

Committee: Audit Committee

Responsible Directorate: Finance and Corporate Services

Version: Current

## 1. INTRODUCTION

- 1.1 The Council of the City of Busselton has established an Audit Committee (the Committee) pursuant to Part 7 of the *Local Government Act 1995* (the Act).
- 1.2 The Committee is established to fulfil the requirements of *Local Government (Audit) Regulation 16*, and provides oversight of the financial systems of the local government on behalf of the Council.
- 1.3 The Committee operates to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to financial reporting and audit, internal audit and risk management.
- 1.4 The Committee is to provide guidance and assistance to the local government as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act and the process to select and appoint an auditor.
- 1.5 The Committee shall act in accordance with the provisions of the Act, the local laws and policies of the City of Busselton and these Terms of Reference.

## 2. OBJECTIVE

- 2.1 The objectives of the Audit Committee are:
  - a. to monitor the annual external audit and to liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs;
  - b. to ensure openness in the local government's financial reporting and to liaise with the Chief Executive Officer (or his representative) to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation;
  - c. to facilitate:
    - i. the enhancement of the credibility and objectivity of external financial reporting;
    - ii. compliance with laws and regulations as well as use of best practice guidelines relative to auditing;
    - iii. the provision of an effective means of communication between the external auditor, the Chief Executive Officer (or his representative) and the Council;
    - iv. the effective conduct of internal audit and risk management activities.
- 2.2 The following specific duties and responsibilities have been given to the Committee in order to facilitate the achievement of its objectives:
  - a. to provide guidance and assistance to Council as to the carrying out of the functions of the local government in relation to audits;
  - b. to review the report prepared by the Chief Executive Officer on any actions taken in respect of any matters raised in the report of the auditor and to present the report to Council for adoption prior to the end of the next financial year or six months after the last report prepared by the auditor is received, whichever is the latter;

- c. to formally meet with the auditor in accordance with the requirements of Section 7.12(A)(2) of the Act on behalf of the local government;
- d. to review the compliance audit return and report to the Council the results of that review in accordance with Audit Regulation 14(3A);
- e. to review reports provided by the CEO relating to the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance and to report to Council the results of the review in accordance with Audit Regulation 16(c).

### **3. MEMBERSHIP**

- 3.1. Council shall appoint four elected members to the Committee.
- 3.2. Council shall appoint two elected members as a deputy member of the Committee.
- 3.3. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council shall appoint new members to the Committee at its first meeting following the ordinary election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

### **4. PRESIDING MEMBER**

- 4.1. The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

### **5. MEETINGS**

- 5.1. The Committee shall meet at least two times per year.
- 5.2. The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.3. Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers to be provided to members not less than 72 hours prior to the meeting
- 5.4. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *City of Busselton Standing Orders Local Law 2018*.
- 5.5. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.6. Where the Committee makes a recommendation to the Council, the Chief Executive Officer shall ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.

### **6. QUORUM**

- 6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

### **7. DELEGATED POWERS**

- 7.1. Pursuant to section 5.17 of the Act, the Committee is delegated the power to conduct the formal meeting with the City's Auditor required by Section 7.12(A)(2) on behalf of the local government.
- 7.2. In all other matters, Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

## 8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:

- a. are the Committee's purpose and objectives being met?
- b. should the purpose and objectives be amended?
- c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
- d. are the Committee members regularly attending meetings?
- e. review the Terms of Reference, including membership.

## 9. APPROVAL

|                          |             |                   |                     |            |
|--------------------------|-------------|-------------------|---------------------|------------|
| <b>Council Adoption</b>  | <b>DATE</b> | 25 September 2019 | <b>Resolution #</b> | C1909/191  |
| <b>Previous Adoption</b> | <b>DATE</b> | 21 October 2013   | <b>Resolution #</b> | SC1310/186 |

Committee: Finance Committee

Responsible Directorate: Finance and Corporate Services

Version: Current

## 1. INTRODUCTION

- 1.1. The Council of the City of Busselton has established a standing committee to be known as the Finance Committee (the Committee), under the powers given in Section 5.8 of the *Local Government Act 1995* (the Act).
- 1.2. The Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(a) of the Act and to oversee the allocation and use of the local government's finances and resources.
- 1.3. The Committee shall act for and on behalf of Council in accordance with the provisions of the *Local Government Act 1995*, local laws and policies of the City of Busselton and these Terms of Reference.

