



Committee Book

Section 5.8 of the *Local Government Act 1995*

Endorsed by Council Resolution 241/11/21 at an Ordinary Council Meeting held on 23 Nov 2021.

Please note that the information contained in this document should be cross-referenced with information available from **The Western Australian Legislation website** that is hosted by the **Parliamentary Counsel's Office** and can be accessed at www.legislation.wa.gov.au

This book contains:

Terms of Reference for Council Committees as follows:

- Audit and Risk Committee
- Museum Advisory Committee
- Environmental Advisory Committee
- Working Groups

Terms of Reference for Mandated Committees as follows:

- Bush Fire Advisory Committee
- Local Emergency Management Committee
- Local Recovery Committee

Information about External Representation to Other Committees or Organisations that Council nominates representatives for as follows:

- Avon Midland Country Zone of the WA Local Government Association
- Avon Regional Organisation of Councils (AROC)
- Butterly Cottages Association Inc
- Rural Water Council
- Toodyay Chamber of Commerce
- Toodyay Community Resource Centre
- SaferToodyay Inc.
- Toodyay Road Community Reference Group (Main Roads)
- Toodyay Roadwise Committee
- Wheatbelt Regional Road Group North
- Development Assessment Panels
- Wheatbelt District Emergency Management Committee (DEMC)

Committee Book Index

Overview	1
Review	1
Representation Summary	1
Committee Representation	1
Rules for Committees of Council	1
1.1. Meetings.....	1
1.2. Appointment of Committee Members.....	2
1.3. Election of Presiding Member (Chairperson).....	2
1.4. Responsibilities of Presiding Member.....	2
1.5. Support to Committees of Council.....	2
1.6. Invitees.....	3
1.7. Order of Meetings.....	3
1.8. Minutes.....	3
1.9. Reporting.....	3
1.10. Resignations.....	3
1.11. Decision Making.....	3
 Audit & Risk Committee (ARC).....	4
 Museum Advisory Committee (MAC).....	6
 Environmental Advisory Committee (EAC).....	7
 Working Groups.....	9
Rules for Mandated Committees	10
Bush Fire Advisory Committee (BFAC).....	11
Local Emergency Management Committee (LEMC).....	14
Local Recovery Committee (LRC).....	19
Rules for External Representation	21
1.1. Avon Midland Country Zone of the WA Local Government Association.....	21
1.2. Rural Water Council of WA Inc.....	22
1.3. Avon Regional Organisation of Councils (AROC).....	23
1.4. Butterly Cottages Association Inc.....	24
1.5. Toodyay Community Resource Centre.....	25
1.6. SaferToodyay Inc.....	26
1.7. Toodyay Road Community Reference Group (Main Roads).....	27
1.8. Toodyay Roadwise Committee.....	28
1.9. Wheatbelt Regional Road Group North.....	29
1.10. Development Assessment Panels.....	29
1.11. Office of Emergency Management – Wheatbelt District Emergency Management Committee (DEMC).....	30

Overview

Refer to section 8.25 of the Shire of Toodyay Governance Framework for information related to Committee Meetings.

This Committee Book has been developed to provide information to Elected Members and Community Representatives on Council Committees.

The Shire of Toodyay (Shire) recognises the value of community input and is continually looking for ways to engage more deeply with the community.

The Shire has established Committees with a defined regulatory purpose. These Committees are bound by the provisions contained in the legislative instruments by which they were established including, but not limited to the following:

- *Shire of Toodyay Standing Orders Local Law 2008* where those Committees are established under the *Local Government Act 1995*;
- *Local Government (Model Code of Conduct) Regulations 2021*.
- Shire of Toodyay's Code of Conduct;
- *Corruption and Crime Commission Act 2003*; and the
- *Defamation Act 2005*.

This Committee Book also provides guidelines to ensure appropriate governance processes are followed for all committees and working groups, etc.

Review

This Committee Book will be reviewed at least every two years. Amendments will be approved by the CEO and endorsed by Council prior to each Local Government Election.

Review Table			
Date	Detail	Approved on	Date
02/09/2021	Created first draft and submitted to the CEO for approval.	N/A	N/A
10/09/2021	Reviewed and added footers then printed for CEO.	N/A	N/A
15/10/2021	Reviewed and amended by CEO	N/A	N/A
18/10/2021	Added in a summary of Committee information	N/A	N/A
28/10/2021	Changed the order of Committees and differentiated between Council Committees and Mandated Committees	N/A	N/A
2/11/2021	Removed information that had been gathered via responses to correspondence sent by the	N/A	N/A

V.01 Committee Book

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Modified: 26/11/2021 2:49 PM

Review Table			
Date	Detail	Approved on	Date
	CEO and put into officer report instead.		
23/11/2021	Endorsed by Council with one minor amendment plus also included the nominations made at Item 9.3.2 in the Representation Summary.	23/11/2021 Council Resolution 241/11/21	– No. 23/11/2021

V.01 Committee Book

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Modified: 26/11/2021 2:49 PM

