BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF JERRAMUNGUP

BUSH FIRE BRIGADES LOCAL LAW 2026

[Consolidation in accordance with Bush Fire Brigades Local Law 2025 as published in the Government Gazette No. 137 of 27 October 2026]

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This document is a consolidation for administrative use as required by the *Local Government Act 1995* section 5.96A(1)(b), and is not to be relied on for legal purposes.

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF JERRAMUNGUP

BUSH FIRE BRIGADES LOCAL LAW 2026

[Consolidation in accordance with Bush Fire Brigades Local Law 2025 as published in the Government Gazette No. 137 of 27 October 2026]

[Title amended by Government Gazette of 27 October 2026]

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the Shire of Jerramungup Bush Fire Brigades Local Law 2026.

[Clause 1.1 amended by Government Gazette of 27 October 2026]

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the Government Gazette.

1.3 Definitions

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

Act means the *Bush Fires Act 1954*;
Brigade area is defined in clause 2.1(3)(b);
Brigade member means any member referred to in clause 4.1;
Brigade officer means a person holding a position referred to in clause 2.2 (3), whether or not they were appointed by the local government or elected at an annual general meeting of a Bush Fire Brigade or otherwise appointed to the position;
Bush Fire Brigade is defined in section 7 of the Act;
Bush Fire Control Officer means a Bush Fire Control Officer appointed by the local government under section 38 the Act;
Bush fire operating procedures means the operating procedures adopted by the Council as amended from time to time;
CEO means the chief executive officer of the local government;
Chief Bush Fire Control Officer means the Chief Bush Fire Control Officer appointed under the Act;
Council means the Council of the Shire of Jerramungup;
DFES means the Department of Fire and Emergency Services;
direct communications is the act of transferring information from one place, person or group to another with confirmation of understanding and acknowledgement of receipt;
District means the area within the boundary of the Shire of Jerramungup;
Executive Committee means the Executive Committee of the Bush Fire Brigade;
Fire fighting member means a registered operational member of a Bush Fire Brigade;
Local Government means the Shire of Jerramungup;
Local law means the *Shire of Jerramungup Bush Fire Brigades Local Law 2025*;
normal brigade activities are defined by section 35A of the Act;
Regulations means Regulations made under the Act;
Rules means the Rules Governing the Operation of Bush Fire Brigades; and
Schedule means a schedule to this local law.

(2) In this local law, unless the context otherwise requires, a reference to—

(a) a Captain;

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(b) a First Lieutenant;
(c) a Second Lieutenant;
(d) Bush Fire Control Officer;
(e) any additional Lieutenants;
(f) a Training Officer;
(g) an Equipment Officer;
(h) a Secretary; or
(i) a Treasurer.

means a person holding that position in a Bush Fire Brigade.

[Clause 1.3 amended by Government Gazette of 27 October 2026]

1.4 Repeal

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 is repealed.

[Clause 1.4 amended by Government Gazette of 27 October 2026]

1.5 Application

This local law applies throughout the district.

PART 2 - ESTABLISHMENT AND CANCELLATION OF BUSH FIRE BRIGADES

Division 1 – Establishment of a Bush Fire Brigade

2.1 Establishment and naming 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).
(3) 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; and
  (b) specify the area in which the Bush Fire Brigade is primarily responsible for carrying out the normal brigade activities (the "brigade area").
(4) The local government must register the brigade in a register kept pursuant to section 41(2) of the Act.

2.2 Appointment of brigade officers

(1) On establishing a Bush Fire Brigade under clause 2.1(1) the local government is to appoint or provide for the election of brigade officers as defined in the Rules Governing the Operation of Bush Fire Brigades (Schedule 1 of this local law).
(2) When considering the appointment or election of brigade officers the local government is to consider the qualifications, experience and skills required to fill each position.
(3) A person appointed or elected to a brigade is taken to be a brigade member of that brigade.
(4) The appointments expire at the completion of the first annual general meeting of the Bush Fire Brigade.
(5) If a position becomes vacant prior to the completion of the first annual general meeting, then the local government may appoint a person to fill the vacancy.

