

INSTRUMENT OF APPOINTMENT

BUSH FIRES MANAGEMENT COMMITTEE

Instrument of Appointment & Delegation

1. Introduction

The Council of the Shire of Busselton (hereinafter called the "Council") hereby establishes a committee under the powers given in Section 5.8, 5.9(2)(c) and 5.17(1)(c) of the Local Government Act 1995, such committee to be known as the Bush Fires Management Committee (hereinafter called the "Committee").

The Council appoints to the Committee those persons whose names appear in section 4.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on 15 October, 2011, after which time the Council may appoint members for a further term.

The Committee shall act for and on behalf of Council in accordance with provisions of the Local Government Act 1995, relevant provisions of the Bush Fires Act 1954, local laws and policies of the Shire of Busselton and this Instrument.

2.0 Name

The name of the Committee shall be the Bush Fires Management Committee.

3.0 Objectives

3.1 To provide advice to Council in regard to all matters relating to bush fire control, prevention and management, including recommendation on the annual firebreak requirements, capital (equipment) purchase, review of firefighting/prevention practices and firefighting training.

3.2 To develop a bush fire strategic plan incorporating plant, firebreak order development process and strategic firebreak development, to be endorsed by Council.

3.3 To care for, control and manage the bush fire risk within the district of the Shire of Busselton.

4.0 Membership

Two Elected Members shall be appointed to the Committee.

The Fire Control Officer from each of the Shire's brigades shall (by virtue of the office held) be appointed to the Committee. Other members of the committee will be a representative from each of FESA and CALM (to nominate representatives).

Other persons (or representatives of organisations) may participate in meetings of the Committee (or any sub committees the Committee may

establish) as determined by an ordinary majority of the Committee. Such persons will not be entitled to vote on any matter brought before the Committee.

Elected Members – (names to be inserted)

Fire Control Officers – (names to be inserted)

5.0 Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Busselton Standing Orders Local Law.

6.0 Meetings

The Committee shall meet at least twice annually, once at the beginning and once at the end of the bush fire season, as a minimum.

6.1 Notice of meetings shall be given to members at least 3 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the Committee, they shall forfeit their position on such Committee. The Council shall be informed, who will appoint a replacement for the balance of the Committee's term of appointment.

6.3 The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the format identified in the Shire of Busselton Standing Orders local law and shall, not later than 10 days after each meeting, provide Council with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding can cast a second vote.

7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.

8.0 Delegated Powers

The Bush Fires Management Committee is delegated authority to:

Exercise the powers and discharge the duties of the local government as they relate specifically to the risk of bush fire in the district, in accordance with the Bush Fires Strategic Plan and Council's budget.

9.0 Conditions of Delegation

Nil.

10.0 Termination of Committee

Termination of the Committee shall be:

- a) In accordance with the Local Government Act 1995; and
- b) At the direction of Council, not exceeding 15 October, 2011.

11.0 Amendment to the Instrument of Appointment and Delegation

This document may be altered at any time by the Council on the recommendation of the Committee, or after giving 14 days notice to the Committee.

12.0 Committee Recommendations/Decisions

Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect. Decisions made under delegated authority shall not be binding on Council if such decisions are in conflict with the delegated powers.

INSTRUMENT OF APPOINTMENT

MEELUP REGIONAL PARK MANAGEMENT COMMITTEE

Instrument of Appointment & Delegation

1. Introduction

The Council of the Shire of Busselton (hereinafter called the "Council") hereby establishes a committee under the powers given in Section 5.8, 5.9(2)(c) and 5.17(1)(c) of the Local Government Act 1995, such committee to be known as the Meelup Regional Park Management Committee (hereinafter called the "Committee").

The Council appoints to the Committee those persons whose names appear in section 4.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on 15 October, 2011, after which time the Council may appoint members for a further term.

The Committee shall act for and on behalf of Council in accordance with provisions of the Local Government Act 1995, local laws and policies of the Shire of Busselton and this Instrument.

2.0 Name

The name of the Committee shall be the Meelup Regional Park Management Committee.

