



WESTERN  
AUSTRALIAN  
GOVERNMENT

**Gazette**

4747



**PERTH, WEDNESDAY, 16 AUGUST 2000 No. 172 SPECIAL**

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

BUSH FIRES ACT 1954

---

**SHIRE OF COLLIE**

**LOCAL LAW No. 7—BUSH FIRE  
BRIGADES**



**BUSH FIRES ACT 1954**

## SHIRE OF COLLIE

**LOCAL LAW No. 7—BUSH FIRE BRIGADES**

## TABLE OF CONTENTS

**PART 1—PRELIMINARY**

- 1.1 Citation
- 1.2 Definitions
- 1.3 Repeal
- 1.4 Application

**PART 2—ESTABLISHMENT OF BUSH FIRE BRIGADES***Division 1—Establishment of a Bush Fire Brigade*

- 2.1 Establishment of a Bush Fire Brigade
- 2.2 Name and officers of Bush Fire Brigade

*Division 2—Command at a Fire*

- 2.3 Ranks within the Bush Fire Brigade

*Division 3—Application of Rules to a Bush Fire Brigade*

- 2.4 Rules
- 2.5 Variation of Rules

*Division 4—Transitional*

- 2.6 Existing Bush Fire Brigades

*Division 5—Dissolution of Bush Fire Brigade*

- 2.7 Dissolution of Bush Fire Brigade
- 2.8 New Arrangement after dissolution

**PART 3—ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES***Division 1—Local Government Responsibility*

- 3.1 Local government responsible for structure
- 3.2 Officers to be supplied with Act

*Division 2—Chief Bush Fire Control Officer*

- 3.3 Managerial role of Chief Bush Fire Control Officer
- 3.4 Chief Bush Fire Control Officer may attend meetings
- 3.5 Duties of Chief Bush Fire Control Officer

*Division 3—Annual General Meetings of Bush Fire Brigades*

- 3.6 Holding of annual general meeting
- 3.7 Nomination of bush fire brigade delegates to Bush Fire Advisory Committee
- 3.8 Bush Fire Advisory Committee Members
- 3.9 Nomination of bush fire control officers to Bush Fire Advisory Committee
- 3.10 Nomination of bush fire control officer to the Local Government
- 3.11 Minutes to be tabled before the Bush Fire Advisory Committee

*Division 4—Bush Fire Advisory Committee*

- 3.12 Functions of Advisory Committee
- 3.13 Advisory Committee to nominate bush fire control officers
- 3.14 Local Government to have regard to nominees
- 3.15 Advisory Committee to consider Bush Fire brigade motions

**PART 4—TYPES OF BUSH FIRE BRIGADE MEMBERSHIP**

- 4.1 Types of membership of Bush Fire Brigade
- 4.2 Fire fighting members
- 4.3 Associate members
- 4.4 Cadet members
- 4.5 Honorary life member
- 4.6 Notification of membership

**PART 5—APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS**

- 5.1 Rules to govern

**PART 6—EQUIPMENT OF BUSH FIRES BRIGADES**

- 6.1 Policies of Local Government
- 6.2 Equipment in brigade area
- 6.3 Funding from Local Government budget
- 6.4 Consideration in the Local Government budget

**FIRST SCHEDULE****RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES**

- Preliminary;
- Objectives;
- Functions of Brigade Officers;
- Membership;
- Meetings of the Bush Fire Brigade
- Management Committee;
- Brigade Elections;
- General Administration Matters.

**BUSH FIRES ACT 1954**

## SHIRE OF COLLIE

**LOCAL LAW NO. 7—BUSH FIRE BRIGADES**

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the *Shire of Collie* resolved on the 25<sup>th</sup> July 2000 to make the following local law.

**PART 1—PRELIMINARY****1.1 Citation**

This local law may be cited as the Shire of Collie Local Law No. 7—Bush Fire Brigades.

