President is to be elected by the Council (including the Shire President) from amongst the Councillors.

Nominations for the position of Deputy Shire President are to be made in writing before the meeting, or during the meeting prior to the close of nominations. If a Councillor is nominated by another Councillor, the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, verbally or in writing, that he or she is willing to be nominated.

The Council members (including the Shire President) are to vote on the matter by secret ballot as if they were voting at an election. The Shire President is to declare the result and the elected Deputy Shire President is to make a declaration pursuant to Regulation 13(3) of the *Local Government (Constitution) Regulations 1998*:

13. Oaths, affirmations and declarations (s. 2.29, 2.42)

- (3) *A declaration required by section 2.29 to be made by a person elected as a Councillor, Deputy Mayor or Deputy President is to be made before an authorised person.*

The Declaration of elected Deputy Shire President:

I of
having been elected to the office of **Deputy Shire President** of the Shire of Lake Grace declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the *Local Government (Rules of Conduct) Regulations 2007*.

The Declaration will be witnessed by the Chief Executive Officer.

2.3 SEATING OF COUNCILLORS

A ballot will be conducted by the Chief Executive Officer for seating of Councillors in the Chambers. As per the *Shire of Lake Grace Standing Orders Local Law 2015*.

8.2 Members to occupy own seats

- (1) *At the first meeting held after each election day, the CEO is to allot by random draw, a position at the Council table to each Member.*
- (2) *Each member is to occupy his or her allotted position at each Council meeting.*

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

3.0 DISCLAIMER READING

A recording of the disclaimer is to be played aloud.

No responsibility whatsoever is implied or accepted by the Shire of Lake Grace for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Lake Grace disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Lake Grace during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Lake Grace. The Shire of Lake Grace warns that anyone who has an application lodged with the Shire of Lake Grace must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Lake Grace in respect of the application.

4.0 RECORD OF ATTENDANCE/APOLOGIES/ LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**4.1 PRESENT**

Cr LW Armstrong
Cr R Chappell
Cr DS Clarke
Cr JF De Landgraft
Cr RA Lloyd
Cr AD Marshall
Cr MG Stanton
Cr HL Steicke
Cr P Stoffberg

In Attendance

Ms D Gobbart	Chief Executive Officer
Mr A George	Deputy Chief Executive Officer
Ms V Crispe	Manager Infrastructure Services
Ms M Taylor	Marketing & Engagement Coordinator

Observers/Visitors**4.2 APOLOGIES**

Nil

4.3 LEAVE OF ABSENCE PREVIOUSLY GRANTED

Cr Stanton has been granted leave from Tuesday 5 November 2019 to Saturday 16 November 2019 inclusive.

5.0 PUBLIC QUESTION TIME**6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

7.0 NOTATIONS OF INTEREST**7.1 DECLARATIONS OF FINANCIAL INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60A****7.2 DECLARATIONS OF PROXIMITY INTEREST – LOCAL GOVERNMENT ACT 1995 SECTION 5.60B**

7.3 DECLARATIONS OF IMPARTIALITY INTEREST – ADMINISTRATION REGULATIONS 1996 SECTION 34C

8.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

9.0 REPORTS OF COMMITTEES

Nil

10.0 REPORTS OF OFFICERS

10.1 ADMINISTRATION

10.1.1 NOMINATIONS TO COMMITTEES

Applicant:	Internal Report
File No.	0039
Attachments:	1. 'Draft' Council Committees and Advisory Group 2019
Author:	Ms Denise Gobbart Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	24 October 2019
Senior Officer:	Ms Denise Gobbart



Chief Executive Officer

Summary

For Council to appoint members of Council to Committees and External Organisations.

Background

Council in the past has allocated committee positions, working advisory groups and representation on external organisations after each ordinary election.

The only statutory committee Council is required to have is the Audit Committee. Any other committee or working group is completely at the discretion of Council whether it is needed, or not, or whether there is a need for additional committee/groups.

An Elected Member may request to be appointed to any Committee, Advisory Group or to represent Council on external organisation.

Comment

A 'Council Committees and Advisory Groups' guide has been developed enabling information relating to committees to be located in a central document. It is intended that any new committee or advisory group is included as they are established.

The guide includes the objectives, membership, duties and responsibilities of the official committee or an advisory group. It is anticipated that the document be amended on a needs basis, naming those representatives appointed by Council.

Following the local government elections on 19 October 2019 all positions on Committees and Advisory Groups are vacant, and now need to be allocated.

Legal Implications

Local Government Act 1995

Subdivision 2 – Committees and their meetings

5.8. Establishment of Committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* Absolute majority required.

5.9. Committees, types of

- (1) In this section —
other person means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only; or
 - (b) council members and employees; or
 - (c) council members, employees and other persons; or
 - (d) council members and other persons; or
 - (e) employees and other persons; or
 - (f) other persons only.

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —

- (a) to be a member of the committee; or
- (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Bush Fire Act 1954
Miscellaneous Part V

67. Advisory committees

- (1) 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.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee; and
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Emergency Management Act 2005

Local arrangements Part 3

Emergency management arrangements for local governments Division 2

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.

- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

Policy Implications

Not Applicable

Consultation

External: Various community groups seeking community representation

Financial Implications

Elected Members attending other committee meetings may claim travel, no attendance fees are payable.

Non-Elected Member delegates representing the Shire are entitled to be reimbursed for travelling expenses incurred.

Strategic Implications

Shire of Lake Grace Strategic Community Plan 2017 - 2027

Social – A valued, healthy and inclusive community and life-style

Outcome 2.1 An engaged, supportive and inclusive community

- 2.1.3 Actively promote and support community events and activities within the district

Leadership – Strong governance and leadership, demonstrating fair and equitable community values

Outcome 4.1 A strategically focused, unified Council functioning efficiently

- 4.1.1 Provide informed leadership on behalf of the community
- 4.1.2 Promote and advocate for the community and district
- 4.1.3 Provide strategic leadership and governance

Recommendation

That Council;

1. appoint the following Elected Members and other persons as nominated representatives on the following Committees of Council;

Committee of Council	Member	Name
Audit Committee		
Audit Committee	Councillor	
Audit Committee	Councillor	
Audit Committee	Councillor	
Audit Committee	Councillor	
Audit Committee	Other Person	Mr Ollie Farrelly

Committee of Council	Member	Name
Newdegate Rejuvenation Committee		
Newdegate Rejuvenation Committee	Councillor	
Newdegate Rejuvenation Committee	Councillor	
Newdegate Rejuvenation Committee	Councillor	
Newdegate Rejuvenation Committee	Newdegate Community Development Association	
Newdegate Rejuvenation Committee	Newdegate Community Development Association	
Newdegate Rejuvenation Committee	Newdegate Community Representative	
Newdegate Rejuvenation Committee	Newdegate Community Representative	

