



# City of Wanneroo

## LOCAL GOVERNMENT ACT 1995

### CITY OF WANNEROO

## BUSH FIRE BRIGADES LOCAL LAW Amendment 2008 GG 58

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the City of Wanneroo resolved on 6 February 2001 to make the following local law.

### PART 1 - PRELIMINARY

#### 1.1 Citation

This local law may be cited as the *City of Wanneroo - Bush Fire Brigades Local Law*

#### 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;

“**CEO**” means the chief executive officer of the City of Wanneroo;

“**Constitution**” means the Bush Fire Brigades Constitution set out in the First Schedule;

“**Council**” means the Council of the City of Wanneroo;

“**Local government**” means the City of Wanneroo;

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

“**Rules**” means the Rules Governing the Operation of the Bush Fire Brigades as set out in the Bush Fire Brigades Constitution.

(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 Wanneroo Local Law relating to Establishment, Maintenance and Equipment of Bush Fire Brigades published in the *Government Gazette* of 8<sup>th</sup> December 1998, is repealed.

### **1.4 Application**

This local law applies throughout the City of Wanneroo fire 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
- (vii) a Secretary; and
- (viii) a Treasurer; or
- (ix) a Secretary/Treasurer combined.

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.

A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.

The appointments referred to in subclause (1)(c) & expire at the completion of the first annual general meeting of the bush fire brigade.

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)

The bush fire brigade will elect persons to the positions referred to in section 2.2 1(c) at a subsequent general meeting.

#### Division 2 - Command at a fire

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

- (1) Where under the Act and the Constitution 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 Constitution, 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 are to comply with the Rules.

#### Division 4 - Transitional

### 2.5 Existing Bush Fire Brigades

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.
- (1) 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 Bush Fires Act, this local law, the Constitution, 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 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 Fire Control Officer with a copy of the Act, the Regulations, the Constitution, 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 may assist with 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 bushfire control officers (including those who issue permits to burn) bushfire 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 Control Officer to the local government**

The Chief Bush Fire Control Officer shall nominate a suitably qualified person to be appointed as a **Bush Fire Control Officer** by the Council.

### **3.8 Minutes to be tabled to the Chief Bush Fire Control Officer**

The Brigade Secretary is to forward a copy of the minutes from all meetings including the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.

## **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 those persons outlined in clause 3 of the First Schedule.

### **4.2 Notification of membership**

No later than 31 May in each year, the bush fire brigade is to notify the Chief Bush 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 Constitution.

## **PART 6 - EQUIPMENT OF BUSH FIRE BRIGADES**

### **6.1 Policies of local government**

The local government may make policies under which it -

1. provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances; and
2. keeps bush fire brigades informed of opportunities for funding from other bodies.

### **6.2 Equipment in brigade area**

Not later than 31 March 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

### *City of Wanneroo*

## **BUSH FIRE BRIGADES CONSTITUTION**

### **RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES**

#### **1. INTERPRETATION**

In this Constitution, unless the context otherwise requires, where a term is used in this Constitution and is defined in the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the Act or the Regulations, as the case may be.

#### **2. DEFINITIONS**

In this Constitution, unless the context otherwise requires –

- **“Act”** means the *Bush Fires Act 1954*.
- **“Brigade”** means any bush fire brigade or brigades formed under the Act within the City of Wanneroo.
- **“Council”** means the Council of the City of Wanneroo.
- **“FESA”** means Fire and Emergency Services Authority of WA.
- **“normal brigade activities”** is defined by section 35A of the Act.
- **“ordinary meeting”** means any meeting of a brigade other than an annual general meeting or a special meeting.
- **“Regulations”** means the declarations made under sections 41 and 61 of the Act.
- **“Wanneroo Fire Services”** and **“City of Wanneroo Fire Service”** means the total combined assets and resources of the City of Wanneroo, allocated to fire control and suppression under the Act.