**1.2 Definitions**

(1) In this local law unless the context otherwise requires—

“**Act**” means the *Bush Fires Act 1954*;

“**Authority**” means the Fire and Emergency Services Authority of Western Australia established by section 4 of the Fire and Emergency Services Authority of Western Australia Act 1998;

“**brigade area**” is defined in clause 2.2(1)(b);

“**brigade member**” means a fire fighting member, associate member or a cadet member of a bush fire brigade;

“**brigade officer**” means a person holding a position referred to in clause 2.2 (1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

“**bush fire brigade**” is defined in section 7 of the Act;

“**Bush Fire Operating Procedures**” means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

“**CEO**” means the chief executive officer of the Shire of Collie;

“**Council**” means the Council of the local government;

“**fire fighting member**” is defined in clause 4.2;

“**local government**” means the *Shire of Collie*;

“**Regulations**” means Regulations made under the Act; and

“**Rules**” means the Rules Governing the Operation of Bush Fire Brigades set out in the First Schedule as varied from time to time under clause 2.5.

(2) In this local law, unless the context otherwise requires, a reference to—

- (a) a Captain;
- (b) a First Lieutenant;
- (c) a Second Lieutenant;
- (d) any additional Lieutenants;
- (e) an Equipment Officer;
- (f) a Secretary.
- (g) a Treasurer; or
- (h) a Secretary/Treasurer combined,

means a person holding that position in a bush fire brigade.

**1.3 Repeal**

The Shire of Collie Local Law relating to Establishment, Maintenance and Equipment of Bush Fire Brigades published in the *Government Gazette* of 15<sup>th</sup> December 1989, is repealed.

**1.4 Application**

This local law applies throughout the district.

**PART 2—ESTABLISHMENT OF BUSH FIRE BRIGADES***Division 1—Establishment of a bush fire brigade***2.1 Establishment of a bush fire brigade**

(1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.

(2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

## **2.2 Name and officers of bush fire brigade**

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to—
- (a) give a name to the bush fire brigade;
  - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the “**brigade area**”); and
  - (c) appoint—
    - (i) a Captain;
    - (ii) a First Lieutenant;
    - (iii) a Second Lieutenant;
    - (iv) additional Lieutenants if the local government considers it necessary;
    - (v) an Equipment Officer;
    - (vi) a Secretary; and
    - (vii) a Treasurer; or
    - (viii) a Secretary/Treasurer combined.
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2)

### *Division 2—Command at a fire*

## **2.3 Ranks within the bush fire brigade**

- (1) Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire, unless a bushfire control officer is in attendance at the fire, the Captain has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the firefighters. In the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.
- (2) Where a bushfire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the most senior bushfire control officer has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.

### *Division 3—Application of Rules to a bush fire brigade*

## **2.4 Rules**

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules.

## **2.5 Variation of Rules**

- (1) The local government may vary the Rules in their application to all bush fire brigades or in respect of a particular bush fire brigade.
- (2) The Rules, as varied, have effect on and from the date of a decision under subclause (1).
- (3) The local government is to notify a bush fire brigade of any variation to the Rules as soon as practicable after making a decision under subclause (1).

### *Division 4—Transitional*

## **2.6 Existing Bush Fire Brigades**

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day—
- (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;
  - (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
  - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.
- (2) In this clause—
- “**commencement day**” means the day on which this local law comes into operation.

*Division 5—Dissolution of bush fire brigade***2.7 Dissolution of bush fire brigade**

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules, or is not achieving the objectives for which it was established.

**2.8 New arrangement after dissolution**

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

**PART 3—ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES***Division 1—Local government responsibility***3.1 Local government responsible for structure**

The Council is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

**3.2 Officers to be supplied with Act**

The local government is to supply each brigade captain with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

*Division 2—Chief Bush Fire Control Officer***3.3 Managerial role of Chief Bush Fire Control Officer**

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

**3.4 Chief Bush Fire Control Officer may attend meetings**

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

**3.5 Duties of Chief Bush Fire Control Officer**

The duties of the Chief Bush Fire Control Officer include—

- (a) provide leadership to volunteer bush fire brigades;
- (b) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;
- (c) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers;
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

*Division 3—Annual general meetings of bush fire brigades***3.6 Holding of annual general meeting**

A bush fire brigade is to hold its annual general meeting during the month of April/May each year.

