



AGENDA

SPECIAL MEETING OF COUNCIL

19 OCTOBER 2021

SHIRE OF WAGIN
NOTICE OF MEETING

Dear President and Councillors,

The next Special Meeting of Council will be held

ON: Tuesday 19 OCTOBER 2021

WHERE: Council Chambers, Shire Office

AT: 5:00pm



Bill Atkinson
CHIEF EXECUTIVE OFFICER

Note: That, under section 5.65 of the Local Government Act 1995, care should be exercised by all councillors to ensure that a 'financial interest' is declared and that they refrain from voting on any matters which are considered that may come within the ambit of the Act.

DISCLAIMER

No responsibility is implied or accepted by the Shire of Wagin for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Wagin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Wagin during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Wagin

The Shire of Wagin advises that anyone who has any application lodged with the Shire of Wagin shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Wagin in respect of the application.

Bill Atkinson
CHIEF EXECUTIVE OFFICER

SHIRE OF WAGIN

Agenda for the Special Meeting of Council to be held in the Council Chambers, Wagin on
Tuesday 19 October 2021 commencing at 5pm

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1. OFFICIAL OPENING

The Chief Executive Officer opened the meeting at _____ pm.

2. DECLARATION OF PURPOSE OF MEETING

The purpose of this meeting is to

- Swearing in Councillors elect
- Election of President
- Election of Deputy President
- Appointment of Committees and Council representatives
- Councillor seating arrangements
- Adopt *Management of Bushfire Volunteers* policy

3. SWEARING IN OF COUNCILLORS

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 office.

Regulation 13 of the Local Government (Constitution) Regulation 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 as follows:

I, _____

Of, _____

having been elected to the office of Councillor of the Shire of Wagin, 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.

3.1 GREGORY ROBERT BALL

Councillor Gregory Ball made the following declaration of officer before Mr Williams Atkinson, Chief Executive Officer, who is approved witness to accept a statutory declaration.

3.2 BRYAN LESLIE KILPATRICK

Councillor Bryan Kilpatrick made the following declaration of officer before Mr Williams Atkinson, Chief Executive Officer, who is approved witness to accept a statutory declaration.

3.3 MURIEL ANN O'BRIEN

Councillor Ann O'Brien made the following declaration of officer before Mr Williams Atkinson, Chief Executive Officer, who is approved witness to accept a statutory declaration.

4. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

4.1 ATTENDANCE

Cr Phillip Blight
Cr Greg Ball
Cr Bryan Kilpatrick
Cr Sheryll Chilcott
Cr Bronwyn Hegarty
Cr Wade Longmuir
Cr Geoff West
Cr Ann O'Brien
Bill Atkinson
Brian Roderick
Allen Hicks
Emily Edwards

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Works
Executive Assistant

4.2 APOLOGIES

4.3 VISITORS

4. DISCLOSURE OF FINANCIAL AND OTHER INTERESTS

4.1 DISCLOSURE OF FINANCIAL INTEREST – Local Government Act Section 5.60a

4.2 DISCLOSURE OF PROXIMITY INTEREST – Local Government Act Section 5.6

4.3 DISCLOSURE OF IMPARTIALITY INTEREST – Administration Regulation Section 34c

5. ELECTION OF PRESIDENT & DEPUTY PRESIDENT

5.1 ELECTION OF PRESIDENT

The Chief Executive Officer will call for nominations for the office of President.

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

Nominations for the position of 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.

At the time of the agenda preparation, no nominations for President were received.

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

NOMINATIONS

_____ nomination/s were received for position of President and was received in writing by the Chief Executive Officer. The Chief Executive Officer called for further nominations and allowed sufficient time for further nominations. _____ further nominations were received at the meeting.

The Chief Executive Officer declared Councillor _____ duly elected as President of the Shire of Wagin, term expiry October 2023.

Councillor _____ made the following declaration of officer before Mr Williams Atkinson, Chief Executive Officer, who is approved witness to accept a statutory declaration.

OATHS, AFFIRMATIONS AND DECLARATIONS (S. 2.29, 2.42)

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 President:

I, _____

Of, _____

having been elected to the office of President of the Shire of Wagin, 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 Chief Executive Officer to hand the meeting over to the newly elected President.

5.2 ELECTION OF DEPUTY PRESIDENT

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

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

Nominations for the position of Deputy 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.