3.0 Objectives

3.1 To develop a strategic plan for the regional park that ties into Council's Strategic Plan, to be endorsed by Council, and to annually review the five-year plan of capital and operating expenditure and income, to be endorsed by Council.

3.2 Care for, control and manage all areas of Meelup Regional Park (except any areas specifically excluded by Council).

4.0 Membership

2 Elected Members shall be appointed to the Committee.

6 Community Members shall be appointed to the Committee.

Deputy Members may be appointed as required.

Other persons (or representatives of organisations) may participate in meetings of the Committee (or any sub committees the Committee may establish) as determined by an ordinary majority of the Committee. Such persons will not be entitled to vote on any matter brought before the Committee.

Elected Members – (names to be inserted)

Community Members – (names to be inserted)

Deputy Members - (names to be inserted)

5.0 Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Busselton Standing Orders Local Law.

6.0 Meetings

The Committee shall meet at least six times annually, and shall report to Council on a bi-monthly basis as a minimum.

6.1 Notice of meetings shall be given to members at least 3 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the Committee, they shall forfeit their position on such Committee. The Council shall be informed, who will appoint a replacement for the balance of the Committee's term of appointment.

6.3 The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the format identified in the Shire of Busselton Standing Orders local law and shall, not later than 10 days after each meeting, provide Council with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding can cast a second vote.

7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.

8.0 Delegated Powers

The Meelup Regional Park Management Committee is delegated authority to:

Exercise the powers and discharge the duties of the local government under Section 3.54(1) of the Local Government Act 1995 as they relate specifically to Meelup Regional Park, in accordance with the Shire's Strategic Plan, Park's management plan and Council's budget, with the exceptions that:

- a) normal maintenance and servicing (eg. building maintenance and operations, maintenance of grassed areas and surrounds, rubbish removal, etc) of the coastal foreshore recreation areas at the localities of Eagle Bay, Meelup Beach and Castle Rock are to be undertaken by the Shire; and
- b) all law enforcement (eg bush fire control, litter control, etc) is to be exercised by the Shire's Ranger and Fire Services.

9.0 Conditions

As identified in the delegation (above).

10.0 Termination of Committee

Termination of the Committee shall be:

- a) In accordance with the Local Government Act 1995; and
- b) At the direction of Council, not exceeding 15 October, 2011.

11.0 Amendment to the Instrument of Appointment and Delegation

This document may be altered at any time by the Council on the recommendation of the Committee, or after giving 14 days notice to the Committee.

12.0 Committee Recommendations/Decisions

Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect. Decisions made under delegated authority shall not be binding on Council if such decisions are in conflict with the delegated powers.

INSTRUMENT OF APPOINTMENT

BUSSELTON JETTY ADVISORY COMMITTEE

Instrument of Appointment & Delegation

1. Introduction

The Council of the Shire of Busselton (hereinafter called the "Council") hereby establishes a committee under the powers given in Section 5.8 and 5.9(2)(c) of the Local Government Act 1995, such committee to be known as the Busselton Jetty Advisory Committee (hereinafter called the "Committee").

The Council appoints to the Committee those persons whose names appear in section 4.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on 15 October, 2011, after which time the Council may appoint members for a further term.

The Committee shall act for and on behalf of Council in accordance with provisions of the Local Government Act 1995, local laws and policies of the Shire of Busselton and this Instrument.

2.0 Name

The name of the Committee shall be the Busselton Jetty Advisory Committee.

3.0 Objectives

3.1 To develop/review a restoration and management plan for the Busselton Jetty and the Scout Road boat ramp, to be endorsed by Council.

3.2 To advise Council on any relevant aspects of the day to day management and capital improvement of the Busselton Jetty and the Scout Road boat ramp where appropriate, and to undertake tasks as set by the Council, which may include, but not be limited to:

- a) identifying and seeking sources of funding for works to be undertaken on the jetty;
- b) setting priorities for the management and maintenance of the jetty and Scout Road boat ramp; and
- c) implementing plans that have been approved by the Council.

In order for any tasks to be undertaken, the Committee will require a specific brief from the Council.

