



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Agenda

Bush Fire Advisory Committee

11 July 2022



NOTICE PAPER

Bush Fire Advisory Committee Meeting

11 July 2022

Committee Members

I inform you that a Bush Fire Advisory Committee meeting will be held in the Council Chambers, located at 395 Fitzgerald Street, Northam on 11 July 2022 at 5:30pm.

Yours faithfully



Jason Whiteaker
Chief Executive Officer

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This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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Contents

1.	DECLARATION OF OPENING.....	5
2.	ACKNOWLEDGEMENT TO COUNTRY.....	5
3.	ATTENDANCE.....	5
	3.1 APOLOGIES.....	5
	3.2 APPROVED LEAVE OF ABSENCE.....	6
	3.3 ABSENT.....	6
4.	DISCLOSURE OF INTERESTS.....	6
5.	CONFIRMATION OF MINUTES.....	7
	5.1 COMMITTEE MEETING HELD ON 14 JUNE 2022.....	7
6.	COMMITTEE REPORTS.....	8
	6.1 APPOINTMENT OF CHIEF BUSHFIRE CONTROL OFFICER, DEPUTY CHIEF BUSHFIRE CONTROL OFFICER AND SENIOR BUSHFIRE CONTROL OFFICER.....	8
	6.2 PROPOSED ADVOCACY POSITION – MANAGEMENT OF BUSH FIRE BRIGADES.....	15
7.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	37
	7.1 BFCO WAERN RADIOS.....	37
8.	URGENT BUSINESS APPROVED BY DECISION.....	45
9.	GENERAL BUSINESS.....	45
10.	DATE OF NEXT MEETING.....	45
11.	DECLARATION OF CLOSURE.....	45

1. DECLARATION OF OPENING

2. ACKNOWLEDGEMENT TO COUNTRY

The Shire of Northam would like to acknowledge the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past, present and emerging.

3. ATTENDANCE

Voting Committee:

Councillor – Shire of Northam	Paul Curtis
Chief Bush Fire Control Officer	Chris Marris
Deputy Bush Fire Control Officer	Simon Peters
Inkpen Bush Fire Brigade	Nic Dewar
Clackline Muresk Bush Fire Brigade	Blair Wilding
Bakers Hill Bush Fire Brigade	Kris Brown
Grass Valley Bush Fire Brigade	Sam Moss
Irishtown Bush Fire Brigade	Rob Herzer
Jennapullin Bush Fire Brigade	Aaron Smith
Southern Brook Bush Fire Brigade	Paul Antonio
Wundowie Bush Fire Brigade	Mathew Macqueen
Northam Central Bush Fire Brigade	Kim Hampton
Wundowie Volunteer Fire and Rescue Service	Jeffrey Roberts
Northam Volunteer Fire and Rescue Service	Greg Montgomery

Non Voting

Community Emergency Service Manager	Brendon Rutter
District Officer Northam	Darrel Krammer
Department of Parks and Wildlife (Wheatbelt)	Graeme Keals
Department of Parks and Wildlife (Perth Hills)	Michael Pasotti

Staff:

Executive Manager Development Services	Chadd Hunt
Executive Assistant - CEO	Alysha McCall

3.1 APOLOGIES

Nil.

3.2 APPROVED LEAVE OF ABSENCE

Cr M I Girak has been granted leave of absence from the 13 June 2022 to 22 July 2022 (inclusive).

3.3 ABSENT

Nil.

4. DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in 34C of the Local Government (Administration) Regulations 1996, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest

5. CONFIRMATION OF MINUTES

5.1 COMMITTEE MEETING HELD ON 14 JUNE 2022

RECOMMENDATION

That the minutes of the Bush Fire Advisory meeting held on 14 June 2022 be confirmed as a true and correct record of that meeting.

6. COMMITTEE REPORTS

6.1 APPOINTMENT OF CHIEF BUSHFIRE CONTROL OFFICER, DEPUTY CHIEF BUSHFIRE CONTROL OFFICER AND SENIOR BUSHFIRE CONTROL OFFICER

File Reference:	5.1.3.1
Reporting Officer:	Chadd Hunt, Executive Manager Development Services
Responsible Officer:	Chadd Hunt, Executive Manager Development Services
Officer Declaration of Interest:	Nil.
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

Upon appointment of the Fire Control Officer's for the 2021/22 year, Council is required to appoint a Chief Bush Fire Control Officer (CBFCO), Deputy Chief Bush Fire Control Officer's (DCBFCO) and a Senior Bush Fire Control Officer (SBFCO).

ATTACHMENTS

- Attachment 1: Training Matrix of nominated BFCO's.
Attachment 2: Brigade Voting Summary (will be available for viewing at the meeting).

A. BACKGROUND / DETAILS

At the BFAC meeting held on 14th June 2022 it was resolved to note the revised appointment process for the CBFCO, DCBFCO and Senior BFCO positions as contained in the report. The report references following the same process that was followed for the 2021-22 season.

Due to some brigades AGM's not completed by the time of the June BFAC, current BFCO's from the 2021-22 season were asked to nominate for each of the positions to ensure procedural fairness for the positions of CBFCO, DCBFCO and SBFCO. As a result, the following nominations were received and forwarded to Brigades for consideration and voting on June 29th 2022.

CBFCO

Chris Marris

DCBFCO

Neil Diamond

Kris Brown

Simon Peters

Blair Wilding

Senior FCO

Kris Brown

Blair Wilding

Neil Diamond has subsequently withdrawn his nomination for the DCBFCO position.

Brigades were also requested to provide voting on whether there should be one or two DCBFCO's.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Theme Area 3: Safety and Security

Outcome 3.1: Shire of Northam residents are able to pursue the fullest life possible without fear of or hindrance from crime and disorder.

B.2 Financial / Resource Implications

Nil.

B.3 Legislative Compliance

Section 38 (1) Bush Fire Act 1954 which states as follows

38. *Local government may appoint Bush fire control officer*

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush fire Control Officer and the Deputy Chief Bush fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other Bush fire control officers appointed by it.

B.4 Policy Implications

Section 5.1B of the Bush Fire Manual states the following –

5.1B Criteria of a Chief Bush Fire Control Officer

- Knowledge of managing a volunteer organisation.
- Knowledge of all Fire Response Plans in the Shire
- Working Knowledge of the Local Emergency Management Arrangements
- Knowledge of the Bush Fires Act 1954 and Bush Fires Regulations 1954
- Knowledge of the State Emergency Management Policy No 4.8 (Traffic Management During Emergencies)
- Ability to attend further fire and emergency management training.
- Effective Interpersonal Skills.
- Good Written and Verbal Communication Skills.
- Leadership Skills.
- Management Skills.
- Experience in managing operations.
- Ability to perform under stressful conditions.
- Current appointment as Fire Control Officer.
- Experienced in firefighting operations within the Shire.
- Currently holds all of the preferred qualifications of the Fire Control Officer.
- Be a member of the DOAC, BFAC and LEMC

Section 5.1C of the Bush Fires manual states the following:

5.1C Qualifications of Chief Bush Fire Control Officer

“Completion of the DFES training core modules and a minimum of 3 years as a BFCO and 5 years firefighting experience in the last 3 years preferably as an executive officer within a brigade of the Shire of Northam.

Persons currently holding the CBFCO's position will have until 2020 to comply with the below training requirements. Any persons newly appointed must hold the below training certifications prior to 31s October each year”.

