

11.1 Chief Executive Officer

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11.1 Chief Executive Officer

11.1.1 REVIEW OF COMMITTEES AND GOVERNANCE STRUCTURES

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Augusta Margaret River Audit and Risk Management Committee



Instrument of Appointment and Delegation

September 2019

INTRODUCTION

The Council of the Shire of Augusta Margaret River (hereinafter called the "Council") hereby establishes a committee under the powers given in section 5.8 and section 7.1 A of the *Local Government Act 1995*, and *Local Government (Audit) Regulations 1996*, such committee to be known as the Audit and Risk Management Committee, (hereinafter called the "Committee").

The Council appoints to the Committee those persons whose names appear in Section 4.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing at the date of the Local Government election in the year the Shire's local government elections are held, after which time the Council may appoint members for a further term.

The Committee shall act for and on behalf of Council in accordance with provisions of the *Local Government Act 1995*, and the *Local Government (Audit) Regulations 1996*, local laws and policies of the Shire of Augusta Margaret River and this Instrument.

NAME

The name of the Committee shall be the Audit and Risk Management Committee.

OBJECTIVES OF THE COMMITTEE

The role of the Committee is to:

- a) Assist the CEO to carry out the review under Regulation 17 of the Audit Regulations of systems and procedures concerning risk management, internal control and legislative compliance;
- b) Monitor and advise the CEO in reviews of certain systems prescribed by the audit and financial management regulations;
- c) Support the auditor as required and have functions to oversee:
 - The implementation of audit recommendations made by the auditor, which have been accepted by Council; and
 - Accepted recommendations arising from reviews of local government systems and procedures.
- d) Receive and verify the annual Local Government Statutory Compliance Return; and

AUGUSTA MARGARET RIVER

~~e) Advise Council on significant high level strategic risk management issues related to the Shire of Augusta Margaret River.~~

~~f) Discharge the functions outlined in Regulation 16 of the Local Government (Audit) Regulations 1996.~~

~~To provide guidance and assistance to the Council in:~~

- ~~a) carrying out its audit functions under Part 7 of the Local Government Act 1995;~~
- ~~b) the development of a process to be used to select and appoint an auditor;~~
- ~~e) determining the scope and content of the external and internal audit and advising on the general financial management of the Shire;~~
- ~~d) overseeing the audit process and meeting with the external auditor after each visit to discuss management issues and monitoring administration's actions on, and responses to, any significant matters raised by the auditor;~~
- ~~e) evaluating and making recommendations to Council on internal and external audit reports prior to them being presented to Council;~~
- ~~f) receiving and verifying the annual Local Government Statutory Compliance Return;~~
- ~~g) review reports provided by the CEO on the Shire's systems and procedures in relation to
 - ~~i. risk management;~~
 - ~~ii. internal control; and~~
 - ~~iii. legislative compliance~~~~

~~at least once every 2 years and report to Council the results of that review.
Ref: s16-17 Local Government (Audit) Regulations 1996~~

~~2. To advise Council on significant high level strategic risk management issues related to the Shire of Augusta Margaret River.~~

MEMBERSHIP

~~The Audit & Risk Management Committee shall consist of all Councillors. Additionally up to two independent consultants with expertise in financial or legal matters will be called upon as required to provide additional independent external advice to the Committee. The external independent persons will have senior business, legal or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements. Appointments of external consultants shall be made by the CEO following a decision of Council and the allocation of sufficient funds to provide consultation fees using relevant professional fee schedules.~~

~~Membership of the Audit and Risk Management Committee shall be:~~

- ~~a) The President, if desirous in participating, and three Councillors of the Shire of Augusta Margaret River;~~
- ~~OR~~
- ~~b) Four Councillors of the Shire of Augusta Margaret River; and~~
- ~~c) A deputy in the absence of the President or other appointed delegates.~~

~~No member of staff including the CEO is to be a member of the Committee, but the CEO may participate as Council's principal advisor, unless expressly excluded by resolution of the Committee.~~

AUDIT AND RISK MANAGEMENT COMMITTEE

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PRESIDING MEMBER

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta Margaret River Standing Orders (Local Law).

The *Local Government Act 1995* places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.

The Presiding Member if different from the President is to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the President.

CONDUCT OF MEETINGS

The Committee shall meet at least three times per year. A schedule of meetings will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example in February to discuss the Statutory Compliance Return, in July to discuss the year's financial performance and to discuss the annual audit program and in November to discuss the Annual Financial Report.

Additional meetings shall be convened at the discretion of the Presiding Member. Any three members of the Committee collectively or the internal or external auditor themselves may request the Presiding Member to convene a meeting.

From a time management point of view, urgent matters which may arise should be referred directly to Council through the bi-monthly meetings or to a Special Council meeting.

- 1 Notice of meetings shall be given to members at least 3 days prior to each meeting.
- 2 The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall, not later than 5 days after each meeting, provide Council with a copy of such minutes. Council shall provide secretarial and administrative support to the Committee.
- 3 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding must cast a second vote.
- 4 The Chief Executive Officer should attend all meetings, except when the Committee chooses to meet in camera with the exclusion of the CEO.
- 5 Representatives of the external auditor should be invited to attend at the discretion of the Committee but must attend meetings either in person or by telephone link up considering the draft annual financial report and results of the external audit.
- 6 The internal auditor or representative shall be invited to attend meetings, at the discretion of the Committee, to consider internal audit matters.

QUORUM

Quorum for a meeting shall be at least 50% of the number of members, whether vacant or not. A decision of the Committee does not have effect unless a simple majority has made it.

DELEGATED POWERS

The Committee has no delegated powers under the *Local Government Act 1995* and is to advise and make recommendations to Council only. The Audit and Risk Management Committee is a formally appointed committee of Council and is responsible to that body. The Audit and Risk

AUDIT AND RISK MANAGEMENT COMMITTEE

Management Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility.

The Audit & Risk Management Committee does not have any management functions and is therefore independent of management.