**3.7 Nomination of bush fire brigade delegates to Bush Fire Advisory Committee**

Members of Brigades shall appoint one member annually to represent their respective Brigade on the Shire of Collie Bush Fire Advisory Committee and that member appointed shall be entitled to have voting rights on the Committee. Brigades shall appoint a proxy member for attendance should the elected representative be unable to attend such meetings.

**3.8 Bush Fire Advisory Committee advisory members**

Department of Conservation and Land Management, Sotico Treefarms and FESA officers shall be entitled to representation in an advisory capacity at meetings except that such representation shall not incur voting rights on the Shire of Collie Bush Fire Advisory Committee.

**3.9 Nomination of bush fire control officers to Bush Fire Advisory Committee**

At the annual general meeting of a bush fire brigade, one brigade member, with the minimum qualifications and experience required to perform the role as set by the local government, is to be recommended to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next annual general meeting.

**3.10 Nomination of bush fire control officer to the local government**

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to recommend one brigade member, with the minimum qualifications and experience required to perform the role as set by the local government, to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

**3.11 Minutes to be tabled before the Bush Fire Advisory Committee**

(1) The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.

(2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade's annual general meeting at the next meeting of the—

- (a) Bush Fire Advisory Committee; or
- (b) Council, if there is no Bush Fire Advisory Committee,

following their receipt under subclause (1).

*Division 4—Bush Fire Advisory Committee***3.12 Functions of Advisory Committee**

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as is determined by the local government.

**3.13 Advisory Committee to nominate bush fire control officers**

As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to recommend to the local government from the persons nominated by each bush fire brigade a person or persons for the position(s) of a bush fire control officer for the brigade area.

**3.14 Local government to have regard to nominees**

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

**3.15 Advisory Committee to consider bush fire brigade motions**

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

**PART 4—TYPES OF BUSH FIRE BRIGADE MEMBERSHIP****4.1 Types of membership of bush fire brigade**

The membership of a bush fire brigade consists of the following—

- (a) fire fighting members;
- (b) associate members;
- (c) cadet members; and
- (d) honorary life members.

**4.2 Fire fighting members**

Fire fighting members are those persons being at least 16 years of age who undertake all normal bush fire brigade activities.

**4.3 Associate members**

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

**4.4 Cadet members**

Cadet members are—

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at bush fire brigade meetings;
- (f) not to be assigned ranks under the Authority's rank structure.

**4.5 Honorary life member**

(1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.

(2) No membership fees are to be payable by an honorary life member.

**4.6 Notification of membership**

No later than 31 May in each year, the bush fire brigade is to report to the Chief Fire Control Officer the name, contact details and type of membership of each brigade member.



**PART 5—APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS****5.1 Rules to govern**

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

**PART 6—EQUIPMENT OF BUSH FIRES BRIGADES****6.1 Policies of local government**

The local government may make policies under which it—

- (a) provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances; and
- (b) keeps bush fire brigades informed of opportunities for funding from other bodies.

**6.2 Equipment in brigade area**

Not later than 31 May in each year, the bush fire brigade is to report to the local government the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the brigade area (or at a station of the bush fire brigade).

**6.3 Funding from local government budget**

A request to the local government from the bush fire brigade for funding of protective clothing, equipment or appliance needs is to be received by the local government by 31 March in order to be considered in the next following local government budget, and is to be accompanied by the last audited financial statement and a current statement of assets and liabilities of the bush fire brigade.

**6.4 Consideration in the local government budget**

The local government may approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question.

*First Schedule*

## RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

**Part 1—Preliminary****1. Interpretation**

(1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be.