Representation Summary

Committee Representation						
Committee Name	Frequency	Day/Date/Time	Overview	Members / Comment from Other Committees	Training Required ?	Responsible Officer
Audit & Risk Committee (ARC)	March, June, September, December	1 st Wednesday at 2.00pm		4 primary elected members and 2 deputies, 3 community members		Manager Corporate & Community Services
Museum Advisory Committee (MAC)	March, June, September & December	1 st Wednesday at 4.00pm	To provide guidance and assistance on matters affecting the selection, interpretation or display of the Museums' artefacts, and matters relating to the promotion of the Shire's museums.	2 primary elected members and 2 deputies, up to 6 community members		Museums & Cultural Heritage Officer
Environmental Advisory Committee (EAC)	February, May, August and November	1 st Wednesday at 4.00pm	Provide guidance and assistance on all matters that benefit or impact the natural environmental assets of the Shire of Toodyay.	2 primary elected members and 2 deputies, up to 6 community members, Shire staff representatives		Manager Planning & Development
Bush Fire Advisory Committee (BFAC)	February, May, August, November	1 st Wednesday at 6.00pm	To provide advice to the local government on obligations contained within the <i>Bush Fires Act</i> , organising, managing, resourcing and training volunteer bush fire brigades.	2 primary elected members and 2 deputies, CEO, CESM, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers, Brigade Captains, Shire Officers & Agency representatives	Yes	CESM (Community Emergency Services Manager)

V.01 Committee Book

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Modified: 26/11/2021 2:49 PM

Committee Representation

Committee Name	Frequency	Day/Date/Time	Overview	Members / Comment from Other Committees	Training Required ?	Responsible Officer
Local Emergency Management Committee (LEMC)	February, May, August, November	2 nd Wednesday at 5.00pm	To oversee, plan and test Shire of Toodyay's local emergency management arrangements under s38(1) of the <i>Local Emergency Management Act 2005</i> .	2 primary elected members and 2 deputies, MAS, CESM, Chief Bush Fire Control Officer or deputy, District Emergency Management Advisor, Local Recovery Coordinator and Deputy Local Recovery Coordinator, Shire staff & Agency representatives	Yes	CESM (Community Emergency Services Manager)
Local Recovery Committee (LRC)	As required	As required	Established under s36(b) of the <i>Local Emergency Management Act 2005</i> for the purpose of coordinating and supporting the management of recovery following a major emergency in accordance with the Shire's local emergency management arrangements.	Shire President, Local Recovery Coordinator, Deputy Local Recovery Coordinator, MAS, CESM	Yes	CESM (Community Emergency Services Manager)
Avon Midland Country Zone of the WA Local Government Association	Bi-monthly from February	Usually a Friday	Zones are groups of geographically aligned member Councils who are responsible for direct election of State councillors, providing input into policy formulation and providing advice on various matters.	Shire President	No.	WALGA

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Committee Representation

Committee Name	Frequency	Day/Date/Time	Overview	Members / Comment from Other Committees	Training Required ?	Responsible Officer
Rural Water Council of WA	Every four months commencing from March	Usually a Friday	Provides a voice to government on water issues affecting rural areas and towns and advocates for funding for water projects.	Shire President and Deputy Shire President		External
Avon Regional Organisation of Councils	Bi-monthly Governance Group Meetings	2 nd Monday between March and November	Formed under a Memorandum of Understanding with the Shire's of Goomalling, Northam, Toodyay, Victoria Plains and York.	Shire President and Deputy Shire President		CEO
Butterly Cottages Inc	bimonthly but special meetings may be called at other times.	Thursdays at 10am.	Not for profit organisation providing low-cost accommodation services to people in needy circumstances.	1 elected member to be nominated. Primary: Cr Ruthven Deputy: Cr McCormick		External
Toodyay Chamber of Commerce	Monthly	3 rd Monday of the month at 7.00pm	Not for profit organisation promoting the growth and vibrancy of Toodyay.	No Council Representative required at this time.		External
Toodyay Community Resource Centre	Monthly excluding January	2 nd Wednesday of the month at 5.00pm	Provides community development and a gateway to information technology services.	1 elected member to be nominated. Primary: Cr Duri Deputy: Cr Pearce		External

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Modified: 26/11/2021 2:49 PM

Committee Representation

Committee Name	Frequency	Day/Date/Time	Overview	Members / Comment from Other Committees	Training Required ?	Responsible Officer
Safer Toodyay	meets four times annually <u>Venue</u> Toodyay Police Station.	2 nd Tuesday of the month at 10.00am	Incorporated organisation that develops and supports projects based on the theme of <i>"local solutions for local problems"</i> .	Members: Primary and Proxy Delegate Cr Duri and Cr McCormick Comment: The SaferToodyay Committee would appreciate the continuing support of Council by appointing a member to serve on our Committee. In the past the role has been that of Chairperson of the Committee. The Council representative would chair the meetings and convey information to Council as required.		External
Toodyay Road Community Reference Group	As required	Depends upon scheduling.	Originally set up to provide advice on aspects of the design of the Toodyay Rd upgrades.	Shire President and Deputy Shire President Manager Assets & Services		Main Roads WA
Toodyay Roadwise Committee	Monthly	2 nd Tuesday	Sub-Committee of Safer WA	1 elected member to be nominated. Primary: Cr Hart		External

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Modified: 26/11/2021 2:49 PM

Committee Representation

Committee Name	Frequency	Day/Date/Time	Overview	Members / Comment from Other Committees	Training Required ?	Responsible Officer
Wheatbelt Regional Road Group North	Quarterly	Depends upon scheduling	Established under the State Road Funds to Local Government Agreement which is overseen by a State Advisory Committee (SAC). The RRGs make recommendations to the SAC regarding the Annual Local Government Roads Program for their Region and any other relevant issues.	Primary: Shire President Deputy: Cr Pearce Manager Assets & Services		WALGA
Development Assessment Panels	Irregular	Depends on availability	To enhance planning expertise by improving the balance between technical advice and local knowledge.	Primary: Cr Bell & Cr McKeown Deputy: Cr Ruthven & Cr Duri	Yes	Dept of Lands Planning & Heritage
Wheatbelt District Emergency Management Committee (DEMC)	Bi-monthly	Depends on availability	WA has 11 emergency management districts, each with its own DEMC which assist in the establishment and maintenance of effective emergency management arrangements in the district.	Historically one of the AROC CEO's have been the delegate and in 2022 the delegate is the Shire of Northam CEO.	Yes	Office of Emergency Management

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Modified: 26/11/2021 2:49 PM

Rules for Committees of Council

Reference should be made to the Disclaimer at the front of this document.