#### **3. BRIGADE MEMBERSHIP**

Shall consist of the following:

- **“active member”** means any Brigade member, who has met the membership and training requirements of their Brigade for an operational role, and is available for and participates in Brigade activities.
- **“associate member”** means any non-combat Brigade member with no voting rights.
- **“Cadet”** means any person between the ages of 11 and 15 years who is a member of a cadet program attached to a Brigade. They are non-combat members and have no voting rights.

- **“Honorary Life Member”** means any person elected to this position by a Brigade in recognition of outstanding service to that Brigade, and has no voting rights.
- **“Life Member”** means a member with more than 15 years active service to any Brigade within the City of Wanneroo Fire Service. Life members have no voting rights unless they are also active members.

#### **4. SCOPE OF DOCUMENT**

This document is the Constitution of the Wanneroo Fire Services.

This Constitution, together with the Act, prescribes the general structure and arrangement of Bush Fire Brigades within the City of Wanneroo. Specific operational and administrative details are defined by Brigade policy, standard operating procedures (SOPS) and standard administrative procedures (SAPS) as adopted from time to time.

#### **5. DECISIONS**

##### **5.1 Brigade Meetings**

Subject to this Constitution, where a decision is to be made by a Bush Fire Brigade, the decision shall be made by a resolution passed by a simple majority of the Brigade members who are present in person at the meeting.

##### **5.2 Executive Management Committee**

Subject to this Constitution, where a decision is to be made by the Executive Management Committee, the decision shall be made by a resolution passed by a simple majority of the Brigade officers who are present in person at the meeting.

#### **6. OBJECTIVES**

The Brigades have the following objectives:

- To undertake bush fire brigade operations.
- To prevent, control and suppress fires in the local government area/region.
- To protect life, property and the environment in emergencies occurring in the local government area/region.
- To provide a means by which persons may participate in the activities of the Brigade at a local level.
- To ensure that Brigade members are properly trained for bush fire brigade operations.
- To perform any other function assigned to the Brigade by the Chief Bush Fire Control Officer under the Act, or the Regulations.
- To assist and co-operate with all state and local emergency services.
- To encourage and foster public awareness of the dangers of bush fires, and actively promote bush fire prevention measures to the public and landowners of the district.

## **7. FUNCTIONS OF BRIGADE OFFICERS**

### **7.1 Officers of a Volunteer Bush Fire Brigade**

#### **7.1.1 Bush Fire Control Officer**

A Bush Fire Control Officer (BFCO) is appointed by Council, upon recommendation by the Chief Bush Fire Control Officer, under the Act, and has the following specific functions:

- To issue permits to burn as authorised under the Act within their area of the district.
- Inspection of and reporting on fire hazards within the district of Wanneroo.
- Carry out any duties prescribed under the Act and so authorised by the City of Wanneroo.
- May take overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to.

#### **7.1.2 Brigade Captain**

The Captain is elected by the Brigade and has the following roles:

- Presides over all Brigade meetings and will ensure meeting procedures are followed at all times.
- Promote the objectives of the Brigade when, and wherever, the possibility occurs.
- Act as spokesperson for the Brigade on public relations and other matters, in conjunction with the City of Wanneroo.
- Advise the Brigade on administrative matters.
- May direct the Brigade activities during wildfire suppression or during hazard reduction burning programs.
- In the absence of a BFCO may take overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to.
- Assists the BFCO to prepare reports.
- Ensures Brigade members are adequately trained to carry out their functions, in accordance with SOPS and Brigade standards.
- Undertakes responsibility for the proper management and maintenance of Brigade property and equipment.
- The roles of Captain and BFCO may be combined should the Chief Bush Fire Control Officer wish to have one person carry out both roles.

#### **7.1.3 Brigade Lieutenants**

Lieutenants are elected by the Brigade and have the following roles:

- 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 Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four Lieutenants.
- All Lieutenants must be ranked in seniority. The Captain and Lieutenants of the Brigade, in consultation with the Chief Bush Fire Control Officer, determine this

seniority. In the event that a resolution cannot be found, the Chief Bush Fire Control Officer shall have the final say.

