

Council

POLICY REVIEW – INVESTMENTS

Policy Showing Changes

Meeting Date: 13 August 2019

Number of Pages : 3

INVESTMENTS

DIVISION	BUSINESS UNIT	RESPONSIBILITY AREA
Corporate Services	Finance	Revenue Investment

OBJECTIVE:

To document and provide the necessary information for the delegated officers to invest surplus funds.

POLICY:

1. Purpose of Policy

1.1 The purpose of this policy is to ensure that:

- a) The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);
- b) At all times, the Council has in place a current set of policies and delegations for its Investments Officers; and
- c) Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

2. Prudent Person Rule

2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.

2.2 The main features of the prudent person rule include:

- a) Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
- b) A duty to invest funds in investments that are not speculative or hazardous.

2.3 In exercising powers of investment, there are important matters for consideration:

- a) The purpose of the investment and the needs and circumstances;
- b) The desirability of diversifying investments and the nature of and risk associated with existing investments;
- c) The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation. The potential for capital appreciation;
- d) The likely income return and timing of the income return. The length of the term of the proposed investment;
- e) The liquidity and marketability of the proposed investment. The aggregate value of the investment;
- f) The effect of the proposed investment in relation to the tax liability (if any);
- g) The likelihood of inflation affecting the value of the proposed investment; and

- h) The costs of making the proposed investment; the results of a review of existing investments.
3. Investment Objectives
- 3.1 To add value through prudent investment of funds.
- 3.2 To support the local community bank without putting the Shire's surplus funds to any undue risk.
- 3.3 To have ready access to funds for day-to-day requirements, without penalty.
- 3.4 To utilise the benefits of the Western Australian Treasury Corporation (WATC) Investment Facility.
4. Authority to Invest
- 4.1 The Shire of Plantagenet's surplus funds are to be invested in term deposits or negotiable certificates of deposit with Western Australian Treasury Corporation, Bendigo and Adelaide Bank and other banks with branches in Mount Barker or Albany, subject to their Standard and Poor's long term credit rating being at least BBB+ and the short term rating being at least A-2. Any proposal to invest funds in any other institution not referred to above, for whatever reason, is to be referred to the Council.
- 4.2 Investments from the municipal, loan and reserve accounts are to be kept separate and distinct from the trust account.
- 4.3 Funds may be invested for terms ranging from one to six months based on predicted cash flow requirements.
- 4.4 The ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services places, withdraws or re-invests sums up to \$500,000.00 jointly with the Senior Administration Officer - Finance or Chief Executive Officer, in accordance with the Chief Executive Officer's delegation.
- 4.5 The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services or Senior Administration Officer - Finance in accordance with the Chief Executive Officer's delegation.
5. Review and Reporting
- 5.1 A cash flow report is to be monitored by the Senior Administration Officer - Finance at least weekly to ensure cash funds are available to meet commitments.
- 5.2 Investments will be managed actively as they mature with reviews by the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services on a monthly basis.
- 5.3 Bendigo and Adelaide Bank's short term credit rating as defined by Standard and Poors is to be monitored on a monthly basis by the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services. Any downgrading of the long term BBB+ or short term A-2 rating is to be reported to the Council.
- 5.4 For audit purposes, certificates must be obtained from the WATC and bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'

ADOPTED: NOVEMBER 1998

LAST REVIEWED: 24 APRIL 2018

Council

LOCAL LAWS REVIEW – STANDING ORDERS

Standing Orders Local Law 2019

Meeting Date: 13 August 2019

Number of Pages : 38

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LOCAL GOVERNMENT ACT 1995

SHIRE OF PLANTAGENET

STANDING ORDERS LOCAL LAW 2019

LOCAL GOVERNMENT ACT 1995
SHIRE OF PLANTAGENET
STANDING ORDERS LOCAL LAW 2019
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LOCAL GOVERNMENT ACT 1955

SHIRE OF PLANTAGENET

STANDING ORDERS LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1955* and under all other powers enabling it, the Council of the Shire of Plantagenet resolved on [date to be inserted] to make the following local law.

Part 1 – Preliminary

1.1 Citation

This local law may be cited as the *Shire of Plantagenet Standing Orders Local Law 2019*.

1.2 Commencement

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

1.3 Purpose and intent

- (1) The purpose of the local law is to provide for the conduct of meetings of the Council, Committees and electors.
- (2) This local law is intended to result in:
 - (a) better decision-making at meetings;
 - (b) the orderly and efficient conduct of meetings;
 - (c) greater community participation and understanding of the business of the Council; and
 - (d) more open and accountable local government.

1.4 Application

All meetings of the Council, committees and the electors are to be conducted in accordance with the Act, the Regulations and this local law.

1.5 Repeal

The *Shire of Plantagenet Standing Orders Amendment Local Law 2008* as published in the *Government Gazette* on 11 April 2008 and the *Shire of Plantagenet Local Law Relating to Standing Orders* as published in the *Government Gazette* on 11 September 2000 are repealed on the day this local law comes into operation.

1.6 Interpretation

In this local law, unless the contrary intention appears-

absolute majority has the meaning given to it in the Act;

Act means the Local Government Act 1995;

CEO means the Chief Executive Officer of the Shire;

committee means a committee of the council (established under section 5.8 of the Act);

Council means the Council of the Shire;

Councillor has the same meaning as is given to it in the Act;

Deputy President means the deputy president of the Shire

employee has the same meaning as is given to it in the Act;

Local Government means the Shire

meeting means a meeting of the Council or of a committee, or an electors' meeting, as the context requires;

member has the same meaning as given to it in the Act;

Minister means the Minister responsible for administering the Act;

minor amendment in relation to a motion, means an amendment which does not alter the basic intent of the motion to which the amendment applies;

President means the president of the Shire;

presiding person means the person presiding at a meeting;

Regulations means the Local Government (Administration) Regulations 1996;

Rules of Conduct Regulations means the Local Government (Rules of Conduct) Regulations 2007,

Shire means the Shire of Plantagenet;

simple majority means more than 50% of the members present and voting;

substantive motion means an original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion.

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include:
 - (a) the terms of reference of the committee;
 - (b) the number of Council members, employees and other persons to be appointed to the committee;
 - (c) the names or titles of the Council members and employees to be appointed to the committee;
 - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
 - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) This local law is to apply to the conduct of committee meetings.

2.2 Types of committees

The types of committees are dealt with in the Act.

2.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.

2.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

2.5 Appointment of committee members

The appointment of committee members is dealt with in the Act.

2.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

2.7 Resignation of committee members

The resignation of committee members is dealt with in the Regulations.

2.8 Register of delegations to committees

The register of delegations to committees is dealt with in the Act.

2.9 Committees to report

A committee:

- (a) is answerable to the Council; and
- (b) is to report on its activities when, and to the extent, required by the Council.

Part 3 – Calling and convening meetings

3.1 Ordinary and special Council meetings

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

3.2 Calling Council meetings

The calling of Council meetings is dealt with in the Act.

3.3 Convening Council meetings

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to subclause (3), the CEO is to give at least 72 hours notice, for the purposes of section 5.5 of the Act, in convening a special meeting of the Council.
- (3) Where, in the opinion of the President or at least one-third of the members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

3.4 Calling committee meetings

A meeting of a committee is to be held –

- (1) If called for in a verbal or written request to the CEO by the President or the presiding member of the committee, advising the date and purpose of the proposed meeting;
- (2) If called for by at least one-third of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting; or
- (3) In accordance with a decision of the Council or the committee.

3.5 Convening committee meetings

- (1) The CEO is to convene a committee meeting by giving each member of the committee notice of the date, time and place of the meeting and an agenda for the meeting
- (2) Subject to subclause (3), the CEO is to give at least 72 hours' notice, for the purposes of subclause (1), in convening a meeting of a committee.
- (3) Where, in the opinion of the President, the presiding member of the committee or at least one-third of the members of the committee, there is a need to meet urgently, the CEO may give a lesser period of notice of a committee meeting.

3.6 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

Part 4 – Presiding member and quorum

Division 1: Who presides

4.1 Who presides

Who presides at a Council meeting is dealt with in the Act.

4.2 When the Deputy President can act

When the Deputy President can act is dealt with in the Act.

4.3 Who acts if no President

Who acts if there is no President is dealt with in the Act.

4.4 Election of presiding members of committees

The election of presiding members of committees and their deputies is dealt with in the Act.

4.5 Election of deputy presiding members of committees

The election of deputy presiding members of committees is dealt with in the Act.

4.6 Functions of deputy presiding members

The functions of deputy presiding members are dealt with in the Act.

4.7 Who acts if no presiding member

Who acts if no presiding member is dealt with in the Act.

Division 2 – Quorum

4.8 Quorum for meetings

The quorum for meetings is dealt with in the Act.

4.9 Reduction of quorum for Council meetings

The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.

4.10 Reduction of quorum for committee meetings

The reduction of a quorum for committee meetings is dealt with in the Act.

4.11 Procedure where no quorum to begin a meeting

The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.

4.12 Procedure where quorum not present during a meeting

If at any time during a meeting a quorum is not present, the presiding member is:

- (1) immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
- (2) if a quorum is not present at the expiry of that period, the presiding member is to adjourn the meeting to some future time or date.

4.13 Names to be recorded

At any meeting:

- (1) at which there is not a quorum present; or
- (2) which is adjourned for want of a quorum, the names of the members then present are to be recorded in the minutes.

Part 5 – Business of a meeting

5.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or the Council.
- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

- (3) No business is to be transacted at a committee meeting other than that specified in the agenda or in the notice of the meeting as the purpose of the meeting, without the approval of the presiding member or the committee.
- (4) Where a Council meeting is adjourned to the next ordinary meeting of the Council, the business unresolved at the meeting that is adjourned is to be dealt with as soon as practicable after the confirmation of the minutes of the previous meeting.
- (5) Where a committee meeting is adjourned to the next ordinary committee meeting, the business unresolved at the meeting that is adjourned is to be dealt with as soon as practicable after the confirmation of the minutes of the previous meeting.
- (6) Where a Council or committee meeting is adjourned to a meeting not described in subclauses (4) or (5), no business is to be transacted at that later meeting other than that:
 - (a) is specified in the notice of the meeting that is adjourned; and
 - (b) which remains unresolved.

5.2 Order of business

- (1) The order of business of an ordinary meeting of the Council or a committee must be determined by the Council from time to time.
- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council or a committee, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

5.3 Motions of which previous notice has been given

- (1) Unless the Act, Regulations or this local law otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.
- (2) A notice of motion under subclause (1) is to be given at least 5 clear working days before the meeting at which the motion is moved.
- (3) A notice of motion is to relate to the good governance of the district.
- (4) The CEO -
 - (a) with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of this local law or any other written law;
 - (b) must inform members on each occasion that a notice has been excluded and the reasons for that exclusion;
 - (c) may, after consultation with the member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
 - (d) may provide to the meeting relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.

- (5) A motion of which notice has been given is to lapse unless:
 - (a) the member who gave notice of it, or some other member authorised by the originating member in writing, moves the motion when called on; or
 - (b) the meeting on a motion agrees to defer consideration of the motion to a later stage or date.
- (6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

5.4 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the presiding member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters –
 - (a) that have arisen after the preparation of the agenda that are considered by the presiding member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council or committee before the next meeting; and
 - (b) that, if not dealt with at the meeting, are likely to –
 - (i) have a significant adverse effect (financially or otherwise) on the Local Government; or
 - (ii) result in a contravention of a written law.
- (3) Before debate begins on a matter under this clause that is not the subject of a written employee report to the meeting –
 - (a) the presiding member is to ask the CEO to give; and
 - (b) the CEO, or the CEO's nominee, is to give, a verbal report to the meeting.
- (4) The minutes of the meeting are to include –
 - (a) a summary of the verbal report and any recommendations of the CEO or the CEO's nominee; and
 - (b) the reasons for any decision made at the meeting that is significantly different from any advice or recommendations of the CEO or the CEO's nominee.

5.5 Motions without notice

A motion moved without notice, must be worded so as to refer to a particular matter for investigation and report to a committee for consideration of the Council at a later date, or directly to Council.

5.6 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, recommendations from any committee or, for a number of specifically identified reports, the employee recommendation as the Council resolution.

- (2) Subject to subclause (3), the Council may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter:
 - (a) that requires an absolute majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or
 - (e) that is a matter on which a member wishes to move a motion that is different to the recommendation.

Part 6 – Public participation

6.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried:
 - (a) the presiding member is to direct everyone to leave the meeting except:
 - (i) the members;
 - (ii) the CEO;
 - (iii) any employee specified by the presiding member; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the presiding member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the presiding member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including the vote of a member or members that is required under clause 13.4(3) to be included in the minutes.

6.3 Question time for the public

Question time for the public is dealt with in the Act.

6.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Regulations.

6.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Regulations.

6.6 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

6.7 Other procedures for question time for the public

- (1) A member of the public who raises a question during question time, is to state his or her name and address.
- (2) A question may be taken on notice by the Council or a committee for later response.
- (3) When a question is taken on notice the CEO is to ensure that:
 - (a) a response is given to the member of the public in writing; and
 - (b) a summary of the response is included in the agenda of the next meeting of the Council or the committee.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
 - (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (5) Where a member of the public provides written questions then the presiding member may elect for the questions to be responded to as normal business correspondence.
- (6) The presiding member may decide that a public question must not be responded to where:
 - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
 - (b) the member of the public uses public question time to make a statement, provided that the presiding member has taken reasonable steps to assist the member of the public to phrase the statement as a question; or
 - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the presiding member has taken reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (7) The presiding member may agree to extend public question time.
- (8) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.
- (9) In this clause: “**relevant person**” has the same meaning as in section 5.59 of the Act.

6.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council, the presiding member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor must be recorded in the minutes.

6.9 Deputations

- (1) Any person or group wishing to be received as a deputation by the Council or a committee, is to either:
 - (a) apply, before the meeting, to the President for approval; or
 - (b) with the approval of the presiding member, at the meeting, address the Council or a committee.
- (2) Any application for a deputation is to include details of the topic on which the deputation is to be made and a brief outline of the contents of the proposed submission which will be made during the deputation.
- (3) The President may either:
 - (a) approve the request and invite the deputation to attend a meeting of the Council or committee; or
 - (b) refer the request to the Council or the committee to decide by simple majority whether or not to receive the deputation.
- (4) Unless the Council or committee resolves otherwise, a deputation invited to attend a Council or committee meeting:
 - (a) is not to exceed 5 persons, only 2 of whom may address the Council or a committee, although others may respond to specific questions from members;
 - (b) is not to address the Council or a committee for a period exceeding 10 minutes without the agreement of the Council; and
 - (c) an extension of time and the increase in number of speaking members of the deputation may be allowed with the leave of the presiding member.
- (5) Unless decided otherwise by the President or presiding member of a committee, the number of deputations approved for any meeting must not exceed four.
- (6) Any matter which is the subject of a deputation to the Council or a committee is not to be decided by the Council or the committee until the deputation has completed its presentation.

6.10 Petitions

- (1) Where a member or the CEO receives a petition conforming to the requirements of clause 6.10 (2), that petition is to be presented to the next Council meeting.
- (2) Except where required by the Act, the Regulations or any other written law, any petition to the Council:
 - (a) must be addressed to the Council;
 - (b) state the name and address of the person to whom correspondence in respect of the petition may be served; and

- (c) be in the form detailed in Schedule 1 of this local law.
- (3) Once a petition is presented to the Council, a motion may be moved to receive the petition and refer it to the CEO for action.

6.11 Presentations

- (1) In this clause, a ***presentation*** means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.
- (2) A presentation may be made to the Council at a meeting only with the prior approval of the President.