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

NOMINATIONS

_____ nomination/s were received for position of Deputy President and was received in writing by the Chief Executive Officer. The President called for further nominations and allowed sufficient time for further nominations. _____ further nominations were received at the meeting.

The President declared Councillor _____ duly elected as Deputy President of the Shire of Wagin, term expiry October 2023.

Councillor _____ made the following declaration of officer before Mr Williams Atkinson, Chief Executive Officer, who is approved witness to accept a statutory declaration.

OATHS, AFFIRMATIONS AND DECLARATIONS (S. 2.29, 2.42)

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 President:

I, _____

Of, _____

having been elected to the office of Deputy President of the Shire of Wagin, 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.

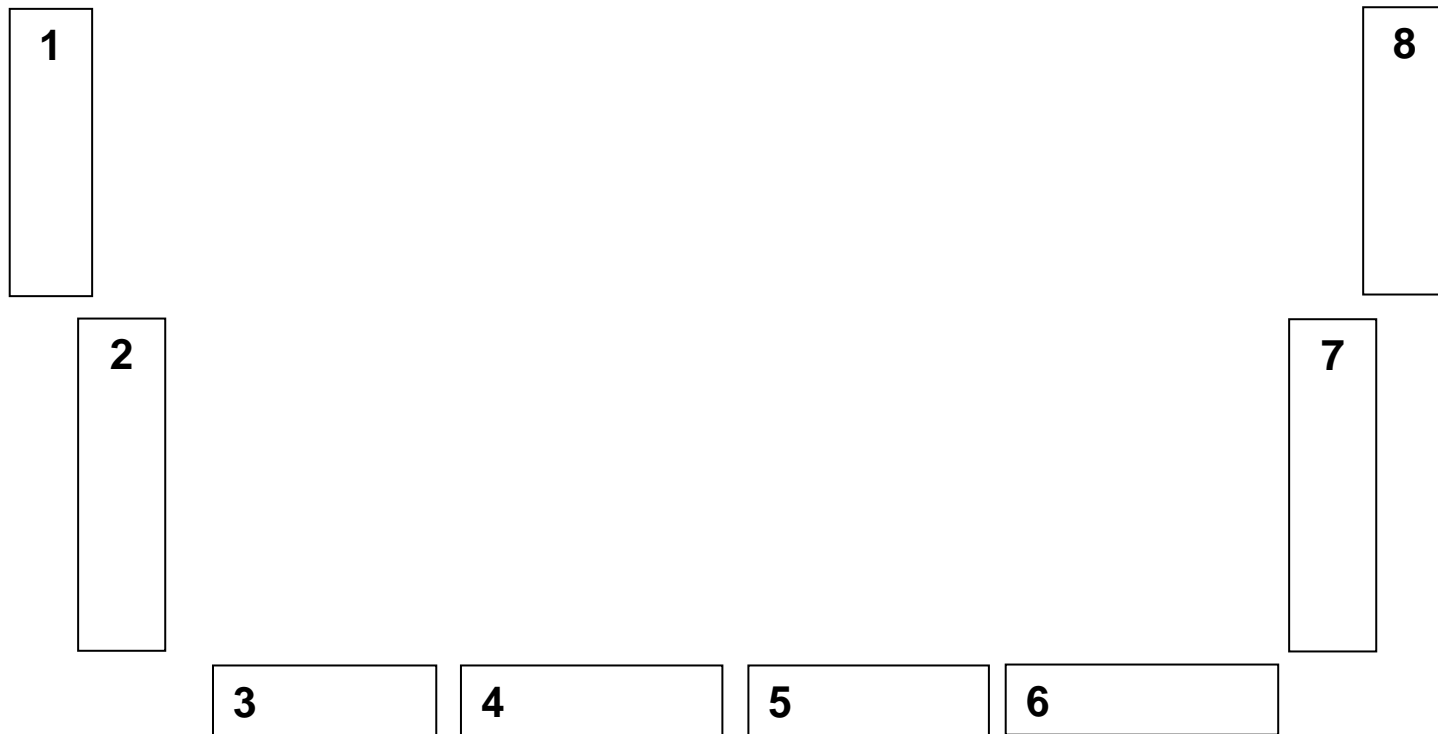
5.3 ALLOCATION OF SEATING ARRANGEMENT

It has been past practice at the first meeting held after each ordinary elections day, for the CEO to allot by random draw, a position at the Council table to each councillor and the councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions.

