Bush Fire Brigades Local Law

CITY OF Armadale

Bush Fires Act 1954

Council Adopted – 15 April 2019 C11/4/19
Government Gazette – 24 May 2019 No. 70
Effective Date – 7 June 2019

Amendments

Council Adoption	Government Gazette	Effective Date

Undertaking to the Joint Standing Committee on Delegated Legislation

Council on 12 August 2019 resolved (C28/8/19) to make an undertaking to amend the local law to reflect changes required by the Joint Standing Committee on Delegated Legislation.

Changes are reflected below:

First Schedule – Section 3.2 Duties of Captain

The Captain ~~is to~~

(a) is to presides over all brigade meetings and ~~will~~ ensure meeting procedures are followed at all times;
(b) is to demonstrate positive leadership and mentor members;
(c) is to attend meetings as requested by the local government;
(d) is to promote the objectives of the brigade;
(e) is to act as spokesperson for the brigade on public relations and other matters, in conjunction with the local government;
(f) is to advise the brigade on administrative matters;
(g) may direct the brigade activities during wildfire suppression or during hazard reduction burning programs;
(h) in the absence of a Bush Fire Control Officer may take overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to;
(i) is to ensures Brigade members are adequately trained to carry out their functions, in accordance with Bush Fire Operating Procedures (BFOP) and Brigade standards;
(j) undertakes responsibility for the management and maintenance of brigade property and equipment;
(k) is to conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues;
(l) is to ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with Bush Fire Operating Procedures; and
(m) is to adopt policies on behalf of the brigade as recommended by the local government.

First Schedule – Section 3.3 Brigade Lieutenants

(1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four Lieutenants.

(2) All Lieutenants must be ranked in seniority as follows -

(a) the Captain and Lieutenants of the brigade, in consultation with the Chief Bush Fire Control Officer, determine this seniority;

(b) in the event that a resolution cannot be found, the Chief Bush Fire Control Officer shall have the final say.

(3) In the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that officer and takes ultimate responsibility for the successful performance of all Brigade activities

The Lieutenant is to -

~~(a) in the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that officer and takes ultimate responsibility for the successful performance of all Brigade activities;~~

~~(b)~~(a) provide support to the Captain and assist with the management of the Brigade;

~~(c)~~(b) ~~C~~command and manage members during emergencies and other Brigade related activities;

~~(d)~~(c) demonstrate positive leadership and mentor members;

(d) conduct briefings during and after incidents and maintain open lines of communications.

(e) e~~E~~ncourage positive interaction and teamwork between members;

(f) ensure Bush Fire Operating Procedures are adhered to at brigade activities;

(g) ensure members engaged in fire fighting activities hold competencies relevant to the task;

(h) work cohesively with the brigade Training Officer and conduct training activities for members;

(i) ~~to~~ ensure the behaviour of members is in accordance with the Local Government's code of conduct.

First Schedule – Section 3.6 Equipment Officer

(1) Duties

(a) ~~t~~The Equipment Officer is responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade).~~;~~ ~~and~~

(b) The Equipment Officer is to provide, no later than 31 May of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade).

(2) Storage of Equipment

(a) ~~t~~The Equipment Officer may store all of the equipment of the bush fire brigade at a place approved by the Captain (the "station").~~;~~

(b) ~~i~~If there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.

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FIRST SCHEDULE – RULES FOR GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995
CITY OF ARMADALE

BUSH FIRE BRIGADES LOCAL LAW

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the City of Armadale resolved on 15 April 2019 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Armadale Bush Fire Brigades Local Law 2019*.

1.2 Definitions

(1) In this local law unless the context otherwise requires –
Act means the *Bush Fires Act 1954*;
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 Chief Bush Fire Control Officer as amended from time to time;
CEO means the chief executive officer of the City of Armadale;
Council means the Council of the local government;
Department means the Department of Fire and Emergency Services of Western Australia;
district means the district of the local government;
fire fighting member is defined in clause 4.2;
local government means the *City of Armadale*;
normal brigade activities is defined in Section 35A of the Act.
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.

