



Service Standard 2.1.1

Formation and Disbandment of Brigades and Groups of Brigades

Date of Issue 30 November 2010

Version Number 2.0

1. Purpose

- 1.1 This Service Standard amalgamates and replaces:
 - (a) Service Standard 2.1.1 Formation of Brigades;
 - (b) Service Standard 2.2.1 Formation of Groups of Brigades; and
 - (c) Service Standard 2.2.3 Disbandment of Rural Fire Brigades.
- 1.2 Under section 4.2(a) of the Rural Fire District Service Agreements (RFDSAs) and sections 15 to 17 of the *Rural Fires Act 1997* (the Act) the functions of the Local Authority in the formation and disbandment of Brigades has been conferred on the Commissioner of the New South Wales Rural Fire Service (NSW RFS).
- 1.3 The delegation of powers to the Commissioner is also made for the Unincorporated Zone and Lord Howe Island.
- 1.4 The NSW RFS is committed to providing a fire service which has relevance to local communities.
- 1.5 The NSW RFS recognises that local situations can change and there is a need to periodically review the placement of Brigades.

2. Policy

- 2.1 Any request to form a new or amend an existing Brigade is to be handled by the District Manager (the Manager). The Manager shall consider the merits of each application, ensure consultation with affected parties takes place and then determine if the request is approved.
- 2.2 The Manager may consolidate two or more Rural Fire Brigades within the District into a group of Rural Fire Brigades.
- 2.3 From time to time it is also necessary to disband Brigades. This can be due to many factors such as population shifts, expansion of built up areas into NSW RFS districts, or Brigade amalgamations.

3. Links

- *Rural Fires Act 1997*
- [Service Standard 1.3.1 Delegations and Authorisations](#)
- SOP 2.1.1-1 Formation of Brigades
- SOP 2.1.1-2 Formation of Groups of Brigades
- SOP 2.1.1-3 Disbandment of Brigades

4. Who is responsible for implementing the Service Standard/Policy?

Director Regional Services

5. Amendments

Complete review and update to new format

Date of release



SOP 2.1.1 - 1

Formation of Brigades

This SOP forms part of	Service Standard 2.1.1 Formation and Disbandment of Brigades and Groups of Brigades
Related forms	None

1. Purpose

- 1.1 This Standard Operating Procedure outlines the procedure for establishing or amending a Rural Fire Brigade in accordance with section 15 of the *Rural Fires Act 1997* (the Act).

2. Procedure

- 2.1 Any interested person may request the formation or amendment of a Brigade. The application needs to be in writing and be sent to the local NSW RFS District Manager.
- 2.2 The District Manager will consider the merits of the application to form a new or amend an existing Brigade.
- 2.3 If the application is deemed appropriate the District Manager will:
- (a) consult with the affected parties;
 - (i) giving the prescribed notice, and
 - (ii) providing enough time for feedback on the proposal,
 - (b) assess the feedback of any affected parties;
 - (c) determine if the proposal needs to be approved or rejected; and
 - (d) write to the applicant regarding the determination.
- 2.4 If the application is deemed inappropriate the District Manager will write to the applicant regarding the determination.
- 2.5 If the territory of a Brigade is to be amended then the provisions of clause 2.3 of this SOP are to be followed.
- 2.6 The District Manager is to keep a record of:
- (a) the names of the Brigades under his/her jurisdiction; and
 - (b) the territory of each Brigade
 - (c) where a Brigade has a specialist or multi-functional roles, the specialist role/s carried out by that Brigade.



SOP 2.1.1 - 2

Formation of Groups of Brigades

This SOP forms part of:	Service Standard 2.1.1 Formation/Disbandment of Brigades and Groups of Brigades
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Related forms:	None
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1. Purpose

1.1 This Standard Operating Procedure provides the procedure for the District Manager to consolidate two or more NSW RFS Brigades of a District into a group of NSW RFS Brigades in accordance with section 16 of the *Rural Fires Act 1997* (the Act).

2. Procedure

2.1 Any interested person may request the formation or amendment of a Brigade. The application needs to be in writing and be sent to the local NSW RFS District Manager

2.2 The District Manager will consider the merits of forming or amending the area of a group of Brigades.

2.3 If the application is deemed appropriate, the District Manager will:

(a) consult with the Senior Management Team (if not in place, the Captains) in the affected area either by;

(i) a resolution at the appropriately constituted SMT meeting, or

(ii) a written notice, giving the prescribed timeframe, and providing enough time for feedback on the proposal,

(b) assess the feedback of the affected parties;

(c) determine if the proposal needs to be approved or rejected; and

(d) arrange for the Senior Management Team members or Captains to vote on the proposal.