2. appoint the following Elected Members and other persons as nominated representatives on the following Committees formed by Council;

Other Committee	Delegate	Deputy
Bush Fire Advisory Committee		
Councillor	Cr	Cr
Chief Bush Fire Control Officer	Mr Brad Watson	Nil
Deputy Chief Bush Fire Control Officer	Mr Wes Hall	Nil
Deputy Chief Bush Fire Control Officer	Mr Doug Dunham	Nil
Deputy Chief Bush Fire Control Officer	Mr Hugh Roberts	Nil
North Lake Grace Brigade Bush Fire Control Officer x 1	Mr Greg Carruthers	Mr Evan Wyatt
South Lake Grace Brigade Bush Fire Control Officer x 1	Mr Scott Strevett	Mr Kevin Naisbitt
North Newdegate Brigade	Mr Bill Lloyd	Mr Tim Lloyd

Bush Fire Control Officer x 1		
South Newdegate Brigade Bush Fire Control Officer x 1	Mr Geoff Richardson	Mr Syd Walker
Lake King / Varley Brigade Bush Fire Control Officer x 1	Mr Jorg Brinkman	Mr Craig Newman
Mt Madden / Dunn Rock Brigade Bush Fire Control Officer x 1	Mr Bernie Giles	Mr Anthony Teale

Other Committee	Delegate	Deputy
Local Emergency Management Committee		
Local Emergency Management Committee	Cr	Cr

Other Committee	Member	Name
Lake Grace Library Resource & CRC Management Committee		
Lake Grace Library Resource & CRC Management	Ministers Representative	Mr Scott Tapper
Lake Grace Library Resource & CRC Management	Ministers Representative	Mrs Michelle Lay
Lake Grace Library Resource & CRC Management	Shire Representative	Cr
Lake Grace Library Resource & CRC Management	Shire Representative	CEO or Representative
Lake Grace Library Resource & CRC Management	Lake Grace CRC Representative	
Lake Grace Library Resource & CRC Management	Community Representative	Mr Ollie Farrelly

Other Committee	Member	Name
Newdegate Community Library Management Committee		
Newdegate Community Library Management	Ministers Representative	
Newdegate Community Library Management	Ministers Representative	
Newdegate Community Library Management	Shire Representative	Cr
Newdegate Community Library Management	Shire Representative	CEO or Representative
Newdegate Community Library Management	Newdegate CRC Representative	Mrs Claire Ness
Newdegate Community Library Management	Newdegate CRC Representative	Ms Hope Standford
Newdegate Community Library Management	Community Representative	Ms Nicole Kennedy

Other Committee	Member	Name
Newdegate Swimming Pool Management Committee		
Newdegate Swimming Pool Management Committee	Ministers Representative	
Newdegate Swimming Pool Management Committee	Ministers Representative	
Newdegate Swimming Pool Management Committee	Ministers Representative	
Newdegate Swimming Pool Management Committee	Shire Representative	Cr
Newdegate Swimming Pool Management Committee	Shire Representative	CEO or Representative
Newdegate Swimming Pool Management Committee	Shire Representative	

3. appoint the following Elected Members as nominated representatives on the following Advisory Group formed by Council;

Advisory Group	Member	Name
Integrated Planning & Asset Management		
Integrated Planning & Asset Management	Councillor	
Integrated Planning & Asset Management	Councillor	
Integrated Planning & Asset Management	Councillor	

4. appoint the following Elected Members and other persons as nominated representatives on the following external organisations;

Organisation	Delegate	Deputy
External Organisations		
4WDL Regional Organisation of Councils		
Central Country Zone - WALGA		
Eastern Wheatbelt Biosecurity Group		
Lake Grace District High School Board		
Lake Grace Roadwise		
Lake Grace Visitor Centre Committee		
Lake King Grassed Oval Committee		
Newdegate Recreation Council		
Roe Tourism		
Roe Regional Organisation of Councils Roe Health		
Rural Water Council		
Wheatbelt South Regional Road Group - Lakes Sub Group		
Wheatbelt South Regional Road Group		
Wheatbelt Development Assessment Panel		

Wheatbelt Natural Resource Management		
Wheatbelt Railway Retention Alliance		

5. adopt the Council Committees and Advisory Group 2019 guide and amend accordingly.

Voting Requirements

Absolute majority (5) required.



COUNCIL COMMITTEES AND ADVISORY GROUPS

2019

CONTENTS	
INTRODUCTION.....	3
PART 1 – COUNCIL COMMITTEES.....	4
1.1 Types of Committees.....	4
1.2 Appointment of Committee Members.....	4
1.3 Tenure of Committee Membership.....	4
1.4 Elected members obligation when appointed by Council.....	5
1.5 Election of Presiding Member and Deputies.....	5
1.6 Quorum.....	5
1.7 Presiding at Committee meetings.....	5
1.8 Delegation of some powers and duties to certain committees.....	5
1.9 Limits on the delegation of powers and duties to certain committees.....	6
1.10 Statutory compliance.....	6
1.11 Audit Committee.....	7
1.11.1 Membership.....	7
1.11.2 Terms of Reference.....	7
1.11.3 Function.....	7
1.12 Newdegate Rejuvenation Committee.....	12
1.12.1 Membership.....	12
1.12.2 Terms of Reference.....	12
1.12.3 Function.....	12
PART 2 – OTHER COMMITTEES.....	16
2.1 Bush Fire Advisory Committee.....	16
2.1.1 Membership.....	16
2.1.2 Terms of Reference.....	16
2.1.3 Function.....	16
2.2 Local Emergency Management Committee.....	21
2.2.1 Membership.....	21
2.2.2 Terms of Reference.....	21
2.2.3 Function.....	21
2.3 Lake Grace Library Resource and Community Resource Centre Management Committee.....	26
2.3.1 Membership.....	26
2.3.2 Terms of Reference.....	26
2.3.3 Function.....	26
2.4 Newdegate Community Library Management Committee.....	31
2.4.1 Membership.....	31
2.4.2 Terms of Reference.....	31
2.4.3 Function.....	31
2.5 Newdegate Swimming Pool Management Committee.....	35
2.5.1 Membership.....	35
2.5.2 Terms of Reference.....	35
2.5.3 Function.....	35
PART 3 – ADVISORY GROUPS.....	39
3.1 Advisory Group Membership and Objectives.....	39
3.1.1 Shire of Lake Grace Integrated Planning & Asset Management Group.....	39
3.2 Advisory Groups Terms of Reference.....	40
3.2.1 Name.....	40
3.2.2 Responsible Officer.....	40
3.2.3 District.....	40
3.2.4 Objectives.....	40
3.2.5 Membership.....	40
3.2.6 Delegate Authority.....	41
3.2.7 Advisory Group.....	41
3.2.8 Meetings.....	41
PART 4 – COUNCIL REPRESENTATION ON EXTERNAL ORGANISATIONS.....	43