Committees of Council are established under the *Local Government Act 1995*. They may also be subject to the provisions of subsidiary legislation under the *Local Government Act 1995*.

Committees of Council are established to provide advice and guidance to assist Council to achieve its strategic direction which is illustrated via the adoption of the Shire's Community Strategic Plan and associated Integrated Planning Strategic documents.

Part 17 of the ***Shire of Toodyay Standing Orders Local Law 2008*** contains references from the *Local Government Act 1995* (the Act) and relevant subsidiary legislation. The local law will be provided separately.

1.1. Meetings

Frequency of Meetings

Committee Meeting dates will be set by Council in November on an annual basis in the same month as when the schedule for Council Meetings is considered.

Special Meetings outside of the schedule set by Council

Any other meeting of a committee is to be held:

- (a) if called for in a verbal or written request to the CEO by the presiding member of the committee, setting out the date and purpose of the proposed meeting;
- (b) if called for by at least 1/3 of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting; or
- (c) if so decided by the committee.

The public notice of scheduled Council and Committee Meetings is in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* which states as follows:

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
 - (a) *the ordinary council meetings; and*
 - (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*
- (3) *Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give*

local public notice of the date, time, place and purpose of the special meeting.

- (4) *If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.*

Part 2 – Meetings of Council in the Shire of Toodyay's Standing Orders Local Law 2008 (Clause 2.1(1)) references the Act and states "Ordinary meetings are to be held not more than 3 months apart.

1.7. Local public notice

- (1) *Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —*
- (a) *published in a newspaper circulating generally throughout the district; and*
 - (b) *exhibited to the public on a notice board at the local government's offices; and*
 - (c) *exhibited to the public on a notice board at every local government library in the district.*
- (2) *Unless expressly stated otherwise it is sufficient if the notice is —*
- (a) *published under subsection (1)(a) on at least one occasion; and*
 - (b) *exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —*
 - (i) *the time prescribed for the purposes of this paragraph; or*
 - (ii) *if no time is prescribed, 7 days.*

1.2. Appointment of Committee Members

Appointment of Committee Members shall be in accordance with Section 5.10 of the *Local Government Act 1995* and Shire of Toodyay Standing Order 17.6.

1.3. Election of Presiding Member (Chairperson)

The election of Presiding Members of committees and their deputies is dealt with in the *Local Government Act 1995*.

(Refer to Shire of Toodyay Standing Order 3.4.)

1.4. Responsibilities of Presiding Member

It is the responsibility of the Presiding Member to read and understand the *Shire of Toodyay Standing Orders Local Law 2008*.

1.5. Support to Committees of Council

The CEO or the CEO's nominee is to be available to attend meetings to provide

advice and guidance to the committee. Secretarial/administrative support is available to the committee through the Office of the CEO.

1.6. Invitees

The Chairperson of a Committee may consult with the Manager responsible for that Committee in regard to inviting representatives from relevant government departments, and other bodies with specialist advice, to its meetings as and when required. Such representatives shall not be members.

1.7. Order of Meetings

Discussion at the committee meetings shall be controlled through an agenda in accordance with Part 4 Business of a Meeting from the Shire of Toodyay Standing Orders. Any member wishing a specific item to be included in the agenda should advise the Chief Executive Officer at least two weeks prior to the meeting date. Otherwise, the item may be discussed under “New Business of an Urgent Nature” in accordance with the Shire of Toodyay Standing Order 4.5.

1.8. Minutes

The keeping of minutes of a meeting is regulated through Section 5.22, Part 5 (Division 2) of the *Local Government Act 1995* which states as follows:

5.22. Minutes of council and committee meetings

- (1) *The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting's proceedings.*
- (2) *The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.*
- (3) *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

The keeping and confirmation of minutes is described in Part 13 of the *Shire of Toodyay Standing Orders Local Law*.

1.9. Reporting

In accordance with Policy A.17 any recommendations made by a Committee shall be presented to the next available Ordinary Council Meeting. The Chairperson of a Committee may report informally to the Council at the Concept Forum on the activities of the Committee.

1.10. Resignations

Committee members wishing to resign must do so in writing to the Chief Executive Officer. Resignations will be effective upon receipt by the CEO or on a date specified in the resignation whichever is the latter.

1.11. Decision Making

The majorities required for decisions of the Council and committees are in accordance with the *Local Government Act 1995* (described in Part 12 - Voting from the Shire of Toodyay Standing Orders).

V.01 Committee Book

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Modified: 26/11/2021 2:49 PM

Audit & Risk Committee (ARC)

Established under section 7.1A of the *Local Government Act 1995*.

Please refer to the [Audit & Risk Committee Charter](#), adopted by Council as a result of receiving, from the Office of the Auditor General, a “*Western Australian Public Sector Audit Committees – Better Practice Guide*” which was published as part of the Auditor General’s Report on 25 June 2020.

The opening summary to the abovementioned guide states the following:

This report has been prepared for submission to Parliament under sections 23(2) and 24(1) of the Auditor General Act 2006. Better practice checklists regularly feature in my Office’s performance audit reports as a means of providing guidance to help the Western Australian public sector perform efficiently and effectively. This is the first comprehensive stand-alone better practice guide we have produced. While prepared primarily as a resource for audit committees in State and local government entities, it also provides Parliament with further insight on the significant role public sector audit committees play in supporting quality public administration.

