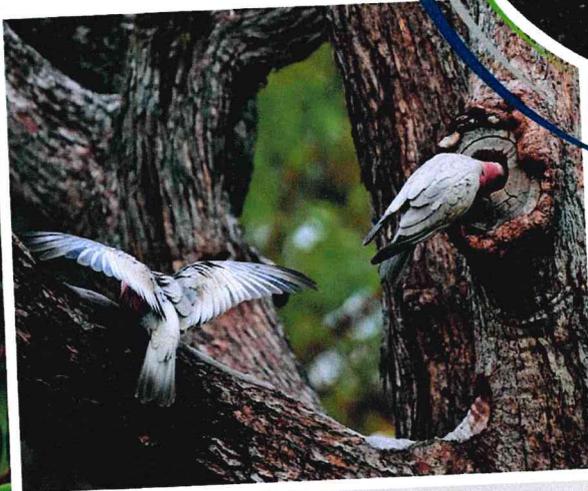


City of Kwinana

Bush Fire Brigades Local Law 2025



City of Kwinana

BUSH FIRE BRIGADES LOCAL LAW 2025

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Bush Fires Act 1954

City of Kwinana

Bush Fire Brigades Local Law 2025

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the *City of Kwinana* resolved on 29 October 2025 to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This Local Law may be cited as the *City of Kwinana Bush Fire Brigades Local Law 2025*.

1.2 Commencement

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Repeal

The *Town of Kwinana Bush Fire Brigades Local Law* published in the *Government Gazette* on 4 June 2004 is repealed.

1.4 Application

This local law applies throughout the district.

1.5 Definitions

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

Act means the *Bush Fires Act 1954*;

Bush Fire Advisory Committee means the persons appointed to a bush fire advisory committee in accordance with section 67 of the Act;

Department means the Department of Fire and Emergency Services established by section 4 of the *Fire and Emergency Services Act 1998*;

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

brigade member means an operational member, auxiliary member or a life member of a bush fire brigade;

brigade officer means a person holding a position referred to in clause 2.2(1)(c);

bush fire brigade, or **brigade**, is defined in section 7 of the Act is defined in section 7 of the Act;

Bush Fire Control Officer means a Bush Fire Control Officer appointed by the local government under section 38 the Act;

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

Chief Bush Fire Control Officer means the person either appointed by the local government to the position under section 38 of the Act or designated by the FES Commissioner under section 38A of the Act;

Committee means the Committee of the bush fire brigade as set out at clause 4.2(1);

Department means the Department of Fire and Emergency Services of Western Australia;

Deputy Chief Bush Fire Control Officer means the person appointed by the local government under section 38 of the Act;

district means the district of the local government;

FES Commissioner has the meaning given in the *Fire and Emergency Services Act 1998* section 3;

local government means the City of Kwinana;

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

operational member is defined in clause 4.2;

Regulations means Regulations made under the Act;

Rules means the Rules Governing the Operation of Bush Fire Brigades set out in the First Schedule; and

Schedule means a schedule of this local law.

(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) any additional Training Officers;
- (h) a Secretary; or
- (i) a Treasurer,

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

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) name the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out normal bush fire brigade activities ("**brigade area**"); and
 - (c) appoint the following positions to the bush fire brigade —
 - (i) Captain;
 - (ii) First Lieutenant;
 - (iii) Second Lieutenant;
 - (iv) additional Lieutenants if the local government considers it necessary;
 - (v) Equipment Officer;
 - (vi) Training Officer;
 - (vii) additional Training Officers if the local government considers it necessary;
 - (viii) Secretary; or
 - (ix) Treasurer.
- (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) Each appointment referred to in subclause (1)(c) shall expire upon the following —
 - (a) the completion of the first annual general meeting of the bush fire brigade;
 - (b) the person resigning from the position;

- (c) the termination of the appointment in accordance with this local law; or
 - (d) the person ceasing to be a member of the bush fire brigade.
- (4) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting of the bush fire brigade, 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

Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire —

- (a) where a Bush Fire Control Officer is in attendance at the fire, the most senior Bush Fire Control Officer has full control over all other persons fighting the fire and is to issue instructions as to the methods and tactics to be adopted by the fire fighters, in accordance with sections 39(1)(f) and 44(3) of the Act;
- (b) in the absence of a Bush Fire Control Officer, the Captain has full control over all other persons fighting the fire, and is to issue instructions as to the methods and tactics to be adopted by the fire fighters; and
- (c) 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.

Division 3 – Application of Rules to a bush fire brigade

2.4 Rules

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

2.5 Variation of Rules

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

Division 4 – Transitional

2.6 Existing Bush Fire Brigades

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

Division 5 – Dissolution of bush fire brigade

2.7 Dissolution of bush fire brigade

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

2.8 New arrangement after dissolution

If the 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 Appointment of Training Coordinator

The local government may appoint a Training Coordinator for the district.