## 2. OBJECTIVE

- 2.1 The objectives of the Committee are:
  - a. to monitor income and expenditure with the objective of ensuring and overseeing budget compliance;
  - b. to consider funding options for major capital projects;
  - c. to assist the Council to prepare its long-term financial plans;
  - d. to review budget development processes;
  - e. to receive reports proposed to be put to the Council with significant financial implications or reports for the purposes of meeting the requirements of the *Local Government (Financial Management) Regulations 1996*;
  - f. to consider financial policies; and
  - g. to review and advise the Council on specific matters referred by the Council from time to time.

## 3. MEMBERSHIP

- 3.1. Council shall appoint five elected members to the Committee.
- 3.2. Council shall appoint four elected members as deputy members of the Committee.
- 3.3. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council shall appoint new members to the Committee at its first meeting following the ordinary election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

## 4. PRESIDING MEMBER

- 4.1. The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

## 5. MEETINGS

- 5.1. The Committee shall meet at least six times per year and shall report to Council once every two months as a minimum.
- 5.2. Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers to be provided to members not less than 72 hours prior to the meeting.
- 5.3. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *City of Busselton Standing Orders Local Law 2018*.
- 5.4. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.5. Where the Committee makes a recommendation to Council, the Chief Executive Officer shall ensure the recommendation is on the agenda at the next practicable ordinary Council meeting.

## 6. QUORUM

- 6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

## 7. DELEGATED POWERS

- 7.1. The Committee has been established by a decision of Council, but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

## 8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

- 8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:
  - a. are the Committee's purpose and objectives being met?
  - b. should the purpose and objectives be amended?
  - c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
  - d. are the Committee members regularly attending meetings?
  - e. review the Terms of Reference, including membership.

## 9. TERMINATION OF COMMITTEE

- 9.1. Termination of the Committee shall be:
  - a. in accordance with the *Local Government Act 1995*; and
  - b. by a decision of Council.

## 10. APPROVAL

|                          |             |                   |                     |           |
|--------------------------|-------------|-------------------|---------------------|-----------|
| <b>Council Adoption</b>  | <b>DATE</b> | 25 September 2019 | <b>Resolution #</b> | C1909/191 |
| <b>Previous Adoption</b> | <b>DATE</b> | 28 June 2017      | <b>Resolution #</b> | C1706/152 |

Committee: Policy and Legislation Committee

Responsible Directorate: Finance and Corporate Services

Version: Current

## 1. INTRODUCTION

- 1.1. The Policy and Legislation Committee (the Committee) is established under the powers given in Section 5.8 of the *Local Government Act 1995* (the Act).
- 1.2. The Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(b) of the Act, to determine the local government's policies, and its legislative function in accordance with Division 2 of Part 3 of the Act.
- 1.3. The Committee shall act for and on behalf of Council in accordance with the provisions of the Act, local laws and policies of the City of Busselton and these Terms of Reference.

## 2. OBJECTIVE

- 2.1. The objectives of the Committee are:
  - a. to assist the Council to determine the local government's policies and to carry out its legislative function;
  - b. to consider new and review existing policies and delegations of the City of Busselton (other than financial policies);
  - c. to review local laws and other delegated legislation made by the City of Busselton;
  - d. to consider reports proposed to be put to the Council with significant policy or legislative implications;
  - e. to review and advise the Council on specific matters relating to policy or legislation as directed by the Council.

## 3. MEMBERSHIP

- 3.1. Council shall appoint five elected members to the Committee.
- 3.2. Council shall appoint four elected members as deputy members of the Committee.
- 3.3. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council shall appoint new members to the Committee at its ordinary meeting following the ordinary election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

## 4. PRESIDING MEMBER

- 4.1 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

## 5. MEETINGS

- 5.1. The Committee shall meet at least six times per year.
- 5.2. The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.
- 5.3. Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers to be provided to members not less than 72 hours prior to the meeting.
- 5.4. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *City of Busselton Standing Orders Local Law 2018*.
- 5.5. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.6. Where the Committee makes a recommendation to Council, the Chief Executive Officer shall ensure the recommendation is on the agenda at the next practicable ordinary Council meeting.

## 6. QUORUM

- 6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

## 7. DELEGATED POWERS

- 7.1. The Committee has been established by a decision of Council, but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

## 8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

- 8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:
  - a. are the Committee's purpose and objectives being met?
  - b. should the purpose and objectives be amended?
  - c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
  - d. are the Committee members regularly attending meetings?
  - e. review the Terms of Reference, including membership.