Division 2 – Transitional

2.3 Existing Bush Fire Brigades

Where a local government has established a Bush Fire Brigade prior to the commencement date of this Local Law, from the commencement date –

(a) The Bush Fire Brigade is to be taken to be a Bush Fire Brigade established under and in accordance with this local law; and

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(b) any rules governing the operation of the Bush Fire Brigade are to be taken to have been repealed and substituted with the Rules.

Division 3 – Cancellation of a Bush Fire Brigade

2.4 Cancellation of a Bush Fire Brigade registration

The local government may cancel the registration of a Bush Fire Brigade, in accordance with section 41(3) of the Act, 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.

2.5 New arrangement after cancellation of registration

If the local government cancels the registration of a Bush Fire Brigade, the local government is to make alternative fire control arrangements for that brigade area.

PART 3 - OBJECTIVE, ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1 – Objectives of Bush Fire Brigades

3.1 Objectives

The objectives of the Bush Fire Brigade are to carry out –
(a) Normal Brigade activities; and
(b) the functions of the Bush Fire Brigade as specified in the Act, the Regulations and this local law.

Division 2 – Local Government Responsibility

3.2 Local government responsible for structure

The local government is to ensure that an appropriate structure through which the organisation of Bush Fire Brigades is maintained.

3.3 Bush Fire Brigade to be supplied with Act

The local government is to supply each Bush Fire Brigade with two copies of the Act, the Regulations, the Bush Fire Brigade operating procedures, relevant local government policies, 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 from time to time.

Division 3—Bush Fire Advisory Committee

3.4 Functions of Bush Fire 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 may be determined by the local government from time to time.

[Clause 3.4 amended by Government Gazette of 27 October 2026]

3.5 Bush Fire 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.

[Clause 3.5 amended by Government Gazette of 27 October 2026]

Division 4—Bush Fire Control Officers

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3.6 Local government to have regard to nominees for Bush Fire Control Officers

When considering the appointment of persons for the position of a Bush Fire Control Officer under section 38 of the Act, the local government is to have regard to persons nominated by any Bush Fire Brigade but is not bound to appoint the nominated person(s).

3.7 Functions of a Bush Fire Control Officer

(1) The statutory powers and duties of Bush Fire Control Offices shall be those contained in the Act.
(2) Under the provision of section 38 of the Act, the local government may appoint Bush Fire Control Officers generally or classes of Bush Fire Control Officers in order to carry out some or all the functions of the Act.
(3) The functions of a Bush Fire Control Officer, or classes of Bush Fire Control Officers, are to be as described in the Bush Fire Control Officer position description as below but not limited to—
    (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;
    (f) To take control of firefighting operations at a bush fire within their brigade area;
    (g) To take control of firefighting operations at a bush fire outside their brigade area where no other Bush Fire Control Officer is present; and
    (h) exercise any of the appropriate powers of the DFES Commissioner under the *Fire Brigades Act 1942*, in so far as the same may be necessary or expedient, for extinguishing a bush fire or for preventing the spread or extension of the fire.
(4) The local government may limit the area in which a Bush Fire Control Officer can carry out his functions to one or more specified Bush Fire Brigade area.

[Clause 3.7 amended by Government Gazette of 27 October 2026]

3.8 Local government to advise Bush Fire Advisory Committee of appointments

Within one month of the local government receiving a Bush Fire Brigade's nomination for persons to serve as Bush Fire Control Officers, the local government is to advise the Bush Fire Advisory Committee of the persons appointed by the local government as Bush Fire Control Officers.

