



CONFIRMED MINUTES

OF THE

SPECIAL MEETING OF COUNCIL

14 NOVEMBER 2019

OUR VISION

"A thriving and friendly community that recognises our history and embraces cultural diversity and economic opportunity, whilst nurturing our natural and built environment."

OUR MISSION

"To deliver affordable and quality Local Government services."

CORE VALUES OF THE SHIRE

The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:

Communication

Integrity

Respect

Innovation

Transparency

Courtesy

DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions in section 5.25 of the *Local Government Act 1995* establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

Should you require this document in an alternative format please contact us.

SHIRE OF BROOME
SPECIAL MEETING OF COUNCIL
THURSDAY 14 NOVEMBER 2019
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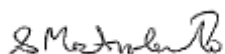
NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Thursday, 14 November 2019 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5:00pm for the purpose of considering:

- COMMITTEES AND WORKING GROUPS REVIEW AND APPOINTMENTS

Regards,



S MASTROLEMBO
Chief Executive Officer

08/11/2019

**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,
ON THURSDAY 14 NOVEMBER 2019, COMMENCING AT 5:00PM.**

1. OFFICIAL OPENING

The Chairman welcomed Councillors, Officers and members of the public and declared the meeting open at 5:03pm.

2. ATTENDANCE AND APOLOGIES

Attendance: Cr H Tracey Shire President
 Cr D Male Deputy Shire President
 Cr E Foy
 Cr C Mitchell
 Cr B Rudeforth
 Cr Nik Wevers
 Cr Fiona West

Leave of Absence: Nil

Apologies: Cr Peter Taylor
 Cr P Matsumoto

Officers: Sam Mastrolembro Chief Executive Officer
 James Watt Director Corporate Services
 Andrew Graffen Director Infrastructure
 Darren Kennedy Manager Governance, Strategy and Risk
 Simon Penn Media and Promotions Officer
 Lani Levi Senior Administration and Governance Officer

Public Gallery: Wade Freeman

3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Nil			

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Nil			

4. PUBLIC QUESTION TIME

Nil.

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Under section 5.23 (2)(d) of the *Local Government Act 1995* Council may resolve to move the meeting behind closed doors.

6.

**REPORTS
OF
OFFICERS**

There are no reports in this section.

6.1

OUR PEOPLE



PRIORITY STATEMENT

Embracing our cultural diversity and the relationship between our unique heritage and people, we aim to work in partnership with the community to provide relevant, quality services and infrastructure that meet the needs and aspirations of our community and those visiting and doing business in our region.

Supporting and contributing to the well-being and safety of our community is paramount, as is our focus on community engagement and participation.

Council aims to build safe, strong and resilient communities with access to services, infrastructure and opportunities that will result in an increase in active civic participation, a reduction in anti-social behaviour and improved social cohesion.

There are no reports in this section.

6.2

OUR PLACE



PRIORITY STATEMENT

The Shire of Broome has an abundance of unique natural features, coastal attractions, significant streetscapes, historic precincts and a mix of old and new urban developments.

Our aim is for all communities and settled areas, including the Broome Township, to be a place where the natural environment, on which life depends, is maintained, whilst at the same time the built environment contributes to the economy and a quality lifestyle for all.

Preserving the Shire's natural environment is a critical community outcome. Council will put into place strategies that nurture and improve the Shire's unique environment and biodiversity.

The Shire will work in partnership with the community and other agencies to ensure responsible and accountable management of both the natural and built environments is achieved in the short term and for future generations.

There are no reports in this section.

6.3

OUR PROSPERITY



PRIORITY STATEMENT

Our region has grown significantly over the past years in terms of population, economy and industry – this will continue! Balancing ecological sustainability with economic growth and retaining the 'look and feel' of Broome and its environs are an ongoing challenge for the region. Encouraging appropriate investment and business development opportunities to ensure a strong, diverse economic base is essential for community prosperity and the success of our future generations.

Focusing on developing clear pathways linking education with employment for our youth and the community at large is essential as we aim to retain our local people and continue to build a skilled and highly motivated workforce.

Business and Industry partnerships must be fostered to ensure sustainable economic growth is achieved, along with the provision of affordable and equitable services and infrastructure. Ensuring development meets community needs and legislative requirements whilst creating close community relationships and enhancing our understanding of local heritage and cultural issues will continue to be a major focus. The built environment must contribute to the economy, long term viability of the region and provide a quality lifestyle for all.

There are no reports in this section.

OUR ORGANISATION



PRIORITY STATEMENT

Council will strive to create an environment where local governance is delivered in an open and accountable manner; where we provide leadership to the region in such areas as planning and financial management; where the community has the opportunity to contribute to the Council's decision making thereby fostering ownership of strategies and initiatives.

In delivering open, accountable and inclusive governance, we will be ever mindful that we operate within a highly regulated environment that requires a high level of compliance.

Council will strive to be the conduit between the other spheres of government and the community, translating State and Federal law, policy and practice into customer focussed, on ground service delivery that support's Broome's unique lifestyle.

The Region is experiencing significant change with Council dedicated to sound governance, effective leadership and innovation, and high quality services. Building organisational capacity is a priority with a commitment to delivering services to the community in a sustainable, effective and accountable way.

6.4.1 COMMITTEES AND WORKING GROUPS REVIEW AND APPOINTMENTS

LOCATION/ADDRESS:	Nil
APPLICANT:	Nil
FILE:	ARE01, CTE38, OGS03, ORL21, ECL02
AUTHOR:	Senior Administration and Governance Officer
CONTRIBUTOR/S:	Nil
RESPONSIBLE OFFICER:	Director Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	23 September 2019

SUMMARY: Following the outcome of the Ordinary Local Government Election on 19 October 2019, Council is required to consider its representation on various committees and working groups.

In order to inform Council a full review of the operations of Committees and Working Groups and their Terms of Reference has been undertaken.

BACKGROUND

Representatives on Council Committees and Working Groups are discontinued and re-elected, as per section 5.11 of the *Local Government Act 1995* (the Act), following an ordinary local government election. The Shire of Broome held an Ordinary Election on 19 October 2019 with newly elected members sworn in on 21 October 2019.

A review of all Council Committee and Working Group Terms of Reference is done biannually to coincide with the reappointment of elected members. Elected member representation on external working groups and committees are also reconsidered at this time.

COMMENT**Review of Council Committees and Working Groups**

Council Committees and Working Groups adopt a Terms of Reference (TOR) that governs meeting proceedings. Post-election Shire staff who are responsible ex-officio members participate in a review of each of Council's Committee and Working Group TOR. The 2019 review focused on:

- a) updating the documents for readability and clarity.
- b) Reviewing relevancy and need;
- c) Ensure TOR are current and compliant with legislation.

The following sections highlight the findings from this review and outlines recommendations for changes.

Administrative Updates

General updates of an administrative nature have been recommended for all terms of references. The general changes below do not change the intent of any of the Council's committees or working groups:

- a) Names of individual members have been removed leaving only the name of the representative organisation. This allows external bodies the option of easily updating contact details if staffing changes occur.
- b) Standard wording has been inserted for meeting proceedings. This has been done to improve clarity of meeting proceedings and does not alter intent.
- c) Legislation has been referenced rather than written in full. This change has been made as a way of improving readability, reducing the overall size and printing cost of the document. Relevant legislation can be accessed easily online through the State Law Publisher website.
- d) The document has been formatted to improve readability.
- e) The Committee Booklet has had a summary added for each external committee and working group to provide elected members with a better understanding of functions and responsibilities.
- f) The TOR have been separated from the Committee and Working Group Information Booklet to improve readability, reduce the overall size and printing cost of the document. TOR for each Council Committee and Working Group will be available on the Shire's website, Councillor Hub and can also be printed separately upon request where needed.

These changes are outlined in more detail and shown as tracked changes in Attachment 1 – Elected Member Committee and Working Group Information Booklet and the attached Terms of Reference documents.

Audit and Risk Committee

The Audit and Risk Committee (ARC) TOR has been amended to reflect recent changes to the Local Government (Audit) Regulations 1996 and the Local Government (Financial Management) Regulations 1996.

Responsibilities of the ARC have also been reviewed and amended within the TOR and now better reflect the intent for the ARC to be an advisory body to 'guide and assist' Council.

Bush Fire Advisory Committee

Only administrative updates were made to this TOR.

Economic Development Advisory Committee

Removed requirement for quarterly meetings. The need for EDAC meetings has become less frequent since formation of Broome Futures Alliance. EDAC now only meet as required.

Note that Expressions of Interest will be sought to fill the Industry Representative roles.

Local Emergency Management Committee

Officers have recommended inviting a member from the Kimberley Population Health Unit (KPHU) onto the group. KPHU are responsible for the remote community health clinics at Lombadina, Djarindjin and Aardyaloon.

Note that Expressions of Interest will be sought to fill the Community Representative roles.

WORKING GROUP UPDATES

Community Sponsorship Working Group

Only administrative updates were made to this TOR.

Chinatown Stakeholder and Community Reference Group

It is noted that only minor changes have been made to this TOR.

Note that Expressions of Interest will be sought to fill the 2 Chinatown Landholder and 4 Community Representative roles.

Youth Advisory Council

Following Council's resolution from the Ordinary Meeting of Council held 23 November 2017 the Youth Advisory Council drafted a Guiding Principles document which outlines the TOR for the group.

The Guiding Principles require that a Councillor is appointed in the role of Deputy Chair.

EXTERNAL WORKING GROUP UPDATES

All external working groups were contacted to obtain current TOR's and establish that Council representatives were still required. The only change to current representation was from the Schools Cluster Board.

School Cluster Board

The Schools Cluster Board has declined the offer to have a Council representative reappointed. The reason given was that the group is very informal and does not meet frequently. Issues relevant to the group are rarely local government related. They have said that they will contact the Shire if Council support is needed in the future.

REPRESENTATION ON COUNCIL COMMITTEES AND WORKING GROUPS

As per section 11 of the Act all representation on Council Committees expire following a local government election.

Listed below are the Council Committees and Working Group appointments to which Council currently provide representation. The names of Councillors who represented Council prior to 19 October 2019 are also provided.