The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its objectives in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

~~The following guidelines are to provide further direction from Council for the operation of the Audit and Risk Management Committee:~~

~~8.1 — The External Audit~~

~~The Committee shall develop the process of appointment of the external auditor and recommend a suitable Auditor for appointment by Council. Prior to appointment, discuss the scope of the audit and any additional procedures required from the external auditor.~~

~~Invite the external auditor to attend committee meetings to discuss the audit results and consider the implications of the external audit findings. Inquire of the auditor if there have been any significant disagreements with management and whether they have been resolved.~~

~~Monitor management responses to the auditor's findings and recommendations. Review the progress by management in implementing audit recommendations and provide assistance on matters of conflict. Provide a report and recommendations to Council on the outcome of the external audit.~~

~~8.2 — Co-ordination of Auditors~~

~~Oversee the work of the internal audit function to facilitate co-ordination with the external auditor.~~

~~The Audit and Risk Management Committee should meet periodically with the Chief Executive Officer, senior management staff and internal and external auditors to understand the organisation's control environment and processes.~~

~~8.3 — Duties and Responsibilities~~

~~The following duties and responsibilities of the Audit and Risk Management Committee will include:~~

- ~~(i) To review the scope of the internal audit plan and program and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
 - ~~• internal controls over significant areas of risk, including non-financial management control systems;~~
 - ~~• internal controls over revenue, expenditure, assets and liability processes;~~
 - ~~• the efficiency, effectiveness and economy of significant Council programs; and~~
 - ~~• compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.~~~~
- ~~(ii) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.~~
- ~~(iii) Review the level of resources allocated to internal audit and the scope of its authority.~~

AUDIT AND RISK MANAGEMENT COMMITTEE

- ~~(iv) — Review reports of internal audit and the extent to which Council and management react to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.~~
- ~~(v) — Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs.~~
- ~~(vi) — Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.~~
- ~~(vii) — Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.~~
- ~~(viii) — Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.~~
- ~~(ix) — Review Council's draft annual financial report, focusing on:

 - ~~• accounting policies and practices;~~
 - ~~• changes to accounting policies and practices;~~
 - ~~• the process used in making significant accounting estimates;~~
 - ~~• significant adjustments to the financial report (if any) arising from the audit process;~~
 - ~~• compliance with accounting standards and other reporting requirements;~~
 - ~~• significant variances from prior years.~~~~
- ~~(x) — Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.~~
- ~~(xi) — Discuss with the external auditor the scope of the audit and the planning of the audit.~~
- ~~(xii) — Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.~~
- ~~(xiii) — Review tendering arrangements and advise Council.~~
- ~~(xiv) — Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators.~~
- ~~(xv) — Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate. Oversee any subsequent investigation, including overseeing of the investigation of any suspected cases of fraud within the organisation.~~
- ~~(xvi) — Monitor the progress of any major lawsuits facing the Council.~~
- ~~(xvii) — 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.~~
- ~~(xviii) — Report to Council after each meeting, in the form of minutes or otherwise, and as necessary and provide an annual report to Council summarising the activities undertaken during the year.~~
- ~~(xix) — The Audit & Risk Management Committee in conjunction with Council and the Chief Executive Officer, should develop the Committee's performance indicators.~~

AUDIT AND RISK MANAGEMENT COMMITTEE

~~(xxi) The Audit & Risk Management Committee, through the Chief Executive Officer and following authorisation from the Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.~~

~~(xxii) Advise Council on significant risk management issues related to the Shire of Augusta Margaret River~~

~~(xxiii) Review reports on the appropriateness and effectiveness of the Shire's systems and procedures in relation to—~~

~~a) risk management;~~

~~b) internal control; and~~

~~c) legislative compliance~~

~~and report to Council.~~

REPORTING POWERS

The Audit & Risk Management Committee shall report to Council and provide recommendations on matters pertaining to its terms of reference by assisting elected members in the discharge of their responsibilities for oversight and corporate governance of the local government.

The Audit & Risk Management Committee does not have executive powers or authority to implement actions in areas that management has responsibility. By not having any management functions, the Audit & Risk Management Committee is therefore independent of the roles of the Chief Executive Officer and senior staff.

The Audit & Risk Management Committee does not have any role pertaining to matters normally addressed by the Local Emergency Management Committee and Council in relation to financial management responsibilities in relation to budgets, financial decisions and expenditure priorities. The Audit & Risk Management Committee is a separate activity and does not have any role in relation to day-to-day financial management issues or any executive role or power.

The Audit & Risk Management Committee shall after every meeting forward the minutes of that meeting to the next Ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.

~~The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year.~~

~~Recommendations of committee meetings are to be presented to Council by Shire Staff for noting or further consideration as soon as practicable after unconfirmed minutes of Committee meetings are available.~~

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TERMINATION OF COMMITTEE

Termination of the Committee shall be:

1. in accordance with the *Local Government Act 1995*; or
2. at the direction of the Council.

AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

This document may be altered at any time by the Council.

COMMITTEE DECISIONS

The Committee recommendations are advisory only and shall not be binding on Council.

AUDIT AND RISK MANAGEMENT COMMITTEE

Document and version control table

Strategic outcome	Key Result Area 5:Effective governance and corporate leadership.
Responsible Directorate	Governance
Authority of original issue	Council
Date of original issue	25 September 2015
Contact officer	Governance Officer / Council Support
Date of next review	September 2019
Document No.	

Version	Date issued	Brief description
1.0	25/11/2015	Initial Issue
1.1		Changes to membership. Legislative changes as per <i>Local Government Amendment (Auditing) Bill 2016</i>

AUDIT AND RISK MANAGEMENT COMMITTEE

AUDIT AND RISK MANAGEMENT COMMITTEE

Shire of Augusta Margaret River 41 Wallcliffe Road, Margaret River 6285 | T (08) 9780 5255 | F (08) 9757 2512 | amrshire.wa.gov.au

Augusta Margaret River Bush Fire Advisory Committee



Instrument of Appointment and Delegation

September 2019

NAME

The Committee shall be known as the Augusta Margaret River Bush Fire Advisory Committee (BFAC).

ROLE OF THE COMMITTEE

To formulate for Council's consideration, recommendations and policy on matters relating to bush fire preparedness, prevention, response and recovery.

OBJECTIVES OF THE COMMITTEE

- a) To advise Council on all matters relating to the operations of the *Bush Fires Act 1954*.
- b) To advise Council on the best and most efficient means of maximising fire control resources in the district.

MEMBERSHIP

The Council appoints to the Committee those ex officio representatives listed in the categories of membership outlined below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing at the date of the local government election in the year the Shire's local government elections are held, after which time the Council may appoint members for a further term. Council may dismiss members who miss two consecutive meetings without reasonable cause.