3.3 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 officers of the brigades on State/District Committees.

Division 2 – Chief Bush Fire Control Officer

3.3 Managerial role of Chief Bush Fire Control Officer

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

3.4 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; and
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

Division 3 – Attendance at bush fire brigade meetings

3.5 Attendance at meetings

The following may attend any meeting of a bush fire brigade as a non-voting representative of the local government:

- (a) Chief Bush Fire Control Officer;
- (b) Deputy Chief Bush Fire Control Officer; or
- (c) any Bush Fire Control Officer.

Division 4 – 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 between 1 July and 31 August each year.

3.8 Minutes to be provided to local government

The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the local government within one month of such meeting.

Division 4 – Bush Fire Advisory Committee

3.9 Functions of Advisory Committee

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

3.10 Advisory Committee to consider brigade motions

The Bush Fire Advisory Committee shall consider any motion received from a Bush Fire Brigade and may make recommendations to the local government in relation to any motion supported by the Bush Fire Advisory Committee.

PART 4 – 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) operational members;
- (b) auxiliary members; and
- (c) honorary life members.

4.2 Operational members

Operational members are those persons being at least 16 years of age who —

- (a) undertake all normal brigade activities and have completed the required training qualification as determined by the local government; and
- (b) if less than 18 years of age —
 - (i) have obtained the written consent of their parent or guardian; and
 - (ii) the brigade captain is satisfied that the person is able to perform the requisite duties of the position.

4.3 Auxiliary members

Auxiliary members are those persons who are willing to render the necessary support or other assistance required by the bush fire brigade outside of frontline firefighting duties. Auxiliary members must have previously been operational members and completed basic fire fighting training and endorsed by the Committee.

4.4 Honorary Life member

The bush fire brigade may, appoint a person as an honorary life member in recognition of long standing or exemplary service by that person to the bush fire brigade.

4.5 Notification of membership

No later than 30 June in each year, the bush fire brigade is to report to the Chief Bush Fire Control Officer the name, contact details and type of membership of each brigade member.

4.5 Rules to govern

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

PART 5 – BUSH FIRE CONTROL OFFICERS

5.1 Local government appointments

- (1) The local government may appoint, and may suspend or terminate the appointment of persons to the positions of —
 - (a) Chief Bush Fire Control Officer;
 - (b) Deputy Chief Bush Fire Control Officer; or
 - (c) Bush Fire Control Officer.
- (2) An appointment to a position under subclause (1) ends —
 - (a) if the appointment is for a fixed term – on the expiry of that term;
 - (b) if the person dies – on the date of their death;
 - (c) if a person gives written notice of resignation – on the date, as specified in the written notice, that the resignation is to take effect or, if no date is specified, on the date that the written notice is given to the local government; or
 - (d) if the appointment is terminated by the local government – on the date that written notice of the termination is given to the person.

5.2 Functions of a Bush Fire Control Officer

- (1) The functions of a Bush Fire Control Officer include, but are not limited to, the following —
 - (a) authorise permits to burn in accordance with the Act;
 - (b) identify and conduct Risk Assessments in the brigade area;
 - (c) maintain a personal fire diary to include a log of events and decisions made;
 - (d) perform duties prescribed by the Act;

- (e) provide representation on the Bush Fire Advisory Committee (BFAC);
 - (f) take control of firefighting operations at a bush fire within the district;
 - (g) take control of firefighting operations at a bush fire outside their brigade area where no other Fire Control Officer is present; and
- (2) The local government may limit the area in which a Bush Fire Control Officer can carry out their functions.

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 30 June 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 January 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.

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:

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

Committee means the Committee of the bush fire brigade;

local law means the City of Kwinana Bush Fire Brigades Local Law; and

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

- (3) Subject to these Rules, where a decision is to be made by the bush fire brigade:
 - (a) at any meeting other than an annual general meeting, 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; and
 - (b) at an annual general meeting, then the decision may be made by a resolution passed by an absolute majority of the brigade members who are present in person or by proxy at the meeting.
- (4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting

PART 2 – 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 Determination of applications

Applications for membership are to be determined by a brigade Captain or officer 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 or local government may establish policies pertaining to —

- (a) the qualifications required to fulfill the role of a volunteer fire fighter and nominated positions;
- (b) a requirement to serve a probationary period;
- (c) procedures to be employed by the Committee prior to approval of an application for membership,

and the 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 Captain or Secretary and is to be accompanied by a completed form as determined by the local government from time to time.