COMMITTEE/WORKING GROUP	CURRENT REPRESENTATIVES
Audit and Risk Committee Requires three elected member representatives as per Part 7 – Audit, of the <i>Local Government Act 1995</i>	Chair: Cr D Male Deputy Chair: Cr C Mitchell Member: Cr H Tracey Deputy: Cr B Rudeforth Deputy: Cr C Marriott 3 x Nominations required 2 x Deputy nominations required
Bush Fire Advisory Committee Deputy Chair is filled by Department of Fire and Emergency Services	Chair: Cr C Mitchell 1 x Nomination required
Economic Development Advisory Committee	Chair: Cr H Tracey Deputy Chair: Cr P Matsumoto

	Deputy: Cr Male Deputy: Cr Mitchell 2 x Nominations required 2 x Deputy nominations required
Local Emergency Management Committee Deputy Chair is filled by the Local Recovery Coordinator	Chair: Cr C Mitchell 1 x Nomination required
Boat Harbour Advisory Group	Chair: Cr H Tracey Proxy: Cr C Mitchell 1 x Nomination required 1 x Proxy nomination required
Chinatown Stakeholder and Community Reference Group	Chair: Cr H Tracey Deputy: Cr D Male 1 x Nomination required 1 x Deputy nomination required
Community Sponsorship Assessment Working Group	Chair: Cr C Mitchell Deputy Chair: Cr B Rudeforth Cr C Marriott Cr D Male Cr P Matsumoto Deputy: Cr H Tracey Deputy: Cr M Fairborn Deputy: Cr E Foy 5 x Nominations required 3 x Deputy nominations required
Youth Advisory Council Informal Working Group of Council	Deputy Chair: Cr M Fairborn 1 x Nomination required

External Committees and Other Appointments

Listed below are the external committees and other appointments to which Council currently provide representation. The names of Councillors who represented Council prior to 21 October 2019 are also provided.

Council are requested to consider nominations for those appointments where previous Councillor representatives have retired or have been re-elected following the Ordinary Local Government Election held 21 October 2019. It is proposed that those Councillors whose term does not expire until 2021 remain as representatives.

ORGANISATION	REPRESENTATIVES
Kimberley/Pilbara/Gascoyne Development Assessment Panel (Ministerial Appointment) - current terms expires 26 January 2020.	Member: Cr C Mitchell Member: Cr H Tracey Alternative Member: Cr D Male Alternative Member: Cr B Rudeforth

	2 x Nominations required and 2 x Alternative Member nominations required.
Kimberley Development Commission Board (Ministerial Appointment) – correspondence dated 1 November 2019 has been received seeking two Local Government representative nominations. Nominations due by 16 December 2019.	Member: Cr H Tracey Member: Cr C Marriott 2 x Nominations required.
Broome Visitor Centre Board	Member: Cr C Marriott Deputy Member: Cr B Rudeforth 1 x Nomination required. 1x Deputy member nomination required.
Broome (WALGA) Roadwise Committee – correspondence dated 21 October 2019 calling for one representative.	Chair: Cr E Foy Proxy: Cr P Matsumoto 1 x Nomination required. 1 x Proxy nomination required.
Kimberley Regional Roads Group	Member: Cr H Tracey Proxy: Cr C Mitchell Proxy: Cr B Rudeforth 1 x Nomination required 2 x Proxy Nominations required
WALGA Kimberley Country Zone – Kimberley Regional Group	Cr C Mitchell Cr H Tracey (Deputy) 1 x Nomination required. 1 x Deputy Nomination required.
Yawuru Park Council	Member: Cr H Tracey Proxy: Cr E Foy Proxy: Cr C Mitchell 1 x Nomination required. 2 x Proxy nomination required.

CONSULTATION

As part of this review consultation took place with Shire officers that are responsible ex-officio officers for Shire committees and working groups. Councillors have been invited to participate in a workshop, 14 November 2019, prior to any formal decision been made.

All external committee members and working groups were contacted and asked to provide up to date terms of reference for their meeting proceedings.

STATUTORY ENVIRONMENT

Part 5, Subdivision 2 — Committees and their meetings, of the *Local Government Act 1995*

7.1A - Audit committee of the *Local Government Act 1995*

Bushfires Act 1954
Emergency Management Act 2005

FINANCIAL IMPLICATIONS

The table below provides an estimate of the annual costs incurred administering Shire Committees and Working Groups. The costs were calculated by estimating the staffing hours required and adding a further standard 20% administration cost.

Committee	\$Annual
PART 1 - Council Committees	
Audit and Risk Committee	\$27,744
Bush Fire Advisory Committee	\$12,923
Economic Development Advisory Committee	\$34,190
Local Emergency Management Committee	\$12,923
PART 2 - Council Working Groups	
Community Sponsorship Assessment Working Group	\$12,923
Chinatown Stakeholder and Community Reference Group	\$24,480
Youth Advisory Council	\$12,923

These costs and any additional Councillor travel and accommodation costs were included in the 2019/20 budget.

RISK

Previous representation on Council Committee and Working Groups ceased on the election date, 21 October 2017 and as such Council are requested to consider nominations for representation on Committees and Working Groups. In addition, Council are requested to consider nominations for representation on external Committees and other appointments for those Councillor representatives who either retired or were re-elected.

We recommend that Council review the Terms of Reference and membership of its Committees and Working Groups and representation on external Committees and other appointments as early as possible to ensure that Council has continued support to effectively discharge its functions and responsibilities, and to meet legislative requirements.

STRATEGIC IMPLICATIONS

Our People Goal – Foster a community environment that is accessible, affordable, inclusive, healthy and safe:

Effective communication

Affordable services and initiatives to satisfy community need

Accessible and safe community spaces

Participation in recreational and leisure activity

A healthy and safe environment

Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community

A built environment that reflects arid tropical climate design principles and historical built form

A unique natural environment for the benefit and enjoyment of current and future generations

A preserved, unique and significant historical and cultural heritage of Broome

Retention and expansion of Broome's iconic tourism assets and reputation

Core asset management to optimise Shire's infrastructure whilst minimising life cycle costs.

Council is able to mobilise resources to deliver municipal service to indigenous communities that are compliant, effective and within Council's capacity.

Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:

Affordable and equitable services and infrastructure

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:

An organisational culture that strives for service excellence

Sustainable and integrated strategic and operational plans

Responsible resource allocation

Effective community engagement

Improved systems, processes and compliance

VOTING REQUIREMENTS

Absolute Majority

COUNCIL RESOLUTION:**Moved: Cr C Mitchell****Seconded: Cr B Rudeforth****Part 1 – Statutory Appointed Committees****1. Audit and Risk Committee****That Council:**

- 1. Adopts the Terms of Reference as detailed in Attachment 2;**
- 2. Appoints the following Councillors as members of the Audit and Risk Committee:**
 - **Cr D Male**
 - **Cr C Mitchell**
 - **Cr H Tracey**
 - **Cr B Rudeforth (Deputy)**
 - **Cr N Wevers (Deputy)**
- 2. Bush Fire Advisory Committee**

That Council:

- 1. Adopts the Terms of Reference as detailed in Attachment 3;**
- 2. Pursuant to section 67 of the Bush Fires Act 1954:**
 - a) Appoints Cr C Mitchell to the Bush Fire Advisory Committee;**
 - b) Appoints to the Bush Fire Advisory Committee agency and organisation representatives as presented in Attachment 3; and**
- 3. Notes that Expressions of Interest will be sought to fill the 8 Community Representative roles.**

3. Economic Development Advisory Committee**That Council:**

- 1. Adopts the Terms of Reference as detailed in Attachment 4; and**
- 2. Appoints the following as members of the Economic Development Advisory Committee:**
 - **Cr H Tracey**
 - **Cr F West**
 - **Cr P Matsumoto**
 - **Cr P Taylor**
 - **2 x Business Associations**
 - **6 x Industry Representatives**
 - **2 x Major Infrastructure**
 - **3 x Government Agencies**

4. Local Emergency Management Committee**That Council:**

1. **Subject to approval by the State Emergency Management Committee pursuant to Section 38(4) of the Emergency Management Act 2005, adopts the Terms of Reference as detailed in Attachment 5; and**
2. **Pursuant to Section 38(3)(a) of the Emergency Management Act 2005 appoints the following as Members of the Local Emergency Management Committee:**
 - **Cr C Mitchell**
 - **Agency and Organisation representatives as presented in Attachment 5.**
3. **Notes that Expressions of Interest will be sought to fill the 8 Community Representative roles.**

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION:

Moved: Cr C Mitchell

Seconded: Cr D Male

Part 2 – Working and Reference Groups

1. **Community Sponsorship Assessment Working Group**

That Council:

1. **Adopts the Terms of Reference as detailed in Attachment 6; and**
2. **Appoints the following Councillors as members of the Community Sponsorship Assessment Working Group:**
 - **Cr C Mitchell**
 - **Cr B Rudeforth**
 - **Cr P Taylor**
 - **Cr P Matsumoto**
 - **Cr D Male**
 - **Cr E Foy (Deputy)**
 - **Cr F West (Deputy)**
 - **Cr N Wevers (Deputy)**

2. **Chinatown Stakeholder and Community Reference Group**

That Council:

1. **Adopts the Terms of Reference as detailed in Attachment 7; and**
2. **Appoints the following Councillors as Members of the Chinatown Stakeholder and Community Reference Group:**
 - **Cr H Tracey**
 - **Cr D Male (Deputy)**
3. **Notes that Expressions of Interest will be sought to fill the 2 Chinatown Landholder and 4 Community Representative roles**

.CARRIED UNANIMOUSLY 7/0

COUNCIL RESOLUTION:

Moved: Cr C West

Seconded: Cr C Mitchell

Part 3 – Council Representation on External Committees and Other Appointments

1. **Kimberley Development Commission**
That Cr D Male and Cr B Rudeforth be nominated as candidates for the Kimberley Development Commission (KDC) Board.
 2. **Broome Visitor Centre Board**
That Cr B Rudeforth be nominated to the Broome Visitor Centre Board and Cr P Taylor be nominated as Deputy.
 3. **Broome (WALGA) Roadwise Committee**
That Cr E Foy be nominated with Cr C Mitchell as a Proxy to the Broome (WALGA) Roadwise Committee.
 4. **Kimberley Regional Road Group**
That Cr H Tracey be nominated to the Kimberley Regional Road Group and Cr E Foy and Cr C Mitchell be nominated as Deputies.
 5. **WALGA Kimberley Country Zone – Kimberley Regional Group**
That Cr C Mitchell be nominated to the WALGA Kimberley Country Zone - Kimberley Regional Group and Cr H Tracey be nominated as Deputy.
 6. **Yawuru Park Council**
That Cr H Tracey, the Chief Executive Officer and the Director Development and Community Services be nominated to the Yawuru Park Council, and Cr E Foy and Cr N Wevers be nominated as Proxies.
 - Note that Shire of Broome Yawuru Park Council Representative Members who have voting rights have delegated authority in accordance with the Joint Management Agreement forming part of the Yawuru Prescribed Body Corporate Land Use Agreement and the Yawuru Area Agreement Indigenous Land Use Agreement.
 7. **Broome Boat Harbour Advisory Group**
That Cr H Tracey be nominated to the Boat Harbour Advisory Group and Cr E Foy be nominated as Proxy.
 8. **Youth Advisory Committee**
That Cr E Foy be nominated to the Youth Advisory Council.
 9. **Kimberley Joint Development Assessment Panel**
That Cr H Tracey and Cr C Mitchell be nominated as Members of the Kimberley Joint Development Assessment Panel with Cr D Male and Cr F West nominated as Alternate Members.
- CARRIED UNANIMOUSLY 7/0**

Attachments

1. Elected Member Committee and Working Group Information Booklet 2019
2. Draft Audit and Risk Committee Terms of Reference 2019
3. Draft Bush Fire Advisory Committee Terms of Reference 2019
4. Draft Economic Development Advisory Committee Terms of Reference 2019
5. Draft Local Emergency Management Committee Terms of Reference 2019
6. Draft Community Sponsorship Assessment Working Group Terms of Reference 2019
7. Draft Chinatown Stakeholder and Community Reference Group Terms of Reference

2019

8. Broome Boat Harbour Advisory Group Terms of Reference
9. Youth Advisory Council Guiding Principles



COUNCIL COMMITTEES AND WORKING GROUPS

Information Booklet



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INTRODUCTION

Section 5.8 of the *Local Government Act 1995* enables councils to form committees in order to assist with its functions. Council has resolved to formally establish several committees and working groups as a way of providing key stakeholders with significant opportunities to have input into Council decisions.