The *Western Australian Public Sector Audit Committees – Better Practice Guide* provides principle-based guidance for State and local government entities in Western Australia.

The Department of Local Government, Sport and Cultural Industries still publishes a separate guideline, in relation to the Appointment, Function and Responsibilities of Audit Committees. Please refer to the attached [Local Government Operational Guideline Number 09 – Revised September 2013](#).

The guideline states that the audit committee (or any other committee) cannot be given a management task where the Act and Regulations make the CEO specifically responsible. Where the local government is assigned the function through the legislation, the audit committee may have a role unless the function has been delegated to the CEO by Council.

Rules around Establishment of the Committee

The *Local Government Act 1995*, Division 1A – Audit Committee, Section 7.1A states:

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members. * *Absolute majority required.*
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Rules around the Delegation to the Committee

The *Local Government Act 1995*, Division 1A – Audit Committee, Section 7.1B states:

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation. * *Absolute majority required.*
- (2) A delegation to an audit committee is not subject to section 5.17.

Rules around the Decisions the Committee can make

The *Local Government Act 1995*, Division 1A – Audit Committee, Section 7.1C states:

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

Training Requirements

In accordance with the Department's guideline, Community Members (i.e. External persons) appointed to the committee will have business or financial management/reporting knowledge and experience and be conversant with financial and other reporting requirements.

Role, Responsibilities, Membership and Meetings

Please refer to the Audit & Risk Committee Charter, adopted by Council.

Museum Advisory Committee (MAC)

Purpose

To provide guidance and assistance to the Council on matters affecting the selection, interpretation or display of the museums artefacts and matters relating to the promotion of the Museum.

Membership Composition

- (a) an upper limit of one third of elected members be appointed (covering both primary and deputy positions)
- (b) Up to six community members - A pre-requisite to being appointed as a community member will be the applicant's commitment to museum promotion, heritage conservation, and preservation of historical artefacts.
- (c) Supporting Officers
 - Manager Corporate and Community Services
 - Economic Development Coordinator
 - Museum Curator / Cultural Heritage Officer

Frequency of Meetings

The Museum Advisory Committee meets at 4.00 pm on the 1st Wednesday of the months of March, June, September and December unless otherwise determined by the Presiding Member unless otherwise determined at the discretion of the Presiding Person. as explained under "1.1 Meetings under the heading Rules in respect to Committees of Council."

Annual Evaluation of Committee's Effectiveness

The Committee may annually undertake an internal review to evaluate its effectiveness, and as a guide the following should be determined:

- Is the purpose of the Committee being met?
- Is the committee's effectiveness improving or deteriorating?
- Are committee members regularly attending meetings?

The Committee may recommend to Council, changes to its terms of reference.

Environmental Advisory Committee (EAC)

Purpose

Provide guidance and assistance where possible on all matters that benefit or impact the natural environmental assets of the Shire of Toodyay.

Objectives

- (a) make recommendations to Council on matters relating to the environment including but not limited to:
 - Natural resources;
 - Native vegetation and landscape;
 - Biodiversity protection and enhancement;
 - Catchment drainage and water course management;
 - Resource recovery and waste management;
 - Pest and weed management;
 - Environmental sustainability;
 - Climate change impact adaptation and mitigation.
- (b) generate community interest and participation in matters relating to the above items;
- (c) provide feedback to Council in relation to point (b) above;
- (d) provide input and advice to Council on the implementation of Environmental strategies and policies..

Membership Composition

- (a) an upper limit of one third of elected members be appointed (covering both primary and deputy positions)
- (b) Up to six community members - A pre-requisite to being appointed as a community member will be the applicant's commitment to preserving the natural environment.
- (c) Supporting Officers
 - Manager Planning and Development
 - Development Services Officer
 - Planning Officer
 - Reserves Management Officer

Responsibilities

As community representatives Environmental Advisory Group members are expected to:

- (a) Have a broad understanding of the environmental and planning legislative framework operating in WA
- (b) Be fully conversant with agenda items and display a high level of preparedness for meetings.
- (c) Be regularly in attendance at meetings.
- (d) Contribute to the sustainability of the district of the Shire of Toodyay by understanding the relevant environmental issues facing the Shire.
- (e) Present evidence-based advice.

Frequency of Meetings

Refer to 1.1 Meetings under the heading Rules in respect to Committees of Council.

The Environmental Advisory Committee is scheduled to meet “quarterly.”

The Committee meets at 4.00pm on the 1st Wednesday of the months of February, May, August and November, unless otherwise determined at the discretion of the Presiding Person.

Annual Evaluation of Committee’s Effectiveness

The Committee may annually undertake an internal review to evaluate its effectiveness, and as a guide the following should be determined:

- Is the purpose of the Committee being met?
- Is the committee’s effectiveness improving or deteriorating?
- Are committee members regularly attending meetings?

The Committee may recommend to Council, changes to its terms of reference.

Working Groups

Aims

To provide guidance and assistance to Council on matters referred to it by Council.

Objectives

The objectives of the Working Group will be set by Council resolution.

Membership Composition

The composition of membership will be set by Council resolution.

Responsibilities

Responsibilities will be set by Council resolution.

Frequency of Meetings

The Chairperson of the working group will be responsible for setting the frequency of meetings, in consultation with the CEO or delegated Officer.

Rules for Mandated Committees

Reference should be made to the Disclaimer at the front of this document.