(2) In these Rules, unless the context otherwise requires—

“**absolute majority**” means a majority of more than 50% of the number of—

- (a) brigade members of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the bush fire brigade; or
- (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee;

“**Committee**” means the Management Committee of the bush fire brigade;

“**local law**” means the Shire of Collie Local law No. 7—Bush Fire Brigades;

“**normal brigade activities**” is defined by section 35A of the Act;

“**the ACT**” means the Bush Fires Act, 1954;

“**Council**” means the Collie Shire Council;

“**financial year**” means the period commencing on 1st April each year and ending on 31st March in the following year;

“**Management Committee**” means the management committee of the brigade appointed under clause 9;

“**ordinary meeting**” means any meeting of the brigade other than an annual general meeting or a special meeting;

“**the regulations**” means the Council Local-Laws (Section 41 Bush Fires Act 1954).

Brigade Membership shall consist of the following—

“**fire fighter**” means active member available for combat with full voting rights.

“**auxiliary**” means non combat member with full voting rights.

“**cadet**” between the age of 11 and 16 years, non combat and no voting rights.

(3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.

(4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

## Part 2—Objectives

### 2. Objectives

The brigade has the following objectives—

- a. to undertake Bush Fire Brigade operations—
  - i. to prevent, control and suppress fires in the local government area/region; and
  - ii. to protect life and property in other emergencies occurring in the local government area/region; and
- b. to provide a means by which persons may participate in the activities of the Bush Fire Brigade at a local level;
- c. to ensure that brigade members are properly trained for Bush Fire Brigade operations;
- d. to report to the Council on matters referred to the brigade by the Council through the Collie Shire Council Bushfire Advisory Committee and Chief Bush Fire Control Officer.
- e. To perform any other function assigned to the brigade under the Act, the Regulations, or the Local Law.

## Part 3—Functions of Brigade Officers

### 3. Officers of a Volunteer Bush Fire Brigade

*Administrative Officer/Secretary/Treasurer*

An administrative Officer has the following specific functions—

- a) to organise any meeting of the brigade;
- b) to give notice of meetings of the brigade in accordance with the guidelines of the brigade;
- c) to prepare an agenda for any meeting of the brigade;
- d) to keep brigade records and to send and receive brigade correspondence;
- e) to disseminate information to brigade members;
- f) to manage the financial affairs of the brigade;
- g) to keep financial records;
- h) to prepare required financial reports;
- i) brigade Administrative Officer to liaise with the Local Government Administrative Officer;
- j) to undertake any other functions assigned by the Brigade Captain/FCO, Brigade or determined by the Council.

*Fire Control Officer*

A Fire Control Officer has the following specific functions—

- a) To issue permits to burn as authorised under the Bush Fires Act 1954 within their area of the district.
- b) Fire Break Inspections and reporting to the Local Government Body within their area of the district.
- c) Imposition of harvest ban and vehicle movement bans.
- d) Inspection of and reporting on fire hazards.
- e) Represents an area of the district on the Shire of Collie Bush Fire Advisory Committee and is entitled to one vote on that Committee.
- f) Carry out any duties prescribed under the Bush Fires Act and so authorised by the Local Government body.
- g) Imposition of the requirements of the Shire of Collie Fire Break Order, as amended from time to time, within their area of the district.

*Captain*

A Captain has the following roles—

- a) Presides over all Brigade Meetings and Management Committee meetings, and will—
  - i.) Ensure meeting procedures are followed at all times.
  - ii.) Promote the aims/objectives of the Brigade when, and wherever, the possibility occurs.
  - iii.) Act as spokesperson for the Brigade on Public Relation and other matters.
  - iv.) Advise the Brigade on Administrative matters.

Where a Brigade has elected a President, then the President shall perform these functions.

- b) Directs the brigade activities during wildfire suppression or during hazard reduction burning programmes.
- c) In the absence of a Fire Control Officer takes overall charge of fire suppression activities.
- d) Assists the Fire Control Officer to prepare reports.
- e) Prepares rosters as required of fire fighters to crew brigade appliances.
- f) Ensures brigade members are adequately trained to carry out their functions, in accordance with Standard Operating Procedures.
- g) Undertakes responsibility for the proper management and maintenance of brigade property and equipment.

- h) The above roles may be combined should a brigade wish to have one person carry out the role of Fire Control Officer/Captain.