6.12 Participation at committee meetings

- (1) In this clause a reference to a ***person*** is to a person who:
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) Without the consent of the presiding member, no person is to address a committee meeting.
- (3) The presiding member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes on a recommendation contained in a report to the committee, with a maximum of 3 speakers for the recommendation and 3 speakers against the recommendation.
- (4) A person addressing the committee with the consent of the presiding member is to cease that address immediately after being directed to do so by the presiding member.
- (5) A person who fails to comply with a direction of the presiding member under subclause (4) may, by order of the presiding member, be removed from the committee room.
- (6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

6.13 Council may meet to hear public submissions

- (1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.
- (2) The CEO and the President must set the time and date of the meeting to provide the opportunity to be heard.
- (3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the presiding member must:
 - (a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;

- (b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
 - (c) cause minutes to be kept of the meeting to provide the opportunity to be heard.
- (4) A meeting held under subclause (1) must be conducted only to hear submissions but a member may, at any time with leave of the presiding member, ask a question to seek to clarify any aspect of a submission. The Council must not make resolutions at a meeting held under subclause (1).
 - (5) At a meeting held under subclause (1), each person making a submission must be provided with the opportunity to fully state his or her case.
 - (6) A member of the public must be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the presiding member.
 - (7) Once every member of the public has had the opportunity to make a submission the presiding member is to close the meeting.
 - (8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.
 - (9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

6.14 Public Inspection of agenda materials

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at the Shire's administration office, any Shire library or on the Local Government's website.

6.15 Confidentiality of information withheld

- (1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be:
 - (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed"; and
 - (b) marked "*Confidential*" in the agenda.
- (2) A member or an employee who has:
 - (a) confidential information under subclause (1); or
 - (b) information that is provided or disclosed during a meeting or part of a meeting that is closed to the public,
 is not to disclose any of that information to any person other than member employee to the extent necessary for the purpose of carrying out his or her functions.
- (3) Subclause (2) does not prevent a member or employee from disclosing the information;
 - (a) at a closed meeting;
 - (b) to the extent specified by Council and subject to such other conditions as the Council determines;
 - (c) that is already in the public domain;

- (d) to an officer of the Department;
 - (e) to the Minister;
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.
- (4) The Council may by resolution declare that any information withheld under clause 6.15 (1) must remain confidential for a specified period or indefinitely.

6.16 Recording of proceedings

- (1) A person is not to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council, any committee or electors meeting without the permission of the presiding member.
- (2) If the presiding member gives permission under subclause (1), the presiding member is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

6.17 Standard of conduct

- (1) A reference in this clause to a person is to a person other than a member.
- (2) A person at a meeting:
 - (a) addressing the Council or a committee must, when invited to speak, extend due courtesy and respect to the person presiding and others at the meeting;
 - (b) must not reflect adversely on the character or actions of any member or employee;
 - (c) must not impute any motive to a member or employee;
 - (d) must not use offensive or objectionable expressions;
 - (e) must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether expressing approval or dissent, by conversing or by any other means;
 - (f) must ensure that his or her mobile telephone or audible pager is not switched on or used; and
 - (g) must not behave in a manner that is contrary to section 75 of the Criminal Code.
- (3) The presiding person may warn a person who fails to comply with this clause.
- (4) If –
 - (a) after being warned, the person acts contrary to this clause, or to this local law; or
 - (b) the person refuses or fails to comply with a direction by the presiding member,
 the presiding member may expel the person from the meeting by ordering him or her to leave the meeting room.
- (5) A person who is ordered to leave the meeting room and fails to do so may, by order of the presiding person, be removed from the meeting room and, if the presiding person orders, from the premises.

6.18 Right of reply

- (1) A member who is aggrieved by a statement made (including a question asked) by a member of the public at a meeting may, with the leave of the presiding member, reply to that statement.
- (2) A reply under this clause is to be confined to a succinct response to the specific part of the statement in respect of which the member is aggrieved.

Part 7 – Questions by members

7.1 With due notice

- (1) A question on notice is to be given by a member in writing to the CEO at least four (4) clear business days before the meeting at which it is raised.
- (2) If the question referred to in subclause (1) is in order, the answer is, so far as practicable, to be included in written form in the agenda of the meeting. Or otherwise tabled at that meeting.
- (3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the presiding member.

7.2 Without due notice

- (1) Members may ask questions relating to an item on the notice paper or on matters related to the good government of persons in the district.
- (2) A member requesting general information from an employee at a Council or committee meeting may ask a question without notice and with the consent of the presiding member, may ask one or more further questions of that employee or another employee present at the meeting.
- (3) Where possible the employee must endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the employee may ask that -
 - (a) the question be placed on notice for the next meeting of Council; or committee and
 - (b) the answer to the question be given to the member who asked it within 14 days.
- (4) Every question and answer -
 - (a) is to be brief and concise; and
 - (b) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.

- (5) In answering any question, an employee may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

Part 8 – Conduct of members

8.1 Members to be in their proper places

- (1) At the first meeting held after each election day, or at any other time considered necessary, each member is to be allocated a seat at the Council table by the Council.
- (2) Each member is to occupy his or her position allotted position at each Council or committee meeting.

8.2 Respect to the presiding member

After the business of a Council or a committee has been commenced, a member is not to enter or leave the meeting without first paying due respect to the presiding member.

8.3 Titles to be used

A speaker, when referring to the President, Deputy President or presiding member, or a member or employee, is to use the title of that person's office.

8.4 Advice of entry or departure

A member is not to enter or leave the meeting without first advising the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

8.5 Members to indicate their intention to speak

A member of the Council who wishes to speak is to indicate his or her intention to speak by raising his or her hand or by another method agreed by the Council.

8.6 Priority of speaking

- (1) Where two or more members indicate, at the same time, their intention to speak, the presiding member is to decide which member is entitled to be heard first.
- (2) A decision of the presiding member under subclause (1) is not open to discussion or dissent.
- (3) A member is to cease speaking immediately after being asked to do so by the presiding member.

8.7 Presiding member may take part in debates

The presiding member may take part in a discussion of any matter before the Council or a committee, subject to compliance with this local law.

8.8 Relevance

A member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

8.9 Speaking twice

A member is not to address the Council or a committee more than once on any motion or amendment except:

- (a) as the mover of a substantive motion, to exercise a right of reply;
- (b) to raise a point of order; or
- (c) to make a personal explanation.

8.10 Duration of speeches

- (1) A member is not to speak on any matter for more than 5 minutes without the consent of the Council or a committee which, if given, is to be given without debate.
- (2) An extension under this clause cannot be given to allow a member's total speaking time to exceed 10 minutes.

8.11 No speaking after conclusion of debate

A member is not to speak on any motion or amendment:

- (a) after the mover has replied; or
- (b) after the question has been put.

8.12 No interruption

A member is not to interrupt another member who is speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 8.13; or
- (d) to move a procedural motion that the member be no longer heard (see clause 11(1)(e)).

8.13 Personal explanations

- (1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking is to indicate to the presiding member his or her intention to make a personal explanation.
- (2) The presiding member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other member.

- (3) A member making a personal explanation is to confine his or her observations to a succinct statement relating to a specific part of the speech at which he or she may have been misunderstood.

8.14 No reopening of discussion

A member is not to reopen discussion on any Council or committee decision, except to move that the decision be revoked or changed.

8.15 Adverse reflection

- (1) A member is not to reflect adversely on a decision of the Council or committee except -
 - (a) on a motion that the decision be revoked or changed; or
 - (b) where the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.
- (2) A member is not:
 - (a) to reflect adversely on the character or actions of another member or employee; or
 - (b) to impute any motive to a member or employee, unless the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.
- (3) A member is not to use offensive or objectionable expressions in reference to any member, employee or other person.
- (4) If a member specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes:
 - (a) the presiding member is to cause the words used to be taken down and read to the meeting for verification; and
 - (b) the Council or committee may, by resolution, decide to record those words in the minutes.

8.16 Withdrawal of offensive language

- (1) A member who, in the opinion of the presiding member, uses an expression which:
 - (a) in the absence of a resolution under clause 8.15(2):
 - (i) reflects adversely on the character or actions of another member or employee; or
 - (ii) imputes any motive to a member or employee; or
 - (b) is offensive or insulting,
must, when directed by the presiding member, withdraw the expression and make a satisfactory apology.
- (2) If a member fails to comply with a direction of the presiding member under subclause (1), the presiding member may direct the member to refrain from taking any further part in the debate of that item, other than by voting, and the member must comply with that direction.

Part 9 – Preserving order

9.1 Presiding member to preserve order

- (1) The presiding member is to preserve order, and, whenever he or she considers necessary, may call any member to order.
- (2) When the presiding member speaks during a debate, any member then speaking, or indicating that he or she wishes to speak, is to preserve strict silence so that the presiding member may be heard without interruption.
- (3) Subclause (2) is not to be used by the presiding member to exercise the right provided in clause 8.7, but to preserve order.

9.2 Point of order

- (1) A member may object, by way of a point of order, only to a breach of:
 - (a) any of this local law; or
 - (b) any other written law.
- (2) Despite anything in this local law to the contrary, a point of order:
 - (a) takes precedence over any discussion; and
 - (b) until determined, suspends the consideration or discussion of any other matter.

9.3 Procedures on a point of order

- (1) A member who is addressing the presiding member is not to be interrupted except on a point of order.
- (2) A member interrupted on a point of order is to resume his or her seat until:
 - (a) the member raising the point of order has been heard; and
 - (b) the presiding member has ruled on the point of order, and, if permitted, the member who has been interrupted may then proceed.

9.4 Calling attention to breach

A member may, at any time, draw the attention of the Presiding Member to any breach of this local law.

9.5 Ruling by the presiding member

- (1) The presiding member is to rule on any point of order which is raised by either upholding or rejecting the point of order;
- (2) A ruling by the presiding member on a point of order is to be final unless the majority of members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling;
- (3) Subject to a motion of dissent being carried under subclause (2), if the presiding member rules that:

- (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
- (b) a statement made or act done by a member is out of order, the presiding member may require the member to make an explanation, retraction or apology.

9.6 Continued breach of order

If a member:

- (a) persists in any conduct that the presiding member had ruled is out of order; or
 - (b) refuses to make an explanation, retraction or apology required by the presiding member under clause 9.5(3),
- the presiding member may direct the member to refrain from taking any further part in that meeting, other than by voting, and the member is to comply with that direction.

9.7 Right of presiding member to adjourn

- (1) For the purpose of preserving or regaining order, the presiding member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the presiding member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Part 10 – Debate of members

10.1 Recommendations in reports

- (1) Recommendations contained in a committee or employee’s report are to be given first priority consideration for adoption by the Council.
- (2) Any proposed amendment to a recommendation in a committee or employees’ report that is significantly different to the recommendation, is not to be accepted unless a notice of motion in accordance with clause 5.3 has been given by the mover of the proposed amendment.
- (3) The Council may by majority decision dispense with requirements of clause 5.1 (2) where the Council is satisfied that the reason for the proposed amendment meets the criteria of “*extreme urgency or other special circumstances*” in clause 5.4 (2).
- (4) The requirements for recording of written reasons in the minutes of a meeting for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee are dealt with in the regulations.

10.2 Alternative motion

- (1) A member may submit an alternative motion for consideration by the Council that differs from a committee or employee's recommendation contained in the meeting agenda.
- (2) A member may submit an alternative motion for consideration by a committee that differs from an employee's recommendation contained in a meeting agenda.
- (3) A request for an alternative motion must be received by the CEO or their delegate no later than 9.00am on the day of the meeting.
- (4) The meeting may by absolute majority dispense with the requirement of clause 10.2 (3) where the meeting is satisfied that that the alternative motion does not:
 - (a) reflect a significant departure from the intent of the recommendation; or
 - (b) involve a determination of a matter or the exercise of a discretion under the Local Planning Scheme.

10.3 Motions to be stated and in writing

Any member who wishes to move a substantive motion or an amendment to a substantive motion:

- (a) is to state the substance of the motion before speaking to it; and
- (b) if required by the presiding member, is to put the motion or amendment in writing.
- (c) for complex amendments they must be in writing,

10.4 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

10.5 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the presiding member may ask the meeting:
 - (a) if any member opposes it; or
 - (b) if any member wishes the mover to speak to the motion before deciding whether to oppose it.
- (2) If any member wishes the mover to speak to the motion, the presiding member may:
 - (a) Call on the mover to speak to the motion; and
 - (b) After the mover has spoken to the motion, again ask the meeting if any member opposes it.
- (3) If no member opposes the motion, the presiding member may declare it carried without debate and without taking a vote.
- (4) A motion declared carried under this clause is to be recorded in the minutes as a "carried without dissent" decision of the Council.

- (5) If a member opposes a motion, the motion is to be dealt with under this Part.
- (6) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting.

10.6 Only one substantive motion at a time

When a substantive motion is under debate at a meeting of the Council, no further substantive motion is to be accepted. The Council is not to consider more than one substantive motion at any time.

10.7 Order of call in debate

The presiding member is to call speakers to a substantive motion in the following order:

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers against and for the motion, alternating where possible; and
- (h) mover takes right of reply which closes debate.

10.8 Limit of debate

The presiding member may offer the right of reply and put a substantive motion to the vote if he or she believes that sufficient discussion has taken place even though all members may not have spoken.

10.9 Member may require question to be read

A member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member who is speaking.

10.10 Consent of seconder required for alteration

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

10.11 Order of amendments

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

10.12 Form of an amendment

An amendment must add, delete, or substitute words to the substantive motion.

10.13 Amendment must not negate original motion

An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.

10.14 Relevance of amendments

Each amendment is to be relevant to the motion in respect of which it is moved.

10.15 Mover of motion may speak on amendment

Any member may speak during debate on an amendment in reference to the order set out in clause 10.7.

10.16 Effect of an amendment

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

10.17 Withdrawal of motion or amendment

- (1) Subject to subclause (2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.
- (2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

10.18 Right of reply

- (1) The mover of a substantive motion has the right of reply.
- (2) The mover of any amendment to a substantive motion has a right of reply.
- (3) The right of the reply may only be exercised:
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (4) After the mover of the substantive motion has commenced the reply:
 - (a) no other member is to speak on the question; and

- (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

10.19 Foreshadowing alternative motions

- (1) Should a member wish to negate a substantive motion and have a meeting consider a new substantive motion on the matter with different intent, the member is to foreshadow the new substantive motion prior to the right of reply.
- (2) Should a substantive motion be lost, the presiding member is to call upon the member who foreshadowed the new substantive motion to move the proposed motion.
- (3) Once moved and seconded, the foreshadowed motion becomes the substantive motion and the same procedures and rules of debate apply to this motion as any other motion.
- (4) If more than one foreshadowed motion is proposed for any item before a meeting, the presiding member is to deal with them in the order in which they were presented.

Part 11 – Procedural motion

11.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion, a member may move the following procedural motions:

- (a) that the meeting proceed to the next item of business;
- (b) that the debate be adjourned;
- (c) that the meeting now adjourn;
- (d) that the question be now put;
- (e) that the member be no longer heard;
- (f) that the ruling of the presiding member be disagreed with; and
- (g) that the meeting be closed to the public.

11.2 No debate

- (1) The mover of a motion specified in paragraph (a), (b), (c), (f) or (g) of clause 11.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in paragraph (d) or (e) of clause 11.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

11.3 Who may move

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any

procedural motion which, if carried, would close the debate on the substantive motion or amendment.