(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 Training Officer;
(g) a Secretary;
(h) a Treasurer; or
(i) a Secretary/Treasurer combined,

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

1.3 Repeal
The *City of Armadale Bush Fire Control Local Law*, published in the *Government Gazette* on 5 July 2002 and amended by publication in the Government Gazette of 23 October 2015 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 Training Officer or officers as the brigade considers it necessary;
    (vii) a Secretary; and
    (viii) a Treasurer; or
    (ix) 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 next 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 next 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 bush fire 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 fire fighters. 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 bush fire 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 bush fire 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 are to comply with the Rules.

Division 4 – Transitional

2.5 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

2.6 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.

2.7 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 Local Government 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 officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law, local government code of conduct and policies 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.

3.3 Appointment of Training Coordinator
The local government is to appoint a Training Coordinator for the district.

3.4 Role of Training Coordinator
The role of the Training Coordinator is to-
(a) coordinate all training conducted within the brigades;
(b) coordinate the training budget for the brigades; and
(c) to represent the training officer of the brigades on State/District Committees.

Division 2 – Chief Bush Fire Control Officer

3.5 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.

3.6 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.

3.7 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

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

3.9 Nomination of bush fire control officer to the local government
At the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

3.10 Local Government to be provided with copy of Minutes
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.

3.11 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, but is not bound to appoint the persons nominated.

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;
(d) honorary life members
(e) and life members

4.2 Fire fighting members

Fire fighting members are those persons being at least 17 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 16 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 Department'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 Life membership

(1) A brigade member who has achieved 15 years active service to a brigade within the City of Armadale.
(2) Life members have no voting rights unless they are also active members.

4.7 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 28 February each year 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

1.1 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 in attendance; 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 Brigade Officer Committee;

Brigade Officer Committee means the Brigade Officer Committee of the bush fire brigade;

local law means the *City of Armadale Bush Fire Brigades Local Law 2019;*

normal brigade activities is defined by section 35A of the Act; and

simple majority means a majority in which the highest number of votes cast for any oneissue or item exceeds the second highest number.

(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 Brigade Officer 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 – OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE

2.1 Objects of bush fire brigade

The objects of the bush fire brigade are to carry out –

(a) the normal brigade activities; and

(b) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.2 Brigade Officer Committee to determine applications

Applications for membership are to be determined by the Brigade Officer Committee and endorsed by the Chief Bush Fire Control Officer.

2.3 Conditions of membership

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) procedures to be employed by the Brigade Officer Committee prior to approval of an application for membership,

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

2.4 Applications for membership

An application for membership is to be in writing and is to be submitted to the Secretary and is to be accompanied by a completed form in the form as determined by the local government from time to time.

2.5 Decision on application for membership

(1) The Brigade Officer Committee may –
  (a) approve an application for membership unconditionally or subject to any conditions; or
  (b) refuse to approve an application for membership.

(2) If the Brigade Officer Committee refuses to approve an application for membership, it is to give written reasons for the refusal, as soon as practicable after the decision is made, to the applicant and the advice that the applicant has the right to object to the local government.

2.6 Local Government to be notified of registrations

If any application for membership is approved, the Secretary of the bush fire brigade is to supply registration details to the Local Government within 14 days of a person being admitted to membership in the form required by the Local Government.

2.7 Termination of membership

(1) Membership of the bush fire brigade terminates if the member –
  (a) dies;
  (b) gives written notice of resignation to the Secretary;
  (c) is dismissed by the Brigade Officer Committee;
  (d) is dismissed by the Local Government; or
  (e) ceases to be a member or is taken to have resigned under subclause (2).

(2) A brigade member whose membership fees are more than one year in arrears is to be taken to have resigned from the bush fire brigade.

2.8 Suspension of membership

(1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Brigade Officer Committee, circumstances warrant suspending the member.
(2) The period of suspension shall be at the discretion of the Brigade Officer Committee.
(3) Upon the expiry of the period of suspension the Brigade Officer Committee may:
  (a) extend the period of suspension;
  (b) terminate the membership; or
  (c) reinstate the membership.

2.9 Existing liabilities to continue

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.

2.10 Member has right of defence

A brigade member is not to be dismissed under clause 2.7(1)(d) without being given the opportunity to meet with the Brigade Officer Committee and answer any charges which might give grounds for dismissal.

