

“LATE ITEM”

12.2.12 Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee – Establishment and Endorsement of Terms of Reference
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Interest Declared:	No interest to disclose
Date:	9 December 2018
Attachments	Proposed Terms of Reference

Matter for Consideration

That Council give consideration to the establishment of the Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee and determine its terms and reference.

Background

As requested the Chief Executive Officer has initiated the formation of a Vermin Cell Fence Construction Advisory Committee for the purpose of assisting in the co-ordination of the project.

Statutory Environment

Local Government Act 1995

5.8 Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

5.9 Committees, types of

- (1) In this section —
other person means a person who is not a council member or an employee.
- (2) A committee is to comprise —
 - (a) council members only; or
 - (b) council members and employees; or
 - (c) council members, employees and other persons; or
 - (d) council members and other persons; or
 - (e) employees and other persons; or
 - (f) other persons only.

5.10 Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or

* Absolute majority required.

- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee, the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11 A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.
* Absolute majority required.
- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.
[Section 5.11A inserted by No. 17 of 2009 s. 20.]

5.11 Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, whichever happens first.

Financial Implications

Nil

Consultation

Nil

Comment

The establishment of the Vermin Cell Fence Construction Advisory Committee will provide hands on support to the Chief Executive Officer in the co-ordination of the Vermin Cell Fence Construction.

Proposal

To advise and make recommendations to Council on a range of issues in relation to the project.

Objectives

To assist in the Co-ordination of the Construction of Vermin Cell Fence.

To consider and provide recommendation to Council on any matter referred to it by Council.

Membership

A Total membership of up to 5 members, all of whom to be appointed by the Council, comprising

- The Chairperson
- One Council Member Representative
- The Chief Executive Officer
- The Fence Inspector
- One Community member who has an interest in the construction of the Vermin Cell Fence.

Appointment of for up two (2) years and members are eligible for re-appointment following the Member Councils Ordinary Election.

The Advisory Committee is to meet at least bi-annually with an agenda and minutes being administrated by the Chief Executive Officer.

All recommendations made by the Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee to be reported to Council for consideration.

Once Council has approved the establishment of the Committee, other appropriate persons will be sought.

Voting requirements

Absolute Majority

OFFICER RECOMMENDATION:

Moved:

Seconded:

That Council:

1. Approve the establishment of the Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee.
2. Endorse the Term of Reference refer attachment to report
3. Appoint Cr _____ to the Murchison Reginal Vermin Council Vermin Cell Fence Construction Advisory Committee.

CARRIED/LOST

12.2.12

ATTACHMENT

- **Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee – Establishment and Endorsement of Terms of Reference**

The Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee
Terms of Reference

1. Name

The name of the Committee shall be the "Murchison Regional Vermin Council Vermin Cell Fence Construction Advisory Committee".

2. Purpose

To advise and make recommendations to Council on a range of issues in relation to the construction of Vermin Proof Cell Fence.

3. Objectives

- To assist in the Co-ordination of the construction of the Vermin Cell Fence.
- To consider and provide recommendation to Council on any matter referred to it by Council.

4. Membership

A total membership of up to 5 members, all of whom to be appointed by the Council, comprising

4.1 The Shire President

4.2 One Council Member Representative

4.3 The Chief Executive Officer

4.4 The Fence Inspector

4.5 One community member who has an interest in the construction of the Vermin Cell Fence.

Appointment is for a term of up to two(2) years and members are eligible for re-appointment following the Member Councils Ordinary Elections.

5. Election of Presiding Members and Deputy Presiding Members

The election of the presiding member and deputy presiding members to be conducted in accordance with the provisions of the Local Government Act 1995

6. Meetings

6.1 the Committee to meet at least bi-annually.

6.2 Meeting to be held on a date and time to be determined by Committee.

6.3 A quorum shall consist of at least one half of the appointed members.

1. Minutes

Agendas and minutes to be administrated by the Chief Executive Officer in accordance with the provisions of the Local Government Act 1995.

2. Voting

Voting to be conducted in accordance with the provisions of the Local Government Act 1995.