

**LOCAL EMERGENCY MANAGEMENT COMMITTEE**  
**NULLAGINE**  
**TERMS OF REFERENCE**  
**(Adopted 24 February 2023)**

<b>Name</b>	Local Emergency Management Committee – Nullagine
<b>Definitions</b>	<b>CEO</b> means Chief Executive Officer of the Shire of East Pilbara <b>Committee</b> means the Local Emergency Management Committee - Nullagine <b>Shire</b> means the Shire of East Pilbara <b>The LG Act</b> means the <i>Local Government Act 1995</i>
<b>Purpose</b>	To advise and assist Council in meeting its obligations under the <i>Emergency Management Act 2005</i> .
<b>Functions</b>	<ol style="list-style-type: none"> <li>1. To advise and assist Council in establishing local emergency management arrangements for Nullagine;</li> <li>2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements for Nullagine; and</li> <li>3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed regulations.</li> </ol>
<b>Membership</b>	<ol style="list-style-type: none"> <li>1. The Committee shall consist of the following representatives: <ol style="list-style-type: none"> <li>a. One (1) Councillor appointed by an absolute majority of the Council [s.5.10(a)(1) of the LG Act].</li> <li>b. The Chief Executive Officer of the Shire of East Pilbara or their nominee.</li> <li>c. Employees of the Shire as nominated by the Chief Executive Officer from time to time [s.5.10(5)(b) of the LG Act].</li> <li>d. The Council may appoint by an absolute majority up to one (1) Councillors to be deputy members of the Committee. A deputy member may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause. A deputy of a member, while acting as a member, has all the function of and all the protection given to a member [ss.5.11A(2)(a),(3)&amp;(4) of the LG Act].</li> <li>e. The following organisations may appoint one (1) representative as a voting member of the Committee: <ol style="list-style-type: none"> <li>i. WA Police</li> <li>ii. Nullagine Bush Fire Brigade</li> <li>iii. Department of Fire &amp; Emergency Services</li> </ol> </li> <li>f. The following organisations may appoint one (1) representative as a non-voting member of the Committee: <ol style="list-style-type: none"> <li>i. Marble Bar VFRS</li> <li>ii. WA Country Health Service</li> <li>iii. Nullagine Primary School</li> <li>iv. Millenium Minerals Ltd</li> <li>v. FMG Christmas Creek</li> <li>vi. Main Roads WA</li> <li>vii. Roy Hill</li> <li>viii. St John Ambulance</li> <li>ix. Department of Communities</li> </ol> </li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>g. Committee membership continues until whichever the first of the following circumstances arise: <ul style="list-style-type: none"> <li>i. the term, as set by Council of the person’s appointment as a committee member expires; or</li> <li>ii. Council removes the member from office or the office of committee member otherwise becomes vacant; or</li> <li>iii. the committee is disbanded; or</li> <li>iv. the next ordinary elections day [s.5.11(2)].</li> </ul> </li> <li>h. Members must comply with the <i>Shire of East Pilbara Code of Conduct for Council Members, Committee Members and Candidates</i>.</li> <li>i. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</li> </ul>
<p><b>Operating Procedures</b></p>	<ul style="list-style-type: none"> <li>1. Presiding Member: <ul style="list-style-type: none"> <li>a. The appointed Councillor will be the Presiding Member of the Committee and will preside at all meetings.</li> <li>b. In the absence of the Presiding Member, the CEO will appoint a person to preside for the duration of the Presiding Member’s absence.</li> <li>c. The Presiding Member is responsible for the proper conduct of the Committee in accordance with the <i>Shire of East Pilbara Meeting Procedures Local Law 2019</i> and the Code of Conduct for Council Members, Committee Members and Candidates.</li> </ul> </li> <li>2. Meetings: <ul style="list-style-type: none"> <li>a. The Committee shall meet as required, but must hold a minimum of four (4) meetings per calendar year.</li> <li>b. Additional meetings can be scheduled by decision of the Council or the Committee, or at the request of the President, the Presiding Member of the Committee or any two (2) members of the Committee [cl.3.4 <i>Shire of East Pilbara Meeting Procedures Local Law 2019</i>].</li> <li>c. A Notice of Meeting, including an Agenda, will be circulated to the Committee Members (including deputy members) at least 72 hours prior to each meeting where possible.</li> <li>d. The CEO shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including any deputy members) with a copy of such minutes.</li> </ul> </li> <li>3. Quorum: <p>The quorum of a meeting shall be at least 50% of the number of voting members.</p> </li> <li>4. Reporting: <ul style="list-style-type: none"> <li>a. The Minutes of every Committee meeting will be circulated for the information of all Committee Members and Councillors.</li> <li>b. Any Committee resolution or recommendation requiring consideration by Council will be reported to Council as soon as practicable.</li> <li>c. The Committee’s Terms of Reference will be published on the Shire’s website.</li> </ul> </li> </ul>
<p><b>Appointing Legislation</b></p>	<p>The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> and governed by the <i>Local Government Act 1995</i>.</p>

<b>Delegated Authority</b>	The Committee is an advisory committee appointed by and reports to Council. The Committee provides appropriate advice and recommendations to the Council on matters relevant to its Terms of Reference. This is in order to facilitate informed decision making by the Council in relation to legislative functions and duties of the local government that have not been delegated to the CEO.
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<b>References:</b>	Nil		
<b>Authorised by:</b>	Council		
<b>Date:</b>	24 February 2023	<b>Item No.</b>	11.1.3
<b>Review/Amendment Date</b>		<b>Item No.</b>	
<b>Review/Amendment Date</b>		<b>Item No.</b>	
<b>Next Review</b>	Following each ordinary local government election		
<b>Responsible Directorate</b>	Office of the Chief Executive Officer		
<b>Responsible Officer</b>	Manager Governance, Risk and Procurement		
<b>File No.</b>			