



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Bush Fire Advisory Committee

13 June 2023

UNCONFIRMED

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Contents

1	DECLARATION OF OPENING.....	4
2	ACKNOWLEDGEMENT OF COUNTRY	4
3	ATTENDANCE.....	4
	3.1 ATTENDEES	4
	3.2 APOLOGIES	4
	3.3 APPROVED LEAVE OF ABSENCE.....	5
	3.4 ABSENT	5
4	DISCLOSURE OF INTERESTS.....	5
5	CONFIRMATION OF MINUTES	6
	5.1 CONFIRMATION OF MINUTES FROM THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 7 MARCH 2023.....	6
6	OFFICER REPORTS.....	50
	6.1 COMMUNITY EMERGENCY SERVICES MANAGER REPORT - MAY 2023 ...	50
	6.2 BUSHFIRE RISK MITIGATION OFFICER REPORT - MAY 2023	63
	6.3 BRIGADE NOMINATIONS - BUSH FIRE CONTROL OFFICERS 2023/2024 ...	66
	6.4 REVIEW OF VERGE POLICY	73
7	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	123
	7.1 BASING AIRCRAFT AT NORTHAM DURING THE HARVEST PERIOD.....	123
8	URGENT BUSINESS APPROVED BY DECISION	123
10	DATE OF NEXT MEETING.....	123
11	DECLARATION OF CLOSURE	124

1 DECLARATION OF OPENING

The Presiding Member, Mr C Marris, declared the meeting open at 5:30pm.

2 ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member, Mr C Marris, acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past present and emerging.

3 ATTENDANCE

3.1 ATTENDEES

Voting Committee

Councillor - Shire of Northam	Dave Galloway
Councillor - Shire of Northam	Maria Girak
Presiding Member / Chief Bush Fire Control Officer	Chris Marris
Deputy Bush Fire Control Officer	Kristofer Brown
Inkpen Bush Fire Brigade	Nic Dewar
Clackline Bush Fire Brigade	Blair Wilding
Bakers Hill Bush Fire Brigade (proxy)	Carla Millar
Grass Valley Bush Fire Brigade	Mark Littlefair
Irishtown Bush Fire Brigade	Rob Herzer
Jennapullin Bush Fire Brigade	Aaron Smith
Wundowie Bush Fire Brigade	Mathew Macqueen

Staff:

Executive Manager Development Services	Chadd Hunt
Community Emergency Services Manager	Alex Espey
Bush Fire Risk Mitigation Coordinator	Brian Humfrey
Governance Officer	Tamika Van Beek

3.2 APOLOGIES

Voting Committee:

Northam Volunteer Fire and Rescue Services	Greg Montgomery
Wundowie Volunteer Fire and Rescue Services	Jeffrey Roberts

Staff:

Chief Executive Officer

Jason Whiteaker

3.3 APPROVED LEAVE OF ABSENCE

Nil.

3.4 ABSENT

Voting Committee:

Deputy Bush Fire Control Officer

Simon Peters

Southern Brook Bush Fire Brigade

Paul Antonio

Northam Central Bush Fire Brigade

Kim Hampton

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
Brigade Nominations - Bush Fire Control Officers 2023/2024	6.3	Mathew Macqueen	Impartiality	Mr Macqueen is nominated for a Fire Control Officer position for the 2023-24 season.
		Aaron Smith	Impartiality	Mr Smith is nominated for a Fire Control Officer Position.
		Blair Wilding	Impartiality	Mr Wilding is currently a Fire Control Officer for the Shire of Northam and is nominated for a Fire Control Officer Position again.
		Nic Dewar	Impartiality	Mr Dewar is a current Fire Control Officer and is voting for the Fire Control Officer Positions.
		Chris Marris	Impartiality	Mr Marris is nominated for a Bush Fire Control Officer Position.
		Kristofer Brown	Impartiality	Mr Brown is nominated for a Fire Control Officer Position.
		Mark Littlefair	Impartiality	Mr Littlefair is nominated for a Fire Control Officer Position.
		Robert Herzer	Impartiality	Mr Herzer is nominated for a Fire Control Officer Position.

5 CONFIRMATION OF MINUTES

5.1 CONFIRMATION OF MINUTES FROM THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD 7 MARCH 2023

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.303

Moved: Nic Dewar
Seconded: Blair Wilding

That the minutes of the Bush Fire Advisory Committee Meeting held on 7 March 2023 be confirmed as a true and correct record of that meeting, subject to the following amendments:

- Item 5.1 – Discussion – An item 3 being added under the discussion as follows:
 3. *An update was sought on WHS action items, specifically attachment 3 (PPE / PPC – Fire Fighters) and attachment 4 (training) further to the decision at the 6 December 2022 meeting. It was advised that this relates to item 6.1 and further discussion can be held at this time.*
- Item 6.1 – Discussion 1(a) action being updated to:

Action:
The Community Emergency Services Manager is to:

 - a) *Seek advice from brigades in relation to suitable locations in their district (if any) and their preferred design. The Shire currently has 6 static signs. Digital signs can be updated remotely.*
 - b) *Identify other suppliers for digital signs which do not have a lead time of 2.5 years. The Shire currently has a budget available for 1 digital sign.*
- Item 6.1 – Discussion 11(a) being updated to:
 - a) *The Community Emergency Services Manager will review this action once access is provided to the training records and the minimum training standards are being reviewed as part of the current Bush Fire Manual review.*
Note: *This is an ongoing process and thus a decision in relation to any stand down letter cannot be finalised until the above actions are finished.*
- Item 9.2 – Discussion – The amount of 4,500 tonnes being amended to 4.5 tonnes and the amount of 3,500 tonnes being amended to 3.5 tonnes.

CARRIED 11/0

Clarification was sought in relation to:

- The Committee had previously been provided with information stating that changes could not be made to the permit process due to Standard Operating procedure resolved by Council. Is this correct?

The Executive Manager Development Services will investigate and provide clarification to the Committee at a later date.

- A question was taken on notice in the March 2023 meeting, can the response be provided? - the question was regarding the timing of chemical treatments and whether this is appropriate as the weeds will come back in July.

The Bushfire Risk Mitigation Coordinator provided information regarding spraying of road verges and will provide the current spraying program to the committee prior to the next Bush Fire Advisory Group meeting.



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Bush Fire Advisory Committee

7 March 2023

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



DISCLAIMER

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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Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Contents

1.	DECLARATION OF OPENING.....	4
2.	ACKNOWLEDGEMENT TO COUNTRY.....	4
3.	ATTENDANCE.....	4
3.1	APOLOGIES.....	4
3.2	APPROVED LEAVE OF ABSENCE.....	5
3.3	ABSENT.....	5
4.	DISCLOSURE OF INTERESTS.....	5
5.	CONFIRMATION OF MINUTES.....	6
5.1	COMMITTEE MEETING HELD ON 06 DECEMBER 2022.....	6
6.	OFFICER REPORTS.....	8
6.1	COMMUNITY EMERGENCY SERVICES MANAGER REPORT.....	8
6.2	BUSHFIRE RISK MITIGATION COORDINATOR REPORT.....	31
7.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	35
8.	URGENT BUSINESS APPROVED BY DECISION.....	35
9.	GENERAL BUSINESS.....	35
9.1	POLICY FOR VERGE TREATMENTS.....	35
9.2	FIRE DANGER RATINGS.....	35
9.3	RELOCATION OF TIGHE RD HYDRANT TO THE FIRE STATION GROUNDS	36
9.4	PROPOSED INSTALLATION OF TWO CONCRETE WATER TANKS.....	39
9.5	BART AND SMS TEXTS.....	41
10.	DATE OF NEXT MEETING.....	41
11.	DECLARATION OF CLOSURE.....	41

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



1. DECLARATION OF OPENING

The Presiding Member, Mr Chris Marris declared the meeting open at 5:31pm.

2. ACKNOWLEDGEMENT TO COUNTRY

The Presiding Member, Mr Chris Marris acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past, present and emerging.

3. ATTENDANCE

Voting Committee:

Councillor – Shire of Northam	Maria Girak
Chief Bush Fire Control Officer	Chris Marris
Inkpen Bush Fire Brigade	Nic Dewar arrived at 5:45pm
Clackline Muresk Bush Fire Brigade	Blair Wilding
Bakers Hill Bush Fire Brigade	Kris Brown
Grass Valley Bush Fire Brigade	Mark Littlefair
Irishtown Bush Fire Brigade	Rob Herzer
Southern Brook Bush Fire Brigade	Paul Antonio
Wundowie Bush Fire Brigade	Mathew Macqueen
Wundowie Volunteer Fire and Rescue Service	Tim Dean

Non-Voting:

Community Emergency Services Manager	Alex Espey
District Officer Northam	Drew Graham

Staff:

Acting Executive Manager Development Services	Jacky Jurmann
Governance Coordinator	Alysha McCall

3.1 APOLOGIES

Voting Members:

Northam Central Bush Fire Brigade	Kim Hampton
Deputy Bush Fire Control Officer	Simon Peters

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



3.2 APPROVED LEAVE OF ABSENCE

Nil.

3.3 ABSENT

Voting Committee:

Jennapullin Bush Fire Brigade	Aaron Smith
Northam Volunteer Fire and Rescue Service	Greg Montgomery

Non-Voting:

Department of Parks and Wildlife (Wheatbelt)	Graeme Keals
Department of Parks and Wildlife (Perth Hills)	Michael Pasotti

Staff:

Chief Executive Officer	Jason Whiteaker
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4. DISCLOSURE OF INTERESTS

Nil.

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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.