Completion of required courses are:

- AllMS Awareness
- Introduction to Fire Fighting
- Bush Fire Fighting
- Machine Supervision
- Structural Fire Fighting
- Advanced Bush Fire Fighting
- Crew Leader
- Ground Controller
- Sector Commander
- AllMS 4 or 2017
- Incident Controller Level 1

- *Fire Control Officer (in the Last 5 Years)*

In addition with respect to the DCBFCO position the manual states the following:

5.2B Criteria of a Deputy Chief Bush Fire Control Officer

- Knowledge of managing a volunteer organisation.
- Knowledge of all Fire Response Plans in the Shire
- Working knowledge of the Local Emergency Management Arrangements
- Knowledge of the Bush Fires Act 1954 and Bush Fires Regulations 1954
- Knowledge of the State Emergency Management Policy No 4.8 (Traffic Management During Emergencies)
- Ability to attend further fire and emergency management training.
- Effective Interpersonal Skills.
- Good written and verbal communication skills.
- Leadership skills.
- Management skills.
- Experience in managing operations.
- Ability to perform under stressful conditions.
- Current appointment as Fire Control Officer.
- Experienced in firefighting operations within the Shire.
- Holds all of the preferred qualifications of the Fire Control Officer.
- Be a member of the DOAC, BFAC and LEMC

5.2C Qualifications of a Deputy Chief Bush Fire Control Officer

Completion of the DFES training core modules and a minimum of 3 years as a BFCO and 5 years firefighting experience in the last 3 years preferably as an executive officer within a brigade within the Shire of Northam.

Persons currently holding the CBFCO's position will have until 2020 to comply with the below training requirements. Any persons newly appointed must hold the below training certifications prior to 31st October each year.

Completion of required courses are:

- AllMS Awareness
- Introduction to Fire Fighting
- Bush Fire Fighting
- Machine Supervision

- Structural Fire Fighting
- Advanced Bush Fire Fighting
- Crew Leader
- Ground Controller
- Sector Commander
- AIMS 4 or 2017
- Incident Controller Level 1
- Fire Control Officer (in the Last 5 Years)

B.5 Stakeholder Engagement / Consultation

Nominated BFCO and Brigades have been involved in the nomination and voting process.

B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Person appointed may have unexpected financial costs	Low Risk (1) Low (1) x Rare(1)	Council has endorsed an honorarium for the CBFCO and DCBFCO positions
Health & Safety	The health and safety of volunteer brigade members in an operational perspective	High Risk (10) Extreme (5) x Unlikely (2)	The use of two experienced CBFCO's in major events
Reputation	Council must consider the all options to ensure the best outcome is delivered in line with community expectations.	High Risk (10) Extreme (5) x Unlikely (2)	Council has endorsed the minimum training standards for the position of Chief Bush Fire Control Officer. Additional training and mentoring to be provided to any applicant that doesn't meet the criteria.
Service Interruption	N/A	N/A	N/A
Compliance	Council may appoint a CBFCO as per the obligations under s38 Bush Fires Act 1954 Council must consider potential for legal	Moderate (8) High (4) x Unlikely (2)	Staff have provided options for Council to consider. Council has endorsed the

	ramifications based on decision to appoint.		minimum training standards for the position of Chief Bush Fire Control Officer.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

C. OFFICER'S COMMENT


Following the nomination and voting from each of the Brigades that have been provided to staff it is recommended that BFAC recommend, and Council appoint, the positions of CBFCO, DBFCO(s) and a Senior BFCO for the 2022/23 season. In collating the results of the voting a "preference voting" method was used for each of the positions to enable the voting to be conducted whilst brigades and BFAC consider the options for the appointment of 1 or 2 DCBFCO's.

RECOMMENDATION

That BFAC recommends to Council to formally appoint the following Bush Fire Control Officers to the position of Chief and Deputy Chief Bush Fire Control Officers for the 2021/23 fires season:

- 1. Chief Bush Fire Control Officer –Chris Marris**
- 2. Deputy Chief Bush Fire Control Officer/s –**
- 3. Senior Bush Fire Control Officer –**

Attachment 1 – Training Matrix of nominated BFCO's



Shire of Northam Volunteer Bushfire Control Officers 2022/23

Active FCO's to have completed FCO & Sector Commander or FCO & Advanced Bush/Crew Leader within 5 yrs. All must have completed, Intro, Bushfire & Structural to be eligible. Minimum level of training required

	INTRODUCTION TO FIREFIGHTING / Bushfire Safety Awareness (Date)	BUSHFIRE FIGHTING / Firefighting Skills (Date)	STRUCTURAL FIRE FIGHTING (Date)	CREW LEADER (Date)	ADVANCED BUSH (Date)	SECTOR COMMANDER (Date)	FIRE CONTROL OFFICER (Date)	Compliance with minimum training criteria YES/NO	Additional qualifications for Chief & Deputy Bush Fire Control Officer				Compliance with minimum training criteria YES/NO
									Machine Supervision (Date)	Ground Controller	AIIMS 2017	Incident Controller Level 1	
Kristofer Brown	2014	2015	2015	2014	2014	2017	2020	YES	2017	2015	2019	2020	YES
Simon Peters	2014	2015	2016	2011	2005	2015	2021	YES	2020	2020	2020	Pending (2022)	No
Chris Morris	2017	2017	2017	2020	2018	2017	2021	YES	2017	2019	2019	2020	YES
Blair Wilding	2020	2020	2015	2021	2021		2021	YES					No

NOTE: *The Introduction to Firefighting and Bushfire Firefighting competencies were superseded 01/06/2020 – New competency is Firefighting Skills and Bushfire Safety Awareness (Anyone with both the previous competencies has been awarded the new competencies as at 2020).*

(Current as at 30/06/2022)

6.2 PROPOSED ADVOCACY POSITION – MANAGEMENT OF BUSH FIRE BRIGADES

File Reference:	5.1.3.1
Reporting Officer:	Brendon Rutter – Community Emergency Services Manager
Responsible Officer:	Chadd Hunt, Executive Manager Development Services
Officer Declaration of Interest:	Nil.
Voting Requirement:	Nil.
Press release to be issued:	No

BRIEF

The WA Local Government Association (WALGA) have released a discussion paper seeking input from the Local Government Sector regarding the ongoing management of the volunteer bushfire service.

ATTACHMENTS

- Attachment 1: 2022 WALGA Proposed Advocacy Position BFB's 170522v5.
Attachment 2: Bushfire Volunteer Association – Going Forward Position Briefing.

A. BACKGROUND / DETAILS

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the Bush Fires Act 1954, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

The introduction of the Work Health and Safety Act 2020 has shone a spotlight on Local Government responsibilities for managing BFBs. In addition, the State Government is currently drafting the Consolidated Emergency Services Act, which consolidates the Fire Brigades Act 1942, Bush Fires Act 1954 and Fire and Emergency Services Act 1998 into a single piece of legislation, anticipated to be released as a Green Bill in early 2023. WALGA is developing an advocacy position on behalf of the Local Government Sector to ensure consideration is given to the sector through the consultation process.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Theme Area 3: Safety and Security

Outcome 3.1: Shire of Northam residents are able to pursue the fullest life possible without fear of or hindrance from crime and disorder.

B.2 Financial / Resource Implications

Nil.

B.3 Legislative Compliance

Bushfire Act 1954

Work Health & Safety Act 2020

B.4 Policy Implications

Shire of Northam Bushfires Manual

Council SOP's

B.5 Stakeholder Engagement / Consultation

BFAC, Volunteer Bushfire Brigades.