#### 7.1.4 Secretary

The Secretary is elected by the Brigade and has the following specific functions:

- To organise meetings of the Brigade.
- To give notice of meetings of the Brigade in accordance with the meeting guidelines of the Brigade.
- To prepare an agenda for any meeting of the Brigade.
- To keep Brigade records and to send and receive Brigade correspondence.
- To disseminate information to Brigade members.
- To undertake any other functions assigned by the Brigade Captain, BFCO, or Chief Bush Fire Control Officer.

#### 7.1.5 Treasurer

The Treasurer is elected by the Brigade and has the following specific functions:

- To manage the Brigade's finances.
- To keep records of all financial transactions, including all payments and monies received.
- To prepare financial reports, and report on the financial affairs to the Brigade.
- To undertake any other functions assigned by the Brigade Captain, BFCO or Chief Bush Fire Control Officer.

#### 7.1.6 Local Government Fire Training Coordinator

The Local Government Fire Training Coordinator (LGFTC) is appointed by and responsible to the Chief Bush Fire Control Officer and has the following specific functions:

- To ensure that members of the Brigades receive training that is consistent with the Act and the policies of the City of Wanneroo and FESA.
- To encourage and facilitate Brigade members to undertake training.
- To encourage suitably experienced members of the Brigades to become Trainers.
- To chair meetings of the Training Committee.
- To represent the Brigades on any training committee requested.
- To undertake any other function assigned by the Chief Bush Fire Control Officer.

#### 7.1.7 Local Government Fire Training Administration Officer

The Local Government Fire Training Administration Officer (LGFTAO) is appointed by and responsible to the Chief Bush Fire Control Officer and has the following specific functions:

- To keep proper records relating to training undertaken by members of the Brigades.
- In the absence of the LGFTC, the LGFTAO is to carry out the duties of the LGFTC.
- To organise meetings of the Training Committee and to perform the above stated functions of Secretary in respect of that Committee.

### 7.1.8 Brigade Training Officer

The Brigade Training Officer is elected by the Brigade and is responsible to the Local Government Fire Training Coordinator and the Training Committee, and has the following specific functions:

- To organise regular training sessions within the Brigade.
- To provide liaison between Brigade members and the LGFTC/Training Committee.
- To forward any training related records to the LGFTAO.

### 7.1.9 Trainer

A Trainer is any suitably qualified and experienced Brigade member who has accepted and been appointed by the Brigade to the role. They are responsible to the Brigade Training Officer and Local Government Fire Training Coordinator, and have the following specific functions:

- To deliver training to new and existing members.
- To attend meetings of the Training Committee.
- To assist the Brigade Training Officer to conduct regular Brigade training sessions and drills.

### 7.1.10 Brigade Equipment Officer

The Brigade Equipment Officer is elected by the Brigade and is responsible to the Brigade Captain for the proper management and maintenance of all Brigade property and equipment.

The Brigade Equipment Officer has the following specific functions:

- Arrange and carry out monthly checks and maintenance on all Council's fire fighting equipment vested in their respective Brigade.
- Report any missing or faulty equipment as required by Brigade policy.
- Maintain and keep the equipment storage area neat and tidy.
- Undertake any other function assigned by the Brigade Captain or Chief Bush Fire Control Officer.

## 7.2 Teamwork

Teamwork is essential to the safe and efficient operation of the Brigades. All officers are expected to operate on this premise and to lead by example. Whilst section 7 of this Constitution clearly defines each of the roles and responsibilities, a team approach is to be adopted. Each of these functions are essential activities of the Brigades.

## 8. MEMBERSHIP

### 8.1 Applications for Membership

A person applying to join a Brigade must attend a minimum of 3 meetings of that Brigade. The applicant must then obtain a medical clearance from one of Council's nominated doctors at Council's cost. The applicant will then be eligible for basic training.

The Executive Management Committee, at their meeting may vary this requirement at their discretion.

## **8.2 Conditions of Membership**

In relation to any type of membership, the Brigade may establish policies pertaining to qualifications required. Such qualifications may include:

- The requirement to serve a probationary period and determine its length, being not more than 12 months.
- Any additional procedures that may be employed by the Brigade prior to approval of an application for membership. Such procedures may include, but are not limited to, a Police clearance.
- The Brigade is to act within the parameters of any such policy in determining applications for membership.