INTRODUCTION

This guide contains details of:

1. Council Committees
2. Other Committees
3. Advisory Groups
4. Representation on external organisations

PART 1 – COUNCIL COMMITTEES

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

1.1 Types of Committees

Section 5.9 provides that a committee can comprise:

- a) Council Members only; or
- b) Council Members and Employees; or
- c) Council Members and Employees and other persons; or
- d) Council Members and other persons; or
- e) Employees and other persons; or
- f) Other persons only.

1.2 Appointment of Committee Members

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

At any given time each Council member is entitled to be a member of at least one (1) committee that comprises Council members only, or Council members and employees. If a Council member nominates himself/herself to be a member of such committee/s, the Council is to include that Council member to at least one of those committees as the Council determines.

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

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

- a) to be a member of the committee, or
- b) that a representative of the Chief Executive Officer be a member of the committee

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

1.3 Tenure of Committee Membership

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

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

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

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

1.4 Elected members obligation when appointed by Council

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

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

1.5 Election of Presiding Member and Deputies

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

1.6 Quorum

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

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

1.7 Presiding at Committee meetings

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

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

- a) the office of presiding member is vacant, or
 - b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,
- then the deputy presiding member, if any, may perform the functions of presiding member.

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

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

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

1.8 Delegation of some powers and duties to certain committees

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

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

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

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

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

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

The Council can delegate:

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

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

1.10 Statutory compliance

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

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

1.11 Audit Committee**1.11.1 Membership**

As at 28 October 2019:

Members	Name
Councillor	Cr
Councillor	Cr
Councillor	Cr
Councillor	Cr
Other Person	Mr Ollie Farrelly

Quorum: 3 Members

1.11.2 Terms of Reference

Adopted by Council on 21 October 2015

1.11.3 Function**1.11.3.1 NAME**

The name of the Committee shall be the Shire of Lake Grace Audit Committee hereinafter referred to in its abbreviated form as SOLGAC.

1.11.3.2 DISTRICT

The SOLGAC shall operate within the local government boundaries of the Shire of Lake Grace.

1.11.3.3 GUIDING PRINCIPLES

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

1.11.3.4 ESTABLISHMENT

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

1.11.3.5 OBJECTIVES

The 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 Chief Executive Officer to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The committee is to facilitate:

- a) the enhancement of the credibility and objectivity of internal and external financial reporting;
- b) effective management of financial and other risks and the protection of Council assets;
- c) compliance with laws and regulations as well as use of best practice guidelines relative to auditing;
- d) the coordination of the internal audit function with the external audit;
- e) the provision of an effective means of communication between the auditor, the Chief Executive Officer and the Council.

1.11.3.6 **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 Chief Executive Officer has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

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

1.11.3.7 **MEMBERSHIP**

The committee will consist of five members with four elected and one external person. All members shall have full voting rights.

External persons appointed to the committee will have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.

Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.

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

The Chief Executive Officer or his/her nominee is to attend all meetings to provide advice and guidance to the committee.

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

1.11.3.8 **REPORTING**

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

The committee shall report annually to the Council summarising its activities during the previous financial year.

1.11.3.9 **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of the SOLGAC will be to –

- a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- c) Develop and recommend to Council –

- (i) a list of those matters to be audited; and
 - (ii) the the scope of the audit to be undertaken.
- d) Recommend to Council the person or persons to be appointed as auditor.
- e) Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –
 - (i) the objectives of the audit;
 - (ii) the scope of the audit;
 - (iii) a plan of the audit;
 - (iv) details of the remuneration and expenses to be paid to the auditor; and
 - (v) the method to be used by the local government to communicate with, and supply information to, the auditor.
- f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- g) Liaise with the Chief Executive Officer to ensure that the local government does everything in its power to –
 - (i) Assist the auditor to conduct the audit and carry out his or her other duties under the *Local Government Act 1995*; and
 - (ii) Ensure that audits are conducted successfully and expeditiously.
- h) Examine the reports of the auditor after receiving a report from the CEO on the matters and –
 - (i) determine if any matters raised require action to be taken by the local government; and
 - (ii) ensure that appropriate action is taken in respect of those matters.
- i) Review the report prepared by the Chief Executive Officer on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- j) Review the scope of the audit plan and program and its effectiveness.
- k) Review the local government's draft annual financial report, focusing on –
 - (i) accounting policies and practices;
 - (ii) changes to accounting policies and practices;
 - (iii) the process used in making significant accounting estimates
 - (iv) significant adjustments to the financial report (if any) arising from the audit process;
 - (v) compliance with accounting standards and other reporting requirements; and
 - (vi) significant variances from prior years.
- l) 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.
- m) 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.
- n) 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.
- o) Review the Statutory Compliance Return and make a recommendation on its adoption to Council.

1.11.3.10 **TENURE OF MEMBERSHIP**

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

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

1.11.3.11 **DELEGATED AUTHORITY**

Nil

1.11.3.12 **COMMITTEE****Chairperson**

The members shall appoint the Chairperson of the SOLGAC.

Secretary

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

Standing Ex-Officio Members

Nil

1.11.3.13 **MEETINGS****Committee Meetings**

The committee shall meet at least quarterly.

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

Quorum

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

Voting

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

5.21 Voting

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

Minutes

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

5.22 Minutes of council and committee meetings

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

Who acts if no presiding member?

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

1.12 Newdegate Rejuvenation Committee**1.12.1 Membership**

As at 28 October 2019:

Members	Names
Councillor	Cr
Councillor	Cr
Councillor	Cr
Newdegate Community Development Association	
Newdegate Community Development Association	
Newdegate Community Representative	
Newdegate Community Representative	

Quorum: 4 Members

1.12.2 Terms of Reference

Adopted by Council on 24 November 2010

1.12.3 Function**1.12.3.1 NAME**

The name of the Committee shall be the Shire of Lake Grace Newdegate Rejuvenation Committee hereinafter referred to in its abbreviated form as SOLGNRC.

1.12.3.2 DISTRICT

The SOLGNRC shall operate within the local government boundaries of the Shire of Lake Grace.