Committee and Working Group members can include elected members, employees and members of the public in a variety of combinations as voted on by Council.

This booklet has been written as a guide for elected members and staff. Elected members and staff interested in nominating for Council committees and or working groups are encouraged to read this guide, along with the Department of Local Government, Sport and Cultural Industries 'Guide to Meetings'¹ document, available on their website.

¹ Guide to Meetings is found at <https://www.dlgsc.wa.gov.au/department/publications/a-guide-to-council-and-committee-meetings>.



PART ONE – COUNCIL COMMITTEES

Committees are formed by Council to undertake local government responsibilities which are specified in a range of State legislation. It is important that members of Committees understand legislative obligations and other commitments outlined in the following sections.

COMPLIANCE AND GENERAL FUNCTIONS

This section outlines the statutory compliance obligations that are relevant to all committees. It details how committees are formed and the overarching rules for meeting proceedings.

Statutory Legislations and Local Laws

*Local Government Act 1995 (the Act)*²

*Local Government (Administration) Regulations 1996 (Regulations)*³

*Shire of Broome's Standing Orders Local Law 2003 (Standing Orders)*⁴

Delegations

Council Committees do not have any delegated decision-making authority. Requests from committees are presented for Council decision at the next suitable meeting of Council.

Establishment and Appointment of Committees

Committees are established and appointed as per s5.10 of the Act and Part 17 of the Standing Orders.

Terms of Reference

Terms of reference details a committee's function and meeting proceedings. Council is responsible for adopting the terms of reference for each committee.

Members Interests to be Disclosed

Members are required to disclose interests, as per Division 6 Subdivision 1 of the Act.

Disclosures should be made in writing by using the Shire's Declaration of Interest form (Appendix 1 - Written Declaration of Interest in Matter Before Committees & Working Groups)

Making Committee Decisions and Voting

Part 13 of the Standing Orders and Section 5.21 of the Act detail how decisions are made, and voting is conducted. In the absence of a Chairman or Deputy Chairman, a delegate can be nominated to preside over the meeting by resolution.

In the event of there being an equality of votes, the presiding delegate shall exercise a deliberative vote in respect of a matter considered. Issues requiring a Council decision are to

² The *Local Government Act 1995* can be found on the Government of Western Australia Department of Justice website - https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_551_homepage.html

³ The *Local Government Act (Administration) Regulations* can be found on the Government of Western Australia Department of Justice website https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a465_subsidary.html

⁴ Shire of Broome's *Standing Orders Local Law 2003* can be found on the Shire of Broome's website <http://www.broome.wa.gov.au/Regulations-Laws-Forms/Local-Laws-Regulation>



be submitted as an agenda item and voted on by Council at the next suitable Ordinary Meeting of Council.

Meeting Minutes

Minutes of Committee meetings shall be permanently kept, and copies made available to all Committee members and the public.

The minutes of the meeting, not previously confirmed, are submitted at the next Committee meeting for confirmation.

Meeting minutes are also submitted to Council at the next suitable Ordinary Council Meeting.



Audit and Risk Committee

Summary

The primary objective of the Audit and Risk Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor. Reports from the Committee will assist Council in legislative responsibilities such as controlling the local government's financial affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources.

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

Councillor Representatives

Council will appoint three elected members as delegates and two elected members as deputies to those delegates on the Committee. Elected members will fill the roles of Chair and Deputy Chair.

Meetings

The Committee shall meet at least quarterly.

The Committee must meet within fourteen (14) days of receiving the Annual Financial and Audit Reports from the Council's auditor.

Meetings are held at the Shire's Administration Building.

Bush Fire Advisory Committee (BFAC)

Summary

The Bush Fire Advisory Committee was formed under Section 67 – Advisory committees of the *Bush Fires Act 1954*. The objectives of the Committee are to advise the Shire of Broome in bush fire preparedness activities. These include:

- Matters relating to previously controlled and existing bush fires.
- The planning layout of fire breaks in the district.
- Prosecutions for breaches of the *Bush Fires Act 1954*.
- Formation of Brigades.
- Co-ordination and Co-operations between Brigades and Agents.

Councillor Representatives

Council is to appoint one elected member to the Committee. The Council representative is required to Chair meetings.

Meetings

The Committee meets bi-annually before and after the fire season (1 April to 31 December). No meetings are held during the "Wet Season" (1 January to 31 March). Extra meetings may be convened by the Committee if deemed necessary.



Meetings are held at the Shire's Administration Building.

Economic Development Advisory Committee (EDAC)

Summary

The Economic Development Advisory Committee provides advice on economic development matters such as:

1. Positioning local business and industry to capitalise on global and emerging industry trends that facilitate new markets and investment.
2. Establishing partnerships that facilitate new and developing industry initiatives across sectors to promote sustained economic growth.
3. Facilitating identified industry and strategic initiatives across industry sectors and relevant organisations.
4. Providing industry feedback and input as appropriate into strategic economic development plans including future growth plans for Broome, including the Kimberley Regional Investment Blueprint and Kimberley Planning and Infrastructure Framework.
5. Providing recommendations to Council regarding funding applications received for identified Shire of Broome grants.
6. Advising on Council policies relating to Economic Development as required.

Councillor Representatives

Council appoints two elected members who also fill the positions of Chair and Deputy Chair. Two additional elected members are appointed as deputy representatives and are only required to attend in the absence of a Councillor representative.

Meetings

Meetings are held on an ad-hoc basis as required at the Shire's Administration Building.

Local Emergency Management Committee (LEMC)

Summary

The Local Emergency Management Committee is formed under the *Emergency Management Act 2005*. It is made up of organisations, agencies and community members. LEMC was formed to assist the Shire and Department of Fire and Emergency Services (DEFS) in developing and maintaining effective emergency management arrangements within the local region.

Councillor Representatives

Council appoints one member to the Committee who is also responsible for Chairing the meetings. The Deputy position is filled by the person named the Local Recovery Coordinator within the Local Recovery Plan.

Meetings



The Committee meets on a quarterly basis at the Shire's Administration Building. Additional meetings may be scheduled if required.



PART 2 – COUNCIL WORKING GROUPS

COMPLIANCE AND GENERAL FUNCTIONS

This section outlines compliance obligations that are recommend for Council Working Groups. It details how Council Working Groups are formed and the overarching rules of meeting proceedings.

Statutory Legislation and Local Law

Working groups are not intended to be constrained by procedural requirements however best practice utilised under the *Local Government Act 1995* and *Shire of Broome Standing Orders Local Law 2003* should be upheld for Council Working Group meetings.

Delegations

Council Working Groups do not have any delegated decision-making authority. Requests from Council Working Groups are to be presented to Council at an Ordinary Meeting of Council.

Establishment of Council Working Groups

The establishment of Council Working Groups is via a Council resolution.

Terms of Reference

Terms of reference details the Council Working Groups functions and meeting proceedings. Council is responsible for adopting the terms of reference for each Council Working Group.

Members Interests to be Disclosed

Members with interests in agenda items must abstain from participation in discussions and voting on such items. A Declaration of Interest Form is required to be completed as detailed in s. 5.67 and s.5.68 of the Act.

Making Council Working Group Decisions and Voting

Simple majority voting can be utilised as detailed in Part 13 of the Standing Orders. Any recommendations emanating from Council Working Groups are to be endorsed by Council.

Meeting Minutes

Minutes from meetings are kept permanently and are distributed to Councillors.



Broome Boat Harbour Advisory Group

Summary

The State Government made an election commitment to provide funding of \$1M over two years for the development of boating facilities within Broome.

The Shire of Broome formed the Broome Boat Harbour Advisory Group to assist the Department of Transport (DoT) with the planning and design of a boating facility that can best service the community.

Councillor Representatives

Council nominates one elected member who presides over the meeting as Chairperson and one elected member proxy.

Meetings

Standard meetings are held every three months at the Shire of Broome's Administration Building. Where deemed necessary additional meetings may be scheduled by the Chair following consultation with DoT.

Chinatown Stakeholder and Community Reference Group

Summary

The Shire of Broome entered a Memorandum of Understanding to undertake joint projects together with the Kimberley Development Commission and LandCorp. The first project to be undertaken being the revitalisation of Chinatown.

The Chinatown Stakeholder and Community Reference Group was formed to ensure that the community was kept well informed and had opportunity to provide input into the Chinatown Revitalisation Project.

Councillor Representatives

Council appoints one elected member as a delegate and one elected member as a deputy member. The appointed elected member delegate presides over the meeting as Chairperson.

Meetings

The Chinatown Stakeholder and Community Reference Group meets as required dependent on project timelines. Meetings are held at the Shire's Administration Building.

Community Sponsorship Assessment Working Group

Summary

The Shire's Community Sponsorship Program was formed to provide funding assistance to community-based organisations. It aims to establish a partnership for the promotion and development of social, cultural, economic, recreational, environmental and reconciliation projects on an equitable basis.

The Community Sponsorship Assessment Working Group reviews annual applications made during the Community Sponsorship Program's application period. They form recommendations for the provisions of funding which are submitted for consideration by Council.



Councillor Representatives

Council will appoint five elected members to the Community Sponsorship Assessment Working Group. Three elected members are also appointed as alternative members.