## **8.3 Age Limits**

The minimum age for any member, other than a Cadet, is 16 years. There is no maximum age limit; however the Chief Bush Fire Control Officer may require any member to obtain a new medical clearance if he or she has genuine concerns about the member's general fitness for duty.

## **8.4 Induction**

The prospective members are to be given a tour of the Brigade's facilities and have the Brigade's duties, purpose and responsibilities explained to them.

## **8.5 Basic Training**

Brigade members are required to successfully complete the minimum training and probationary program as specified in current Brigade policy. No-one may undertake any fire combat role before successfully completing this training.

## **8.6 Advanced Training**

Brigade members may nominate for further training courses as they become available. These nominations will be considered by the Executive Management Committee, which may approve or reject such nominations. All approved nominations will be prioritised before being forwarded to FESA, as per current FESA requirements. In any case, the Chief Bush Fire Control Officer may exercise the right of final say.

Approval and priority will be based on the following:

- Any prerequisites in terms of training, experience or length of service. Any such prerequisites may be imposed by FESA, the City of Wanneroo or current Brigade policy.
- The requirements and responsibilities of the Brigade.

- Suitability of the nominee for the course in question and/or the role(s) the nominee may be qualified to fill subsequent to the course.

## **8.7 Skills Maintenance**

To remain an active member, Brigade members must maintain proficiency and currency of skills relevant to their role. To ensure this outcome this Constitution empowers the Brigade to establish policies in support of clauses 8.2 to 8.12 of this Constitution.

## **8.8 Brigade Commitments**

Brigade members are required to maintain currency in brigade activities and training.

## **8.9 Brigade Meetings**

Brigade members shall attend a minimum of one ordinary meeting of their Brigade every three months.

## **8.10 Brigade Training**

Brigade members shall participate in ongoing training as specified by current brigade policy.

## **8.11 Brigade Activities**

Brigades conduct activities of many types. These may include:

- Emergency response.
- Hazard reduction.
- Public relations and education.
- Fundraising.
- Brigade maintenance.
- Public service.

All of these activities are important parts of the functioning of the Brigade, as such all Brigade members are expected to participate.

## **8.12 Failure to Meet Commitments**

Should an Active Member of a Brigade fail to comply with clauses 8.7 to 8.11 of this Constitution, correspondence will be forwarded to the Active Member requesting contact be made with the Brigade to indicate the intentions of the Active Member's status.

Should an Associate Member of a Brigade fail to comply with clause 8.9 and/or clause 8.11 of this Constitution, correspondence will be forwarded to the Associate Member requesting contact be made with the Brigade to indicate the intentions of the Associate Member's status.

The Brigade member may:

- Respond to the correspondence providing a reasonable explanation and request for alternative arrangements to be made for training or meeting obligations;

- Request leave of absence from Brigade commitments due to personal circumstances; or
- Terminate their membership.

If a Brigade member fails to respond to the correspondence within 14 days a subsequent letter will be forwarded from the Brigade putting the Brigade member on final notice. Should a Brigade member fail to acknowledge the final notice within 14 days, the membership shall be terminated, to take effect from the date of the final notice.

### **8.13 Local Government and FESA to be notified of Registrations**

A registration form must be completed for every new member, change of member information or termination of member, with the duplicate provided to FESA within 14 days of a decision.

### **8.14 Leave of Absence**

A Brigade member may apply in writing to their Brigade for a leave of absence for a maximum period of 12 months.

### **8.15 Suspension of Membership**

Membership of a Brigade may be suspended at any time if, in the opinion of the Brigade Officers, the Executive Management Committee or the City of Wanneroo, circumstances warrant suspending the member.

The period of suspension shall be at the discretion of the Brigade Officers, the Executive Management Committee or the City of Wanneroo.

The suspension may be from all or part of the member's responsibilities and privileges.

Upon expiry of the period of suspension the Brigade Officers, the Executive Management Committee or the City of Wanneroo may:

- Extend the period of suspension;
- Terminate the membership; or
- Reinstatement the member.