B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	Increased costs associated with managing the Bushfire Service, including resourcing that are not eligible for current grant funding sources.	Medium (15) High (4) x Almost Certain(5)	Council to consider additional allocation of funding & resources to ensure risk is mitigated.
Health & Safety	The increasing obligations placed on the local government sector for health and safety of bushfire service personnel	High Risk (15) Possible (3) x Extreme (5)	Council to consider additional allocation of funding & resources to ensure risk is mitigated.
Reputation	Council must consider the all options to ensure the best outcome is delivered in line with community expectations.	High Risk (10) Extreme (5) x Unlikely (2)	Council must make informed decision to deliver best outcomes inline with community needs/expectations.

Service Interruption	N/A	N/A	N/A
Compliance	Council is obligated to comply with provisions under current legislation until such a time transfer is considered.	High(16) Major (4) x Likely (4)	Council to ensure obligations under legislation are being delivered to the community
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

C. OFFICER'S COMMENT

Staff are preparing information for Council to consider, including detailed information on each advocacy option provided by WALGA in the attached discussion paper.

Also attached is correspondence received from the Bushfire Volunteer Association regarding the proposed Advocacy position.

Staff encourage discussion via the committee to include as part of the report to Council, enabling Council to make an informed decision when endorsing an advocacy position to the WA Local Government Association (WALGA) Staff acknowledge that WALGA has only focussed on the operational aspect of the Bushfire Service, Council needs to consider all other obligations under existing legislation to ensure a pragmatic approach to service delivery, inline with community expectations.

RECOMMENDATION

That Council note the discussion from the committee when endorsing an advocacy position on behalf of the Shire of Northam for submission to the WA Local Government Association (WALGA).

Attachment 1 - 2022 WALGA Proposed Advocacy Position BFB's 170522v5



Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position

May 2022



Table of Contents

Table of Contents	1
Executive Summary	2
How to Comment on This Paper	2
Introduction	3
Background	4
Current Arrangements in WA	5
Considerations for Future Bush Fire Brigade Management Arrangements	5
<i>Local Government Views</i>	5
<i>Recommendations of Previous Reviews</i>	6
<i>Work Health and Safety Act 2020</i>	6
<i>Volunteer Insurance</i>	7
<i>Sector Capacity, Capability and Resourcing</i>	7
<i>Bush Fire Service and Volunteerism</i>	7
Options for future management of BFBS	8
Proposed Position	8
Management of Bush Fire Brigades	9
How to Provide a Response to this Paper and Proposed Position	10
APPENDIX ONE - Proposed Emergency Management Advocacy Position Statements	11

Acknowledgement

The WA Local Government Association (WALGA) acknowledges the Traditional Owners of the land and pays respects to Elder's past, and present. WALGA acknowledges the continuing knowledge and cultural practices that they bring to the Local Government and Emergency Management sectors to support resilient and sustainable land management on WA landscapes.



Executive Summary

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

This Paper proposes a new Advocacy Position on the management of BFBs to guide the Association's emergency management advocacy on behalf of Local Government, and in particular its engagement with the State Government on the development of the *Consolidated Emergency Services Act* which is expected to be released for stakeholder consultation in early 2023.

How to Comment on This Paper

Local Governments are encouraged to provide a written response to this Paper or to complete the [survey](#). Formal Council resolutions will assist the Association understand the sentiment of the sector on this important issue.

The Paper outlines the proposed Advocacy Position, followed by the background and rationale for the new position.

Questions are provided at the end of the Paper to guide feedback.

For further information please contact WALGA's Resilient Communities Policy Manager, Susie Moir via 9213 2058 or smoir@walga.asn.au

Feedback should be provided in response to the questions via email to em@walga.asn.au by **5pm Friday 8 July 2022**.

Introduction

This Paper seeks Local Government's views on a new WALGA Advocacy Position on the management of volunteer bush fire brigades (BFBs).

WALGA Advocacy Positions guide WALGA's policy, advocacy and capacity building activities and support a consistent and whole-of-sector approach.

The introduction of the *Work Health and Safety Act 2020* has shone a spotlight on Local Government responsibilities for managing BFBs. In addition, the State Government is currently drafting the *Consolidated Emergency Services Act*, which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill in early 2023. Therefore consultation on a new Advocacy Position with respect to management of BFBs is timely.

In 2012, 2019 and 2021, WALGA undertook comprehensive consultation with Local Government in relation to emergency management matters.

In 2021 WALGA undertook a comprehensive [Local Government Emergency Management Survey](#) to ascertain the sector's sentiment with respect to their emergency management responsibilities. 104 Local Governments responded to the Survey. Responses were provided by:

- 36 Chief Executive Officers
- 18 Community Emergency Services Managers
- 50 Local Government officers

As part of the survey Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

These Survey responses reinforce that it is timely to engage with the sector on this issue.

WALGA has been undertaking a process to update our Advocacy Positions, and as a result has prepared eight new Advocacy Position Statements relating to Emergency Management, which will be considered at the July 2022 State Council meeting, as listed in Appendix 1. These new Advocacy Positions are based on previous State Council endorsed submissions, recommendations from significant reviews and inquiries, and information and priorities captured in sector-wide consultations.

A comprehensive Advocacy Position regarding the *Consolidated Emergency Services Act*, is outlined in Appendix 1, Advocacy Position 8.4.

Background

FESA (now the Department of Fire and Emergency Services (DFES)) was established in 1999 for the purpose of improving coordination of the State's emergency services, replacing the Fire Brigades and Bush Fires Boards¹. DFES provides strategic leadership for emergency services across WA. DFES manages the career fire and rescue service, as well as a number of volunteer emergency services: Volunteer Fire and Emergency Services (VFES); Volunteer Fire and Rescue Service (VFRS); State Emergency Services (SES); and Marine Rescue Western Australia.

Around Australia:

- WA is the only State in Australia in which Local Governments manage bushfire volunteers (pursuant to the *Bush Fire Act 1954*).
- In New South Wales, the NSW Rural Fire Service, which makes up the world's largest firefighting volunteer services, is managed by the NSW Government².
- Similarly, the Victorian Government manages the Country Fire Authority which manages regional fire services in Victoria³.
- In South Australia, the *Fire and Emergency Services Act 2005* (SA) provides for the South Australian Country Fire Service (SACFS) being established as a body corporate, currently managing 14,000 volunteers. The SACFS is responsible to the Minister for Emergency Services⁴.
- In Queensland, the *Fire and Emergency Services Act 1990* (Qld) provides for the establishment of rural fire brigades, with the Commissioner responsible for the efficiency of rural fire brigades⁵.
- The Tasmanian Fire Service sits under the State Fire Commission, established under the *Fire Service Act 1979*⁶, with more than 200 fire brigades across Tasmania, 350 career firefighters and 5000 volunteers.
- The ACT Rural Fire Service sits under the ACT Emergency Services Agency⁷ and is responsible for all bush and grass fires in rural ACT areas, through 450 volunteers in eight brigades.
- Bushfires NT is a division of the Department of Environment, Parks and Water Security, which is responsible for administration of the *Bushfires Management Act 2016*⁸. The Minister appoints members of the Bushfires Council and regional bushfires committees.