2.11 Objection Rights

A person whose -
(a) application for membership is refused under clause 2.5(1)(b);
(b) membership is terminated under clause 2.7(1)(c), clause 2.7(1)(d) or clause 2.8(3)(b); or
(c) membership is suspended under clause 2.8(1) or clause 2.8(3)(a),

has the right of objection to the local government which may dispose of the objection by –

(d) dismissing the objection;
(e) varying the decision objected to; or
(f) 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 Committee.

PART 3 – FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the Bush Fire Operating Procedures.

3.2 Duties of Captain

The Captain is to -

(a) presides over all brigade meetings and will ensure meeting procedures are followed at all times;
(b) demonstrate positive leadership and mentor members;
(c) attend meetings as requested by the local government;
(d) promote the objectives of the brigade;
(e) act as spokesperson for the brigade on public relations and other matters, in conjunction with the local government;
(f) advise the brigade on administrative matters;
(g) may direct the brigade activities during wildfire suppression or during hazard reduction burning programs;
(h) in the absence of a Bush Fire Control Officer may take overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to;
(i) ensures Brigade members are adequately trained to carry out their functions, in accordance with Bush Fire Operating Procedures (BFOP) and Brigade standards;
(j) undertakes responsibility for the management and maintenance of brigade property and equipment;
(k) conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues;
(l) to ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with Bush Fire Operating Procedures;
(m) to adopt policies on behalf of the brigade as recommended by the local government.

3.3 Brigade Lieutenants

(1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four Lieutenants.
(2) All Lieutenants must be ranked in seniority as follows -
    (a) the Captain and Lieutenants of the brigade, in consultation with the Chief Bush Fire Control Officer, determine this seniority;
    (b) in the event that a resolution cannot be found, the Chief Bush Fire Control Officer shall have the final say.
(3) The Lieutenant is to -

(a) in the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that officer and takes ultimate responsibility for the successful performance of all Brigade activities;
(b) provide support to the Captain and assist with the management of the Brigade;
(c) Command and manage members during emergencies and other Brigade related activities;
(d) demonstrate positive leadership and mentor members;
(e) conduct briefings during and after incidents and maintain open lines of communications. Encourage positive interaction and teamwork between members;
(f) ensure Bush Fire Operating Procedures are adhered to at brigade activities;
(g) ensure members engaged in fire fighting activities hold competencies relevant to the task;
(h) work cohesively with the brigade Training Officer and conduct training activities for members;
(i) to ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.4 Secretary

The Secretary is to –

(a) be in attendance at all meetings and keep a correct minute and account of the proceedings of the bush fire brigade in a book which must be open for inspection by brigade members at any reasonable time;
(b) answer all correspondence or direct it appropriately, and keep a record of the same;
(c) prepare and send out all necessary notices of meetings;
(d) receive membership fees, donations and other monies on behalf of the bush fire brigade, and remit them to the Treasurer upon receipt;
(e) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership;
(f) provide no later than 31 May in each year, a report to the Chief Bush Fire Control Officer detailing the name, contact details and type of membership of each brigade member.

3.5 Treasurer

The Treasurer is to –

(a) receive donations and deposits from the Secretary, and deposit all monies to the credit of the bush fire brigade's bank account;
(b) pay accounts as authorised by the Brigade Officer Committee;
(c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
(d) be the custodian of all monies of the bush fire brigade;
(e) regularly inform the Secretary of the names of those brigade members who have paid their membership fees;
(f) report on the financial position at meetings of the bush fire brigade or Brigade Officer Committee;
(g) submit a copy of the audit report to the Chief Bush Fire Control Officer by 31 May each year.

3.6 Equipment Officer

(1) Duties
(a) the Equipment Officer is responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade); and
(b) provide, no later than 31 May of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing,

equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade).

(2) Storage of Equipment
   (a) the Equipment Officer may store all of the equipment of the bush fire brigade at a place approved by the Captain (the "station");
   (b) if there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.

3.7 Training Officer

The Training Officer is to-

(a) ensure brigade members maintain necessary skill levels equivalent to the competency standards required as recommended by the Department and the City of Armadale;
(b) ensure regular training sessions are conducted within the brigade to maintain currency of qualifications and skills;
(c) maintain accurate records of training undertaken by members and ensure that qualification and training updates are forwarded to the local government;
(d) provide mentoring for members who express an interest in training to encourage future facilitators;
(e) represent the brigade at training committee meetings.