### **8.16 Termination of Membership**

Membership of a Brigade terminates if the member:

- Gives written notice of resignation to the Brigade;
- Is, on medical advice, permanently incapacitated by mental or physical ill health, to such a degree that they cannot perform their duties;
- Is dismissed by the Brigade;
- Fails to meet commitments subject to clause 8.12; or
- Is deceased.

All Brigade property is to be returned to the Brigade within two weeks of termination or an invoice may be sent to the terminated member to recover cost for all equipment issued.

The Brigade Officers, the Executive Management Committee or the City of Wanneroo may terminate a person's membership if that member has been found to have committed:

- A serious breach of Brigade discipline or policy;
- Theft of Brigade materials or equipment;
- Any action with intent to harm the Brigade; or
- Any action that has harmed the public standing and good name of the Brigade or the City of Wanneroo.

### **8.17 Member Has Right of Defence**

A Brigade member is not to be dismissed without being given the opportunity to meet with the Brigade Officers, the Executive Management Committee or the City of Wanneroo and answer any allegations which might give grounds for dismissal.

The member has the right to be accompanied or represented by a support person of their choice.

### **8.18 Objection Rights**

A person whose application for membership is refused, membership is terminated or membership is suspended has the right of objection to the Council, which may dispose of the objection by:

- Dismissing the objection;
- Varying the decision objected to;
- Revoking the decision objected to, with or without substituting for it another decision; or
- Referring the matter, with or without directions, for another decision by the Brigade.

### **8.19 Grievance Process**

Brigades should refer to the local government's current grievance procedure to ensure fairness and equity in any grievance, dispute, or discrimination resolution process. Any Brigade member who has a grievance will have recourse to this process.

## **9. MEETINGS OF THE BUSH FIRE BRIGADE**

### **9.1 Meetings**

#### **9.1.1 Ordinary Meetings**

Subject to this clause, a Brigade may hold meetings on such days and at such times and places, as the Brigade thinks fit.

A Brigade should hold at least six ordinary meetings per year on a regular basis.

### 9.1.2 Annual General Meeting

A Brigade shall hold an annual general meeting each year.

At the annual general meeting the Brigade is to:

- Elect the Brigade Officers from amongst the Brigade members.
- Consider the Captain's report on the year's activities.
- Adopt the annual financial statements of the Brigade.
- Deal with any general business.

### 9.1.3 Special Meetings

The Secretary or the Brigade Captain may convene a special meeting of a Brigade.

The Secretary must convene a special meeting of a Brigade if requested to do so by at least seven Active Members of the Brigade.

### 9.1.4 Notice of a Meeting

Notice of the annual general meeting and of any ordinary meeting of a Brigade must be given to all members of the Brigade (other than Cadet members) at least seven days before the commencement of the meeting.

Notice of any special meeting of the Brigade must be given to all members of a Brigade (other than Cadet members) at least 48 hours before the commencement of the meeting.

Notice of a meeting must be given, or caused to be given, by the Secretary.

Notice may be given by written notice to each Brigade member by any or all of the following methods:

- Personally.
- By post.
- By e-mail.
- By SMS or text message.
- By a notice published in a newspaper circulating in the area of the Brigade.

The notice of a meeting must:

- Set out the date, time, and place of the meeting;
- Set out particulars of motions of which notice has been given; and
- In the case of special meetings, set out particulars of the business to be transacted.

### 9.1.5 Quorum

The quorum for a meeting of a Brigade is at least 30% of the number of voting members of that Brigade. No business is to be transacted at a meeting of a Brigade unless a quorum of Brigade members is present in person or by authorised proxy.

### 9.1.6 Voting

Each voting member is allowed one vote at a meeting of his or her Brigade. However in the event of an equality of votes, the Brigade Captain or person presiding may exercise a second vote.

## 10. PROCEDURE AT MEETINGS

The Brigade Captain will, if present at a meeting of the Brigade, preside at that meeting. In his/her absence the most senior Lieutenant present at the meeting will preside. In the absence of the Captain and all the Lieutenants, the meeting will be cancelled or deferred.