1.12.3.3 GUIDING PRINCIPLES

Nil

1.12.3.4 ESTABLISHMENT

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

1.12.3.5 OBJECTIVES

The primary objective of the Newdegate Rejuvenation Committee is to consult on the status of the Newdegate Town Centre Rejuvenation Project and where appropriate make recommendations to Council.

1.12.3.6 POWERS OF THE NEWDEGATE REJUVENATION 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 term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer.

1.12.3.7 **MEMBERSHIP**

The committee will consist of seven members with three elected and four external persons. All members shall have full voting rights.

External persons appointed to the committee will be two (2) members of the Newdegate Community Development Association and two (2) community representatives.

Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.

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

The Chief Executive Officer or his/her nominee is to attend all meetings to provide advice and guidance to the committee.

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

1.12.3.8 **REPORTING**

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

1.12.3.9 **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of the SOLGNRC will be to –

- a) Consult and recommend to Council –
 - (i) Stage One: Proposals for the design, construction and fit out of the Newdegate Medical Centre;
 - (ii) Stage Two: Proposals for the Newdegate Town Hall additions or modifications; and
 - (iii) Stage Three: Proposals for the design, construction and fit out of the Newdegate Aged accommodation units.
- b) Give consideration to reports submitted by Shire officers to the committee.
- c) Participate in workshops that may be required to assist with the evaluation of concept plans, construction types, and fit out requirements and their suitability.
- d) Engage with the Newdegate Community according to the Shire's Community Engagement Policy on the concept plans or other proposals.

1.12.3.10 **TENURE OF MEMBERSHIP**

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

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

1.12.3.11 **DELEGATED AUTHORITY**

Nil

1.12.3.12 **COMMITTEE**

Chairperson

The members shall appoint the Chairperson of the SOLGNRC.

Secretary

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

Standing Ex-Officio Members

Nil

1.12.3.13 **MEETINGS**

Committee Meetings

The committee shall meet at least quarterly.

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

Quorum

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

Therefore the number for a quorum shall be four (4) voting members.

Voting

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

5.21 Voting

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

Minutes

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

5.22 Minutes of council and committee meetings

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

Who acts if no presiding member?

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

PART 2 – OTHER COMMITTEES**2.1 Bush Fire Advisory Committee****2.1.1 Membership**

As at 28 October 2019:

Members	Delegate	Deputy
Councillor	Cr	Cr
Community Emergency Services Manager		Nil
Chief Bush Fire Control Officer	Mr Brad Watson	Nil
Deputy Chief Bush Fire Control Officer	Mr Wes Hall	Nil
Deputy Chief Bush Fire Control Officer	Mr Doug Dunham	Nil
Deputy Chief Bush Fire Control Officer	Mr Hugh Roberts	Nil
North Lake Grace Brigade Bush Fire Control Officer x 1	Mr Greg Carruthers	Mr Evan Wyatt
South Lake Grace Brigade Bush Fire Control Officer x 1	Mr Scott Strevett	Mr Kevin Naisbitt
North Newdegate Brigade Bush Fire Control Officer x 1	Mr Bill Lloyd	Mr Tim Lloyd
South Newdegate Brigade Bush Fire Control Officer x 1	Mr Geoff Richardson	Mr Syd Walker
Lake King / Varley Brigade Bush Fire Control Officer x 1	Mr Jorg Brinkman	Mr Craig Newman
Mt Madden / Dunn Rock Brigade Bush Fire Control Officer x 1	Mr Bernie Giles	Mr Anthony Teale

Quorum: At least 50% of the members of the Committee.

2.1.2 Terms of Reference

Adopted by Council on 21 October 2015

2.1.3 Function**2.1.3.1 NAME**

The name of the Committee shall be the Shire of Lake Grace Bush Fire Advisory Committee hereinafter referred to in its abbreviated form as BFAC.

2.1.3.2 **DISTRICT**

The BFAC shall operate within the local government boundaries of the Shire of Lake Grace.

2.1.3.3 **GUIDING PRINCIPLES**

Nil

2.1.3.4 **ESTABLISHMENT**

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

2.1.3.5 **OBJECTIVES**

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

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

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

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

2.1.3.6 **MEMBERSHIP**

- (a) One (1) Shire of Lake Grace Councillor as a member and one (1) Councillor as deputy
- (b) Community Emergency Services Manager
- (c) Chief Bush Fire Control Officer
- (d) Three (3) Deputy Chief Bush Fire Control Officers
- (e) One (1) North Lake Grace Bush Fire Control Officer as a member and one (1) as a deputy
- (f) One (1) South Lake Grace Bush Fire Control Officer as a member and one (1) as a deputy
- (g) One (1) North Newdegate Bush Fire Control Officer as a member and one (1) as a deputy
- (h) One (1) South Newdegate Bush Fire Control Officer as a member and one (1) as a deputy
- (i) One (1) Lake King / Varley Bush Fire Control Officer as a member and one (1) as a deputy
- (j) One (1) Mt Madden / Dunn Rock Bush Fire Control Officer as a member and one (1) as a deputy

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

The Chief Executive Officer or his/her 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.

2.1.3.7 ATTENDANCE BY GOVERNMENT AGENCIES

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

- (a) Department of Fire & Emergency Services - District Officer Narrogin
- (b) Department of Biodiversity, Conservation and Attractions - Management Officer

2.1.3.8 REPORTING

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

2.1.3.9 TENURE OF MEMBERSHIP

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

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

2.1.3.10 DELEGATED AUTHORITY

Nil

2.1.3.11 COMMITTEE**Chairperson**

The members shall appoint the Chairperson of the BFAC.

Secretary

The Community Emergency Services Manager will fulfil the role of non-voting Secretary.

Standing Ex-Officio Members

Nil

2.1.3.12 MEETINGS**Annual General Meeting**

Nil

Committee Meetings

The committee shall meet at least biannual.

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

Quorum

At least 50% of the members of the Committee.

Voting

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

5.21 Voting

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

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

Minutes

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

5.22 Minutes of council and committee meetings

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

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

Who acts if no presiding member?

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

Chief Bushfire Control Officer, Brigade and other reports

The Chief Bush Fire Control Officer is to provide a report to the meeting.

The Shire Community Emergency Services Manager shall provide a report to the meeting.

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

Working groups

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

Deputations

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

Power of the Council

Nothing herein contained shall restrict the powers of Council.