¹ <https://www.dfes.wa.gov.au/site/about-us/corporate-information/corporate-history/corporate-history.html>

² <https://www.rfs.nsw.gov.au/about-us/history>

³ <https://www.cfa.vic.gov.au/about-us/who-we-are>

⁴ [Part B 2015 South Australian Country Fire Service.pdf \(audit.sa.gov.au\)](#)

⁵ [Fire and Emergency Services Act 1990 \(legislation.qld.gov.au\)](#)

⁶ [TFSAnnualReport2021.pdf \(fire.tas.gov.au\)](#)

⁷ [Emergencies Act 2004 | Acts](#)

⁸ [Legislation Database \(nt.gov.au\)](#)

Current Arrangements in WA

In Western Australia 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers. The Bush Fire Service is the largest volunteer emergency service by a significant margin:

- Bush Fire Service: 19,639 volunteers
- Fire and Rescue Service: 2,486 volunteers
- State Emergency Services: 2001 volunteers
- Volunteer Fire and Emergency Services: 926 volunteers
- Emergency Services Cadet Corps: 2,261 volunteers
- Marine Rescue Service: 1,559 volunteers⁹.

The number of BFBs managed by Local Governments varies from one up to 20. For example, the Shire of Cranbrook, which has a population of 1000 people, annual revenue of \$8 million and 29 employees manages 11 BFBs. The City of Mandurah, population 88,000, annual revenue of \$116 million and 678 employees, manages one BFB.

DFES also manages some BFBs. This includes seven bushfire brigades within the Kimberley and seven bushfire brigades within the Pilbara regions, under Memorandums of Understanding (MOU) with relevant Local Governments which make DFES responsible for the day-to-day management of the BFB and all response activities, excluding in relation to land tenure managed by the Department of Biodiversity, Conservation and Attractions.

Under this arrangement, Local Governments maintain responsibility for administering the *Bushfires Act* and carry out activities such as inspecting fire breaks and issuing burning permits.

The Local Government Grants Scheme (LGGGS) Manual ([Appendix 1](#)) outlines five different 'profiles' for Bush Fire Brigades, as follows:

- Farmer Response Rural Brigades
- Pastoral Emergency Management
- Rural Brigades
- Settlement Brigades (Rural/Semi Rural)
- Urban Brigades (Defensive/Structural/Breathing Apparatus).

Considerations for Future Bush Fire Brigade Management Arrangements

Local Government Views

As part of WALGA's 2021 Emergency Management Survey, Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

⁹ DFES Volunteering, April 2022

Detailed comments provided in the WALGA survey indicated a strong preference for the State Government to be responsible for all emergency management matters in Western Australia, including the management of BFBs.

Recommendations of Previous Reviews

Over the years there have been many calls for transformational change to the State Emergency Management Framework, in particular rural fire management.

The [Ferguson Report](#) on the 2016 Waroona Bushfire recommended that the State Government establish a rural fire service to address perceived issues in rural fire management, including insufficient capacity and unsuitable governance to deliver rural fire services. In 2017 the State Government hosted a bushfire mitigation summit at which a number of options were considered by stakeholders: a rural fire service operated within DFES; a rural fire service operated within DFES with autonomy; and a dedicated rural fire service that operated independently. Options to transfer the management of all BFBs under one umbrella – DFES or other – were also explored.

The 2017 [Economic Regulation Authority Review of the Emergency Services Levy \(ESL\)](#) considered the extent to which the ESL should be available to fund the administrative and/ or operational costs of a rural fire service, although it was outside the terms of reference for the ERA to examine the merits of a rural fire service or form a view on the best model of a rural fire service¹⁰. A number of Local Governments provided submissions to the ERA Review that supported the creation of a rural fire service¹¹.

Work Health and Safety Act 2020

The requirements of the *Work Health and Safety Act 2020*, enacted in March 2022, have heightened concerns in the sector regarding risk and liability in the management of BFBs, resourcing requirements and training and competency.

The shared responsibility for the health and safety of BFB volunteers adds further complexity to the management of BFBs and responsibilities. Local Governments, DFES, and in some cases the Department of Biodiversity, Conservation and Attractions (DBCA), have a shared duty of care to BFB volunteers due to Controlling Agency activities at incidents, and funding mechanisms (LGGs) for BFB operations and capital equipment.

DFES has a role as the lead fire and emergency services agency in WA for preparing training resources and standard operating procedures. DFES is currently developing additional resources suited to each of the above BFB 'profiles', specifically the management and training of BFBs. These additional resources will be discussed further with the sector in the coming months.

Whether the management structure for BFBs could be aligned to reflect the current operations of different brigade 'profiles', as provided in the LGGs Manual and outlined on Page 5 of this Paper, would require further discussion between DFES and the Local Government sector. This could allow for scalability of BFBs depending on location, resources and capabilities.

¹⁰ [ERA Review of the ESL, 2017, pg 185](#)

¹¹ [ERA ESL Review – summary of submissions to issues paper and draft report](#)

Volunteer Insurance

Local Governments are responsible for providing compensation for injury caused to present and former BFB volunteers as a result of their duties. The commercial insurance market ceased writing injury insurance for volunteers in 2012, therefore a self-insurance mutual scheme was implemented to ensure that Local Governments continue to meet this obligation.

Since 2012, due to the high cost of claims, the aggregate limit of liability has increased from \$250,000 to \$750,000. In addition, the annual cost of insurance has nearly doubled (92%) from \$47.50 to \$91.20 per volunteer, and it is expected that this trend will continue¹².

Sector Capacity, Capability and Resourcing

Local Governments vary in their capability, capacity, and resources to manage BFBs, as well as their other extensive legislative responsibilities and requirements¹³.

By way of overview, Local Governments in Western Australia:

- vary in size from less than 1.5 to over 370,000 square kilometres;
- have populations of just over 100 to more than 220,000 people;
- employ fewer than 10 to over 1000 staff; and
- have revenue (2019-20) ranging from just over \$2 million to just over \$225 million¹⁴.

Bush Fire Service and Volunteerism

The localised culture and history of BFBs in WA has had a large influence on the way that Local Governments engage with and manage BFBs. Many BFBs operate in an independent and self-sufficient way, which Local Governments encourage and support, as this contributes to expansion of the volunteer network in the local community, while also building community networks and resilience.

Communities, and therefore many Local Governments, have a significant interest in volunteering and BFBs, with some Local Governments very involved in the establishment, management and operation of their local BFBs. Therefore it is essential that any future management arrangements, including the transfer of responsibility for management of BFBs to the State Government, should be a voluntary process available to Local Governments that do not have the capacity, capability or resources to manage BFBs. It is also essential that the integrity of the Bush Fire Service is maintained, whatever the arrangements for the management of BFBs.

¹² Data provided by LGIS, 17 May 2022

¹³ 2021 Local Government Emergency Management Capability report - SEMC

¹⁴ [Department of Local Government, Sport and Cultural Industries](#)

Options for future management of BFBs

Four options are identified for the future management of BFBs:

1. **Status quo** - continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).
2. **Improvements** - continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.
3. **Hybrid Model** - Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.
4. **Transfer** - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

Proposed Position

Based on the feedback received from Local Governments in the WALGA Emergency Management Survey and the other considerations outlined above, it is considered appropriate for the Association to **support a hybrid model** for the management of BFBs.

A hybrid model would enable the continued management of BFBs by those Local Governments with capacity, capability and resources to do so, while providing a framework for the transfer of the management of BFBs to the State Government where a Local Government does not.

Whatever the arrangements for future management of BFBs, it is apparent that Local Governments with responsibility for management of BFBs require **additional support and resourcing** which should be provided by the State Government, including:

- development of a suite of guidelines and resources to assist Local Governments in their management of BFBs, particularly with respect to the discharge of obligations under the *Work Health and Safety Act 2021*;
- expansion of the Community Emergency Services Manager Program (CESM) so that every Local Government with responsibility for managing BFBs has access to the Program if they wish to participate;
- universal access to DFES training for BFBs; and
- development of mandatory and minimum training requirements including recognition of competency for volunteers.