## 9. TERMINATION OF COMMITTEE

- 9.1. Termination of the Committee shall be:
  - a. in accordance with the *Local Government Act 1995*; and
  - b. by a decision of Council.

## 10. APPROVAL

|                          |             |                   |                     |           |
|--------------------------|-------------|-------------------|---------------------|-----------|
| <b>Council Adoption</b>  | <b>DATE</b> | 25 September 2019 | <b>Resolution #</b> | C1909/191 |
| <b>Previous Adoption</b> | <b>DATE</b> | 28 June 2017      | <b>Resolution #</b> | C1706/152 |

Committee: Bush Fire Advisory Committee

Responsible Directorate: Planning and Development Services

Version: Current

## 1. INTRODUCTION

- 1.1 The Council establishes a Bush Fire Advisory Committee (the Committee) under the powers given in Section 67 of the *Bush Fires Act 1954* (the Act).
- 1.2 The Committee shall act for and on behalf of Council in accordance with the provisions of the Act, the *Local Government Act 1995*, local laws and policies of the City of Busselton and these Terms of Reference.

## 2. OBJECTIVE

- 2.1 The objectives of the Committee are:
  - a. to provide advice to Council in regard to all matters relating to bush fire control, prevention and management, including:
    - i. recommendations on the annual firebreak requirements;
    - ii. the purchase of capital equipment;
    - iii. review of firefighting and prevention practices; and
    - iv. training in firefighting methods.
  - b. to care for, control and manage the bush fire risk within the City of Busselton.

## 3. MEMBERSHIP

- 3.1 Council shall appoint one elected member to the Committee.
- 3.2 Council shall appoint one elected member as a deputy member of the Committee.
- 3.3 The Fire Control Officers from each of the City's Bush Fire Brigades shall be, by virtue of the office held, be appointed to the Committee.
- 3.4 The Community Emergency Services Manager shall, by virtue of the office held, be appointed to the Committee.
- 3.5 Representatives of the Department of Fire and Emergency Services (DFES) and Parks and Wildlife Services (Department of Biodiversity, Conservation and Attractions (DBCA)) will be advisory members of the Committee. Such persons will not be entitled to vote on any matters brought before the Committee.
- 3.6 Other persons, or representatives of organisations, may participate in meetings of the Committee (or any sub-committees the Committee may establish) as determined by a simple majority of the Committee. Such persons will not be entitled to vote on any matters brought before the Committee.
- 3.7 Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.8 Council shall appoint new members to the Committee at its first meeting following the ordinary election.
- 3.9 The membership of a member may be ceased in accordance with the *Bushfires Act 1954*.



#### **4. PRESIDING MEMBER**

4.1 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

#### **5. MEETINGS**

5.1 The Committee shall meet at least two times per year, once at the beginning and once at the end of the bush fire season.

5.2 The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing Orders Local Law 2018*.

5.3 Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers provided to the members no later than 72 hours prior to the meeting.

5.4 All voting members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.

5.5 Where the Committee makes a recommendation to the Council, the Chief Executive Officer shall ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.

#### **6. QUORUM**

6.1 Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

#### **7. DELEGATED POWERS**

7.1 The Committee has been established by a decision of Council, but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

7.2 Where necessary, recommendations of the Local Emergency Management Committee may be considered by the Committee and referred to the Council.

#### **8. EVALUATION OF COMMITTEE'S EFFECTIVENESS**

8.1 At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:

- a. are the Committee's purpose and objectives being met?
- b. should the purpose and objectives be amended?
- c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
- d. are the Committee members regularly attending meetings?
- e. review the Terms of Reference, including membership.

#### **9. TERMINATION OF COMMITTEE**

9.1 Termination of the Committee shall be:

- a. in accordance with the *Bush Fires Act 1954*; and
- b. by a decision of Council.