The Shire of Toodyay, as a local government, is legislatively required to establish mandated committees for a specific regulatory purpose. The Committees that fall into this category are in the table below:

Name of Mandated Committee	Established under
Bush Fire Advisory Committee	Part V, Section 67 of the Bush Fires Act 1954
Local Emergency Management Committee	Section 38(1) of the Emergency Management Act 2005 and State Emergency Management Guidelines.
Local Recovery Committee	Section 36(b) of the Emergency Management Act 2005.

Information in relation to these Committees is also set out over the following pages.

Bush Fire Advisory Committee (BFAC)

Established under Part V, Section 67 of the *Bush Fires Act 1954*.

Rules around Establishment of BFAC

The *Bush Fires Act 1954*, Section 67 states:

67. Advisory committees

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee; and
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

V.01 Committee Book

Location: W:\CEOSEC\Agendas & Minutes - Committees\Committee Book for Shire (2021).doc

Modified: 26/11/2021 2:49 PM

Role of the Bush Fire Advisory Committee

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

This committee provides a very worthwhile role in engaging with brigades and gaining feedback and input on policy and strategy.

1. Recommend and regularly review Council's policies relating to the delivery of fire prevention, preparedness, response and recovery.
2. Provide support and guidance to all Bush Fire Brigades and Toodyay State Emergency Services Units within the Shire of Toodyay and to assist those brigades/unit to fulfil their objectives.
3. Establish and maintain an operational command and control structure by developing procedures to enhance the ability of the brigades/units to carry out operations, activities and training efficiently and effectively.
4. Ensure co-operation and co-ordination between all brigades/units within the Shire of Toodyay and between all other brigades/units and stakeholders in their efforts and activities.
5. Advise Council regarding all matters relating to prosecutions for breaches of the *Bush Fires Act 1954*.
6. Advise regional officers in the area and any other relevant person or organization on matters referred to the committee.
7. Committee to respond to Council on agenda items submitted from council.
8. Perform any other function assigned to the Committee under section 67 of the Bush Fires Act, Fire and Emergency Services Act, various Acts and Regulations or Council policy.

Responsibilities

All members of the Bush Fire Advisory Committee are expected to adhere to the *Local Government (Model Code of Conduct) Regulations 2021* and the *Shire of Toodyay Code of Conduct*.

Training Requirements

In respect to the Bush Fire Advisory Committee please also refer to the Bush Fire Operating Procedures which is an Administration Manual that includes Standard Operating Procedures. This document was adopted by Council as an Interim Policy on 18 December 2018 and is supported by the Volunteer Bush Fire Brigade Service of WA. This document speaks to the training requirements of personnel who are members on the Bush Fire Advisory Committee.

Committee Membership Composition

Membership of the BFAC shall be:

- (a) Four elected members (two primary and two deputy)
- (b) Chief Bush Fire Control Officer and:
 - Deputy Bush Fire Control Officer (DBFCO) 1
 - Deputy Bush Fire Control Officer (DBFCO) 2
- (c) Captain (or their representative) from the following brigades:
 - Bejoording
 - Coondle-Nunile
 - Toodyay Central
 - Morangup
 - Julimar
 - Toodyay SES
- (d) Supporting Officers and other representatives
 - Chief Executive Officer Shire of Toodyay, or in accordance with section 5.10(5) of the *Local Government Act 1995*, the CEO's Representative.
 - Community Emergency Services Manager
 - Toodyay Volunteer Fire & Rescue Representative
 - Bushfire Risk Management Planning Coordinator
 - Reserves Management Officer
 - Ranger(s) from the Shire of Toodyay;
 - Department of Parks & Wildlife Representative
 - Department of Fire & Emergency Services (DFES) Representative

Frequency of Meetings

In accordance with s.67 (4)(a), the Bush Fire Advisory Committee may from time to time meet and adjourn as the committee thinks fit. These meetings have historically been scheduled to occur "quarterly."

The August BFAC Meeting in particular, is where FCO recommendations are made (Shire of Toodyay Bush Fire Operating Procedure 11.5).

The Bush Fire Advisory Committee meets at 6.00pm on the 1st Wednesday of the months of February, May, August and November, unless otherwise determined at the discretion of the committee, in accordance with s.67 (4)(a) of the *Bush Fires Act 1954*, through the CESM or the Presiding Person.

Local Emergency Management Committee (LEMC)

Established under Section 38(1) of the *Emergency Management Act 2005*.

Part 3 (Division 1) Section 38 of the *Emergency Management Act 2005* provides for the establishment of a Local Emergency Management Committee.

Section 38(3) of the *Emergency Management Act 2005* provides for the membership of a LEMC subject to Section 38(4) of the *Emergency Management Act 2005* whereby the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

State Emergency Management Guidelines provides guidelines to local government in relation to Local Emergency Management Committee roles and responsibilities under section 38(1) of the *Emergency Management Act 2005* to oversee, plan and test the local emergency management arrangements.

Rules around the Establishment of this Committee

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

Role of the Local Emergency Management Committee

The purpose of the Local Emergency Management Committee is to advise and assist the Local Government in ensuring that the Local Emergency Management arrangements are established for its district; to liaise with public authorities and other persons in the development, review and testing of Local Emergency Management arrangements; and to carry out other emergency management activities as directed by the SEMC or prescribed by the Regulations.

The Local Emergency Management Committee has specific functions to follow that are set out in Section 39 and 40 of the *Emergency Management Act 2005* (EM Act) which states as follows:

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

40. Annual report of local emergency management committee

- (1) After the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.
- (2) The annual report is to be prepared within such reasonable time, and in the manner, as is directed in writing by the SEMC.