*Brigade Lieutenants*

- a) In the absence of the Brigade Captain/FCO the most Senior Lieutenant assumes all powers, responsibilities and duties of that officer.
- b) Whilst the duties have been identified, the terminology in the "Meeting Procedure" provides for a team approach to be adopted. Each of the functions are essential activities of a brigade.
- c) A Senior Officer must take ultimate responsibility for the successful performance of these tasks. The role of Brigade Training Officer, Brigade Equipment/Logistics Officer and Brigade Communications Officer must be filled by Lieutenant(s) and elected at the AGM.
- d) The Brigade may increase the number of Lieutenants to meet their specific operational requirements.
- e) The Brigade must rank all Lieutenants in seniority.

*Brigade/Training Officer*

A Training Officer is responsible to the control and direction of the Brigade Captain/FCO and has the following specific functions—

- a) To organise regular training sessions within the Brigade;
- b) To encourage Brigade members to undertake training;
- c) To ensure that members of the Brigade receive training that is consistent with the Act and the policies of the Collie Shire Council and the Bush Fire Service of WA;
- d) To keep proper records relating to training undertaken by members of the Brigade;
- e) To encourage members of the Brigade to become volunteer instructors;
- f) To represent the Brigade on any training committee requested;
- g) To liaise with other training officers;
- h) To undertake any other function assigned by the Brigade Captain/FCO or determined by the Collie Shire Council.

*Brigade Communications Officer*

A Communications Officer responsible/subject to the control and direction of the Brigade Captain/FCO for the following specific functions—

- a) to ensure that the brigade's communications and call out system operates effectively and fits into any Local Government communications network;
- b) to control the use of communications equipment by members of the brigade.
- c) To undertake responsibility for the maintenance of communications equipment and where necessary, for its repair or replacement.
- d) To test the brigade's communications equipment of a regular basis;
- e) To assist in training members of the brigade in the use of communications equipment;
- f) The brigade is represented on any Local Government Communications Committee formed by their Local Government;
- g) To liaise with communications Officer in other brigades;
- h) To undertake any other function assigned by the Brigade Captain or determined by the Council;

*Brigade Equipment/Logistic Officer*

An equipment Officer is responsible subject to the control and direction of its Brigade Captain/FCO for the proper management and maintenance of all brigade property and equipment (other than communications equipment).

An Equipment/Logistics Officer has the following specific functions—

- a) to undertake responsibility for the management and implementation all intelligence, planning support and supply functions during an operation.
- b) to provide to the Local Government Equipment Officer in relation to the effective deployment and use of brigade property and equipment during operation;
- c) to liaise with Officers at brigade level to ensure co-ordination during an operation.

## **Part 4—Membership**

### **4. Membership**

*Applications for membership*

1. Where an application for membership is received by the brigade, the Administrative Officer must refer the application to the next ordinary meeting of the brigade.
2. An application for membership is to be in writing and submitted to the Administrative Officer.

*Conditions of membership*

3. Where the applicant has not been a resident of the region for at least three years and/or the applicant is not known by members of the brigade, the application for membership must be accompanied by a Police Clearance Certificate and the names of at least two referees.

4. In relation to any type of membership, as described in Part 4 of the local law, the bush fire brigade may establish policies pertaining to—

- a) The qualifications required;
- b) Fees payable, if any;
- c) A requirement to serve a probationary period;
- d) Additional procedures may be employed by the Brigade prior to approval of an application for membership,

and the Brigade is to act within the parameters of any such policy in determining applications for membership.

*Decision on application for membership*

5. The brigade may, at that meeting

- a. accept the application;
- b. defer consideration of the application;
- c. reject the application (having just cause).

6. When a decision is made on an application for membership, the Administrative Officer must forthwith inform the applicant in writing of the outcome of the application. Where an application for membership has been rejected, reasons for the refusal must be provided and advice given to the applicant that they have the right of appeal through the local government.

*Local government and FESA to be notified of registrations*

7. A Brigade Registration Form must be completed for every change of member information, termination of member or new member, with the original and the duplicate provided to Local Government within 14 days of a decision [the original will then be forwarded to FESA by the Local Government].

