

12.4.4 b) Draft Bush Fire Brigades Local Law 2026 - Amended

BUSH FIRES ACT 1954 LOCAL GOVERNMENT ACT 1995

SHIRE OF JERRAMUNGUP

BUSH FIRE BRIGADES LOCAL LAW 2026

Under the powers conferred by the *Bush Fire Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Jerramungup resolved on _____ 2026 to make the following local law.

The *Shire of Pingelly Bush Fire Brigades Local Law 2023* as published in the *Government Gazette* on 22 August 2023 is adopted as a local law of the Shire of Jerramungup with the following modifications –

A. Title

In the title of the local law –

- (a) delete “Pingelly” and replace with “Jerramungup”
- (b) delete “2023” and replace with “2026”.

PART 1 -

1.1 Preliminary

In Part 1 wherever “Pingelly” is mentioned substitute “Jerramungup”.

1.2 Clause 1.1 – Citation

In clause 1.1 delete “2023” and replace with “2026”.

1.3 Clause 1.3 – Definitions

- (1) In clause 1.3(1) –
 - (a) in the definition of “Brigade officer” delete the words “he or she was” and replace with “they were”;
 - (b) delete the definition of “Committee”;
 - (c) insert after the definition of “District” –
Executive Committee means the Executive Committee of the Bush Fire Brigade;
 - (d) in the definition of “Local law” delete “2023” and replace with “2026”.
- (2) In clause 1.3(2)(d) insert the word “Bush” prior to the word “Fire”.

1.4 Clause 1.4 – Repeal

Delete the text of clause 1.4 and replace with –

The Shire of Jerramungup Bylaws Relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades, published in the *Government Gazette* on 13 July 1990 are repealed.

1.5 Clause 3.4 – Functions of Advisory Committee

In the title of clause 3.4 insert the words “Bush Fire” prior to the word “Advisory”.

1.6 Clause 3.5 – Advisory Committee to consider brigade motions

In the title of clause 3.5 insert the words “Bush Fire” prior to the word “Advisory”.

1.7 Clause 3.7 – Functions of a Bush Fire Control Officer

In clause 3.7 –

- (a) in subclause (3)(e) delete “(BFAC)”;
- (b) in subclause (3)(g) insert the word “Bush” prior to the word “Fire”, and
- (c) in subclause (3)(h) delete “FES” and replace with “DFES”.

1.8 Clause 3.9 – Roles and duties of Chief Bush Fire Control Officer

In clause 3.9 –

- (a) in subclause (4)(b) –
 - (i) delete “AIIMS” and replace with “Australasian Inter-service Incident Management System”;

- and
- (ii) delete "FCO" and replace with "Bush Fire Control Officer"; and
- (b) in subclause (4)(e) insert the word "Bush" prior to the word "Fire".

1.9 Clause 4.1 – Membership of a Bush Fire Brigade

In clause 4.1(f) delete ". A" and replace with ", providing that a".

1.10 Clause 4.2 – Operational members

Delete clause 4.2 and replace with –

4.2 Operational members

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

- (a) if less than 18 years of age –
 - (i) have 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; and
- (b) undertake all normal brigade activities and have completed the required training qualification as determined by the local government.

1.11 Clause 4.4 – Cadet members

In clause 4.4 –

- (a) in subclause (b) insert the word "written" prior to the word "consent"; and
- (b) in subclause (d) delete "and" after "(f)".

PART 2 - SCHEDULE 1

2.1 Clause 1.1 – Interpretation

In clause 1.1(2)(b) delete the word "committee" and insert the words "Executive Committee".

2.2 Clause 2.2 – Membership of executive Committee

In clause 3.2(1) insert the word "Bush" prior to the word "Fire".

2.3 Clause 3.1 – Chain of command during fire fighting activities

In clause 3.1 delete the word "Pingelly" and replace with "Jerramungup".

2.4 Clause 3.2 – Chain of command during fire fighting activities

In clause 3.2(b) delete the word "President" and replace with "Captain".

2.5 Clause 3.4 – Fire Control Officer

In Clause 3.4 –

- (a) delete the title of the clause and replace with "Bush Fire Control Officers";
- (b) in subclause (1) delete "FCOs are" and replace with the words "Bush Fire Control Officers may be"; and
- (c) in subclause (2) delete the words "the FCO" and replace with "Bush Fire Control Officers".

2.6 Clause 3.7 – Equipment Officer

In clause 3.7(2) delete the word "CBFCO" and replace with the words "Chief Bush Fire Control Officer"

2.7 Clause 4.2 – Applications for membership

Clause 4.2 is amended –

- (a) re-number the existing text as subclause (1);
- (b) after subclause (1), insert –
 - (2) The application to join a bush fire brigade is to be in the form as determined by DFES from time to time.

2.8 Clause 4.3 – Decision on application for membership

In clause 4.3(2) –

- (a) delete the words "he or she has" and replace with the words "they have"; and
- (b) delete subclause (3).

2.9 Clause 4.4 – Notification of membership

In clause 4.4(1) delete the words “made in accordance with clause 4.2” and replace with the words “approved in accordance with clause 4.3(1)”.

2.10 Clause 5.2 – Termination of membership

In clause 5.2(3) delete the words “he or she” and replace with the words “they”.

2.11 Clause 6.1 – Annual General Meeting

In clause 6.1(3)(b) delete the words “brigade’s nominee for” and replace with the words “determine any brigade nominees for Bush”.

2.12 Clause 6.6 – Quorum

In clause 6.6(2) delete “CBFCO” and replace with “Chief Bush Fire Control Officer”.

2.13 Clause 7.5 – Termination of membership

In clause 7.5(1) delete the words “he or she” and replace with the words “they”.

PART 3 - SCHEDULE 2

3.1 Schedule 2 – Membership form

Delete Schedule 2 – Membership form.

Dated _____ 2026

The Common Seal of the Shire of Jerramungup was affixed by authority of a resolution of Council in the presence of –

Nathan BROWN, President

Martin CUTHBERT, Chief Executive Officer