Meetings

Annually, following the end of each financial year, at the Shire's Administration Building.

Youth Advisory Council

Summary

The Youth Advisory Council (YAC) was formed to actively involve young people in addressing issues that are important to the youth. The purpose of the YAC is to:

1. Identify issues that are important to young people in Broome and provide advice to Council about addressing issues and providing opportunities for young people.
2. Participate in the planning, running and evaluation of local initiatives and projects for young people.
3. Contribute to the development and implementation of the Broome Youth Action Plan.

Councillor Representatives

An elected member is appointed as a delegate and deputy chair of the Council as a way of providing mentoring and skills development.

Meetings

Meetings are held once a month or as otherwise determined by group consensus.



PART 3 – COUNCIL REPRESENTATION ON EXTERNAL COMMITTEES AND WORKING GROUPS

Council has resolved to nominate representatives on the following external Committees and Working Groups that are administered by parties other than the Shire.

The availability of information and operation of these committees are at the discretion of the convening bodies.

3.1 MINISTERIAL APPOINTMENTS

3.1.1 Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel (JDAP)

Summary

Development Assessment Panels (DAPs) were formed by the Department of Planning, Lands and Heritage as a way of enhancing planning expertise in decision making. The panels intend to improve the balance between technical advice and local knowledge, when determining development applications that meet set type and value thresholds, as if it were the responsible authority under the relevant planning instrument.

The Kimberly/Pilbara/Gascoyne Joint Development Assessment Panel is based on requirements outlined in the *Planning and Development (Development Assessment Panels) Regulations 2011*⁵.

Membership is determined by Ministerial appointment and is made up of three planning specialists and two local government councillors. A Council decision will determine which elected members are to be put forward as nominees.

Further information can be found on the Department of Planning, Lands and Heritage website⁶.

Councillor Representatives

Ministerial appointments are based on Council nominations. Council nominate two elected members and two alternate elected members to the Board.

Meetings

Meetings are scheduled when development applications are received that require determination. Development applications that exceed \$10M are required to have a DAP determination. An applicant can elect to have a DAP determination if the development application is between \$2M and \$10M.

3.1.2 Kimberley Development Commission Board (KDC)

⁵ *Planning and Development (Development Assessment Panels) Regulations 2011* can be found at https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12173_currencies.html

⁶ More information regarding DAPs can be found at <https://www.dplh.wa.gov.au/about/development-assessment-panels/about-daps>



Summary

The Kimberley Development Commission (KDC) is established as a Statutory Authority under the *Regional Development Commissions Act 1993*. It is one of nine development commissions established under this act by the government of Western Australia.

The Commission's purpose is to achieve an environment which is conducive to the balanced economic and social development of the Kimberley region. The mission, functions and objectives of the Commission are the primary guidelines for the Commission's activity.

The *Regional Development Commissions Act 1993* details meeting proceedings.

Further information can be obtained by contacting the Kimberley Development Commission. Or visiting the Kimberley Development Commissions website⁷.

Councillor Representatives

Ministerial appointments are based on Council nominations. Council nominate two Councillors to sit on the Board. Appointments to the Board are made for terms of up to three years following an appointment process in accordance with the *Regional Development Commissions Act 1993* (WA).

Meetings

KDC meeting at least twice a year with further meetings scheduled throughout the year as decided by the board. Meetings are alternated between Kimberley locations.

3.2 WALGA Working Groups

3.2.1 Kimberley Zone and Kimberley Regional Group (KRG)

Kimberley Zone

Summary

Zones are groups of geographically aligned Member Councils who are responsible for direct elections of State Councillors, providing input into policy formulation and providing advice on various matters.

The Kimberley Zone of WALGA was formed through a Memorandum of Understanding between the Shire's of Broome, Derby West Kimberley, Halls Creek, Wyndham East Kimberley, Cocos Keeling Islands, and Christmas Island.

The group was formed to encourage cooperation and resources sharing on a regional basis, and is responsible for direct elections of a WALGA State Council representative, providing input into the WALGA State Council Agenda, WALGA submissions, policy formulation and advice on other various local government matters.

Further information can be found on the WALGA website⁸.

⁷ Kimberley Development Commission website - <https://kdc.wa.gov.au/>

⁸ WALGA Zone website <https://walga.asn.au/About-WALGA/Structure/Zones>



Kimberley Regional Group (KRG)

Summary

In September 2010 as part of the Western Australian State Government's Local Government reform agenda, the four Kimberley Shires (Shire of Wyndham East Kimberley, Shire of Halls Creek, Shire of Broome and the Shire of Derby West Kimberley) formed the Kimberley Regional Collaborative Group (RCG), formalised with the signing of an agreement with the State Government. The Group was formed with a view to adopting a regional approach to strategic and community planning and facilitating the harmonisation of core functions and services across participating local governments.

The RCG terminated on 30 June 2015, and the Kimberley Shires formed a Kimberley Regional Group (KRG) for the purpose of governing and undertaking shared regional initiatives.

The KRG has a Kimberley Local Government Governance Agreement between the four Kimberley Shires, which provides the legal framework for the establishment, membership and operation of the group.

Councillor Representatives

Council nominates one elected member delegate and one alternative elected member. These delegates represent the Shire for both the Kimberley Zone (WALGA) and Kimberley Regional Group.

Meetings

The group meets every two months with meeting locations rotating between the four Shires, an occasional meeting is held in Darwin. A meeting will also be held in Perth annually, in conjunction with the WALGA State Conference.

3.2.2 Broome RoadWise Committee (WALGA)

Summary

WALGA's RoadWise Program, founded in 1994, is the Local Government and community road safety program for Western Australia.

The aim of the RoadWise program and the Broome RoadWise Committee is to engage local governments and communities in actions that support and contribute to the implementation of Towards Zero, the community road safety network across Western Australia.

Further information can be found on the WALGA RoadWise website.⁹

Meetings

The Broome RoadWise Committee meets once every three months or at any other time resolved by the board.

Councillor Representatives

Council nominates one member and one proxy to the Committee.

⁹ WALGA RoadWise website - https://www.roadwise.asn.au/roadsafety/kimberley/shire_of_broome.aspx



3.2.3 Kimberley Regional Road Group (Main Roads and WALGA)

Summary

The Kimberley Regional Road Group was formed through the State Road Funds Agreement established by the Minister for Transport and the Western Australian Local Government Association.

The purpose of the Kimberley Regional Road Group is to give local governments a voice in how the State's contribution to local roads is spent. The regional framework recognises the understanding that Local Government elected representatives have of the local community's road needs.

Further information can be sourced by visiting the WALGA Regional Road Groups website¹⁰.

Councillor Representatives

Council appoints one elected member and two alternative elected members to the Group.

Meetings

The group meets biannually in March and September. Meetings alternate through the different regions of Broome, Derby, Halls Creek and Kununurra. The WALGA guidelines speculate that the preference is for members to attend in person.

3.3 Other External Working Groups

3.3.1 Broome Visitor Centre Board (BVC)

Summary

The BVC is a not for profit organisation established under the *Associations Incorporation Act 2015*. The centre aims to use expert local knowledge to assist visitors to Broome plan their experiences. They offer a range of services that support Broome's tourism sector. Further information can be found by visiting their website¹¹.

Councillor Representatives

Council nominate one elected member and one deputy elected member to the Board.

Meetings

The BVC Board meet on a monthly basis at the Broome Visitor Centre.

3.3.2 Liquor Accord

Summary

Liquor accords are a co-operative arrangement aimed at developing safe and well managed environments in and around licensed premises. They seek to achieve a standard of practise

¹⁰ WALGA Regional Road Group website <https://walga.asn.au/Policy-Advice-and-Advocacy/Infrastructure/Roads/Regional-Road-Groups>

¹¹ Broome Visitor Centre website - <http://www.visitbroome.com.au/contact-us/broome-visitor-centre>



that promotes effective communication and problem solving between licensees and key stakeholders.

In March 2012, Council adopted Policy 1.2.12 – Liquor Accord Committee as a way of ensuring that the Liquor Accord continues to hold regular meetings. This Policy commits Council to the principals and objectives of the Broome Liquor Accord.

For more information visit the Department of Local Government, Sport and Cultural Industry website¹².

Councillor Representatives

Policy 1.2.12 - Liquor Accord Committee stipulates the Shire President being appointed as Chairperson to preside at the Liquor Accord meetings in an impartial non-voting capacity.

Meetings

The Broome Liquor Accord meets every four to six weeks as required at the Shire Administration Building.

3.3.3 WA Regional Capitals Alliance (WARCA)

Summary

WARCA is a partnership of the ten largest regional local government authorities in Western Australia. WARCA provides strategic advice to government on the social and economic issues impacting on, and often unique to, regional locations. WARCA advocates for fair consideration of these needs at a State and Federal level to build thriving communities.

Councillor Representatives

The Shire President and Chief Executive Officer are default WARCA members.

Meetings

The WARCA meet every three months from February and members are required to travel within the region for meetings.

3.3.4 Yawuru Park Council (YPC)

Summary

The Yawuru Park Council was formed through a Joint Management Agreement to effectively manage the Yawuru Conservation Estate. The Joint Management Agreement is between the State of Western Australia, Minister for Lands, Minister for Environment, Conservation Commission of Western Australia, Marine Parks and Reserves Authority, the Conservation and Land Management Executive Body, the Shire of Broome and the Yawuru Native Title Holders Aboriginal Corporation in accordance with the Yawuru Prescribed Bodies Corporate ILUA.

The Yawuru Minyirr Buru Conservation Park incorporates several small coastal and inland reserves within the Broome Town Site. The Park incorporates areas which are a living cultural landscape the Yawuru people value, use for customary practice and have a responsibility to



manage. The location of these reserves comprising the Park makes them of great significance for the local Broome community and visitors to Broome. In recognition of the importance to Yawuru and the Broome community, these reserves are jointly managed by the Yawuru and the Shire of Broome. Refer to the Yawuru Minyirr Buru Conservation Park Joint Management Plan 2018¹³ contains further information.

Councillor Representatives

Council nominates one member and two proxy members for the Yawuru Park Council.

Meetings

The Yawuru Park Council meets to attend to its business as often as it considers necessary with a meeting held at least every three months. Meetings are held in Broome.