PART 4 – BRIGADE OFFICER COMMITTEE

4.1 Management of bush fire brigade

(1) Subject to the provisions of these Rules, the administration and management of the affairs of the bush fire brigade are vested in the Brigade Officer Committee.
(2) Without limiting the generality of subclause (1), the Brigade Officer Committee is to have the following functions –
   (a) to recommend to the local government amendments to these Rules;
   (b) to draft the annual budget for the bush fire brigade and present it at the annual general meeting of the bush fire brigade;
   (c) to propose a motion for consideration at any meeting of the bush fire brigade;
   (d) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
   (e) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
   (f) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Brigade Officer Committee) on any conditions it thinks fit;
   (g) to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
   (h) deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Brigade Officer Committee

(1) The Brigade Officer Committee of the bush fire brigade is to consist of the brigade officers being the Captain, Secretary, Treasurer, Equipment Officer, Training Officer and the Lieutenants of the bush fire brigade.
(2) The brigade officers are to -
   (a) be elected at the annual general meeting of the bush fire brigade; and

(b) hold office until the next annual general meeting;

(3) Any brigade officer may be removed from office by an absolute majority decision of the brigade members present in person or by proxy at a special meeting called for such a purpose.

(4) The Brigade Officer Committee may appoint a brigade member to fill a vacancy in any office arising from a resolution under subclause (3) or which has arisen for any other reason.

PART 5 – MEETINGS OF BUSH FIRE BRIGADE

5.1 Ordinary meetings

(1) Ordinary meetings may be called at any time by the Secretary by giving at least 7 days' notice to all brigade members and to the Chief Fire Control Officer, for the purpose of –
   (a) organising and checking equipment;
   (b) requisitioning new or replacement equipment;
   (c) organising field excursions, training sessions, hazard reduction programs, and the preparation of fire-breaks;
   (d) establishing new procedures in respect of any of the normal brigade activities; and
   (e) dealing with any general business.

(2) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.

(3) Business may be conducted at an ordinary meeting of the bush fire brigade notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.2 Special meetings

(1) The Secretary is to call a special meeting when 5 or more brigade members request one in writing.

(2) At least 2 days' notice of a special meeting is to be given by the Secretary, to all brigade members and to the Chief Bush Fire Control Officer.

(3) In a notice given under subclause (2) the Secretary is to specify the business which is to be conducted at the meeting.

(4) No business is to be conducted at a special meeting beyond that specified in a notice given under subclause (2) in relation to that meeting.

5.3 Annual general meeting

(1) At least 7 days' notice of the annual general meeting is to be given by the Secretary to all brigade members and to the Chief Bush Fire Control Officer.

(2) At the annual general meeting the bush fire brigade is to –
   (a) elect the brigade officers from among the brigade members;
   (b) consider the Captain's report on the year's activities;
   (c) adopt the annual financial statements;
   (d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6; and
   (e) deal with any general business.

(3) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.

(4) Business may be conducted at an annual general meeting notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.4 Quorum

(1) The quorum for a meeting of the bush fire brigade is at least 50% of the number of officers (whether vacant or not) of member of the bush fire brigade.

(2) 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.

5.5 Voting
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.

5.6 Auditor
(1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.
(2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.

PART 6 – MEETINGS OF BRIGADE OFFICER COMMITTEE

6.1 Meetings of Brigade Officer Committee
(1) The Brigade Officer Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
(2) The Captain or Secretary may convene a meeting of the Brigade Officer Committee at any time.

6.2 Quorum
No business is to be transacted at a meeting of the Brigade Officer Committee unless a quorum of 3 brigade officers are present in person.

6.3 Voting
Each brigade officer is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

PART 7 – GENERAL ADMINISTRATION MATTERS

7.1 Fees
(1) The membership fees, if any, for each type of member for the ensuing 12 months are to be determined by the bush fire brigade at the annual general meeting.
(2) Subject to subclause (3), a member is to pay the membership fees for her or his type of membership on or before 1 May.
(3) 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.

7.2 Funds
The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.

7.3 Financial year
The financial year of the bush fire brigade is to commence on 1 July and is to end on 30 June of the following year.

7.4 Banking
(1) The funds of the bush fire brigade are to be placed in a bank account and are to be drawn on only by cheques signed jointly by any 2 of the Captain, Secretary or Treasurer.
(2) If the Secretary/Treasurer is a combined position, the Captain and Secretary/Treasurer are to sign the cheques referred to in subclause (1) and a third signatory must be selected.