*Termination of membership*

8. Membership of a Bush Fire Brigade terminates if the member—

- a) Dies;
- b) Gives written notice of resignation to the Secretary;
- c) Is, in the opinion of the Brigade, permanently incapacitated by mental or physical ill health;
- d) Is dismissed by the Brigade;
- e) Is dismissed by a resolution of the Local Government; or
- f) Ceases to be a member or is taken to have resigned under clause (9)

9. A Brigade member is required to register as a member of the Brigade each twelve months. Where a member does not register within 6 months after the applicable registration date, the member is taken to have resigned from the bush fire brigade.

*Suspension of membership*

10. Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Brigade, circumstances warrant suspending the member.

11. The period of suspension shall be at the discretion of the brigade.

12. Upon expiry of the period of suspension the Brigade may—

- a) Extend the period of suspension;
- b) Terminate the membership; or
- c) Reinstate the member.

*Existing liabilities to continue*

13. The resignation, or dismissal of a member under clause 2.7 does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

*Member has a right of defence*

14. A brigade member is not to be dismissed without being given the opportunity to meet with the Brigade and answer any charges which might give grounds for dismissal.

*Objection rights*

15. A person whose application for membership is refused, membership is terminated or membership is suspended has the right of objection to the local government which may dispose of the objection by—

- a) Dismissing the objection;
- b) Varying the decision objected to; or
- c) Revoking the decision objected to, with or without—
  - i.) Substituting for it another decision; or
  - ii.) Referring the matter, with or without directions, for another decision by the Brigade.

*Grievance Process*

16. Brigades should refer to the Grievance Procedure Guidelines for Bush Fire Brigades to ensure fairness and equity in any grievance, dispute, or discrimination resolution process.

**Part 5—Meetings of the Bush Fire Brigade****5. Meetings***Ordinary Meetings*

1. Subject to this clause, the brigade may hold meetings on such days, and at such times and places, as the brigade thinks fit.
2. The brigade should hold at least four meetings per year on a regular basis.

*Annual General Meeting*

3. The brigade shall hold an annual general meeting during April/May of each year. Where brigade elections must be held in a particular year, the Annual General Meeting will, unless otherwise approved by the Council, be held in conjunction with those elections.
4. At the annual general meeting the bush fire brigade is to—
  - (a) Elect the brigade officers from amongst the brigade members;
  - (b) Consider the Captain's report on the year's activities;
  - (c) Adopt the annual financial statements of the brigade;
  - (d) Deal with any general business.

*Special Meeting*

5. A special meeting of the brigade may be convened by the Administrative Officer or the Brigade Captain/FCO.
6. The Administrative Officer must convene a special meeting if requested to do so by at least five active members of the brigade.
7. A special meeting must be held under sub-clause (6) within 14 days after the request is made to the Administrative Officer.

*Notice of a Meeting*

8. Notice of any special meeting of the brigade must be given to all members of the brigade (other than cadet fire fighters) at least 48 hours before the commencement of the meeting.
9. Notice of the Annual General Meeting and of any Ordinary Meeting of the brigade must be given to all members of the brigade (other than cadet fire fighters) at least 7 days before the commencement of the meeting.
10. Notice of a meeting under sub-clause [8] and (9)—
  - a. must be given by the Administrative officer;
  - b. may be given by written notice to each member;
    - i. personally or by post;
    - or
    - ii. by a notice published in a newspaper circulating in the area of the brigade;
  - c. must set out the date, time, and place of the meeting;
  - d. must be signed by the Administrative Officer or, in the case of a special meeting, by the person convening the meeting; and
  - e. must set out an agenda for the meeting.

*Quorum*

11. The quorum for a meeting of the bush fire brigade is at least 50% of the number of brigade members.
12. No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person or by proxy.

*Voting*

13. Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

**6. Procedure at Meetings**

1. The Brigade Captain/FCO, if present at a meeting of the brigade, shall preside at that meeting. In his/her absence the most senior Lieutenant present at the meeting will preside and, in the absence of a Lieutenant, a member of the brigade chosen by the members present will preside.
2. The Administrative Officer must cause an accurate record to be kept of the proceedings of a meeting of the brigade.