Division 5 – Chief Bush Fire Control Officer

3.9 Role and duties of Chief Bush Fire Control Officer

(1) Subject to any directions of the CEO, the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of Bush Fire Brigades.
(2) The Chief Bush Fire Control Officer or his Deputy may attend as a non-voting representative of the local government, at any meeting of a Bush Fire Brigade.
(3) Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other Bush Fire Control Officers appointed by it.
(4) The duties of the Chief Bush Fire Control Officer are to be as described in the Chief Bush Fire Control Officer position description in addition to the Bush Fire Control Officers as below but not limited to –
    (a) Demonstrate positive leadership to Bush Fire Brigades;
    (b) Promote the use of Australasian Inter-service Incident Management System structure during response to Bush Fire Control Officers, Brigades and volunteer fire fighters;
    (c) Provide representation on the Bush Fire Advisory Committee, Regional Operations Advisory Committee and Local Emergency Management Committee;
    (d) Monitor Bush Fire Brigade resourcing, equipment and training levels with the district
    (e) Liaise with the local government and other Bush Fire Control Officers concerning fire prevention/suppression matters generally;

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(f) Make tactical decisions with regard to permits to burn, prescribed burning and other operational matters;
(g) Determine when Harvest and Vehicle movement bans should be implemented in conjunction with other officers and the local government; and
(h) During wildfire incidents manage the fire resources of the Shire and Brigades and where necessary fulfil role as incident controller.

[Clause 3.9 amended by Government Gazette of 27 October 2026]

PART 4 - BRIGADE MEMBERSHIP

Division 1—Types of Membership

4.1 Membership of a Bush Fire Brigade

The membership of a Bush Fire Brigade consists of the following –
(a) operational members;
(b) trainee members;
(c) support members;
(d) cadet members;
(e) life members; and
(f) honorary life members, providing that a person shall only have membership of one Bush Fire Brigade with the local government district at any given time.

[Clause 4.1 amended by Government Gazette of 27 October 2026]

4.2 Operational members

Operational members are those persons aged 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.

[Clause 4.2 amended by Government Gazette of 27 October 2026]

4.3 Trainee members

Members joining a Bush Fire Brigade shall be classified as trainee members until they completed the basic training qualification as determined by the local government from time to time.

4.4 Cadet members

Cadet members are –
(a) to be aged 11 to 15 years;
(b) to be admitted to membership only with the written consent of their parent or guardian;
(c) admitted for the purpose of training and are not to attend an uncontrolled fire or other emergency incident;
(d) to be supervised by an operational member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) of section 35A of the Act; and
(e) ineligible to vote at brigade meetings.

[Clause 4.4 amended by Government Gazette of 27 October 2026]

4.5 Support members

Support members are brigade members who are not otherwise classified as an operational member,

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trainee member or cadet member.

4.6 Life member

(1) The brigade may by a simple majority resolution appoint a person as a life member in recognition of services by that person to the Bush Fire Brigade.
(2) Only an Operational member can be appointed as a life member.

4.7 Honorary life member

(1) The brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the Bush Fire Brigade.
(2) Honorary life members are ineligible to vote at brigade meetings.

Division 2 – Command at a Fire

4.8 Interpretation

In this Division "in attendance" includes attendance –

(a) in person; or
(b) via direct communications.

4.9 Ranks within the Bush Fire Brigade

Where, under the Act, members of a 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; and
(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.

PART 5 - EQUIPMENT OF BUSH FIRE BRIGADES

5.1 Policies of local government

The local government may make policies to –

(a) provision funding to Bush Fire Brigades for the purchase of protective clothing, equipment and training; and
(b) keep Bush Fire Brigades informed of funding opportunities from other bodies.

5.2 Equipment in Bush Fire Brigade area

The Bush Fire Brigade is to report to the local government the quantity and quality of all protective clothing, equipment and appliances of the brigade when directed.

5.3 Funding from local government budget

A request to the local government from a Bush Fire Brigade for funding of protective clothing, equipment, training or appliance needs shall be submitted to the local government by a date advised by the CEO or delegate of the CEO, for consideration in the next following local government budget.

5.4 Consideration in the local government budget

The local government –

(a) may approve or decline an application for funding depending upon its assessment of budget

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priorities for the year in question; and

(b) shall advise Bush Fire Brigades of the final outcome of their individual requests for funding within a reasonable time frame.

PART 6 - APPLICATION OF RULES TO A BUSH FIRE BRIGADE

6.1 Rules to govern

(1) The Rules govern the operation of a Bush Fire Brigade.

(2) A Bush Fire Brigade and each Bush Fire Brigade member is to comply with the Rules.