An alternative is allocate seating to accommodate those Councillors who want to be closer to the top table to better hear proceedings.

SEATING POSITION

OCTOBER 2021-2023



5.4 APPOINTMENT OF COUNCILLORS TO VARIOUS COMMITTEES

| | |
|-------------------------|--|
| AUTHOR OF REPORT: | Executive Officer |
| SENIOR OFFICER: | Chief Executive Officer |
| DATE OF REPORT: | 12 October 2021 |
| PREVIOUS REPORT(S): | Nil |
| DISCLOSURE OF INTEREST: | Nil |
| FILE REFERENCE: | CM.PO.1 |
| ATTACHMENTS: | <ul style="list-style-type: none">• Committee Delegates 2021-2023• Committee Manual 2021-2023 |

OFFICER RECOMMENDATION 1

Moved Cr

Seconded Cr

That Council appoint the following elected members to these eight 'Committees of Council', which are to attract sitting fees, additional to Ordinary Council Meeting and Special Council Meeting, for these committees only.

Audit Committee

- Cr
- Cr
- Cr
- Cr

Bushfire Advisory Committee

- Cr
- Cr (Proxy)

CEO Review Committee

- Cr
- Cr
- Cr
- Cr

Finance and General-Purpose Committee

- Cr
- Cr
- Cr
- Cr

Local Emergency Management Committee

- Cr (President)
- Cr (Proxy)

Sportsground Advisory/Recreation Centre Management Committee

- Cr
- Cr
- Cr (Proxy)

Sportsground Precinct Redevelopment Committee

- Cr
- Cr

Works and Services Committee

- Cr
- Cr
- Cr
- Cr

Carried 0/0

OFFICER RECOMMENDATION 2

Moved Cr

Seconded Cr

That Council appoint the following elected members to the below working groups/external committees as Council representatives:

4WDL VROC

- Cr
- Cr

Civic Awards Committee

- Cr (President)
- Cr (Deputy President)
- Cr (Proxy)
- Chief Executive Officer

Community Assisted Transport Stakeholder Reference Group

- Cr
- Cr (Proxy)

Community Centre Committee

- Cr

Community Resource Centre Committee

- Cr

Cottage Homes Committee

- Cr

Developments Assessment Panel

- Cr
- Cr
- Cr (Proxy)
- Cr (Proxy)

Frail Aged Homes Committee/Waratah

- Cr

Historical Village Committee

- Cr

Parents & Citizens Association

- Cr

Piesseville Hall

- Cr

Regional Road Group

- Cr
- Cr (Proxy)
- Chief Executive Officer

School Bus Committee

- Cr

Townscape, Tourism and Promotion Committee (Wagin Chamber of Commerce)

- Cr
- Cr

Wagin/Woodanilling Landcare Zone

- Cr
- Chief Executive Officer

WALGA Central Country Zone

- Cr
- Cr
- Cr (Proxy)
- Chief Executive Officer

Woolarama Committee

- Cr
- Cr (Proxy)

Carried 0/0

OFFICER RECOMMENDATION 3

Moved Cr

Seconded Cr

That Council disband the following Committees of Council. These committees' functions will become functions of the newly appointed committees or new external working groups/external organisations;

- **Asset Management Committee**
- **Great Southern Regional Waste Group**
- **Airport Redevelopment Committee**
- **Tourism and Promotion Committee**
- **Townscape Enhancement Committee**
- **Waste Management and Recycling Committee**
- **Economic Development Advisory Committee**
- **Community Bus Committee**

Carried 0/0

BRIEF SUMMARY

Following the ordinary council election held on 16 October 2021, Council is required to appoint elected members to committees.

BACKGROUND/COMMENT

In accordance with section 5.8, 5.9 and 5.10 of the *Local Government Act 1995* Council has established the following Committees with a tenure of members due to expire on the date of the Local Government Elections, October 2023;

- Finance and General-Purpose Committee
- Works and Services Committee
- Audit Committee
- CEO Review Committee
- Bushfire Advisory Committee
- Local Emergency Management Committee
- Sportsground Precinct Redevelopment Committee
- Sportsground Advisory Committee

As identified in the 'Committees of Council, Working Groups and External Organisations' Manual the following is listed;

- Terms of Reference
- Meeting Quorum
- Meeting frequency
- Responsible Officer

These nine committees, along with Ordinary Council Meetings and Special Council Meetings will attract sitting fees as set by Council. For other external committees or working groups, elected members will be reimbursed for travel costs (only) in line with the Salaries and Allowances Tribunal as stated in Council Policy C.2 – Councillors Out of Pocket Expenses.