Membership of the Committee shall be:

- a) The President of the Shire of Augusta Margaret River, if desirous of participating, or Deputy Shire President;
- b) The Chief Bush Fire Control Officer;
- c) The Deputy Chief Bush Fire Control Officer;
- d) One Bush Fire Control Officer or delegate (appointed by the Shire in accordance with the *Bush Fires Act 1954* from each Brigade; and
- e) One Councillor nominated by the Council;

Community Emergency Services Manager and other Shire staff members will provide advice and administrative support to the Committee. Representatives from Department of Fire and Emergency Services (DFES) Lower South West Region, Department of Biodiversity Conservation and Attractions (Parks & Wildlife services), Volunteer Fire and Rescue Service (VFRS);, and State Emergency Service (SES) will be invited to attend and provide reports on their respective agencies.

AUGUSTA MARGARET RIVER BUSH FIRE ADVISORY COMMITTEE

PRESIDING MEMBER

The members of the Committee at the first meeting following the Local Government elections shall elect a Presiding Member to chair committee meetings and a Deputy Presiding Member to chair in the absence of the Presiding Member. It is a convention in the Shire of Augusta Margaret River that the Chief Bush Fire Control Officer (CBFCO) be elected the Presiding Member and the Deputy Bush Fire Control Officer (DBFCO) be elected as the Deputy Presiding Member.

In order to ensure that any incoming CBFCO is able to become familiar with the CBFCO role prior to the fire season it is a Council protocol that in the year in which there is a Council election the outgoing CBFCO resigns from the position of Presiding Member at the August Meeting which then allows for the incoming CBFCO to be elected as the new Presiding Member. This procedure also applies in the event that the DBFCO also is turned over.

The election of the Presiding Member and the Deputy shall also be required to be repeated at the first meeting after the local government election to satisfy the requirements of the *Local Government Act 1995*. This can be facilitated by the CEO or the CEO's representative conducting the election calling for a motion to confirm the election of the CBFCO and the DBFCO.

The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta-Margaret River Standing Orders.

The minutes of the Committee are to be submitted to the next ordinary meeting of the committee for confirmation. The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.

The *Local Government Act 1995* places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.

The Presiding Member if not the Shire President as well as individual members of the Committee are to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the Shire President.

CONDUCT OF MEETINGS

Ordinary meetings of the Committee shall be held on the third Wednesday in February, May, August and November each year.

Written notice shall be given to all Committee members, at least 14 days prior to the meeting. Special meetings of the Committee may be convened:

- a) By the Presiding Member;
- b) By written notice to all Committee members, such notice being signed by at least four members of the Committee, giving not less than 7 days notice and stating purpose of the meeting; or
- c) By the Council;

The time and venue of meetings will be determined by the Presiding Member or the Council having due regard to the general convenience of the Committee members.

The Committee is established by the Council of the Shire of Augusta Margaret River under the powers and given in section 5.8 of the *Local Government Act 1995* and under section 67 (Advisory Committees) of the *Bush Fires Act 1954*.

Notice of meetings, quorum requirements of 50% of members and all other matters pertaining to the conduct of the committee shall be carried out in accordance with the *Local Government Act 1995*.

In the instance that there is more than one representative per membership attending the meeting, only one vote will be accepted. In the absence of a Bush Fire Brigade Control Officer, a delegate (Brigade Officer) can be appointed. All voting rights are maintained.

DELEGATED POWERS

The Committee has no delegated powers and is an advisory committee to Council only. Recommendations of committees meetings are to be presented to Council by Shire staff for noting or for consideration as soon as practicable after unconfirmed minutes of Committee meetings are available.

The Committee shall not have the power to expend Council funds.

Document and version control table		
Strategic outcome	Key Result Area 5:Effective governance and corporate leadership.	
Responsible Directorate	Governance	
Authority of original issue	Council	
Date of original issue	13 September 2017	
Contact officer	Governance Officer / Council Support	
Date of next review	September 2019	
Document No.	N139480	
Version	Date issued	Brief description
1.0	13/9/2017	Initial Issue

Augusta Margaret River Local Emergency Management Committee



Instrument of Appointment and Delegation

~~13 December~~September 2017~~2019~~

NAME

The Committee shall be known as the Augusta Margaret River Local Emergency Management Committee (LEMC).

ROLE OF THE COMMITTEE

To ensure that effective local emergency management arrangements are prepared and maintained for the Shire of Augusta Margaret River and perform any other emergency requirements as specified under the *Emergency Management Act* ~~1995~~2005.

OBJECTIVES OF THE COMMITTEE

- a) To advise and assist the Shire of Augusta Margaret River 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 the Local Emergency Management Plans.
- c) To assist with the preparation and approval of the Augusta Margaret River Local Emergency Management Arrangements and submit such plans to the District Emergency Management Committee (DEMC) and State Emergency Management Committee (SEMC) for approval.
- d) To revise at least annually the Augusta Margaret River Local Emergency Management Plan with a total review of the Local Emergency Management Plan every five years.
- e) To assist in the preparation of emergency management operating procedures for application in the Shire of Augusta Margaret River.
- f) To ensure appropriate testing and exercising of the Local Emergency Management Arrangements.
- g) To prepare an annual report of the activities of the Committee for submission to SEMC.

h) To assist in the preparation and review of the Augusta Margaret River Local Emergency Risk Register and provide guidance in the treatment strategies to reduce the risk to the community.

~~g) i)~~

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AUGUSTA MARGARET RIVER LOCAL EMERGENCY MANAGEMENT COMMITTEE

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h) To provide assistance to the Local Emergency Coordinators, Hazard Management Agency and or Controlling Agency and ~~Lead Combat Authorities~~ during emergency management operations

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i) To carry out such other emergency management functions as directed by SEMC or prescribed by the *Emergency Management Regulations 2006*.

MEMBERSHIP

The Council appoints to the Committee those ex-officio representatives whose titles appear below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing at the date of the Local Government election in the year the Shire's local government elections are held, after which time the Council may appoint members for a further term.