11.4 Procedural motions - right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

11.5 Meeting to proceed to the next business

The motion “that the meeting proceed to the next business”, if carried, has the effect that:

- (a) the debate on the substantive motion or amendment ceases immediately;
- (b) no decision is made on the substantive motion;
- (c) the Council moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

11.6 Debate to be adjourned

A motion “that the debate be adjourned”:

- (a) is to state the time to which the debate is to be adjourned; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

11.7 Meeting now adjourn

- (1) A member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the presiding member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution (see clause 5.6).
- (3) A motion “that the meeting now adjourn”:
 - (a) is to state the time and date to which the meeting is to be adjourned; and
 - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the presiding member or the Council determines otherwise.

11.8 Question to be put

- (1) If the motion “that the question be now put”, is carried during debate on a substantive motion without amendment, the presiding member is to

offer the right of reply and then put the motion to the vote without further debate.

- (2) If the motion "that the question be now put" is carried during discussion of an amendment, the presiding member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

11.9 Member to be no longer heard

If the motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

11.10 Ruling of the presiding member to be disagreed with

If the motion "that the ruling of the presiding member be disagreed with", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 12 – Disclosure of interests

12.1 Disclosure of interests

Disclosure of interests is dealt with in the Act.

Part 13 - Voting

13.1 Question - when put

- (1) Immediately after the debate on any question is concluded and the right of reply has been exercised, the presiding member -
 - (a) is to put the question to the Council; and
 - (b) if requested by any member, is to again state the terms of the question.
- (2) A member is not to leave the meeting when the presiding member is putting any question.

13.2 Voting

Voting is dealt with in the Act and the Regulations.

13.3 Majorities required for decisions

The majorities required for decisions of the Council and committees are dealt with in the Act.

13.4 Method of taking vote

- (1) In taking the vote on any motion or amendment the presiding member:
 - (a) is to put the question, first in the affirmative, and then in the negative;
 - (b) may put the question in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
 - (c) may accept a vote on the voices or may require a show of hands; and
 - (d) is, subject to this clause, to declare the result.
- (2) If a member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (3) Unless decided otherwise by a decision of Council or a committee the details of the members vote or votes for or against, a matter, as the case may be, is to be recorded in the minutes.

Part 14 – Minutes of meetings

14.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

14.2 Content of minutes

- (1) The content of minutes is dealt with in the Regulations.
- (2) In addition to the matters required by regulation 11 of the Regulations, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

14.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in Regulations.

14.4 Confirmation of minutes

- (1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a member is dissatisfied with the accuracy of the minutes, the member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.
- (2) At the next ordinary meeting of the Council, the member who provided the alternative wording must, at the time for confirmation of minutes -
 - (a) state the item or items with which he or she is dissatisfied; and

- (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

Part 15 - Adjournment of meeting

15.1 Meeting may be adjourned

The Council or a committee may adjourn any meeting:

- (a) to a later time on the same day; or
- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

15.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under this local law:

- (a) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 8.9 apply when the debate is resumed.

Part 16 – Revoking or changing decisions

16.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

16.2 Limitations on powers to revoke or change decisions

- (1) Subject to subclause (2), the Council or a committee is not to consider a motion to revoke or change a decision:
 - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 16.3 to implement the decision; or
 - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

16.3 Implementing a decision

- (1) In this clause:

- (a) **authorisation** means a licence, permit, approval or other means of authorising a person to do anything;
 - (b) **implement**, in relation to a decision, includes:
 - (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
 - (ii) take any other action to give effect to the decision; and
 - (c) **valid notice of revocation motion** means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the local laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.
- (2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.
 - (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
 - (4) A decision made at a meeting is not to be implemented by the CEO or any other person:
 - (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
 - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
 - (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:
 - (a) is to take effect only in accordance with this clause; and
 - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

Part 17 – Suspension of local law

17.1 Suspension of local law

- (1) A member may at any time move that the operation of one or more of the provisions of this local law be suspended.
- (2) A member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.
- (3) A motion under subclause (1) which is:
 - (a) seconded; and
 - (b) carried by an absolute majority,
 is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

17.2 Where local law does not apply

- (1) In situations where:
 - (a) one or more provisions of this local law have been suspended;
or
 - (b) a matter is not regulated by the Act, the Regulations or this local law,the presiding member is to decide questions relating to the conduct of the meeting.
- (2) The decision of the presiding member under subclause (1) is final, except where a motion is moved and carried under clause 11.10.

Part 18 – Meetings of electors

18.1 Electors' general meetings

Electors' general meetings are dealt with in the Act.

18.2 Matters for discussion at electors' general meetings

The matters to be discussed at electors' general meetings are dealt with in the Regulations.

18.3 Electors' special meetings

Electors' special meetings are dealt with in the Act.

18.4 Requests for electors' special meetings

Requests for electors' special meetings are dealt with in the Regulations.

18.5 Convening electors' meetings

Convening electors' meetings is dealt with in the Act.

18.6 Who presides at electors' meetings

Who presides at electors' meetings is dealt with in the Act.

18.7 Procedure for electors' meetings

- (1) The procedure for electors' meetings is dealt with in the Act and the Regulations.
- (2) In exercising his or her discretion to determine the procedure to be followed at an electors' meeting, the presiding member is to have regard to this local law.

18.8 Participation of non-electors

A person who is not an elector of the Local Government must not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.

18.9 Voting at electors' meetings

Voting at electors' meetings is dealt with in the Regulations.

18.10 Minutes of electors' meetings

Minutes of electors' meetings are dealt with in the Act.

18.11 Decisions made at electors' meetings

Decisions made at electors' meetings are dealt with in the Act.

Part 19 - Enforcement

19.1 Penalty for breach

A person who breaches a provision of this local law commits an offence.
Penalty: \$1,000.00 and a daily penalty of \$500.00.

19.2 Who can prosecute

Who can prosecute is dealt with in the Act.

The Common Seal of the Shire of Plantagenet was affixed by authority of a resolution of the Council in the presence of —

Chris Pavlovich
Shire President

Rob Stewart
Chief Executive Officer

SCHEDULE 1

PETITION OF ELECTORS OF THE SHIRE OF Plantagenet

To the Shire President and Councillors of the Shire of Plantagenet

We, the undersigned, all being electors of the Shire of Plantagenet do respectfully request that the Council—

[Here set out a concise statement of facts and the action sought]

Correspondence in respect of this petition should be addressed to—

[Here set out relevant name(s) and address (es) for correspondence]

The names and addresses of your petitioners are as follows—

Date	Full Name	Address	Signature	Agree/Disagree/ No Opinion

Council

**LOCAL LAWS REVIEW – BUSH FIRE
BRIGADES**

Bush Fire Brigades Local Law 2019

Meeting Date: 13 August 2019

Number of Pages : 33

DRAFT

SHIRE OF PLANTAGENET

BUSH FIRE BRIGADES LOCAL LAW 2019

BUSH FIRES ACT 1954

LOCAL GOVERNMENT ACT 1995

BUSH FIRES ACT 1954
SHIRE OF PLANTAGENET
BUSH FIRE BRIGADES LOCAL LAW 2019

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BUSH FIRES ACT 1954

SHIRE OF PLANTAGENET

BUSH FIRE BRIGADES LOCAL LAW 2019

Under the powers conferred by the *Bush Fires Act 1954* the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Plantagenet resolved on {Date} to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Plantagenet Bush Fire Brigade Local Law 2019*.

1.2 Commencement

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

1.3 Definitions and interpretations

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

Act means the *Bush Fires Act 1954*;

Active Member has the meaning given in clause 4.12 of the Rules;

Auxiliary Member has the meaning given in clause 4.3 of the Rules

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

brigade member (BM) means a volunteer fire fighter of a bush fire brigade;

brigade administration officer (BAO) means a person holding a position referred to in clause 2.2(1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

bush fire brigade (BFB) is defined in section 7 of the Act;

bush fire control officer (BFCO) means a person appointed to that office by the local government in accordance with section 38 of the Act;

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

cadet means any adolescent member of the Brigade who has attained the age of 11 years but not the age of 16 years;

Chief Bush Fire Control Officer (CBFCO) means the Chief Bush Fire Control Officer appointed by the local government in accordance with section 38 of the Act;

Chief Executive Officer (CEO) means the Chief Executive Officer of the Shire of Plantagenet;

Council means the Council of the local government;

Department means the Department of Fire and Emergency Services Western Australia, established by section 3 of the *Fire and Emergency Services Act 1998*;

district means the district of the local government;

fire fighting member is defined in clause 4.2 of the Rules;

grievance policy is a policy and management document administered by the local government and applies to all brigade members who have a grievance about unfair treatment, discrimination, harassment, victimisation, vilification and/or bullying;

local government means the Shire of Plantagenet;

normal brigade activities means all normal brigade activities relating to a live bush fire which is active in the district, and includes burning off, creating fire breaks and other methods for the control of bush fires;

Regulations means Regulations made under the Act;

Rules means the rules governing the operation of Bush Fire Brigades as set out in Schedule 1; and

volunteer fire brigade has the meaning given in the *Fire Brigades Act 1942*

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

- (a) a Captain;
- (b) a Fire Control Officer;
- (c) a First Lieutenant;
- (d) a Second Lieutenant;
- (e) any additional Lieutenants;
- (f) an Equipment Officer;
- (g) a Secretary;
- (h) a Treasurer;

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

1.4 Repeal

The *Shire of Plantagenet Bush Fire Brigades Local Law 2004* as published in the Government Gazette on 7 April 2004, the *Shire of Plantagenet Bush Fire Brigades Amendment Local Law 2006* as published in the Government Gazette on 17 March 2006 and the *Shire of Plantagenet Bush Fire Brigades Amendment Local Law 2008* as published in the Government Gazette on 11 April 2008, are repealed.

1.5 Application

This local law applies throughout the district.

PART 2—ESTABLISHMENT OF BUSH FIRE BRIGADES

Division 1— Establishment of bush fire brigades

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 Brigade name and confirmed appointment of officers of bush fire brigade

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to -
 - (a) give a name to the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities; and
 - (c) appoint –
 - (i) a Captain;
 - (ii) a Fire Control officer
 - (iii) a First Lieutenant;
 - (iv) a Second Lieutenant;
 - (v) additional Lieutenants if the local government considers it necessary;
 - (vi) an Equipment Officer;
 - (vii) a Secretary;
 - (viii) a 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 which are defined in the Rules.
- (3) A person appointed to a position in subclause (1)(c) is to be a registered brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2).

Division 2 – Command at a fire

2.3 Ranks within the bush fire brigade

- (1) Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire, unless a bush fire control officer is in attendance at the fire, the Captain has full control over other persons fighting the fire, and is to issue

instructions as to the methods to be adopted by the fire fighters. In the absence of the Captain, the Fire Control Officer, in the order of seniority determined, is to exercise all the powers and duties of the Captain.

- (2) Where a bush fire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the most senior bush fire control officer has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.

Division 3 – Transitional

2.4 Existing Bush Fire Brigades

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

Division 4 – Dissolution of bush fire brigade

2.5 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 BFOP, the Rules, or is not achieving the objectives of the BFOP.

2.6 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 – ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1 – Local government responsibility

3.1 Local government responsible for structure, Rules and operating procedures

- (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 local government is to prepare and adopt a BFOP;

- (3) The local government may make other applicable rules, policies and procedures as determined necessary by the local government.

Division 2- Rules operating procedures and policies

3.2 Application of the Rules, procedures, policies and local law

- (1) The Rules, BFOP and Policies adopted by the local government, govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules, procedures, policies and the provisions of this Local Law.

3.3 Variation of procedures, policies and constitution

- (1) The local government may vary the Rules and their application to all bush fire brigades or in respect of a particular bush fire brigade.
- (2) A variation made by the local government under clause 3.3 (1) shall be endorsed by the Council prior to taking effect.
- (3) The Rules as varied, have effect on and from the date of a resolution under subclause (2).
- (4) The local government may vary the BFOP and policies at any time.
- (5) The local government is to notify a bush fire brigade of any variation to the BFOP, Policies or the Rules as soon as practicable after making a decision under subclause (2) or (4).

3.4 Brigades and officers to be supplied with Act, Rules, procedures and policies

The local government is to supply each bush fire brigade and brigade officer with a copy of the Act, the Regulations, this local law, the BFOP, policies and any other written laws which may be relevant to the performance of the brigades or brigade officers' functions, and any amendments which are made thereto from time to time.

Division 3- Chief Bush Fire Control Officer

3.5 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 administration of bush fire brigades.

3.6 Chief Bush Fire Control Officer may attend meetings

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

3.7 Duties of Chief Bush Fire Control Officer

The duties of the Chief Bush Fire Control Officer are to -

- (a) provide leadership to volunteer 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 or fire 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

PART 4 – ADMINISTRATION OF BUSH FIRE BRIGADES

Division 1 – Bush fire brigade membership

4.1 Types of membership of bush fire brigade

The types of membership of a bush fire brigade shall be accordance with the definitions contained in the Rules.

4.2 Brigade membership

- (1) The appointment, determination, dismissal and management of bush fire brigade membership are governed by the Rules and the BFOP.
- (2) Application for membership, including registration of bush fire brigade members, is to be in accordance with the Rules and BFOP.
- (3) Membership of the bush fire brigade terminates in accordance with the Rules.
- (4) The local government may terminate the membership of a brigade member in accordance with the Rules and BFOP.
- (5) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Executive Committee, circumstances warrant suspending the member. The period of suspension shall be at the discretion of the Executive Committee.
- (6) Upon the expiry of the period of suspension the Executive Committee may -
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) reinstate the membership.
- (7) The resignation or dismissal of a member under clause 4.2(2) or 4.2(3) does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

4.3 Notification of membership

No later than 31 May in each year, the bush fire brigade is to report to the local government, the name, contact details and type of membership of each brigade member.

4.4 Grievance

- (1) Grievances shall be managed in accordance with the Rules, BFOP and Policies.
- (2) In respect to grievance complaints or submissions, where the complaint relates to or is made against the Chief Bushfire Control Officer, Deputy Chief Bushfire Control Officer or a Brigade Captain, the matter may be referred to an independent investigator as determined by the local government.
- (3) The CEO of the local government shall be the final ‘decision making authority’ in regards to the administration of a grievance.

Division 2 – Meetings of bush fire brigades

4.5 Conduct of brigade meetings

- (1) All bush fire brigade meetings are to be conducted in accordance with the Rules and the BFOP.
- (2) In this clause, a reference to a bush fire brigade meeting means an –
 - (a) Annual general meeting of a bush fire brigade to be held in May of each year;
 - (b) Ordinary meeting of a bush fire brigade; or
 - (c) Special meeting of a bush fire brigade.

4.6 Nomination of bush fire control officers to local government

At the annual general meeting of a bush fire brigade, the brigade may nominate preferred candidates for the position of bush fire control officer to the Chief Bush Fire Control Officer and to the local government for consideration and recommendation to Council.

4.7 Minutes to be tabled before the Bush Fire Advisory Committee

- (1) 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 after the meeting.
- (2) The Brigade is to table the minutes of a bush fire brigade’s annual general meeting at the next meeting of the
 - (a) Bush Fire Advisory Committee; or
 - (b) Council, if there is no Bush Fire Advisory Committee following their receipt under subclause (1).

4.8 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 is determined by the local government and in accordance with the BFBC.

4.9 Advisory Committee to consider bush fire brigade motions

The Bush Fire Advisory Committee may make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

PART 5 – EQUIPMENT OF BUSH FIRE BRIGADES

5.1 Policies and bush fire operating procedures of local government

The local government may make policies and bush fire operating procedures 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.

PART 6 – FUNDING OF BUSH FIRE BRIGADES

6.1 Funding under the Local Government Grant Scheme or equivalent

- (a) Requests by the local government for funding under the Local Government Grant Scheme or its equivalent shall be in accordance with the Local Government Grant Scheme Manual and the BFOP.
- (b) Expenditure of funds under the Local Government Grant Scheme or its equivalent shall be managed by the local government in accordance with the Local Government Grant Scheme Manual and the BFOP.

