

BUSH FIRE ADVISORY COMMITTEE

These Terms of Reference are to be read in conjunction with the “Committees, Advisory Groups, Representative Meetings and Working Groups Policy”.

1. Name

The name of the committee is Shire of Mundaring Bush Fire Advisory Committee.

2. Head of Power

The committee is established by Council under the provisions of section 67 of the *Bush Fires Act 1954* (C4.11.20).

3. Definitions

Act	the <i>Local Government Act 1995</i> .
BF Act	The <i>Bush Fires Act 1954</i> .
Chief Executive Officer	the Chief Executive Officer (CEO) of Shire of Mundaring.
committee	the Shire of Mundaring Bush Fire Advisory Committee.
Council	the body consisting of all council members sitting formally as the Council of the Shire of Mundaring.
council member	a person elected under the Act as a member of Council. The Shire’s council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act).
external member	a person appointed to this committee who is not a council member.
member	a person appointed to this committee.

4. Objectives

The primary objective of the committee is to provide a forum for discussion and to advise Council on all matters relating to:

- The preventing, controlling and extinguishing of bush fires
- The planning of the layouts of firebreaks in the district
- Prosecutions for breaches of the BF Act
- The formation of Bush Fire Brigades and the grouping thereof under group Brigade Officers
- The ensuring of cooperation and coordination of Bush Fire Brigades in their efforts and activities

- Any other matter relating to bush fire control whether of the same kind as, or different kind from those specified

5. Powers

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term 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 has no delegated authority.

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 any management functions and cannot involve itself in management processes or procedures.

Committee recommendations must be adopted by Council during a formal Council meeting before they can be implemented.

Members of the committee are not permitted to speak to the media as representatives of the committee unless approved by Council.

5.1. Subcommittees

The committee may establish and appoint members from within its number to subcommittees to consider any specified matter or matters within the general remit of the committee objectives.

The committee shall determine the terms of reference for any subcommittee it so establishes.

A subcommittee so appointed shall report to the committee in a frequency and manner determined by the committee.

6. Membership

The committee shall consist of the following members:

- a. up to three council members
- b. the Chief Executive Officer or their delegate
- c. the Chief Bush Fire Control Officer
- d. the Deputy Chief Bush Fire Control Officers, as appointed
- e. the Coordinator Mundaring Fire School or their delegate
- f. the nine Brigade members, being Shire of Mundaring Volunteer Bush Fire Brigade Captains

In the event that a Brigade Captain is unable to attend a meeting, the respective Shire of Mundaring Volunteer Bush Fire Brigade Lieutenant is to be assigned as deputy Brigade member.

The committee is supported by the Director Statutory Services and Manager Community Safety and Emergency Management.

The committee may invite representatives of the following bodies to its meetings and shall hear and have regard for their views but are not members of the committee:

- Department of Biodiversity Conservation and Attractions
- Department of Fire and Emergency Services

The committee may invite, through the CEO, Shire employees or others to attend meetings and provide pertinent information where necessary but such persons shall not be entitled to vote on any item arising out of that meeting. If authorised by the committee, council members attending as observers may participate in the meeting (but are not able to vote).

7. Appointment

7.1. Council Members

Council members are appointed to the committee by Council for a term to expire on the date of the subsequent ordinary local government elections in accordance with section 5.10 of the Act.

If for any reason, a council member is unable to hold office for the full period of their appointment, Council shall fill that vacancy. The council member appointed shall hold office for the balance of the term of the member originally elected.

7.2. Presiding Member

The presiding member and deputy presiding member are to be appointed by the committee at its first meeting immediately following local government election.

In the absence of the presiding member at a meeting, the committee may appoint one of their number as Deputy Presiding person for that meeting. Appointment will be temporary and based on ranking seniority.

8. Roles and Responsibilities

Each member is expected behave in keeping with the principles of the Shire's "Code of Conduct for Council Members, Committee Members and Candidates" (Code of Conduct), to have open and honest discussions and to treat each member and employees with due courtesy and respect.

Council members and employees are to disclose financial, proximity and impartiality interests in accordance with the Act. External members are to be aware that any conflict of interest needs to be recognised to ensure that probity is maintained at all times.

Each member is responsible for attending meetings, reviewing relevant material to enable informed discussion and making timely decisions/actions to progress the objectives of the committee.

In addition to the above, the specific roles for each membership type are as follows:

- Council members are responsible for ensuring that the committee adheres to the direction set by Council, contributing from a Shire-wide perspective, and ensures the delivery of the committees objective.

- External members are responsible for contributing to the delivery of the committees objectives within the scope of their skills, knowledge, experience and capabilities.
- The Presiding Member is responsible for ensuring all members have an opportunity to participate in discussions in an open and encouraging manner and ensuring the timely consideration of items. Where the presiding member is unable or unwilling to chair the meeting, the deputy presiding member will chair the meeting. Deputy committee members are to act in the capacity of a committee member unable to attend a meeting and shall exercise all rights of the absent committee member.
- Employees are responsible for conducting necessary research as required by the committee, providing professional advice, and for administering its meetings.

9. Meetings

Meetings shall be held in accordance with the provisions of the Act, the *Local Government (Administration) Regulations 1996* and the *Meeting Procedures Local Law 2015*. Due consideration is to be given to the “Committees, Advisory Groups, Representative Meetings and Working Groups Policy”.

Ordinary meetings will be held at least four times per year.

Special meetings may be held:

- a. if called for by either the presiding member or at least two members in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- b. if so decided by the Committee; or
- c. if called for by Council.

Meetings are to be generally open to the public with public participation in accordance with the *Meeting Procedures Local Law 2015*.

Meeting quorum is at least 50% of the number of members of the committee whether vacant or not. Each member of the committee at a meeting will have one vote. The presiding member will have a deliberative vote but does not in the event of an equality of votes have a casting vote. In the event of a tied vote the matter will be determined in the negative.

If a member is unable to attend a meeting, they must advise the presiding member as soon as reasonably practicable.

10. Recording and Reporting

The contents of the Minutes are to be in accordance with the Act and *Meeting Procedures Local Law 2015*.

Where a committee does not have a delegation/ authorisation, if a decision is the duty or function of the Council, it must be referred to Council.

Recommendations of the committee to be included in a Council meeting agenda to obtain a formal Council decision, where applicable. Committee recommendations are advisory only and shall not be binding on Council.

11. Changes to Terms of Reference

This Terms of Reference is to be reviewed prior to each ordinary local government election.

These Terms of Reference may be amended by the committee when required with Council to endorse any changes.

12. Disband

Council may determine at any time that a committee is no longer required and is to be disbanded.

Document Control

Item	Date	
Committee established (in current format)	2 May 1963	
Reviewed	July 2016	C11.07.16
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