

LG302*

BUSH FIRES ACT 1954

LOCAL GOVERNMENT ACT 1995

Shire of Lake Grace

BUSH FIRE BRIGADES AMENDMENT LOCAL LAW 2015

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 Lake Grace resolved on the 18th November 2015 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Lake Grace Bush Fire Brigades Amendment Local Law 2015*.

2. Commencement

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

3. Principal local law

In this local law the *Shire of Lake Grace Bush Fire Brigades Local Law* as published in the *Government Gazette* on 27 March 2001.

4. Clause 1.2 amended

In clause 1.2—

- (a) delete the definition “Authority”;
- (b) insert in alphabetical order the following definitions—
“Department” has the meaning given by section 3 of the *Fire and Emergency Services Act 1998*
“district” means the district of the local government;
(c) in definition “Rules” delete all the words after “Schedule”.

5. Clause 2.3 replaced

Delete clause 2.3 and insert—

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 bushfire 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 firefighters.
- (2) 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.
- (3) Where a bushfire 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 bushfire 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 firefighters.

6. Clause 2.5 deleted

Delete clause 2.5.

7. Clause 4.4 amended

In clause 4.4(f) delete “Authority’s” and insert—

Department’s

8. Clause 6.2 amended

In clause 6.2 delete “31 May” and insert—

28 February

9. First Schedule clause 2.6 amended

In clause 2.6 of the First Schedule—

- (a) in the title delete “FESA” and insert—

Department

- (b) delete all instances of the word “Authority” and insert—

Department

10. First Schedule clause 3.3 amended

In clause 3.3(1)(e) of the First Schedule delete all instances of the word "Authority" and insert—

Department

11. First Schedule clause 5.1 amended

In clause 5.1(1) of the First Schedule after "Chief" insert "Bush".

12. First Schedule clause 5.4 amended

In clause 5.4(1) of the First Schedule—

- (a) delete "offices" and insert—
officers
- (b) delete "of member" and insert—
or members

13. First Schedule clause 7.1 amended

In clause 7.1(2) of the First Schedule delete "1 May" and insert—

31 May

14. First Schedule clause 7.4 amended

In clause 7.4(1) of the First Schedule delete all the words after "drawn" and insert—
by whatever means is considered by the Bush Fire Brigade to be the most
convenient including the use of electronic fund transfers

15. First Schedule clause 8.1 amended

In clause 8.1 of the First Schedule—

- (a) in subclause (1) after "post" insert—
or by electronic communication
- (b) in subclause (4)(c)—
 - (i) in subparagraph (ii) after the semi colon delete "or";
 - (ii) in subparagraph (iii) after the semi colon insert—
or
 - (iii) after subparagraph (iii) insert—
(iv) an electronic communication;
- (c) in subclause (4)(d)
 - (i) in subparagraph (ii) after the semi colon delete "or";
 - (ii) in subparagraph (iii) after the semi colon insert—
or
 - (iii) after subparagraph (iii) insert—
(iv) at the time when the electronic communication becomes capable
of being retrieved by the addressee.

16. First Schedule clause 8.2 amended

In clause 8.2 of the First Schedule—

- (a) in subclause (1) after "form" delete the words "of that appearing in this
clause" and insert—
as determined by the local government
- (b) delete the form headed "Proxy" that follows subclause (7).

Dated 10th December 2015.

The Common Seal of the Shire of Lake Grace was hereunto affixed by authority of its
Council in the presence of—

Cr. ANDREW WALKER, Shire President.
PETER BRADBROOK, Chief Executive Officer.
