

**LOCAL GOVERNMENT ACT 1995**

**BUSH FIRES ACT 1954**

*City of Gosnells*

**BUSH FIRE BRIGADE LOCAL LAW 2023**

Under the powers conferred by the *Local Government Act 1995*, the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the City of Gosnells resolved on 23 May 2023 to make the following local law.

**PART 1—PRELIMINARY**

**1.1 Citation**

This local law may be cited as the City of Gosnells Bush Fire Brigade Local Law 2023.

**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 Interpretation**

In this local law unless the context otherwise requires—

***Act*** means the *Bush Fires Act 1954*;

***brigade area*** means the district;

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

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

***bush fire brigade operating procedures*** means the Brigade Operating Procedures approved by the Chief Executive Officer as amended from time to time;

***Chief Executive Officer*** means the Chief Executive Officer of the City of Gosnells;

***district*** means the district of the local government;

***local government*** means the City of Gosnells;

***normal brigade activities*** are defined by section 35A of the Act; and

***State Government*** means the State Government of Western Australia.

**1.4 Application**

This local law applies throughout the district.

**PART 2—BUSH FIRE BRIGADE**

**2.1 Establishment of 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) A bush fire brigade established by the local government prior to the day on which this local law comes into operation is to be taken to be a bush fire brigade established under and in accordance with this local law.

**2.2 Name and Officers of a 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) ensure appropriate processes are in place to appoint—

(i) a Captain (also a Bush Fire Control Officer);

(ii) a First Lieutenant;

(iii) a Second Lieutenant; and

(iv) additional Lieutenants if the local government considers it necessary.

(2) When considering the appointment of a person to the positions in subclause (1)(b), the local government is to have regard to the qualifications and experience which may be required to fill the position.

**2.3 Duties of Captain and other brigade officers**

(1) The duties of the Captain are to—

(a) provide leadership to the bush fire brigade;

(b) liaise with the local government concerning bushfire risk mitigation and brigade activities.

(2) The duties of other brigade officers are to support the Captain in the exercise of their duties.

**2.4 Meetings of bush fire brigade**

(1) All bush fire brigade meetings are to be conducted in accordance with the bush fire brigade operating procedures.

(2) In this clause, a reference to a bush fire brigade meeting means—

(a) an annual general meeting of a bush fire brigade to be held in June of each year;

- (b) an ordinary meeting of a bush fire brigade; or
  - (c) a special meeting of a bush fire brigade.
- (3) The Captain is to forward a copy of the minutes of the annual general meeting of the bush fire brigade to the local government within one month after the meeting.

### **PART 3—ADMINISTRATION OF BUSH FIRE BRIGADE**

#### **3.1 Local government responsible for structure**

- (1) The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.
- (2) The Chief Executive Officer is to establish and implement bush fire brigade operating procedures.
- (3) The local government may make other applicable rules, policies and procedures as determined necessary by the local government.

#### **3.2 Equipment in bush fire brigade area**

- (1) The local government is to provide the bush fire brigade with appliances, equipment and apparatus for which funding has been provided by the State Government.
- (2) The local government may provide the bush fire brigade with additional appliances, equipment, or funding at its discretion.

Dated 1st June 2023.

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

TERRESA LYNES, Mayor.  
IAN COWIE PSM, Chief Executive Officer.

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