Responsibilities

It is expected that all members of the Local Emergency Management Committee will adhere to the *Local Government (Model Code of Conduct) Regulations 2021* and the *Shire of Toodyay Code of Conduct*.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC is not an operational committee but rather the organisation established by the local government to assist in the development of local emergency management arrangements for its district.

The LEMC plays a vital role in assisting our communities become more prepared for major emergencies by

- Developing, enhancing and testing preparedness planning from a multi-agency perspective having local knowledge of hazards, demographic and geographic issues; they provide advice to Hazard Management Agencies to develop effective localised hazard plans;
- providing a multi-agency forum to analyse and treat local risk; and

- providing a forum for multi-agency stakeholders to share issues and learnings to ensure continuous improvement.

The LEMC membership must include at least one local government representative and the Local Emergency Coordinator. Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.

The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

Training Requirements

As determined by the State Emergency Management Committee.

What the Guidelines state about LEMC Membership

The State Emergency Management Guidelines state the following:

- The LEMC membership must include at least one local government representative and the Local Emergency Coordinator. Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.
- The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

The State Emergency Management (EM) Preparedness Procedure state the following:

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

- the Chair should be an elected member of council;
- the Local Emergency Coordinator should be appointed as Deputy Chair;
- an Executive Officer, who should be an officer of the relevant local government, and should be appointed to coordinate the business of the committee and/or provide administrative support;
- the Local Recovery Coordinator, being the person nominated in the Local Recovery Plan (s. 41(4) of the EM Act), should be appointed a member of the committee;
- consideration should be given to appointing local government officers engaged in key roles and functions affecting EM (for example, community services, engineering services, corporate services or planning);
- 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 of Communities, the Red Cross or

Salvation Army), industry representatives (especially the owners or operators of hazardous facilities located within the local government district);In accordance with Section 38 (3) (b) & (4) of the *Emergency Management Act 2005*.

- 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
- 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. Where the local government identifies the need for representation from a sector for which there is no local representative, an appropriate alternative representative may be identified from existing community members. For example, specific arrangements may be made in which a local general practitioner attends the LEMC meetings as a representative of the medical services in the district, if the Director of Nursing from the nearest hospital cannot attend.

The term of appointment of LEMC members shall be as determined by the local government in consultation with the parent organisation of the members.

Committee Membership Composition

The composition of this committee is proposed to be as follows:

- (a) Police Officer in Charge – Toodyay to act as the Deputy Presiding Member of the Committee in accordance with Section 38 (3) (b) and (4) of the *Emergency Management Act 2005 and in accordance with SEMC Guidelines*.
- (b) Four elected members (two primary and two deputy) – one of which must be elected as Presiding Member in accordance with *SEMC Guidelines and Section 38 (3) & (4) of the Emergency Management Act 2005*
- (c) Chief Bush Fire Control Officer or deputy
- (d) Community Emergency Services Manager (CESM);
- (e) Chief Executive Officer – Shire of Toodyay, or in accordance with section 5.10(5) of the Local Government Act 1995, the CEO's Representative.
- (f) Emergency Management Officer
- (g) Department of Child Protection and Family Support representative;
- (h) District Emergency Management Advisor (DEMA);
- (i) Local Recovery Coordinator;
- (j) Deputy Recovery Coordinator;
- (k) Welfare Liaison Officer;
- (l) Deputy Welfare Liaison Officer.

V.01 Committee Book

Location: W:\CEOSEC\Agendas & Minutes - Committees\Committee Book for Shire (2021).doc

Modified: 26/11/2021 2:49 PM

- (m) DFES District Manager Representative;
- (n) Main Roads Representative;
- (o) Toodyay Volunteer Fire & Rescue representative;
- (p) Silver Chain Service Coordinator Representative;
- (q) Toodyay St John Ambulance representative;
- (r) Morangup St John Ambulance representative;
- (s) St John Ambulance Community Paramedic;
- (t) Toodyay SES Representative;
- (u) Red Cross Representative;
- (v) Ranger Representatives;
- (w) Principal, Toodyay District High School;
- (x) Health/Medical Representative.

Frequency of Meetings

The Local Emergency Management Committee is scheduled to meet “quarterly.”

The Local Emergency Management Committee meets at 5.00pm on the second Wednesday of February, May, August and November, unless otherwise determined at the discretion of the CESM or the Presiding Person.

Local Recovery Committee (LRC)

The **Local Recovery Committee** means a committee established under Section 36(b) of the *Emergency Management Act 2005*.

Rules around the Establishment of this Committee

Refer to the rules in respect to Committees of Council

36. Functions of local government

It is a function of a local government —

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district; and
- (b) to manage recovery following an emergency affecting the community in its district; and
- (c) to perform other functions given to the local government under this Act.

Role of the Local Recovery Committee

The Local Recovery Committee is set up for the purpose of coordinating and supporting local government in relation to the management in relation to the recovery processes within the community subsequent to a major emergency in accordance with the Shire's Local Emergency Management Arrangements.

The Local Recovery Committee is a subcommittee of the LEMC tasked with aspects of Recovery and its purpose is to assist the local government in the recovery process following a local emergency.

Responsibilities

The responsibility of the Local Recovery Committee is “to ensure a coordinated multi-agency approach to community recovery and make appropriate recommendations, based on lessons learnt, to the Local Emergency Management Advisory Committee to improve the community’s recovery preparedness.”

Training Requirements

As determined by the State Emergency Management Committee.

Committee Membership Composition

As this is a sub-committee to the LEMC, the Presiding Person is to be either the CEO or the Community Emergency Services Manager (CESM).