As some Committees of Council include Community Members (“other Persons” as defined in the Act), the tenure of these members, expires either at the end of the tenure of appointment or on the date of the next ordinary election.

As these new committee appointments are made, it is a requirement that Council calls for new appointments of ‘Other Persons’ once the committees are formed. This process will take place after the Special Council Meeting.

CONSULTATION/COMMUNICATION

Nil

STATUTORY/LEGAL IMPLICATIONS

- *Local Government Act 1995*
- *Salaries and Allowances Tribunal*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

| COMMITTEES OF COUNCIL | No. of Cr | 2021- 2023 DELEGATES | Resp. Officer | Quorum |
|--|-------------|----------------------|-----------------|--------|
| Audit Committee | 4 | | Manager Finance | 3 |
| Bushfire Advisory Committee | 1 x 1 Proxy | | Deputy CEO | 9 |
| CEO Review Committee | 4 | | CEO | 3 |
| Finance and General Purposes Committee | 4 | | Deputy CEO | 3 |
| Local Emergency Management Committee | 1 x 1 Proxy | | Deputy CEO | 10 |
| Sportsground Advisory / Recreation Centre Management Committee | 2 x 1 Proxy | | Deputy CEO | 6 |
| Sportsground Precinct Redevelopment Committee | 2 | | Deputy CEO | 6 |
| Works and Service Committee | 4 | | CEO/MOW | 3 |

| OTHER COMMITTEES | No. of Cr | 2021- 2023 DELEGATES | Resp. Officer | Quorum |
|---|-------------|---|---------------|--------|
| 4WDL VROC | 2 | | | |
| Civic Awards Committee | 2 x 1 Proxy | President (Cr.) Deputy President (Cr.) Cr (Proxy) & CEO | CEO | |
| Community Assisted Transport (Cats) Stakeholder Reference Group Shire of Narrogin | 1 x 1 Proxy | | | |
| Community Centre Committee | 1 | | | |
| Community Resource Centre | 1 | | | |
| Cottage Homes Committee | 1 | | | |
| Development Assessment Panels | 2 x 2 Proxy | | | |
| Frail Aged Homes Committee/Waratah | 1 | | | |
| Historical Village Committee | 1 | | | |
| Parents & Citizens Association | 1 | | | |
| Piesseville Hall | 1 | | | |
| Regional Road Group | 1 x 1 Proxy | Cr (Cr. Proxy) CEO | | |
| School Bus Committee | 1 | | | |
| Townscape, Tourism and Promotion Committee | 2 | | | |
| Wagin/Woodanilling Landcare Zone | 1 | Cr CEO | | |
| WALGA Central Country Zone | 2 x 1 Proxy | | | |
| Woolarama Committee | 1 x 1 Proxy | | | |



SHIRE OF WAGIN

COMMITTEES OF COUNCIL, WORKING GROUPS AND EXTERNAL ORGANISATIONS

2021 - 2023

ESTABLISHMENT OF 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.

TYPES OF COMMITTEES

Section 5.9 provides that a Committee can comprise:

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

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.

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 a 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.

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.

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 Schedule 2.3, Divisions 1 and 2 as if the references in that schedule were varied to relate to committees.

QUORUM

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

The Council may, with 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 be a quorum for the meeting.

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 the 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.

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.

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'.

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 provisions of the Local Government Act and Council's Standing Orders relating to committees and committee meetings.