2.2 Local Emergency Management Committee

2.2.1 Membership

As at 28 October 2019:

Members	Names	
Shire President	Delegate	Cr
	Deputy	Cr
Chief Executive Officer	Ms Denise Gobbart	
Community Emergency Services Manager		
Chief Bush Fire Control Office	Mr Brad Watson	
Lake Grace District Health Service	Ms Sara Pellant	
Lake Grace Fire & Rescue Captain	Mr Reid Stubberfield	
St John Ambulance – Lake Grace	Ms Lois Dickins	
St John Ambulance – Newdegate	Mr Gary Guelfi	
St John Ambulance – Lake King	Ms Kylie Sugg	
St John Ambulance – Varley	Ms Naomi Cornwall	
Lake Grace District High School	Mr Scott Tapper	
CBH Group Lake Grace	Mr Chris Poot	
Department of Biodiversity, Conservation Attractions	Mr Mitchell Davies	
Department of Communities	Mr Neville Blackburn	
Department of Fire & Emergency Services	Mr Simon Vogel	
Primary Industries & Regional Development	Ms Alison Lacey	
Main Roads WA	Ms Cathy Morey	
WA Police Service – Officer in Charge	Mr Travis Taylor	

Quorum: At least 50% of the members of the Committee.

2.2.2 Terms of Reference

Adopted by Council on 21 October 2015

2.2.3 Function

2.2.3.1 NAME

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

2.2.3.2 **DISTRICT**

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

2.2.3.3 **GUIDING PRINCIPLES**

Nil

2.2.3.4 **ESTABLISHMENT**

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

2.2.3.5 **OBJECTIVES**

- (a) To keep up to date the Contact details in the Local Emergency Management Arrangements (LEMAs).
- (b) Post-incident reports.
- (c) Post-exercise reports.
- (d) Funding Nominations and applications progress
- (e) To plan, administer and test the Local Emergency Management Arrangements.
- (f) Produce and approve an Annual Business Plan
- (g) Produce an Annual Report

The committee shall advise local government all matters relating to Emergency management.

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

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

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

2.2.3.6 **MEMBERSHIP**

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

Chair: SoLG President
Deputy Chair: SoLG Local Emergency Coordinator
Executive Officer: Community Emergency Services Manager
Members: SoLG Chief Executive Officer - Local Recovery Coordinator
 SoLG Chief Bush Fire Control Officer
 Lake Grace District Health Service
 Lake Grace Fire & Rescue - Captain
 St John Ambulance – Lake Grace
 St John Ambulance – Newdegate
 St John Ambulance – Lake King
 St John Ambulance – Varley
 Lake Grace District High School
 CBH Group – Lake Grace
 Department of Biodiversity, Conservation and Attractions
 Department of Communities - Katanning
 Department of Fire & Emergency Services - Narrogin
 Department of Primary Industries & Regional Development - Narrogin

Main Roads WA - Narrogin
WA Police Service – Lake Grace Officer In Charge

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

2.2.3.7

ATTENDANCE BY GOVERNMENT AGENCIES

- (a) Department of Biodiversity, Conservation and Attractions
- (b) Department of Communities - Katanning
- (c) Department of Fire & Emergency Services - Narrogin
- (d) Department of Primary Industries & Regional Development - Narrogin
- (e) Main Roads WA - Narrogin
- (f) WA Police Service – Lake Grace Officer In Charge

2.2.3.8

REPORTING

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

2.2.3.9

TENURE OF MEMBERSHIP

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

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

2.2.3.10

DELEGATED AUTHORITY

Nil

2.2.3.11

COMMITTEE

Chairperson

Shire of Lake Grace President

Secretary

The Executive Office will fulfil the role of Secretary.

Standing Ex-Officio Members

Nil

2.2.3.12

MEETINGS**Annual General Meeting**

Nil

Committee Meetings

The committee shall be held quarterly, on the second Thursday of August, November, February and May at 1pm. The meeting schedule is subject to change due to availability of the LEMC members.

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

Quorum

At least 50% of the members of the Committee.

Voting

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

5.21 Voting

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

Minutes

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

5.22 Minutes of council and committee meetings

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

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

Who acts if no presiding member?

The Local Emergency Coordinator should be appointed Deputy Chair.

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

Working groups

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

Deputations

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

Power of the Council

Nothing herein contained shall restrict the powers of Council.

2.3 Lake Grace Library Resource and Community Resource Centre Management Committee

2.3.1 Membership

As at 28 October 2019:

Members	Names
Ministers Representative	Mr Scott Tapper - Principal
Ministers Representative	Mrs Michelle Lay
Shire Representative	CEO or Representative
Shire Representative	Cr
Lake Grace CRC Representative	
Community Representative	Mr Ollie Farrelly

Quorum: 4 members which must include 1 representative of the Minister, 1 representative of the Shire, 1 representative of the LGCRC and 1 representative of the local community.

2.3.2 Terms of Reference

Adopted by Council on 22 February 2017, in accordance with Schedule B Committee Rules in the 2016 Agreement between the Minister of Education and the Shire of Lake Grace and the Lake Grace Community Resource Centre Inc.

2.3.3 Function

2.3.3.1 NAME

The name of the Committee shall be The Lake Grace Library Resource and Community Resource Centre Management Committee hereinafter referred to in its abbreviated form as LGLRCRCMC.

2.3.3.2 DISTRICT

The LGLRCRCMC shall operate within the local government boundaries of the Shire of Lake Grace.

2.3.3.3 GUIDING PRINCIPLES

The 2016 Agreement between the Minister of Education and the Shire of Lake Grace and the Lake Grace Community Resource Centre Inc. to facilitate the management and control of the centre by the Shire, the Lake Grace CRC and the Minister according to the terms of the Agreement.

2.3.3.4 ESTABLISHMENT

The Committee is established pursuant to *Section 5.8 of the Local Government Act 1995* and Section 4 of the 2016 Agreement between the Minister of Education and the Shire of Lake Grace and the Lake Grace Community Resource Centre Inc.

2.3.3.5 OBJECTIVES

Subject to mutual directions from the Shire and the Minister and subject to the Agreement to which the committee rules the objectives are;

- 1) To facilitate the management and control of the Centre by the Shire, the LGCRC and the Minister according to the terms of the Agreement.
- 2) To undertake the overall planning and management of the Centre in accordance with the requirements and policies of the Shire, the LGCRC and the Minister.
- 3) To develop community awareness of the potential and the limitations of the Centre and to facilitate communication between users of the Centre, the Shire, the LGCRC and the Minister.
- 4) To make recommendations to the Shire, the LGCRC and the Minister on the standards of facilities and services provided by the Centre.
- 5) To assist in the preparation of an annual operating budget to satisfy the requirements of the Shire, the LGCRC and the Minister having regard to the prime objectives of providing a coordinated and comprehensive library resource and community resource service.
- 6) To provide specific policies and guidelines for the Centre staff to follow and together with the Library Co-ordinator to design and implement a method of acquisition storage control and issue of all materials held in the Centre.
- 7) To make the maximum use of all the resources of the Centre (including staff) in order to provide the best possible service to all users of the Centre.
- 8) To assist in the natural assimilation of the Centre into the School and the community of the Shire.