- (a) Shire President
- (b) Local Recovery Coordinator

V.01 Committee Book

Location: W:\CEOSEC\Agendas & Minutes - Committees\Committee Book for Shire (2021).doc

Modified: 26/11/2021 2:49 PM

- (c) Deputy Recovery Coordinator
- (d) Chief Executive Officer Shire of Toodyay, or in accordance with section 5.10(5) of the Local Government Act 1995, the CEO's Representative.
- (e) Community Emergency Services Manager.

Frequency of Meetings

The Local Recovery Committee shall meet as and when required to do so, unless otherwise determined at the discretion of the CEO in liaison with the CESM.

Reporting

Reports and recommendations of each Local Recovery Committee Meeting shall be presented to the next Local Emergency Management Committee Meeting.

Rules for External Representation

Information about Other Committees that Council nominates representatives for is as follows:

1.1. Avon Midland Country Zone of the WA Local Government Association

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.

[View Zones listing and Minutes from past Zone meetings](#)

In 2021, Cr Ken M. Seymour (from the Shire of Moora) is the current Chairperson of the Avon Midland Country Zone.

The Executive Officer for the Avon Midland Country Zone WALGA is:

Mr Robert Dew

Phone - (08) 9620 1234

Mobile - 0429 962 013 E-mail - tambin@westnet.com.au

Post - PO Box 70, Wongan Hills 6603

Delegates nominated by Council

Historically, the delegates nominated by Council to attend the Zone meetings are the Shire President and the Deputy Shire President.

Nomination of these candidates before the first week of November enables delegates to put their hand up for positions within the Zone such as Zone President, Zone Deputy President, Zone Representative to State Council and Zone Deputy Representative to State Council. Only delegates to the Zone are eligible to nominate for these positions.

Frequency of Meetings

The zone meets regularly throughout the year and dates are provided by the Executive Officer.

Information correct @ 2/11/2021

1.2. Rural Water Council of WA Inc.

The Shire of Toodyay has been a member of the Rural Water Council since 2010 after the Rural Water Council had undertaken its review of their aims and operations. The Rural Water Council provides an effective voice to Government on water issues affecting rural areas and towns and plays an important advocacy and lobbying role to ensure that effective allocations of funding are made to continue the upgrade of water projects.

The Executive Officer of the Rural Water Council of WA (Inc) is Mr Robert Dew.

His details are below:

Phone - (08) 9620 1234

Mobile - 0429 962 013

E-mail - tambin@westnet.com.au

Post - PO Box 70, Wongan Hills 6603

Delegates nominated by Council

Historically, the delegates nominated by Council to attend the Rural Water Council of WA Inc meetings are the Deputy Shire President and the Shire President.

Frequency of Meetings

Meetings are held regularly throughout the year and dates are provided by the Executive Officer.

Information correct @ 2/11/2021

1.3. Avon Regional Organisation of Councils (AROC)

AROC stands for "Avon Regional Organisation of Councils."

AROC was formed in 1999 through the use of a Memorandum of Understanding which is the group's Terms of Reference.

AROC Member Councils are Toodyay, Goomalling, Northam, York and Victoria Plains.

Refer to this link: <https://www.toodyay.wa.gov.au/council/council-meetings-committees/avon-regional-organisation-of-councils-aroc.aspx> for further information.

Delegates nominated by Council

Historically, the delegates nominated by Council to attend the AROC Meetings are the Shire President and the Deputy Shire President.

Frequency of Meetings

AROC meetings shall be convened at the time and at the place determined by the group;

The Governance Group will meet every two months at a time and place agreed by the group;

The AROC Officers Group will meet every two months at a time and place agreed by the Officers Group, in the months when the Governance Group does not meet. The latter Officer's Group meetings usually occur via zoom as this has been more convenient for the group.

Information correct @ 2/11/2021

1.4. Butterly Cottages Association Inc

Butterly Cottages Association Inc. is a provider of low-cost accommodation services to persons in needy circumstances.

The Department of Housing (Government of Western Australia) publishes a Community Housing Rent Setting Policy (locatable publicly at this link: https://www.housing.wa.gov.au/HousingDocuments/Community_Housing_Rent_Setting_Policy.pdf which states:

- Providers must charge an affordable rent of no less than 25% and no higher than 30% of a household's net (after tax) income;
- No rent can exceed the current Market Rent for any property; and
- Commonwealth Rent Assistance (CRA) must be factored into any determination of rent.

Butterly Cottages Association Inc has provided Independent Living Units for aged persons in Toodyay since 1981. Their residents are Centrelink pension recipients.

The Shire of Toodyay partnered with Butterly Cottages to construct nine independent living units (Rosedale Village) on land owned by Butterly Cottages Association Inc that were opened on Monday 6 August 2018 by Member for the Agriculture region, Darren West, on behalf of Minister for Regional Development.

Information on the Shire website

Information on the Shire website:

<https://www.toodyay.wa.gov.au/listings/community-groups/12/butterly-cottages-ASSOC>

Delegates nominated by Council

Council nominates a Primary delegate and Proxy Delegate to be on this Committee.

Frequency of Meetings

Meetings are held regularly throughout the year and dates are provided by the Executive Officer.

Information correct @ 2/11/2021

1.5. Toodyay Community Resource Centre

The Toodyay Community Resource Centre (formerly Toodyay Telecentre) was established in 1998 and provides a gateway to information technology services in our community.

Information on the Shire website

Information on the website is here:

<https://www.toodyay.wa.gov.au/listings/community-groups/36/toodyay-community-resource-centre>

Delegates nominated by Council

Council nominates a Primary delegate and Proxy Delegate to be on this Committee.