Membership of the Committee shall be:

- The President of the Shire of Augusta Margaret River, or Deputy Shire President if the Shire President decides not to take up the position
- The Officer in Charge (OIC) of the Margaret River Police District or delegate(s)
- The Officer in Charge (OIC) of the Augusta Police District or delegate(s)
- The Officer in Charge of the Volunteer Fire and Rescue Service in Augusta & Margaret River or their delegates
- The Shire's Chief Bush Fire Control Officer
- The State Emergency Service (SES) Unit Manager or delegate
- The Officers in Charge of the St John Ambulance Districts of Augusta & Margaret River or delegate
- The Officers in Charge of the Shire's Marine Rescue Services for both Augusta & Margaret River or their delegates
- A health representative from the Margaret River Leeuwin Hospitals (Margaret River and Augusta Multi-purpose Sites) ~~Department of Health~~
- An officer from the Department of Community Services ~~Communities~~
- A representative from the Department of Biodiversity Conservation and Attractions
- A representative from the Department of Fire and Emergency Services
- A representative from Water Corporation WA (South West Region)
- A representative of Department of Primary Industries and Regional Development
- A representative from Surf Life Saving WA
- Representatives from other agencies as required.

Representatives from ~~the Office of Emergency Management~~, Baptist Care, Western Power, Main Roads WA, Dept. Fisheries, Australian Red Cross, Margaret River & Augusta Chamber of

AUGUSTA MARGARET RIVER LOCAL EMERGENCY MANAGEMENT COMMITTEE

Commerce and Industry and Margaret River-Busselton Tourism Association will be invited to attend and provide reports on their respective agencies.

Council staff members including the CEO, Community Emergency Services Manager and the Manager Human and Community Services will provide advice and administrative support to the LEMC.

PRESIDING MEMBER

The Council shall appoint the Shire President as Presiding Member and the OIC of the Margaret River Police District as Deputy Presiding Member to chair committee meetings. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta Margaret River Standing Orders.

The *Local Government Act 1995* places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.

Individual members of the LEMC are to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the President.

CONDUCT OF MEETINGS

Ordinary meetings of the Committee shall be held on the second Tuesday in February, May, August and November each year.

Written notice shall be given to all Committee members, at least 14 days prior to the meeting. Special meetings of the Committee may be convened:

- a) By the Presiding Member
- b) By written notice to all Committee members, such notice being signed by at least four members of the Committee, giving not less than 7 days notice and stating purpose of the meeting
- c) By the Council.

The time and venue of meetings will be determined by the presiding member or the Council having due regard to the general convenience of the Committee members.

The Committee is established by the Council of the Shire of Augusta Margaret River under the powers given in section 5.8 of the *Local Government Act 1995* and s38 of the *Emergency Management Act 1995* and the guidance of the State Emergency Management Committee guidelines (Policy 2.5).

Notice of meetings, quorum requirements of 50% of members and all other matters pertaining to the conduct of the committee shall be carried out in accordance with the *Local Government Act 1995*.

In the instance that there is more than one representative per membership (agency) attending the meeting, only one vote will be accepted. In the absence of the substantive delegate a proxy can be appointed to represent each member. All voting rights will be maintained. Only one vote per membership will be accepted.

AUGUSTA MARGARET RIVER LOCAL EMERGENCY MANAGEMENT COMMITTEE

DELEGATED POWERS

The Committee is authorised to carry out various management functions under the *Emergency Management Act 2005*. The Committee has no delegated authority under the *Local Government Act 1995*. Recommendations of Committees meetings are to be presented to Council by Shire staff for noting or for consideration as soon as practicable after unconfirmed minutes of Committee meetings are available.

The Committee shall not have the power to expend Council funds.

Document and version control table		
Strategic outcome	Goal 5 <u>Key Result Area 5</u> : Effective governance and corporate leadership.	
Responsible Directorate	Governance	
Authority of original issue	Council	
Date of original issue	13 September 2017	
Contact officer	Governance / <u>Council Support</u> Officer	
Date of next review	September 20 21 <u>19</u>	
Document No.	N139481	
Version	Date issued	Brief description
1.0	13/9/2017	Initial Issue
1.1	13/12/2017	Change of meeting days
<u>1.2</u>		<u>Additional objective</u> <u>Update of agency names within membership</u>

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Augusta Margaret River Sport and Recreation ~~Advisory~~ ~~Committee~~Reference Group



Instrument of Appointment and Delegation

~~13~~ September ~~2017~~2019

NAME

The Committee shall be known as the Sport and Recreation ~~Advisory Committee~~Reference Group (SRRG).

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ROLE OF THE ~~COMMITTEE~~REFERENCE GROUP

To advise ~~Council Shire officers~~ on the effective and efficient provision of sport and recreation services and facilities in the Shire and to provide a forum for the dissemination and consideration of information regarding sport and recreation issues.

OBJECTIVES OF THE ~~COMMITTEE~~REFERENCE GROUP

- a) To ~~provide guidance on the~~ ~~make recommendations to assist Council in its decision making regarding the~~ development of policies and key strategies in relation to sport and recreation in the Shire.
- b) To assess proposals and ~~make recommendations to Council~~provide expertise in relation to the development, operation and utilisation of sporting facilities in the Shire of Augusta Margaret River.
- c) To contribute to the development and implementation of the Masterplan for sporting facilities in the Shire which underpins the objectives of the Shire's Community Strategic Plan.

MEMBERSHIP

The Council appoints to the ~~Committee Reference Group~~ those categories of membership outlined below. Membership of the ~~Committee Reference Group~~ shall, unless otherwise specified, be for a term ceasing at the date of the Local Government election in the year the Shire's local government elections are held, after which time the Council may appoint members for a further term.

Membership of the ~~Committee Reference Group~~ shall be:

- a) The President, if desirous of participating; and two Councillors of the Shire of Augusta Margaret River;
OR
- b) Three Councillors of the Shire of Augusta Margaret River; and
- c) Up to 25 representatives of sport and recreation clubs operating within and comprising members based in the Shire of Augusta Margaret River.

Representatives of sport and recreation clubs are required to have a letter of authorisation from their club, appointing the person as a representative to the committee.

AUGUSTA MARGARET RIVER SPORT AND RECREATION ADVISORY ~~COMMITTEE~~REFERENCE GROUP

Authorised representatives of sport and recreation clubs who are not appointed to the Committee may attend meetings and participate as a "proxy" at the discretion of the Presiding Member. Club representatives that are acting as a proxy have full voting rights at the meeting.

