



BUSH FIRE CO-ORDINATING COMMITTEE

Conduct of Business

CHARTER

Issued by the Chair of the Bush Fire Co-ordinating Committee on 4 February 2021 under Schedule 1 Part 3 Section 10 of the Rural Fires Act 1997.

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Release history

| Version | Date | Author | Summary of changes |
|------------|-----------------|------------------|--|
| DOC21/9896 | 4 February 2021 | Stuart Midgley | Initial release |
| DOC21/9896 | 30 April 2021 | Debbie Andreatta | Updated to reflect the input provided by BFCC members at Meeting 96, 17 March 2021 |

Bush Fire Co-ordinating Committee Charter

INTRODUCTION

The Bush Fire Co-ordinating Committee (BFCC) is constituted pursuant to section 46 of the *Rural Fires Act 1997* (the Act). The Committee is a Statutory Body representing the Crown.

This Charter sets out the BFCC's principal role; authority; membership and tenure; responsibilities; and administrative arrangements.

The BFCC is a NSW Statutory Body representing the Crown, established under the provisions of the Act and the Regulations. The BFCC is the parent of all Bush Fire Management Committee's (BFMC) and determines the requirements for their operations through policy and directions.

The coordinated approach to bush fire management across agencies and tenures has enormous benefits for NSW. It facilitates improved efficiencies and ensures that all organisations involved work to a common goal of better prepared and more effective bush fire management across the State.

The BFCC provides a forum through which a broad cross-section of Government and non-Government organisations with an interest in bush fire prevention, mitigation and suppression can come together to develop and progress policies that provide a coordinated, agreed approach.

The BFCC does not have a role in firefighting operations, although it reviews major bush fire suppression operations to identify opportunities for improvement to the planning framework.

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PROCEDURES

1 Membership

1.1 Representatives

Membership of the BFCC is determined by section 47 of the *Rural Fires Act* ('the Act') and includes representatives of the following organisations:

- (a) The Commissioner NSW RFS, who is to be the Chairperson of the Committee
- (b) A person employed in Fire and Rescue NSW nominated by the Commissioner of Fire and Rescue NSW
- (c) 3 persons nominated by the Secretary of the Department of Planning, Industry and Environment:
 - i) 1 of whom is a person employed in the Energy, Climate Change and Sustainability Division of the Department, and
 - ii) 1 of whom is a person employed in the Catchment and Lands—NSW Crown Lands Division of the Department, and
 - iii) 1 of whom is a person employed in the National Parks and Wildlife Service
- (d) 2 persons appointed by the Minister on the recommendation of Local Government NSW
- (e) A fire control officer appointed by the Minister on the recommendation of the NSW Rural Fire Service Association Inc
- (f) A person appointed by the Minister on the recommendation of the Commissioner of Police
- (g) A person appointed by the Minister on the recommendation of the Minister for Energy and Environment
- (h) A person nominated by the Nature Conservation Council of New South Wales
- (i) A person appointed by the Minister on the recommendation of the NSW Farmers' Association
- (j) A person employed in Resilience NSW nominated by the Minister for Police and Emergency Services
- (k) A person employed in the Forestry Corporation of New South Wales nominated by the chief executive officer of that Corporation
- (l) A person appointed by the Minister on the recommendation of the New South Wales Aboriginal Land Council
- (m) A person employed in Fire and Rescue NSW nominated by the Fire Brigade Employees Union
- (n) A person nominated by NTSCorp Limited (ACN 098 971 209)
- (o) A person nominated by the Minister to promote the integrity of cultural burning
- (p) A volunteer rural fire fighter nominated by the NSW Rural Fire Service Association Inc
- (q) A fire fighter nominated by the Public Service Association.

1.2 Functions and responsibilities of the BFCC

1.2.1 Strategic functions

Under Section 48 of the Act, the BFCC is responsible for:

- (r) planning in relation to bush fire prevention and co-ordinated bush firefighting
- (s) advising the NSW Rural Fire Service (NSW RFS) Commissioner on bush fire prevention, mitigation and co-ordinated bush fire suppression; and
- (t) such other functions as are conferred or imposed on it by or under the *Rural Fires Act* or any other Act.