4.0 Membership

3 Elected Members shall be appointed to the Committee.

3 Executive Members of the Busselton Jetty Environment and Conservation Association shall be appointed to the Committee.

2 Community Members shall be appointed to the Committee.

Other persons (or representatives of organisations) may participate in meetings of the Committee (or any sub committees the Committee may establish) as determined by an ordinary majority of the Committee. Such persons will not be entitled to vote on any matter brought before the Committee.

Elected Members – (names to be inserted)

BJECA Members - (names to be inserted)

Community Members – (names to be inserted)

5.0 Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Busselton Standing Orders Local Law.

6.0 Meetings

The Committee shall meet at least twice annually and shall report to Council once every six months as a minimum.

6.1 Notice of meetings shall be given to members at least 3 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the Committee, they shall forfeit their position on such Committee. The Council shall be informed, who will appoint a replacement for the balance of the Committee's term of appointment.

6.3 The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the format identified in the Shire of Busselton Standing Orders local law and shall, not later than 10 days after each meeting, provide Council with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding can cast a second vote.

7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.

8.0 Delegated Powers

Nil.

The Busselton Jetty Advisory Committee has been established as an Advisory Committee only as does not have any delegated powers.

9.0 Termination of Committee

Termination of the Committee shall be:

- a) In accordance with the Local Government Act 1995; and
- b) At the direction of Council, not exceeding 15 October, 2011.

10.0 Amendment to the Instrument of Appointment and Delegation

This document may be altered at any time by the Council on the recommendation of the Committee, or after giving 14 days notice to the Committee.

11.0 Committee Recommendations

Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

INSTRUMENT OF APPOINTMENT

HERITAGE ADVISORY COMMITTEE

Instrument of Appointment & Delegation

1. Introduction

The Council of the Shire of Busselton (hereinafter called the "Council") hereby establishes a committee under the powers given in Section 5.8 and 5.9(2)(c) of the Local Government Act 1995, such committee to be known as the Heritage Advisory Committee (hereinafter called the "Committee").

The Council appoints to the Committee those persons whose names appear in section 4.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on 15 October, 2011, after which time the Council may appoint members for a further term.

The Committee shall act for and on behalf of Council in accordance with provisions of the Local Government Act 1995, Heritage of Western Australia Act 1990, local laws and policies of the Shire of Busselton and this Instrument.

2.0 Name

The name of the Committee shall be the Heritage Advisory Committee.

3.0 Objectives

3.1 At Council's request to recommend to Council a list of places for entry onto the Shire's Municipal Inventory of Heritage Places, in accordance with the provisions of the Heritage of Western Australia Act 1990.

3.2 To advise Council on the conservation values of heritage places, as requested by Council.

3.3 To develop a Heritage Strategy for the Shire of Busselton to include but not be limited to the following areas:

- a) A long-term heritage management strategy;
- b) The review of the municipal heritage inventory and the management categories within the inventory;
- c) Community education on heritage issues;
- d) Heritage conservation incentive schemes including awards and loan schemes;
- e) Process for the review and adjustment of the Shire's Town Planning Scheme to incorporate heritage issues as they are identified.

4.0 Membership

3 Elected Members;

The WA Heritage Council's Regional Heritage Advisor;

A representative of the Busselton Historical Society;

A representative of the National Trust of Australia;

A representative of Wonnerup Residents' Association;

2 Community Members.

Other persons (or representatives of organisations) may participate in meetings of the Committee (or any sub committees the Committee may establish) as determined by an ordinary majority of the Committee. Such persons will not be entitled to vote on any matter brought before the Committee.

Elected Members – (names to be inserted)

WA Heritage Council Regional Heritage Advisor – (name to be inserted)

Organisation Representatives – (names to be inserted)

Community Members – (names to be inserted)

5.0 Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that business is conducted in accordance with the Shire of Busselton Standing Orders Local Law.

6.0 Meetings

The Committee shall meet at least once annually.

6.1 Notice of meetings shall be given to members at least 3 days prior to each meeting.

6.2 If any member is absent from 3 consecutive meetings without leave of the Committee, they shall forfeit their position on such Committee. The Council shall be informed, who will appoint a replacement for the balance of the Committee's term of appointment.

