

 Wudinna District Council	Terms of Reference Bushfire Management Advisory Committee	Version No:	2.0
		Issued:	19 December 2017
		Last Review	August 2020
		Next Review	February 2023

GDS40 Responsibility:	Strategic Management
Minutes Reference:	10.6.8 – 18 August 2020
Next Review:	Within 6 months of a Council General Election
Applicable Legislation:	Section 41 Committee of Council (LG Act 1999)
Related Documents:	Fire and Emergency Services Act 2005 Local Government Act 1999 Local Government (Procedure at Meetings) Regulations 2013 Committees and Subsidiaries Policy Code of Practice for Meeting Procedures Council Code of Practice for Access to Meetings and Documents

1.0 Foreword

Wudinna District Council (Council) is committed to the prudent management of fire risk within its area of jurisdiction. It also participates in zone, state, national committees and functional groups in a coordinated approach to fire management. Councils have statutory responsibilities under the Fire and Emergency Services Act 2005 to manage fire including the appointment of Fire Prevention Officer(s).

At a local level, this committee aims to bring together the key stakeholders to provide advice to Council on all matters relating to bushfire management.

2.0 Relationship of Committee to Council

The Committee is formed under Section 41 of the *Local Government Act 1999* for the purpose of providing advice and making recommendations to Council on matters within the responsibility of the Committee.

3.0 Objectives of the Committee

The objectives for which the Committee is established are:

- 3.1 to provide advice to Council on all matters relating to Bushfire Management;
- 3.2 to provide guidance and stakeholder feedback to the Fire Prevention Officer in assistance of performance of his/her duties as may be required from time to time under the *Fire and Emergency Services Act 2005*;
- 3.3 assist regional boards and fire functional agencies in the development of fire prevention planning and management strategies;
- 3.4 assist networking of fire prevention functional support areas;
- 3.5 consider and table fire prevention issues for the Wudinna District Council district.

4.0 Responsibilities of the Committee

- 4.1 consider matters relating to fire management from a risk, operational, industry and community perspective and provide recommendations to Council;
- 4.2 consider reports of activities from the Fire Prevention Officer(s) and identify areas of concern to assist performance of activities as described in the Fire and Emergency Services Act 2005;
- 4.3 receive and review reports, plans and activities of regional boards and fire functional agencies;
- 4.4 provide networking support for local stakeholder fire agencies, community and industry;
- 4.5 assessment of localised risk areas and provide recommendation to Council on strategy and risk mitigation;
- 4.6 generally to consider potential fire and fire risk areas for the Wudinna District Council region, providing linkage to zone and state level strategies, activities and provide recommendation to Council thereon.

 Wudinna District Council	Terms of Reference Bushfire Management Advisory Committee	Version No:	2.0
		Issued:	19 December 2017
		Last Review	August 2020
		Next Review	February 2023

5.0 Membership of the Committee

Membership of the Committee shall be on the following basis:

Base Membership for quorum assessment:

- 5.1 Two (2) Elected Members of Council;
- 5.2 One (1) Council Officer performing Fire Prevention duties;
- 5.3 One (1) Representative of Country Fire Service;
- 5.4 One (1) Representative of Harvest Ban Group;
- 5.5 Two (2) Community Representatives;

Additional members whilst acting in the position:

- 5.6 CFS Region Six Fire Prevention Officer.
- 5.7 Fire Permit Issuing Officers.

Any elected member of Council may attend any meeting of the Committee.

As required, other officers of Council, Country Fire Service or fire planning and risk management staff, contractors and advisors may be called upon or invited to attend meetings should Agenda items be deemed to have an impact on their area of control.

6.0 Chairperson

In the event that the Mayor of Council is represented on the Committee, the Mayor will automatically be appointed to the position of Chairperson of the Committee. If the Mayor of the Council is not represented on the Committee, then the Committee shall be chaired by the Deputy Mayor or an elected member of Council. If no elected member is present then a Chairperson shall be elected from the committee members present

This election shall be made any ordinary meeting of the Committee and shall hold office for that meeting or until the Committee seeks re-election of Chairperson by a resolution of the Committee.

The role of the Chairperson of the Committee is to:

- 6.1 chair all ordinary, special and other meetings of the Committee;
- 6.2 liaise with the Chief Executive Officer as to the functions, meetings and other issues of the Committee;
- 6.3 act in conjunction with the Chief Executive Officer as the Committee spokesperson to the Council, on any issues or dealings of the Committee as and when required.

7.0 Ordinary Meetings

Ordinary Meetings shall be called in terms of the Section 87 *Local Government Act 1999* (as amended).