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The Committee must report to the Minister for Police and Emergency Services on any matter referred by the Minister to it and may report on any matter relating to the prevention and suppression of bush fires whether referred to it or not.

The BFCC may request the Commissioner to conduct an audit - under section 62A of the Act - of bush fire management plans generally or for a specified rural fire district or other part of the State.

The Committee is to have regard to the principles of ecologically sustainable development described in section 6 (2) of *the Protection of the Environment Administration Act 1991* in carrying out any function that affects the environment.

The Committee may also delegate to the NSW RFS Commissioner any function (other than the power of delegation) conferred or imposed on it by or under the Act.

1.2.2 Member responsibilities

Represent their organisation's interest on the BFCC, and participate in discussion and decision making

Members of the BFCC have been selected from their organisation so that the Committee has a broad range of expertise available to it.

Members should endeavour to express the full range of opinions and needs of their organisation, including the risk of adopting or not adopting particular courses of action. Members should:

- participate and communicate constructively to achieve consensus on all issues.
- help develop and use mechanisms that encourage resolution of issues.
- work together inclusively and cooperatively.
- negotiate with other members to resolve conflicting issues and make balanced decisions.

Members need to inform and educate themselves about the business of the BFCC. All members should strive for the effectiveness of the Committee and be willing to provide explanations and suggestions. The Committee is a group of people working together as a team.

Provide advice, information and reports

Members must make available to the BFCC all data and information they are aware of which is relevant to the Committee's work. The exception to this is 'commercial in confidence' information.

Report back to their organisation

Members need to keep their organisation informed of the decisions of the BFCC and provide regular feedback to the BFCC. Members should report back to their organisation to inform and seek opinion on BFCC activities. Without this feedback and two-way communication, the usefulness of the BFCC is limited.

Attend meetings

Attendance of meetings by all members is critical to ensure the effective exercise of the Committee's functions. It is expected that members of the BFCC will make every effort to attend meetings.

Members must attend meetings regularly and on time. Members should inform the Committee's secretariat (committees@rfs.nsw.gov.au) if they cannot make the meeting and send an alternate in their place if possible. Attendance via teleconference will be deemed to be actual attendance.

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Prepare for meetings

Members must prepare adequately for each meeting. All members must carefully read the minutes of the previous meeting, the agenda and any papers that are circulated. Any queries or business arising should be identified, and preferably notified to the Committee's secretariat in advance, so that they can be included on the agenda for the meeting, if necessary.

Members must check any actions that they are responsible for and be ready to report to the Committee on progress made.

1.3 Chair

The NSW RFS Commissioner is the Chair of the BFCC. In the absence of the Chair, an alternate Chair will be nominated from the members present.

1.4 Term of office

An appointed member holds office for a period specified in the instrument of appointment from the Minister for Police and Emergency Services which cannot exceed five (5) years, but is eligible (if otherwise qualified) for re-appointment.

Members hold office until the relevant nominating Agency/organisation advises of a replacement person.

1.5 Appointment and management of vacancy

Where a vacancy exists:

- (a) for an appointed member the relevant Agency/organisation will make representations to the Minister for Police and Emergency Services to replace the outgoing member; or
- (b) for other members the relevant Agency/organisation will nominate a person to replace the outgoing member.

1.6 Deputies

Deputies of members may be appointed:

- (a) for an appointed member by the Minister; or
- (b) for other members the nominated representative of the relevant Agency/organisation will nominate a person to be the member's deputy.

1.7 Other Participants

Where it is considered appropriate to obtain the input of an individual(s) conversant with the details of an issue, or the individual(s) can provide specialist advice to assist the BFCC with making a determination, and with the agreement of the Chair, the individual(s) may be invited to participate in the relevant portion of the meeting.

1.8 Subcommittees

The BFCC may establish subcommittees to assist in the exercise of its functions. At least one member of the subcommittee must be a member of the BFCC.

The terms of reference, procedures and conduct of the subcommittee are to be determined by the BFCC.

2 Meeting Protocols

2.1 Quorum

A quorum will be seven (7) members.

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2.2 Conflicts of Interest

Details of any conflicts of interest and mitigations will be acknowledged by the Chair at the commencement of the meeting and will be recorded in the minutes.