Based on the previous commentary, the following Advocacy Position is proposed:

Management of Bush Fire Brigades

1. The Association advocates that the State Government must provide for:

- a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

How to Provide a Response to this Paper and Proposed Position

WALGA strongly encourages all Local Governments, and particularly those with responsibility for managing Bush Fire Brigades to provide a response to this Paper and the proposed Advocacy Position. Council endorsed responses are preferred but not essential.

The following questions are provided for Local Governments to consider:

1. Does your Local Government manage BFBs?
2. Does your Local Government support the proposed Advocacy Position on arrangements for the management of Bush Fire Brigades? Why or why not?
3. Does your Local Government have any further suggestions or changes to the proposed Advocacy Position?
4. For Local Governments that manage BFBs, is your Local Government's preference to continue to manage BFBs or to transfer responsibility to the State Government?
5. Is your response endorsed by Council? If so, please include the Council paper and resolution.
6. Do you have any further comments to make?

Responses can be provided by way of written submission or by completion of the online [survey](#).

Please provide written submissions by **5pm Friday 8 July 2022** to em@walga.asn.au (Subject line: Bush Fire Brigade Advocacy Position).

WALGA will review the feedback received and prepare a report for consideration by WALGA Zones and State Council in September 2022.

APPENDIX ONE - Proposed Emergency Management Advocacy Position Statements

(Positions to be considered at July 2022 State Council Meeting)

8 Emergency Management

Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Governments however face a few challenges in addressing their emergency management responsibilities, and these challenges differ greatly across the State.

8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.

8.3 Sustainable Grant Funding Model for Emergency Management

Local Government should be empowered to discharge its emergency management responsibilities through sustainable grant funding models that support a shared responsibility and all hazards approach to prevention, preparedness, response and recovery from natural disasters. A sustainable grant funding model for Local Government emergency management:

1. empowers Local Governments to undertake proactive approaches to preparedness, prevention, response and recovery;

2. supports the resilience of local communities through capacity-building activities and programs;
3. is responsive to the variations in Local Government resourcing and context
4. develops the skills, capacity and capability of the emergency management workforce; and
5. is consistent, flexible, timely, accessible, scalable, strategic and the guidance provided is comprehensive.

8.4 Consolidated Emergency Services Act

1. The Association advocates for the development of a Consolidated Emergency Services Act to provide a comprehensive and contemporary legislative framework to support the effective delivery of emergency services in Western Australia. The Legislation should clearly define the roles and responsibilities of all emergency management stakeholders including Local Government.
2. The Local Government sector seeks ongoing engagement in the scoping and co-design of the Act and associated Regulations and supporting materials such as Guidelines and fact sheets.
3. The Association advocates for DFES to undertake a full costing analysis of the new Act and to provide to Local Government details of the cost implications prior to the release of any Exposure Draft Bill.
4. Any new or increased responsibilities placed on Local Government by the Consolidated Emergency Services Act must be accompanied by funding and resource support to enable Local Governments to adequately discharge those responsibilities.
5. The Association recognises that in addition to the Consolidated Emergency Services Act, the Regulations and other supporting materials that are developed to support it provide a key resource for Local Governments in understanding and discharging their legislative obligations.
6. The Association advocates for the Act to provide clear guidelines for the process for transferring responsibility for bushfire incident response from Local Government to DFES.

8.5 Resource Sharing

Local Governments and the Association support resource sharing across the Local Government Sector for the purpose of emergency management, to support Local Governments to undertake effective and timely response and recovery to emergencies as well as conduct business as usual. The Association will endeavour to facilitate support to the sector in undertaking resource sharing arrangements.

8.6 Lessons Learnt Management

The Association advocates for the implementation of a transparent and contemporary assurance framework for emergency management lessons management overseen by the State Emergency Management Committee. Findings from inquiries and reviews, and progress on implementation of recommendations, should be publicly reported regularly and consistently.

8.7 Emergency Services Levy

Local Government requests the implementation of the recommendations from the 2017 Economic Regulation Authority (ERA) Review of the Emergency Services Levy, which supported increased transparency and accountability in the administration and distribution of the ESL through:

1. Expansion of the ESL to fund Local Government emergency management activities across prevention, preparedness and response.
2. Administration of the ESL by an independent organisation that is funded through consolidated revenue, with regular independent reviews of expenditure and assessment of the effectiveness of ESL funding expenditure to support prevention, preparedness and response activities.
3. The ESL administration fee should recompense Local Governments for the complete cost of administering the ESL.
4. Public disclosure of the allocation and expenditure of the ESL.
5. Public disclosure by the State Government on the progress of implementation of each of the ERA Review recommendations.
6. A review of the role, responsibilities and reporting arrangements of the Community Emergency Services Manager (CESM) Program.

8.8 Local Government Grants Scheme (LGGS)

Local Government supports:

1. A full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS;
2. A redesign of the LGGS to remove the ineligible and eligible list and create a sustainable, modern, equitable grants program that funds Local Government emergency management activities across prevention, preparedness and response
3. An audit of existing buildings, facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES) to inform the preparation of a Comprehensive Asset Management Plan and to guide future funding requests;
4. in the interim, an immediately increase in the quantum of State Government funding to enable the provision of funding of operating and capital grant applications in full, to provide all resources necessary for the safe and efficient operation of Local Government Bushfire Brigades, in accordance with obligations of the Work Health and Safety 2020 legislation.

8.9 Expansion of the Community Emergency Services Manager (CESM) Program

That the Association advocates for an expansion of the Community Emergency Service Manager (CESM) Program, as follows:

1. All Local Governments should have the option of participating in the CESM Program.
2. The full cost of the CESM Program should be funded through the Emergency Services Levy.

8.10 Management of Bush Fire Brigades

To be developed.

Attachment 2 – Bushfire Volunteer Association – Going Forward Position Briefing.



**Bushfire Volunteers Association – Going Forward
A Position Brief Outlining Key Concerns Regarding the **WALGA'S****

**Future Management of
Volunteer Bushfire Brigades in
W.A.**

1. Background

Over many decades in Western Australia, communities throughout the State have experienced the destructive consequences of fire and its negative impact upon on landscape, the productive potential of the land, i.e. agriculture, destruction of homes and infrastructure as well as the social dislocation which can often be traumatic and long-lived.

These experiences galvanised grass-root actions from individuals and their community on preparedness to mitigate the impact from fire. It is from these community-based actions that the Volunteer Bush Fire Brigades (VBFB) evolved.

Importantly, to this very day, VBFBs operate around a nucleus of individuals from their respective communities, all of whom volunteer their time, energy and respective skills to be prepared and ready to respond to fire emergency as well as monitor and manage risk.

In Western Australia, 111 Local Governments manage 563 Volunteer Bushfire Brigades with 20 000 participant volunteers. The Volunteer Bush Fire Service represents the largest volunteer emergency service by a significant margin.

And, its evolution has gone beyond just responding to bush/grass fire. Now, structural fires, motor vehicle accidents and search and rescue have been included within the remit, especially in areas where time for other emergency service response can be elongated due to geography and distance.

Significantly, VBFBs are a community asset that appropriately sits within the Local Government Authority (LGA) framework. Under this arrangement, LGAs are responsible for administering the *Bushfires Act* and carry out activities such as inspecting fire breaks and issuing burning permits but a BFB's work can often go further than that.

It is worthy of note that the existence and activity of local VBFBs often provides a further value-add in that it encourages and supports the establishment of firefighting equipment and resources held by private landowners as well as other risk mitigation activity, i.e. establishment of on-farm water points, further enhancing local preparedness.