Shire staff members will provide advice and administrative support to the ~~Committee Reference Group~~.

~~The Shire shall ensure ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Instrument of Appointment and Delegation and the following general administrative framework:~~

- ~~i. The role of a Reference Group is to provide the Shire's Administration with its views and/or proposals relevant to the Objectives for which the group was established.~~
- ~~ii. A Reference Group has no decision making powers and does not have any authority to act on behalf of the Shire. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire.~~
- ~~iii. Reference Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of a Reference Group are to be recorded on the Minutes and retained in the Shire's record keeping systems.~~
- ~~iv. Reference Group members either collectively or individually are not authorised to speak on behalf of the Shire or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Chief Executive Officer.~~

PRESIDING MEMBER/ROLE OF THE CHAIRPERSON

~~The Chairperson and Deputy Chairperson shall be Councillor representatives and will be decided by Council.~~

~~The Chairperson will preside at all meetings.~~

~~The Chairperson shall ensure that the Reference Group operates in accordance with the Instrument of Appointment and Delegation at all times.~~

~~The members of the Committee shall elect a Presiding Member to chair committee meetings and a Deputy Presiding Member to chair in the absence of the Presiding Member. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta Margaret River Standing Orders.~~

~~The minutes of the Committee are to be submitted to the next ordinary meeting of the committee for confirmation. The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.~~

~~The Local Government Act 1995 places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.~~

~~The Presiding Member if not the Shire President as well as individual members of the Committee are to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the Shire President.~~

CONDUCT OF MEETINGS

Meetings

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AUGUSTA MARGARET RIVER SPORT AND RECREATION ADVISORY COMMITTEEREERENCE GROUP

- a) At the first meeting after convening, the Reference Group shall determine a Schedule of Meeting dates for the remainder of the year.
- b) Additional meetings may be convened at the discretion of the Chair.

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~~The Committee is established by the Council of the Shire of Augusta Margaret River under the powers given in section 5.8 of the *Local Government Act 1995*.~~

~~Meetings are to be held bi monthly on the first Wednesday of every second month.~~

~~Notice of meetings, quorum requirements of nine (9) members and all other matters pertaining to the conduct of the committee shall be carried out in accordance with the *Local Government Act 1995* and the *Shire of Augusta Margaret River Standing Orders Local Law 2011*.~~

Agendas and Minutes

- a) The Director Corporate and Community Services will determine the Agenda for each meeting. Members may submit items for consideration and listing on the agenda.
- b) All meetings shall be confined to items listed on the agenda.
- c) The Director Corporate and Community Services will be responsible for ensuring preparation and accuracy of the minutes.
- d) Items considered at the meeting will not be voted upon. The minutes will record consensus agreement on actions and any points of agreement / disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate.
- e) Minutes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the meeting.

CONFLICT OF INTEREST

~~Whilst the financial, proximity and impartiality interest provisions of the *Local Government Act 1995* do not apply to the Shire's Reference Groups (as it is not a Council appointed committee approved under section 5.8 of the *Local Government Act 1995* and does not have any legal status), all members need to be aware that any conflict of interest needs to be disclosed, to ensure probity is maintained at all times.~~

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DELEGATED POWERS

~~The Committee Reference Group has no delegated powers and is an advisory committee to Council only. Recommendations Views and proposals of Committee Reference Group meetings are to be presented to Council by Shire Officers for Noting bi-annually, or for consideration as soon as practicable after unconfirmed minutes of Committee meetings are available.~~

AUGUSTA MARGARET RIVER SPORT AND RECREATION ADVISORY COMMITTEEREERENCE GROUP

Document and version control table

Strategic outcome	<u>Goal/Key Result Area</u> 5:Effective governance and corporate leadership	
Responsible Directorate	Governance	
Authority of original issue	Council	
Date of original issue	13 September 2019	
Contact officer	Governance Officer / <u>Council Support</u>	
Date of next review	September 20 21 <u>19</u>	
Document No.	N139479	
Version	Date issued	Brief description
1.0	13/9/2017	Initial Issue
<u>1.1</u>	<u>11/09/2019</u>	<u>Review and major amendments in line with re-establishment as a reference group</u>

AUGUSTA MARGARET RIVER SPORT AND RECREATION ADVISORY COMMITTEEREERENCE GROUP

Shire of Augusta Margaret River 41 Wallcliffe Road, Margaret River 6285 | T (08) 9780 5255 | F (08) 9757 2512 | amrshire.wa.gov.au

Sustainability Reference Group



Instrument of Appointment and Delegation

~~8 November 2017~~ September 2019

NAME

The ~~Committee Reference Group~~ shall be known as the Sustainability ~~Advisory Committee~~ Reference Group (SACSRG).

ROLE OF THE ~~COMMITTEE~~ REFERENCE GROUP

To promote sustainable environmental practices within the Shire of Augusta Margaret River and across the community and to provide a forum for community representatives, Councillors and Shire officers to focus on sustainability issues.

OBJECTIVES OF THE COMMITTEE

- a) ~~Strive to~~ increase community engagement on sustainability and ~~environmental~~ related initiatives.
- b) To ~~provide technical expertise advise the Shire officers and Council on sustainable~~ environmental issues including:
 - Climate Change;
 - Transport and air quality;
 - Biodiversity;
 - The built environment;
 - Community information and engagement to increase sustainable practices;
 - Land and waterway degradation;
 - Water quality and conservation;
 - Waste management; and
 - Power generation and conservation.
- c) ~~To identify strategies~~ Identify opportunities to which increase real and sustainable behaviour change in residents, businesses and other members of the community (including tourists) to improve sustainability outcomes.
- d) To ~~recommend to the Council policy, advice and appropriate courses of action which promote sustainability~~ provide guidance on Shire initiatives and projects with the objective of other matters that is achieving outcomes which are:
 - 1) Environmentally responsible;
 - 2) Socially and culturally sound; and
 - 3) Economically viable.

MEMBERSHIP

The Council appoints to the ~~Committee Reference Group~~ those categories of membership outlined below. Membership of the ~~Committee Reference Group~~ shall, unless otherwise

SUSTAINABILITY REFERENCE GROUP

specified, be for a term ceasing at the date of the Local Government election in the year the Shire's Local Government elections are held, after which time the Council may appoint members for a further term.