2.5 Decision on application for membership

- (1) The 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 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 DFES 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 Chief Bush Fire Control Officer who will forward the application to the Department within 14 days of a person being admitted to membership in the form required by the Department or 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, in the opinion of the Chief Bush Fire Control Officer, permanently incapacitated by mental or physical ill-health so far as it effects their ability to carry out normal brigade activities;
 - (d) is dismissed by the Committee; or
 - (e) ceases to be a member or is taken to have resigned under subclause (2).
- (2) A brigade member who has been absent from normal brigade activities for 3 months without a reasonable explanation or an approved leave of absence by the Committee will receive a letter of intent regarding their membership status. If no correspondence is received within 28 days, the member 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 Committee, circumstances warrant suspending the member.
- (2) The period of suspension shall be at the discretion of the Committee.
- (3) Upon the expiry of the period of suspension the 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 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 —

- (a) dismissing the objection;
- (b) varying the decision objected to; or

- (c) revoking the decision objected to, with or without —
 - (i) substituting for it another decision; or
 - (ii) referring the matter, with or without directions, for another decision by the 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 local government's Bush Fire Operating Procedures.

3.2 Duties of Captain

- (1) Subject to subclause (4) below, the Captain is to preside at all meetings.
- (2) Provide leadership to the bush fire brigade and its members.
- (3) In the absence of a Bush Fire Control Officer, take command and manage members during emergencies and other normal brigade activities.
- (4) Lieutenants are to assist the Captain in the discharge of their duties and in the absence of the Captain, the most senior Lieutenant present assumes the responsibilities and powers of the Captain.
- (5) Subject to subclause (4), complete or delegate responsibility to complete an incident report form in the form required by the Department to the Chief Bush Fire Control Officer or the Department within 14 days after attendance by the bush fire brigade at an incident.
- (6) Where a bush fire brigade attends an incident on more than one day, the incident report form is to be completed and forwarded under subclause (5) within 14 days after the last day of attendance.

3.3 Secretary

- (1) The Secretary is to —
 - (a) be in attendance at all meetings (or represented by a nominated proxy) and keep a correct minute and account of the proceedings of the bush fire brigade in a book or by electronic means, which shall be available 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) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership;

- (e) provide no later than 30 June 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; and
- (f) provide information to assist the Chief Bush Fire Control Officer in preparing the Annual Report on the activities of Bush Fire Brigades in the district.

3.4 Treasurer

(1) The Treasurer is to —

- (a) receive donations and other monies on behalf of the bush fire brigade, and deposit all monies to the credit of the bush fire brigade's bank account;
- (b) pay accounts as authorised by the 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) report on the financial position at meetings of the bush fire brigade or Committee;
- (f) provide information and/or recommendations to the Committee and Chief Bush Fire Control Officer in preparing the Annual budget for the local government and the Department;
- (g) provide information and/or recommendations to the Committee and Chief Bush Fire Control Officer in preparing the Annual budget for the local government and the Department; and
- (h) submit a copy of the audit report to the Chief Bush Fire Control Officer by 30 June each year.

3.5 Equipment Officer

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).

3.6 Storage of equipment

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

3.7 Equipment Officer to report

The Equipment Officer is to provide, no later than 30 June 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).

3.8 Training Officer

A Training Officer will liaise with the Local Government Training Coordinator and Brigade Captain in providing adequate and appropriate training for each member of the brigade.

PART 4 – 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 Committee.
- (2) Without limiting the generality of subclause (1), the Committee is to have the following functions —
 - (d) to recommend to the local government amendments to these Rules;
 - (e) to draft the annual budget for the bush fire brigade and present it to a general meeting of the bush fire brigade;
 - (f) to propose a motion for consideration at any meeting of the bush fire brigade;
 - (g) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
 - (h) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
 - (i) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
 - (j) 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
 - (k) deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Committee

- (1) The Committee of the bush fire brigade is to consist of the following brigade officers being the Captain, Secretary, Treasurer, Equipment 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;
 - (b) hold office until the next annual general meeting; and
 - (c) be eligible for re-election at 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 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 Bush 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 operational and auxiliary members 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

- (1) Each operational and auxiliary member is to have one vote at a meeting of the bush fire brigade, 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 COMMITTEE

6.1 Meetings of Committee

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

6.2 Quorum

No business is to be transacted at a meeting of the Committee unless a quorum of 50% of the Committee 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 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.

7.2 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.

7.3 Banking

- (1) The funds of the bush fire brigade are to be placed in a bank account or accounts and are to be drawn on only by cheques, brigade issued debit cards, electronic funds transfer or online banking and only may be signed/authorised 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).

7.4 Disclosure of interests

- (1) 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.
- (2) If a financial interest has been disclosed under subclause (1), 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.
- (3) Where the bush fire brigade or 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.

7.5 Disagreements

- (1) Any disagreement between brigade members may be referred to either the Captain or to the Committee.
- (2) Where a disagreement in subclause (1) is considered by the Captain or the Committee to be of importance to the interests of the bush fire brigade, then the Captain or the 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 email 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;
 - (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 of 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 shall 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 shall be in writing and signed by the brigade member appointing the proxy.

Dated this 20th day of November 2025

The Common Seal of the)
City of Kwinana was hereunto)
affixed in the presence of:)



Peter Feasey
Mayor

Wayne Jack
Chief Executive Officer