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Bush Fire Advisory Committee Meeting Minutes
7 March 2023



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5. CONFIRMATION OF MINUTES

5.1 COMMITTEE MEETING HELD ON 06 DECEMBER 2022

Mr Nic Dewar entered the meeting at 5:45pm.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.297

Moved: Mr Blair Wilding

Seconded: Mr Kris Brown

That the minutes of the Bush Fire Advisory meeting held on 06 December 2022 be confirmed as a true and correct record of that meeting, subject to the following amendments:

- Page 28, item 7.3 - Discussion – The word ‘approved’ being changed to ‘recommended’;
- Page 31, item 7.4 – Discussion item 7 – The words ‘The committee acknowledged that additional work is required on this matter to capture the nuances and practicality of the issues’ being added;
- Page 33, item 7.5 - Discussion – ‘Chief Bush Fire Control Officer’ being changed to ‘Nic Dewar’.
- Page 36, item 9.9 – the words ‘It was raised that the Clackline brigade have run out of physical permit books’ be replaced with ‘It was raised that the Clackline brigade’s permit books have been made invalid’.

CARRIED 10/0

Clarification was sought in relation to:

1. With respect to clarification item 1 under agenda item 6.1, an update was sought on when the Standard Operating Procedure (SOP) will be distributed to the committee as detailed in the minutes for the burning process?

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Action:

a) This query was taken on notice. The Community Emergency Services Manager will review this and include this item on the June 2023 agenda.

2. With respect to clarification item 2 under agenda item 6.1, an update was sought on when the action items listed in Attachment 3 will be raised at a meeting.

Action:

a) This query was taken on notice. The Community Emergency Services Manager will review these and provide an update at the June 2023 meeting.

3. An update was sought on WHS action items, specifically attachment 3 (PPE / PPC – Fire Fighters) and attachment 4 (training) further to the decision at the 6 December 2022 meeting. It was advised that this relates to item 6.1 and further discussion can be held at this time.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



6. OFFICER REPORTS

6.1 COMMUNITY EMERGENCY SERVICES MANAGER REPORT

File Reference:	5.1.3.1
Reporting Officer:	Alex Espey, Community Emergency Services Manager
Responsible Officer:	Jacky Jurmann, Acting Executive Manager Development Services
Officer Declaration of Interest:	Nil.
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

For the Committee to receive and note the update provided by the Community Emergency Services Manager.

ATTACHMENTS

- Attachment 1: Open BFAC Decisions
- Attachment 2: WHS / PPE Table
- Attachment 3: DFES General Circulars & Local Laws Information
- Attachment 4: DFES PAFTAC

A. BACKGROUND / DETAILS

This report is to provide the Committee an update on the current issues and actions of the Officer.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

- Performance Area: Planet
- Outcome: A resilient community
- Objective: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.
- Priority Action: Provide up to date Local Emergency Management Arrangements, including directory of emergency services.

B.2 Financial / Resource Implications

Nil.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



B.3 Legislative Compliance

Nil.

B.4 Policy Implications

Nil.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

N/A

C. OFFICER'S COMMENT

Appreciation is expressed to the brigades, specifically the senior personnel for the support he has received since coming into the role in late November.

While it has been a mild season thus far, BFAC are reminded that we are only speculatively halfway through the high threat period with current indications showing an extended hot and dry period to the region requiring ongoing vigilance.

The following is a summary of the main issues that are currently being addressing:

BART

Brigade Captains and Secretaries will have a greater level of control over their individual systems, giving them the ability to on and off board personnel as their discretion. This approach is consistent with most other BGU's in the state however is not mandatory. If a brigade would prefer that the CESM position

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



continue to maintain their BART lists, then this also available to them as is tuition and development. Action required: No action required.

CBFCO/DCBFCO visibility of BART

If desired visibility of all BART communications is available to the Chief and two deputies. This access should only be removed at their request or council. Action required: No action required.

Online PPE/PPC Ordering

A review was undertaken of the existing ordering systems in which bottlenecks and delays in service were apparent. To eliminate this and to provide a more streamlined and robust system, two online ordering systems have been developed exclusively to PPE and PPC. Action required: No action required.

Terms of Reference

Previous BFAC meetings have advised that the Terms of Reference would be provided to provide clarity. It is also worth noting that these are currently being reviewed to potentially include the calling of agenda items, and the distribution of the agenda prior to the meeting being held. Action required: No action required.

Fire Danger Rating Signs

After an extensive search the FDR signs have been located. The Shire received 6 analogue signs to replace the pre-existing signs that were in place. On discovery the Shire undertook investigations into

1. The most ideal location for installation of the existing signs.
2. The cost of replacing the signs with digital versions.
3. The process upgrading to digital signs.
4. Who will update the signs "consistently".
5. There has been a budget allocation of <20k for 1 x digital sign. Advice from manufacturers indicate a lead time of up 2 years for manufacture and delivery.

Action required: Decision made on:

1. Analogue Sign Locations.
2. Process for updating signs.

Community Messaging

Review has been undertaken to eliminate the single point of failure that exists in the broadcasting of messaging through the TIMS system. Two additional shire staff have been trained in the use of TIMS and a roster system developed for after hours and weekends to be executed for the next HTP. Action required: No action required.

Inkpen Shed Extensions

Significant delays in correspondence in relation to the Inkpen shed extensions due to a variety of issues surrounding the application, and a differential in

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



approved funding to required funding. Tentative approval has now been received and works ready to be undertaken. Action required: No action required.

Irishtown Shed Extensions

Meeting had with the Captain and the Shire in relation to needs/wants in relation to an extension.

A request for quote has now been sent out in preparation for this year's LGGs submission. Action required: No action required.

Turnout Messaging

It is critically important to the situational awareness of responding crews that brigades/FCO's notify COMCEN via Radio at the earliest opportunity. This is an important safety function to both arriving crews, but also turning out crews. Where possible refrain from communicating fireground information via mobile phone. At the earliest opportunity we can then transfer all responding personnel to the Northam COMMS Plan. Action required: No action required.

PAFTAC

The DFES regional office would like to remind and encourage all personnel of the importance of a timely PAFTAC ideally provided within 15 minutes of arrival. See attached AIDE MEMOIRE for guidance. Action required: No action required.

CESM/BRMC

To provide greater availability to both volunteers and community members and superior interpersonal service delivery the CESM and BRMC have relocated to the Northam Emergency Service Complex from the Shire Office. NB: The CESM operates out of the DFES Regional Office on Thursdays and the BRMC is shared among the Shires of Northam, Quairading and Kellerberrin. Action required: No action required.

Standpipes and Tanks

- a) Grass Valley: Grass Valley is currently still out of action. It was scheduled for concluded repair by 17 February.
- b) Chitty Road: Work order has been put in for repair since being damaged on the 18 February.
- c) Inkpen Station Tank: Work order put through to maintenance to carry out a review of the intertank plumbing. Work order put in with works to fill the tank. *Complete*
- d) Habgood Road Tank: Requires filling. - *Complete*

Action required: No action required.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



FCO Pax Folders

The CESM has provided them to the meeting. If you take one, please tick off your name. Action required: No action required.

Online Dashboard

An online operations system has been developed for appliances with tablets which are an expansion on the PAX folders idea. This system has varying degrees of accessibility dependent on rank etc, however many systems are open to all members. This is a tablet specific system and while it does work on a phone it is not designed for phones. Action required: No action required.

Rural Fire Awareness

This course is now available online through the volunteer hub. See attached circular. Action required: No action required.

LGGS

Requests for minor and major capital requests were made of all brigades on the 10th of February. At the time of writing **NO** submissions have been made from any brigade. The application process has commenced with submission expected to be made mid-March so any requests should be made before this time. Action required: Captains to provide requirements to CESM by 28 February.

Streamlining of Systems

Work has commenced at providing a more streamlined approach to brigade support systems, specifically in relation to equipment and resupply, giving captains and FCO's greater levels of autonomy and internal control. Action required: No action required.

Bushfire Brigade Local Laws

Refer to attached correspondence from DFES in relation to the local governments requirement for established local laws. Early investigations appear that this does not relate to the Shire of Northam however this is subject to change. Action required: No action required.

Agenda Items

BFAC Members are reminded that all agenda items for this Committee are required to be submitted at least 2 weeks prior to the date of the upcoming meeting to ensure they are included in the agenda.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.298

Moved: Mat Macqueen

Seconded: Rob Herzer

That Council note the Community Emergency Services Manager Report as provided.

CARRIED 10/0

The Community Emergency Services Manager provided an overview of the report.

DISCUSSION

1. Analogue sign locations and the preferred sign in each district.

Action:

The Community Emergency Services Manager is to:

- a) Seek advice from brigades in relation to suitable locations in their district (if any) and their preferred design. The Shire currently has 6 static ~~signs and 1 digital~~. Digital signs can be updated remotely.
- b) Identify other suppliers for digital signs which do not have a lead time of 2.5 years. ~~The Shire currently has a budget available for 1 digital sign.~~

2. An update was sought on the Irishtown Fire Shed works. The Community Emergency Services Manager advised that the submission will be put in for the upcoming round.
3. An update was sought on fleet. No update was available at this time.
4. An update was sought on the repairs for the Grass Valley standpipe. The Community Emergency Services Manager believes this has been repaired.

Action:

- a) Community Emergency Services Manager is to confirm this has been repaired.

5. Inkpen emergency tank was raised as being filled.

Action:

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



- a) Community Emergency Services Manager is to review the plumbing issues.
- 6. Chitty Road tank

Action:

- a) Community Emergency Services Manager is to check whether the inside of the tank is damaged.

- 7. Grass Valley tank sagging pipe.

Action:

- a) Community Emergency Services Manager is to review.

- 8. Southern Brook tank raised as not operational.

Action:

- a) Community Emergency Services Manager is to review.

- 9. An update was requested on Attachment 3 and Attachment 4 from the 14 December 2021 Bush Fire Advisory Meeting as a number of actions are not within Attachment 2 of this agenda.

Action:

- a) Community Emergency Services Manager will review the actions as the document was prepared prior to him commencing in the role.

- 10. An update was sought on the RCC for Sim Kuiper.

Action:

- a) Community Emergency Services Manager will review what is required and how this can be actioned.

- 11. An update was sought in relation to the standing down letter referenced in item 27 of Attachment 2.

Action:

- a) The Community Emergency Services Manager will review this action once access is provided to the training records and the minimum training standards ~~have been~~ are being reviewed as part of the current Bush Fire Manual review.