¹³ Yawuru Minyirr Buru Conservation Park Joint Management Plan 2018
http://www.broome.wa.gov.au/files/assets/public/about/publications-amp-reports/strategic-amp-corporate-plans/minyirr_buru_conservation_park_joint_management_plan_web_version.pdf?BestBetMatch=minyirr%20buru|b71d2268-146a-48ca-9783-01d4e0a71bae|970b6047-7dac-4fd2-a973-a10801713593|

¹³ Department of Local Government, Sport and Cultural Industries website
<https://www.dlgsc.wa.gov.au/racing-gaming-and-liquor/liquor/liquor-accords>



APPENDIX

Appendix 1 - Written Declaration of Interest in Matter Before Committees & Working Groups



Records File GOC02

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COMMITTEES & WORKING GROUPS

NOTE : USE ONE FORM PER DECLARATION OF INTEREST

I, ⁽¹⁾ _____ wish to declare an interest in the following item to be considered by Committee/Working Group at its meeting to be held on ⁽²⁾ _____

Agenda Item ⁽³⁾ _____

The type of interest I wish to declare is: ⁽⁴⁾

- ☐ Financial pursuant to Section 5.60A of the *Local Government Act 1995*
- ☐ Proximity pursuant to Section 5.60B of the *Local Government Act 1995*
- ☐ Indirect Financial pursuant to Section 5.61 of the *Local Government Act 1995*
- ☐ Impartiality pursuant to Regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007*

The nature of my interest is ⁽⁵⁾

The extent of my interest is ⁽⁶⁾

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in the appropriate Register.

Signature

Date

1. Insert your name.
2. Insert the date of the Committee or Working Group Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

INTERESTS AS DEFINED BY THE LOCAL GOVERNMENT ACT 1995 AND ASSOCIATED REGULATIONS

Financial Interest (s5.60A)

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity Interest (s5.60B)

- (1) A person has a proximity interest in a matter if the matter concerns —
 - (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - (b) a proposed change to the zoning or use of land that adjoins the person's land; or
 - (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
- (2) In this section, land (the proposal land) adjoins a person's land if —
 - (d) the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
 - (e) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (f) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Indirect Financial Interests (s5.61)

A reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Closely Associated Persons (s5.62)

- (1) A person is to be treated as being closely associated with a relevant person if —
 - (a) the person is in partnership with the relevant person; or
 - (b) the person is an employer of the relevant person; or
 - (c) the person is a beneficiary under a trust, or an object of a discretionary trust, of which the relevant person is a trustee; or
 - (ca) the person belongs to a class of persons that is prescribed; or
 - (d) the person is a body corporate —
 - (i) of which the relevant person is a director, secretary or executive officer; or
 - (ii) in which the relevant person holds shares having a total value exceeding —
 - (I) the prescribed amount; or
 - (II) the prescribed percentage of the total value of the issued share capital of the company, whichever is less; or
 - (e) the person is the spouse, de facto partner or child of the relevant person and is living with the relevant person; or
 - (ea) the relevant person is a council member and the person —
 - (i) gave a notifiable gift to the relevant person in relation to the election at which the relevant person was last elected; or
 - (ii) has given a notifiable gift to the relevant person since the relevant person was last elected; or
 - (eb) the relevant person is a council member and since the relevant person was last elected the person —
 - (i) gave to the relevant person a gift that section 5.82 requires the relevant person to disclose; or
 - (ii) made a contribution to travel undertaken by the relevant person that section 5.83 requires the relevant person to disclose; or
 - (f) the person has a relationship specified in any of paragraphs (a) to (d) in respect of the relevant person's spouse or de facto partner if the spouse or de facto partner is living with the relevant person.

Impartiality (Regulation 34C of the Local Government (Administration) Regulations 1996 and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007)

Interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association (excluding an interest referred to in section 5.60 of the LG Act).



AUDIT AND RISK COMMITTEE

Terms of Reference

as adopted at OMC

Audit and Risk Committee

Voting Members 3 x Councillors (2 x Deputies)	-	Three (3) x Shire Councillors
Chairperson		Shire Councillor and Voting Member
Deputies		2 x Shire Councillor
Non-voting Members 3 x Shire Staff (All non-voting)	-	Chief Executive Officer Director Corporate Services Manager Financial Services (Includes Secretariat role)
Community Delegates	-	Nil
Officer Responsible	-	Director Corporate Services
Meeting Schedule	-	At least four times per year
Meeting Location	-	Function or Committee Room, Shire of Broome
Quorum	-	2 voting members
Delegated Authority	-	Nil

FUNCTIONS:**1.0 NAME**

The name of the Committee is the Audit and Risk Committee (the Committee).

2.0 DISTRICT/AREA OF CONTROL

Local Government boundaries of the Shire of Broome

3.0 OBJECTIVE / PURPOSE

The primary objective of the Committee is to support the Shire of Broome's Council in discharging its legislative responsibility associated with governing the Shire's affairs and overseeing the allocation of the Shire's finances and resources.. The Committee will promote transparency and accountability in the Shire's financial reporting and promote effective and responsible management of risks to protect the Shire's assets. The Committee is to oversee:

- The enhancement of the integrity, credibility and objectivity of external financial reporting;
- The framework and systems which are designed to ensure effective management of financial and other risks and the protection of Council assets;
- The framework and systems which are designed to ensure compliance with relevant statutory and regulatory requirements as well as use of best practice guidelines; and
- The scope of work, objectivity, performance and independence of the external auditor including but not limited to coordination of the internal audit function with the external audit and the provision of an effective means of communication between the external auditor, internal auditor, the CEO and the Council.

4.0 STATUTE

Part 7 — Audit, of the Local Government Act 1995
Local Government (Audit) Regulations 1996

5.0 ESTABLISHMENT

The Committee has been established in accordance with Part 7 of the *Local Government Act 1995*. The Committee was established as per Council Resolution of 24 May 2005 and was last reviewed on 23 November 2017.

6.0 MEMBERSHIP**6.1 General**

Council will appoint three elected members as delegates and two elected members as deputies to those delegates on the Committee.

The CEO and employees are non-voting members of the committee. The CEO or his/her nominee is to be available to attend meetings to provide advice and guidance to the committee. The local government shall provide secretarial and administrative support to the committee.

6.2 Tenure of Membership

The Tenure of Membership is per Section 5.11 of the *Local Government Act 1995*.

7.0 DELEGATED AUTHORITY

The Audit and Risk Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

More specifically, the Committee is to assist and guide:

- Review the internal and external annual audit plans and the outcomes/results of all audits undertaken;
- Meet with the Shire's appointed external auditors as necessary;
- The review of the annual Compliance Audit Return (CAR) and report to the Council the results of that review, prior to adoption of the return by Council. After adoption, the return is to be signed by the Shire President and the CEO prior to it being forwarded to the Department.
- To consider proposals from the CEO as to whether the compliance audit, and the reviews of risk management, internal control and legislative compliance, are undertaken internally or an external party is contracted to undertake the task. In the case of an external party the Audit Committee would have responsibility to receive the review report from the CEO and make recommendations on it to full Council.
- Monitoring and reporting on the appropriateness and effectiveness of Council's programs for risk management, internal control and legislative compliance and receive a report from the CEO on risk management matters and the progress of actions from the Improvement Plan.
- Monitoring and reporting on the appropriateness and effectiveness of Council's financial management systems and procedures not less than once in every three financial years and the CEO, through the Audit Committee is to report to Council the results of those reviews.

8.0 COMMITTEE STRUCTURE

8.1 Chairperson

As appointed by delegates (is the Chairperson).

8.2 Secretariat

The Manager Financial Services will fulfil this administrative non-voting role.

8.3 Standing Ex-Officio Members

Nil.

9.0 MEETINGS

9.1 Annual General Meeting

N/A

9.2 Committee Meetings

The Committee shall meet at least quarterly; within fourteen (14) days of receiving the Annual Financial Report and Audit Report from Council's Auditor.

The Manager Financial Services generally calls meetings when required on behalf of the Director Corporate Services.

9.3 Quorum

Quorum is 2 voting members in accordance with Section 5.19 of the *Local Government Act 1995*.

9.4 Voting

Only elected member representatives are allowed to vote in accordance with section 5.21 of the *Local Government Act 1995*.

9.5 Minutes & Reporting

In accordance with the *Local Government Act 1995* section 5.22 and 5.25, and *Local Government (Administration) Regulations 1996*.

The minutes are to be submitted to the next Committee meeting for confirmation and are to be signed by the Chairperson from the meeting at which the minutes are confirmed.

Unconfirmed minutes are to be available for inspection by members of the public within 5 business days after the meeting and Reports and Recommendations arising from the minutes shall be presented to Council at the next Ordinary Meeting for endorsement and/or action, or if this is not possible, then the earliest available Council Meeting.

9.6 Who Acts if No Presiding Member

The Committee shall elect a Deputy Chairperson In accordance with the *Local Government Act 1995* section 5.14.

9.7 Public Attendance at Meetings

Closed to the public pursuant to section 5.23(2) of the *Local Government Act 1995* and is not required to have questions from the public as there are no Council delegations.

9.8 Members Interests to be Disclosed

Members interest must be disclosed as per, Division 6 – Disclosure of financial interests, of the *Local Government Act 1995*.



BUSH FIRE ADVISORY COMMITTEE

Terms of Reference

AS ADOPTED AT OMC(TBA)

Bush Fire Advisory Committee

Shire Delegates	- 1 x Elected member nominated by Council.
Chairperson	Shire Representative.
Deputy Chairperson	Department of Fire and Emergency Services Representative.
Agency Delegates	1 x Department of Fire and Emergency Services (DFES) 1 x Department of Biodiversity, Conservation and Attractions (DBCA) 1 x Main Roads WA (MRWA) 1 x Broome Police 1 x Bidadanga Police 1x Dampier Peninsula Police 1 x Broome Regional Volunteer Bushfire (BRVB) 1 x Broome Volunteer Fire and Rescue Service (BVFRS) 1 x Kimberley Land Council (KLC) 1 x Nyamba Buru Yawuru Ltd (NBY)
Community Representatives	1 x Town of Broome 1 x Coconut Well 1 x Twelve Mile 1 x Bidadanga 1 x Ardyaloon 1 x Beagle Bay 1 x Lombadina 1 x Djarindjin 1 x Skuthorpe
Secretariat	Director Development and Community
Ex-Officio Members	The Committee may invite additional ex-officio members as necessary.
Meeting Schedule	- Quarterly or as required
Meeting Location	- Shire of Broome, Administration Building or as convened.

Quorum - Five (5)

Delegated Authority - Nil

FUNCTIONS:

1. NAME

The name of the Committee is the Shire of Broome Bush Fire Advisory Committee.

2. DISTRICT/AREA OF CONTROL

The district shall have the application as deemed in the *Local Government Act 1995*, **district** means an area of the State that is declared to be a district under section 2.1 of the *Local Government Act 1995*, this being the whole of the Shire of Broome.