The Secretary 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 a 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.

## 11. COMMITTEES

### 11.1 Executive Management Committee

The Executive Management Committee will meet on a regular basis, and should hold not less than six meetings a year.

The Executive Management Committee will consist of the following officers from all Brigades of the Wanneroo Fire Services:

- Chief Bush Fire Control Officer and Deputies.
- Executive Management Committee Secretary (no voting rights).
- Brigade Captains.
- 1<sup>st</sup> Lieutenant from each Brigade.
- Local Government Fire Training Coordinator.
- Any other person that the Executive Management Committee requests.

In the absence of the Captain or 1<sup>st</sup> Lieutenant, the next available senior Lieutenant may attend in their place.

The Executive Management Committee will be responsible for the general management, administrative and policy affairs of the City of Wanneroo Fire Service.

Any of the functions of a Brigade may be delegated to the Executive Management Committee provided a motion authorising the delegation is carried at an ordinary or annual general meeting of the Brigade.

The Chief Bush Fire Control Officer will preside at a meeting of the Executive Management Committee. In the absence of the Chief Bush Fire Control Officer a Deputy Chief Bush Fire

Control Officer will preside. If none of these are present the meeting shall be cancelled or deferred.

Five members shall constitute a quorum of the Executive Management Committee.

A decision carried by the votes of a majority present at a meeting of the Executive Management Committee is a decision of the Executive Management Committee.

Each voting member present at a meeting of the Executive Management Committee is entitled to one vote on a matter arising for decision. The person presiding at the meeting will have, in the event of an equality of votes, a second vote.

#### 11.1.1. Committee Membership

The Executive Management Secretary will be appointed by the Chief Bush Fire Control Officer.

Membership for all other Committee positions will be by virtue of a relevant officer's position. If an Executive Management Committee member ceases to hold a position as listed under clause 11.1 of this Constitution their membership as an Executive Management Committee member terminates.

Subject to this clause, and any direction of the Brigades or the Council, a meeting of the Executive Management Committee will be conducted in such a manner as the Executive Management Committee may determine.

The Executive Management Committee is closed to Brigade members and the public. This is to ensure that an effective and efficient meeting is conducted in regard to the management of the Brigades and that sensitive and confidential matters can be discussed and resolved without fear or favour.

The Executive Management Committee will keep minutes of its proceedings. Relevant portions of these minutes may be made available for viewing by a Brigade member upon request to the Chief Bush Fire Control Officer.

## 11.2 Training Committee

The Training Committee is responsible for:

- Coordinating training delivery to the Brigades.
- Advising the Executive Management Committee on matters of policy relating to training.

The Training Committee will meet as often as required.

#### 11.2.1 Training Committee Membership

The Training Committee will consist of the following officers from the Wanneroo Fire Services:

- The Local Government Fire Training Coordinator.
- The Local Government Fire Training Administration Officer.
- The Brigade Training Officer of each Brigade.
- All active Trainers.
- Any other person that the committee requests.

### **11.3 Brigade Officers Committee**

The Captain and Lieutenants of a Brigade may form an Officers Committee of that Brigade.

This Committee will not exercise any of the roles or responsibilities of the Executive Management Committee, but may be used to streamline Brigade management and facilitate Brigade communication.

A Brigade may delegate any decision of the Brigade to the Brigade Officers Committee by passing a motion to that effect.

The Brigade Officers Committee will consist of the following:

- The Brigade Captain.
- All Lieutenants of the Brigade.
- Any other Brigade Members appointed by the Committee.

## **12. BRIGADE ELECTIONS**

Nominations for all elected positions will be called for at the meeting prior to the annual general meeting.

Any voting member may nominate one person for each position. To be valid, another voting member must second that nomination. Each member may only make one nomination and one second for each elected position. For the purposes of this clause multiple positions for the same rank (such as Lieutenant) will count as one position.

A nomination may be made:

- By written nomination lodged with the Chief Bush Fire Control Officer before nomination day.
- By verbal nomination made at the meeting prior to the annual general meeting.
- If a withdrawal of nomination is received prior to the election and the number of nominations for that position is then less than the number of positions open, a verbal nomination may be made immediately before the commencement of the relevant election.