Note:

This is an ongoing process and thus a decision in relation to any stand down letter cannot be finalised until the above actions are finished.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



12. An update was sought in relation to the review of the Bush Fire Manual. It was outlined that it is proposed that this will be finalised before the next season.

Action:

a) The Community Emergency Services Manager will review the comments provided on the Bush Fire Manual by the leadership team.

13. An update was sought in relation to the Rural Fire Safety Course being available to non-members (e.g. seasonal workers) as per action item 3 of Attachment 2. This details that it is currently available for members. It was outlined that the understanding is that it will be available online for non-members.

Action:

a) The Community Emergency Services Manager is to follow up with DFES in relation to:

- i. When this will be available online for non-members.
- ii. Whether records will be provided for who has completed the course.

b) Publicise the course to the broader community once available.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Attachment 1 – Open BFAC Decisions

Decision Date	Motion No.	Item No	Subject	Motion	Action By	Comments
21/12/22	C.4624	12.3	BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON 06 DECEMBER 2022	<p>That Council:</p> <ol style="list-style-type: none"> 1. Accepts the minutes of the Bush Fire Advisory Committee meeting held on 13 September 2022 be confirmed as a true and correct record of that meeting. 2. Note the Community Emergency Services Manager Report as provided. 3. Appoint Greg Montgomery as a Fire Control Officer for the 2022/2023 season in accordance with the criteria in section 5 of the Shire of Northam Bush Fire Manual. 4. Note the Chief Bush Fire Control Officer Report as provided. 5. impose a Harvest, Vehicle Movement and Hot Works Ban for the following Public Holidays: <p>Saturday 24 December 2022 (Christmas Eve) From 12 noon to midnight. Sunday 25 December 2022 (Christmas) Full day Monday 26 December 2022 (Boxing Day) Full day Sunday 01 January 2023 (New Year's Day) Full day Thursday 26 January 2023 (Australia Day)</p>	Alex Espey	<p>13/02/2023</p> <p>3. OUTSTANDING</p> <p>6 & 7. ROLLOVER TO NEXT BFAC</p> <p>10. HAS NOT MET MINIMUM TRAINING REQUIREMENTS TO DATE.</p> <p>All other items complete.</p>

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



			<p>Full day</p> <p>6. Request the Chief Executive Officer to provide a fire mitigation update through a standing agenda item to each Bush Fire Advisory Committee Meeting, and that brigades are consulted and engaged with on fire mitigation within their districts.</p> <p>7. Request the Chief Executive Officer to provide the Bush Fire Advisory Committee with a detailed update on the specific WHS action items identified in attachment 3 (PPE / PPC – Fire Fighters) and attachment 4 (training) as approved at the December 2021 BFAC.</p> <p>8. Reconfirms the pivotal importance of private firefighting response to the Shire's ability to respond to bush fire incidents within the Shire of Northam and take steps to continue to support this firefighting resource.</p> <p>9. Acknowledge the impact of decisions made around policies, training etc, in regard to these private response, particularly when made with limited lead time and during the fire season.</p> <p>10. Appoint Sim Kuiper as a Harvest Ban Weather Officer for the 2022/2023 bush fire season, subject to training or RCC being undertaken.</p>	
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Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Attachment 2 – WHS Actions

				Farmer Response		Comment	STATUS
	Identified Risk	Current mitigation acceptable	Future Actions Required	Timeframe			
1	Incorrect Uniform/PPE	Nil	Marketing to encourage farmers to have PPE in their vehicles in case of Fire emergency	Dec-21	Information provided when response stickers are provided to farm response 2- Educate via social media – apply for sticker, with information provided – August, weekly campaign	Published on social media 24/10/2022 & republished 26/10/2022 Published on social media 24/10/2022 & republished 26/10/2022	
2			Each Fire appliance to be provided with 1 spare sets of PPE.	Aug-22	(CESM) to request by Aug 1 st , Captains to inspect and report by end of August.	Completed	
3	Lack of Organisation / Education	Nil	Provide Rural Fire Safety course	Oct-22	2 courses for September – awaiting confirmation	1. no longer able to deliver to external recipients (DFES Advice), only registered volunteers, this course is obsolete for registered volunteers as BSA & FFS is minimum training required to attend fire ground. Potential for RFA for Jennapullin as farm response however not required at this stage due to high compliance level.	This is now available online to "registered" members.
4			Promote use of CB/UHF 5	Dec-21	Refer point 1 ,	Published on social media 24/10/2022 & republished 26/10/2022	
5	No effective coordination on the fireground		SC or IC actively record Private Units		Leadership team – refresher for SOP s part of pre season meeting prior Oct 31 st Post reminder on intranet July-Oct	Letter to FCO's sent 17/10, reinforced FCO meeting 20/10 Not actioned as intranet not widely used	This was reiterated at FCO Meeting held 21 February.
6			Sectorise Fires Early		Post reminder on intranet Jul-Oct	Was discussed at FCO meeting 20/10/2022	
7	Poor quality of farmer units		Provide a preseason one-off event for free farmer unit checks	Oct-22	1. hold event Sep/Oct to provide operating private vehicles on fireground document with rural fire awareness course	NOT progressed - members to self certify against standards in "Operate Private Vehicles on Fire Ground" publication, as part of response sticker application. Social media published week fo 24/10/2022	Process to be reviewed pre 23HTP

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



8	Lack of young farmer members of brigades		Marketing campaign to promote young farmers/people join volunteer brigades	February 2022 – October 2022	<ol style="list-style-type: none"> Commenced April 22, Specific social media campaign, paid adverts Sep—Dec Tap into DFES regional campaign with local focus 	<p>Social media promotion of current members commenced second 1/4 2022</p> <p>Social media promotion of current members commenced second 1/4 2023</p>		
9			Investigate potential incentives for volunteers	Jun-22	Staff investigating viable opportunities, report Oct	No action to date		
Fire Stations, Appliances and Equipment								
	Mitigation Action	Current Status	Future Actions Required	Timeframe				
10	Undertake monthly workplace inspection	Nothing in Place	Brigades to undertake monthly workplace inspection during Fire Season.	Jan-22	<ol style="list-style-type: none"> All brigades provided with facility inspection form via intranet - Feb 22 - send again July 2022 Post message on intranet reminding to submit to records email for recording. Provide brigade reports to SON OSH committee and BFAC 	<ol style="list-style-type: none"> Complete, hard copies delivered to stations Not actioned as intranet not widely used Commencing November meeting 	Developing a smart phone version via	
11			Pre-season Safety inspection undertaken by Shire of Northam Safety Officer	Oct-22	<ol style="list-style-type: none"> Inspection undertake on all facilities in June by CESM OPS command meeting to discuss outcomes of inspection with remedial works 	Completed		
12	Improved manual handling	Nil	Provide manual handling training to volunteers	July – September 2022	<ol style="list-style-type: none"> Speak to LGGS team re funding Manual handling for firefighters – refresher on core skills, and safe handling – informal training package to training officers Requirement for attendance records to be provided by training officers 	Confirmed not eligible for LGGS funding		
13	Vehicle Maintenance		Brigades to undertake weekly inspections of vehicles		<ol style="list-style-type: none"> VPOWER form on intranet, DFES vol hub, and hard copies on station Post on intranet reminding of requirements - August 2022 Reiterate requirement for vpower to be sent to records email - August 2022 	<p>Completed</p> <p>Not actioned as intranet not widely used</p>	Developing a smart phone version via	
14			Preseason check of all vehicles to be coordinated by CESM	July/August	<ol style="list-style-type: none"> PO request raised for contractor, tentatively booked end of August Appliance operational systems certification – annually - 3rd party contractor Vehicle service – annual – local provider, complete by end of Aug 22 	<p>Complete, all remediation works completed</p> <p>Completed</p> <p>Completed</p>		



Bush Fire Advisory Committee Meeting Minutes
7 March 2023

15			Provide vehicle report forms to ensure any damage or maintenance requirements are identified and rectified	Jan-22	1. VFR books in appliances 2. Staff to investigate making intranet public – access by exception - volunteers. End of Aug	Completed Intranet available on station PC's & vehicle tablets only, seeking alternative options.		
16	Driver experience / competence		Provide annual on road/off road vehicle training	July – November 2022	1. Offered in May, Wundowie & Bakers Hill looking at dates for volunteers. 2. Resend info in July for EOI 3. Promote to all members requirements for formal training to allow emergency driving, covered by exemption (Reg 280 & 281)	Bakers Hill & Wundowie only brigade to opt for course, Oct 29th Course booked for 29th Oct Pre season training at Brigade level, also discussion point at BFAC meeting		
17			Require all drivers to observe the road rules and speed limits	Jan-22	1. intranet message 2. CEO position – road rules apply in all circumstances, unless exemption applies due to formal training.			
18	Provide adequate Personal Protective Equipment		Ensure equipment is fit for purpose and volunteers are aware of the respective manuals of each original equipment manufacturer	Jan-22	1. PPC/E must be purchased from DFES approved suppliers, and only for DFES approved PPC/E that have gone through R&D phase via DFES PAT team for operational endorsement - this is a requirement of funding body.	No action required	Ongoing	
19			Provide washing machines at all Fire Stations and encourage, recommending all PPE be washed on site	As soon as practicable	1. Complete for all stations, Wundowie & Inkpen outstanding due to facility issues	Completed	Query their use.	
20			Investigate costs and guidelines around providing volunteers with two sets of PPE	Aug-22	1. Active members offered additional sets of PPC with DFES approval since 2021, organic roll-out has occurred with requests approved based on incident attendance . 2. Invite active members to request additional ppc , speak to Captains/equipment officer, End August			
Training								
	Mitigation Action	Current Status	Future Actions Required	Timeframe				
21	Member training not as up to date as it could be	Minimum training requirements in place	Review minimum training requirements with Captains to present to BFAC	October 2022	1. Ops command meeting prior to end of August – agenda item	Completed, with Captains provided opportunity to query training records with feedback provided to Captains for dissemination.		