Subject to this clause, the Act and the Regulations, and any direction of the Council, a meeting of the brigade will be conducted in such manner as the brigade may determine. However, at all times the meeting must be conducted in an orderly manner with only one member speaking at any one time.

**Part 6—Management Committee****7. Management Committee**

1. The brigade may have a management committee, that will meet one week prior to Brigade meetings or as required.
2. Any of the functions of the Brigade may be delegated to the Management Committee provided a written motion authorising the delegation is carried at an ordinary or annual general meeting of the brigade.

3. The management committee will consist of—
  - a. the President of the Brigade Committee [optional]
  - b. the Brigade Captain/FCO's
  - c. the Administrative Officer/Secretary/Treasurer
  - d. three other members of the brigade
4. The members of the management committee will be elected at the bi-annual elections of the brigade (every 2 years) held in conjunction with the AGM.
5. The management committee will be responsible for—
  - a. the financial affairs of the brigade; and
  - b. the general management of the administrative affairs of the brigade.
6. The Brigade President will, if present at a meeting of the management committee, preside at that meeting and, in the absence of the Brigade President the Captain/FCO or in the absence of the Captain/FCO, a member of the management committee chosen by the members present will preside.
7. Four members constitute a quorum of the management committee.
8. A decision carried by the votes of at least four members present at a meeting of the management committee is a decision of the management committee.
9. Each member present at a meeting of the management committee is entitled to one vote on a matter arising for decision by the management committee (and the person presiding at the meeting does not have, in the event of an equality of votes a second or casting vote).
10. The management committee must keep minutes of its proceedings, and these minutes will be tabled at the next Brigade meeting.
11. Unless a member of the management committee resigns from membership of the committee of the brigade, or ceases to hold a position that entitles him or her to membership of the committee, the member holds office for a period of two years.
12. The management committee can appoint a member of the brigade to the committee to fill a casual vacancy in the membership of the committee (and he or she holds office for the balance of his or her predecessor).
13. A member of the management committee is, on the expiration of a term of office, eligible for reappointment to the committee.
14. Subject to this clause, and any direction of the brigade or the Council, a meeting of the management committee will be conducted in such a manner as the committee may determine.

### **Part 7—Brigade Elections**

#### **8. Nomination of Candidates for Brigade Elections**

1. The Administrative Officer must, at least 21 days before the day on which brigade elections are due to be held, give or post to each member of the brigade a written notice setting out the day on which the elections are due to be held and inviting nominations of candidates for election.
2. A member of the brigade who is eligible to be nominated for election to a particular position in the brigade shall be nominated for that position by two or more members of the brigade.
3. A nomination may be made—
  - a. by written nomination lodged with the Administrative Officer before election day; or
  - b. by oral nomination made immediately before the commencement of the relevant election.
4. Nominees must sign or indicate acceptance of nomination.
5. All nominations shall be notified by nominee.

#### **9. Conduct of Elections**

Voting will occur for positions in the following order—

- a. Brigade President; Term 2 years [optional position]
- b. Brigade Captain/FCO; Term 1 year
- c. Lieutenants; Term 1 year (up to 3 Lieutenants)
- d. Communications Officer; Term 1 year (optional)
- e. Training Officer; Term 1 year (optional)
- f. Equipment/Logistics Support Officer; Term 1 year (optional)
- g. Administrative Officer/Secretary/Treasurer; Term 1 year
- h. Other members of the management committee; Term 1 year
- i. Any other position that, according to a determination of the brigade or the Council should be filled by election. Term 1 year.

#### **10. Supplementary Elections**

Where a supplementary election must be held due to a vacancy in the position as a result of an early resignation or other reason—

- a. the Administrative Officer must appoint a meeting of the brigade at which the election will be held;
- b. the Administrative Officer must, at least 21 days before that meeting, give or post to each member of the brigade a written notice informing him or her of the election and inviting nominations of candidates for election;

- c. a member of the brigade who is eligible to be nominated for election to the particular position may be nominated for that position by two or more members of the brigade and must notify that nomination; and
- d. a nominations may be made—
  - i. by written nomination lodged with the Administrative Officer before election day; or
  - ii. by oral nomination made immediately before the commencement of the relevant election.