(3) The Rules governing the operation of Bush Fire Brigades are detailed at Schedule 1.

SCHEDULE 1 – RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

PART 1 - PRELIMINARY

1.1 Interpretation

(1) 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 this local law, the Act or the Regulations, as the case may be.

(2) In these Rules, unless the context otherwise requires –

simple majority means a majority of more than 50% of members of –

(a) brigade members of a Bush Fire Brigade, present in person if the majority is required at a meeting of the Bush Fire Brigade; or

(b) brigade officers of the Bush Fire Brigade, present in person, if the majority is required at a meeting of the Executive Committee.

[Clause 1.1 amended by Government Gazette of 27 October 2026]

PART 2 - BUSH FIRE BRIGADE EXECUTIVE COMMITTEE

2.1 Management of a Bush Fire Brigade

(1) The administration and management of the affairs of a Bush Fire Brigade are vested in the Executive Committee, subject to the provisions of these Rules.

(2) The Executive Committee's functions include, but are not limited to –

(a) recommending amendments to these rules to the local government;

(b) approving the brigade's annual budget and presenting it at the brigade's annual general meeting;

(c) proposing a motion for consideration at any Bush Fire Brigade meeting;

(d) recommending to the local government equipment which needs to be supplied by the local government to the Bush Fire Brigade;

(e) investing or placing on deposit any Bush Fire Brigade funds not immediately required to perform normal brigade activities;

(f) delegating to a person, any Executive Committee functions (being less than the total functions of the Executive Committee) as considered reasonable, on any conditions it thinks fit;

(g) doing all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the Bush Fire Brigade; and

(h) dealing with membership applications, grievances, disputes and disciplinary matters.

2.2 Membership of Executive Committee

(1) The brigade Executive Committee is to consist of the Captain, Lieutenants, Bush Fire Control Officers, Secretary, Treasurer, and any other brigade members as may be determined by the Executive Committee from time to time.

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(2) The Executive Committee members are to—
  (a) be elected at the brigade's annual general meeting;
  (b) hold office until the next annual general meeting; and
  (c) be eligible for re-election at the next annual general meeting.

[Clause 2.2 amended by Government Gazette of 27 October 2026]

2.3 Termination of Executive Committee Membership

(1) Any Executive Committee member may be removed from office by a majority decision of the brigade members present in person at a special meeting called for such a purpose.
(2) If a position becomes vacant prior to the commencement of the annual general meeting, then the Bush Fire Brigade is to elect a person to fill the vacancy at a Bush Fire Brigade meeting.
(3) The local government is to be advised within 7 days of the removal of an Executive Committee member from office under subclause (1), or the election of a person to fill a vacancy under subclause (2).

2.4 Meetings of Executive Committee

(1) The Executive Committee is to meet for the dispatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
(2) The Captain or the Secretary, may convene a meeting of the Executive Committee at any time giving members a minimum of 3 days' notice.

2.5 Quorum

(1) The quorum for an Executive Committee meeting is 50% of members of the Executive Committee present, either in person or via direct communication.
(2) No business is to be transacted at an Executive Committee meeting, without a quorum of Executive Committee members.
(3) Subject to these Rules, a decision made by the Executive Committee may be made by a resolution passed by a simple majority of Executive Committee members who are present in person, via electronic communication.

2.6 Voting

(1) Each Executive Committee member is to have one vote.
(2) In the case of an equality of votes, the person presiding may exercise an additional casting vote.

PART 3 - FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the Bush Fires Act 1954 and Shire of Jerramungup Bush Fire Risk Management Plan.