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COMMITTEES OF COUNCIL

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| 6. | SPORTSGROUND ADVISORY/RECREATION CENTRE MANAGEMENT COMMITTEE | 14 |
| 7. | SPORTSGROUND PRECINCT REDEVELOPMENT COMMITTEE | 15 |
| 8. | WORKS AND SERVICES COMMITTEE | 17 |

| | | |
|--|---|----|
| | EXTERNAL COMMITTEES OR WORKING GROUPS | 18 |
|--|---|----|

SHIRE OF WAGIN

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

1. AUDIT COMMITTEE

MEMBERSHIP

4 x Councillors

Cr
Cr
Cr
Cr

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

As required but at least once per year

QUORUM

Three (3)

FUNCTIONS/TERMS OF REFERENCE

The Local Government Act 1995 (the Act) requires that all local governments establish an audit committee. An audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relations to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

The objective of the Committee is to assist Council in providing a transparent and independent process in its audit, risk and governance management to ensure accountability to the community in the governance and compliance framework and its financial and risk management responsibilities.

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

The Committee will ensure openness in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems, risk management framework, and compliance with legislation.

DELEGATED AUTHORITY

To meet with the Council's auditor at least once each financial year in compliance with the *Local Government Act 1995*.

2. BUSHFIRE ADVISORY COMMITTEE

MEMBERSHIP

1 x Councillors (1 x Proxy)

| | |
|----|-----------------|
| Cr | Shire President |
| Cr | Proxy |

15 x External Community Representatives

| | |
|-------------------------------------|----------------|
| Chief Bushfire Control Officer | Ross Goldsmith |
| Piesseville Brigade Representative | |
| Piesseville Brigade Representative | |
| Lime Lake Brigade Representative | |
| Lime Lake Brigade Representative | |
| Badjarning Brigade Representative | |
| Badjarning Brigade Representative | |
| Ballaying Brigade Representative | |
| Ballaying Brigade Representative | |
| Cancanning Brigade Representative | |
| Cancanning Brigade Representative | |
| Wedgescarrup Brigade Representative | |
| Wedgescarrup Brigade Representative | |
| Town Brigade Representative | |
| Town Brigade Representative | |

Staff

| | |
|---------------------------|--------------|
| Community Liaison Officer | Donna George |
|---------------------------|--------------|

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

As required but at least once per year

QUORUM

Nine (9)

FUNCTIONS/TERMS OF REFERENCE

Section 67 (1) of the Bush Fires Act 1954 states that:

“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.”

DELEGATED AUTHORITY

Nil

3. CEO REVIEW COMMITTEE

MEMBERSHIP

4 x Councillors

Cr
Cr
Cr
Cr

RESPONSIBLE OFFICER

Chief Executive Officer

MEETING FREQUENCY

Annually

QUORUM

Three (3)

FUNCTIONS/TERMS OF REFERENCE

Terms of Reference are:

- The CEO Review Committee is to coordinate the recruitment process in an appropriately confidential manner, including working with an appointed independent recruitment consultant to attract and select appropriate candidates;
- The CEO Review Committee, with the assistance of a recruitment consultant, is to coordinate the advertising, search for candidates, short listing, screening, assessing, conducting referee checks, writing reports and contract preparation; and
- The CEO Review Committee is to report back to Council throughout the process and provide Council with sufficient advice to permit a determining decision to be made at an Ordinary Meeting of Council regarding the final selection, appointment and contracting of the CEO.

DELEGATED AUTHORITY

Nil

4. FINANCE AND GENERAL-PURPOSE COMMITTEE

MEMBERSHIP

4 x Councillors

Cr
Cr
Cr
Cr

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

As required, at a minimum once annually

QUORUM

Three (3)

FUNCTIONS/TERMS OF REFERENCE

Will deal with

1. All financial issues including surveillance over Councils finances and accountability of revenue and expenditure as determined by the current budget.
 - a) Borrowing of funds by loan or overdraft
 - b) Council accounts
 - c) Appointment and remuneration of officers and matters pertaining to their employment as detailed in Councils Policy.
2. Management and Use of Council properties including buildings for municipal use
3. Purchase of lands or property as may be determined by council.
4. Sale, Lease or rental of Council property
5. Bylaws relating to areas of responsibility
6. Preparation and arrangement of civic functions
7. Surveillance over the preparation of the Council budget and compilation of estimated revenue and expenditure items from other standing committees to draw up draft budget for referral to Council.
8. Overview of matters relating to public relations, publications and other Council information
9. Management and conduct of community service including Library
 - i. Ranger, Caravan Park and social welfare services
10. Promotion of cultural and recreational activities
11. Such matters not under the care of other Committees.