6.3 The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the format identified in the Shire of Busselton Standing Orders local law and shall, not later than 10 days after each meeting, provide Council with a copy of such minutes.

6.4 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding can cast a second vote.

7.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.

8.0 Delegated Powers

Nil.

The Community Heritage Advisory Committee has been established as an Advisory Committee only as does not have any delegated powers.

9.0 Termination of Committee

Termination of the Committee shall be:

- a) In accordance with the Local Government Act 1995; and
- b) At the direction of Council, not exceeding 15 October, 2011.

10.0 Amendment to the Instrument of Appointment and Delegation

This document may be altered at any time by the Council on the recommendation of the Committee, or after giving 14 days notice to the Committee.

11.0 Committee Recommendations

Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

INSTRUMENT OF APPOINTMENT

SHIRE OF BUSSELTON AUDIT COMMITTEE

1.0 Introduction

The Council of the Shire of Busselton (the Council) hereby establishes a committee under the powers given in Part 7 of the Local Government Act 1995 (the Act), such committee to be known as the Shire of Busselton Audit Committee (the Committee).

The Committee is established to fulfil the requirements of Local Government (Audit) Regulation 16. It is to provide an independent oversight of the financial systems of the local government on behalf of the Council. As such, the Committee will operate to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to financial reporting and audit.

The Committee is to provide guidance and assistance to the local government as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act and as to the development of a process to be used to select and appoint a person to be an auditor.

The Council appoints to the Committee those persons whose names appear in section 5.0 below. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on 15 October, 2011, after which time the Council may appoint members for a further term.

The Committee shall act in accordance with the provisions of the Local Government Act 1995, local laws and policies of the Shire of Busselton and this Instrument. Where there is inconsistency between local law or policy provisions and the Act or Regulations, the Act or Regulations shall prevail.

2.0 Name

The name of the Committee shall be the Shire of Busselton Audit Committee.

3.0 Objectives

- 3.1 To be responsible for the annual external audit and to liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.
- 3.2 To ensure openness in the local government's financial reporting and to liaise with the Chief Executive Officer (or his representative) to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.
- 3.3 To facilitate:
 - * the enhancement of the credibility and objectivity of external financial reporting;
 - * compliance with laws and regulations as well as use of best practice guidelines relative to auditing;
 - * the provision of an effective means of communication between the external auditor, the Chief Executive Officer (or his representative) and the Council.

4.0 Specific Duties and Responsibilities

The following specific duties and responsibilities have been given to the Committee in order to facilitate the achievement of its objectives.

- 4.1 To provide guidance and assistance to Council as to the carrying out of the functions of the local government in relation to audits.
- 4.2 To develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- 4.3 To develop and recommend to Council a list of those financial matters to be audited and the scope of the financial audit to be undertaken.
- 4.4 To recommend to Council the person or persons to be appointed as auditor (*when required*).
- 4.5 To develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include the objectives of the audit, the scope of the audit, a plan of the audit, details of the remuneration and expenses to

be paid to the auditor and the method to be used by the local government to communicate with and supply information to the auditor (*when required*).

- 4.6 To liaise with the Chief Executive Officer (or his representative) to ensure that the local government does everything in its power to assist the auditor to conduct the audit and carry out his or her other duties under the Act, and to ensure that audits are conducted successfully and expeditiously.
- 4.7 To examine the reports of the auditor after receiving a report from the Chief Executive Officer on the matters, and determine if any matters raised require action to be taken by the local government and to ensure that appropriate action is taken in respect to those matters.
- 4.8 To review the report prepared by the Chief Executive Officer on any actions taken in respect of any matters raised in the report of the auditor and to present the report to Council for adoption prior to the end of the next financial year or six months after the last report prepared by the auditor is received, whichever is the latest time.
- 4.9 To review the scope of the audit plan and program and its effectiveness.
- 4.10 To seek information or obtain expert advice through the Chief Executive Officer on matters of concern within the scope of the Committee's Instrument of Appointment following authorisation from the Council.

5.0 Membership

The Shire President shall be appointed to the Committee.

The Deputy Shire President shall be appointed to the Committee.

1 other Elected Member shall be appointed to the Committee.