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



22			Training registers up to date/maintained	Oct-22	1. Provide training register to all brigade training officers, all records updated live and held by DFES.	Completed		
					2. Members to inform training officer, to liaise with CESH for clarification of discrepancies	Completed		
					3. Members have until Dec 31 22, to identify and rectify training records	In process		
23		SOP's in place		Immediate	1. all available via vol hub, via intranet	No action required		
					2. Critical SOP's on appliances in Red PAX Folder	Completed		
24			Advocate for additional training assessors to be approved through DFES	Ongoing	1. Completed June 22, 4 vol T/A's	Completed		
					2. Bryan Petersen	Completed		
					3. Kris Brown	Completed		
					4. Mal Carter	Completed		
					5. Justin Fox	Completed		
					6. Caitlin Gray (development)	Completed		
25			Promote flexible training arrangements, with a particular focus on weeknight training to suit volunteers	Ongoing	1. Training Officer meeting – August to determine training needs unmet	Completed (please specify outcomes)		
					2. Based on brigade feedback, timing of training guided to meet volunteer requirements	Completed (please specify outcomes)		
26	Minimum Training Requirements (Fireground and Positions)	Minimum training requirements in place	Settle on Minimum Training – minimum expectations for leadership team. Look at DFES requirements to ensure we align	Oct-22	Refer point 21	Currently under review via BFM review process		

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



27			Require Minimum Training before a volunteer can be active on the Fireground – Utilise DFES Guidelines	Jan-22	1. September date TBC for AllIMS awareness online, regional laptops	Opportunity provided, no take up from volunteers		
					2. RCC process for basic courses by Oct 31 st	Completed		
					3. Already a pre requisite for new members.			
					4. RCC process approved by DFES in June, approved for brigade roll-out ASAP.	Complete, potential for additional course		
					5. Mons 22 nd August @ Bakers Hill	Cancelled - no interest		
					6. Thurs 1 st Sep @ Northam Co-location	Completed		
					7. Sat 10 th Sep @ Grass Valley	Completed		
					8. Identify volunteers (active) for RCC process	Completed		
					Min 14 days, prior learners manual provided to volunteer	**Recommend that CEO draft letter standing down members who do not meet minimum training standards, this aligns with several neighbouring local government processes.		
					Assessment – open book, assessment conditions			
					Practical assessments to follow written			
28	Maintain Skills		Require pre-season competency-based training / annual induction prior to fire season commencement	December 2021?	1. Framework developed,	1 Framework developed, not implemented without approval of CEO, LGIS is supportive	Competency document has been reviewed by CESM	
					2. Process developed, sent to EMDS			
					3. Captains/brigade leadership team to deliver			
					4. Requirement for active members prior to Oct 31 st , to be provided to shire.	This was delayed due to the commencement of the HTP, but has since been reviewed.		
					5. New members prior to active duty			



Attachment 3 - DFES General Circulars & Local Laws Information



Government of Western Australia
Department of Fire & Emergency Services



DFES General Circular No: 11/2023

File: D25922

31 January 2023

BUSH FIRE BRIGADES – LOCAL LAWS NOT ESTABLISHED

The following local governments (**LG**) currently have no local laws for the establishment of their bush fire brigades (**BFB**) as required by section 41 of the *Bush Fires Act 1954 (WA)* (**BF Act**).

1. Shire of Shark Bay
2. Shire of Upper Gascoyne
3. Shire of Ngaanyatjaraku
4. Shire of Wyalkatchem (the Shire will soon publish its local law)
5. Shire of Waroona
6. Shire of Chapman Valley
7. Shire of Corrigin
8. Shire of Kojonup
9. Shire of Quairading
10. Shire of Murray

The Department of Fire and Emergency Services (**DFES**) and the Western Australia Local Government Association (**WALGA**) are working with the affected LGs to implement BFB local laws as a high priority. This is to ensure that these brigades are properly constituted so that the volunteers have direct authority and powers under the BF Act to undertake normal brigade activities and respond to bush fires, with liability and compensation protections under the *Fire and Emergency Services Act 1998 (WA)* (**FES Act**). The process to implement local laws will take approximately two to three months.

Until BFB local laws are implemented, please be assured that the affected volunteers may act under the direction of a LG or DFES appointed Bush Fire Control Officer (**BFCO**) to undertake brigade duties and respond to fires under the BF Act.

In circumstances where the nature of the incident requires DFES to take control, operational staff members of DFES may direct the affected volunteers (e.g., a Bush Fire Liaison Officer (**BFLO**), or DFES personnel authorised as an authorised person under section 13 of the BF Act (**authorised person**)).

Affected volunteers may continue to be deployed to incidents, whether within or outside their LG area, so long as they are acting under the direction of a BFCO, BFLO or authorised person.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Government of Western Australia
Department of Fire & Emergency Services



The affected volunteers can be further reassured that the liability and compensation protections under the FES Act will apply to actions taken in accordance with a direction of a BFCO, BFLO or authorised person.

All directions to affected volunteers must be clearly communicated and effectively captured in records:

- A direction to the affected volunteers should preferably be given directly to the volunteers.
- If a BFCO, BFLO or authorised person is not in the same location as the affected volunteers, the direction can be given via the chain of command from the BFCO, BFLO or authorised person to one or more of the volunteers, who then communicates the direction to the other volunteers.
- Any directions given by the BFCO, BFLO or authorised person should be documented for future reference after they have been given.
- Please note that a BFCO, BFLO or authorised person cannot draft a standing written direction to affected volunteers to undertake brigade activities for a particular period.

The FES Commissioner has written to all LGs in the State regarding this matter. The DFES Legal and Legislation Team is monitoring the situation to identify whether other brigades may be affected.

WALGA is available to provide advice and assist LGs to manage the above risks and update BFB local laws. James McGovern, Manager, Governance and Procurement can be contacted on 9213 2093 or JMCGovern@walga.asn.au.

Affected volunteers should raise any concerns via their command or contact their LG in the first instance.

For more information, please contact Leah Brown, Principal Legislation Officer, by phone: 0423 250 204, or email to legal.legislation@dfes.wa.gov.au.

CRAIG WATERS AFSM
DEPUTY COMMISSIONER OPERATIONS

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Government of **Western Australia**
Department of Fire & Emergency Services



DFES General Circular No: 12/2023

File: D10631

25 January 2023

Release of online learning – Bushfire Fundamentals and Rural Fire Awareness

Following on from General Circular 177/2021, the Bushfire Centre of Excellence has developed online, self-paced versions of Bushfire Fundamentals and Rural Fire Awareness. DFES staff and volunteers can now apply for and access the training via eAcademy.

Rural Fire Awareness is targeted at farmer response brigades and seasonal workers and provides students with a basic awareness of fireground safety, suppression strategies and maintaining their safety when operating on a fireground.

Bushfire Fundamentals has been developed to support those who undertake duties in supporting Incident Management Teams. This course can be offered to external agencies who undertake a role within the Incident Support Group. This product covers basics in AILMS, IMT functions, basic fireground safety but excludes suppression techniques.

Each of these courses can be completed online in approximately 2-3 hours. Short assessments are conducted after each module throughout the course. Please note that these courses are not intended to replace the existing Bushfire Safety Awareness and Firefighting Skills training products, which will continue to be the recommended minimum standard for Bush Fire Brigades with an LGGS-funded appliance.

Bushfire Centre of Excellence staff are working on the ability for external stakeholders to access this training. A further circular will be released with the process to access these training products for external stakeholders once more detail is available.

For more information, please contact the Bushfire Centre of Excellence Training Delivery team on BCoETraining@dfes.wa.gov.au

CRAIG GARRETT
A/CHIEF SUPERINTENDENT BUSHFIRE CENTRE OF EXCELLENCE

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



INFOPAGE

BUSH FIRE BRIGADE LOCAL LAWS, January 2023

WALGA was recently contacted by the Department of Fire and Emergency Services (DFES), who informed of State Solicitor's Office advice questioning the legality of Bush Fire Brigades established by Local Governments in the absence of an associated Bush Fire Brigades Local Law.

WALGA obtained its own separate, independent legal advice that confirmed the same; having established a Bush Fire Brigade, it is a requirement that the Local Government also adopt an associated Bush Fire Brigades Local Law.

The Issues

1. DFES and WALGA have received separate, independent legal advice on the establishment of Bush Fire Brigades (BFB) by Local Governments under s.41 of the Bush Fires Act 1954 (BF Act);
2. The consistent legal position is that a Local Government, having exercised discretion to establish a BFB, **must do so by making a Local Law** – ref s.41(1) of the BF Act;
3. The head of power to make a BFB Local Law is under s.62 of the BF Act.
4. The Parliamentary Joint Standing Committee on Delegated Legislation has reported a similar requirement: 'Where a local government elects to establish a bush fire brigade it must do so in accordance with local laws it has made for that purpose' (Ref: Report 16, June 2019 at 2.2)

Relevant Consequences

5. Where a BFBs has been established in the absence of a Local Law, WALGA's legal advice indicates that the registration of the Brigade and Brigade membership under s.41(2) is likely to be invalid;
6. In the absence of a Local Law, the election and duties of BFB officers under s.43 is likely to be invalid.
7. In the absence of a Local Law, the powers of BFB officers relevant to preventing, controlling and extinguishing a bush fire under s.44 is likely to be invalid.

WALGA's requested legal advice on other matters that we believe will provide some reassurances in the short term.

Although not having adopted a BFB Local Law will mean that Brigades are not properly constituted, we have been advised that the appointment of Bush Fire Control Officers will mean that Local Governments can effectively ensure the conduct of normal brigade activities, including responding to bush fires and directing firefighting assets and volunteers.

Our legal advice provides further reassurances that volunteers will be covered for compensation and protected from liability if conducting normal brigade activities under the direction of a BFCO.