DELEGATED AUTHORITY

Nil

5. LOCAL EMERGENCY MANAGEMENT COMMITTEE

MEMBERSHIP

1x Councillors (1x Proxy)

Cr

Shire President

Cr

Proxy

18 x External Community Representatives

- Officer in Charge – Wagin Police Station
- Chief Bushfire Control Officer
- Deputy Chief Bushfire Control Officer
- Wagin Hospital Representative
- Wagin VFRS Representative
- Wagin St John Ambulance Representative
- Wagin District High School Representative
- Department of Communities Representative
- Department of Fire and Emergency Services Representative
- Office of Emergency Management Representative
- Waratah Lodge/Wagin Frail Aged Representative
- Wagin SES Representative
- Roadwise Representative
- Wagin Homecare Representative
- Water Corporation
- Salvation Army – Narrogin Representative
- Main Roads WA Representative
- Wagin General Practice – General Practitioner

Staff

Community Liaison Officer

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

Quarterly

QUORUM

Ten (10)

FUNCTIONS/TERMS OF REFERENCE

Section 39 of the Emergency Management Act 2005 states that:

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.

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|----------------------------|
| DELEGATED AUTHORITY |
|----------------------------|

Nil

6. SPORTSGROUND ADVISORY/RECREATION CENTRE MANAGEMENT COMMITTEE

MEMBERSHIP

2 x Councillors (1 x Proxy)

Cr

Cr

Cr

(Proxy)

9 x External Community Representatives

Wagin Agricultural Society

Wagin Agricultural Society

Wagin Football Club

Wagin Cricket Club

Wagin Hockey Club

Wagin Netball Club

Wagin Trotting Club

Wagin Trotting Club

Wagin Playgroup

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

As required, at a minimum once annually

QUORUM

Six (6)

FUNCTIONS/TERMS OF REFERENCE

Oversee the usage and operation of the Wagin Sportsground facility.

DELEGATED AUTHORITY

Nil

7. SPORTSGROUND PRECINCT REDEVELOPMENT COMMITTEE

MEMBERSHIP

2 x Councillors

Cr

Shire President

Cr

11 x External Community Representatives

Wagin Agricultural Society

Wagin Agricultural Society

Wagin Bowling Club

Wagin Tennis Club

Wagin Hockey Club

Wagin Cricket Club

Wagin Pony Club

Wagin Trotting Club

Wagin Trotting Club

Wagin community representative

Wagin community representative

RESPONSIBLE OFFICER

Deputy Chief Executive Officer

MEETING FREQUENCY

As required, monthly meetings may be desirable.

QUORUM

Six (6)

FUNCTIONS/TERMS OF REFERENCE

1. Role/Purpose

The role of the Steering Committee is to provide Council with recommendations to Council on the implementation of the *Wagin Sportsground Precinct Re-development Masterplan*.

2. Term

This Terms of Reference will take effect from adoption by Council continue until the completion of the Sportsground Precinct Re-development or until Council deems the Committee is no longer required.

3. Membership

The Steering Committee will comprise:

- The Shire of Wagin President and one other Shire Councillor
- Two representatives of the Wagin Agricultural Society
- One representative of the Wagin Bowling Club
- One representative of the Wagin Tennis Club
- One representative of the Wagin Hockey Club

- One representative of the Wagin Cricket Club
- One representative of the Wagin Pony Club
- One representative of the Wagin Trotting Club
- Two representatives of the Wagin community

4. Roles and Responsibilities

The Steering Committee will:

- Determine which elements of the Sportsground Masterplan Option 5 will be implemented.
- Prioritise the elements of Option 5 in order of importance and logical sequence, the deliverable from this item showing priority and likely stages.
- Recommend design elements of the proposed new Clubhouse and other required building structures.
- Identify what Memorandum of Understandings or Agreements will be required between the affected organisations.
- Assist and have input in the operating model of the new Sports Club Hub, including operational income, expenditure and future replacement of sporting infrastructure and equipment.

The membership of the Steering Committee will commit to:

- Attending all scheduled Steering Committee meetings.
- Working cohesively in a conciliatory fashion with other members.
- Council Administration will provide secretarial support to the providing agendas, minutes and briefing materials.

