

# CHARTER FOR THE ILLAWARRA LOCAL EMERGENCY MANAGEMENT COMMITTEE

## **Governance**

Section 28(1) of the *State Emergency and Rescue Management Act 1989 NSW* (SERM Act) requires each local government area to establish a Local Emergency Management Committee (LEMC). Where local government areas have combined, only one LEMC is required.

The Kiama Municipal, Shellharbour City and Wollongong City Councils have agreed, by separate resolution of each Council to combine for the purpose of emergency management, in line with s27 of the SERM Act, to form the Illawarra Emergency Management Area. This arrangement is set out in the *Memorandum of Understanding for the Illawarra Emergency Management Area* (MOU).

Once combined, a reference to a local government area in the SERM Act is interpreted to mean a reference to the local emergency management area (s27).

The Illawarra LEMC is responsible to the Illawarra-South Coast Region Emergency Management Committee (REMC).

## **Purpose**

This Charter sets out the process for calling and conducting Illawarra LEMC meetings. This Charter should be read in conjunction with Schedule 2 of the SERM Act which sets out specific requirements for membership and procedures of LEMCs.

## **Functions**

The Illawarra LEMC is responsible for preparation and review of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the Illawarra Emergency Management area.

Section 29 of the SERM ACT sets out the functions of LEMCs. Within the Illawarra Emergency Management area, the Illawarra LEMC is responsible for:

- giving effect emergency management policy and practice
- preparing and reviewing emergency plans for local hazards
- making recommendations about and assist in the coordination of training
- developing, conducting and evaluating emergency management exercises
- facilitating emergency management capability through interagency coordination, cooperation and information sharing
- assisting the Local Emergency Operations Controller in performing their role under s31 of the SERM Act
- carrying out other functions as assigned by the State Emergency Management Committee or the REMC.

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## ***Membership***

Membership of the Illawarra LEMC is made up of:

- a delegate from the Principal Council who is the LEMC Chair (refer to MOU)
- a delegate from each of the Secondary Councils who are the Deputy Chairs
- a senior representative of each emergency service organisation operating in the Illawarra Emergency Management Area
- the Local Emergency Operations Controller
- a representative of each organisation that provides a Functional Area Service
- a representative of an organisation that the LEMC agrees is to be represented

Schedule 2 of the SERM Act, states that a member holds office until a new member is appointed.

## ***Deputy Members***

Each member is to nominate a Deputy to act in their absence.

## ***Observers***

The following are invited to participate in Illawarra LEMC meetings as observers:

- LEMC Executive Officer
- Deputy members
- Local Emergency Management Officers
- Region Emergency Management Officer
- Council Liaison Officers
- NSW Police Communications (VKG)
- NSW Roads and Maritime Service
- National Parks and Wildlife Service
- Department of Planning and Environment – Resource Regulator
- Coal Services Mine Rescue
- Sydney Trains
- Surf Life Saving Illawarra
- Landslip Subcommittee
- Energy and utilities providers
- University of Wollongong

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- Local industry

### ***Vacant Positions***

Where a member holds a position as part of an appointment, the position becomes vacant if:

- the person passes away, or
- a new member is appointed, or
- the member resigns the appointment, or
- the member's appointment is removed.

### ***Meetings***

The Illawarra LEMC will meet at least three times a year. The date of the next meeting will be confirmed at the previous meeting. Meetings may be rescheduled by the Chair to suit the availability of members.

The Chair may call a meeting at any time. Any member may call an additional meeting with the support of the majority of members.

In the absence of the Chair, a Deputy Chair, or another member selected by the LEMC, may chair the meeting.

### ***Quorum***

The quorum for a LEMC meeting is made up of a majority of the members. Binding decisions cannot be made at meetings where there is no quorum.

### ***Voting***

A decision supported by a majority vote of members is a decision of the LEMC. In the event of a tied vote, the Chair has a deciding vote.

Observers and guests are not permitted to vote.

### ***Out-of-session***

LEMC may make decisions, in writing, out-of-session. Each member will have one vote which must be cast before the deadline for response. A majority of members need to participate in the out-of-session vote for the decision to become a decision of the LEMC.

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## ***Subcommittees and Working Groups***

The Illawarra LEMC may establish subcommittees or time limited working groups to assist the LEMC to achieve its work.

Subcommittees and working groups are to be made up of representatives with knowledge and experience to relevant to the purpose of the group. Representatives are not required to be chosen from LEMC members.

LEMC will agree to Terms of Reference for any subcommittee or working group prior to it being established.

Subcommittees or working groups will report on progress of work at each LEMC meeting.

## ***Administration***

Agendas, meeting papers and reports will be distributed at least two weeks prior to a meeting. Member and observer reports are to be provided to the LEMC Executive Officer at least one week prior to the meeting.

### ***Record Keeping***

The LEMC Executive Officer is responsible for appropriate record keeping consistent with the *State Records Act 1998 NSW*. This Act requires the organisation providing executive support—Wollongong City Council—to maintain the records on behalf of the LEMC.

LEMC documents will be provided members by email and may also be made available in EMOS, as appropriate.

### ***Public Information***

The Illawarra LEMC is subject to the *Government Information (Public Access) Act 2009 NSW* (GIPA Act) – Schedule 4, Part 2(2)(b) Public Authorities.

Consistent with the GIPA Act, the LEMC will make information publicly available unless there is an overriding public interest against disclosure of the information. Where practical, LEMC documents (such as plans, meeting summaries, risk assessments etc.) will be published on the Illawarra emergency management website, and made available in hardcopy on request.

LEMC members are responsible for making decisions about the release of information as part of a GIPA request. Wollongong City Council cannot make decisions regarding the release of LEMC records.

## ***Charter Review***

This Charter will be reviewed by the LEMC on annual basis or following legislative changes.