3. VISION / PURPOSE

To advise the Shire on:

- a) matters relating to previously controlled and existing of bush fires,
- b) the planning layout of Fire Breaks in the district,
- c) prosecutions for breaches of the BFAC,
- d) formation of brigades, and
- e) co-ordination and cooperation between brigades and agents.

4. STATUTE

Section 67 – Advisory committees, *Bush Fires Act 1954*

Shire of Broome Standing Orders Local Law 2003

In accordance with Council's *Standing Orders Local Law 2003*, formal Committees of Council are to be compliant with the provisions of the Standing Orders Local Law as far as this does not conflict with any other written Law.

While recognising that the Bush Fire Advisory Committee is a Committee formed pursuant to *Section 67 of the Bushfire Act 1954*, the Chairman is to follow the Standing Orders as far as is practicable to ensure proper meeting procedures are followed.

The Committee is proposed to be administered by utilising the *Local Government Act 1995* as a guiding reference.

5. ESTABLISHMENT

Last reviewed .

6. OBJECTIVES

The Bush Fire Advisory Committee will be responsible for the reporting to and making recommendations to Local Government on:

- 1. The financial affairs of the Brigade/s.

2. The general management of the affairs of the Brigade/s.
3. The planning, setting of standards and works programs for fire prevention within the Local Government area of responsibility.
4. Activities of Bush Fire Brigade/s.
5. Subject to any direction of the Advisory Committee as a whole:
 - a) Ensuring that the equipment in the possession or control of the Brigade/s in the Local Government area is inspected on a regular basis.
 - b) Making representation and recommendations to Local Government in relation to the fire fighting equipment that should be reviewed in accordance with the Risk to Resource documentation as submitted to DFES.
 - c) Taking steps to ensure the appropriate distribution of fire equipment amongst brigade/s in the Local Government Area of Responsibility.
 - d) Co-ordinating training within the Brigade/s in the Shire to ensure they work together efficiently.
 - e) Overseeing the preparation and maintenance of an Incident Response Plan for the bushfire district and ensuring that a communication plan is developed and functions across the Local Government area.
 - f) Selecting members of the Committee to represent the Local Government area on a regional basis.
 - g) Carrying out other functions assigned to the committee by the Local Government.

7. MEMBERSHIP

7.1 General

Membership to the Committee is decided by Council.

Council will appoint one Council Delegate to be the Chairperson of the Committee. The Deputy Chair is appointed by the Department of Fire and Emergency Services.

Agency and organisation representatives can appoint a proxy member by notifying the Committees Secretariat.

Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed ex officio officers by the Secretariat.

7.2 Tenure of Membership

As per **Section 5.11 Tenure of committee membership**, of the **Local Government Act 1995**.

8. DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

9. COMMITTEE

9.1 Chairperson

The Chairperson is the Shire's councillor representative and the Deputy Chairperson is the Department of Fire and Emergency Services Representative.

9.2 Secretariat

The Shire's Director of Development and Community is the responsible Secretariat.

9.3 Standing Ex-Officio Members

The Committee may invite ex-officio members as necessary.

10. MEETINGS

10.1 Annual General Meeting

Nil.

10.2 Committee Meetings

The Committee shall meet bi-annually before and after the fire season (1 April to 31 December) with no meetings being held during the "Wet Season" (1 January to 31 March).

The Chairperson may at any time convene a special meeting of the Committee.

10.3 Quorum

Quorum is five (5) Committee members.

10.4 Voting

As per section 5.21 –Voting, of the *Local Government Act 1995*.

10.5 Reports to the Bush Fire Advisory Committee

Each Fire Brigade Captain on the Committee shall submit a report of the Brigade's Training activities, vehicle and equipment status, and general business, to each meeting of the Bush Fire Advisory Committee.

The Officer responsible shall report on all matters relevant to the Committee.

10.6 Sub-Committees

The Local Government Bush Fire Advisory Committee may form sub-committees, to provide advice and recommendations on specific areas of the Committee's responsibilities. The Advisory Committee shall determine membership and terms of reference of such sub-committees.

10.7 Minutes

The person presiding at a meeting is to ensure that the minutes are kept of the meeting proceedings, in accordance with section 5.22 and 5.25 of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

Once minutes have been confirmed by Committee Members they will be presented to Council. Recommendations arising from minutes, that require a Council decision shall be presented to Council at the next Ordinary Council Meeting, or the earliest available Council meeting if it is not possible to present the minutes to the next Ordinary Council Meeting.

10.8 Who Acts if No Presiding Member

In accordance with section 5.14 – Who acts if no presiding member, of the *Local Government Act 1995*.

Members Interests to be Disclosed

Members of the Committee are required to declare interests following the principles detailed in s.5.65 and s.5.70 of the *Local Government Act 1995*.



**ECONOMIC DEVELOPMENT ADVISORY
COMMITTEE**

Terms of Reference

ADOPTED AT OMC

Economic Development Advisory Committee

Council Delegates	2 x Elected member delegates 2 x Deputy elected member delegates
Chairperson and Deputy Chairperson	Council delegates
Agency and Organisation Delegates	2 x Business Associations 6 x Industry Representatives 2 x Major Infrastructure 1 x Educational Institution 3 x Government Agencies
Secretariat	- Director Development and Community
Ex-Officio	- The Committee may invite ex-officio members as deemed necessary
Meeting Schedule	- As required
Meeting Location	- Shire of Broome's Administration Building or as convened.
Quorum	- Eight (8) members
Delegated Authority	- Nil

FUNCTIONS:

1.0 NAME

The name of the Group is the **Economic Development Advisory Committee**.

2.0 DISTRICT/AREA OF CONTROL

Applies to local government boundaries of the Shire of Broome.

3.0 VISION / PURPOSE

The Economic Advisory Committee's purpose is to provide advice to the Shire of Broome on Economic Development matters including but not limited to:

1. Positioning local business and industry to capitalise on global and emerging industry trends that facilitate new markets and investment.
2. The identification of stakeholders, formation of strategic partnerships and communication to facilitate new and developing industry initiatives across sectors to ensure ongoing and sustained economic growth.
3. The role the Council should play to address industry specific feedback (including perceived impediments) on State, Local and Federal regulatory processes and funding programs to create better investment conditions and refinements for economic growth and employment generation in the short, medium and long term.

4. Facilitating identified industry and strategic initiatives across industry sectors and relevant organisations.
5. Industry feedback and input as appropriate into strategic and high-level economic development documents and plans including future growth plans for Broome, including but not limited to, the Kimberley Regional Investment Blueprint and Kimberley Planning and Infrastructure Framework.
6. Recommendations to Council regarding funding applications received for identified Shire of Broome grants.
7. Policies relating to Economic Development as required.

4.0 STATUTE

Local Government Act 1995

All Council adopted policy, especially 3.4 Community and Economic Development policies.

5.0 ESTABLISHMENT

Established by Shire of Broome in accordance with Council resolution on 30 April 2015. Last reviewed on

6.0 MEMBERSHIP

6.1 General

Members of the Committee are nominated by Council. Council will appoint one elected member and one deputy elected member to the Committee. Council will appoint members to the Committee in accordance with the terms of reference. Each member agency and or organisation will be requested to provide one voting representative per meeting.

6.2 Tenure of Membership

As per **Section 5.11 Tenure of committee membership** of the ***Local Government Act 1995***.

7.0 DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

8.0 COMMITTEE

7.1 Chairperson and Deputy Chairperson

The Chairperson and Deputy Chairperson is a Council delegate.

7.2 Secretariat

The Shire's Director of Development and Community is the responsible Secretariat.

7.3 Standing Ex-Officio Members

The Committee may invite ex-officio members as necessary. Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed as ex officio officers by the Secretariat.

9.0	MEETINGS
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8.1 Annual General Meetings

N/A

8.2 Committee Meetings

Meetings will be held as required. The Chairperson may at any time convene a meeting of the Committee.

Meetings are open to the public.

8.3 Quorum

Quorum shall be as per **Section 5.19 – Quorum for meetings** of the *Local Government Act 1995*.

8.4 Voting

As per **Section 5.21 –Voting**, of the *Local Government Act 1995*.

8.5 Minutes

The person presiding at a meeting is to ensure that the minutes are kept of the meeting proceedings, in accordance with **Section 5.22 - Minutes of council and committee meetings and 5.25 - Regulations about council and committee meetings** of the *Local Government Act 1995*.

Once minutes have been confirmed by Committee Members they will be distributed to Council. Recommendations arising from minutes, that require a Council decision shall be presented to Council at the next Ordinary Council Meeting, or the earliest available Council meeting if it is not possible to present the minutes to the next Ordinary Council Meeting.

8.6 Who Acts if No Presiding Member

In accordance with **Section 5.14 – Who acts if no presiding member**, of the *Local Government Act 1995*.

8.7 Members Interests to be Disclosed

Members of the Committee are required to declare interests following the principles detailed in **Section 5.65 - Members' interest in matters to be discussed at meetings to be disclosed** and **Section 5.70 – Employees to disclose interests relating to advice or reports** - of the *Local Government Act 1995*.



LOCAL EMERGENCY MANAGEMENT COMMITTEE

Terms of Reference

ADOPTED AT OMC

Local Emergency Management Committee

Chairperson	- Shire Councillor, Local Emergency Coordinator
Deputy Chairperson	
Agency and Organisation Representatives	<p>1 x Department of Fire and Emergency Services (DFES) -</p> <p>1 x State Emergency Services (SES) - 1 x Department of Fire and Emergency Services – Broome Volunteer Fire and Rescue Services (BVFRS) –</p> <p>Broome Regional Bush Fire Brigade (BRVBFB)</p> <p>1 x Department of Aboriginal Affairs (DAA)-</p> <p>1 x Air Services Australia –(ASA)</p> <p>2 x Department of Child Protection and Family Services (DCPFS) -</p> <p>1 x Department of Defence – Norforce -</p> <p>1 x Department of Communities Housing –</p> <p>1 x Department of Biodiversity, Conservation and Attractions</p> <p>1 x Department of Transport –</p> <p>1 x Broome Police –</p> <p>1 x Bidyadanga Police -</p> <p>1 x Dampier Peninsula Police -</p> <p>1 x Broome Volunteer Sea Rescue Group (BVSRG) –</p> <p>1 x Bureau of Meteorology -</p> <p>1 x WA Country Health Service (WACHS) – Broome Hospital -</p> <p>1 x WACHS - Kimberley Population Health Unit</p> <p>1 x Horizon Power -</p> <p>1 x Department of Prime Minister & Cabinet -</p> <p>1 x Kimberley Land Council (KLC) –</p> <p>1 x Nyamba Buru Yawuru Ltd –</p> <p>1 x Main Roads WA -</p> <p>1 x Water Corporation</p> <p>1 x Australian Red Cross –</p> <p>1 x Broome Regional Prison</p> <p>1 x Kimberley Ports Authority</p> <p>1 x Broome International Airport</p> <p>1 x St John Ambulance</p> <p>1 x Royal Flying Doctor Services1 x Telstra</p> <p>1 x Kimberley Aboriginal Medical Services Ltd</p> <p>1 x Department of Human Services</p> <p>1 x Broome Surf Life Saving Club</p> <p>1 x Department of Immigration and Border Protection</p> <p>1 x Community Representative – Town of Broome</p> <p>1 x Community Representative – Coconut Well</p> <p>1 x Community Representative - Twelve Mile</p> <p>1 x Community Representative - Ardyaloon Community</p> <p>1 x Community Representative - Beagle Bay Community</p> <p>1 x Community Representative - Bidyadanga Community</p> <p>1 x Community Representative - Djarindjin Community</p> <p>1 x Community Representative - Lombadina Community</p>

Community Representatives	1 x Town of Broome 1 x Coconut Well 1 x Twelve Mile 1 x Ardyaloon Community 1 x Beagle Bay Community 1 x Bidyadanga Community 1 x Djarindjin Community 1 x Lombadina Community
Secretariat	- Director Development and Community
Meeting Schedule	- Quarterly or as required.
Meeting Location	- Function or Committee Room, Shire of Broome or as scheduled from Committee membership.
Quorum	- Five (5)
Delegated Authority	- Nil

FUNCTIONS:**1.0 NAME**

The name of the Committee is the Shire of Broome Local Emergency Management Committee.