Arrangements – Short Term

info@walga.asn.au | www.walga.asn.au

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



1. In the short term, Local Governments should ensure that a sufficient number of bush fire control officers (BFCO) are appointed under s.38(1) of the BF Act:
'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';
2. BFCO's special powers are set out in s.39 of the BF Act and this appointment will also ensure the proper direction of Brigades in responding to a bush fire, as set out in s.44(4) of the BF Act:
'(4) Subject to the provisions of sections 13(6) and 45, where a bush fire control officer of a local government is present at a fire which is burning in the district of the local government, he has supreme control and charge of all operations, and the officers and members of all bush fire brigades present at the fire are subject to and shall act under his orders and directions.'
3. WALGA's legal advice notes that a BFCO could manage a BFB established without a Local Law however this is not recommended as a permanent solution as BFBs will not have direct authority and powers otherwise provided under the BF Act.

Protections

4. WALGA sought legal advice on the application of Part 6B And Part 7 of the Fire and Emergency Services Act 1998 (FES Act);
5. Part 6B applies to compensation entitlements for volunteers engaged in emergency response activities including firefighting;
6. Legal advice is that the compensation provisions will cover a person who engages in volunteer activities by participating in 'normal brigade activities' under the direction of a BFCO;
7. Part 7 applies to protection of persons acting in good faith when performing functions under emergency services Acts, including volunteer firefighters;
8. Similarly, legal advice confirms that a volunteer acting under the direction of a BFCO when carrying out 'normal brigade activities' will be able to rely upon the statutory protection under s.37 of the FES Act.

Arrangements – Intermediate Term

1. The Local Government is required to adopt a BFB Local Law to ensure its Bush Fire Brigades are properly established and Brigade officers are properly registered and empowered.
2. WALGA has developed a template BFB Local Law addressing the BF Act local law-making requirements. This can be made freely available upon request.
3. WALGA can also provide general advice on the local law-making process and the development of a Council agenda item for this purpose;
4. Alternatively, the Local Government can obtain its own legal advice for the purpose of drafting a BFB Local Law.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Validity of Bush Fire Brigades Local Laws (Bylaws)

Introduction

WALGA is assisting the Department of Fire and Emergency Services with communications to Local Governments regarding Bush Fire Brigade Local Laws (BFB LL). WALGA has previously sought and distributed independent legal advice on the contemporary operation of Bush Fire Brigades and the role of appointed Bush Fire Control Officers, in the absence of a Bush Fire Brigades Local Law.

Questions have since been raised by Local Government that adopted, and have not repealed, a BFB LL prior to the commencement of the current Bush Fires Act 1954.

WALGA sought specific legal advice on the following question: "...whether local laws (bylaws) which validly established Bush Fire Brigades under *Bush Fires Act 1937 (WA)* validly survive the repeal of that Act and the commencement of the *Bush Fires Act 1954 (WA)* specifically via the operation of section 36 of the *Interpretation Act 1984*.

Summary of Legal Advice

- Section 6 of the *Bush Fires Act 1954* 'as passed' expressly declared that the "repealing and re-enacting of a provision" section of the *Interpretation Act* (s.15 of the *Interpretation Act 1918* (reprinted in 1953) and s.36 of the *Interpretation Act 1984 (WA)*) applies to the *Bush Fires Act 1954*.
- Legal advice is that it is apparent at the time of passing the *Bush Fires Act 1954*, Parliament intended for local laws (formerly 'bylaws') establishing Bushfire Brigades under the *Bush Fires Act 1937*, to continue to have effect and therefore for those Brigades to continue. However, it is extremely unlikely that the Parliament would have intended those local laws to have continued in place for an extended period.
- Attention then turns to whether the other requirements of the *Bush Fires Act 1954* have been complied with, namely have there been any substantive changes to s.36(d) following the 'as passed' Act.
- Legal advice confirms that the clear and ordinary meaning of s.36(d) of the *Bush Fires Act 1954* has not changed in a manner relevant to the issue of establishment of Bush Fire Brigades between 1954 and 2023. Therefore, a local law made under the *Bush Fires Act 1937* which has not been repealed and where a Local Government does not have a local law to a similar effect made under the Bush Fires Act 1954, **is likely to still be in force**.
- Legal advice notes that a local law made under the *Bush Fires Act 1937*, whilst valid, may well not be fit for purpose now.

Note: For the purposes of the legal advice obtained, it was assumed that the local laws which established the Bush Fire Brigade under the *Bush Fires Act 1937*, did so validly at the time they came into effect.

Good Governance Considerations

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



From the perspective of the legal advice received, it might be said that a BFB LL made under the Bush Fires Act 1937 is technically valid but likely to be practically obsolete. In accordance with our previous legal advice, it is therefore recommended that Local Governments with a local law established under the Bush Fires Act 1937:

- a. ensure there are an adequate number of appointed Bush Fire Control Officer to conduct 'normal brigade activities' and manage fires in its district in the short term; and
- b. consider making a local law to establish the Bush Fire Brigade under the Bush Fires Act 1954 and to repeal the local law made under the Bush Fires Act 1937.

Bush Fire Brigade Local Laws – 1954 to 1996

Further investigation of the Government Gazette has identified that many Local Governments have adopted a BFB LL since the commencement of the *Bush Fires Act 1954* and there is no doubt as to the validity of these local laws.

However it is clear that many Local Governments were until recently, unaware of the existence of a BFB LL (for example, the local law is not published on the Local Government's website) and the *Local Government Act 1995* requirement to conduct an 8 year review of local laws has not been applied to BFB LLs. (Please note that the lack of an 8 year review does not invalidate any local law).

WALGA therefore suggests that Local Governments with BFB LLs adopted as bylaws prior to the commencement of the *Local Government Act* in 1996 give similar consideration as to whether this local law remains fit for purpose to the contemporary operation of Bush Fire Brigades within the district.

WALGA Local Laws Service

If you require assistance with any aspect of the local law-making process relating to Bush Fire Brigades, please contact WALGA's Governance & Procurement team at governance@walga.asn.au or call 9213 2514.



Attachment 4 – PAFTACS

OPERATIONAL CONSIDERATIONS (Checklist for first arriving Firefighters)

The checklist below is a list of operational **considerations** for the first arriving fire crew when giving the first SITREP to COMCEN or your normal reporting lines.

P	POSITION AND PROPERTY THREATENED <ul style="list-style-type: none">• Assess the situation• Exposures/assets at risk/critical infrastructure
A	AREA <ul style="list-style-type: none">• Size of fire
F	FUEL DENSITY AND TYPE <ul style="list-style-type: none">• Estimate rate of spread (ROS)
T	TIME TO CONTROL <ul style="list-style-type: none">• Establish IMT• Decide on objectives, strategies and tactics• Consider delegating key functions
A	ASSISTANCE REQUIRED <ul style="list-style-type: none">• Traffic Management• Road closures• Additional resources
C	COMMUNICATIONS AND CONTROL POINT <ul style="list-style-type: none">• Radio frequencies/Communications plan• Location of control point• Consider media and public advice/warnings
S	SURFACE WIND STRENGTH AND DIRECTION <ul style="list-style-type: none">• Send SITREP• Safety is first priority

NOTE: The above checklist should only be utilized for the first arriving Incident Controller. For additional and more detailed checklists, refer to the “DFES Operational Checklists” booklet.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



6.2 BUSHFIRE RISK MITIGATION COORDINATOR REPORT

File Reference:	5.1.3.1
Reporting Officer:	Brian Humfrey, Bushfire Risk Mitigation Coordinator
Responsible Officer:	Jacky Jurmann, Acting Executive Manager Development Services
Officer Declaration of Interest:	Nil.
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

For the Committee to receive and note the update provided by the BRMC.

ATTACHMENTS

Nil.

A. BACKGROUND / DETAILS

The BRMC role is to coordinate bushfire mitigation works on Shire land and reserves funded through the DFES's Mitigation Activity Fund.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Planet
 Outcome: A resilient community
 Objective: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.
 Priority Action: Provide up to date Local Emergency Management Arrangements, including directory of emergency services.

B.2 Financial / Resource Implications

Nil.

B.3 Legislative Compliance

Nil.

B.4 Policy Implications

Nil.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



B.5 Stake Holder Engagement / Consultation

Nil.

B.6 Risk Implications

Risk Category	Description	Rating (consequence x likelihood)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

N/A

C. OFFICER'S COMMENT

The following is an update on the works being carried out under the current MAF round:

1. Completed & Invoiced

- 2989 Bakers Hill Townsite (Mulching completed on the 30/01/2023)
- 4904 Doys Road Wundowie (Mulched firebreak completed on the 20/01/2023)
- 5040 Northam Toodyay Rd X Katrine Rd Concrete Bridge (Mulched area completed on the 23/01/2023)

2. Underway

- 2990 Great Eastern Highway X Chitty Rd Bakers Hill (Mulching along firebreaks to wide)
- 2991 Great Eastern Highway X Chitty Rd Bakers Hill (Mulching along firebreaks to wide)

3. Future planned works & start date

- 5013 Gooch Road (Mulching both side of the firebreak track) – 23/02 to 24/02/23
- 5980 Trimmer Road including Extension (Mulching both sides of the road reserve) – 27/02 to 10/03/23
- 5983,5977 Spencers Brook (Mulching both sides of the road reserve) – 13/03 to 17/03/23

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



- 5962 Wariin Road (Mulching both sides of the road reserve from Great Eastern Hwy to Great Southern Hwy) – 20/03 to 31/03/23
 - 5956 Inkpen Rd (Mulching both sides of the road reserve from Great Eastern Hwy to Oyston Rd – 03/04 to 14/04/23
 - 5998 Clydesdale Rd (Mulching both sides of the road reserve from Great Eastern Hwy) – 17/04 to 28/04/23
 - 6000 Muluckine Rd (Mulching both sides of the road reserve from Northam–York Rd to Carter St) – 01/05 to 10/05/23
 - 5048,5049 Jennapullin Rd (Nature reserve fire break maintenance including mulching a 3m buffer both sides of tracks) - 11/05 to 26/05/23
4. Chemical treatments (to be done at the optimum time before the completion of funding in June) are:
- 5761 Waterfall Ave (Spray the area of unplanned event in January 2022)
 - 5799 Muluckine Rd (Spray the area Cnr Hunter Rd and Muluckine Rd approx. 9.5HA)
 - 25062 Clackline Town Hall (Spray the area from Dyer St to Kimberley Rd)

Officers are currently identifying projects for the next round of MAF and will be consulting with the brigades, where relevant.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.299

Moved: Mr Mat Macqueen

Seconded: Mr Kris Brown

That Council note the Bushfire Risk Mitigation Coordinator Report as provided.