2.3.3.6

MEMBERSHIP

Membership is according to the 2016 Agreement between the Minister of Education and the Shire of Lake Grace and the Lake Grace Community Resource Centre Inc.

Shire:	2 Members appointed by the shire (CEO and Councillor)
Minister:	2 Members appointed by the Minister (one of whom is the Principal)
LGCRC:	1 Member appointed by the Lake Grace Community Resource Centre (LGCRC)
Community:	1 elected community member

The library coordinator shall provide secretarial and administrative support to the committee.

If any member is unable to attend a particular meeting that member may appoint a proxy to attend that meeting on that member's behalf by giving written notice of the appointment to the Chairperson or the Library Co-ordinator at least 7 days before the relevant meeting. The member must nominate in the notice whether the proxy will have voting rights.

2.3.3.7

REPORTING

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

2.3.3.8

TENURE OF MEMBERSHIP

A member may resign from the committee by written notice to that effect delivered to the Principal or the Shire.

Each party may each in regard to its respective appointees at any time and from time to time;

- (a) Revoke an appointment and appoint another person in place of the member whose appointment is revoked;
- (b) Appoint a person to act temporarily as a member during the absence of any member and a person while so acting shall be deemed to be a member; and

- (c) Appoint another person to act as a member in place of a member who resigns.

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

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

2.3.3.9 **DELEGATED AUTHORITY**
Nil

2.3.3.10 **COMMITTEE**
Chairperson

Shall be appointed by the committee annually

Deputy Chairperson

Shall be appointed by the committee annually

Executive Officer

The Library Coordinator shall be the Committee's executive officer will fulfil the role of non-voting Secretary.

Standing Ex-Officio Members

Nil

Procedures

The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules, any legislation or other law, or the policies by laws or regulations of the Minister or any right power authority or duty conferred or imposed on the Minister or the Shire or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal and the CEO.

Powers

The committee may;

- (a) advise the Minister and the Shire on the selection and appointment of the Library Co-ordinator;
- (b) make recommendations to the Minister and the Shire relating to other library staff of the Centre;
- (c) where applicable endorse the duty statement of any member of the staff of the Centre;

- (d) liaise and accept additional materials offered to the Centre by way of community donation; provided that such donations conform to the Libraries Selection Guidelines; and
- (e) with the prior written approval of the Minister, the LGCRC and the Shire establish advisory committees to include community users of the Centre and prescribe the functions of those committees.
- (f) Shall not handle money;
- (g) Shall not undertake any obligation involving the expenditure of money with the prior written approval of the Minister, the Centre and the Shire or (in a case involving expenditure of money by only one of those Parties) the prior written approval of the Minister, the Centre or the Shire as the case may require.

2.3.3.11

MEETINGS

Annual General Meeting

Nil

Committee Meetings

The committee shall meet at intervals no greater than 6 months.

Quorum

4 members which must include 1 representative of the Minister, 1 representative of the Shire, 1 representative of the LGCRC and 1 representative of the local community.

Voting

Each member has one (1) vote and the Chairperson shall not have a casting vote.

In the case of a voting deadlock the matter shall be referred to the Minister and the Shire for consideration and direction.

Minutes

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

5.22 Minutes of council and committee meetings

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

A copy of the unconfirmed minutes shall be forwarded to the Principal and the CEO and each member within two (2) weeks of the meeting.

Who acts if no presiding member?

The Deputy Chairperson presides in the absence of the Chairperson.

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

Power of the Council

Nothing herein contained shall restrict the powers of Council.

2.4 Newdegate Community Library Management Committee

2.4.1 Membership

As at 28 October 2019:

Members	Names
Ministers Representative	- Principal
Ministers Representative	
Shire Representative	CEO or Representative
Shire Representative	Cr
Newdegate CRC Representative	
Newdegate CRC Representative	
Community Representative	Ms Nicole Kennedy

Quorum: 4 members which must include 1 representative of the Minister, 1 representative of the Shire, 1 representative of the Newdegate CRC.

2.4.2 Terms of Reference

Adopted by Council on 22 February 2017, in accordance with Annexure A Management Committee Rules in the 2014 Agreement between the Minister of Education and the Newdegate Community Resource Centre Inc and the Shire of Lake Grace.

2.4.3 Function

2.4.3.1 NAME

The name of the Committee shall be the Newdegate Community Library Management Committee hereinafter referred to in its abbreviated form as NCLMC.

2.4.3.2 DISTRICT

The NCLMC shall operate within the local government boundaries of the Shire of Lake Grace.

2.4.3.3 GUIDING PRINCIPLES

The 2014 Agreement between the Minister of Education and the Newdegate Community Resource Centre Inc. and the Shire of Lake Grace to facilitate the management and control of the centre by the Shire, the Newdegate CRC and the Minister according to the terms of the Agreement.

2.4.3.4 ESTABLISHMENT

The Committee is established pursuant to *Section 5.8 of the Local Government Act 1995* and Section 31 of the 2014 Agreement between the Minister of Education and the Newdegate Community Resource Centre Inc and the Shire of Lake Grace.

2.4.3.5 OBJECTIVES

Subject to mutual directions from the Shire, the Newdegate CRC and the Minister and subject to the Agreement to which the committee rules the objectives are;

- 1) to ensure that the Facilities are administered efficiently and in accordance with principles and procedures set down in the Agreement.

- 2) to maintain policy and guidelines which shape the day-to-day operation of the Facilities;
- 3) to annually review matters relating to fees and charges, access and service delivery;
- 4) to annually review plans for the Facilities to ensure that they are consistent with the Agreement and complement the needs and aspirations of persons using the Facilities;
- 5) to assist in mediating and settling any disputes arising from the use of the Facilities;
- 6) to facilitate the management and control of the Facilities in accordance with the requirements and policies of the Shire and the Minister;
- 7) to develop community awareness of the potential and the limitations of the Facilities and to facilitate communication between users of the Facilities, the Shire, the Centre and the Minister;
- 8) to encourage and facilitate access to the resources of the Facilities so that they are available to both School and public/community users;
- 9) to ensure that the equipment and other resources of the Facilities will be of good quality and suitable to meet the needs of the School and community users;
- 10) to ensure that there will be coordinated management and administration of all information materials, items and resources used in the Facilities;
- 11) to encourage and facilitate the provision of fully integrated and efficient services, facilities and operation for the benefit of both School and community users; and
- 12) to liaise and accept additional materials offered to the Facilities by way of community donation; provided that such donations to the Library conform to the Shire's and the Department of Education's Libraries Selection Guidelines.

