

Shire of Denmark

Charter



LOCAL EMERGENCY MANAGEMENT COMMITTEE

This charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Shire of Denmark Local Emergency Management Committee, established by Council pursuant to Section 38 (1) of the Emergency Management Act 2005.

1.0 NAME

The name of the Committee shall be the Shire of Denmark Local Emergency Management Committee (LEMC) hereinafter referred to in its abbreviated form as the Committee.

2.0 ESTABLISHMENT

The Committee is established pursuant to Section 38(1) of the Emergency Management Act 2005.

3.0 DISTRICT

The Committee shall operate within the local government boundaries of the Shire of Denmark.

4.0 GUIDING PRINCIPLES

This committee is established with the guiding principles in accordance with the Local Government Act 1995, the Emergency Management Act 2005 and the State Emergency Management Policy No. 2.5.

5.0 VISION

For the Shire of Denmark's residents, ratepayers and businesses to be adequately protected, risks are minimised and recovery operations coordinated swiftly and efficiently.

6.0 TERMS OF REFERENCE

In accordance with section 39 of the Emergency Management Act 2005.

- 6.1 To advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and
- 6.2 To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- 6.3 To carry out other emergency management activities as directed by the State Emergency Management Committee (SEMC) or prescribed by the Emergency Management Act or Regulations.

- 6.4 Prepare an annual report on Committee activities for submission to the District Emergency Management Committee.

7.0 MEMBERSHIP

That in accord with section 38 (3) (a) of the Emergency Management Act 2005, Council appoint the following members:

POSITION ORGANISATION

Voting Members

Shire President / Chairperson	Shire of Denmark
Councillor	Shire of Denmark
Manager Community Services	Shire of Denmark
Officer in Charge	Denmark Police Service
Officer in Charge	Walpole Police Service
Chief Bush Fire Control Officer	Bushfire Advisory Committee
Director of Nursing.....	Denmark District Hospital
Centre Manager	Walpole Silver Chain
Unit Manager	Denmark State Emergency Service
Unit Manager	Walpole State Emergency Service
Officer in Charge	Denmark St John Ambulance
Officer in Charge	Walpole St John Ambulance
Commander	Denmark Volunteer Marine Sea Rescue
Commander	Peaceful Bay Vol. Marine Sea Rescue
Commander	Walpole Volunteer Marine Sea Rescue
Captain	Denmark Fire & Rescue Service
District Operations Officer	Dept. of Biodiversity, Conservation & Attractions
.....	<i>(Parks and Wildlife Service)</i>
District Officer	Dept. of Communities
.....	<i>(Child Protection and Family Support)</i>
President	Denmark Surf Life Saving Club

Each position holder is entitled to nominate a Deputy Delegate from their organisation for any individual meeting.

Representation is valid for two years until the next Ordinary Local Government Election Day or until the person resigns or the Committee is disbanded, whichever happens first. Nothing prevents a previous member re-nominating.

8.0 MEETINGS

8.1 Annual General Meeting:

Nil.

8.2 Committee Meetings:

Meetings shall be held at least four times per year or more often as determined by the Committee and shall follow the minimum procedures as set out in State Emergency Management Procedures (Appendix 1).

8.3 Quorum:

The quorum for any meeting of the Local Emergency Management Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.

8.4 Voting:

Shall be in accordance with the Local Government Act, Section 5.21 with all members of the Committee entitled and required to vote (subject to financial and proximity interest provisions of the LGA).

8.5 Minutes:

Shall be in accordance with the Local Government Act, Section 5.22.

8.6 Chair

In accordance with the State Emergency Management Procedures the Chair should be an elected member.

The Chair of the Committee is appointed by the Local Government pursuant to Section 38(3) (a) of the Emergency Management Act 2005. Where Council has failed to nominate a Chair, the default Chair will be the current serving Shire President of the Council.

8.6 Deputy Chair

In accordance with the State Emergency Management Procedures the Deputy Chair should be an elected member.

8.7 Who acts if no Chairperson?

Shall be in accordance with the Local Government Act, Section 5.14.

8.8 Meetings

Meetings are not open to the public pursuant to Section 5.23 of the Act as the Committee has no delegated power or duty.