2.0 DISTRICT/AREA OF CONTROL

The Shire of Broome Local Emergency Management Committee operates within the boundaries of the local government of the Shire of Broome. Shire districts are determined under Division 4 — Emergency management districts, of the ***Emergency Management Act 2005***.

3.0 VISION / PURPOSE

To assist the Shire of Broome and the Local Emergency Coordinator (Officer in Charge of Police sub-district) to develop and maintain effective emergency management arrangements for the local area.

4.0 STATUTE***Emergency Management Act 2005***

The Emergency Management Procedures Manual published by the Department Fire and Emergency Services contains the following guidance:

LEMC Membership

7. *Noting the requirements of the EM Act, the following provides guidance on the composition of LEMCs:*

- a) the Chair should be an elected member of Council;*
- b) the Local Emergency Coordinator should be appointed as Deputy Chair;*

- c) an Executive Officer, who should be an officer of the relevant local government, should be appointed to coordinate the business of the committee and/or provide administrative support;*
- d) the Local Recovery Coordinator, being the person nominated in the Local Recovery Plan, where a Local Recovery Plan has been completed as part of local emergency management arrangements (section 41(4) of the EM Act), should be appointed a member of the committee;*
- e) consideration should be given to appointing local government officers engaged in key roles and functions affecting emergency management (for example, community services, engineering services, corporate services or planning);*
- f) membership should include representatives from Emergency Management Agencies (EMAs) in the local government district (for example, the Department of Fire and Emergency Services); welfare support agencies or non-government organisations (for example, the Department for Child Protection and Family Support, Red Cross or Salvation Army), industry representatives (especially the owners or operators of hazardous facilities located within the local government district);*
- g) consideration should be given to appointment of persons able to represent or advise on the interests of Culturally and Linguistically Diverse (CaLD) community members or community members with special needs; and*
- h) LEMCs should where possible include representatives of local Aboriginal community organisations to provide advice and guidance to the LEMC and to promote appropriate engagement with the local Aboriginal communities.*

Shire of Broome Standing Orders Local Law 2003

In accordance with Council's Standing Orders Local Law 2003, formal Committees of Council are to be compliant with the provisions of the Standing Orders Local Law as far as this does not conflict with any other written Law.

While recognising that the Local Emergency Management Committee is a Committee formed pursuant to Section 38 of the **Emergency Management Act 2005**, the Chairman is to follow the Standing Orders as far as is practicable to ensure proper meeting procedures are followed.

The Committee is proposed to be administered by utilising the **Local Government Act 1995** as a guiding reference.

5.0 ESTABLISHMENT

Last reviewed (TBA).

6.0 OBJECTIVES

- Liaise with participating agencies in the development, review and testing of emergency management arrangements.
- Assist with the preparation of emergency management operating procedures for application in the local area.
- Prepare an annual report on Committee activities for submission to the District Emergency Management Committee.
- Participate in the emergency risk management process.

- Carry out other emergency management functions as directed by the District Emergency Management Committee.

7.0 MEMBERSHIP

7.1 General

Members of the Committee are nominated by Council.

Council will appoint one elected member and one deputy elected member to the Committee.

Ex officio Ex officio cannot vote and are only permitted to speak on a matter when invited to do so by the Chair.

Membership to include agencies with specific emergency management responsibilities or expertise essential to the development of emergency management arrangements.

7.2 Tenure of Membership

As per **Section 5.11 Tenure of committee membership**, of the **Local Government Act 1995**.

8.0 DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

9.0 COMMITTEE

9.1 Chairperson & Deputy Chairperson

The Chairperson is the Shire councillor representative and Deputy Chairperson is the Local Emergency Management Coordinator.

9.2 Secretariat

The Shire's Director of Development and Community is the responsible Secretariat.

9.1 Standing Ex-Officio Members

The Committee may invite ex-officio members as necessary. Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed as ex officio officers by the Secretariat.

10.0 MEETINGS

10.1 Annual General Meeting

N/A

10.2 Committee Meetings

Held quarterly or as required. The Chairperson may at any time convene a special meeting of the Committee.

10.3 Quorum

Quorum is five (5) Committee members.

10.4 Voting

As per **Section 5.21 –Voting**, of the **Local Government Act 1995**.

10.5 Minutes

The person presiding at a meeting is to ensure that the minutes are kept of the meeting proceedings, in accordance with **Section 5.22 and 5.25** of the **Local Government Act 1995** and **Local Government (Administration) Regulations 1996**.

Once minutes have been confirmed by Committee Members they will be presented to Council. Recommendations arising from minutes, that require a Council decision shall be presented to Council at the next Ordinary Council Meeting, or the earliest available Council meeting if it is not possible to present the minutes to the next Ordinary Council Meeting.

10.6 Who Acts if No Presiding Member

In accordance with **Section 5.14 – Who acts if no presiding member**, of the **Local Government Act 1995**.

10.7 Members Interests to be Disclosed

Members of the Committee are required to declare interests following the principles detailed in **Section 5.65** - Members' interest in matters to be discussed at meetings to be disclosed and **Section 5.70** – Employees to disclose interests relating to advice or reports - of the **Local Government Act 1995**.



COMMUNITY SPONSORSHIP ASSESSMENT WORKING GROUP Terms of Reference

ADOPTED AT OMC

<h2 style="text-align: center;">Community Sponsorship Assessment Working Group</h2>

Council Delegates	- 5 x Elected members 3x Deputy elected members
Chairperson	Elected member delegates
Deputy Chairperson	
Agency and Organisation Delegates	Nil.
Community Representatives	Nil
Secretariat	- Director Development and Community
Ex officio	The Committee may invite ex-officio members as deemed necessary.
Meeting Schedule	- Annually following close of submissions for the Annual Funding round of the Shire of Broome Community Sponsorship Program.
Meeting Location	- Shire of Broome Administration Building or as convened.
Quorum	- Three (3) members
Delegated Authority	- Nil

FUNCTIONS:**1.0 NAME**

The name of the Group is the **Community Sponsorship Assessment Working Group**.

2.0 DISTRICT/AREA OF CONTROL

Applies to local government boundaries of the Shire of Broome.

3.0 VISION / PURPOSE

To assess applications to the Shire of Broome's Community Sponsorship Program which seek funding from the annual round.

4.0 STATUTE

Local Government Act 1995.

Policy 5.1.5 – Community Sponsorship Program.

5.0 ESTABLISHMENT

Working Group established as per Council Resolution on 22 November 2007. Last reviewed on (TBA).

6.0 OBJECTIVES

The Shire of Broome Community Sponsorship Program provides funds to assist community based organisations. The aim is to establish partnerships for the promotion and development of social, cultural, economic, recreational, environmental and reconciliation projects and initiatives on an equitable and accountable basis.

The Working Group's role is to review annual applications to the Community Sponsorship Program, and make a recommendation to Council regarding the annual provision of funding.

7.0 MEMBERSHIP**7.1 General**

Membership to the Committee is decided by Council. Council will appoint five (5) elected member delegates and three (3) elected member deputies to the Working Group who are entitled to one vote.

Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed as ex officio officers by the Secretariat.

7.2 Tenure of Membership

As per **Section 5.11 - Tenure of committee membership**, of the ***Local Government Act 1995***.

8.0 DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

The Chief Executive Officer has delegated authority to approve ad-hoc Sponsorship to a maximum of \$1,000. The CEO may sub-delegate this to the Director of Development and Community.

9.0 WORKING GROUP

9.1 Chairperson and Deputy Chairperson

The Chairperson and Deputy Chairperson is a nominated Council delegate.

9.2 Secretariat

The Shire's Director of Development and Community is the responsible Secretariat.

9.3 Standing Ex-Officio Members

Nil

10.0 MEETINGS

10.1 Annual General Meeting

N/A

10.2 Working Group Meetings

Annually following the end of each financial year. The Chairperson may at any time convene a special meeting if required.

10.3 Quorum

Three (3) Working Group Members

10.4 Voting

As per **Section 5.21 –Voting** of the *Local Government Act 1995*.

10.5 Minutes

The person presiding is to ensure that minutes are kept of the meeting's proceedings. The minutes may be confirmed by a majority of members present at the meeting after completion of the meeting.

Once minutes have been confirmed by members they are to be distributed to Council. Recommendations requiring Council action arising from the minutes shall be presented to Council at the next Ordinary Council Meeting, or earliest available Council Meeting if it is not possible to present the minutes to the next Ordinary Council Meeting.

10.6 Who Acts if No Presiding Member

In accordance with s.5.14 – Who acts if no presiding member, of the *Local Government Act 1995*.

10.7 Members Interests to be Disclosed

Members of the Working Group are required to declare interests following the principles detailed in **Section 5.65 - Members' interest in matters to be discussed at meetings to be disclosed** and **Section 5.70 – Employees to disclose interests relating to advice or reports of the *Local Government Act 1995***.