## **Part 8—General Administration Matters**

### **11. Subscriptions**

1. The brigade may, by resolution at an Annual General Meeting, levy an annual subscription against the members of the brigade.
2. The subscription is payable within one month of the Annual General Meeting.
3. A person who is accepted as a member of the brigade more than six months after an annual general meeting at which a subscription is imposed is only liable to pay half the subscription for that year.
4. The bush fire brigade may exempt a brigade member, or a class of membership, from the payment of membership fees, for such period and on such conditions as the bush fire brigade may determine.

### **12. Accounts At Financial Institutions**

1. The brigade must, at each Annual General Meeting, determine where it will maintain its bank account(s) for the ensuing financial year.
2. The brigade must appoint at least four office holders as signatories (management committee members) on its accounts, and at least two signatories must sign any cheque or withdrawal form.
3. All accounts raised, works undertaken or goods purchased by the Brigade must be authorised in advance by either the Captain/FCO or Administrative Officer. In the event that neither of these officers are available then authorisation may be given from a Management Committee member.
4. The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.
5. All cheques issued must be accompanied by appropriate source documents (invoice or monthly account).
6. All monies received must be recorded in a Brigade receipt book.

### **13. Financial Reports**

The brigade must, at each Annual General Meeting, present a financial report for the previous 12 month period or since the last AGM. This must include a Statement of Receipts & Payments, a Bank Reconciliation Statement and notes detailing any outstanding receipts or payments. This may include a Balance Sheet and List of Assets held by the Brigade.

1. The brigade may, at each Annual General Meeting, appoint an auditor or auditors for the ensuing financial year. The minimum qualification for an appointed auditor would be membership of a professional Accounting or Auditing body.
2. If an auditor resigns during the financial year, the brigade must appoint a replacement at its next ordinary meeting.
3. The auditors report must be presented to the next ordinary meeting following receipt by the Administrative Officer.

### **14. Common Seal**

1. The brigade may have a common seal issued by the Council.
2. The Administrative Officer will be responsible for the safe keeping of the seal.
3. The affixation of the common seal to a document must be attested by the President or Captain/FCO of the management committee, any of the Lieutenants and the Administrative Officer, or by a combination by any two of them.

### **15. Rules**

1. The brigade may make rules not inconsistent with—
  - a. the Act;
  - b. the regulation;
  - c. Councils Local-Laws and Policy;
  - d. Councils Fire Break Order; or
  - e. these Rules, to assist the brigade to manage its affairs effectively and efficiently.
2. Where the brigade wishes to make a rule under this clause (or vary or revoke such a rule), the Administrative Officer must, within 14 days of acceptance by the Brigade at an Ordinary Meeting, AGM or Special Meeting, send a copy of the rule to the Shire of Collie Bush Fire Advisory Committee, who shall recommend adoption or rejection to Council.
3. The Council may, if it thinks fit, direct that a rule (or a variation or revocation of a rule) cannot have effect (and the brigade must comply with that direction).

**16. Amendment Rules**

The brigade may, by resolution, recommend to the Shire of Collie Bush Fire Advisory Committee to amend these Rules if—

- a. at least two months written notice, setting out the terms of the proposed resolution, is given to each member of the brigade personally or by post; and
- b. the resolution is supported at a duly convened meeting of the brigade by at least two-thirds of the total number of members of the brigade present at that meeting.

Any proposed amendment to the Rules is subject to the approval of the Shire of Collie Bush Fire Advisory Committee and Council in accordance with its Local-Laws.

The Shire of Collie Bush Fire Advisory Committee or Council may, if it thinks fit, direct that a section of the Rules (or a variation or revocation to a section of the Rules) cannot have effect (and the brigade must comply with that direction).

---

Dated this 4<sup>th</sup> day of August 2000.

The Common Seal of the Shire of Collie was affixed was affixed by authority of a resolution of the Council in the presence of—

CR R. PIMM, Shire President.  
I. H. MIFFLING, Chief Executive Officer.

