

ADMINISTRATION POLICY

POLICY NO:	A.21
POLICY SUBJECT:	Establishment and Operation of Bush Fire Brigades
ADOPTION DATE:	16 December 2014 (Council Resolution 358/12/14)
LAST REVIEW:	

Objective

To provide guidance for the operation of Volunteer Bush Fire Brigades in the Shire of Toodyay.

Background

The Shire of Toodyay was considering the adoption of a Bush Fire Brigades Local Law when the State Government commenced a review of emergency services legislation. One of the Acts under review is the Bush Fires Act 1954, which would have been the head of power for the Bush Fire Brigades Local Law. The Shire of Toodyay has adopted a series of standard operating procedures. This policy is to supplement those procedures.

Interpretation

In this policy unless the context otherwise requires —

Act means the *Bush Fires Act 1954*;

normal brigade activities has the same meaning as in the Act.

brigade area is the area designated by the Shire as the area of responsibility for that brigade

brigade member means a fire fighting member, auxiliary member or a cadet member of a bush fire brigade;

brigade officer means a person holding a position referred to in clause 1.2

Bush Fire Advisory Committee means a committee set up in accordance with section 67 of the Act;

bush fire brigade is as defined in section 7 of the Act;

Bush Fire Operating Procedures means the operating procedures adopted by the local government;

CEO means the Chief Executive Officer of the local government;

CBFCO means the Chief Bush Fire Control Officer

district means the district of the local government;

local government means the Shire of Toodyay;

Presiding Member means the Captain or a the person chairing the meeting as the case may be;

In this policy, unless the context otherwise requires, a reference to —

- a Captain;
- a First Lieutenant;
- a Second Lieutenant;
- any additional Lieutenants;
- an Equipment Officer;
- a Secretary; and
- a Treasurer; or
- a Secretary/Treasurer combined,

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

1. Establishment of a bush fire brigade

1.1. Establishment of a bush fire brigade

The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities. A bush fire brigade is established on the date of the local government's decision under subclause (1).

1.2. Name and officers of bush fire brigade

On establishing a bush fire brigade the Shire will:

- give a name to the bush fire brigade;
- specify the brigade area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities; and
- 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.

When considering the appointment of persons to these positions the CEO is to have regard to the qualifications and experience which

may be required to fill each position as set out in the Bush Fire Operating Procedures. These are interim appointments and will expire at the first Annual General Meeting of the new brigade.

2. Support for bush fire brigades

2.1. Local government responsible for structure

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

2.2. Officers to be supplied with Act

The Shire will supply each brigade with a copy of the Act and any relevant policies or procedures.

3. Chief Bush Fire Control Officer

3.1. 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.

3.2. 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.

3.3. Duties of Chief Bush Fire Control Officer (CBFCO)

The duties of the Chief Bush Fire Control Officer include —

- provide leadership to volunteer bush fire brigades;
- monitor bush fire brigades' resourcing, equipment and training levels and report, with recommendations, to the local government at least once a year;
- 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; and
- ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

4. Annual general meetings of bush fire brigades

Each Brigade shall hold an annual general meeting in accordance with the Bush Fire Operating Procedures. The Minutes of the AGM will be forwarded by the Secretary to the CBFCA and will be tabled at the next Bush Fire Advisory Committee Meeting.

5. Types of membership of bush fire brigade

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

- fire fighting members;
- auxiliary members; and
- cadet members.

The rights and responsibilities of a brigade member are set out in the Bush Fire Operating procedures.

6. Rules governing the operation of bush fire brigades

Bush Fire Brigades will operate in accordance with the Bush Fire Operating procedures.

7. Objectives of bush fire brigade

The objectives of the bush fire brigade are to carry out normal brigade activities as defined in the Act.

8. Objection Rights

Any Brigade Member who is dissatisfied with a decision by the Committee of a Brigade in relation to their rights, responsibilities or membership of the Brigade has the right to seek a review of the decision by the CEO.

In reviewing such decisions the CEO will have regard to the principles of procedural fairness and natural justice. The CEO may choose to engage an independent mediator at his sole discretion. Notwithstanding the rights and responsibilities of an individual member, the CEO will also consider the importance of the effective operation of the Brigade to fulfil its function.

9. Functions of brigade officers

Brigade Officers will fulfil the roles and duties set out in the Bush Fire Operating Procedures.

10. Funds

The funds of the bush fire brigade are to be used solely for the purpose of supporting brigade activities.

11. 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.

12. Banking

The funds of the bush fire brigade are to be placed in a bank account in the name of the Bush Fire Brigade and are to be managed in accordance with the requirements of the Bush Fire Operating Procedures.

13. Disclosure of interests

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

If a financial interest has been disclosed, then the bush fire brigade or 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.

Every such disclosure shall be recorded in the minutes of the meeting of the bush fire brigade or Committee at which the disclosure was made.

Adopted by Council 16 December 2014

Refer to <http://www.toodyay.wa.gov.au/publications.aspx> for a copy of the Bush Fire Operating Procedures Adopted by Council as Council's Interim Policy on 24 June 2014 Council Resolution 155/06/14