6.2 Funding from local government budget

- (a) Where an item is not eligible or is not otherwise able to be funded through the Local Government Grant Scheme or its equivalent a bush fire brigade may submit a request to the local government for funding from the local government budget.
- (b) A request for funding under clause (a) must be received in writing no later than 31 March for consideration in the forthcoming local government budget for the following financial year
- (c) The local government may approve or refuse an application for funding made under clause (a) depending upon the assessment of budget priorities for the year in question.

6.3 Management and expenditure of bush fire brigade

The management and expenditure of bush fire brigade funds shall be in accordance with the Rules and the BFOP.

Schedule 1

RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

Part 1—Preliminary

1. Interpretation

In these Rules, unless the context otherwise requires—

absolute majority means more than half of the total votes of those eligible to vote (including those absent and those present but not voting);

active member is defined under the requirements of clause 4.12 of the Rules;

AGM means Annual General Meeting;

BFAC means the Shire of Plantagenet Bush Fire Advisory Committee;

brigade means a Volunteer Bush Fire Brigade including any Incident Support Brigade currently registered with the local government;

CBFCO means the Chief Bush Fire Control Officer appointed by the local government according to the Act;

committee consists of Office Bearers of the brigade as provided for under Clause 6 of the rules;

Executive Committee (if appointed) consists of Office Bearers of the Brigade as provided for under clause 6 of the Rules;

DFES means the Department of Fire and Emergency Services

financial year means the period commencing on 1 July each year and ending on 30 June in the following year;

fire fighter means a male or female member of a Brigade with the competency and currency to carry out operational fire fighting duties and be a minimum of sixteen (16) years of age. The member will be entitled to one (1) vote at their Brigade meetings;

fire season means the period of the Restrictive and Prohibited burning periods or as extended or shortened by the CBFCO and endorsed by the local government;

local laws means the *Shire of Plantagenet Bush Fire Brigades Local Law 2019*;

management support means a male or female member of the Incident Support Brigade with the competency and currency to carry out operational support duties and be a minimum of sixteen (16) years of age;

non-fire season means the period not already defined as the fire season for that year;

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

office bearers means those appointed in accordance with clause 3 of the Rules;

proxy vote means the written authority given to a member present to cast a vote for another member who is absent from the meeting.

Part 2—Objectives and Values

1.1 Objectives

The Brigade shall undertake the following objectives—

- a) provide timely, efficient and effective emergency services;
- b) minimise the impact of emergencies on the community;
- c) work with the community to increase bush fire awareness and fire prevention;
- d) ensure that active Members' training requirements are maintained and documented to meet DFES standards;
- e) ensure all operational equipment is serviceable and available for emergencies;
- f) provide an environment where every individual is treated with respect, and which is free from discrimination or harassment; and
- g) service the needs of the community and work cohesively with other agencies

(1) Members are to adopt the Brigade values at all times when representing the Brigade.

(2) The Brigade values include—

- (a) Put the community first;
- (b) Act with integrity and honesty;
- (c) Work together as a committed team;
- (d) Strive to keep ourselves and others safe;
- (e) Respect and value the contribution of others;
- (f) Have open and honest two way communication; and
- (g) Continuously develop our skills to improve our service to the community.

Part 3—Duties and Responsibilities of Brigade Office Bearers

3.1 General

- (1) The Office Bearers of the brigade should be able to demonstrate current competencies for the position of office they are nominated for, or give an undertaking to complete any training requirements prior to accepting the nomination or undertaking the duties and responsibilities of the said position.
- (2) Nominations are subject to the approval of the CBFCCO. Such approval may be conditional on the nominee undertaking further training or other necessary arrangements to satisfy the competency requirements.
- (3) An Office Bearer is entitled to hold a maximum of one (1) additional administrative position within the brigade, however, the Captain cannot also be a Lieutenant and vice versa.

3.2 Captain

- (1) The Captain of the brigade shall be responsible for the leadership and management of brigade operations.
- (2) As a role model and mentor for members, the Captain should always act with integrity and consider each member equally. All decisions should be in the interest of the Brigade and its members.
- (3) The position reports to the CBFCO on brigade related matters.
- (4) Duties and responsibilities of the Captain include—
 - (a) Demonstrate positive leadership and mentor members;
 - (b) If the Captain is the senior officer at an incident-
 - i. command, control and confidently manage activities at emergency incidents;
 - ii. to ensure incident control systems and management principles are implemented and maintained during all emergency incidents if required;
 - iii. maintain some form of personal incident diary with a record of events and decisions that occur at an incident;
 - iv. conduct Brigade briefings and post incident analysis of any incident involving fire fighting, incident support or management issues;
 - v. to endeavour to ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with training recommendations;
 - vi. to undertake responsibility for the proper management and maintenance of Brigade property and equipment to the best of their ability; and
 - vii. report any injuries of personnel or damage to fire fighting vehicles or equipment immediately to the CBFCO
- (5) In the absence of the Captain, the next senior officer of the brigade has authority to exercise the powers of the Act delegated to the Captain (Part IV Section 44(1)).
- (6) Qualifications—

Qualifications	Experience	Competency Required
Fire fighting and or support experience	Minimum 3 years	Competent
Induction and Introduction to Fire fighting		Competent
Bush Fire fighting Modules		Competent
Structural Fire fighting theory and/or practical		Competent
Sector Commander		Competent
AIIMS Awareness		Competent

3.3 Fire Control Officer (FCO)

- (1) A FCO is a delegated representative of the local government responsible for the administration of provisions within the Act. The position is required to perform active operational duties in relation to both fire defence and fire prevention strategies within the local community.
- (2) A member of the Brigade may be nominated for this position at the Brigade AGM.

- (3) Fire Control Officers are nominated by the brigade to the Bush Fire Advisory Committee. The nomination is considered by BFAC and the CBFCO and if appropriate it is forwarded to the local government for its consideration and ratification.
- (4) Duties and responsibilities of the FCO 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;
 - (f) conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues.
- (5) Qualifications—

Qualifications	Experience	Competency Required
Fire fighting and or support experience	Minimum 4 years	Competent
Induction and Introduction to Fire fighting		Competent
Bush Fire fighting Modules		Competent
Structural Fire fighting		Competent
Sector Commander		Competent
AIIMS Awareness		Competent
Fire Control Officer		Competent

3.4 Lieutenant

- (1) The Lieutenant of a brigade is responsible for the operational management of members during brigade activities. The position is required to provide operational support to the Captain in managing the brigade. The position reports to the Captain on all matters relevant to the functioning of the Brigade and/or personnel they are supervising.
- (2) The Brigade should appoint a minimum of two (2) Lieutenants. Additional Lieutenants may be appointed according to the needs of the Brigade. If operational circumstances require the number of Lieutenants for a brigade to be more than four (4), as decided by the Committee, a request is to be submitted in writing to the CBFCO for endorsement.
- (3) The brigade must rank all Lieutenants numerically according to seniority including length of service and relevant skills.
- (4) Duties and Responsibilities of a Lieutenant include —
- (a) provide support to the Captain and assist with the operational management of the brigade;
 - (b) in the absence of the Captain administer all powers and responsibilities of the Act (Part IV Section 44(1));
 - (c) command and manage members during emergencies and other brigade related incidents and activities;

- (d) maintain a personal incident diary with a record of events that occur during all incidents if assuming the role of the most Senior Officer;
 - (e) in the absence of a more Senior Officer, conduct brigade briefings and post incident analysis of any incident involving fire fighting or management issues;
 - (f) encourage positive interaction and teamwork between members;
 - (g) ensure DFES standing operating procedures are adhered to at brigade activities;
 - (h) to endeavour to ensure active members engaged in brigade activities are allocated tasks relevant to their competencies;
 - (i) work cohesively with the brigade Training Officer to conduct training activities for active members; and
 - (j)
- (5) Qualifications—

Qualifications	Experience	Competency Required
Fire fighting and or support experience	Minimum 3 years	Competent
Induction and Introduction to Fire fighting		Competent
Bush Fire fighting Modules		Competent
Structural Fire fighting theory and/or practical		Competent
Sector Commander		Competent

3.5 President

- (1) The President presides over all brigade meetings. The position is not required to perform active operational duties and may be inclusive to an additional position held within the brigade.
- (2) The position reports to the Captain on administrative matters pertinent to the brigade. In the absence of the President, the Captain or next most Senior Officer may preside over a meeting.
- (3) The President shall perform the following functions—
 - (a) preside over all brigade meetings;
 - (b) ensure meeting procedure and protocol is maintained;
 - (c) promote the aims and objectives of the brigade where possible;
 - (d) advise the brigade on administrative matters;
 - (e)) report brigade matters to the Captain;
 - (f) promote open fair discussion during debate in relation to brigade matters; and
 - (g) ensure minutes of meetings are signed and dated by the President.
- (4) Qualifications must include—
 - (a) Understanding of meeting procedures; and
 - (b) Demonstrated ability to conduct and manage meetings.

3.6 Secretary

- (1) The Secretary is to record and manage administrative matters of the brigade. The position is not required to perform active operational duties and may be inclusive to an additional position held within the brigade.
- (2) The position reports to the President on administrative matters relevant to the brigade. This position may be held in conjunction with the Treasurer position.
- (3) The Secretary shall perform the following functions—
 - (a) Ensure members receive notification of brigade meetings in accordance with Part 5—Meetings of the brigades;
 - (b) Where deemed appropriate, prepare an agenda for brigade meetings and distribute to members prior to meetings;
 - (c) Ensure minutes of brigade meetings are recorded and where ever possible, distributed to all members prior to next meeting;
 - (d) Document and record all brigade correspondence;
 - (e) Ensure brigade information is disseminated to all listed members;
 - (f) Make available circulars and other information to members; and
 - (g) Work cohesively with local government management and administration staff on matters relevant to brigade administration.
- (4) Qualifications must include—
 - (a) Demonstrated ability to take minutes;
 - (b) Demonstrated record keeping and filing skills;
 - (c) An understanding of meeting procedure; and
 - (d) Developing computer skills

3.7 Treasurer

- (1) The role of the Treasurer is to manage and report on all financial matters relevant to the brigade. The position is not required to perform active operational duties and may be inclusive to an operational position held within the brigade. The position reports to the President on financial matters relevant to the brigade. This position may be held in conjunction with the Secretary position.
- (2) The Treasurer shall perform the following functions—
 - (a) Manage financial affairs including budgets of the brigade;
 - (b) Maintain brigade financial records and provide detailed reports of income and expenditure at meetings; and
 - (c) Work cohesively with the local government management and administration staff on matters pertinent to brigade financial matters, including providing copies of financial statements if required.
- (3) Qualifications must include—
 - (a) Knowledge and understanding of accounting principles; and
 - (b) Developing computer skills

3.8 Brigade Training Officer

- (1) The Brigade Training Officer is responsible for the management and co-ordination of brigade training in conjunction with the Local Government Training Coordinator, including the documentation of these activities. The position is not required to perform active operational duties and may be inclusive to an operational position held within the brigade.
- (2) Duties and Responsibilities of the Brigade Training Officer may include—
 - (a) Endeavour to ensure brigade members maintain necessary skill levels equivalent to the competency standards required by the local government and as recommended by DFES;
 - (b) Endeavour to ensure regular training sessions are conducted within the brigade to maintain currency of qualifications and skills;
 - (c) Maintain accurate records of training undertaken by members and ensure that qualification and training updates are forwarded to the Local Government Training Coordinator as required;
 - (d) Provide mentoring for members who express an interest in training to encourage future facilitators; and
 - (e) Represent the brigade at Plantagenet Fire Services training committee meetings.

3.9 Assistant Training Officer (Optional)

- (1) The brigade may nominate an Assistant Training Officer to provide support to the substantive position. In the absence of the Brigade Training Officer the Assistant Training Officer assumes the responsibilities of that position and shall have a Proxy Vote at the training committee meetings.
- (2) Duties and Responsibilities of the Assistant Training Officer are the same as those for the Brigade Training Officer.

3.10 Brigade Equipment Officer

- (1) The role of the Brigade Equipment Officer is to manage brigade property, fleet vehicles, general equipment and stock levels of personal protective equipment. The position is not required to perform active operational duties but may be able to demonstrate a degree of knowledge of brigade equipment. The position may be inclusive to an operational position held within the brigade.
- (2) The equipment officer shall perform the following functions—
 - (a) Manage brigade equipment and maintain a register of all assets;
 - (b) Coordinate and record maintenance of brigade equipment;
 - (c) Report all damage of brigade equipment or property to the Captain immediately;
 - (d) Manage brigade requests for replacement items and equipment; and
 - (e) Compile documentation of replacement items and submit to the CBFCCO.

3.11 Assistant Equipment Officer (Optional)

- (1) The brigade may nominate an Assistant Equipment Officer to provide support to the substantive position. In the absence of the Brigade Equipment Officer the Assistant Equipment Officer assumes the responsibilities of that position and shall have a Proxy Vote at equipment committee meetings.
- (2) Duties and Responsibilities of the Assistant Equipment Officer are the same as those for the Brigade Equipment Officer.

Part 4—Membership

4.1 Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following—

- (a) fire fighting members;
- (b) auxiliary members;
- (c) cadet members; and
- (d) honorary life members.

4.2 Fire fighting members

- (1) Fire fighting members are those persons being at least 16 years of age who undertake all normal brigade activities
- (2) Notwithstanding subclause (1), a fire fighting member between the age of 16 and 18 must not attend a fire or other emergency incident unless the member has the consent of their parent or guardian and is accompanied by an appropriately trained fire fighting member over the age of 18.

4.3 Auxiliary members

Auxiliary members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

4.4 Cadet members

Cadet members are—

- (a) to be aged 11 but not yet 16 years;
- (b) to be admitted to membership only with the consent of their parent or guardian
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act
- (e) ineligible to vote at bush fire brigade meetings; and
- (f) not to be assigned ranks under the Department's rank structure

4.5 Honorary life members

- (1) The bush fire 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) No membership fees are to be payable by an honorary life member.

4.6 New Membership Application

- (1) A new member is to complete a DFES volunteer nomination form and accept the conditions for membership.
- (2) A minimum of two (2) Committee members, including the Captain, should decide whether to recommend the application to the CBFCO.
- (3) The CBFCO must endorse the application.

4.7 Dual Membership

- (1) A member may be a member of another local government brigade.
- (2) A member may not be a member of another brigade within the local government unless they have the written permission of the CBFCO. This permission may be conditional.

4.8 Conditions of Membership

- (1) The conditions of membership shall refer to—
 - (a) Fire Fighters;
 - (b) Management Support;
 - (c) Auxiliary Members; and
 - (d) Cadets.
- (2) A new member is required to complete the necessary Fire Fighter Training Courses as required by the local government prior to commencing active and unsupervised Fire Fighter duties.
- (3) Competency in these Training Courses shall be the minimum acceptable standard required for a Fire Fighter to perform active and unsupervised fire fighting duties. Currently this includes Induction, Introduction to Fire Fighting and Bush Fire Fighting training Courses—
 - (a) Members must comply with the legislative requirements of the—
 - i. *Bush Fires Act 1954 (WA)*;
 - ii. *FES Act 1998 (WA)*; and
 - iii. *Equal Opportunity Act 1984 (WA)*.
 - (b) Members must act within the—
 - i. Local guidelines and policies of individual brigade;
 - ii. Brigade's local policies;
 - iii. Competency and commitment requirements for an active volunteer Fire Fighter or Operation and Management Support roles as required by the CBFCO; and
 - iv. Westplan Bushfire.