2.4.3.6

MEMBERSHIP

Membership is according to the 2014 Agreement between the Minister of Education and the Newdegate Community Resource Centre Inc. and the Shire of Lake Grace

Shire:	2 Members appointed by the shire
Minister:	2 Members appointed by the Minister
LGCRRC:	2 Members appointed by the Newdegate Community Resource Centre (NCRC)
Community:	1 Member of the local community appointed by the Shire.

The committee shall appoint a secretary who will provide secretarial and administrative support to the committee.

2.4.3.7

REPORTING

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

2.4.3.8

TENURE OF MEMBERSHIP

A member may resign from the committee by written notice to that effect delivered to the Principal, the Newdegate CRC or the Shire.

Each party may each in regard to its respective appointees at any time and from time to time;

- (a) Revoke an appointment and appoint another person in place of the member whose appointment is revoked;

- (b) Appoint a person to act temporarily as a member during the absence of any member and a person while so acting shall be deemed to be a member; and
- (c) Appoint another person to act as a member in place of a member who resigns.

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

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

2.4.3.9 **DELEGATED AUTHORITY**
Nil

2.4.3.10 **COMMITTEE**
Chairperson
 Shall be appointed by the committee annually
Deputy Chairperson
 Shall be appointed by the committee annually

Secretary
 The committee shall appoint a secretary

Standing Ex-Officio Members
 Nil

Procedures
 The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules, any legislation or other law, or the policies by laws or regulations of the Minister or any right power authority or duty conferred or imposed on the Minister, the Centre or the Shire or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal, the Chairperson of the Centre and the Chief Executive Officer of the Shire.

Powers
 The committee shall not;
 (a) not handle money;
 (b) not undertake any obligation involving the expenditure of money with the prior written approval of the Minister, the Centre and the Shire or (in a case involving expenditure of money by only one of those Parties) the prior written approval of the Minister, the Centre or the Shire as the case may require.

2.4.3.11

MEETINGSAnnual General Meeting

Nil

Committee Meetings

The committee shall meet at intervals no greater than 6 months.

Quorum

4 members which must include 1 representative of the Minister, 1 representative of the Shire, 1 representative of the Newdegate CRC.

Voting

Each member has one (1) vote and the Chairperson shall not have a casting vote.

In the case of a voting deadlock the matter shall be referred to the Minister, the Newdegate CRC and the Shire for consideration and direction.

Minutes

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

5.22 Minutes of council and committee meetings

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

A copy of the unconfirmed minutes shall be forwarded to the Principal and the CEO and each member within two (2) weeks of the meeting.

Who acts if no presiding member?

The Deputy Chairperson presides in the absence of the Chairperson.

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

Power of the Council

Nothing herein contained shall restrict the powers of Council.

2.5 Newdegate Swimming Pool Management Committee

2.5.1 Membership

As at 28 October 2019:

Members	Names
Ministers Representative	- Principal
Ministers Representative	M
Ministers Representative	M
Shire Representative	Cr
Shire Representative	Cr
Shire Representative	CEO or Representative

Quorum: 4 members which must include at least one (1) representative of the Minister and one (1) representative of the Shire.

2.5.2 Terms of Reference

Adopted by Council on 15 December 2015, in accordance with Annexure A Management Committee Rules in the 2011 Licence between the Minister of Education and the Shire of Lake Grace.

2.5.3 Function

2.5.3.1 NAME

The name of the Committee shall be the Newdegate Swimming Pool Management Committee hereinafter referred to in its abbreviated form as NSPMC.

2.5.3.2 DISTRICT

The NSPMC shall operate within the local government boundaries of the Shire of Lake Grace.

2.5.3.3 GUIDING PRINCIPLES

The 2011 Licence between the Minister of Education and the Shire of Lake Grace to facilitate the management of the facilities by the Shire and the Minister.

2.5.3.4 ESTABLISHMENT

The Committee is established pursuant to *Section 5.8* of the *Local Government Act 1995* and *Section 31* of the 2011 Agreement between the Minister of Education and the Shire of Lake Grace.

2.5.3.5 OBJECTIVES

Subject to directions of the Minister and the Shire and subject to the Licence and of these Rules the objectives are;

- 1) to advise on the management and control of the Facilities by the Parties according to the terms of the Agreement;
- 2) to develop community awareness of the potential of the Facilities;
- 3) to promote communication between the Minister, the Shire and users of the Facilities, including booking guidelines and procedures;

- 4) to make recommendations to the Shire and the Minister on:
 - a) the conditions of hire;
 - b) hire charges;
 - c) staffing and maintenance;
 - d) the settlement and disputes involving management procedures; and
 - e) the standard of the Facilities.

2.5.3.6 **MEMBERSHIP**

Membership is according to the 2011 Licence between the Minister of Education and the Newdegate Community Resource Centre Inc. and the Shire of Lake Grace

Shire: 3 Members appointed by the shire

Minister: 3 Members appointed by the Minister

The committee shall appoint a secretary who will provide secretarial and administrative support to the committee.

2.5.3.7 **REPORTING**

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

2.5.3.8 **TENURE OF MEMBERSHIP**

A member may resign from the Management committee by written notice to that effect delivered to the Presiding Member.

Each party may each in regard to its respective appointees at any time and from time to time;

- (a) remove any appointee and appoint another person in that appointee's place;
- (b) appoint a person to act temporarily during the absence of an appointee and a person while so acting shall be deemed to be a member; and
- (c) appoint another person to act as a member in place of a member who resigns.

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

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

2.5.3.9 **DELEGATED AUTHORITY**

Nil

2.5.3.10

COMMITTEE

Chairperson

Shall be appointed by the committee

Deputy Chairperson

Shall be appointed by the committee

Secretary

The committee shall appoint a secretary

Standing Ex-Officio Members

Nil

Procedures

The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules, any legislation or other law, or the policies by laws or regulations of the Minister or any right power authority or duty conferred or imposed on the Shire and the Minister or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal.

Powers

The committee shall not;

- (a) not handle any cash. All receipts and payments relating to the operation of the Facilities shall be processed as appropriate by the existing accounting systems of either the Minister or the Shire; and
- (b) bind either the Minister or the Shire to any monetary or procedural obligation without the prior approval of both Parties or the particular Party in the case of a specific monetary or procedural matter.