8.9 Public Question Time

Nil.

8.10 Members Conduct

Members of the Committee are bound by the:

- provisions of Section 5.65 of the Local Government Act 1995 (Councillors only);
- Shire of Denmark Standing Orders Local Law 2000;
- Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates; and
- Shire of Denmark's Code of Conduct for Employees, Volunteers, Trainees and Contractors;

with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, as each relates.

8.11 Executive Officer

The Community Emergency Services Coordinator will fulfil the role of Executive Officer who will be responsible for:

- Coordinating the development and submission of committee documented in accordance with legislative and policy requirements including an Annual Report, Annual Business Plan and maintenance of Local Emergency Management Arrangements.
- Provide advice to the Chair and the Committee as required.
- Facilitate communication between the Committee and the Executive Officer of the relevant District Emergency Management Committee.

8.12 Standing Ex-Officio Members

The Committee is authorised to co-opt standing ex-officio members not listed under the general membership as non-voting members.

8.13 Meeting Attendance Fees

Nil.

9.0 DELEGATED AUTHORITY OF THE COMMITTEE

Nil.

Adopted by Council 21 November 2023 / Resolution No. 161123

3.7 Local Emergency Management Committee

Background

Under sections 38 - 40 of the EM Act, local governments are required to establish and carry out the functions of a local emergency management committee.

Local governments are the closest level of government to their communities and have access to specialised knowledge about the local environment and demographic features of their communities. Local governments also have specific responsibilities for pursuing emergency risk management as a corporate objective and as good business practice.

Procedure

LEMC

Each local government is required to establish, administer and maintain a LEMC. In order to meet this requirement, a local government may:

- have a single committee (i.e. one LEMC covers the entirety of the local government district)
- have more than one committee (i.e. if there are areas with very different emergency management needs within a local government, each area may have a separate LEMC. The entirety of the local government district must be covered, and the boundaries of the individual committees must be clearly set out)
- join with another local government and establish a LEMC for their combined districts (i.e. if two local governments are closely located and have very similar emergency management needs, the LEMC may cover more than one local government district).

LEMC Membership

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 (section 41(4) 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 emergency management (for example, community services, engineering services, corporate services or planning)
- membership should include representatives from emergency management agencies in the local government district (for example, the Department of Fire and Emergency Services) emergency relief and 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)
- consideration should be given to appointment of persons able to represent or advise on the interests of CaLD community members or community members with special needs

- 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.

During the drafting process, the District Emergency Management Advisor responsible for the region may be consulted to provide advice on all facets of the process (i.e. structure, process and legislation).

LEMC Membership Roles and Responsibilities

In addition to the normal roles assigned to office bearers of a committee, the following roles are specific to the needs of a LEMC.

The Chair will ensure the appointment of an Executive Officer and ensure that the Council is kept fully informed of emergency management discussion and significant outcomes from LEMC meetings.

The Deputy Chair should deputise for the Chair as required and chair any subcommittees or working groups.

The Executive Officer should:

- coordinate the development and submission of committee documents in accordance with legislative and policy requirements including an Annual Report, Annual Business Plan and maintenance of LEMAs
- provide advice to the Chair and LEMC as required
- facilitate communication between the LEMC and Executive Officer of the relevant DEMC.

LEMC Meeting Frequency

LEMCs should meet quarterly or more frequently if required.

LEMC Meeting Business

Agenda items to be considered, in line with the annual reporting requirements, should include:

- confirmation of LEMA contact details and key stakeholders
- committee membership and resources
- status of LEMA including local recovery plans
- exercises that include the local government(s) and/or test the LEMA
- subcommittees or working groups
- projects undertaken
- key achievements.

Additional considerations should include:

- local training needs or opportunities
- funding opportunities, (for example, the Natural Disaster Resilience Program and All West Australian Reducing Emergencies
- Incident Support Group (ISG) activations/or incidents
- emergency risk management processes – including any treatment strategies
- post-incident reports and post-exercise reports
- finalising the annual report and arranging for it to be forwarded to the relevant DEMC for annual report compilation.

Meeting Business Cycle Example