[Clause 3.1 amended by Government Gazette of 27 October 2026]

3.2 Captain

The Captain assumes the role of the most senior operational member of the brigade and is to –
  (a) subject to subclause (b) below, preside at all meetings;
  (b) in the absence of the Captain, the meeting may elect another person to preside at the meeting;
  (c) promote the objectives of the Brigade;
  (d) demonstrate positive leadership and mentor members;
  (e) attend meetings as requested by the local government;
  (f) in the absence of a Bush Fire Control Officer take overall charge of fire suppression activities, and/or ensure the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
  (g) provide leadership for the Brigade and related administration;

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(h) ultimately undertake responsibility for the proper management and maintenance of Brigade property and equipment;
(i) deputise for the Bush Fire Control Officer at Bushfire Advisory Committee meetings when required;
(j) advise the Brigade on administrative matters;
(k) ensure Brigade members are adequately trained to carry out their functions in accordance with the Brigade standards;
(l) in the absence of a Bush Fire Control Officer conduct brigade briefings and post incident analysis of any incident involving fire fighting;
(m) conduct Brigade briefings and post incident analysis of any management issues;
(n) to ensure that the incident reports are submitted to the local government within 14 days of the occurrence; and
(o) ensure the behaviour of members is in accordance with the local government's code of conduct.

[Clause 3.2 amended by Government Gazette of 27 October 2026]

3.3 Lieutenants

(1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four.
(2) All Lieutenants shall be ranked numerically according to seniority.
(3) The first Lieutenant assumes the role of the second most senior operational member of the Brigade, and so on.
(4) The duties of the Lieutenant are to –
(a) provide support to the Captain;
(b) command and manage members during emergencies and other Brigade related activities;
(c) demonstrate positive leadership and mentor members;
(d) maintain open lines of communication and encourage positive interaction and teamwork between members;
(e) ensure Bush Fire Operating Procedures are adhered to during Brigade activities
(f) ensure members engaged in fire fighting activities hold competencies relevant to the task;
(g) work cohesively with the Brigade Training Officer and conduct training activities for members; and
(h) ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.4 Bush Fire Control Officers

(1) Bush Fire Control Officers may be nominated by the Brigade to the Bush Fire Advisory Committee and forwarded to the local government for consideration and ratification.
(2) Duties and responsibilities of Bush Fire Control Officers include –
(a) authorise permits for hazard reduction burns within the local government in accordance with the Act;
(b) identify and conduct risk assessments of fire hazards within the local government;
(c) perform duties prescribed by the Act and authorised by the local government;
(d) may take overall control of fire suppression activities or operational incidents where the local government is the Controlling Agency;
(e) maintain a personal incident diary to include a record of events and decisions during an incident; and
(f) conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues.

[Clause 3.4 amended by Government Gazette of 27 October 2026]

3.5 Secretary

The Secretary is to –
(a) keep a correct minute and account of the proceedings of all meetings of the Brigade and the Executive Committee which shall be open for inspection by brigade members at any reasonable

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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; and
(d) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership.
(e) Provide the local government a copy of the AGM minutes within 14 days of the meeting being held.

3.6 Treasurer

The Treasurer is to –

(a) receive donations and monies on behalf of the Brigade and deposit all monies to the credit of the Brigade's bank account;
(b) pay accounts as authorised by the Executive 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 Brigade; and
(e) report on the financial position at meetings of the Brigade or Executive Committee;
(f) prepare requests for funding for submission to the local government;
(g) prepare for submission to local government an annual statement of acquittal providing detail of expenditure of funding monies received; and
(h) make available the financial statements of the Brigade for review by the local government on request.

3.7 Equipment Officer

(1) The Equipment Officer is –
(a) responsible for the inspection and maintenance of all equipment and appliances as directed by the Brigade Captain;
(b) to report to the local government any damage incurred to brigade equipment as soon as practicable; and
(c) to report to the local government any maintenance required to brigade equipment as soon as practicable.
(2) In consultation with the Chief Bush Fire Control Officer an Equipment Officer may temporarily locate equipment at an alternative location from time to time for operational purposes.
(3) In the absence of this position the Captain will assume these responsibilities.

[Clause 3.7 amended by Government Gazette of 27 October 2026]

3.8 Training Officer

(1) The Training Officer is responsible for the coordination of brigade training under the direction of the Captain and the local government.
(2) In the absence of this position the Captain will assume these responsibilities.

PART 4 - MEMBERSHIP OF A BUSH FIRE BRIGADE

4.1 Conditions of membership

(1) Members of a Bush Fire Brigade shall comply with the Bush Fire Brigade operating procedures in carrying out normal brigade activities.
(2) In relation to any type of membership, as described in Part 4 of the local law, the local government may establish policies regarding –
(a) the qualifications required;
(b) fitness for duty;
(c) a requirement to serve a probationary period; and
(d) the Executive Committee's assessment of an application for membership.