Frequency of Meetings

Meetings on the 1st Wednesday of the month (excluding January) at 4.15pm at the Toodyay Community Resource Centre. The Annual General Meeting is held in September.

Information correct @ 2/11/2021

1.6. SaferToodyay Inc.

SaferToodyay Inc. (formerly the Toodyay Community Safety & Crime Prevention Association) was first established in February 1999 as the Toodyay Safer WA (Local) Committee and has undergone several restructures over the years.

The committee develops and supports projects based on the theme of "*local solutions for local problems*" and its membership has included as many as twelve different strategically focused organisations from within the local community.

The resulting grassroots community spirit of cooperation has been commended by government agencies operating in the field. Some of the more recent committee achievements include support to overcome safety issues with the elderly, assistance to strengthen family cohesion, and the encouragement of youth in building their own future.

Information on the Shire website

Information on the website is here:

<https://www.toodyay.wa.gov.au/listings/community-groups/25/safertoodyay>

Other information is also available here:

<https://www.safertoodyay.org.au/about-us.php>

Delegates nominated by Council

Council nominates a Primary delegate and Proxy Delegate to be on this Committee.

Frequency of Meetings

Meetings are held regularly throughout the year and dates are provided by the Executive Officer.

Information correct @ 2/11/2021

1.7. Toodyay Road Community Reference Group (Main Roads)

Background Information

The CRG began in June 2017. Main Roads advertised that they were developing a project to improve safety on a 27.6km section of Toodyay Road between Dryandra Road and Toodyay. They were currently in the design phase and sought input from the community about various aspects of the project.

They invited nominations from proactive local people and businesses who live in the area to join a Community Reference Group (CRG). The CRG includes representatives from Main Roads WA and the Shire of Toodyay.

The Delegates appointed at the time and since its inception have been the Shire President and the Manager Assets and Services.

Other stakeholders that Main Roads invited to join the group are listed below:

- Toodyay Agricultural Alliance
- Toodyay Naturalist Club
- Toodyay Police
- Toodyay St John Ambulance
- WALGA Roadwise
- Toodyay Friends of the River
- Toodyay Roadwise Committee
- Toodyay Chamber of Commerce
- Landowners
- WA Wildflower Society.

Delegates Nominated by Council

As per the background data provided above, the delegates who attend these reference group meetings are primarily the Shire President and the Manager Assets and Services.

Frequency of Meetings

Meetings are as required.

The contact person is Elizabeth Davies:

Contact Phone: (08) 9622 4777.

Email: wheatbelt@mainroads.wa.gov.au

Information correct @ 2/11/2021

1.8. Toodyay Roadwise Committee

Toodyay RoadWise Committee is a sub-committee of Safer WA.

The Chairman is Bob Neville.

Information available through google

Information is available on this group through this link:

https://www.roadwise.asn.au/roadsafety/wheatbelt_north/shire_of_toodyay.aspx

Delegates nominated by Council

Council nominates a Primary delegate and Proxy Delegate to be on this Committee.

Frequency of Meetings

The Toodyay RoadWise Committee meets on the second Wednesday of each month at the Toodyay Police Station.

Information correct @ 2/11/2021

1.9. Wheatbelt Regional Road Group North

Information in respect to this group is available here:

<https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/Infrastructure/Roads/Regional-Road-Groups/Wheatbelt-North-RRG-reference-information-for-Elected-Members-June-2021.pdf?lang=en-AU>

Delegates nominated by Council

Council nominates a Primary delegate and Proxy Delegate to be on this Committee.

Frequency of Meetings

Meetings are held regularly throughout the year and dates are provided by the Executive Officer who is currently Mr Jan Augustin, our Manager Assets & Services.

Information correct @ 2/11/2021

1.10. Development Assessment Panels

Development Assessment Panels (DAPs) have operated in Western Australia since 2011 and are intended to enhance planning expertise in decision making by improving the balance between technical advice and local knowledge.

There are five panels covering the State. The current structure is a transitional arrangement to a future model of no more than three panels, as outlined in the Action Plan for Planning Reform.

Training is regularly provided for delegates as well as for whomever from the local government would provide secretarial minute-taking at meetings, if called.

Delegates nominated by Council

Council nominates two Primary delegates and two Proxy Delegates to be on this Committee.

Information available through google

Information is available on this group through this link:

<https://www.dplh.wa.gov.au/about/development-assessment-panels/about-daps>

Frequency of Meetings

Meetings may be held irregularly throughout the year and dates are provided by the Development Assessment Panels Secretariat on:

Postal address:

Development Assessment Panels Secretariat
Locked Bag 2506
PERTH WA 6001

Contact email: daps@dplh.wa.gov.au

Contact phone: (08) 6551 9919

Information correct @ 2/11/2021

1.11. Office of Emergency Management – Wheatbelt District Emergency Management Committee (DEMC)

Western Australia has eleven emergency management districts, each with its own District Emergency Management Committee (DEMC). The key function of the DEMC is to assist in the establishment and maintenance of effective emergency arrangements in their districts.

DEMCs focus on risk within their district and ensure information received from the State flows down to the Local Emergency Management Committees (LEMCs). They support the LEMCs with advice on emergency management arrangements, as well as participating in exercises and testing of arrangements.

Further information here: <https://semc.wa.gov.au/about-us/the-semc/district-emergency-management-committees>

Delegates nominated by the Office of Emergency Management

The delegate on the Wheatbelt DEMC is an AROC Member and in 2021/2022 the AROC Member appointed to the DEMC is the CEO from the Shire of Northam.

Frequency of Meetings

Meetings are held regularly throughout the year and dates are provided by the Executive Officer, Yvette Grigg.

Information correct @ 2/11/2021