



BUSH FIRE ADVISORY COMMITTEE
Terms of Reference
AS ADOPTED AT SMC 14 NOVEMBER 2019

Bush Fire Advisory Committee

Shire Delegates	1 x Elected member nominated by Council.
Chairperson	Shire Representative.
Deputy Chairperson	Department of Fire and Emergency Services Representative.
Agency Delegates	1 x Department of Fire and Emergency Services (DFES) 1 x Department of Biodiversity, Conservation and Attractions (DBCA) 1 x Main Roads WA (MRWA) 1 x Broome Police 1 x Bidyadanga Police 1x Dampier Peninsula Police 1 x Broome Regional Volunteer Bushfire (BRVB) 1 x Broome Volunteer Fire and Rescue Service (BVFRS) 1 x Kimberley Land Council (KLC) 1 x Nyamba Buru Yawuru Ltd (NBY)
Community Representatives	1 x Town of Broome 1 x Coconut Well 1 x Twelve Mile 1 x Bidyadanga 1 x Ardyaloon 1 x Beagle Bay 1 x Lombadina 1 x Djarindjin 1 x Skuthorpe
Secretariat	Director Development and Community
Ex-Officio Members	The Committee may invite additional ex-officio members as necessary.
Meeting Schedule	Quarterly or as required
Meeting Location	Shire of Broome, Administration Building or as convened.

Quorum Five (5)

Delegated Authority Nil

FUNCTIONS:

1. NAME

The name of the Committee is the Shire of Broome Bush Fire Advisory Committee.

2. DISTRICT/AREA OF CONTROL

The district shall have the application as deemed in the **Local Government Act 1995**, district means an area of the State that is declared to be a district under section 2.1 of the **Local Government Act 1995**, this being the whole of the Shire of Broome.

3. VISION / PURPOSE

To advise the Shire on:

- a) matters relating to previously controlled and existing of bush fires,
- b) the planning layout of Fire Breaks in the district,
- c) prosecutions for breaches of the BFAC,
- d) formation of brigades, and
- e) co-ordination and cooperation between brigades and agents.

4. STATUTE

Section 67 – Advisory committees, **Bush Fires Act 1954**.

Shire of Broome Standing Orders Local Law 2003.

In accordance with Council’s Standing Orders Local Law 2003, formal Committees of Council are to be compliant with the provisions of the Standing Orders Local Law as far as this does not conflict with any other written Law.

While recognising that the Bush Fire Advisory Committee is a Committee formed pursuant to section 67 of the **Bushfire Act 1954**, the Chairman is to follow the Standing Orders as far as is practicable to ensure proper meeting procedures are followed.

The Committee is proposed to be administered by utilising the **Local Government Act 1995** as a guiding reference.

5. ESTABLISHMENT

Last reviewed 14 November 2019.

6. OBJECTIVES

The Bush Fire Advisory Committee will be responsible for the reporting to and making recommendations to Local Government on:

- 1. The financial affairs of the Brigade/s.

2. The general management of the affairs of the Brigade/s.
3. The planning, setting of standards and works programs for fire prevention within the Local Government area of responsibility.
4. Activities of Bush Fire Brigade/s.
5. Subject to any direction of the Advisory Committee as a whole:
 - a) Ensuring that the equipment in the possession or control of the Brigade/s in the Local Government area is inspected on a regular basis.
 - b) Making representation and recommendations to Local Government in relation to the fire fighting equipment that should be reviewed in accordance with the Risk to Resource documentation as submitted to DFES.
 - c) Taking steps to ensure the appropriate distribution of fire equipment amongst brigade/s in the Local Government Area of Responsibility.
 - d) Co-ordinating training within the Brigade/s in the Shire to ensure they work together efficiently.
 - e) Overseeing the preparation and maintenance of an Incident Response Plan for the bushfire district and ensuring that a communication plan is developed and functions across the Local Government area.
 - f) Selecting members of the Committee to represent the Local Government area on a regional basis.
 - g) Carrying out other functions assigned to the committee by the Local Government.

7. MEMBERSHIP

7.1 General

Membership to the Committee is decided by Council.

Council will appoint one Council Delegate to be the Chairperson of the Committee. The Deputy Chair is appointed by the Department of Fire and Emergency Services.

Agency and organisation representatives can appoint a proxy member by notifying the Committees Secretariat.

Ex officio members cannot vote and are only permitted to speak on a matter when invited to do so by the Chair. Shire staff may be appointed ex officio officers by the Secretariat.

7.2 Tenure of Membership

As per section 5.11 *Tenure of committee membership*, of the **Local Government Act 1995**.

8. DELEGATED AUTHORITY

This Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference. This is in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

9. COMMITTEE

9.1 Chairperson

The Chairperson is the Shire's councillor representative and the Deputy Chairperson is the Department of Fire and Emergency Services Representative.

9.2 Secretariat

The Shire's Director of Development and Community is the responsible Secretariat.

9.3 Standing Ex-Officio Members

The Committee may invite ex-officio members as necessary.

10. MEETINGS

10.1 Annual General Meeting

Nil.

10.2 Committee Meetings

The Committee shall meet quarterly or as required. The Chairperson may at any time convene a special meeting of the Committee.

10.3 Quorum

Quorum is five (5) Committee members.

10.4 Voting

As per *section 5.21 –Voting*, of the **Local Government Act 1995**.

10.5 Reports to the Bush Fire Advisory Committee

Each Fire Brigade Captain on the Committee shall submit a report of the Brigade's training activities, vehicle and equipment status, and general business, to each meeting of the Bush Fire Advisory Committee.

The Officer responsible shall report on all matters relevant to the Committee.

10.6 Sub-Committees

The Local Government Bush Fire Advisory Committee may form sub-committees, to provide advice and recommendations on specific areas of the Committee's responsibilities. The Advisory Committee shall determine membership and terms of reference of such sub-committees.

10.7 Minutes

The person presiding at a meeting is to ensure that the minutes are kept of the meeting proceedings, in accordance with section 5.22 and 5.25 of the ***Local Government Act 1995*** and ***Local Government (Administration) Regulations 1996***.

Once minutes have been confirmed by Committee members they will be presented to Council. Recommendations arising from minutes, that require a Council decision shall be presented to Council at the next Ordinary Council Meeting, or the earliest available Council meeting if it is not possible to present the minutes to the next Ordinary Council Meeting.

10.8 Who Acts if No Presiding Member

In accordance with section 5.14 – Who acts if no presiding member, of the ***Local Government Act 1995***.

Members Interests to be Disclosed

Members of the Committee are required to declare interests following the principles detailed in s.5.65 and s.5.70 of the ***Local Government Act 1995***.