## 10. APPROVAL

|                          |             |                 |                     |           |
|--------------------------|-------------|-----------------|---------------------|-----------|
| <b>Council Adoption</b>  | <b>DATE</b> | 21 October 2019 | <b>Resolution #</b> | C1909/191 |
| <b>Previous Adoption</b> | <b>DATE</b> | 11 October 2017 | <b>Resolution #</b> | C1710/248 |

# TERMS OF REFERENCE



Committee: Local Emergency Management Committee

Responsible Directorate: Planning and Development Services

Version: Current

## 1. INTRODUCTION

- 1.1. The Local Emergency Management Committee is established pursuant to section 38 of the *Emergency Management Act 2005* (the Act).
- 1.2. The Committee shall act for and on behalf of Council in accordance with the provisions of the Act, the *Local Government Act 1995*, local laws and policies of the City of Busselton (City) and these Terms of Reference.

## 2. OBJECTIVE

- 2.1. Pursuant to section 39 of the Act the functions of the Committee are:
  - a. to advise and assist the local government in ensuring that Local Emergency Management Arrangements (LEMA) are established;
  - b. to liaise with public authorities and other persons in the development, review and testing of LEMA; and
  - c. to carry out other emergency management activities as directed by the State Emergency Management Committee (SEMC) or prescribed by the Regulations.

## 3. MEMBERSHIP

- 3.1. Council shall appoint two elected members, being the Mayor and Deputy Mayor, to the Committee.
- 3.2. Council shall appoint one elected member as deputy members of the Committee.
- 3.3. As recommended by Section 7 of the *State Emergency Management Preparedness Procedure* (the State EMP Procedure) membership of the Committee shall comprise:
  - a. the Local Emergency Coordinator as appointed pursuant to Section 37 of the Act by the State Emergency Coordinator (the Commissioner of Police – OIC Busselton Police/OIC Dunsborough Police)
  - b. the Local Recovery Coordinator as appointed by the City
  - c. the following City officers:
    - Manager Environmental Services
    - Environmental Health Coordinator
    - Airport Operations Coordinator
    - Community Emergency Services Manager
  - d. representatives from the following emergency management agencies, welfare support agencies and non-government organisations:
    - Department of Fire and Emergency Services (DFES) – Fire and Rescue Services
    - DFES – State Emergency Service
    - DFES – Volunteer Marine Rescue Service
    - St John Ambulance
    - Department of Biodiversity, Conservation and Attractions
    - Department of Communities
    - Department of Primary Industries and Regional Development
    - Department of Transport
    - WA Country Health Services

- Surf Life Saving Western Australia
- ATC Gas
- Busselton Water
- NBN Co
- Telstra
- WAPOL (OIC Busselton Police/OIC Dunsborough Police)
- Water Corporation
- Western Power

3.4. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.

3.5. Council shall appoint new members to the Committee at its first ordinary meeting following the ordinary election.

3.6. The membership of a member may be ceased in accordance with the Act.

3.7. In addition to the voting members above, staff from the City and from other external State Government and non-government organisations may attend meetings regularly or on an ad-hoc basis in an advisory and networking capacity. Advisory members shall not have voting rights.

#### **4. PRESIDING MEMBER**

4.1. The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

4.2. The Presiding member shall be an elected member of Council as recommended by the State EMP Procedure. The election of the Presiding Member shall occur at the first Committee meeting immediately following the ordinary Council election.

4.3. The Deputy Presiding Member shall be shall be the Local Emergency Coordinator as recommended by the State EMP Procedure.

4.4. The Committee shall be supported by an Executive Officer. The Executive Officer as appointed by the Chief Executive Officer of the City shall be the Ranger and Emergency Services Coordinator.

#### **5. MEETINGS**

5.1. The Committee shall meet at three-monthly intervals normally the first Tuesday in March, June, September and December.

5.2. Notice of meetings shall be given to members at least three days prior to each meeting.

5.3. The Executive Officer shall ensure that detailed minutes of all minutes are kept in accordance with the *City of Busselton Standing Orders Local Law 2008*.

5.4. If a scheduled meeting is cancelled, the reason for cancelling the meeting shall be noted in the Minutes of the next meeting.

5.5. All voting members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.

5.6. Where the Committee makes a decision that involves the making of a recommendation for consideration by the Council, the Chief Executive officer shall ensure that the recommendation is presented to the Council as part of the first practicable ordinary Council meeting agenda following the Committee meeting.

## 6. QUORUM

6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

## 7. DELEGATED POWERS

7.1. The Committee has been established by a decision of Council but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

## 8. EVALUATION OF COMMITTEE'S EFFECTIVENESS

8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:

- a. are the Committee's purpose and objectives being met?
- b. should the purpose and objectives be amended?
- c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
- d. are the Committee members regularly attending meetings?
- e. review the Terms of Reference, including membership.