Apart from underpinning an important emergency response mechanism, VBFBs have become important community focal points, integral to social bonding and a community identity, promoting volunteerism through example, contributing to fund-raising, education and assisting vulnerable groups, i.e., the elderly.

VBFBs are borne from the community and by their nature, strengthen community resilience and their engagement on the issues of preparedness. This context is both the value and sustainment of an important response mechanism.

As recognised in WA Local Government Association's (WALGA) *Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position*, May 2022, "The localised culture and history of BFBs in WA has had a large influence on the way that local governments engage with and manage BFBs. Many BFBs operate in an independent and self-sufficient way, which Local Governments encourage and support, as this contributes to expansion of the volunteer network in the local community, while also building community networks and resilience.

Communities, and therefore Local Governments, have a significant interest in volunteering and BFBs, with some Local Governments very involved in the establishment, management and operation of their local BFBs."

The strength of the VBFB mechanism is its community values and connections which augments the overall emergency response of Western Australia.

In recent years, the call for change to the oversight and operational management of VBFBs has focussed on alternatives to the current Emergency Services Levy (ESL) management and Local LGA management framework that Brigades sit within, i.e. *Ferguson Report* (2016) and the *Economic Regulation Authority Review of the ESL* (2017). Nevertheless, it appears the key drivers to this question are less about the operational management and more about the financial and resource impost upon LGAs, the key considerations being:

- a. The rising cost of insurance and the public liability risk, as further embedded by;
- b. *The Work Health and Safety Act 2020*, enacted in 2022;
- c. The limited scope to fund administrative and operational cost of Brigades from the ESL;
- d. The gap in funding new technology, equipment and standards for Volunteer Bush Fire Brigades which must be met by Local Government.

In 2021, WALGA undertook what is referred to as an "*Emergency Management Survey in 2021*" on questions about the level of satisfaction with current arrangements for VBFBs.

The findings were drawn from 104 LGAs with the following groups within the WALGA network, identified as:

- 36 Chief Executive Officers
- 18 Community Emergency Services Managers
- 50 Local Government officers

The survey results were recorded as follows:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

Apart from a lack of definition around what the results refer to in terms of implications to the LGAs, it also raises questions about the balance of the catchment group and furnished percentages.

Questions, for example, may relate to the delegation, or the historic interaction and therefore understanding of the VBFB network of a general LGA officer or, a Community Emergency Service Manager who is in fact a Department of Fire and Emergency Services (DFES) employee or, under a joint contract.

Interestingly, the survey did not incorporate responses from the wider stakeholder group also engaged with the support, operation and management of VBFBs such as councillors and the VBFBs themselves.

It is respected that this was a WALGA survey directed at its own constituents but despite this aspect, the VBFB response mechanism is more complicated and varied than represented by the survey catchment group as outlined above. The consultation appears to be upon a very narrow base. Therefore, the question should be asked; Is the survey subjective and balanced? The consultative methodology should be re-visited.

3. Acknowledgement

It is acknowledged by Bushfire Volunteers that there is a cost associated with maintaining preparedness and response capability. Points a, b, c, and especially d, being valid influencers upon the financial constraints experienced by all LGAs.

It is understood and accepted that the fiscal constraints applied to the VBFs creates a gap that might only be met by further costs to the ratepayers. The Bushfire Volunteer's position is that these circumstances are not acceptable and are created by an arbitrary application of ESL funds with a nett loss to LGAs and VBFs alike.

The remedy requires an examination of the transparency of decisions behind ESL budget allocations, with a particular analysis of the decision matrix used by the DFES Commissioner to meet the resource requirements of LGAs and VBFs across the State.

4. Response to WALGAs Options for future management of VBFs

Following is the Bushfire Volunteers response to the four options identified for the future management of VBFs, as outlined in WALGA's *Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position*, May 2022 (Page 8):

1. **Status quo** - continue with the current arrangements for management of (V)BFs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their (V)BFs).

Bushfire Volunteer's Position - IN PART SUPPORTED – WALGA in conjunction with the Bushfire Volunteers Association jointly advocate to continue with the current arrangements for LGA management of VBFs. There must be additional support provided by the State Government's ESL (*managed independently from DFES*) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.

2. **Improvements** - continue with the current arrangements for Local Government management of (V)BFs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.

Bushfire Volunteer's Position - SUPPORTED WITH AMENDMENT - WALGA in conjunction with the Bushfire Volunteer Association jointly advocate to continue with the current arrangements for LGA management of VBFs with additional support provided by the State Government ESL (*managed independently from DFES*) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.

3. **Hybrid Model** - LGAs continues to manage (V)BFs where they have the capacity, capability and resources to do so; however, where they do not have the capacity, capability and resources, responsibility model relies on the proven agility and adaptive ability of the community asset of VBFs to embrace geography, rapid response capability and the management of risk.

Adopting a Hybrid model undermines the overall preparedness of community based VBFs by effectively splitting the response mechanism, compounded by diminishing clarity associated with decisions of the funding of resources.

4. **Transfer** - Responsibility for management of all (V)BFs is transferred to the State Government, consistent with the arrangements in other States and Territories.

Bushfire Volunteer's Position - NOT SUPPORTED

5. **Bushfire Volunteer's Position and Response to the proposed WALGA Management of Bush Fire Brigades recommendations.**

Following is the Bushfire Volunteer's response to the three options identified for the future management of VBFs, as outlined in WALGA's *Arrangements for Management of (Volunteer) Bush Fire Brigades: Proposed Advocacy Position*, May 2022 (Page 9).

1. The WALGA Advocacy Position advocates that the State Government must provide for:

- a. A clear pathway for LGAs to transfer responsibility for the management of (V)BFBs to the State Government when ongoing management is beyond the capacity, capability and resources of the LGA.

Bushfire Volunteer's Position - NOT SUPPORTED – remove the DFES from direct management of funds – establish an independent board supported by a small secretariat independent to DFES, with equality of rules for all those that have access to the fund, incorporating process for needs-based assessment against emergency, prevention, preparedness, response and recovery requirements of VBFBs.

- b. The co-design of a suite of relevant guidelines and materials to assist those LGAs that manage (V)BFB.

Bushfire Volunteer's Position - NOT SUPPORTED – under the current structure VBFBs and LGAs can (and do) design their own training to suit their environment and community needs – Centralised DFES training may not take into account specific and unique LGA requirements.

- c. Mandatory and minimum training requirements for (+V)BFB volunteers supported by a universally accessible training program managed DFES.

Bushfire Volunteer's Position - NOT SUPPORTED – A centralist training regime is not necessarily adaptive or responsive to LGA or VBFB requirements, funding should not be restrictive permitting LGAs to provide relevant and targeted training to the VBFB community asset, conducted by qualified external trainers. This is an important point to supporting volunteers and volunteerism within the community. Historically, well-funded community-based training with LGA oversight has proven to be successful in building the community asset, as well as the capability of volunteers.

- d. The recognition of prior learning, experience, and competency of VBFB volunteers.

Bushfire Volunteer's Position - SUPPORTED but should be overseen by the responsible LGA. The current *Bushfire Act* framework enables LGA to RPL their volunteers currently. This permits targeted local community recognition relevant to a particular LGA and community. Under the current arrangements, the LGA can be responsible for RPL of volunteers that is reflective of community and local operational area needs.

2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for (V)BFBs in accordance with 1(a).

Bushfire Volunteer's Position - NOT SUPPORTED – the focus should be upon bolstering the current structure and adequately funding the LGA and VBFB response mechanism.