Nominees must sign or indicate acceptance of nomination. A member may be nominated and seconded in their absence, but must indicate their acceptance before the election or the nomination will lapse.

Nominees for Brigade Officer positions must meet the requirements for training and experience as adopted by the Brigades.

## **13. CONDUCT OF ELECTIONS**

### **13.1 Order of Voting**

Voting will occur for positions in the following order:

- Brigade Captain; Term 1 year.
- Brigade Lieutenants; Term 1 year (up to 4 Lieutenants).
- Secretary; Term 1 year.
- Treasurer; Term 1 year.
- Brigade Equipment Officer; Term 1 year.
- Brigade Training Officer; Term 1 year.
- Any other positions that, according to a determination of the Brigade or the Council should be filled by election; Term 1 year.

### **13.2 Secret Ballot**

Elections will be conducted by secret ballot. The returning officer will be the Chief Bush Fire Control Officer or his/her proxy.

### **13.3 Absentee Votes**

If a voting member is unable to attend an election they may lodge an absentee vote. The vote must be sealed in an envelope with the voter's name printed and signed on the outside.

If the Returning Officer is willing to accept electronic lodgement, an absentee vote may be e-mailed to the Returning Officer. The absentee voter must be aware of the reduced confidentiality of this method and accept the risks associated with it.

### **13.4 Supplementary Elections**

Where a supplementary election is required due to a vacancy in the position as a result of an early resignation or other reason:

- The Brigade Captain or Secretary shall appoint a meeting of the Brigade at which the election will be held.
- The Secretary shall give notice of the election and open nominations for candidates.
- Such notice to be given in accordance with clause 9.1.4 of this Constitution.
- Nominations to be made in accordance with clause 12 of this Constitution except as varied hereunder.

A nomination may be made:

- By written nomination lodged with the Chief Bush Fire Control Officer before the election meeting.
- By verbal nomination made immediately before the commencement of the relevant election.

## **14. GENERAL ADMINISTRATION MATTERS**

### **14.1 Accounts at Financial Institutions**

The funds of a Brigade must be kept in an account in the name of the Brigade in a financial institution determined by the Brigade.

A Brigade must appoint at least two signatories on its accounts and at least two signatories must sign any cheque, withdrawal form or other negotiable instrument.

### **14.2 Authorisation for works or goods**

All accounts raised, works undertaken or goods purchased by a Brigade must be authorised in advance by the Captain, failing which such actions must be ratified by the Brigade at its next ordinary meeting. The Captain may, in the event that he/she will not be available, delegate authority to give the authorisation to the next senior officer of the Brigade.

The funds of a Brigade are to be used solely for the purpose of promoting the objects of the Brigade.

All cheques issued must be supported by appropriate source documents (invoice or monthly account or similar).

### **14.3 Receipt of monies**

All monies received must be recorded in a Brigade receipt book and deposited in the Brigade's account as soon as practicable.

## **15. FINANCIAL REPORTS**

The Treasurer must, at each annual general meeting present a financial report for the last financial year. This must include a Statement of Receipts and 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.

A Brigade may appoint an auditor. The auditor may be any suitably experienced person other than an Officer or member of the Brigade.

The Treasurer must present the auditor's report to the annual general meeting.

A Brigade may choose its own financial year. Once fixed, a Brigade may only change its financial year with the approval of the Executive Management Committee. Other than for transitional periods to accommodate a change, all financial years are to be for a period of 12 months.

A Brigade's annual general meeting must be held within 5 months after the end of the Brigade's financial year.

## **16. BRIGADE POLICIES, STANDARD OPERATING PROCEDURES AND STANDARD ADMINISTRATIVE PROCEDURES**

A Brigade may adopt policies and procedures including SOPS and SAPS not inconsistent with:

- The Act;
- The Regulations;
- Councils Local-Laws and Policy;
- Councils Fire Break Order;
- The Constitution; or
- Any other relevant Act or Regulation.

to assist the Brigade to manage its affairs effectively and efficiently.