

BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995

SHIRE OF MENZIES

BUSH FIRE BRIGADES AMENDMENT LOCAL LAW 2022

Under the powers conferred by the *Bush Fires Act 1954* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Menzies resolved on 27 January 2022 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Menzies Bush Fire Brigades Amendment Local Law 2022*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Menzies Bush Fire Brigades Local Law 2015* published in the *Government Gazette* on 23 June 2015.

4. Clause 2.2 amended

Delete clause 2.2 and insert—

2.2 Name and officers of bush fire brigade

(1) On establishing a bush fire brigade under clause 2(1) the local government is to—

- (a) give a name to the bush fire brigade;
- (b) specify the brigade 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 first lieutenant;
 - (iii) a second lieutenant; and
 - (iv) additional lieutenants if the local government considers it necessary.

(2) A person appointed to a position pursuant to subclause (1)(c) is to be taken to be a brigade member.

(3) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.

(4) In accordance with section 43 of the Act, the local government may remove or appoint officers of a bush fire brigade as deemed necessary or appropriate.

(5) Subject to subclause (4)—

- (a) an election is to be held at the first annual general meeting by the members of the brigade for appointments to the positions referred to in subclause (1)(c) and every subsequent annual general meeting.
- (b) if a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting or at any time, then the brigade members are to vote for a replacement member to fill the position.

(6) The brigade members may elect, set the term of office, describe the duties of, and dismiss, any person to any other position including secretary, treasurer, equipment officer, training officer or other positions, and may combine those positions.

5. Clause 3.3 amended

Delete subclauses 3.3(2) and (3).

6. Clause 3.5 amended

In subclause 3.5(e) delete the words “not later than 31 March”.

7. Clause 3.5A inserted

After clause 3.5 insert—

3.5A Duties of other brigade officers

The duties of lieutenants are—

- (a) to support the Captain in his or her role; and
- (b) in the absence or inability of the Captain or more senior role, to act in that role in order of seniority.

8. Clause 4.3 amended

In subclause 4.3(1) replace the word “March” with the word “August”.

9. Clause 5.1 amended

In subclause 5.1(1) delete the words “between 1 April and 30 June”.

Dated 27 January 2022

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

G. DWYER, President.
B. JOINER, Chief Executive Officer.