CARRIED 10/0

DISCUSSION

1. The timing of chemical treatments and whether this is appropriate as the weeds will come back in July.

Action:

- a) The Community Emergency Services Manager took the question on notice and will provide further details in relation to the timing. It was advised that this may be a residual chemical. Information was provided in relation to the funding arrangements and how this can impact works, i.e. further funds cannot be sought until grants are acquitted.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



2. Whether brigades can be included in the process for identifying MAF projects and not only consulted on ones that Officers believe are relevant. It was advised that brigades should communicate through the Community Emergency Services Manager if they have concerns or wish to have input.

UNCONFIRMED

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



7. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

8. URGENT BUSINESS APPROVED BY DECISION

Nil.

9. GENERAL BUSINESS

9.1 POLICY FOR VERGE TREATMENTS

<p>MOTION / COMMITTEE DECISION</p> <p>Minute No: BFAC.300</p> <p>Moved: Mr Tim Dean Seconded: Mr Mat Macqueen</p> <p>That Council request the Chief Executive Officer to review the policy / procedure for burning on verges and present the findings to the June 2023 Bush Fire Advisory Committee Meeting.</p> <p style="text-align: right;">CARRIED 10/0</p>

9.2 FIRE DANGER RATINGS

DISCUSSION

Discussion was held in relation to the process around changing the fire fuel load. It was outlined that this is currently 4,500 tonnes. If the Shire wanted to reduce this to 3,500 tonnes there would need to be agreement from other local governments in the fire weather district.

It was discussed that this impacts the fire danger index which will result in a higher rating that can limit the number of days the community can burn. This may result in there being a high number of incidents if everyone is burning on the limited days permitted.

This reduction request can be submitted to AFDRS@dfes.wa.gov.au.

It was raised that this would be discussed at a future DOAC meeting.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



9.3 RELOCATION OF TIGHE RD HYDRANT TO THE FIRE STATION GROUNDS

BACKGROUND

The current hydrant located opposite the Clackline Muresk Bush Fire Brigade station on Tighe Road has been in this location since the station was constructed or earlier.

As noted in the supporting pictures:

- There is little room for traffic to pass safely posing a serious safety hazard.
- It's the major entry and exit road for the majority of Mokine estate residence. (One of two entries in the area)
- Places volunteers at considerable safety risk with passing traffic whilst performing filling appliances with water.
- Appliances have to reverse back down Tighe Road to turn into the fire station grounds to exit back to Spencers Brook Road.
- Alternatively appliances have to turn around at the intersection of Tighe and Leader Roads and transit past the hydrant or exit at Spencers Brook/Leader Road 2.60km away.
- If an appliance is filling up with water another appliance cannot exit the fire station onto Tighe Road as its narrow with culverts to navigate.
- Cannot perform brigade hydrant training due to moving traffic.

MOTION / COMMITTEE DECISION

Minute No: **BFAC.301**

Moved: **Mr Blair Wilding**

Seconded: **Mr Mat Macqueen**

That Council request the Chief Executive Officer to investigate having the hydrant located within the Clackline-Muresk BFB Station vicinity or an alternative reliable water supply.

CARRIED 10/0

Bush Fire Advisory Committee Meeting Minutes
7 March 2023





**Bush Fire Advisory Committee Meeting Minutes
7 March 2023**



9.4 PROPOSED INSTALLATION OF TWO CONCRETE WATER TANKS

The Leaver Rd / Wambyn Rd fire incident number 599444 dated 22/11/2022 highlighted a serious deficiency in water resources in this location.

On this particular day there was another fire in the Goomalling Shire that tasked the Shire water tankers of Northam and Toodyay to this fire. Weather conditions were hot, local storms including lightning with a gusty SE wind when the call out was sent. The fire was started by a lightning strike to a power pole on the property.

The area along Lever Rd is one of the most remote locations for the shire including brigades from Clackline Muresk, Bakers Hill and Inkpen. As highlighted in the attached supporting pictures the closest water points were a considerable distance from the fire ground meaning early responder appliances had to leave the fire ground for water until a water tanker arrived on scene, in this case the West Gidgegannup 12.2.

If there was a suitable concrete water storage tanks for example at the intersection of Lever and Wambyn Rds attending appliances would have had access to water, knocking the fire out faster without having to drive a considerable distance for water.

MOTION / COMMITTEE DECISION

Minute No: BFAC.302

Moved: Mr Blair Wilding

Seconded: Mr Kris Brown

That Council request the Chief Executive Officer to liaise with the Shire of York in relation to co-funding and installing suitable capacity concrete water storage tanks near Leaver Rd and Wambyn Rd with the necessary outlets for water replenishment of appliances for firefighting duties in the area.

CARRIED 10/0

Mr Paul Antonio left the meeting at 7:10pm and returned the meeting at 7:10pm.

Bush Fire Advisory Committee Meeting Minutes
7 March 2023



Bush Fire Advisory Committee Meeting Minutes
7 March 2023



9.5 BART AND SMS TEXTS

BACKGROUND

There seems to be many brigade members and appliances whose BART subscription has expired and SMS Texts have not been reinstated in a timely manner.

We as a brigade and assuming other brigades are experiencing the same have requested a few times for brigade members subscriptions and SMS texts to be updated for callouts and messages as they are not receiving them.

Action:

- a) The Community Emergency Services Manager is to resolve outstanding BART and SMS issues with Department of Fire and Emergency Services.

10. DATE OF NEXT MEETING

13 June 2023
12 September 2023
31 October 2023

11. DECLARATION OF CLOSURE

There being no further business, the Presiding Member, Mr Chris Marris declared the meeting closed at 7:14pm.

"I certify that the Minutes of the Bush Fire Advisory Committee, held on Tuesday 7 March 2023 have been confirmed as a true and correct record."

_____ Presiding Member

_____ Date

6 OFFICER REPORTS

6.1 Community Emergency Services Manager Report - May 2023

File Reference:	5.1.3.1
Reporting Officer:	Alex Espey (Community Emergency Services Manager)
Responsible Officer:	Chadd Hunt (Executive Manager Development Services)
Officer Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

For the Committee to receive and note the update provided by the Community Emergency Services Manager.

ATTACHMENTS

1. General Circular 64 2023- AFDR S- Review of First Season [6.1.1 - 2 pages]
2. General Circular 12 2023- Rural- Fire- Awareness-and- Bushfire- Fundamentals-online-learning-release [6.1.2 - 1 page]
3. Response to General Circular 12 2023 Rural Fire Awareness and Bushfire Fundamentals Online Learning [6.1.3 - 1 page]
4. Open BFAC Decisions [6.1.4 - 2 pages]

A. BACKGROUND / DETAILS

This report is to provide the Committee an update on the current issues and actions of the Officer.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Planet.

Outcome 5: A resilient community.

Objective 5.1: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.

Priority Action 5.1.5: Provide an engaged volunteer bushfire brigades.

B.2 Financial / Resource Implications

Nil

B.3 Legislative Compliance

Nil

B.4 Policy Implications

Nil.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

Nil

C. OFFICER'S COMMENT

Bushfire Manual Review

This is in the advanced stages of review. The final draft will be sent out to Bush Fire Advisory Committee (BFAC) reps for consideration once completed and tabled for confirmation at the next BFAC meeting.

Annual General Meeting's

Most Annual General Meeting's have now been completed with the following individuals nominated as the 23/24 BFAC reps.

Brigade	Name
Bakers Hill	Brian Petersen
Clackline	Blair Wilding
Grass Valley	Mark Littlefair
Inkpen	Nic Dewar
Irishtown	Robert Herzer
Jennapullen	Aaron Smith

Northam Central	Kim Hampton
Southern Brook	Paul Antonio
Wundowie BFB	Matt MacQueen
Wundowie VFRS	TBA
Northam VFRS	Greg Montgomery

WHS Risk Assessment

To eliminate duplication, and potential for confusion the WHS risk assessment has been consolidated into a single source of information using the Shire Risk Assessment tool. It is proposed that this single document will include all identified risks and will include priorities for implementation. This is being done in an attempt to eliminate any confusion with regard to identification of all risks. It is proposed that this single document will be presented to the special meeting of BFAC in August.

Emergency Service Request's

A significant amount of work has been undertaken to close outstanding Emergency Service Request's (ESR). A few remain due to various delays. Comments have been provided to the submissions.

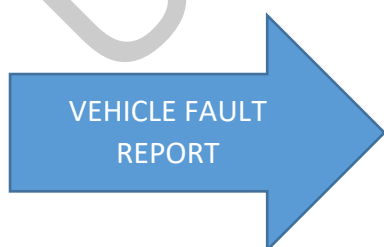
Brigades are reminded the priority option should be used responsibly. Many members have a habit of putting items as a high priority for all submissions.

To assist the following guidelines should assist.

- **High** – The matter has interrupted operational capability and requires actioning within 24hours of submission. (E.g. Truck with a mechanical breakdown).
- **Medium** – The matter has interrupted a member's operational capability and requires action within 5 working days. (E.g. A replacement helmet).
- **Low** – The matter is of a low priority nature requiring actioning within 10 working days.

Vehicle Fault Reports

An online Vehicle Fault Request form has been created. This is to simplify the process and deliver greater efficiency, accountability, and cost effectiveness.



Uniform Delays

We are still experiencing a few delays in the provision of uniforms. I have addressed this with the various suppliers who advise the situation should improve before the high threat period.

