

DISTRICT COUNCIL OF
KIMBA

5.9 BUSHFIRE MANAGEMENT ADVISORY COMMITTEE TERMS OF REFERENCE



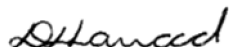
**2024 –
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	<i>Bushfire Management Advisory Committee Terms of Reference</i>	Version No:	10
		Adopted:	
		Next Review:	October 2025

DOCUMENT APPROVAL

This document has been endorsed and approved for use by:



Deb Larwood
CEO District Council Kimba

Date

Document Version Control

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Authorised By	Deb Larwood, Chief Executive Officer

Change History

Version	Issue Date	Author	Reasons for Change
1	December 2009	D Larwood	
2	October 2012	D Cearns	Review
3	October 2013	D Cearns	Review
4	October 2014	D Larwood	Review
5	October 2016	P Rogers	Review
6	October 2017	M Inglis	Review
7	November 2018	D Larwood	Local Government Elections 2018
8	October 2020	M Inglis	Review
9	November 2022	D Larwood	Local Government Elections 2022
10	October 2023	M Inglis	Review
11	October 2024	M Inglis	Review

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TERMS OF REFERENCE

Established pursuant to Sections 41 (1) & (2) and 44 of the *Local Government Act 1999*

Official Title: District Council of Kimba Bushfire Management Advisory Committee

Date of Establishment: 12th July, 2006.

Purpose of Committee, Roles and Functions

- Generally, to provide advice to Council on all matters relating to Bushfire Management and to provide guidance to the Bushfire Prevention Officer in relation to his/her duties as may be required from time to time while acting under Sections 105B, 105C, 105D and 105E of the Fire and Emergency Services Act 2005 as Council's representative on the applicable Bushfire Management Advisory Committee.
- Assist the new Regional Board in developing forward work programs and management plans related to area for consideration by Council.

Membership

- Two Elected Members of Council
- Fire Prevention Officer
- CFS Caralue Group Officers
- Kimba Brigade Representative
- Buckleboo Brigade Representative
- Waddikee Brigade Representative
- Yalanda James Brigade Representative
- CFS Region 6 Representative
- National Parks representative

Advisory:

- CEO or proxy
- Manager Infrastructure & Civil Works or proxy

The principal member of council is an ex officio member of the committee and will not be taken to be included in the membership of the committee unless actually present at a meeting of the committee.

Chairperson

In the event that the Mayor of the 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 Council grants the Committee power pursuant to Section 41(4) of the Local Government Act 1999, to elect a Chairperson. In this case, the Chairperson shall be so elected at the first ordinary meeting of the Committee held each year. The Chairperson will hold office for the full twenty-four month terms.

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The process for electing the Chairperson shall be as follows:

- Chief Executive Officer shall call for nominations for the position of Chairperson, which does not require a seconder.
- In the event of two or more nominations being received, a secret ballot must be conducted. The ballot process must continue, eliminating the nominee with the least number of votes each time. When one nominee is remaining, that nominee is duly elected to the position of Chairperson.
- In the event of an equal number of votes being received by a nominee during the ballot process, lots will be drawn to determine the nominee to be eliminated. The nominee drawn will thus be eliminated.
- In the event of only one nomination being received after the call for nominations, then the nominee will be appointed to the position of Chairperson.

Role of Chairperson

The role of the Chairperson of the Committee is to:

- Chair all ordinary, special and other meetings of the Committee.
- Liaise with the Chief Executive Officer and Deputy Chief Executive Officer as to the functions, meetings, and other issues of the Committee.
- 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.

Deputy Chairperson

Pursuant to Section 41 (4) of the Local Government Act 1999, the Council grants the power to the Committee to elect a Deputy Chairman. If this power is exercised, the Deputy Chairman shall be so elected at the first ordinary meeting of the Committee held for a twenty-four-month term.

The election process for the Deputy Chairman shall be the same as that for the election of Chairman as set out in the terms of reference. In the absence of the Chairman, the Deputy Chairperson shall assume the powers and responsibilities of the Chairperson.

Secretary

An appointee shall be the secretary of the Committee. The Secretary shall:

- Arrange for the calling of all meetings of the Committee and provide all members with an agenda.
- Maintain minutes of all meetings of the Committee.
- Minutes of any meetings of the Committee to be made available to the Council and members of the Committee within five days of the meeting.

Ordinary Meetings

1. Due to the nature of the Committee, its purpose, role and functions, the Committee must meet at least once during any one year, with its first meeting of the Committee to include the making of relevant appointments if so required.
2. The secretary shall give 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.
3. In the event of the absence of the Chairman and Deputy Chairman, the members present at the meeting may elect an Acting Chairman for the sole purpose of chairing the ordinary meeting.

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- Proceedings of meetings of the Kimba Bushfire Management Advisory Committee to be conducted in accordance with the Country Fires Regulations 1989 as varied from time to time and in as much as they apply to the Committee.

Special Meetings

- Special meetings of the Committee may be called at any time by the Secretary with the approval of the Chairman or Acting Chairman.
- 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 meeting and whether any resolution of the Committee is required to be made.

Meeting Procedures

The procedure to be observed in relation to the meetings of the Committee shall be in accordance with the Local Government (procedures of Meetings) Regulations 2013 as set out under the Local Government Act 1999. However, Part 2 “Meetings of Councils and Key Committees” of the Regulations does not apply to the Committee.

Quorum

The quorum for all meetings of the Committee shall be six, as per Regulation 26 of the Local Government (Proceedings of Meetings) Regulations 2013.

Voting

The voting of the Committee meetings shall be in accordance with Regulation 27 of the Local Government (Proceedings of Meetings) Regulations 2013, which provides for the following:

- A question arising for decision at a meeting of the 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.
- Each member of the Committee and who is present at a meeting of the Committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- The Chairman of the 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.

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 the Council or the relevant community organisation from which the Committee member represented.

Minutes of Committee Meetings

The minutes of the Committee must be made available to all committee members within 5 days of the date of the meeting. The minutes of the committee meetings need to be reported to the next meeting of Council following the Committee meeting for authorisation and adoption.

Register of Interest

Pursuant to section 72(1) of the Local Government Act 1999, the register of interest provisions as described in Division 2 “Register of Interest” do not apply to the committee members.

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Amendments to the Terms of Reference

The Council may change the Terms of Reference of the Committee in part or in whole at any time as it sees fit by resolution at an ordinary special meeting of Council. The Committee may from time to time at an ordinary or special meeting pass a resolution to recommend to Council to alter any part of the terms of reference.

Adoption of Terms of Reference

This District Council of Kimba Bushfire Management Advisory Committee Terms of Reference was reviewed and re-adopted at the Council Meeting held on _____.