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4.2 Applications for membership

(1) Applications for membership of a Bush Fire Brigade shall –
   (a) be submitted to the Captain or Secretary of the relevant Bush Fire Brigade, who shall forward a copy of the application to the Chief Bush Fire Control Officer within 1 week of the application being submitted; and
   (b) shall be determined by the Brigade's Executive Committee, who shall consider any advice received from the Chief Bush Fire Control Officer in relation to the application.

(2) An application to join a bush fire brigade is to be in the form as determined by DFES from time to time.

[Clause 4.2 amended by Government Gazette of 27 October 2026]

4.3 Decision on application for membership

(1) Subject to the local law and these rules, the Executive Committee may approve an application for membership unconditionally or subject to any conditions; or decline an application for membership.

(2) If the Executive Committee declines an application for membership, it is to give written notice to the applicant as soon as practicable after the decision is made and advise the applicant that they have the right to object to the local government.

[Clause 4.3 amended by Government Gazette of 27 October 2026]

4.4 Notification of membership

(1) All approved applications for membership forms are to be submitted to the local government within 1 week of the application being approved in accordance with clause 4.3(1) of the Rules.

(2) As soon as practicable after the Bush Fire Brigade annual general meeting, the local government will supply all Bush Fire Brigades with a list of current membership.

(3) Within 1 month of being provided a list under subclause (2), the Bush Fire Brigade must review the list and report any anomalies to the local government.

(4) The local government will supply the Chief Bush Fire Control Officer a list of current membership of any or all brigades upon request.

[Clause 4.4 amended by Government Gazette of 27 October 2026]

4.5 DFES to be notified of registrations

The local government is to supply details of any approved membership applications to DFES within 14 days of a person being admitted to membership in the form required by the DFES from time to time.

PART 5 - SUSPENSION AND TERMINATION OF MEMBERSHIP OF A BUSH FIRE BRIGADE

5.1 Suspension of membership

(1) Membership of the Bush Fire Brigade may be suspended at any time if, in the opinion of the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, circumstances warrant suspending the member.

(2) Without limiting the generality of subclause (1), a member of a Bush Fire Brigade may be suspended in the event the member –
   (a) contravenes the Act, the Regulations, the brigade operating procedures, this local law or the local government's Bush Fire Brigade policies;
   (b) has performed an unsafe act that jeopardizes the safety of the member or others;
   (c) has been charged with a criminal offence relevant to the member's role within the brigade and is awaiting court proceedings;
   (d) is unfit (physically, emotionally and/or mentally), or unable to perform the inherent requirements that could reasonably be expected of the role; or
   (e) has acted in a manner contrary to the local government's code of conduct policy.

(3) The suspended member may be excluded immediately from all or any specified Bush Fire Brigade

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activities.

(4) The period of suspension shall be determined by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, and a review of the suspension shall take place within three months of the date of suspension.

(5) Upon the expiry of the period of suspension the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer may –
  (a) extend the period of suspension;
  (b) terminate the membership; or
  (c) reinstate the membership.

5.2 Termination of membership

(1) Membership of the brigade terminates if the member—
  (a) dies;
  (b) gives written notice of resignation to the Executive Committee;
  (c) is dismissed by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, by reason of –
    (i) failing to comply with the objectives of the Bush Fire Brigade under clause 3.1 of the local law;
    (ii) failing to comply with the Act, the Regulations, the bush fire operating procedures, the local law or relevant local government policies;
    (iii) displaying conduct detrimental to the interests and reputation of the Bush Fire Brigade;
    (iv) being convicted of a criminal offence that in the opinion of the Chief Bush Fire Control Officer would ordinarily exclude the member from joining a brigade; or
    (v) has acted in a manner contrary to the local government's code of conduct policies.

(2) A brigade member who has had their membership to a brigade terminated for any of the reasons contained in 5.2(1)(c) is ineligible to join another Bush Fire Brigade within the local government district for 12 months or longer as determined by the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.