Australian Fire Danger Rating System – Review

BFAC, Brigades, and Volunteers are encouraged to submit feedback in relation to the first season of the Australian Fire Danger Rating System. Feedback can be provided to afdrs@dfes.wa.gov.au

Fire Danger Rating Signs – Locations and Management

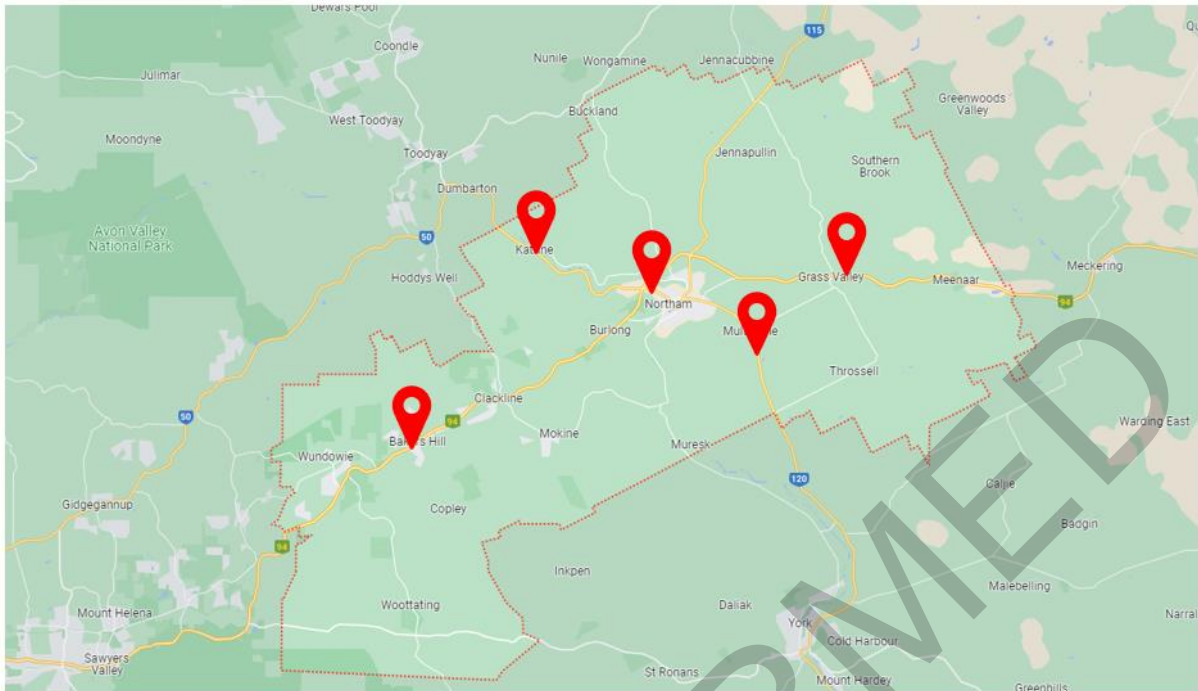
Seeking feedback from the BFAC in relation to

1. The most ideal locations of the signs.
2. The ongoing management of the signs.

The Community Emergency Services Manager recommends the following locations.

- a. Great Eastern Highway, Grass Valley (X Keane St)**
- b. Great Eastern Highway, Bakers Hill (X Berry Brow Rd)**
- c. Northam-York Road, Mulluckine (X Mulluckine Rd)**
- d. Mitchell Avenue (Waterfall Avenue)**
- e. Northam-Toodyay Road, Katrine (X Katrine Rd)**

In addition to the above the Wundowie Progress Association has 1 LED sign ready for installation within the Wundowie locality. Council has funding for 1 LED sign in the 2023-23 Budget and consideration needs to be given to the most appropriate location for these two signs. It also the intention that the static signs be replaced over time with LED signs in a staged manner.



Bakers Hill Standpipe

The insurance claim to repair the Bakers Hill Standpipe was approved on the 24th of May, and a subsequent purchase order raised.

Clackline Hydrant Relocations

A hydrant relocation submission has been made. At the time of writing no word has been received in relation to this.

Chitty Road Tank

A purchase order has been issued for the repair work.

Yearly Calendar

In the coming months I intend to convene an informal planning meeting in which all relevant activities pertinent to the brigades can be considered such as;

- Threat period dates
- Maintenance requirements
- Training Requirements
- Leadership Meetings
- Nominations
- Annual General Meeting's
- Pre-Season Equipment and Station Checks
- Local Government Grant Scheme Submissions

The intent is to develop a pre-planned proactive approach to service delivery with the maximum amount of consultation with the leadership group with the greatest levels of engagement possible.

Pump Operations Course

It was unfortunate that this course had to be cancelled. I have received confirmation from the Regional Superintendent that while we didn't achieve the required numbers for the attendance of a rescheduled course, he has committed to still running the course at a more appropriate time once the DFES industrial relations matters have been resolved.

COMCEN Visit

I have submitted a request for the COMCEN visit. I have been advised that at present due to the current industrial relations matters no bookings are being made. I have also been advised that the area is once again subject to quarantine due to rising covid numbers.

Pre-Season Checks

Frontline Fire and Rescue have been requested to undertake a pre-season audit of all appliances in August.

Pre-Season Needs?

Can representatives' feedback to their brigades the need to undertake a pre-season audit of any needs prior to the commencement of the high threat period. Considerations include but not limited to:

- Foam
- Filters
- PPC/E
- Batteries

If assistance is needed with this, please don't hesitate to ask.

Local Government Grant Scheme Application

The Local Government Grant Scheme Application has been submitted within the deadlines. A smart sheet system will soon be rolled out allowing Brigades (Captains/Equipment Officers/FCO's) to submit minor or major capital requests at any time throughout the year.

These submissions will then be open to prioritisation before submission.

Agenda Items

BFAC Members are reminded that all agenda items for this Committee are required to be submitted at least 2 weeks prior to the date of the upcoming meeting to ensure they are included in the agenda.

An email account and calendar reminder has been created. All BFAC reps will receive a reminder 6 weeks, and 4 weeks prior to the BFAC requesting agenda items. The reminder will also include a closing date.

This initiative is to best afford reps the opportunity to consult with their brigades and provide agenda submissions with the minimal impact on their time.

Agenda submissions can however be made at any time prior to the deadline irrespective of the reminders to bfac@northam.wa.gov.au

Rural Fire Awareness and Bush Fire Fundamentals Training Online.

I have been in touch with DFES in relation to DFES General Circular No:12/2023 Release of online learning – Bushfire Fundamentals and Rural Fire Awareness Attached
Response Attached

RECOMMENDATION

That Council:

- 1. Notes the Community Emergency Services Manager Report as provided.**
- 2. Endorse the installation of Analogue Fire Danger Rating Signs at the following locations:**
 - a. Great Eastern Highway, Grass Valley (X Keane St)**
 - b. Great Eastern Highway, Bakers Hill (X Berry Brow Rd)**
 - c. Northam-York Road, Mulluckine (Mulluckine Rd)**
 - d. Mitchell Avenue (Waterfall Avenue)**
 - e. Northam-Toodyay Road, Katrine (X Katrine Rd)**

MOTION / COMMITTEE DECISION

Minute No: BFAC.304

Moved: Mathew Macqueen

Seconded: Kristofer Brown

That Council:

- 1. Notes the Community Emergency Services Manager Report as provided.**
- 2. Endorse the installation of Digital Fire Danger Rating Signs at the following locations:**
 - a. Wundowie, Coats Rd (X Hawke Ave) – South Facing**
 - b. Great Eastern Highway, Linley Valley Rd – West Facing**
 - c. Great Eastern Highway, Mitchell Ave – West Facing**
- 3. Endorse the installation of Analogue Fire Danger Rating Signs at the following locations:**
 - a. Great Eastern Highway, Grass Valley (X Keane St) – East Facing**
 - b. Northam-York Road, Mulluckine (Rogers Rd) – South Facing**

c. Northam-Toodyay Road, (vicinity of bypass) – North/West Facing.

CARRIED 11/0

Reason for Change:

The Committee moved a motion to adjust locations for the installation of Fire Danger Warning signs, including the addition of locations for digital signs expected to be obtained by the Shire.

Discussion:

Discussion was held regarding appropriate locations for the Fire Danger Warning Signs and potential management options.



Government of Western Australia
Department of Fire & Emergency Services



DFES General Circular No: 64/2023

File: D10631

3 April 2023

AUSTRALIAN FIRE DANGER RATING SYSTEM – REVIEW OF THE FIRST SEASON

The new Australian Fire Danger Rating System (AFDRS) which came into effect on 1 September 2022 has changed the way the emergency management sector calculates, assesses, makes decisions, and communicates fire risk across all Australian jurisdictions.

The new nationally consistent approach for predicting fire behaviour and communicating public information and warnings of fire danger has been in effect for just over 6 months.

As the end of the WA southern bushfire season high-threat period approaches the National and jurisdictional project teams, are taking the opportunity to review the 2022-23 season to capture feedback, enhancements, appropriate trigger thresholds and application, and evaluate the project rollout.

The **AFDRS First Season Review** and the **AFDRS WA Communications Evaluation** are two separate pieces of work that will be occurring over the next few months.

AFAC, the National Council for Fire and Emergency Services, will be coordinating the AFDRS First Season Review in collaboration with the AFDRS national project team, the Bureau of Meteorology (BoM), and jurisdictional stakeholders.

The WA Community Messaging Working Group that supported the AFDRS Project team with all the communication activities – including the campaign and stakeholder engagement and tailored communication – will be conducting the AFDRS WA Communications Evaluation to gather information, insights and evaluation on the communication and engagement aspects of the project.

AFDRS First Season Review

The national review led by AFAC will cover several themes including:

- analysis of community education and communication of the new system
- how the AFDRS Fire Behaviour Index (FBI) is being used for decision making
- the application of new fire science
- program governance and change management



Government of Western Australia
Department of Fire & Emergency Services



- how the system overall can be improved.

The review is underway and will be completed by mid-2023.

AFDRS WA Communications Evaluation

A market research survey is currently under development that will target stakeholders most impacted by the release of the new system including DFES staff, local government staff, bushfire volunteers, industry, land managers and fire practitioners involved in the WA implementation.

The aim of this survey will be to evaluate the effectiveness of strategies used to communicate the change and provide insights into awareness of the new system, its impacts on business and suggestions for continuous improvement.