- (c) Members must maintain currency of the appropriate licences to be able to operate brigade vehicles. Any traffic offence that results in a suspension or loss of licence must be reported to the CBFCO and the member must comply with the terms of their suspension.

4.9 Decision on Application for Membership

- (1) At the meeting of the Committee, the brigade Office Bearers may—
 - (a) Accept the application;
 - (b) Defer the application for further consideration; or
 - (c) Refer the application to the CBFCO for consideration.
- (2) The President must contact the applicant in writing within fourteen (14) days of a final decision by the brigade or the CBFCO.
- (3) The applicant has the right to appeal the decision of the Committee. The appeal should be in writing addressed to the CBFCO.

4.10 Notification of Membership

No later than 31 May 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

4.11 Induction

All new members shall be—

- (a) introduced to brigade members and shown all brigade facilities during induction;
- (b) instructed about any safety requirements;
- (c) made aware of brigade duties and responsibilities;
- (d) provided with a mentor/s until such time as they are familiar with Normal Brigade Activities; and
- (e) made aware of local brigade guidelines and policies if any exist within that brigade

4.12 Membership Requirements (Brigade Commitments)

- (1) Members are required to maintain currency in brigade activities and training to be deemed as an Active Member and or be granted special considerations due to extenuating circumstances.
- (2) Brigade Activities—
 - (a) During the Fire Season members are required to attend a minimum of one (1) brigade ordinary meeting or other brigade activity or incident.
 - (b) During the Non-Fire Season members are required to attend a minimum of one (1) brigade ordinary meeting or other brigade activity or incident.
- (3) Brigade Training—
 - (a) During the Fire Season members are required to attend and participate at a minimum of one (1) brigade training activity or incident.

- (b) During the Non-Fire Season members are required to attend and participate at a minimum of one (1) brigade training activity or incident.
- (4) If extenuating circumstances apply that a member is unable to meet brigade commitments, it shall be the responsibility of the member to notify the Committee, in writing to advise of the circumstance, and the Committee will acknowledge in writing any special considerations to the member.
- (5) The Training Officer should endeavour to make alternative arrangements for the member to meet the requirements wherever possible.

4.13 Failure to Comply with Commitments

- (1) Should an active member of a brigade fail to comply with clause 4.12 of the Rules, correspondence will be forwarded to the member requesting contact be made with the brigade to indicate the intentions of the member's status.
- (2) The Brigade Member may—
 - (a) respond to the correspondence providing a reasonable explanation and request for alternative arrangements to be made for training or meeting obligations;
 - (b) request in writing for Leave of Absence from brigade commitments due to personal circumstances; or
 - (c) terminate their membership.
- (3) If a member fails to respond to the correspondence within fourteen (14) days a subsequent letter will be forwarded from the Committee putting the member on final notice. Should a member fail to acknowledge the final notice within fourteen (14) days, the membership shall be terminated, to take effect from the date of the final notice.

4.14 Change of Members Details

The local government and DFES are to be notified of any change of personal details of a member. The brigade will complete a DFES volunteer application form and forward it to the CBFCO within fourteen (14) days of the change.

4.15 Leave of Absence

- (1) A member may at any time request a Leave of Absence from all brigade commitments for a period not to exceed twelve (12) consecutive months.
- (2) The application should be made in writing and addressed to the Captain.
- (3) On completion of the Leave of Absence period the member must complete a Membership Update Form if deemed necessary providing any change of details and forward to the Captain and CBFCO.
- (4) On completion of the Leave of Absence period the member must undertake any refresher training required before resuming active fire fighting duties. If the request for Leave of Absence is for a medical condition the member must provide confirmation of fitness to the satisfaction of the CBFCO to be able to resume active duties.

4.16 Grievance Process/Disciplinary Action

- (1) The brigade is committed to providing an environment in which all persons can expect to be treated equally and with respect.
- (2) All members are to have an understanding of the *Shire of Plantagenet Policy and Procedures Grievance Staff and Volunteers* and any other brigade policies as applicable. These hard copy documents are to be made available at each fire station or can be obtained from the local government.
- (3) A grievance is any serious allegation, dispute or claim, arising during any training or activity involving the brigade, in relation to an act committed by a member. Examples that may be considered a grievance include acts that—
 - (a) constitute a breach of the Rules;
 - (b) bring the brigade and or the Plantagenet Fire Service into disrepute;
 - (c) contravene any reasonable direction given by the Captain or the delegated authority;
 - (d) disregard brigade regulations and policies or procedures;
 - (e) jeopardise the safety of the member or others; and/or
 - (f) result in the member being convicted of, an offence for which an offender may be imprisoned.
- (4) Where a grievance arises, an investigation must be conducted by the Committee (and the CBFCO if necessary) in accordance with the Grievance Process.
- (5) During the investigation it may be determined that the member should be suspended from all or part of brigade activities, subject to the CBFCO's approval. If a member is to be suspended during the investigation the CBFCO should notify the member in writing of the terms of the suspension, including the reason for the suspension and the time period. The time period for suspension during an investigation, should not exceed three (3) consecutive months.

When an investigation is complete a report will be provided by the investigating officer to the CBFCO outlining the process of the investigation, the conclusions drawn and any recommended action.
- (6) Disciplinary action in relation to the member may include—
 - (a) suspension of membership;
 - (b) termination of membership; or
 - (c) any other reasonable disciplinary action as determined by the Committee in consultation with the CBFCO.
- (7) If a disciplinary suspension is imposed, the CBFCO must notify the member in writing that they are suspended, including the suspension period and reason for suspension. Suspension may be from complete or specific brigade duties and activities.
- (8) The period of disciplinary suspension shall be determined by the CBFCO in consultation with the President.
- (9) On completion of the suspension period the member may be required to undertake refresher training before resuming active fire fighting duties which will be supervised and or acknowledged by the Captain.
- (10) If a membership is to be terminated, the President with the approval of the CBFCO will notify the member in writing, and provide a reason for termination.

- (11) Where a membership is terminated, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

4.17 Termination by the Member

- (1) A member can decide to resign from brigade activities and terminate their membership by providing written notification to the Committee.
- (2) Where a member resigns, all property owned by the local government should be returned to the local government within fourteen (14) days of giving notice. Failure to meet these conditions may require the local government to seek reimbursement of costs against the member.

4.18 Rights of a Volunteer Member

- (1) A member shall not be suspended or dismissed from any brigade duty without an opportunity to defend the allegation.
- (2) Any member may lodge a written objection to the CBFCO should they consider they have been unfairly dealt with by the Committee.
- (3) The CBFCO shall consider the objection and deal with it in consultation with the Committee. This may include either—
- (a) dismissing the objection;
 - (b) variation to the decision; or
 - (c) revoking the original decision; and
 - i. imposing an independent decision; or
 - ii. referring the matter back to the Committee to reconsider the decision.

Part 5—Meetings of the Brigade

5.1 Ordinary meetings

- (1) The brigade may at any time call an Ordinary Meeting of its members.
- (2) The brigade shall hold a minimum of one (1) Ordinary Meeting between 1 July and 30 June each year or as they deem necessary.

5.2 Annual General Meeting

- (1) The brigade shall hold an AGM in the month of May each calendar year.
- (2) A report may be presented to the membership by each Committee Member.
- (3) At this meeting all Committee and Brigade Officer positions will be declared vacant.
- (4) All equipment and documentation relevant to each position is to be made available for auditing at the AGM.
- (5) The CBFCO or proxy will act as returning officer during the election of the new Committee and brigade officer positions.
- (6) The incoming Committee will assume the positions at the close of the AGM.
- (7) Any outgoing Committee Member is to conduct a handover to the new incumbent.
- (8) All minutes of the AGM including financial statements are to be lodged with the CBFCO for submission to the local government within a period no later than twenty-one (21) days of the AGM.

5.3 Special Meeting

- (1) The President may at any time convene a special meeting of the brigade.
- (2) The Secretary of the brigade must convene a special meeting when a written request is made by not less than ten (10) or fifty (50) percent (whichever is least) active members of the brigade.
- (3) The names of the members requesting the special meeting are to be recorded in the minutes of the meeting.

5.4 Notice of a Meeting

- (1) Notice of any special meeting of the brigade, must be given to all members of the brigade eligible to vote at least seventy two (72) hours before the commencement of the meeting.
- (2) Notice of the AGM of the brigade must be given to all members of the brigade eligible to vote, as well as the CBFCO, at least thirty (30) days before the commencement of the meeting.
- (3) Notice of any Ordinary Meeting of the brigade must be given to all members of the brigade eligible to vote, as well as the CBFCO, at least seven (7) days before the commencement of the meeting.
- (4) Notice of a special meeting or AGM—
 - (a) must be given by the Secretary;
 - (b) be given by written notice to each member—
 - i. Personally, by post or electronic email; or
 - ii. By a notice published in a newspaper circulating in the area of the brigade;
 - (c) must set out the date, time, and venue of the meeting;
 - (d) must be signed by the Secretary or, in the case of a special meeting, by the person convening the meeting; and
 - (e) must set out an agenda for the meeting.

5.5 Quorum

A quorum for all brigade meetings—

- (a) shall consist of not less than six (6) Active Members who are eligible to vote or thirty (30) percent of Active members whichever is least. This shall include a minimum of two (2) Committee members.
- (b) No formal business is to be transacted at a meeting of the brigade unless a quorum of members is present.
- (c) A member is not deemed to be active and cannot be considered as a quorum number, unless special considerations due to extenuating circumstances as mentioned under clause 4.13 of the Rules or Leave of Absence have been granted.

5.6 Voting

- (1) Each Active Member shall be entitled to one (1) vote.
- (2) In the event of an equality of votes, the President may exercise the deciding vote.
- (3) Votes may be counted by either—
 - (a) formal secret ballot; or
 - (b) informal show of hands.
- (4) A member is not deemed to be active and is unable to cast a vote at any meeting of the brigade, unless all requirements in regards to brigade training and activities as set out under clause 4.12 of the Rules have been satisfied.
- (5) Each Auxiliary Member shall be entitled to one (1) vote at all brigade meetings.

5.7 Procedure at Meetings

Meeting procedures and protocols are to be in accordance with the brigade's meeting procedures and protocol guidelines

Part 6—Committee

6.1 Meetings

- (1) Each brigade shall have a Committee. The Committee shall convene a meeting of all members each calendar month or as required.
- (2) Any functions of the brigade may be delegated to the Committee provided that a motion approving of the delegation has been carried at either an Ordinary Meeting or AGM.
- (3) The Committee shall consist of the following Office Bearers—
 - (a) President
 - (b) Secretary
 - (c) Treasurer
 - (d) Captain
 - (e) Additional members at the decision of the Committee.

- (4) Committee will be responsible for the management and administration of the brigade. The brigade officers are responsible for all operational requirements of the brigade.
- (5) A motion carried by the vote of a majority of those present at a Committee meeting shall be accepted as the decision of the Committee.
- (6) Each registered Committee Member present at a meeting of the Committee shall be entitled to one (1) vote. In the event of an equality of votes the President will be entitled to a second or casting vote.
- (7) The Secretary must keep accurate minutes of the meeting.
- (8) Minutes of these meetings shall be made available to members of the brigade.
- (9) All elected positions are for a term of twelve (12) consecutive months.

Part 7—Brigade Elections

7.1 Nomination of Candidates for Brigade Elections

- (1) Any person accepting a nomination for a Committee position must be competent and qualified to perform the duties and responsibilities of that position.
- (2) The Secretary shall advise the President of the brigade at the general meeting prior to the AGM that nominations are required to be presented at the AGM.
- (3) A person can only be nominated by an Active Member.
- (4) A nomination must be endorsed by a second Active Member filling out a Nomination Form in the form of Schedule 2.
- (5) Each member is only entitled to nominate one (1) person per position.
- (6) A nomination may be made—
 - (a) in writing to be received by the Committee before the official close of nominations; or
 - (b) verbally at a general meeting prior to the AGM.
- (7) Nominees must sign or indicate acceptance of nomination.
- (8) Nominees for operational Brigade Officer positions must meet the minimum requirements for training as set out under clause 3 of the Rules.
- (9) Nominees for Brigade Officer positions must accept all requirements imposed by the brigade or legislation.
- (10) The Committee will assist and mentor new Brigade Officers in their new roles.
- (11) The CBFCO or a proxy may act in the position as returning officer during the election of office bearers at the AGM if requested by the brigade.

7.2 Conduct of Elections

- (1) Positions should be determined by vote in the ascending order of preference—

Order	Officer	Term
1	President	1 year
2	Secretary	1 year
3	Treasurer	1 year
4	Brigade Captain	1 year

5	Lieutenants	1 year
6	Training Officer	1 year
7	Equipment Officer	1 year
8	FCO Nominations Only	2 year
9	Other	1 year

- (2) Any additional positions to the Committee or the Brigade Officers must be authorised by the CBFCCO prior to the appointment of the position. All positions are to be elected in accordance with clause 7.1 of the Rules.
- (3) The BFAC will consider all nominations for the position of the Fire Control Officers based on the delegates nominated by the brigades and refer those nominations to the local government for approval.

7.3 Absentee Votes

The sealed envelope containing the absentee vote must be received prior to the tally of votes for the nominated position. The name of the person casting the absentee vote and the signature of the person must be contained within the sealed envelope.

7.4 Supplementary Elections

Where a supplementary election must be held due to a vacancy in a position as a result of an early resignation or other reason, the Committee, by majority vote, will appoint a temporary office to agreeable consenting Active Member for the remaining term of the vacant position.

Part 8—General Accounting Matters

8.1 Accounts at Financial Institutions

- (1) The brigade must disclose where brigade account(s) are to be held for the ensuing Financial Year at each AGM and record this information within the minutes of the AGM.
- (2) The brigade must have three (3) Committee Members to act as signatories for the brigade accounts each Financial Year.
- (3) A minimum of two (2) signatures is required on any brigade account cheque or bank transaction form.
- (4) All brigade purchases are to be approved by the Committee.
- (5) All accounts raised, works undertaken or goods to be purchased by the brigade must be authorised in advance by the President or, if the President is not available, then the next senior committee person.
- (6) All accounts raised, works undertaken or goods to be purchased need to be ratified by the brigade at the next Ordinary Meeting.
- (7) All funds raised by the brigade are to be used for the purpose of improving the profile and operation of the brigade and its members.

- (8) All cheques issued must be accompanied by the appropriate documentation (invoice or monthly account).
- (9) All money received by the brigade or by a member on behalf of the brigade must be recorded in the brigade financial records.

8.2 Financial Reports

- (1) The brigade must, at each AGM, present an independently audited financial report for the previous 12-month period or since the last AGM.
- (2) The financial report must include—
 - (a) a Statement of Receipts and Payments;
 - (b) a Bank Reconciliation Statement;
 - (c) notes detailing any outstanding receipts or payments; and
 - (d) a Balance Sheet and Inventory of Assets held by the brigade.
- (3) The brigade, in conjunction with the local government will appoint an auditor not being a brigade member for the ensuing financial year.
- (4) If an auditor resigns during the financial year, the brigade in conjunction with the local government must appoint a replacement at its next Ordinary Meeting.
- (5) The Treasurer must present the auditor's report to the AGM
- (6) The audited report will be forwarded to the CBFCO for the information of the local government.

Schedule 2

NOMINATION FORM
(Clause 7.1(4) of Schedule 1)

Shire of Plantagenet Volunteer Bush Fire Brigade
(Name of Brigade)

I as an active member of Volunteer Bush Fire Brigade hereby nominate for the position of—

Captain		Lieutenant	
Fire Control Officer		President	
Secretary		Treasurer	
Training Officer		Equipment/Comms Officer	
First Aid Officer		Station/Callout Attendant	

(If nominating for more than one position, separate forms are required)

I as an active member of Volunteer Bush Fire Brigade hereby endorse the above nomination.