Membership of the Committee shall be:

- a) The ~~Shire~~ President ~~of the Shire of Augusta Margaret River, if desirous in participating~~ and ~~up to two~~one Councillors of the Shire of Augusta Margaret River; OR
- b) ~~Up to three~~Two Councillors of the Shire of Augusta Margaret River;
- ~~e)b)~~ A deputy in the absence of the President or other appointed delegate; and
- ~~e)c)~~ Up to eleven community members with interest and expertise in environmental matters, appointed by the Council.

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~~The Shire's Sustainable Development Directorate~~ ~~Shire staff members~~ will provide advice and administrative support to the ~~Committee~~Reference Group.

~~The Shire shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Instrument of Appointment and Delegation and the following general administrative framework:~~

- i. ~~The role of a Reference Group is to provide the Shire's Administration with its views and/or proposals relevant to the Objectives for which the group was established.~~
- ii. ~~A Reference Group has no decision making powers and does not have any authority to act on behalf of the Shire. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire.~~
- iii. ~~Reference Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of a Reference Group are to be recorded on the Minutes and retained in the Shire's record keeping systems.~~
- iv. ~~Reference Group members either collectively or individually are not authorised to speak on behalf of the Shire or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Chief Executive Officer.~~

PRESIDING MEMBER/ROLE OF THE CHAIRPERSON

~~The Chairperson and Deputy Chairperson shall be Councillor representatives and will be decided by Council.~~

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~~The Chairperson will preside at all meetings.~~

~~The Chairperson shall ensure that the Reference Group operates in accordance with the Instrument of Appointment and Delegation at all times.~~

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~~The members of the Committee shall elect a Presiding Member to chair Committee meetings and a Deputy Presiding Member to chair in the absence of the Presiding Member. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta Margaret River Standing Orders.~~

~~The minutes of the Committee are to be submitted to the next Ordinary Meeting of the Committee for confirmation. The person presiding at the meeting, at which the minutes are confirmed, is to sign the minutes and certify the confirmation.~~

~~The Local Government Act 1995 places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.~~

SUSTAINABILITY REFERENCE GROUP

~~The Presiding Member, if not the Shire President, as well as individual members of the Committee are to refrain from speaking publicly on behalf of the Committee or Council, or to issue any form of written material purporting to speak on behalf of the Committee or Council without the prior approval of the Shire President.~~

CONDUCT OF MEETINGS

~~The Committee is established by the Council of the Shire of Augusta Margaret River under the powers given in section 5.8 of the *Local Government Act 1995*. Notice of meetings, quorum requirements of 50% of members and all other matters pertaining to the conduct of the Committee shall be carried out in accordance with the *Local Government Act 1995*.~~

~~Ordinary Meetings of the Committee shall be held quarterly on the third Thursday of March, June, September and December.~~

Meetings

- ~~a) At the first meeting after convening, the Reference Group shall determine a Schedule of Meeting dates for the remainder of the year.~~
- ~~b) Additional meetings may be convened at the discretion of the Chair.~~

Quorum

~~A quorum will be by simple majority~~

Agendas and Minutes

- ~~a) The Director Sustainable Development will determine the Agenda for each meeting. Members may submit items for consideration and listing on the agenda.~~
- ~~b) All meetings shall be confined to items listed on the agenda.~~
- ~~c) The Director Sustainable Development will be responsible for ensuring preparation and accuracy of the minutes.~~
- ~~d) Items considered at the meeting will not be voted upon. The minutes will record consensus agreement on actions and any points of agreement / disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate.~~
- ~~e) Minutes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the meeting.~~

CONFLICT OF INTEREST

~~Whilst the financial, proximity and impartiality interest provisions of the *Local Government Act 1995* do not apply to the Shire's Reference Groups (as it is not a Council appointed committee approved under section 5.8 of the *Local Government Act 1995* and does not have any legal status), all members need to be aware that any conflict of interest needs to be disclosed to ensure probity is maintained at all times.~~

DELEGATED POWERS

~~The Committee Reference Group has no delegated powers and is an advisory committee to Council only. Recommendations Views and proposals of committees reference group meetings are to be presented to Council by Shire staff for noting or for consideration as soon as practicable after unconfirmed minutes of Committee meetings are available, bi annually.~~

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Document and version control table

Strategic outcome	Key Result Area Goal 5: Effective governance and corporate leadership.
Responsible Directorate	Governance
Authority of original issue	Council
Date of original issue	13 September 2017
Contact officer	Governance Officer / Council Support
Date of next review	September 2019
Document No.	N139482

Version	Date issued	Brief description
1.0	13/9/2017	Initial Issue
1.1	8/11/2017	Amendment to membership wording (OM2017/260)
1.2		Review and major amendments in line with reestablishment as a reference group

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SUSTAINABILITY REFERENCE GROUP

Sustainable Economy Reference Group



Instrument of Appointment and Delegation

September 2019

NAME

The ~~Committee~~ Reference ~~Group~~ shall be known as the **Sustainable Economy Advisory Committee Group (SERGG)**

ROLE OF THE COMMITTEE REFERENCE GROUP

To ~~formulate for Council's consideration~~ workshop with Shire Officers recommendations on policy, programs and projects to support the Augusta Margaret River community to transition to livelihoods and enterprises that are sustainable, climate-resilient, diverse and locally-owned in a circular economy, a regenerative and improving environment and a just community that upholds the rights of everyone.

OBJECTIVES OF THE COMMITTEE REFERENCE GROUP

1. To recognise the fundamental importance of a healthy natural environment as the most importance base for supporting sustainable economic activity in the Shire and to ensure that economic activities conducted in the Shire do not damage or denigrate the natural environment.
2. To provide a forum for key stakeholder representatives to participate in developing a sustainable economy and provide relevant advice to Council
3. To foster the creation of sustainable livelihoods and enterprises which reduce inequality and social disadvantage.
4. To foster the creation of sustainable livelihoods and enterprises which are climate resilient.
5. To foster the transition from the linear economy (take, make, dispose) to a regenerative circular economy (reduce, reuse, recycle).
6. To develop strategies for Aboriginal and Culturally and Linguistic Diverse communities to fully participate in sustainable economic activity.
7. To foster economic vibrancy in towns, villages and hamlets and assist local businesses to remain viable and successful.
8. To develop strategies to achieve the Shire's Vision 2036 and the key objectives of the Sustainable Economy Strategy.