- 7.1 due to the nature of the Committee, its objectives, role and functions, the Committee must meet at least once during any one calendar year;
- 7.2 Council shall give at least three (3) clear days' notice of all ordinary meetings and such notice shall be accompanied by an agenda for the meeting along with supporting documentation and reports for consideration at the meeting;
- 7.3 in the event of the absence of the Chairperson, or an elected member to chair the meeting as described in Clause 6 above, the members present at the meeting may elect an Acting Chairperson for the sole purpose of chairing the ordinary meeting.

8.0 Special Meetings

Special meetings of the Committee may be called at any time by the Secretary with the approval of the Chairperson or Acting Chairperson. At least four (4) hours prior notice in writing is required to hold a Special Meeting, and such notice shall set out explicitly the nature of the business to be conducted at the special

 Wudinna District Council	Terms of Reference Bushfire Management Advisory Committee	Version No:	2.0
		Issued:	19 December 2017
		Last Review	August 2020
		Next Review	February 2023

meeting and whether any resolution of the Committee is required to be made. Each member of the Committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting (so far as reasonably practicable).

9.0 Absence

Any member of the Committee who is unable to attend any meeting shall advise the Secretary of their absence prior to the commencement of the meeting. If any member of the Committee appointed is absent for three or more consecutive meetings, the Council may seek nominations for another person to be a member of the Committee, either representing Council or the relevant community organisation from which the Committee member represented.

10.0 Quorum

The quorum shall be the total number of members of the Committee for the time being in office divided by two, ignoring any fraction and adding one. The quorum is therefore four (4).

11.0 Voting

Each formal member of the Committee shall be entitled to one vote upon each matter submitted to the meeting. The voting of the Committee meetings shall be in accordance with Regulation 27 of the *Local Government (Procedure at Meetings) Regulations 2013*, which provides for the following:

- 11.1 a question arising for decision at a meeting of the Council Committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question;
- 11.2 each member of a Council who is a member of a Council Committee and who is present at a meeting of a Council Committee must, subject to a provision of the Local Government Act 1999 (as amended) to the contrary, vote on a question arising for decision at that meeting;
- 11.3 the presiding member of a Council Committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

12.0 Appointment to the Committee

Appointment of members to the Committee shall be by the Council at its discretion. The committee may make recommendations for individual membership or membership structure.

13.0 Conflict of Interest and Confidentiality

- 13.1 In the event of a conflict of interest arising for any member of the Committee, the member will disclose the interest and clearly state the nature of the interest at the meeting before the matter is considered. The Conflict of Interest shall be dealt with in terms of the Local Government Act 1999 (S 73,74 75).
- 13.2 Members shall observe principals of confidentiality on all matters as described in Section 90 (3) of the Local Government Act 1999, where Council could reasonably be expected to close a meeting to the public to consider a particular matter or item raised by the Committee.

14.0 Administrative Support

Secretariat to the Committee shall be provided by Council, either the Fire Prevention Officer having been appointed and/or additional secretariat support as shall be required from time to time.

Council will provide the necessary support to assist the Committee to function effectively including:

- 14.1 maintaining contact details of members;
- 14.2 preparing and distributing Agendas and prior reading material;
- 14.3 preparing and distributing minutes of meetings;
- 14.4 circulating other material to Committee members as necessary;

 Wudinna District Council	Terms of Reference Bushfire Management Advisory Committee	Version No:	2.0
		Issued:	19 December 2017
		Last Review	August 2020
		Next Review	February 2023

14.5 managing all other administrative processes associated with the Committee meetings and business arising therein.

15.0 Media

The Mayor is the official spokesperson for media releases where the matter is of a political, controversial or sensitive nature. Committee members are not to represent Council to the media without prior approval of the Mayor.

Council will undertake media report release and advertising in terms of its standing policies

16.0 Minutes Procedures, Minutes and Documents

All meetings of the Committee will be held in accordance with the *Local Government Act 1999* (as amended) (and relevant Regulations), the Wudinna District Council Code of Practice for Meeting Procedures and the Wudinna District Council Code of Practice for Access to Meetings and Documents;

- 16.1 minutes will be kept of the proceedings of each Committee meeting. Members of the Committee will be provided with a copy of all minutes within five days of a meeting;
- 16.2 members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the Confidentiality provisions of Section 90 & 91 of the *Local Government Act*.

17.0 Reporting Requirements

- 17.1 This Committee reports directly to Council;
- 17.2 the Committee shall make whatever recommendations to the Council it deems appropriate on any area within its Term of Reference where, in its view, action or improvement is needed;
- 17.3 recommendations made by the Committee will be referred to the next Council meeting through presentation of minutes, for final Council resolution.

18.0 Register of Interests

Pursuant to Division 2 (Register of Interests) of the *Local Government Act 1999* (as amended), the register of interests provisions as described do not apply to the Committee members except for Council elected members in terms of their normal election or appointment to Council.

19.0 Review of Committee

A review of the role, function, membership and productivity of the Committee and the Terms of Reference may be conducted at any time but shall be undertaken within six months of a general election or upon the resignation of an elected member.