Full name of Nominee:

Address:

Contact Details—

Home:

Mobile:

E-mail:

DFES Identification Number:

I certify that I have read and understand the duties and responsibilities for the position I have been nominated as specified under the Volunteer Bush Fire Brigade Rules and that I have currency in all the competencies required. I understand that if I do not have currency in all the competencies required I can still be nominated subject to the approval of the CBFCO. Such approval may be conditional on further training or other arrangements as deemed necessary.

Signature Date

Received by Secretary/Returning Officer—

Signature

Date

Received by Secretary/Returning Officer—

Signature

Date

Dated of 2019

The Common Seal of the Shire of Plantagenet was affixed on by authority of a resolution of the Council in the presence of-

Chris Pavlovich
Shire President

Rob Stewart
Chief Executive Officer

Council

MEMORANDUM OF UNDERSTANDING – MUTUAL
SUPPORT IN PLANNING AND RESPONDING TO
BUSHFIRES WITHIN OR NEAR PLANTATION
ESTATES AND OTHER BUSHFIRE AS REQUIRED

Memorandum of Understanding

Meeting Date: 13 August 2019

Number of Pages : 29

MEMORANDUM OF UNDERSTANDING

between the

Department of Fire and Emergency Services

and the

Forest Industries Federation WA (Inc)

and the

**Department of Biodiversity, Conservation and
Attractions, Parks and Wildlife Service**

and

Participating Local Governments

for

**MUTUAL SUPPORT IN PLANNING AND
RESPONDING TO BUSHFIRES WITHIN OR NEAR
PLANTATION ESTATES AND OTHER BUSHFIRES
AS REQUIRED**

1. BACKGROUND

The Plantation Industry has recognised the importance of a unified approach in controlling and managing bushfires across land of all tenure including plantation estates. With full industry participation, a fire management agency can call upon the Plantation Industry to assist during an incident, particularly where Plantation Managers have the ability to provide:

- specialist equipment and knowledge that assists with bushfire suppression in plantations
- effective initial response to bushfires within or near to plantations due to proximity of equipment and personnel
- resources with recognised standards in training, equipment and operating procedures.

This approach has culminated in the Plantation Managers Fire Agreement (Attachment 2) between certain Plantation Companies, which is administered by Forest Industries Federation WA (Inc). Through this agreement, plantation managers commit their resources to assist each other to suppress fire where it threatens their managed estate or adjoining neighbours.

2. PURPOSE

The purpose of this Memorandum of Understanding (**MOU**) is to establish mutual emergency response capability arrangements for:

- bushfires within or near plantation estates
- bushfires not impacting plantation estates but where plantation resources may be requested to support the local bush fire fighting response.

The MOU is between the following parties:

- Department of Fire and Emergency Services (**DFES**)
- Forest Industries Federation WA (Inc) (**FIFWA**) representing Plantation Managers who are signatories to the Plantation Managers Fire Agreement
- Department of Biodiversity, Conservation and Attractions (**DBCA**)
- Local Governments (see Attachment 1 for participating local governments).

This MOU will address overarching arrangements for bushfire response between plantation Managers and State fire agencies, particularly in relation to:

1. Detection
2. Mobilisation and Response
3. Command and control
4. Communications
5. Equipment
6. Training and Exercising
7. OSH
8. Financial arrangements.

This MOU does not constitute and shall not be deemed to constitute any legally binding or enforceable obligations or relations between the parties. This MOU is instead a statement of current intent and understanding.

3. DEFINITIONS & INTERPRETATION

In this MOU:

Controlling Agency is generally determined based on tenure and can be DBCA, DFES or a Local Government Bush Fire Brigade. However, in the interest of containing fires as early as possible, the Controlling Agency best placed in terms of location, resources and expertise is to initially deal with a fire emergency irrespective of location or tenure.

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

First responder means the personnel of any party who are able to respond in the most timely fashion to a fire, so as to minimise loss of life, prejudice to safety, or harm to the health of persons or animals, or destruction of, or damage to, property or any part of the environment.

Incident Controller means a person who has overall responsibility for the management of all activities undertaken to control an incident, specifically:

- a) the FES Commissioner;
- b) an officer or any member of a brigade;
- c) a person employed in the Department who is authorised by the FES Commissioner;
- d) a bush fire control officer;
- e) a CALM Act Officer; or
- f) a person authorised to take control of all operations in relation to a fire pursuant to a *Bushfires Act 1954* section 13(4) or (5) authorisation.

Parties include DFES, DBCA, participating local governments and plantation fire managers.

Plantations Co-ordinating Duty Officer means the lead coordinating duty officer for an incident and principle point of contact for plantation managers.

Plantation Managers Fire Agreement refers to the agreement between certain plantation companies to commit their resources to suppress fire where it threatens their managed estate or adjoining neighbours. See Attachment 2.

Plantation Liaison Officer means the officer designated by the Western Australian Plantation Managers to represent the interests of the industry, their resources and assets during incidents.

Plantation Managers means Western Australian Plantation Managers who are participants in the Plantation Managers Fire Agreement (Attachment 2).

Words or phrases used in this MOU and defined in the *Bushfires Act 1954* shall bear the same meaning attributed to them in that Act.

4. ACKNOWLEDGMENTS AND UNDERTAKINGS BY THE PARTIES

4.1. Acknowledgement of Plantation Managers Fire Agreement

- 4.1.1. DFES, DBCA and participating local governments, within the catchment area of this MOU acknowledge the Plantation Managers Fire Agreement and its standards for equipment, training and safety, as well as cooperative arrangements for response within and immediately adjoining plantations managed by signatories to the Plantation Managers Fire Agreement (Attachment 2).
- 4.1.2. DFES, DBCA and the participating local governments will recognise resource capability of Plantation Managers and ensure resources identified with the Plantation Managers Fire Agreement (Attachment 2) are incorporated into their resource management systems for response to bushfires.

4.2. Detection of bushfires within or adjacent to plantation estate

- 4.2.1. If a plantation manager becomes aware of a bush fire within or adjacent to their plantation estate, they will promptly inform DFES COMCEN and the Controlling Agency, if known.

4.3. Plantation Manager Mobilisation and Response

- 4.3.1. If DFES, DBCA or BFBs are unable to provide a timely response to a bushfire within or near a plantation, they will request the mobilisation of the nearest plantation resources to assist at the incident.
- 4.3.2. The Plantation Manager will respond to the incident in accordance with any direction given by the Controlling Agency and in accordance with the Plantation Managers Fire Agreement (Attachment 2).

4.4. Command and Control

- 4.4.1. All incidents will come under the overall control of the Controlling Agency Incident Controller.
- 4.4.2. The command of plantation resources at the incident scene will remain with Plantation Coordinating Duty Officer, until controlling agency personnel can attend, designate an Incident Controller and assume overall command of all resources at the incident.
- 4.4.3. As per the Plantation Managers Fire Agreement (Attachment 2), the Plantation Managers will provide a Plantation Liaison Officer to provide specific plantation intelligence and assist the Incident Controller in the coordination of Plantation Industry Resources during incidents.
- 4.4.4. Plantation Managers will work cooperatively with the Controlling Agency during bush fire response with their primary interest being the protection of their plantation assets and they will be tasked accordingly by the Incident Controller when operating within an established incident management structure.

- 4.4.5. Plantation Managers acknowledge that life and property take priority over their plantation assets and will work under the direction of the Incident Controller to protect life and property.
- 4.4.6. Plantation Managers acknowledge that the Incident Controller will set overall objectives and priorities in line with SEMC approved State Strategic Control Priorities (Attachment 3).
- 4.4.7. When responding to a bushfires, Controlling Agency personnel shall operate in accordance with the Australasian Inter-service Incident Management System (AIIMS) structure, as implemented by the Controlling Agency and the Plantation Manager.
- 4.4.8. The Incident Controller will stand down plantation staff and demobilise plantation equipment when they are of the opinion their assistance and/or resources is no longer required at the incident.

4.5. Communications

- 4.5.1. All plantation industry resources responding to incidents under this MoU are to have a two-way radio that is able to operate on VHF (WAERN) as a minimum.

4.6. Equipment

- 4.6.1. The Controlling Agency may require and request the use of Plantation Industry resources to respond to bushfires.
- 4.6.2. Plantation Managers are required maintain all fleet and equipment in accordance with the Plantation Managers Fire Agreement (Attachment 2).
- 4.6.3. Plantation Managers with fixed AVL units in vehicles and/or equipment must maintain and update the units as required to ensure they function appropriately.
- 4.6.4. Where possible, DFES will assign a Portable AVL Unit to plantation resources in attendance at a fire ground. The Portable AVL Unit must be returned to the person who assigned it before the plantation resource departs.

4.7. Training and Exercises

- 4.7.1. Controlling Agencies use the Australasian Inter-service Incident Management System (AIIMS) for incident management. Incident Controllers managing incidents within or near to plantation estate are to be competent in AIIMS.
- 4.7.2. Where possible DFES will attempt to provide plantation managers and their crew with access to AIIMS training.
- 4.7.3. Plantation industry personnel responding to bushfires under this MoU will meet the minimum fire training requirements specified in the Plantation Managers Fire Agreement (Attachment 3).
- 4.7.4. Parties agree to invite each other to participate in coordinated emergency exercises, pre-season briefings and relevant meetings.

4.7.5. DFES, DBCA or participating local governments may provide local joint training opportunities to Plantation Managers and their staff, subject to availability of resources. Such opportunities will be managed by the respective DFES Region Superintendent.

4.7.6. DFES will work with the Plantation Managers to assess and review compatibility of training, equipment and PPE to enhance operational response capability.

4.8. Safety Requirements and Standards

4.8.1. The parties must comply with the *Occupational Safety and Health Act 1984* and the relevant Australian Standards relating to personal protection, safety and health.

4.9. Insurance

4.9.1. Parties are required to have adequate and appropriate insurance to cover the activities for the purposes of the MOU.

4.10. Financial Arrangements

4.10.1. Plantation Managers will not charge DFES, DBCA or Local Governments for attendance at bushfires for the purpose of extinguishing and preventing the spread of fire within or near plantation estates. However, costs may apply for the mop up activities on non-plantation estates in accordance with the Plantation Managers Fire Agreement.

4.10.2. Plantation Managers may charge a fee for service for attendance at bushfires not impacting plantation estates.

5. DURATION AND AMENDMENT

This MOU will remain in force for an initial period of three (3) years from the date of the last signature, with an option to extend for a further period by written agreement of all parties.

This MOU shall not be altered, varied or modified in any respect except by agreement in writing signed by all parties.

6. DISPUTE RESOLUTION

The parties must first attempt to resolve any dispute arising between them in relation to any matter the subject of this MOU, by way of conference and negotiation. The parties must confer and negotiate within 7 days after receiving a notice from the other party setting out the nature of the dispute.

If the issue cannot be resolved by negotiation then the matter of dispute is to be conferred, deliberated and resolved by the FES Commissioner, FIFWA CEO, DBCA Director General or the applicable Local Government CEO or a nominated delegate.

7. TERMINATION

This MOU may be terminated:

- a) by mutual agreement of all parties in writing at any time, or
- b) at any time for any reason by either party by giving one month's notice in writing to the other party.

8. NOTICES

Notices or other communications by each party to each other and under this MOU must, unless otherwise notified in writing, be addressed and forwarded as follows:

DBCA

Director General
Department of Biodiversity, Conservation and Attractions
Parks and Wildlife Service
Locked Bag 104
Bentley Delivery Centre WA 6983

DFES

FES Commissioner
Department of Fire and Emergency Services
Emergency Services Complex
20 Stockton Bend
COCKBURN CENTRAL WA 6164
(Postal)
PO Box P1174
PERTH Western Australia 6844

FIFWA

Unit 1 Abridge House
5 Turner Avenue
BENTLEY WA 6102

See Attachment 1 for addresses for participating local governments

9. ASCENDANCY OF LEGISLATION

The parties recognise that the relevant legislation of or applicable in Western Australia (including subsidiary legislation) prevails over this MOU to the extent of any inconsistency.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made between the

Department of Fire and Emergency Services

20 Stockton Bend
Cockburn Central WA 6164

Department of Biodiversity Conservation and Attractions - Parks and Wildlife Service

17 Dick Perry Avenue
Technology Park, Western Precinct
Kensington WA 6151

Forest Industries Federation WA (Inc)

[representing the signatories to the Plantation Managers Fire Agreement (Attachment 2)]

Unit 1 Abridge House
5 Turner Avenue
Bentley WA 6102

Participating Local Governments

[see Attachment 1 for list of participating local governments]

and will take effect from the date of the last signature and will remain in place for three
(3) years.

SIGNED for and on behalf of the Department of Fire and Emergency Services by:

**DARREN KLEMM AFSM
COMMISSIONER**

Signature

Date

SIGNED for and on behalf of Department of Biodiversity, Conservation and Attractions by:

**MARK WEBB
DIRECTOR GENERAL**

Signature

Date

SIGNED for and on behalf of Forest Industries WA (Inc) by:

**MATT GRANGER
A/CHIEF EXECUTIVE OFFICER**



Signature

18/01/19

Date

See Attachment 1 for the list of participating local governments.

The following local governments with plantations that are party to the Plantation Managers Fire Agreement have reviewed and agree to participate in this MOU.

Local Government	Contact Information
City of Albany	Phone: 6280 3000 Postal Address: PO Box 484, Albany WA 6331 Email: staff@albany.wa.gov.au
Shire of Augusta – Margaret River	Phone: 9780 5255 Postal Address: PO Box 61, Margaret River WA 6285 Email: amrshire@amrshire.wa.gov.au
Shire of Dardanup	Phone: 9724 0000 Postal Address: PO Box 7016, Eaton WA 6232 Email: records@dardanup.wa.gov.au
Shire of Denmark	Phone: 9848 0300 Postal Address: PO Box 183, Denmark WA 6333 Email: enquiries@denmark.wa.gov.au
Shire of Williams	Phone: 9885 1005 Postal Address: PO Box 96, Williams WA 6391 Email: shire@williams.wa.gov.au
Shire of Manjimup	Phone: 9771 7777 Postal Address: PO Box 1, Manjimup WA 6258 Email: info@manjimup.wa.gov.au
Shire of Boddington	Phone: 9883 4999 Postal Address: PO Box 4, Boddington WA 6390 Email: shire@boddington.wa.gov.au

THIS AGREEMENT is made on the 19th November 2018

BETWEEN: Western Australian Plantation Managers ("**Managers**")

PREAMBLE

The Plantations Industry has recognised the importance of a unified approach in the control and management of wildfire within or near its plantation estate. Individual growers are conscious of the "strength in numbers" approach and have formed alliances with other industry **Managers** across a number of land districts. With full industry participation, a fire managing authority can call upon the Plantation Industry and optimise specialist fire-fighting resources. This approach is supported by Local Government and State Government fire authorities and has culminated in the formation of a Plantation Managers Fire Agreement.

1. DEFINITIONS AND SCHEDULES

1.1 In this Agreement, unless the context indicates otherwise

"Agreement" means this document including the Schedule.

"Communication Plan" is a plan or document designed to provide contact or a communication framework to the user.

"Co-ordinating Duty Officer" means the lead coordinating Duty Officer for an incident and principle point of contact for Managers.

"DFES" means the Western Australian Department of Fire and Emergency Services.

"Duty Officer" means a designated person for the management of fire responsibilities. The Duty Officer is a rotating position and Managers will have rostered Duty Officers available over the prescribed fire season.

"Incident Controller" means the person with overall control responsibilities for Incident activities and control of the Incident Management Team.