Elected Members – (names to be inserted)

6.0 Presiding Member

The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business. The Presiding Member shall ensure that minutes of the proceedings are kept and that

business is conducted in accordance with the Shire of Busselton Standing Orders Local Law.

7.0 Meetings

The Committee shall meet at least three times annually, and shall report to Council summarising its activities on an annual basis as a minimum. Recommendations of the Committee shall be presented to the next practicable Ordinary Meeting of the Council. The Chief Executive Officer and/or his nominated representative will attend all meetings to provide advice and guidance to the Committee.

7.1 Notice of meetings shall be given to members at least 3 days prior to each meeting.

7.2 If any member is absent from 3 consecutive meetings without leave of the Committee, they shall forfeit their position on such Committee. The Council shall be informed, who will appoint a replacement for the balance of the Committee's term of appointment.

7.3 The Presiding Member shall ensure that detailed minutes of all meetings are kept in accordance with the format identified in the Shire of Busselton Standing Orders local law and shall, not later than 10 days after each meeting, provide Council with a copy of such minutes.

7.4 All members of the Committee shall have one vote. If the vote of the members present is equally divided, the person presiding can cast a second vote.

8.0 Quorum

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A recommendation of the Committee does not have effect unless it has been made by a simple majority.

9.0 Delegated Powers

The Committee does not have any delegated powers. It is established to report to Council and provide appropriate advice and recommendations on matters relevant to its objectives, duties and responsibilities. This is in order to facilitate informed decision-making by Council in relation to the identified legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer.

10.0 Termination of Committee

Termination of the Committee shall be:

- a) In accordance with the Local Government Act 1995; and
- b) At the direction of Council, not exceeding 15 October, 2011.

11.0 Amendment to the Instrument of Appointment and Delegation

This document may be altered at any time by the Council on the recommendation of the Committee, or after giving 14 days notice to the Committee.

12.0 Committee Recommendations

Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.

INTERNAL GROUPS / EXTERNAL ORGANISATIONS AND REPRESENTATION**COUNCILLOR APPOINTMENTS**

GROUP / ORGANISATION	REPRESENTATIVE UNTIL 17/10/2009
Yallingup LCDC	D Hanran-Smith
Vasse-Wonnerup LCDC	B Hastie
Leeuwin-Naturaliste National Park Advisory Committee	D Hanran-Smith
Geographe Community Centre	
Citizens' Advice Bureau	T Tuffin
Shire of Busselton Sister City Associations	B Clarke R Underdown
GeoCatch	Shire President (represented by B Hastie)
Keep Busselton Beautiful Committee	D Hanran-Smith
Local Organising Committee - Ironman WA	R Underdown
Busselton Wetlands Interpretive Centre Project Team	T Tuffin Vacancy
Port Geographe Working Group convened by Hon Adele Farina MLC	Shire President (represented by I Stubbs)
Busselton Senior Citizens Centre Board of Management	B Hastie
Geographe Bay Tourism Association	R Bromell
Rural Roads Convention	B Clarke A Ryan
Whicher Water Resources Management Committee	R Underdown
Busselton Historical Society	B Hastie
Busselton and Dunsborough Historians	B Hastie
Community Resource Centre Reference Group	B Hastie B Clarke D Hanran-Smith
Busselton Foreshore Working Group	I Stubbs
Airport Advisory Group	T Tuffin J Emery
Ludlow Reference Group	D Hanran-Smith B Hastie
Margaret River Greater Tourism Taskforce	W Hartley D Binks
Local Environmental Planning Strategy Community and Industry Reference Group	D Hanran-Smith J Emery

Environmental Reference Group	B Hastie Vacancy
Busselton 2020	W Hartley R Bromell
Leisure Services Plan Working Group	D Hanran-Smith A Ryan R Underdown
Waste Advisory Group	D Hanran-Smith B Hastie
Local Emergency Management Committee	D Hanran-Smith R Underdown Vacancy
Locke Estate Working Group	Seeking two Cr representatives, decision recently deferred
Busselton Jetty Heritage Interpretation Selection Panel	Seeking a Cr representative, decision recently deferred