2.5.3.11

MEETINGS

Annual General Meeting

Nil

Committee Meetings

The committee shall meet at least once per semester.

Quorum

4 members which must include 1 representative of the Minister, 1 representative of the Shire

Voting

Each member has one (1) vote and the Chairperson shall not have a casting vote.

In the case of a voting deadlock the matter shall be referred to the Shire and the Minister for consideration and direction.

Minutes

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

5.22 Minutes of council and committee meetings

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

A copy of the unconfirmed minutes shall be forwarded to the Principal and the CEO and each member within two (2) weeks of the meeting.

Who acts if no presiding member?

The Deputy Chairperson presides in the absence of the Chairperson.

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

5.14 Who acts if no presiding member

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

Meetings

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

Members interests to be disclosed

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

Power of the Council

Nothing herein contained shall restrict the powers of Council.

PART 3 – ADVISORY GROUPS

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

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

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

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

3.1 Advisory Group Membership and Objectives

3.1.1 Shire of Lake Grace Integrated Planning & Asset Management Group

The working group is an advisory group to provide input into strategic management of the Shire assets. The intention and purpose of the group is;

- To foster strategic management of the Shire Infrastructure assets for the benefit of the local community
- To be aware of existing and future infrastructure management issues and to address these by developing, implementing and evaluating appropriate strategies, management plans and policy.
- To manage the infrastructure in line with asset management framework and plans

3.1.1.1 Membership

Members are appointed as a working group to Council and shall comprise the following unless otherwise determined by the Chief Executive Officer.

Members	Name
Councillor	Cr
Councillor	Cr
Councillor	Cr
Councillor	Cr
Chief Executive Officer	Ms Denise Gobbart
Deputy Chief Executive Officer	Me Alan George
Manager Infrastructure Services	Ms Vanessa Crispe

Quorum

4 members (comprising of 2 Councillors and 2 Officers)

3.1.1.2 Objectives

- To review Shire Policy, management plans and strategies;
- To Engage and foster community involvement and education;
- To identify asset management issues, pursue and review strategies that be adopted;
- To provide feedback on relevant issues to the organisation;
- To consider and review road traffic data relevant to the management issue.

3.1.1.3 Meeting Times

The working group shall meet at least quarterly. Additional meetings shall be convened at the discretion of the group.

3.2 Advisory Groups Terms of Reference**3.2.1 Name**

The names of the Advisory Groups shall be as follows:

Advisory Group Name	Abbreviation
Shire of Lake Grace Integrated Planning & Asset Management Group	IPAM

3.2.2 Responsible Officer

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

Advisory Group Name	Responsible Officer
Shire of Lake Grace Integrated Planning Asset Management Working Group	Manager Infrastructure Services

3.2.3 District

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

3.2.4 Objectives

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

3.2.5 Membership**General**

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

Community representation may also be appointed to the Group.

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

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

Tenure of Membership

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

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

3.2.6 Delegate Authority

Nil

3.2.7 Advisory Group

Chairperson

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

Secretary

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

Standing Ex-Officio Members

Nil

3.2.8 Meetings

Advisory Group Meetings

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

Quorum

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

Voting

1. Each council member and each member of an advisory group who is present at a meeting of the advisory group is entitled to one vote.
2. If the votes of a member present at an advisory group meeting are equally divided, the person presiding is to cast a second vote.
3. If a member of an advisory group specifically requests that there be recorded-
 - a. his or her vote; or
 - b. the vote of all members present
 on a matter voted on at a meeting of the advisory group, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

Minutes

1. The person presiding at a meeting of an Advisory Group is to cause minutes to be kept of the meeting's proceedings.
2. The minutes of an Advisory Group are to be forwarded to Council via the monthly Elected Members Information Bulletin.
3. A report is to be prepared by the responsible officer of the Advisory Group of any recommendation made by the Advisory Group to be presented to Council at the next ordinary meeting of Council, for consideration.

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

Who acts if no presiding member?

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

- (a) the office of presiding member and the office of deputy presiding member are vacant; or
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or willing to perform the functions of presiding member, then the Advisory Group members present at the meeting are to choose one of themselves to preside at the meeting

Meetings

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

Members interests to be disclosed

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

PART 4 – COUNCIL REPRESENTATION ON EXTERNAL ORGANISATIONS

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

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

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

Organisation	Position	Membership	Meeting Frequency
4WDL Regional Organisation of Councils	Delegate	Cr	Bi-monthly
	Deputy	Cr	
	Staff	Chief Executive Officer	
Central Country Zone - WALGA	Delegate	Cr	Bi-monthly
	Delegate	Cr	
	Deputy	Chief Executive Officer	
Eastern Wheatbelt Biosecurity Group	Delegate	Cr	Biannual
	Deputy	Cr	
Lake Grace District High School Board	Delegate	Cr	Bi-monthly
	Deputy	Cr	
Lake Grace Roadwise	Delegate	Cr	Bi-monthly
	Deputy	Cr	
	Staff	Manager Infrastructure Services	
Lake Grace Visitor Centre Committee	Delegate	Cr	Monthly
	Deputy	Cr	
Newdegate Recreation Council	Delegate	Cr	Bi-monthly
	Deputy	Cr	
	Staff	Deputy CEO	
Roe Tourism	Delegate	Cr	Bi-monthly
	Delegate	Cr	
	Deputy	Cr	
Roe Regional Organisation of Councils Roe Health	Delegate	Cr	Bi-monthly
	Deputy	Cr	
	Staff	Chief Executive Officer	
Rural Water Council	Delegate	Cr	Biannual
	Delegate	Cr	
Wheatbelt South Regional Road Group - Lakes Sub Group	Delegate	Cr	As Required (determined annually)
	Deputy	Cr	
	Staff	Chief Executive Officer	

Organisation	Position	Membership	Meeting Frequency
Wheatbelt South Regional Road Group	Delegate	Cr	As Required (determined annually)
	Deputy	Cr	
	Staff	Chief Executive Officer	
Wheatbelt Development Assessment Panel	Members	Cr	As Required
		Cr	
	Alternate Members	Cr	
Wheatbelt Natural Resource Management	Delegate	Mr	As Required (Annually but can call meetings)
	Deputy	Cr	
Wheatbelt Railway Retention Alliance	Delegate	Cr	As Required
	Deputy	Cr	
	Staff	Chief Executive Officer	

11.0 CONFIDENTIAL ITEMS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

Nil.

12.0 CLOSURE

There being no further business, the Shire President closed the meeting at ____ pm.