"Manager/s" means Western Australian Plantation Managers that are participants in this agreement.

"Parks and Wildlife Service" means the Parks and Wildlife Services section of the Western Australian Department of Biodiversity, Conservation and Attractions.

"Plantation Liaison Officer" means a Plantation Industry designated position that assists the Incident Management Team.

"Prescribed Fire Season" means the period between 1/11/2018 and 30/04/2019. Dates may be varied by the group and are subject to prevailing seasonal conditions.

"Response Zones" means bounded areas of land where individual Managers have established plantation estate.

"Services" means the services described in Schedule 4.

"Schedule" means the schedules to this Agreement.

"Term" means agreed start date and cessation date of this agreement

1.2 The following schedules are attached hereto and form part of this Agreement:

- (a) Schedule 1 – Training standard
- (b) Schedule 2 – Fleet Safety Standards
- (c) Schedule 3 – Equipment Standards
- (d) Schedule 4 – Agreed Schedule of Rates for Mop Up
- (e) Schedule 5 – Plantation Liaison Officer Duties Statement
- (f) Schedule 6 – Fatigue Management
- (g) Schedule 7 – Slash Heap Management
- (h) Appendix 1 – Communication Zones for Fire Incident Response and Reporting
- (i) Appendix 2 – Plantation Managers Fire Suppression Resources
- (j) Appendix 3 – Liaison Officers

2. TERM

This Agreement shall come into effect upon signing by the parties and shall remain in force for a period of one year

Commencement Date: 19/11/2018

Completion Date: 18/11/2019

3. ENGAGEMENT

Managers agree to commit their resources to assist each other in the relevant **Response Zones** (Appendix 1: Communication Plan - Response Zones 2018/19) to suppress fire where it threatens their managed estate or adjoining neighbours. Manager fire numbers are to be shown against their respective Response Zones on the Communication Plan where each company has a Plantation interest.

Where **Managers** are requested to provide resources outside their fire **Response Zone**, this will be by individual agreement between **Managers**.

4. MANAGERS OBLIGATIONS

4.1 Provide service

Each **Manager** will have a 24-hour fire number with an experienced rotational **Duty Officer** on call during the **prescribed fire season**.

In accordance with incident reporting and response protocols, **Managers** will coordinate the dispatch of personnel and equipment via the **Coordinating Duty Officer** to suppress fire under the direction of the **Incident Controller**.

Where **Managers** are unable to respond, they will immediately advise the **Coordinating Duty Officer**. The **Manager** will regularly provide updates to the **Coordinating Duty Officer** if resources become available.

In the event of multiple fires within any single **Response Zone**, **Managers** will consult with each other how best to deploy resources.

In the event of a single fire within any single **Response Zone**, the **Coordinating Duty Officer** may ask other **Managers** within the same **Response Zone** to hold back resources to cover any potential fire threats across other deployed Manager estate whose resources are deployed at the fire incident.

(Appendix 2 - Summary of Manager Resources).

4.2 Standards and Safety

Each **Manager** is responsible for complying with all mandatory standards and legislation relating to fire protection, safety and health. There are a number of Australian Standard references.

- (a) Occupational Safety and Health Act 1984
- (b) Policy Statement No. 60: Occupational Safety and Health
- (c) Australian Standard AS/NZS 1801 type 3 (helmets)
- (d) Australian Standard AS/NZS 1337 (goggle materials)
- (e) Australian Standard AS/NZS 4824 standards (high visibility clothing material)
- (f) Australian Standard AS/NZS 1906.4 2010 (reflective banding)
- (g) Australian Standard AS/NZS 2161 – level 1 (gloves)
- (h) Australian Standard AS/NZS 4821 type 1 (boots)

Also refer to item 8 and Schedule 1, 2, 3 and 6.

4.3 Plantation Liaison Officer

Managers are to work collectively together to resource the 'WA Plantation Managers Plantation Liaison Officer role on an as required basis. The **Coordinating Duty Officer** will be the point of contact for the **Plantation Liaison Officer** where implemented.

(A summary of Manager nominated Plantation Liaison officers are shown at Appendix 3).

4.4 Mapping

Managers will supply annual updates of their GIS dataset information to mapping providers to facilitate the revision of the agreed information platforms.

4.5 Communication

In the event of a plantation fire where Industry crews are deployed, **Managers** will maintain close communication with the **Coordinating Duty Officer**.

5. COORDINATING DUTY OFFICER

The primary responsibility of the **Coordinating Duty Officer** or Manager of fire crews is to protect plantation estates unless directed otherwise by the Incident Controller or his duly appointed representative.

The **Coordinating Duty Officer** will be the principle point of contact for **Manager** enquiries and deployed field crews. The **Coordinating Duty Officer** will liaise with Managers over, strategies, crew deployment, shift changes and specialised equipment needs where the fire crosses multiple growers' plantation sites.

The **Coordinating Duty Officer** will be the focal point for communications with the **Plantation Liaison Officer** where deployed.

6. PLANTATION LIAISON OFFICER

The **Plantation Liaison Officer** shall be deployed in large fire multi agency situations where plantations are under threat and the incident is being managed by a full Incident Management Team. The **Plantations Liaison Officer** will be contacted by the relevant Duty Officer and dispatched to the Operations point as advised by the Incident Controller.

The **Plantation Liaison Officer** will report externally direct to that Coordinating Duty Officer for all ongoing matters while the incident runs.

The role of the **Plantation Liaison Officer** is to;

- (a) Provide liaison and advice to the Incident Controller and the supporting Agencies so it can quickly gather relevant information to allow sound decision making.
- (b) Brief incoming Plantation crews where possible.
- (c) Ensure that accommodation/meals/travel arrangements are in place and crews are informed of shift changes and details for next shift

Plantation Liaison Officer Duty Statement is detailed at Schedule 5

7. INSURANCES AND INDEMNITY

7.1 Insurance

Each **Manager** will have the appropriate insurance to ensure its own accident coverage on other land.

7.2 Indemnity

- (a) Subject to Clause 7.1 the **Managers** agree to indemnify each other against any:
 - (i) Liability incurred by another **Manager**;
 - (ii) Loss of or damage to property of the Principal Manager; or
 - (iii) Loss or expense incurred by the **Manager** in dealing with any claim against it including legal costs and expenses on a solicitor/own client basis and the cost of time spent, resources used or disbursements paid by the **Manager**, arising from:
 1. Any negligent or wilful act or omission by the **Manager**, its officers, employees, agents or subcontractors in connection with this Agreement;
 2. Any breach by the **Managers** of its obligations under this Agreement;

8. FATIGUE MANAGEMENT


Managers and staff share the responsibility of Fatigue Management as it involves factors both inside and outside of work. **Managers** must understand the impact of fatigue and the

strategies to prevent fatigue and must have knowledge of the Worksafe WA Code of Practice on Working Hours 2006.

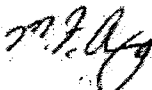
Guidelines for Fatigue Management are detailed at Schedule 6.

The companies listed below are signatories to the agreement. A signed copy of the agreement from each of these companies is held on file at FIFWA


EXECUTED for and on behalf of ALBANY PLANTATION FOREST COMPANY

Name of signatory TOSHIMIZU OKADA Signed 
Date: 13 Nov 2018.


EXECUTED for and on behalf of AUSTRALIAN BLUEGUM PLANTATIONS PTY LTD

Name of signatory Murray Anning Signed 
Date: 16/11/18

EXECUTED for and on behalf of BUNBURY TREEFARM PROJECT

Name of signatory PHILLIP LIREN Signed 
Date: 12-11-2018


EXECUTED for and on behalf of BUNBURY FIBRE PLANTATIONS PTY LTD

Name of signatory STEVE PICKERING Signed 
Date: 9/11/2018


EXECUTED for and on behalf of FOREST PRODUCTS COMMISSION

Name of signatory David Gulle Signed 
Date: 12/11/18


EXECUTED for and on behalf of PLANTALL FORESTRY CONSULTANTS

Name of signatory DAVID WETTENHALL Signed 
Date: 12-11-2018


EXECUTED for and on behalf of WA PLANTATION RESOURCES

Name of signatory Mark Lush Signed 
Date: 19/11/2018


EXECUTED for and on behalf of PF OLSEN (AUS) PTY LTD

Name of signatory Mal Parker Signed 
Date: 09/11/2018

EXECUTED for and on behalf of ENTS FORESTRY

Name of signatory ANDY WRIGHT Signed 
Date: 9/11/18

EXECUTED for and on behalf of WESPINE INDUSTRIES PTY LTD

Name of signatory Patrick Warrard Signed 
Date: 16-11-18

SCHEDULE 1

TRAINING STANDARD

All personnel rostered for fire suppression must have attended suitable pre-season scenario based training in bush fire fighting safety meeting the DFES training standards covering:

Fire safety

- LACES (Lookouts, Awareness, Communications, Escape Routes, Safety Zones)
- Dead-Man Zone
- Fire Blankets
- Burn Over
- PPE
- Emergency & Red Flag warnings
- Heat Illness and Burns First Aid.

Attendance at Fires

- Fire Ready – Daily preparedness
- Fire Ready – Fire Ground Ready
- Resources logging in/out
- Briefings (SMEACS) Situation, Mission, Execution, Administration/Logistics, Command Control and Communications and Safety
- AIIMS

Knowledge and Skills

- BoM Spot Fire Weather Forecasts
- Map Reading - Theory and Activity
- Radio communications – training and assessment
- Road Management – Prescribed Burns & Bushfires

Practical

- Burn over training and assessment
- Pumper operation assessment (only in what you are expected to use)
- Portable pump use training and assessment

SCHEDULE 2

FLEET SAFETY STANDARDS

It is a requirement that each Manager provides fire units that meet the Parks and Wildlife Service/DFES fire equipment standards and have access to compatible equipment to integrate with each other and LGA Brigades. A fast attack unit and heavy duty unit will have a minimum of two people for fire suppression activities.

Fast Attack vehicles (4x4 vehicles legally rated to carry 400L of water) and General Fleet used at Fires sector patrol

1. Fire Blankets to protect crew members – Blanket numbers consistent with vehicle seating capacity (minimum of two compulsory fitments inside the vehicle).
2. WAERN radio (fitment before mid-2019)

Heavy Fleet

1. Fire Blankets – Blanket numbers consistent with vehicle seating capacity (compulsory fitment inside the vehicle)
2. Cab protection curtains (fitment before mid-2018)
3. Deluge Cab protection systems (fitment before mid-2018)
4. Electrical and fluid hose lagging to protect major componentry from radiated heat (fitment before mid-2018)
5. Air cleaner upgrades to remove plastic from the plumbing (fitment before mid-2018)
6. Panels and plastic replacement to remove those items on the truck cab that may be affected by radiant heat to reduce truck cabin fire risk (fitment before mid-2018)
7. WAERN radio (fitment before mid-2019)

SCHEDULE 3

EQUIPMENT STANDARDS

Plantation Managers should provide the minimum equipment standards listed below.

Minimum Equipment Standards

Plantation Area (hectares)	Fast Attack	2.4 (M/Duty)	3.4 (H/Duty)
Less than 3000 hectares	1		
3000 – 5000 hectares	1	1	
5000 – 15,000 hectares	2		1
15,000+ hectares	2	1	1

Definition: *Fast Attack relates to a 4x4 vehicle legally rated to carry a minimum of 400 litres of water.*

2.4 (Medium Duty) relates to a 4x4 vehicle legally rated to carry a minimum of 2000 litres of water.

3.4 (Heavy Duty) relates to a 4x4 vehicle legally rated to carry a minimum of 3000 litres of water.

Additional fast attacks can replace 2.4 M/Duty

Performance Specifications for Fast Attack

Pump and Motor (Petrol/Diesel)

- 200 litres/min at 700 kPa and at no flow 1000 kPa.

Ancillary Equipment

- 1 x 15 metre length (38mm) PVC/Nitrile extruded hose (or equivalent).
- 1 controlled branch.

Performance Specifications for 2.4 (Medium Duty) & 3.4 (Heavy Duty) Appliances

Pump and Motor (Petrol/Diesel)

- 450 litres/min at 700 kPa and at no flow 1500 kPa.

Ancillary Equipment

- 8 x 30 metre and 2 x 10 metre (38 mm) lengths of PVC/Nitrile extruded hose (or equivalent).
- Dividing breeching controlled.
- 2 x branches controlled.

All vehicles shall be 4-wheel drive and preferably have diesel engines.

SCHEDULE 4

AGREED INDUSTRY SCHEDULE OF RATES FOR MOP UP

In the spirit of this Agreement, each Manager will incur their own cost for suppression services. Where fire is suppressed, responsibility of mop-up and patrol operations will revert back to each relevant Plantation Manager/s until the fire area is deemed safe by the authorised Incident Controller and themselves. Where personnel are requested by another Manager to stay on after fire suppression to assist in mop up duties the relevant charge below may be applied at the discretion of the Manager.

SERVICE RATES

STAFF	\$60.00/hr flat rate
Fast Attacks	\$1.20/km
Heavy Fleet	\$2.50/km

It is not intended that Managers will charge landowners or Brigades for time spent attending fires.

SCHEDULE 5

PLANTATION LIAISON OFFICER DUTY STATEMENT

Position description

Preamble

Land use in the greater southwest of WA now presents a mosaic of traditional agriculture, plantations and assets with significant value. During fires, all assets might be better protected by optimising the allocation of specialist fire-fighting resources available: rural brigades to the agricultural assets and infrastructure; forest industry crews to the plantations. The liaison role should assist Incident Controllers to most effectively deploy fire-fighting resources during major incidents.

Objectives

To provide specific plantation intelligence and assist the Incident Controller / Incident Management Team coordinate resources during a fire incident where fire threatens plantation land.

Specific objectives include

1. Provide detailed plantation asset or property information to the Incident Controller to assist with decision making.
2. Mitigate plantation asset loss without compromising fire-fighter safety.
3. Participate in a strong, coordinated, initial response to keep fires small.
4. Ensure plantation industry fire suppression resources are effectively linked in to the Local Government or Hazard Management Authority's response.
5. Ensure plantation company's Fire Duty Officers are well informed.

Activation

The liaison position is to be activated at the request of the plantation industry, or upon request from the Incident Controller, CBFCO, or nominee, via plantation managers' Fire Duty Officers.

Resources

- Plantation managers are to work collectively together in line with the "WA Plantation Managers' fire agreement" and resource this role on an 'as required' basis.
- Where practicable the plantation manager who has the most assets under threat should deploy the person with the highest level of competencies to act in this liaison position, or where not practicable, the next most senior officer from another company.

Competencies

- Experienced in plantation fire fighting
- Good communication and facilitation skills

Operational / technical information which may be offered by the fire liaison person

- Plantation ownership
- Plantation age

- Plantation area
- Rotation status
- Fuel Hazards (fuel loading and arrangement)
- Plantation access
- Water points
- Plantation company fire-fighter and appliances details on the fire ground
- Plantation asset value
- Supply maps
- Grazing lessee
- Tenants in plantation houses
- Shed/building asset value & protection priority
- Expected fire behaviour
- Remnant native vegetation history
- Plantation contractor contact details e.g. harvesting contractors
- ETA of plantation company resources
- Plantation company resources on standby

SCHEDULE 6

FATIGUE MANAGEMENT

Fatigue Management Guidelines for Fire Control

Managers acknowledge that fatigue is a significant safety issue for personnel working in fire management situations. The importance of providing safe work schedules to allow appropriate sleep, rest and recovery to ensure people can undertake their tasks in a safe and responsible manner is part of the Company Duty of Care.