5. Meetings

- The chairperson will be the Shire of Wagin President.
- The quorum required is six members.
- Normal meeting procedure will be followed, with the Chairperson having the casting vote.
- Meetings will be held as required by the chair or requested by 3 or more members. Monthly meetings may be desirable.
- Meetings will be held Wagin Recreation Centre Members Lounge

6. Amendment, Modification or Variation

Council may alter the Terms of Reference as it sees fit in consultation with the Steering Committee.

| |
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| DELEGATED AUTHORITY |
|----------------------------|

Nil

8. WORKS AND SERVICES COMMITTEE

MEMBERSHIP

4 x Councillors

Cr
Cr
Cr
Cr

RESPONSIBLE OFFICER

Manager of Works

MEETING FREQUENCY

As required, at a minimum once annually

QUORUM

Three (3)

FUNCTIONS/TERMS OF REFERENCE

Will deal with –

1. Construction, maintenance and management of works in roads, streets ,
2. ways and other public places including private streets and places as approved by Council.
3. Purchase, maintenance and upkeep of plant and equipment, procurement of
4. materials required for carrying out of works. Construction and maintenance of road signs and street furniture.
5. Engagement and dismissal of employees in respect to work performance as per Council policy
6. Construction and maintenance of parks and reserves for recreation and public use, street trees and road verges
7. Preparation of draft works and plant programmes
8. Dealing with issues relating to caravan park, bushfires, vermin control and school bus routes.
9. Other issues relating specifically to the works division.
10. Airport/Airfield Development
11. Asset management requirements
12. Waste management and recycling

DELEGATED AUTHORITY

Nil

EXTERNAL COMMITTEES OR WORKING GROUPS

The following appointments of council representation is made to these external committees or working groups.

| | | |
|---|----------------------|---|
| 4WDL VROC | Cr Cr | |
| Civic Awards Committee | Cr Cr Cr | President Deputy President (Proxy) Chief Executive Officer |
| Community Bus Committee | Cr | |
| Community Centre Committee | Cr | |
| Community Resource Centre | Cr | |
| Cottage Homes Committee | Cr | |
| Development Assessment Panels | Cr Cr Cr Cr | (Proxy) (Proxy) |
| Frail Aged Homes Committee/Waratah | Cr | |
| Historical Village Committee | Cr | |
| Parents & Citizens Association | Cr | |
| Piesseville Hall | Cr | |
| Regional Road Group | Cr Cr | (Proxy) Chief Executive Officer |
| School Bus Committee | Cr | |
| Townscape, Tourism and Promotion Committee | Cr Cr | |
| Wagin/Woodanilling Landcare Zone | Cr | Chief Executive Officer |
| WALGA Central Country Zone | Cr Cr Cr | (Proxy) |
| Woolarama Committee | Cr Cr | (Proxy) |

5.5 MANAGEMENT OF BUSHFIRES VOLUNTEER POLICY

| | |
|-------------------------|--|
| AUTHOR OF REPORT: | Chief Executive Officer |
| SENIOR OFFICER: | Chief Executive Officer |
| DATE OF REPORT: | 15 October 2021 |
| PREVIOUS REPORT(S): | Nil |
| DISCLOSURE OF INTEREST: | Nil |
| FILE REFERENCE: | CM.PO.1 |
| ATTACHMENTS: | <ul style="list-style-type: none">Proposed B9 – <i>Management of Bushfire Volunteer Policy</i> |

OFFICER RECOMMENDATION 1

Moved Cr

Seconded Cr

That Council adopt the proposed *Management of Bushfire Volunteers Policy*

Carried 0/0

BRIEF SUMMARY

The State Government's new Work Health and Safety Act 2020 commences in January 2022 and will impact on the Shire's bushfire volunteers and Local Governments through the new *Industrial Manslaughter* regulations. It is understood that all registered bushfire volunteers (and possibly anyone on a fireground attempting to fight a fire) to be deemed to be "employees" of the Shire, thereby placing direct responsibility on the Shire to provide a safe workplace; in this case the fireground wherever that may be. There is also a responsibility to ensure that volunteer firefighters are sufficiently trained to carry out their role.

This report recommends that the Shire adopt a *Management of Bushfire Volunteers Policy*, the thrust of which is to recognise *prior learning* (experience) of volunteers on the fireground as a legitimate competency when fighting fires.

BACKGROUND/COMMENT

The intent of the proposed policy is to adopt a protocol that recognises and addresses the issue of training. *Recognition of Prior Learning*, that is experience in fire situations, will be recognised and registered as a competency level. Inexperienced volunteers will need to have a recorded basic introduction to fire safety and procedure training or have been issued a Shire *Competency Certificate*.