(3) A brigade member who, in the opinion of the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer, has not adequately fulfilled his or her role within the Bush Fire Brigade, and has not responded to any written correspondence requesting that they state their intentions, within 21 days, shall be deemed to have resigned from the Bush Fire Brigade.

(4) Where the local government reasonably considers that a member of a Bush Fire Brigade has behaved in a manner that may lead to termination, the local government may give notice to the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer requesting the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer to investigate the matter.

(5) Where a membership is terminated, all property owned by the Bush Fire Brigade or the local government that is held by or in the possession of the person whose membership has been terminated, shall be returned on demand to the Bush Fire Brigade or the local government

[Clause 5.2 amended by Government Gazette of 27 October 2026]

5.3 Member has right of defence

A Bush Fire Brigade member dismissed under clause 5.2(1)(c) or has his or her membership terminated under clause 5.1(5)(b), will be afforded the principle of natural justice through the right of reply to the Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.

5.4 Existing liabilities to continue

The resignation, or dismissal of a member under clause 5.2 or the suspension or termination of a member under clause 5.1 does not affect any liability of the Bush Fire Brigade member arising prior to the date of resignation, dismissal, suspension or termination as the case may be.

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5.5 Objection rights

(1) A person whose—
   (a) application for membership is refused under clause 4.3(1);
   (b) membership is terminated under clauses 5.2(1)(c)(v) or clause 5.1(5)(b); or
   (c) membership is suspended under clause 5.1(1) or clause 5.1(2), has a right of objection to the local government.

(2) Where a person lodges an objection to the local government under subclause (1), the local government may deal with 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 Executive Committee or the Chief Bush Fire Control Officer or the Chief Executive Officer.

(3) No further right of review is available under this local law in respect of a decision made by a local government pursuant to subclause (2).

PART 6 - MEETINGS OF THE BUSH FIRE BRIGADE

6.1 Annual General Meeting

(1) A Bush Fire Brigade is to hold its annual general meeting prior to the commencement of May each year.

(2) The Secretary is to give at least 14 days' notice in writing of the annual general meeting to all brigade members.

(3) At the annual general meeting the Bush Fire Brigade is to –
   (a) elect the brigade officers from among the brigade members;
   (b) determine any brigade nominees for Bush Fire Control Officer;
   (c) consider the Captain's report on the year's activities;
   (d) adopt the annual financial statements;
   (e) deal with any general business arising from the previous annual general meeting; and
   (f) deal with any business approved by the Captain.

[Clause 6.1 amended by Government Gazette of 27 October 2026]

6.2 Notification of Elected Office Bearers

(1) The Secretary is to forward a list of elected office bearers and contact details from the brigade's annual general meeting to the Chief Bush Fire Control Officer and the local government within 1 month of the annual general meeting.

(2) Where an office bearer is elected at a meeting other than an annual general meeting, the Secretary shall forward a revised list of the elected office bearers and contact details to the Chief Bush Fire Control Officer and the local government within 1 month of the meeting at which the office bearer is elected.

(3) If the local government lodges an objection to the election of an office bearer with the Bush Fire Brigade within 1 month of receiving the list of elected office bearers required under clause 6.2(1) or (2) of these Rules, the Bush Fire Brigade must elect an alternative office bearer to that position.

6.3 Ordinary/General meetings

Ordinary meetings may be called at any time by the Secretary by giving at least 7 days' notice to all brigade members.

6.4 Special General meetings

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

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(2) The Secretary is to give at least 14 days' notice of a special general meeting to all brigade members.
(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 general meeting beyond that specified in the notice given under subclause (3) in relation to that meeting.

6.5 Notice of a meeting

(1) Notices of meetings of the Bush Fire Brigade are to be in writing.
(2) The notice of a meeting shall –
  (a) set out the date, time and place of the meeting;
  (b) set out particulars of motions of which notice has been given; and
  (c) in the case of special meetings, set out particulars of the business to be transacted.
  (d) Notices of Executive Committee meetings may be given in writing in accordance with subclause (1) or by such other means as the Executive Committee may decide at an Executive Committee meeting.
(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 notice or any resolutions passed at the meeting.