## 9. APPROVAL

|                          |             |                   |                     |           |
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| <b>Council Adoption</b>  | <b>DATE</b> | 25 September 2019 | <b>Resolution #</b> | C1909/191 |
| <b>Previous Adoption</b> | <b>DATE</b> | 11 October 2017   | <b>Resolution #</b> | C1710/248 |

Committee: Airport Advisory Committee

Responsible Directorate: Community and Commercial Services

Version: Current

## 1. INTRODUCTION

- 1.1. The Council of the City of Busselton has established an Airport Advisory Committee (the Committee) under the powers given in Section 5.8 of the *Local Government Act 1995*.
- 1.2. The Airport Advisory Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(a) of the Act to establish and maintain liaison between stakeholders, consider policies associated with the airport and oversee development of the airport.
- 1.3. The Committee shall act for and on behalf of Council in accordance with provisions of the Act, local laws and policies of the City of Busselton and these Terms of Reference.

## 2. OBJECTIVE

- 2.1 The objectives of the Committee are:
  - a. to foster liaison and cooperation between the City of Busselton and all stakeholders associated with the Busselton Margaret River Airport (Airport);
  - b. to provide a forum for the discussion of issues and the formulation of suggestions and recommendations on issues associated with the Airport;
  - c. to make recommendations to Council on matters associated with the future development of the Airport.

## 3. MEMBERSHIP

- 3.1. Council shall appoint four elected members to the Committee.
- 3.2. Council shall appoint two elected members as deputy members of the Committee.
- 3.3. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.
- 3.4. Council shall appoint new members to the Committee at its first meeting following the ordinary election.
- 3.5. The membership of a member may be ceased in accordance with the Act.

## 4. PRESIDING MEMBER

- 4.1 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

## 5. MEETINGS

- 5.1. The Committee shall meet at least two times per year.
- 5.2. The Committee shall report to Council in accordance with clause 2.10 of the *City of Busselton Standing*

- 5.3. Notice of meetings shall be given to members at least five days prior to each meeting, with the agenda papers provided to members not less than 72 hours prior to the meeting.
- 5.4. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *City of Busselton Standing Orders Local Law 2008*.
- 5.5. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.
- 5.6. Where the Committee makes a recommendation to the Council, the Chief Executive Officer shall ensure that the recommendation is on the agenda of the next practicable ordinary Council meeting.
- 5.7. Other persons (or representatives of organisations) may participate in meetings of the Committee (or any sub committees the Committee may establish) as determined by a simple majority of the Committee. Such persons will not be entitled to vote on any matter brought before the Committee.

**6. QUORUM**

- 6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

**7. DELEGATED POWERS**

- 7.1. The Airport Advisory Committee has been established by a decision of Council but does not have any delegated powers. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

**8. EVALUATION OF COMMITTEE'S EFFECTIVENESS**

- 8.1. At the meeting of the Committee prior to the ordinary Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:
  - a. are the Committee's purpose and objectives being met?
  - b. should the purpose and objectives be amended?
  - c. is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
  - d. are the Committee members regularly attending meetings?
  - e. review the Terms of Reference, including membership.

**9. TERMINATION OF COMMITTEE**

- 9.1. Termination of the Committee shall be:
  - a. in accordance with the *Local Government Act 1995*; and
  - b. by a decision of Council.

**10. APPROVAL**

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Committee: Meelup Regional Park Committee

Responsible Directorate: Planning and Development Services

Version: Current

## 1. INTRODUCTION

- 1.1. The Council of the City of Busselton has established the Meelup Regional Park Committee (Committee) pursuant to sections 5.8 and 5.9(2)(d) of the *Local Government Act 1995*.
- 1.2. The Committee shall act for and on behalf of Council in accordance with the provisions of the *Local Government Act 1995*, local laws and policies of the City of Busselton and this document.
- 1.3. The Committee is to consider matters that require a formal decision of the Committee and/or the Council, in order to meet the stated objectives as per Part 2 of this terms of reference.
- 1.4. Matters that would require a formal decision of the Committee are:
  - a. any matter that require a formal resolution of the Council (such as any change to the membership or terms of reference of the Committee, or any matter that requires, from a legal/statutory perspective, a formal decision of the Council), other than the adoption or amendment of the Council Budget, as it relates to the Park;
  - b. matters on which a decision is required and which are considered to be of high strategic importance and/or broad public interest (such as proposals for significant infrastructure or significant changes to the management of the Park, but not usually individual works projects or events, or the noting of plans, studies or similar, which are primarily or wholly being presented to the Committee for information purposes);
  - c. matters that require a formal decision of the Council because consensus has not been achieved through discussions with the Meelup Regional Park Working Group; and
  - d. any other matter that the Presiding Member of the Committee, having received and considered the advice of City officers, considers requires formal consideration by the Council.