3. Where management of (V)BFBs is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

Bushfire Volunteer's Position - NOT SUPPORTED – This option takes away an important community-based asset, associated activity and funding. Transferring VBFBs to the State is replicating what has been built by communities across Western Australia under a bureaucratic banner. This is without necessarily supporting a host of community benefits that have been supportive of LGAs or, guaranteeing response capability over time. This option is not in line with the *Ferguson Report* (2016) or other recent reports.

6. Bushfire Volunteers Association Recommendations

On analysis of the WALGA *Emergency Management Survey*, it appears the questions and responses require a greater definition as the dichotomy of response can leave the matter more open ended than definitive. Naturally more discussion can be facilitated on what the real message of the survey results mean. A justified conclusion can be drawn that dissatisfaction relates to the administrators views on funding and resourcing. The following recommendations address this long-established concern.

WALGA, jointly with the Bushfire Volunteers to advocate for:

- I. **The continuation of the current arrangements for LGA management of VBFBs with additional support provided by the State Government ESL (managed independently from DFES) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.**

- II. **The arbitrary ESL fund decision making power held by the DFES Commissioner be withdrawn and transitioned to a suitably qualified independent board with equal numbers of representatives local**

- III. **That funding decisions are based on established guidelines (*established by an independent board above*), incorporating process for needs-based assessment against emergency, prevention, preparedness, response and recovery requirements of Volunteer Bush Fire Brigades.**

- IV. **An independent review is conducted into the resource needs required by Local Government to appropriately manage the Volunteer Bush Fire Brigade Resource to augment preparedness and the mitigation of risk.**

- V. **An independent social audit is conducted to qualify the contribution that is made to community by Volunteer Bush Fire Brigades and assess the impact of a changed management arrangement upon those social factors (to be reconciled against proposed management of Brigades)**

7. Bushfire Association Position Summary

The Bushfire Volunteer's position is that the current management structure and all the benefits of the VBFBs sitting within LGAs provides a substantial community asset, with local control, local decision making, and the subsequent local benefits.

The position is that structurally, the emergency response mechanism is proven to work well and provide for the needs of the community, having evolved and adapted over time and clearly, retaining the values and expertise of an independently motivated volunteer entity to meet the emergency response objectives.

The primary driver for the call to change current structure and establish alternative arrangements is primarily driven by resourcing gaps, state agency staff and centralised bodies that want centralised control and funding. These are factors which are not necessarily contributing positively to the maintenance of the VBFBs within the LGA.

Importantly, it is the Bushfire Volunteer position that the narrative for change is underpinned by the funding issues. A shift in the oversight of Bush Fire Brigades does not address the funding solution or, the guarantee required to maintain an effective community response mechanism over time.

Our recommendations above address the funding orientation so that there is a more equitable distribution of the ESL to support the excellent work to date by LGAs and the VBFB community.

For further Association Contact;
Email – admin@bushfire.org.au

Phone - 1800 238 657
Web - <https://www.bushfire.org.au/>

7. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7.1 BFCO WAERN RADIOS

BACKGROUND

Refer to attachment 1.

MOTION

Moved: Blair Wilding

That Council:

- 1. Request DFES and the Shire of Northam to provide a detailed explanation as to why WAERN radios have not been issued to Northam Shire BFCOs as clearly stated in the Northam Bush Fire Manual (2018) and what acceptable alternatives exist other than using the mobile phone networks.**
- 2. Conduct an audit of all WAERN radios held by BFCOs, previous BFCOs, and in Shire vehicles and machinery. We request that the findings of this audit be present to all Brigades at the next BFAC meeting.**
- 3. Authorise for all BFCOs to have WAERN radios issued and fitted before the 1st October 2022 prior to the 2022/2023 fire season.**

OFFICERS COMMENT

1. The WAERN radios and associated infrastructure are the property of DFES who manage the extremely limited resources state-wide to ensure the greatest amount of operational radio coverage during incidents.

Shire staff put a formal request to DFES on Dec 1st 2021 for a formal review of the allocation of operational radios for Shire of Northam BFCO's, the feedback received on Dec 2nd 2021 stated the following.

Each Shire is currently entitled to 4 mobile WAERN radios (1x CBFCO, 1x DCBFCO and 2x FCOs) in accordance with the Basis of Allocation SAP. There needs to be a cap due to funding allocations across the State as there simply is not the capital to supply each Shire with an unlimited amount of radios.

However, there is currently a Business Case being proposed to provide some changes to this. Whether the Business Case is approved and what the allocations would be, if approved, I am unaware of as it is still going through the approvals processes.

It was suggested that a cheaper alternative for radios above the 4 per Shire would be for the Shire to fund UHF radios.

Staff have received additional information that the business case resulted in minor changes to some BCU's due to capacity gaps, however these changes have not affected the volunteer Bushfire Service.

2. An Audit has been completed (attachment 2) showing the current approved allocation of radios within the Shire of Northam.
3. As per point 1, The Shire of Northam is not in a position to authorise the issuing of WAERN equipment above and beyond the current allocation, as the Shire of Northam is not the asset or infrastructure owner.

A suitable workaround for incident ground communications is for BFCO's to utilize UHF radios from their private vehicles to enable communications as per the approved Communications Plan on UHF 5, which is a national repeater channel for emergency use.

All operational appliances have the capability to communicate on UHF 5, as do all incident support & DFES manager vehicles & DFES ICV's.

UHF5 is the primary incident communications channel for all areas that do not have WAERN repeater coverage in WA.

Attachment 1



Clackline/Muresk Bush Fire Brigade

Clackline/Muresk Fire Shed, Tighe Road, Mokine

June 2022

BFCO WAERN Radios

Background

As we are aware, many BFCO WAERN radios were removed from their vehicles a few years ago. Since then, it's been increasingly difficult and frustrating for BFCOs to communicate with DFES, the Shire and other brigades without WAERN radios on a fire ground. As presented in DFES Training packages and through volunteer experience, communication is the most critical tool for maintaining community and firefighter safety during an emergency incident.

Many Northam Shire BFCOs are currently reliant on using mobile phones through the Telstra mobile network to communicate. There are many mobile black spots within the Shire, communication via this network is not possible. Telstra highlighted their awareness of these at a recent community meeting held on 9th May 2022, at the request of the Clackline Progress Association in response to the recent prolonged tower outage which affected Clackline and surrounding urban areas in March 2022. Telstra's representative, Boyd Brown, Regional General Manager WA, represented Telstra at this meeting and informed the community that using the mobile network during emergency incidents should not be relied upon at all.

Quote: 'With regard emergency situations, mobile phones should not be relied upon, and we would advocate that satellite phones or other forms of communication for the Bushfire brigade are explored' (email between Clackline Brigade and Boyd Brown, *RE: Meeting held in Clackline on 9th May 2022, 18th May 2022*).

This brings us to when will our BFCOs be reissued with WAERN radios as our BFCOs are typically the first responders and incident controllers at many of our emergency incidents. Without adequate communication strategies, the lack of radio access for these members delays or inhibits responses to incidents and in turn unacceptably increases the risk to community and firefighter safety.

The below points from documentation that we operate under clearly identifies how BFCOs are not being issued WAERN radios and therefore the Shire of Northam is in breach of the BFCOs rights and responsibilities.

SHIRE OF NORTHAM BUSH FIRE MANUAL 2018

5.3A The Role of a Bush Fire Control Officer (*Bush Fire Manual 2018*) is a delegated representative of the Local Government responsible for the administration of provisions within the Bush Fires Act 1954. The person in this position is required to perform active operational duties in relation to both firefighting and fire prevention strategies within the local community.