2.4 If the application is deemed inappropriate the District Manager will write to the applicant regarding the determination.

2.5 If the territory of a group of Brigades is to be amended then the provisions of clauses 2.1 to 2.4 of this SOP are to be followed.

2.6 The District Manager is to keep a record of:

(a) the names of the groups of Brigades under his/her jurisdiction; and

(b) the territory of each group of Brigades.



SOP 2.1.1 - 3

Disbandment of Rural Fire Brigades

This SOP forms part of	Service Standard 2.1.1 Formation/Disbandment of Brigades and Groups of Brigades
Related forms	None

1. Purpose

- 1.1 This Standard Operating Procedure outlines the procedure for the disbandment of a Rural Fire Brigade.
- 1.2 In accordance with section 17 of the *Rural Fires Act 1997* (the Act), from time to time new Rural Fire Brigades will be formed and existing Brigades disbanded in order to meet the changing requirements of the communities in which the NSW RFS operates.

2. Procedures

- 2.1 An application for a Brigade to be disbanded can only be made by the Brigade or the District Manager.
- 2.2 The application must be in writing and address the following:
 - (a) the reasons for the proposed disbandment;
 - (b) proposals for the transfer, reallocation or disposal of the Brigades equipment and funds;
 - (c) proposals for the transfer of the Brigades members to other Brigades; and
 - (d) proposals for the area of the Brigade to be redistributed.
- 2.3 If the application has been made by the Brigade, it must be endorsed by a majority of members at a properly constituted Brigade meeting.
- 2.4 If the application has been made by the District Manager the Brigade must be consulted, at a properly constituted Brigade meeting, to which all members have been invited.
- 2.5 The District Manager must consider the merits of the application to disband a Brigade, along with the relevant documents (including Brigade minutes and recommendations).
- 2.6 If the application is deemed appropriate the District Manager will:
 - (a) Consult with the Senior Management Team (or if no Senior Management team in place the effected Captain/s) about the proposal at an appropriately convened meeting.

- (b) Assess the feedback provided by the parties.
 - (c) Seek written approval from the Regional Manager to disband the Brigade.
- 2.7 If the application is deemed inappropriate the District Manager will:
 - (a) consult with the Regional Manager seeking their written approval not to proceed with the proposal; and
 - (b) write to the applicant regarding the determination.
- 2.8 If the District Manager intends to proceed with the proposal to disband the Brigade after the meeting with the members of the Brigade, he or she must send the Captain and President of the Brigade a letter (the notice) advising them of that decision.
- 2.9 If the position of Captain and/or President of the Brigade is vacant, the District Manager must send the notice to the most senior Brigade officer participating in the operation of the Brigade.
- 2.10 In accordance with section 17 of the Act and the requirements necessary to conform to NSW RFS meeting protocols, the decision to disband the Brigade will take effect 60 days after the notice is sent to the officers referred to in clause 2.8 of this SOP unless:
 - (a) the majority of the members of the Brigade agree to appeal the decision to disband the Brigade to the Minister; and
 - (b) the appeal is lodged within 60 days of the notice being sent to the officers referred to in clause 2.8 of this SOP.
- 2.11 Before any appeal is lodged:
 - (a) a general meeting of the Brigade must be convened in accordance with the provisions of the Brigade's constitution to decide if an appeal should be lodged; and
 - (b) the District Manager or his/her representative must be allowed to speak at the meeting to explain why the decision to disband the Brigade has been made.
- 2.12 If a majority of the members of the Brigade agree to lodge an appeal with the Minister a copy of the appeal and a copy of the minutes of the general meeting of the Brigade must be sent to the District Manager at the same time as the appeal is lodged with the Minister.
- 2.13 Where an appeal has been lodged with the Minister that satisfies the requirements of section 17(3) of the Act, the decision to disband the Brigade will not take effect until either:
 - (a) the appeal is withdrawn; or
 - (b) the appeal is finally determined by the Minister and his or her decision is received by the officer in charge of the Brigade.

- 2.14** As soon as possible after the disbandment of the Brigade takes effect, the members of the Brigade must deliver to the District Manager:
- (a)** all vehicles, equipment, authority cards or other property in the possession or custody of the Brigade or its members;
 - (b)** all funds held by or on behalf of the Brigade; and
 - (c)** all books of account, bank statements, minutes and other records of the Brigade.
- 2.15** The District Manager must ensure that any funds received from the Brigade are transferred to another Brigade or Brigades in the same District, Zone or Team.
- 2.16** The District Manager must amend the Brigade area and membership lists and undertake other administrative tasks to close the Brigade.