A conflict of interest register will be maintained by the BFCC Secretariat and tabled annually for update.

2.3 Resolutions of the Committee

Only formally submitted business items will be considered at BFCC meetings.

The following will be standing business items at each meeting:

- (a) Status of bush fire management plans;
- (b) Hazard reduction progress report
- (c) Standing Advisory Subcommittee Progress Report.

Items of business from members must be submitted to the Secretariat 14 days prior to the meeting on the prescribed Issues Paper form.

A decision supported by a majority of the votes cast at the meeting at which a quorum is present is the decision of the BFCC.

2.4 Agenda and Minutes

An Agenda will be produced and circulated seven (7) days prior to each BFCC meeting.

Minutes will be produced of BFCC meetings outlining members present, business items and resolutions made.

Agendas, submitted business papers and minutes will be published on the NSW RFS public web site once approved by the Chair.

2.5 Management of Issues

An *Open Actions Log* will be maintained by the Secretariat and be discussed at each meeting which identifies:

- (a) allocated actions
- (b) responsibilities
- (c) due dates; and
- (d) status reporting

Members of the BFCC should maintain an effective working relationship and seek to resolve differences respectfully and by way of open discussion.

In the event of a disagreement between the Members, the Chair will seek to intervene to resolve the matter. Should the matter continue to remain unresolved, the Chair can choose to seek assistance from a third party to further facilitate an outcome.

3 Administration

3.1 Meetings

Meetings of the BFCC will be conducted quarterly on dates set by the Chair and held at NSW RFS Headquarters, video conference or a mixture of both. There may however be times when the Chair determines meetings will be held in other locations.

The Chair will propose meeting dates for the following year prior to or at the last meeting of the current year.

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3.1.1 Extraordinary meetings

The Chair may call an extraordinary meeting at any time.

Additionally, and if there is a demonstrated need, a member of the BFCC, with the support of two other members, can request that the Chair call an extraordinary meeting. This request must be made in writing.

3.2 Reporting

3.2.1 Annual Reports

The BFCC Secretariat will prepare an annual report on the operation and activities of the BFCC during the year. The report will include:

- a summary of the work the Committee performed to fully discharge its responsibilities during the preceding year
- details of meetings, including the number of meetings held during the relevant period, and the number of meetings each member attended
- a summary of the Committee's progress in addressing any matters referred to it by the Minister
- any arrangements the Committee has entered into with a Minister or public authority with respect to the reduction of bush fire hazards
- detail of any audits the Committee requested the NSW RFS Commissioner conduct under section 62A of the Act

3.2.2 Annual Bush Fire Statement

Part 3 of the Act charges the NSW RFS Commissioner with the responsibility of controlling and co-ordinating the action to be taken by persons and bodies involved in, or associated with, the prevention, mitigation or suppression of bush fires. As such, the NSW RFS will prepare an Annual Bush Fire Statement on New South Wales bush fire potential and preparations. In discharging this obligation, the NSW RFS will consult with the Committee in the preparation of the Annual Bush Fire Statement.

3.3 Secretariat

The NSW RFS will provide an Executive Officer for the provision of secretariat support to the BFCC, who will be responsible for:

- (a) Maintaining a listing of Committee membership
- (b) Administration of BFCC meetings including finalising the agenda with the Chair, calling for, collating and distributing the agenda papers, manage incoming and outgoing BFCC correspondence.
- (c) Drafting and distributing minutes to capture meeting proceedings, actions and any resolutions
- (d) Maintaining meeting records
- (e) Maintaining a conflicts of interest register
- (f) Maintaining an Open Actions Log

4 Entitlements

4.1 Expenses

Reasonable out of pocket expenses are to be met by the member's organisation.

Where travel is required on behalf of the BFCC or a working group, travel and accommodation costs for members from Non-Government Organisations will be met by the NSW RFS.

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4.2 Remuneration

An appointed member is entitled to be paid remuneration including travelling and subsistence allowances as determined by the Minister from time to time.

5 Charter Review

The Charter will be reviewed every five years to ensure it remains contemporary to the efficient running of the BFCC.

6 Key Documents

Relevant governance documents are located in NSW RFS records management system. Members may access documents relevant to their role on the BFCC.