5.7B WAERN Radios issued to BFCOs (*Bush Fire Manual 2018*)

DFES provide a WAERN radio to active Bush Fire Control Officers (BFCO's) being either vehicle mounted or base station style radios. The Shire of Northam manages the distribution and return of these radios.

1.9 Values (*Bush Fire Manual 2018*)

Bush Fire Brigade Members are to adopt the following principles at all times when representing the Bush Fire Brigades. These values shall include:

- Put the community first:
- Act with integrity and honesty:
- Work together as a committed team:
- Strive to keep ourselves and others safe:
- Respect and value the contribution of others:
- Have open and honest two way communication; and
- Continuously develop our skills to service the community.

Department of Mines, Industry Regulations and Safety

Work Health and Safety for Volunteers

2. A statement on Commitment to providing a workplace that enables all work activities to be carried out safely. We will take all reasonably practicable measures to eliminate or minimise risks to the health, safety and welfare of workers, contractors, visitors, and anyone else who may be affected by our operations. We are committed to ensuring we comply with the Work Health and Safety Act 2011 (the Act). We will also comply with any other relevant legislation, applicable Codes of Practice and Australian Standards as far as possible.

The Shire of Northam has a **Duty of Care** to all firefighters including BFCOs to ensure their safety.

Duty of Care is a moral or legal obligation to ensure the safety or well-being of others. All employers have a duty of care to their employees whether paid or volunteers.

Motion:

1. Clackline Muresk Volunteer Bush Fire Brigade request DFES and the Shire of Northam to provide a detailed explanation as to why WAERN radios have not been issued to Northam Shire BFCOs as clearly stated in the Northam Bush Fire Manual (2018) and what acceptable alternatives exist other than using the mobile phone networks.
2. Clackline Muresk Volunteer Bush Fire Brigade request that the Shire of Northam conduct an audit of all WAERN radios held by BFCOs, previous BFCOs, and in-Shire vehicles and machinery. We request that the findings of this audit be present to all Brigades at the next BFAC meeting.
3. Clackline Muresk Volunteer Bush Fire Brigade requests all Northam Shire BFCOs have WAERN radios issued and fitted before the 1st October 2022 prior to the 2022/2023 fire season.

Attachment 2 – WAERN Audit

BRIGADE	LOCATION	REGO #	MOBILE #	TYPE	VEHICLE	BASE	VERTEX HANDHELD	Selcall #	Comments
BAKERS HILL									
BAKERS HILL	Station			High/UHF		1		279030	
BAKERS HILL	3.4			High	1		1		
BAKERS HILL	3.4	N.4521		High/UHF	1			279033	
BAKERS HILL	LT	N.4521		High	1		1	279032	
BAKERS HILL	LT	1EFJ-949		High/UHF	1			279032	
BAKERS HILL	GORDON ASHMAN Weather Officer ONLY	9574 1524	0427 855 619	High/UHF	1			279002	
BAKERS HILL	Simon Peters - BFCO	9574 1537	0417 921 361	High/UHF	1			279055	
BAKERS HILL	Kris Brown - BFCO		0400 945 214	High/UHF	1				
CLACKLINE MURESK									
CLACKLINE MURESK	Station			High/Mid		1		279020	
CLACKLINE MURESK	2.4			High	1		1	279024	
CLACKLINE MURESK	2.4			High/UHF	1			279024	
CLACKLINE MURESK	LT			High/UHF	1		1	279023	
CLACKLINE MURESK	LT			High	1			279023	
CLACKLINE MURESK	MATHEW MACQUEEN - BFCO		0439 741 572	High/UHF	1			279035	
GRASS VALLEY									
GRASS VALLEY	Station			High/UHF		1		279070	
Grass Valley	1.4			High	1		1	279073	
Grass Valley	1.4			High/UHF	1			279073	
GRASS VALLEY	4.4	1GAZ 650		High	1		1	279071	
GRASS VALLEY	4.4	1GAZ 650		High/UHF	1			279071	
GRASS VALLEY	CHRIS MARRIS - BFCO			High/UHF	1			279001	
IRISHTOWN									

Bush Fire Advisory Committee Meeting Agenda
11 July 2022



IRISHTOWN	Station			High/UHF		1		279063	
INKPEN	1.4	N.2501		High/UHF	1		1	279061	
IRISHTOWN	ROBERT HERZER - BFCO	9622 5821	0429 071 211	High/UHF	1			279001	
INKPEN									
INKPEN	Station			High/UHF		1		279050	
INKPEN	3.4	N.3113		High/UHF	1		1	279053	
INKPEN	3.4	N.3113		High	1			279053	
INPKPEN	LT	1GBO-744		High/UHF	1		1	279052	
INPKPEN	LT	1GBO-744		High	1			279052	
INKPEN	Nic Dewar - BFCO	1DMZ 710	0427 058 698	High/UHF	1			279016	
INKPEN	Neil Diamond - BFCO		0429 642 002	High/UHF	1				
JENNAPULLIN									
JENNAPULLIN	AARON SMITH - BFCO	9622 7476	0427 227 476		1			279040	
JENNAPULLIN	BRETT SMITH	9622 1864	0427 225 020		1			279047	REMOVE
JENNAPULLIN	LYNTON SMITH WEATHER OFFICER ONLY	9622 3873	0429 081 500		1			279034	REMOVE
NORTHAM CENTRAL									
NORTHAM CENTRAL	3.4	1HJC-320		High/UHF	1		1	279082	
NORTHAM CENTRAL	3.4	1HJC-320		High	1			279082	
SOUTHERN BROOK									
SOUTHERN BROOK	Station			High/UHF		1		279040	
SOUTHERN BROOK	1.4	N.2014		High	1			279042	
SOUTHERN BROOK	1.4	N.2014		High/UHF	1		1	279042	
SOUTHERN BROOK	PAUL ANTONIO - BFCO		0409 089 482	High/UHF	1			279043	
WUNDOWIE									
WUNDOWIE	LT	1DZI- 553		High/UHF	1		1	279091	
WUNDOWIE	LT	1DZI- 553		High	1			249091	
SHIRE OF NORTHAM									

Bush Fire Advisory Committee Meeting Agenda
11 July 2022



SHIRE	RANGER 1			High/Mid	1			279080	
SHIRE	RANGER 2			High/Mid	1			279081	
SHIRE	RANGER BASE - Kelly Walters	9622 7267		High/Mid		1		279001	
SHIRE	LOADER			High/Mid	1			297091	
SHIRE	GRADER 1			High/Mid	1			297092	
SHIRE	GRADER 2			High/Mid	1			297095	
SHIRE	WATER TRUCK			High/Mid	1			279090	
SHIRE	WATER TRUCK			High/Mid	1			279090	
SHIRE	DEPOT BASE - Tracey Pearce	9621 2263		High/Mid		1		279090	
CESM	CESM Vehicle	N79	0458 08 08 18	High/Mid	1			279011	
CESM	CESM Vehicle	N79	0458 08 08 18	High/UHF	1		2	279011	
CESM	CESM office		0458 08 08 18	High/UHF		1	1	279100	
CBFCO	NORTHAM FSV	N 577		High/UHF	1			279 012	
CBFCO	NORTHAM FSV	N 577		High/UHF	1			279 012	
			TOTAL		44	9	15		

8. URGENT BUSINESS APPROVED BY DECISION

9. GENERAL BUSINESS

10. DATE OF NEXT MEETING

Meeting schedule:

- 13 September 2022
- 8 November 2022

11. DECLARATION OF CLOSURE