6.6 Quorum

(1) Except for Executive Committee Meetings, the quorum for a meeting of the brigade is at least 50% of Executive Committee members and a total of not less than 7 members.
(2) Notwithstanding the provision of subsection (1) the Chief Bush Fire Control Officer may vary these requirements to with the approval of the local government.
(3) No business is to be transacted at a meeting of the Bush Fire Brigade unless a quorum of brigade members is present in person.

[Clause 6.6 amended by Government Gazette of 27 October 2026]

6.7 Voting

(1) Each eligible brigade member is to have 1 vote.
(2) Voting to be in the form of –
  (a) In person;
  (b) Pre arrange public electronic meeting format (i.e. ZOOM);
  (c) Public telephone conversation (i.e. speaker phone);
  (d) Voting via proxy is not permitted.
(3) In the event of an equality of votes, the person presiding may exercise a casting vote.
(4) Subject to these Rules, where a decision is to be made by the Bush Fire Brigade, then the decision may be made by a resolution passed by a majority of the brigade's members.

PART 7 - GENERAL ADMINISTRATION MATTERS

7.1 Funds

The funds of a Bush Fire Brigade are to be used solely for the purpose of fulfilling the objectives of the Bush Fire Brigade.

7.2 Financial year

The financial year of a Bush Fire Brigade is to commence on 1 July and end on 30 June of the following year.

7.3 Banking

(1) The funds of a Bush Fire Brigade are to be placed in the Bush Fire Brigade's bank account and are to be drawn on only by –

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(a) cheques signed jointly by any 2, of the Captain, 1st Lieutenant, Secretary or Treasurer; or
(b) authorised use of electronic banking by the Secretary or Treasurer in accordance with subclause (2).

(2) For the purposes of subclause (1)(b), any 2 of the Captain, 1st Lieutenant, Secretary or Treasurer may authorise in writing the use of electronic banking to draw on the brigade's funds.

7.4 Auditing

(1) The Bush Fire Brigade shall supply on request to the local government the brigade's full financial records for the financial year.

(2) The local government may request the brigade's financial and accounting records for a review at any time.

7.5 Disclosure of interests

(1) A brigade member shall disclose to the Bush Fire Brigade or the Executive Committee any financial or personal interest (whether direct, indirect or perceived) they may have in any matter being considered by the Bush Fire Brigade or the Executive Committee, as appropriate.

(2) If an interest has been disclosed under subclause (1), then the Bush Fire Brigade or Executive 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 Executive Committee, as appropriate, decides under subclause (2), that a brigade member is not permitted to vote on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

[Clause 7.5 amended by Government Gazette of 27 October 2026]

7.6 Dispute Resolution

(1) Any dispute between brigade members may be referred to the Captain or to the Executive Committee for resolution.

(2) Where a dispute referred under subclause (1) is considered by the Captain or the Executive Committee to concern the general interests of the Bush Fire Brigade, then the Captain or the Executive Committee, is to refer the dispute to the annual general meeting, an ordinary meeting or a special general 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 dispute which is not resolved under subclause (1) or (2).

PART 8 - NOTICES

8.1 Notices

Where any notice other than a notice of meeting is to be given under these Rules, the notice may be given by –

(a) personal delivery;
(b) post;
(c) Email;
(d) short message service (SMS) or the like; or
(e) facsimile transmission, or
(f) any other method approved by the local government.

SCHEDULE 2 – DELETED

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Dated 10 September 2026

[Adopted from the Shire of Pingelly Bush Fire Brigades Local Law 2025 as published in the Government Gazette 22 August 2023]

Nathan BROWN, President

Martin CUTHBERT, Chief Executive Officer

Administrative notes -

1. Adopted by reference from Shire of Pingelly Bush Fire Brigade Local Law as published in the *Government Gazette* on 22 August 2023, and amended as published in *Government Gazette* on 27 October 2026.
2. Gazette incorrectly gives the title of clause 7.5 as *Termination of membership*, when it should be *Disclosure of interest*s.

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