## 2. OBJECTIVE

- 2.1. To assist the Council in managing and promoting Meelup Regional Park (the Park).
- 2.2. To ensure that the full range of issues relevant to the making of decisions about the management and promotion of the Park are considered, including environmental, amenity, recreational, community, social, economic and financial considerations.

## 3. MEMBERSHIP

- 3.1. Two elected members
- 3.2. Two deputy elected members
- 3.3. Between six and eight community members, with up to three of these members to be representatives of the Friends of Meelup Regional Park Incorporated Association.



3.4. Membership of the Committee shall, unless determined otherwise, cease on the day of the next ordinary Council election.

3.5. If any member is absent from the Committee for three consecutive meetings without approved leave of absence from the Committee, the Chief Executive Officer shall present a report to the Council so that the Council may determine whether to continue that person's membership of the Committee.

#### **4. PRESIDING MEMBER**

4.1. The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business.

#### **5. MEETINGS**

5.1. The Committee shall meet at least two times per year.

5.2. Notice of meetings shall be given to members at least seven days prior to each meeting.

5.3. The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the *Local Government Act 1995* and the *City of Busselton Standing Orders Local Law*.

5.4. All members of the Committee shall have one vote. If the vote of the members present is equally divided, the Presiding Member shall cast a second vote.

5.5. Where a Committee member wishes the Committee to consider an alternative to the officer recommendation in relation to any particular item, they should, as far as practicable, indicate in writing (preferably email) to the Chief Executive Officer or Chief Executive Officer's nominee their intention to do so, setting out their proposed alternative and the reasons for that alternative, by 3pm on the day before the scheduled commencement of the meeting. The Chief Executive Officer or Chief Executive Officer's nominee will then provide officer comment on the proposed alternative in writing to Committee members prior to the scheduled commencement of the meeting.

5.6. Where the Committee makes a decision that involves the making of a recommendation for consideration by the Council, the Chief Executive officer shall ensure that the recommendation is presented to the Council as part of the first practicable ordinary Council meeting agenda following the Committee meeting.

#### **6. QUORUM**

6.1. Quorum for a meeting shall be at least 50% of the number of offices of membership, whether vacant or not.

6.2. A decision of the Committee does not have effect unless it has been made by a simple majority.

#### **7. DELEGATED POWERS**

7.1. Pursuant to section 5.17 of the *Local Government Act 1995*, the Committee is delegated to adopt plans, policies or documents that relate to management of the Park, other than where those plans, policies or documents require adoption pursuant to a particular statutory power, but may not make any decision that would require expenditure of funds contrary to the adopted budget.

7.2. Any decisions shall not be actioned until the Committee meeting minutes have been formally considered by the Council.

#### **8. EVALUATION OF COMMITTEE'S EFFECTIVENESS**

8.1. At the meeting of the Committee prior to the ordinary biennial Council elections, the Committee shall undertake a review to evaluate its effectiveness, and as a guide the following should be determined:

- a. Are the Committee's purpose and objectives being met?

- b. Should the purpose and objectives be amended?
- c. Is the Committee functioning effectively and as per the requirements of the *Local Government Act 1995*?
- d. Are the Committee members regularly attending meetings?
- e. Review the Terms of Reference, including membership.

**9. TERMINATION OF COMMITTEE**

9.1. Termination of the Committee shall be:

- a. in accordance with the *Local Government Act 1995*; and
- b. by a decision of Council.

**10. APPROVAL**

|                          |             |                   |                     |           |
|--------------------------|-------------|-------------------|---------------------|-----------|
| <b>Council Adoption</b>  | <b>DATE</b> | 27 August 2019    | <b>Resolution #</b> | C1908/172 |
| <b>Previous Adoption</b> | <b>DATE</b> | 14 September 2016 | <b>Resolution #</b> | C1609/242 |