MEMBERSHIP

The Council appoints to the ~~Committee Reference Group~~ those ex officio representatives listed in the categories of membership outlined below. Membership of the ~~Committee Reference Group~~ shall, unless otherwise specified, be for a term ceasing at the date of the local government election in the year the Shire's local government elections are held, after which time the Council may appoint members for a further term. Council may dismiss members who miss two consecutive meetings without reasonable cause.

Membership of the ~~Committee Reference Group~~ shall be:

SUSTAINABLE ECONOMY

~~a) One Councillor appointed by the Council plus the~~ The Shire President ~~if desirous in participating, and one Councillor of the Shire Augusta Margaret River;~~

~~OR or~~

~~Two Councillors should the Shire President decline to participate~~

a) ~~(one Councillor shall be Chairperson, one shall be Deputy Chairperson);~~

- b) One representative of the South West Development Commission (SWDC);
- c) One representative of the Margaret River Chamber of Commerce and Industry (MRCCI);
- d) One representative of the Augusta Chamber of Commerce and Industry (Augusta CCI);
- e) One representative of the Margaret River Wine Industry Association (MRWIA);
- f) One representative of the Margaret River Busselton Tourism Association (MRBTA);
- g) One representative of the Cowaramup Retailers Association (CRA);
- h) One representative of the ~~Scott River~~ Lower South West Growers Group;
- i) One representative of the Margaret River Regional Producers Association (MRRPA);
- j) One representative of Nature Conservation Margaret River Region (NCRM);
- k) One representative of Creative Corner Inc;

~~l) One local representative representing the digital economy;~~

~~m) One representative of Margaret River Regional Environment Centre;~~

~~n) One representative each from two local social justice groups the Margaret River Community Centre;~~

~~o) One representative from Just Home Margaret River; and~~

~~p) That Registered Accommodation Providers Margaret River Region be offered one~~

~~position on SEAC once they are properly constituted.~~

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Commented [CS1]: Saul did you want to tweak or add to this?

Member organisations are also to nominate a deputy member to participate in the event that the appointed member is unable to attend.

The Sustainable Economy Officer, CEO and other Shire staff members will provide advice and administrative support to the ~~Committee~~ Reference Group.

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The Shire's Sustainable Development Directorate shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Instrument of Appointment and Delegation and the following general administrative framework:

- i. The role of a Reference Group is to provide the Shire's Administration with its views and/or proposals relevant to the Objectives for which the group was established.
- ii. A Reference Group has no decision making powers and does not have any authority to act on behalf of the Shire. In operation, the group cannot direct employees, call tenders, award contracts, expend monies, direct volunteers or do anything which is the responsibility of the Shire.
- iii. Reference Group meetings will be conducted in an informal manner, providing opportunities for ideas to be raised and general discussion. The view and proposals of a Reference Group are to be recorded on the Minutes and retained in the Shire's record keeping systems.
- iv. Reference Group members either collectively or individually are not authorised to speak on behalf of the Shire or provide comment to the media or other persons, in respect of any item under consideration, unless authorised by the Chief Executive Officer.

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PRESIDING MEMBER ROLE OF THE CHAIRPERSON

The Chairperson and Deputy Chairperson shall be Councillor representatives and will be decided by Council.

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The Chairperson will preside at all meetings.

REFERENCE GROUP

~~The Chairperson shall ensure that the Reference Group operates in accordance with the Terms of Reference at all times.~~

~~The members of the Committee at the first meeting and thereafter following the Local Government elections shall elect a Presiding Member to chair committee meetings and a Deputy Presiding Member to chair in the absence of the Presiding Member.~~

- ~~—The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Augusta Margaret River Standing Orders.~~

~~The minutes of the Committee are to be submitted to the next ordinary meeting of the committee for confirmation. The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.~~

~~The Local Government Act 1995 places responsibility for speaking on behalf of Council with the President, or the CEO if the President agrees.~~

~~The Presiding Member if not the Shire President as well as individual members of the Committee are to refrain from speaking publicly on behalf of the committee or Council, or to issue any form of written material purporting to speak on behalf of the committee or Council without the prior approval of the Shire President.~~

CONDUCT OF MEETINGS

~~Ordinary meetings of the Committee shall be held on the third Tuesday in February, May, August and November each year.~~

~~Written notice shall be given to all Committee members, at least 14 days prior to the meeting. Special meetings of the Committee may be convened:~~

- ~~a) By the Presiding Member;~~
- ~~b) By written notice to all Committee members, such notice being signed by at least four members of the Committee, giving not less than 7 days notice and stating purpose of the meeting; or~~
- ~~c) By the Council;~~

~~The time and venue of meetings will be determined by the Presiding Member or the Council having due regard to the general convenience of the Committee members.~~

Meetings

- ~~a) At the first meeting after convening, the Reference Group shall determine a Schedule of Meeting dates for the remainder of the year.~~
- ~~b) Additional meetings may be convened at the discretion of the Chair.~~

~~The Committee is established by the Council of the Shire of Augusta Margaret River under the powers and given in section 5.8 of the Local Government Act 1995.~~

~~Notice of meetings, quorum requirements of 50% of members and all other matters pertaining to the conduct of the committee shall be carried out in accordance with the Local Government Act 1995.~~

Agendas and Minutes

- ~~a) The Director Sustainable will determine the Agenda for each meeting. Members may submit items for consideration and listing on the agenda.~~
- ~~b) All meetings shall be confined to items listed on the agenda.~~
- ~~c) The Director Sustainable Development will be responsible for ensuring preparation and accuracy of the minutes.~~

Commented [CS2]: Would it be preferable to have a Shire Officer (Saul) Chair the meeting, with DSD as Deputy?

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REFERENCE GROUP

- d) Items considered at the meeting will not be voted upon. The minutes will record consensus agreement on actions and any points of agreement / disagreement. They will not reflect verbatim discussion on issues or matters discussed during debate.
- e) Minutes of the meeting will be prepared by the Responsible Officer and distributed to members within five (5) working days after the meeting.