As volunteers come under the Shire's umbrella, liability wise, as well as any employer who has an employee attending a fire, volunteers are covered through the Shire's insurance scheme.

Local Governments and particularly their CEO's, through the provisions of the Work Health and Safety Act 2020 are in the unenviable position of being directly responsible for the safety and welfare of those attending fires whilst at the same time having no direct control over who will be attending fires and whether or not they have had any training or experience. Significant

corporate and personal penalties exist if industrial manslaughter claims are upheld. Potential penalties may be of a financial nature and possible terms of imprisonment.

A potential unintended consequence of this legislation could be a reluctance of people willing to attend fires thereby placing property, infrastructure and even whole communities at risk if fires are not suppressed in their early stages.

Whilst his whole situation is a legal minefield, it is believed that the proposed policy will at least demonstrate the commitment and intent of the Shire to try to ensure that volunteers meet some basic requirements and that a system of *Recognition of Prior Learning* is implemented by way of the issue of competency certificates.

CONSULTATION/COMMUNICATION

- President – Cr Blight & Councillors Ball, Kilpatrick & Hegarty
- Deputy Chief Executive Officer
- Executive Assistant
- Mr Dave Gossage – President – Bushfire Volunteers

STATUTORY/LEGAL IMPLICATIONS

- Work Health & Safety Act 2020

POLICY IMPLICATIONS

New Policy

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

B.9 MANAGEMENT OF BUSHFIRE VOLUNTEERS POLICY

| | |
|-----------------------|--|
| POLICY NUMBER | B.9 |
| POLICY TYPE | BUSHFIRE |
| DATE ADOPTED | 19 October 2021 (Council Resolution #4234) |
| REVIEW DATE | |
| DELEGATION APPLICABLE | NO |

OBJECTIVE

This policy is designed to give guidance in managing the Shire's valuable bushfire volunteers in relation to their competency in fighting fires and expectations and requirements when attending a bush fire.

The State Government's new Work Health and Safety Act 2020 commences in January 2022 and will impact on the Shire's bushfire volunteers through the new Industrial Manslaughter provisions.

The new regulations require the Shire to adopt a more structured approach to managing its registered bushfire volunteers. The legislation states that all registered bushfire volunteers are deemed to be employees of the Shire of Wagin to whom the Shire has a duty of care with respect to safety, training, performance and compliance.

As volunteers come under the Shire's umbrella, liability wise, as well as any employer who has an employee attending a fire, volunteers are covered through the Shire's insurance scheme.

Shire of Wagin is adopting a protocol that recognises and addresses the issue of training. *Recognition of Prior Learning*, that is experience in fire situations, will be recognised and registered as a competency level. Inexperienced volunteers will need to have a recorded basic introduction to fire safety and procedure training or have been issued a Shire *Competency Certificate*.

The Shire of Wagin deems the Bushfire Advisory Committee Chairperson and the Chief Bushfire Control Officer as being qualified to assess the volunteer's recognition of prior learning and to approve and sign the **Competency Certificate**.

Other requirements for volunteers who attend a bushfire include:

- Following orders of a Fire Control Officer (FCO)
- Wearing appropriate fire-fighting PPE
- Understanding and using the correct communication methods
- Notifying when arriving and leaving the fire grounds
- Ensuring firefighting plant and equipment is operational.

GUIDELINES

- *Bushfires Act 1954*
- *Work Health and Safety Act 2020*

HISTORY

- Nil

RESPONSIBLE OFFICER

- Chief Executive Officer



RPL ASSESMENT FORM/COMPETENCY CERTIFICATE

Name:

Address:

Email:

Mobile Ph:

Date:

The Shire of Wagin recognises that you have sufficient experience to be deemed a person who is competent in bushfire fighting.

Should you become aware of any reason why you no longer have the capacity to hold this certificate, it is your obligation to surrender it forthwith.

Signed by the Shire of Wagin Chief Bushfire Control Officer:

Ross Goldsmith

Signed by the Shire of Wagin Bushfire Advisory Committee Chairperson:

Phillip Blight

Signed by the Shire of Wagin Chief Executive Officer

William Atkinson



6. CLOSURE