7.5 Disclosure of interests

(1) A brigade member must disclose to the bush fire brigade or Brigade Officer Committee any financial interest (whether direct or indirect) he or she may have in any matter being considered by the bush fire brigade or Brigade Officer Committee, as appropriate.

(2) If a financial interest has been disclosed under subclause (1), then the bush fire brigade or Brigade Officer Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.

(3) Where the bush fire brigade or Brigade Officer Committee, as appropriate, decides under subclause (2), that a brigade member is not to be permitted to vote on a matter, and the brigade member votes on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

7.6 Disagreements

(1) Any disagreement between brigade members may be referred to either the Captain or to the Brigade Officer Committee.

(2) Where a disagreement in subclause (1) is considered by the Captain or the Brigade Officer Committee to be of importance to the interests of the bush fire brigade, then the Captain or the Brigade Officer Committee, as the case may be, is to refer the disagreement to the annual general meeting, an ordinary meeting or a special meeting of the bush fire brigade.

(3) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement which is not resolved under subclause (1) or (2).

PART 8 – NOTICES AND PROXIES

8.1 Notices

(1) Notices of meetings of the bush fire brigade are to be in writing and sent by ordinary post to the registered address of each brigade member.

(2) Notices of meetings of the Committee may be given in writing in accordance with subclause (1) or by such other means as the Committee may decide (by an absolute majority) at a meeting of the Committee.

(3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting the subject of the notice or any resolutions passed at the meeting.

(4) Where any notice other than a notice of meeting is to be given under these Rules, the notice is to be –

- (a) in writing;
- (b) unless otherwise specified, given to or by the Secretary;
- (c) given by –
  - (i) personal delivery;
  - (ii) post; or
  - (iii) email transmission;
- (d) taken to have been received, as the case may be –
  - (i) at the time of personal delivery;
  - (ii) 2 business days after posting; or
  - (iii) on the date the sender sends the notice as verified on their electronic device.

8.2 Proxies

(1) Where under these Rules a brigade member may vote by proxy, in order for the proxy to so vote, the brigade member or the proxy must give a notice in the form of that appearing in this

clause, to the Secretary or the person presiding at the meeting before the start of the meeting at which the proxy is to be used.

(2) A proxy is to be valid for the meeting for which it is given and for any adjournments of that meeting.

(3) A proxy shall be valid for the number of votes to which the brigade member is entitled.

(4) If the donor of the proxy does not give any indication of the manner in which the proxy is to vote, the proxy shall be entitled to vote or not vote as he or she thinks fit.

(5) A proxy shall be entitled to speak on behalf of the donor of the proxy.

(6) All forms appointing proxies deposited under subclause (1) are to be retained by the Secretary for not less than 28 days after the conclusion of the meeting to which they relate but if there is any objection to the validity of any vote at the meeting, they are to be retained until the determination of that objection.

(7) The form appointing a proxy must be in writing and signed by the brigade member appointing the proxy and shall be in or substantially in the form set out below -

"PROXY

[INSERT NAME] BUSH FIRE BRIGADE

[ANNUAL] [EXTRAORDINARY] GENERAL MEETING TO BE HELD ON [DATE]

I, _____,
Being a brigade member appoint _____ to be my proxy and vote on my behalf at the meeting of the bush fire brigade to be held on [insert date] and at any adjournment of it. The proxy shall vote as follows:

MOTION	FOR	AGAINST	ABSTAIN
1.			
2.			

If there is no instruction to the proxy as to the way to vote, the proxy shall exercise her or his discretion as to how to vote or whether to vote at all. In respect of any vote taken at the meeting on a matter which does not appear on the agenda, the proxy shall exercise her or his discretion as to the way he or she casts the vote or whether it is cast at all.
Date: _____

Signed: _____

NOTE: To be valid this proxy must be completed and returned to the Secretary of the bush fire brigade (or the presiding member) prior to the commencement of the meeting for which the proxy is valid.

Dated this day of 20 . . . . . "

_____

Dated: 24 April 2019

The common seal of the City of Armadale was affixed by the authority of a resolution of the Council in the presence of –

H A ZELONES JP, Mayor
RS TAME, Chief Executive Officer