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CONFLICT OF INTEREST

Whilst the financial, proximity and impartiality interest provisions of the *Local Government Act 1995* do not apply to the Shire's Reference Groups (as it is not a Council appointed committee approved under section 5.8 of the *Local Government Act 1995* and does not have any legal status), all members need to be aware that any conflict of interest needs to be disclosed, to ensure probity is maintained at all times.

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DELEGATED POWERS

~~The Committee Reference Group has no delegated powers and is an advisory committee to Council only. Recommendations Views and proposals of committees reference group meetings are to be presented to Council by Shire staff for noting bi-annually or for consideration as soon as practicable after unconfirmed minutes of Committee meetings are available.~~

~~The Committee shall not have the power to expend Council funds.~~

Document and version control table

Strategic outcome	-Key Result Area 5: Effective governance and corporate leadership	
Responsible Directorate	<u>Governance</u>	
Authority of original issue	<u>Council</u>	
Date of original issue	<u>12 September 2018</u>	
Contact officer	<u>Governance Officer / Council Support</u>	
Date of next review	<u>2021</u>	
Document No.	<u>ECD/109</u>	
Version	Date issued	Brief description
1.0		<u>Initial issue</u>
<u>1.1</u>		<u>Review and major amendments in line with reference group</u>

REFERENCE GROUP

CAPES REGION ORGANISATION OF COUNCILS (CAPEROC)

TERMS OF REFERENCE

1.0 Introduction

The Councils of the Shire of Augusta-Margaret River and the City of Busselton (the Councils) following a resolution of the respective Councils establish a Voluntary Regional Organisation of Councils (VROC) to be known as the *Capes Region Organisation of Councils (CapeROC)*.

The Councils jointly appoint to CapeROC those positions whose names appear in Section 4.0 below. Membership of CapeROC shall, unless otherwise specified, be for a term ceasing at the date of the Local Government election in the year the local government elections are held, after which time the Councils may appoint members for a further term.

The CapeROC shall act for and on behalf of the two Councils in accordance with provisions of the *Local Government Act 1995*, local laws and the policies of the respective Councils and this document.

2.0 Name

The name of the Voluntary Regional Organisation of Councils shall be the Capes Region Organisation of Councils (CapeROC).

3.0 Objectives

CapeROC seeks to enhance the capacity of both local governments to deliver social, economic and environmental benefits to their communities and the region.

The objectives of the CAPEROC are:

- To explore opportunities to foster Economic Development in the Capes Region;
- To explore avenues to foster tourism in the Capes Region and improve the coordination of major regional events;
- To safeguard, strengthen and grow the Margaret River and Busselton brands;
- To explore opportunities to undertake projects of mutual benefit to the Shire and the City eg Rails to Trails network; joint waste management facilities; joint funding of infrastructure requirements;
- To develop opportunities to undertake capacity building activities for Councillors and staff in the Shire and the City;
- To explore opportunities to develop funding submissions on a regional basis;
- To evaluate possible resource sharing arrangements between the Shire and the City;
- To identify skill shortages and to undertake workforce planning on a regional basis;
- To explore opportunities to simplify and standardise policies in the region where appropriate;
- To consider the feasibility of establishing a Capes Regional Council.

4.0 Membership

The membership of the CapeROC shall be:

1. The President of the Shire of Augusta-Margaret River;
2. The Mayor of the City of Busselton;
3. Two Councillors appointed by the Shire and two Councillors appointed by the City;
4. The CEO of the Shire and the CEO of the City.

Deputy Members may be appointed by each Local Government.

5.0 Presiding Member

The role of Presiding member shall be rotated between the Shire and the City on an annual basis and the administration of the meetings will be conducted by the organisation from which the Presiding Member is appointed. The Deputy Presiding Member shall be appointed by the alternative organisation from the Presiding Member.

The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in a less formal manner than Council meetings but in accordance with the accepted rules of conduct for the Shire's and City's Council and committee meetings.

The Presiding Member must cast a second vote if the votes of the members present are equally divided.

The *Local Government Act 1995* places responsibility for speaking on behalf of the Councils with the President and Mayor, or the CEOs if the President and Mayor agree. Statements on behalf of the CapeROC shall be by joint communiqué by the President and Mayor.

The members of the CapeROC with the exception of the President and Mayor are to refrain from speaking publicly on behalf of the CapeROC, or to issue any form of written material purporting to speak on behalf of the CapeROC without the prior approval of the President and Mayor.

6.0 Meetings

The CapeROC shall meet on a quarterly basis or as required.

6.1 Notice of meetings shall be given to members at least 5 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the CapeROC, they shall forfeit their position on the CapeROC. The respective Council shall be informed, who will then appoint a replacement for the balance of the member's term of appointment.

6.3 The Presiding member shall ensure that detailed minutes of all meetings are kept and shall, not later than 5 days after each meeting, provide both Councils with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the votes of the members present are equally divided, the person presiding is to cast a second vote as is required under the Local Government Act.

7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the CapeROC does not have effect unless it has been made by a simple majority.

8.0 Delegated Powers

The CapeROC is a facilitation, advocacy and advisory body established to assist both Councils to achieve greater effectiveness and efficiency. CapeROC is funded by the Councils to conduct activities consistent with the Objectives of the Committee shown at section 3.0 of this Terms of Reference.

Other than to consider proposals that are presented to CapeROC which must be consistent with the Objectives of the Committee, the Committee has no delegated powers.

CapeROC may approve proposals referred to above provided that the cost of all proposals is within the funding limit allocated by the Councils.

9.0 Termination of Committee

Termination of the CapeROC shall be by decision of either Council or jointly to discontinue participation in the Voluntary Regional Organisation of Councils.

10.0 Amendment to the Terms of Reference

This document may be altered at any time by the two Councils jointly passing a motion of their respective Councils on the recommendation of the CapeROC, or independently by joint decision of the two Councils.

11.0 Committee Decisions

Other than to approve proposals that are presented to CapeROC which are consistent with the Objectives of the Committee shown at section 3.0 of this Terms of Reference, CapeROC decisions shall not be binding on the two Councils and need to be ratified by the Councils.

History	
18 August, 2017	CAP1708/005 Review
21 October, 2013	SC1310/186 Membership
9 October, 2013	C1310/267 Establishment
12 October, 2011	C1110/315
25 November, 2009	C0911/410