CHINATOWN STAKEHOLDER AND COMMUNITY REFERENCE GROUP

Terms of Reference

ADOPTED AT OMC Adopted OMC DD Month Year

Chinatown Stakeholder and Community Reference Group

1.0 MEMBERS

Chairperson	Councillor of the Shire of Broome to be Chairperson.
Secretariat	- Director of Infrastructure
Deputy Chairperson	Shire Councillor
Representative Broome Chamber of Commerce and Industry	One (1) Member
Representative Chinatown Traders	One (1) Member
Representatives of Landowners in Chinatown	One (1) Member
Community Representatives	Five (5) Members
Representative Yawuru	One (1) x Member
Proxies	Each member may delegate a proxy to attend in their place providing it is done in writing to the Chairperson prior to the meeting.
Meeting Schedule	- As required.
Meeting Location	- Administration Building Shire of Broome
Secretariat	- The Secretariat functions will be provided by the Shire of Broome.
Quorum	- Six Members (including one Councillor of Shire of Broome)

- Delegated Authority** - Nil
- Purpose** - The purpose of the Chinatown Stakeholder and Community Reference Group is as follows:
- Provide input and feedback to the Project Control Group and Council on the Revitalisation of Chinatown.
 - Ensure the community and key stakeholders are appropriately engaged in the design and delivery of projects as part of the Chinatown Revitalisation.
- Act as a conduit between the Project Working Group and the community and traders and landowners in Chinatown.

FUNCTIONS:

2.0 NAME

The name of the Group is the **Chinatown Stakeholder and Community Reference Group**.

3.0 DISTRICT/AREA OF CONTROL

Local Government boundaries of the Shire of Broome.

4.0 VISION / PURPOSE

The purpose of the Chinatown Stakeholder and Community Reference Group is as follows:

1. Provide input and feedback to the Project Working Group | Group and Council on the Revitalisation of Chinatown.
2. Ensure the community and key stakeholders are appropriately engaged in the design and delivery of projects as part of the Chinatown Revitalisation.
3. Act as a conduit between the Project Working Group and the community and traders and landowners in Chinatown.

5.0 ESTABLISHMENT

Established by Shire of Broome in accordance with Council resolution on 26 November 2015.

6.0 MEMBERSHIP

6.1 General

Council will appoint members to the Group in accordance with the terms of reference.

Staff will be invited to participate in the Group by the Chief Executive Officer as required.

Council will appoint one elected member as a delegate and one elected member as a deputy to the Group.

One elected member will be appointed by Council as a proxy representative.

6.2 Tenure of Membership

- Where a person is appointed as a member of the Chinatown Stakeholder and Community Reference Group membership of the Group continues until —The person no longer holds office by virtue of which the person became a member.
- The person resigns from membership of the Group.
- The Group is disbanded.

- The Council removes the person from the Group by resolution of Council.
- For elected member Delegates, the next ordinary elections day.

7.0	DELEGATED AUTHORITY
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The Group has no delegated authority.

8.0	COMMITTEE
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8.1 Chairperson

The role of Chairperson is to be vacated following biannual Council elections in October and reappointed by Council.

A Councillor of the Shire of Broome will be the Chairperson.

8.2 Secretariat

This role is to be fulfilled by Shire Officers.

8.3 Standing Ex-Officio Members

Chief Executive Officer, Director Infrastructure and/or his delegate. Members of the Project Working Group will also be invited to attend the meetings as required.

9.0	MEETINGS
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8.1 Group Meetings

The Chairperson will call meetings as required.

8.2 Quorum

Quorum shall be 6 (six) members including one Councillor.

8.3 Voting

Voting shall be by consensus or by a show of hands as directed by the Chairperson. **8.4 Minutes of Meetings**

The person presiding is to ensure that Minutes of the Meeting are kept of the meetings proceedings.

Terms of Reference - Broome Boat Harbour Advisory Group

Roles and Responsibilities

1. ADVISORY GROUP CHARTER

The general charter of the Advisory Group is to provide advice on the requirements for; and to assist the Department of Transport (DoT) with the planning for the development of a regional boat harbour (or facilities) that can best meet the local boat launching, mooring and servicing requirements of the Broome boating fleet and community consistent with the current State government's election commitment and funding of \$1M over two years.

2. MEMBERSHIP

The Advisory Group should be limited to approximately 8 members plus a Chairperson.

The Shire of Broome will Chair the Committee.

The Chair will invite representatives of key stakeholder organisations that have statutory and or strategic interest in the project to participate including:

- Shire of Broome (3 including Chair and 1 Observer)
- Nyamba Buru Yawuru Ltd (1)
- Kimberley Port Authority (1)
- Department of Transport (2)
- Community representation from the Broome Fishing Club (1)
- Community representation from Marine Charter Industry (1)
- Kimberley Development Commission (Observer)

Each member will nominate a proxy that may attend on their behalf.

The Kimberley Development Commission (KDC) will participate in an observer role during the initial planning phase. Both the KDC and Landcorp may be invited as full members at a later date and once the project is more developed.

3. ROLE

The Role of the Advisory Group is to provide advice on the following:

- Scope the boating infrastructure requirements of the community
- Identify and assess potential boating facility sites
- Provide advice on the effective communication strategy with groups interested in the proposed Broome Boat Harbour development including business, government, local residents and special interest groups.
 - Determine an appropriate community engagement / Yawuru engagement strategy
 - Develop site assessment criteria based on advice of the community / Yawuru
 - Evaluate input received from community / Yawuru
- Identify positive and negative social, economic, environmental and heritage impacts associated with the development and operation of the Broome Boat Harbour at the range of sites proposed.
- Provide advice on appropriate strategies for management of any concerns identified.
- Provide a copy of all meeting minutes and correspondence to DoT for their records.
- Assist DoT in the development of a business plan for a proposed site for the development of the Boat Harbour.
- Prepare a recommendation report

4. RESPONSIBILITIES

The Advisory Group members, or their identified proxy, shall endeavour to:

- Attend all meetings, give due consideration to the matters raised and actively participate in discussions
- Fairly represent the views of their organisation
- Maintain confidentiality where matters of a sensitive nature are considered.

5. MEETING PROCEDURES

ATTENDANCE

Should a member be unable to attend a scheduled meeting, the member shall endeavour to contact the chair as early as possible to advise alternate representation.

FREQUENCY

Standard meetings shall be held every three months at the offices of the Shire of Broome and the executive officer will be responsible for organising the meeting.

Where necessary additional meetings can be scheduled by the Chair following consultation with DoT.

Where an issue of importance arises out-of-session and that cannot be dealt with at a meeting, but does not require calling an additional meeting the chair may circulate material out-of-session.

Attendance by non-members of the Committee (other than the member proxy's) is by invitation only.

RECORD KEEPING

The Chair will manage the maintenance of accurate meeting records and distribute meeting notes to members for confirmation of the records at the next meeting. Meeting actions will be developed and reported on.

The Shire of Broome Council is to be kept informed of the Committee's actions and progress.

CONFLICT OF INTEREST

Members will disclose any conflict of interest at the start of each meeting.

QUORUM

The quorum for meetings shall be 50% of the members plus one. The quorum shall include the Chair.

VOTING

On matters where voting is required, the Chair will attempt to gain a consensus and where a consensus cannot be reached the chair will obtain a majority decision and positions of each of the members will be recorded.

6. AUTHORITY

The Committee:

- is an advisory body only;
- has no legal status and is not a statutory committee
- has no powers to direct DoT;
- is not an agent for DoT;

7. EXPENSES

No member will receive payment for membership of the Advisory Group for attending meetings.

8. MEDIA

The Chair is the media spokesperson for the Advisory Group. Media enquiries shall be directed to the Chair for a response. Members shall provide assistance to the Chair in drafting responses to media enquiries when requested. Notification of media will be provided to DoT prior to release.

9. VARIATIONS TO THE ROLES AND RESPONSIBILITIES

The Roles and Responsibilities will be reviewed annually and can be amended by the Chair with agreement by the Advisory Group members.

10. DISMISSAL OF COMMITTEE MEMBERS

The Chairperson of the Committee has discretion to dismiss a Committee member by giving written notice.

Youth Advisory Council Shire of Broome

Guiding Principles

Vision:

The role of the Shire of Broome Youth Advisory Council is to:

1. Identify issues that are important to young people in Broome and provide advice to Council about addressing issues and providing opportunities for young people.
2. Participate in the planning, running and evaluation of local initiatives and projects for young people.
3. Contribute to the development and implementation of the Broome Youth Action Plan.

Objectives:

- To create opportunities for local young people to provide input into Shire of Broome Council decision making processes.
- To actively involve young people in developing and implementing strategies that address the issues affecting young people in the region.
- To ensure that young people are involved in their community's economic and social development.
- To positively promote youth within the Shire of Broome, especially with regards to the value to be gained from the input of young people.
- To build the confidence and skills of the young people on the Youth Advisory Council and increase their capacity to act as spokespeople and role models for the diverse population of Broome youth.
- To provide training to the young people on the Youth Advisory Council in specific areas that will strengthen their capacity to fulfil their role including leadership, media skills, public speaking, consultation and advocacy.

Membership:

Membership for youth community delegates is open to young people aged between the ages of 12 and 24 who live in the Shire of Broome. The number of members is limited to a maximum of ten.

Members will be encouraged to actively participate in the Council and its projects.

A Shire of Broome Councillor will be appointed as a delegate and deputy chair of the Council to provide mentoring and skills development support. Administrative support and further mentoring will be provided by the Shire of Broome Youth and Community Development Officer.

Meetings:

- Meetings will be conducted once a month at the Shire of Broome Administration Offices or as otherwise determined by group consensus.
- Agendas will be distributed prior to each meeting, and notes will be taken during the meeting to record key points, actions and responsibilities.
- Key decisions will be determined by a simple majority (vote) at meetings, with absent members able to provide an indication of support to the Chair prior to the meeting. The Chair will have a casting vote.

Code of Conduct

- All members agree to act in a respectful manner to other members and key stakeholders involved in the group.
- All members agree to act in a manner that seeks to achieve the best outcome for the group and the youth of Broome.
- Any disagreements or disputes between members should be brought to the attention of the Deputy Chair, who will assist in seeking a mutually beneficial resolution.

Last Updated:

7.

**REPORTS
OF
COMMITTEES**

There are no reports in this section.

8. MATTERS BEHIND CLOSED DOORS

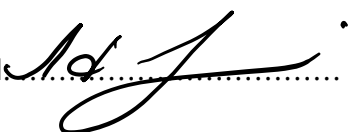
Nil.

9. MEETING CLOSURE

There being no further business the Chairman declared the meeting closed at 5:14pm.

These minutes were confirmed at a meeting held 21 November 2019
and signed below by the Presiding Person, at the meeting in which these minutes were
confirmed.

Signed.....

A handwritten signature in black ink, appearing to be 'M. J.', written over a dotted line.