

**BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995**

SHIRE OF KENT

BUSH FIRE BRIGADES LOCAL LAW 2024

Under the powers conferred by the *Bush Fire Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kent resolved on _____ to make the following local law.

The *Shire of Pingelly Bush Fire Brigades Local Law 2023* as published in the *Government Gazette* on 22 August 2023 is adopted as a local law of the Shire of Kent with the following modifications –

A. Title

In the title of the local law –

- (a) delete “Pingelly” and replace with “Kent”
- (b) delete “2023” and replace with “2024”.

PART 1 -

1.1 Preliminary

In Part 1 wherever the “Pingelly” is mentioned substitute “Kent”.

1.2 Clause 1.1 – Citation

In clause 1.1 delete “2023” and replace with “2024”.

1.3 Clause 1.3 – Definitions

In clause 1.3(1) in the definition of –

- (a) “Brigade officer” delete the words “he or she was” and replace with “they were”; and
- (b) “Local law” delete “2023” and replace with “2024”

1.4 Clause 1.4 – Repeal

Delete the text of clause 1.4 and replace with –

The *Shire of Kent Bush Fire Brigades Local law 2023*, published in the *Government Gazette* on 20 November 2023 is repealed.

1.5 Clause 4.2 – Operational members

Delete clause 4.2 and replace with –

4.2 Operational members

Operational members are those persons aged being at least 16 years of age who –

- (a) if less than 18 years of age –
 - (i) have the written consent of their parent or guardian; and.
 - (ii) the brigade captain is satisfied that the person is able to perform the requisite duties; and
- (b) undertake all normal brigade activities and have completed the required training qualification as determined by the local government.

1.6 Clause 4.4 – Cadet members

In clause 4.4(b) insert the word “written” prior to the word “consent”.

PART 2 - SCHEDULE 1

2.1 Clause 3.1 – Chain of command during fire fighting activities

In clause 3.1 delete the word “Pingelly” and replace with “Kent”.

2.2 Clause 4.2 – Applications for membership

Clause 4.2 is amended -

- (a) the existing text is to be re-numbered as subclause (1);
- (b) after subclause (1), insert –
 - (2) The application to join a bush fire brigade is to be in the form as determined by DFES from time to time.

2.3 Clause 4.3 – Decision on application for membership

In clause 4.3(2) delete the words “he or she has” and replace with the words “they have”.

2.4 Clause 5.2 – Termination of membership

In clause 5.2(3) delete the words “he or she” and replace with the words “they”.

2.5 Clause 6.1 – Annual General Meeting

In clause 6.1(3)(b) delete the words “brigade’s nominee” and replace with the words “determine brigade nominees”.

2.6 Clause 7.5 – Termination of membership

In clause 7.5(1) delete the words “he or she” and replace with the words “they”.

PART 3 - SCHEDULE 2

3.1 Schedule 2 – Membership form

Delete Schedule 2 – Membership form.

Dated _____ 2024

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

–

Kate JOHNSTON, President

Christie SMITH, Chief Executive Officer