To ensure effective management, the following guidelines are to be implemented by the Duty Officer or Incident Manager:

Guidelines

1. An employee's first shift should not exceed 24 hours, which includes all hours at normal duty prior to the incident. Travel time will also need to be considered and remote location work. If the employee is called out on a non work day, the time awake must also be considered.
2. No person will work alone at any fire incident.
3. All personnel who work longer than 16 hours will be driven home from the fire by relief drivers or accommodated close to the incident.
4. All personnel who work longer than 16 hours are required to have a break that allows a minimum 8 hours rest break before being available.
5. Each subsequent shift should not exceed 16 hours. The shift should change at 12 hours intervals in daylight where possible.
6. Where practical all complex tasks should be planned for daylight hours.
7. Where personnel are required for 5 consecutive days or 3 nights, a minimum 24-hour rest period should occur.
8. Shift changes of personnel should rotate every 2nd or 3rd shift from day to night with extra rest between.
9. Coordinating Duty Officers need to be vigilant and accurate with timekeeping and run an incident board to ensure advance planning. Assistance needs to be requested for all incidents running longer than 12 hours or involving other Companies or Local Authorities.
10. Coordinating Duty Officers will demobilise crews as needed from an incident keeping in mind the following factors:
 - Need for crew members to rest or equipment to be maintained.
 - Stage of suppression, e.g. fire going vs. fire contained.
 - Other work commitments.
 - Crews will only depart from an incident after being formally demobilised by the Coordinating Duty Officer or controlling agency. The Coordinating Duty

Officer shall notify the relevant Managers of the departure of crews and appliances from an incident.

- Need to plan for shift changeovers to remove the risk of crews driving back to their place of work after a long shift at a fire incident.

Fatigue Management Considerations

1. Not all employees have the capacity to work extended hours and do have individual limitations. These must be known at the start of each season by all Duty staff.
2. Managers encourage personnel fitness by coordinating a fitness walk time trial in the lead up to each summer season.
3. Employees are encouraged to discuss limitations to relevant supervisors at any time prior to or at incident. This may alter tasks they can perform.
4. Fatigue will set in rapidly with heavy sustained and extended working loads particularly with heat stress and overloaded work periods. Allow personnel to change tasks to minimize fatigue.
5. Working at night can be hectic and or tiring and recovery can take longer due to change in normal routines
6. Provision should be made for more frequent breaks each hour to maintain performance and concentration.
7. Consumption of alcohol is to be discouraged during rest breaks
8. Particular attention to ensuring good quality water is available on vehicles and personnel are taking regular drinks to replace fluids and keep energy levels up.
9. Ensure if accommodation arranged that it provides clean, quiet rooms with 1x room per person where possible. Ability to provide healthy nutritious breakfast with take away meals is preferred.

SCHEDULE 7

Slash heap management

There are significant reasons for proper management practices regarding the burning of bark or residue heaps. Re-ignition, smoke emissions, damage to property or ecosystems and threat to life can be minimised with the correct burning methods and follow-up.

Within the plantation hardwood industry there has been a move to slash retention on site to retain nutrients. The configuration, location and volume of slash must also be managed to limit fire management issues.

Heap establishment

- Heaps should be established taking into account adjacent plantations, other unburnt fuel, and distance to fire breaks, access to and between heaps or rows.
- Appropriate setbacks from boundaries to plantations under different ownership and from areas of native vegetation should be made.
- It is recommended that where heaps are going to be burnt they should be no more than 10 metres wide and 4 metres high.
- Where hardwood slash is going to be broadcast across the coupe and not burnt then the external breaks need to be maintained and slash managed to ensure safety with regard to fire.
- Where utilising mushroom heaps (plantation hardwood) either burning or not burning, the heaps should be created with fire safety in mind
- Where utilising windrows (hardwood) either burning or not burning, the rows should be in a size and configuration that considers fire safety as well as silviculture requirements.

Heap ignition

- Any burning within the "restricted" fire danger period requires a permit. It should be well understood that igniting heaped processing refuse commits the managing entity to a lengthy burning period. It is not uncommon to see ignited heaps smoulder for 4-6 months.
- Heaps should be burned as soon as weather and fuel conditions permit after the previous fire season ends. Taking into consideration the future forecast conditions and length of burn time required before the heap is safe.
- Notify the appropriate Agencies (local authority, Parks and Wildlife Services) of the burn off and provide relevant information. This should be done all year round to avoid false alarms
- The timing of ignition should take into account the impact of smoke on adjacent land users. Where possible heaps should be retained and burnt at a time that impact on neighbours is minimised.
- Consider the actual and forecast wind direction and possible impact on visibility on surrounding roads and any signage or notification requirements.
- A register should be kept listing the location of all heaps ignited.
- The aim should be to have all heaps burnt and extinguished between the completion of one fire season and the commencement of the next to minimise the risk of fire escape.
- It is recommended that burning be completed prior to Spring to prevent possible re-ignition in summer from underground tree root systems.

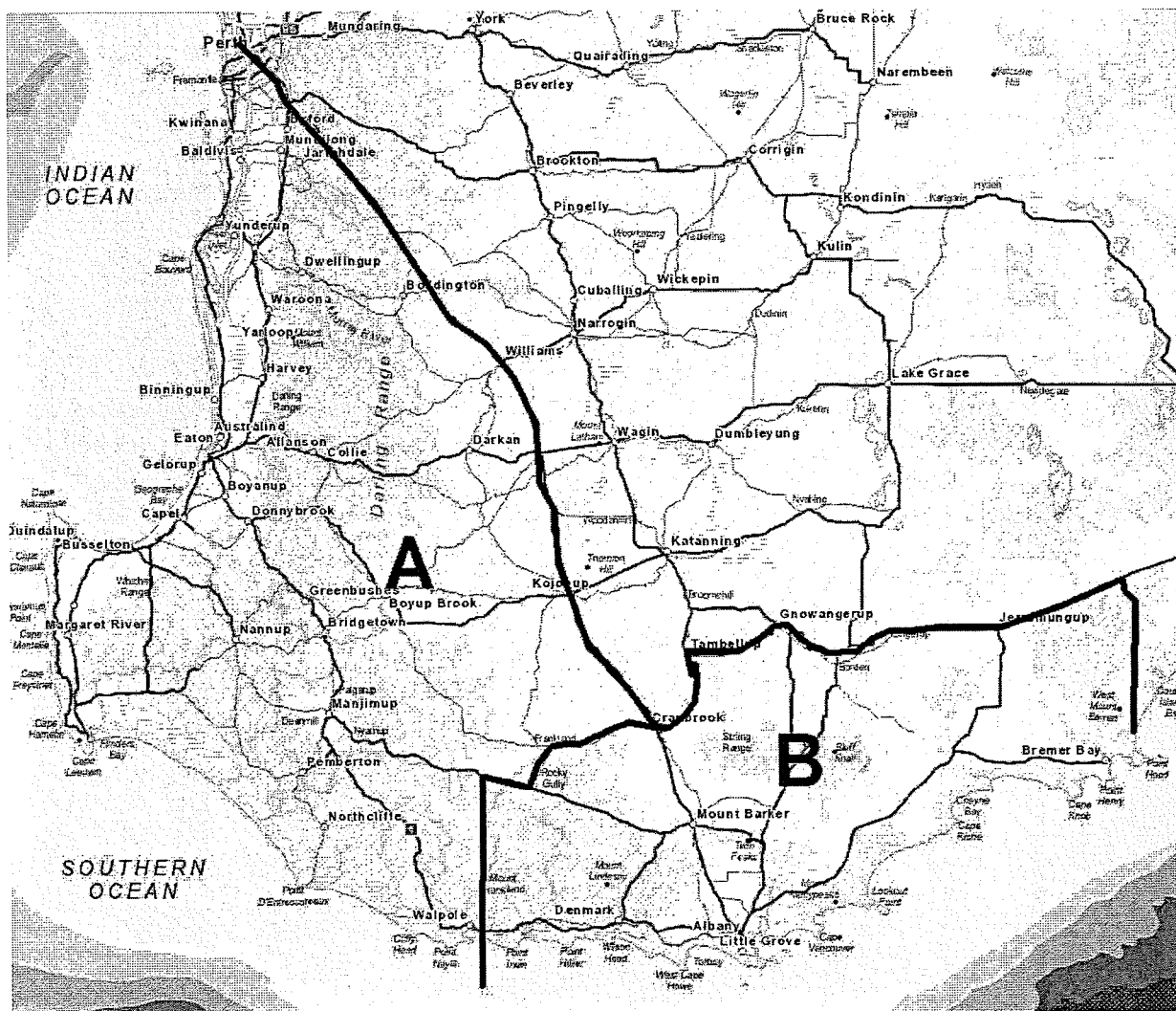
Monitoring heaps

- Hot heaps should be identified, patrolled and checked regularly.
- All heaps should be considered hot until declared extinguished.

Confirm extinguishment

- Methods to assist in checking and extinguishing heaps include ripping or pushing with an earth moving machine.
- All heaps should be checked to confirm that there are no remaining hot spots prior to declaring the heap extinguished. Infra-red imaging or heat detection devices or other physical methods should be used to assist in completing this check.
- The status of the heap should be updated in the heaps register.
- All heaps must be extinguished prior to the commencement of the declared fire season. A permit to maintain the fire in the heap would need to be obtained if the heap has not been declared extinguished and contact made with the District Fire Control Officer or Regional Fire Authority HQ to discuss a risk management strategy.

APPENDIX 1 - COMMUNICATION ZONES FOR FIRE INCIDENT RESPONSE AND REPORTING 2018/2019



FOREST MANAGER	ZONE OF INTEREST – fire phone contact numbers	
	A	B
Albany Plantation Forest Company		08 9845 3777
Australian Bluegum Plantations	08 9842 8581	08 9842 8581
Bunbury Treefarm Project	0427 905 306 08 9734 7171	
ENTS Forestry	0429 920 288	0429 920 288
Forest Products Commission	08 9725 5288	08 9845 5630
Bunbury Fibre Plantations	08 9721 5963	
Saddleback Tree Farms (only within 50km radius of North Bannister)	0407 445 280 08 9883 8207	
Plantall Forestry Consultants		0407 944 998
PF Olsen (AUS) Pty Ltd	1800 054 659	1800 054 659
WA Plantation Resources	08 9777 2022	08 9777 2022
Wespine	0427080075	

- A plantation fire report call can be initiated by any Forest Manager.
- The Forest Manager initiating the call should identify which 'communication zone' (A / B) the fire report has originated in (refer to regional map above).
- The Forest Manager initiating the call is encouraged to call all other Forest Managers located in the respective 'communication zone', provide an incident report and discuss incident response matters.

Appendix 2 - Plantation Managers Fire Suppression Resources 2018/2019

As @ 8th August 2018

Plantation Manager	Location	#	Appliance	Total L	#	Contractor Resources	Total L
Australian Bluegum Plantations	Albany	2	4x4 Fast Attack Fire Unit (650L)	1300			
		1	4x4 Heavy Duty Tanker(2000L)	2000			
	Mt Barker	1	4x4 Heavy Duty Tanker (3000L)	3000			
Albany Plantation Forest Company	Albany	1	4x4 Heavy Duty Tanker (2700L)	2700			
		3	4x4 Fast Attack Fire Units (400L)	1200			
Bunbury TreeFarm Project	Collie	2	4x4 Fast Attack Fire Unit (600L)	1200			
		1	4x4 Slip-On Fire Unit (450L)	450			
	Boyup Brook	1	4x4 Heavy Duty Truck (2700L)	2700			
ENTS Forestry	Albany	2	4x4 Fast Attack Fire Unit (650L)	1300			
Forest Products Commission	Albany	1	4x4 Slip-On Fire Unit (430L)	430			
		3	4x4 Slip-On Fire Unit (450L)	1350			
	Collie	2	4x4 Slip-On Fire Unit (400L)	800			
		1	Gang Truck (2700L)	2700			
	Nannup	1	Gang Truck (2700L)	2700			
		2	4x4 Slip-On Fire Unit (400L)	800			
	Bunbury	4	4x4 Slip-On Fire Unit (400L)	1600			
Harvey	1	4x4 Slip-On Fire Unit (400L)	400				
Bunbury Fibre Plantations Pty Ltd	Bunbury	1	4x4 Heavy Duty Tanker (3000L)	3000			
		1	Water tanker (20000L)	20000			
		3	4x4 Fast Attack Fire Unit (400L)	1200			
	Collie				3	4x4 Fast Attack Fire Unit (400L)	1200
Saddleback Tree Farms	North Bannister	2	4x4 Heavy Duty Tanker (2700L)	5400	2	4x4 Slip On Trailer (400L)	800
		1	Loader (Volvo 70D)				
	Collie	2	4x4 Fast Attack Fire Unit (400L)	800			
PF Olsen (Aus) Pty Ltd	Albany	9	4x4 Fast Attack Fire Unit (400 L)	3600	2	4x4 Fast Attack Fire Unit (400L)	800
		1	4x4 Heavy Duty Tanker (3000L)	3000			
	Collie	1	4x4 Fast Attack Fire Unit (400L)	400			
	Rocky Gully	1	4x4 Heavy Duty (3000L)	3000			
	Chowerup	1	4x4 Fast Attack Fire Unit (400L)	400			
		1	4x4 Heavy Duty Tanker (3000L)	3000			
	Donnybrook				1	4x4 Heavy Duty Tanker (3000L)	3000
				1	4x4 Fast Attack Unit (400L)	400	
WAPRES	Bunbury	1	4x4 Heavy Duty Tanker (3600L)	3600			
		1	Fast Attack Fire Unit (600L)	600			
	Collie				1	4x4 Fast Attack Fire Unit (420L)	420
	Manjimup	1	4x4 Heavy Duty Tanker (3600L)	3600			
		1	4x4 Heavy Duty Tanker (2700L)	2700			
	1	4x4 Fast Attack Fire Unit (700L)	700				
	1	4x4 Fast Attack Fire Unit (420L)	420				
Wespine Industries Pty Ltd	Bunbury	1	Front End Loader (Caterpillar 966H)				
		1	4x4 Fast Attack Fire Unit (420L)	420			
Totals		61		82470	10		6620

Total resources	Great Southern		South West	
	#	Litres	#	Litres
Fast attack units	24	10380	28	12610
Heavy duty units	6	16700	13	49400
Total	30	27080	41	62010

Total units 71
Total litres 89090



Government of Western Australia
State Emergency Management Committee

SEMC BULLETIN

No. 2
2017

Note: This bulletin supersedes SEMC bulletin No. 1 approved by the SEMC on 4 October 2016.

THE STATE STRATEGIC CONTROL PRIORITIES FOR ALL HAZARDS ARE:

- **PROTECTION AND PRESERVATION OF LIFE:** This is the fundamental overarching priority for the State, and includes:
 - Safety of emergency services personnel.
 - Safety of community members including vulnerable community members and visitors/tourists located within the incident area.
- **Community warnings and information**
- **Protection of critical infrastructure and community assets**
- **Protection of residential property**
- **Protection of assets supporting individual livelihood and community financial sustainability**
- **Protection of environmental and heritage values.**

The above priorities are **not hierarchical**; however protection and preservation of life must be paramount when considering the State strategic control priorities that identify the priority roles and actions for the emergency management response, where there are concurrent risks or competing priorities.

The State Emergency Management Committee (SEMC) has confirmed this set of State strategic control priorities to underpin and guide all decisions made during the emergency management response to hazards in Western Australia. These priorities provide clear direction on the factors to be considered during an emergency response.

This bulletin has been issued as a result of recommendations made within *Reframing Rural Fire Management – Report of the Special Inquiry into the January 2016 Waroona Fire* (the Ferguson Report). The Ferguson Report recommended that the DFES strategic control priorities for fire be adopted as State priorities for all hazards.

Endorsed by the SEMC on 3 October 2017