The survey will be sent to the AFDRS stakeholders in the last week of April and will be available on the Intranet, Volunteer Hub and DFES website. Survey results will be integrated with the AFDRS campaign evaluation to deliver a single consolidated report.

AFDRS Systems Review

Throughout the southern fire season, the Bushfire Technical Services team has worked diligently with regional operational staff and the emergency management sector to gather feedback relating to system performance to allow for continuous improvement relating to the Fire Behaviour model application, fuel data inputs, and fire behaviour calculations. The team has been pivotal in improving the data, accuracy and making adjustments in the system.

Feedback for the systems review is still open via the designated channels set up as part of the project. Regional staff are encouraged to utilise the feedback templates to provide post-season feedback. Data collected will also be used to assist with the review of current regulations and policies.

For further information, please email afdrs@dfes.wa.gov.au.

MURRAY CARTER
EXECUTIVE DIRECTOR RURAL FIRE DIVISION



Government of Western Australia
Department of Fire & Emergency Services



DFES General Circular No: 12/2023

File: D10631

25 January 2023

Release of online learning – Bushfire Fundamentals and Rural Fire Awareness

Following on from General Circular 177/2021, the Bushfire Centre of Excellence has developed online, self-paced versions of Bushfire Fundamentals and Rural Fire Awareness. DFES staff and volunteers can now apply for and access the training via eAcademy.

Rural Fire Awareness is targeted at farmer response brigades and seasonal workers and provides students with a basic awareness of fireground safety, suppression strategies and maintaining their safety when operating on a fireground.

Bushfire Fundamentals has been developed to support those who undertake duties in supporting Incident Management Teams. This course can be offered to external agencies who undertake a role within the Incident Support Group. This product covers basics in AIIMS, IMT functions, basic fireground safety but excludes suppression techniques.

Each of these courses can be completed online in approximately 2-3 hours. Short assessments are conducted after each module throughout the course. Please note that these courses are not intended to replace the existing Bushfire Safety Awareness and Firefighting Skills training products, which will continue to be the recommended minimum standard for Bush Fire Brigades with an LGGS-funded appliance.

Bushfire Centre of Excellence staff are working on the ability for external stakeholders to access this training. A further circular will be released with the process to access these training products for external stakeholders once more detail is available.

For more information, please contact the Bushfire Centre of Excellence Training Delivery team on BCoETraining@dfes.wa.gov.au

CRAIG GARRETT
A/CHIEF SUPERINTENDENT BUSHFIRE CENTRE OF EXCELLENCE

Hi Alex,

The online version of RFA and BF are currently only available to eAcademy users.

The eAcademy upgrade now has the ability to offer training products to external users without registration however this has not been tested yet. The intent is to undertake some testing over the next 6-8 weeks and if successful, a communication strategy will be adopted to inform end users. This also will need sign off by ED or Commissioner level as it deviates from standard eAcademy / DFES training practices.

Please note that external bodies will not receive a certificate of completion just an email to advise they have completed an online course.

Kind Regards

Paul Postma
Area Officer Training Coordinator
Department of Fire and Emergency Services Bushfire Centre of Excellence
Peel Business Park | 20 Dollyup Street Nambelup WA 6207
PO BOX 677, Pinjarra WA 6208
M: 0448 236 505 | **E:** Paul.Postma@dfes.wa.gov.au **W:** dfes.wa.gov.au



FOR A SAFER STATE

Acknowledgement of Country: DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea and community. We pay our respects to Elders past and present.

**CHANGES TO
FIRE DANGER RATINGS**

WA has new, nationally consistent Fire Danger Ratings.
Know what to do before a bushfire emergency.

mybushfireplan.wa.gov.au/FireDangerRatings

Logos for Government of Western Australia, DFES, HOW FIREPROOF IS YOUR PLAN?, and AFDRS.

OPEN BFAC DECISIONS

Decision Date	Motion No.	Item No.	Subject	Motion	Action By:	Comments
21/12/2022	C.4624	12.3	BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON 06 DECEMBER 2022	<p>That Council:</p> <ol style="list-style-type: none"> 1. Accepts the minutes of the Bush Fire Advisory Committee meeting held on 13 September 2022 be confirmed as a true and correct record of that meeting. 2. Note the Community Emergency Services Manager Report as provided. 3. Appoint Greg Montgomery as a Fire Control Officer for the 2022/2023 season in accordance with the criteria in section 5 of the Shire of Northam Bush Fire Manual. 4. Note the Chief Bush Fire Control Officer Report as provided. 5. Impose a Harvest, Vehicle Movement and Hot Works Ban for the following Public Holidays: <p>Saturday 24 December 2022 (Christmas Eve) From 12 noon to midnight.</p> <p>Sunday 25 December 2022 (Christmas) Full day</p> <p>Monday 26 December 2022 (Boxing Day) Full day</p> <p>Sunday 01 January 2023 (New Year's Day) Full day</p> <p>Thursday 26 January 2023 (Australia Day) Full day</p> 6. Request the Chief Executive Officer to provide a fire mitigation update through a standing agenda item to each Bush Fire Advisory Committee Meeting, and that brigades are consulted and engaged with on fire mitigation within their districts. 7. Request the Chief Executive Officer to provide the Bush Fire Advisory Committee with a detailed update on the specific WHS action items identified in attachment 3 (PPE / PPC – Fire Fighters) and attachment 4 (training) as approved at the December 2021 BFAC. 8. Reconfirms the pivotal importance of private firefighting response to the Shire's ability to respond to bush fire incidents within the Shire of Northam and take steps to continue to support this firefighting resource. 9. Acknowledge the impact of decisions made around policies, training etc, in regard to these private response, particularly when made with limited lead time and during the fire season. 10. Appoint Sim Kuiper as a Harvest Ban Weather Officer for the 2022/2023 bush fire season, subject to training or RCC being undertaken. 	Alex Espey	<p>13/02/2023</p> <p>3. OUTSTANDING</p> <p>6 & 7 ROLLOVER TO NEXT BFAC</p> <p>10. HAS NOT MET MINIMUM TRAINING REQUIREMENTS TO DATE.</p> <p>All other items complete.</p> <p>11/04/2023</p> <p>3. Complete</p> <p>6. Complete.</p> <p>7. Clarification sought that all involved personnel are using the same spreadsheet.</p> <p>10. The CBFCO to arrange with Sim a suitable time to complete RCC Process.</p> <p>16/05/2023</p> <p>7. Meeting had with CEO and EMDS. Correct spreadsheet identified and being utilized.</p> <p>10. Awaiting response from CBFCO in relation to the RCC of Mr Kuiper.</p>

19/04/2023	C.4712	12.1	Bush Fire Advisory Committee Meeting held on 07 March 2023	<p>That Council:</p> <ol style="list-style-type: none"> 1. Accepts the minutes of the Bush Fire Advisory Committee meeting held on 06 December 2022 be confirmed as a true and correct record of that meeting, subject to the following amendments: <ol style="list-style-type: none"> a) Page 28, item 7.3 – Discussion – The word ‘approved’ being changed to ‘recommended’; b) Page 31, item 7.4 – Discussion item 7 – The words ‘The committee acknowledged that additional work is required on this matter to capture the nuances and practicality of the issues’ being added; c) Page 33, item 7.5 – Discussion – ‘Chief Bush Fire Control Officer’ being changed to ‘Nic Dewar’. d) Page 36, item 9.9 – the words ‘It was raised that the Clackline brigade have run out of physical permit books’ be replaced with ‘It was raised that the Clackline brigade’s permit books have been made invalid’. 2. Note the Community Emergency Services Manager Report as provided. 3. Note the Bushfire Risk Mitigation Coordinator Report as provided. 4. Request the Chief Executive Officer to review the policy/procedure for burning on verges and present the findings to the June 2023 Bush Fire Advisory Committee Meeting. 5. Request the Chief Executive Officer to investigate having the hydrant located within the Clackline-Muresk BFB Station vicinity or an alternative reliable water supply. 6. Request the Chief Executive Officer to liaise with the Shire of York in relation to co-funding and installing suitable capacity concrete water storage tanks near Leaver Rd and Wambyn Rd with the necessary outlets for water replenishment of appliances for firefighting duties in the area. 	Alex Espey	<p>16/05/2023</p> <ol style="list-style-type: none"> 1. Noted. a. Noted. b. Noted c. Noted d. Replacement books supplied. 2. Noted/Ongoing. 3. Noted/Ongoing. 4. Ongoing 5. Application made for relocation 6. Awaiting response from the York BFAC in relation to support/non support.
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6.2 Bushfire Risk Mitigation Officer Report - May 2023

File Reference:	5.1.3.1
Reporting Officer:	Brian Humfrey (Bush Fire Risk Management Coordinator)
Responsible Officer:	Chadd Hunt (Executive Manager Development Services)
Officer Declaration of Interest:	Nil.
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

For the Committee to receive and note the update provided by the BRMC.

ATTACHMENTS

Nil

A. BACKGROUND / DETAILS

The Bushfire Risk Management Coordinator role is to coordinate bushfire mitigation works on Shire land and reserves funded through the DFES's Mitigation Activity Fund.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Planet.

Outcome 5: A resilient community.

Objective 5.1: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.

Priority Action 5.1.8: Provide bushfire mitigation on Shire controlled land.

B.2 Financial / Resource Implications

Funding for the Mitigation Activity Fund works is provided through DFES. The current funding round is approved for \$489,500.

B.3 Legislative Compliance

Nil

B.4 Policy Implications

Nil

B.5 Stakeholder Engagement / Consultation

Nil

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

B.7 Natural Environment Considerations

N/A

C. OFFICER'S COMMENT

The following is an update on the works being carried out under the current MAF round:

1. Completed & Invoiced

- 2989 Bakers Hill Townsite (Mulching completed on the 30/01/2023)
- 4904 Doys Road Wundowie (Mulched firebreak completed on the 20/01/2023)
- 5040 Northam Toodyay Rd X Katrine Rd Concrete Bridge (Mulched area completed on the 23/01/2023)
- 2990 Great Eastern Highway X Chitty Rd Bakers Hill (Mulching along firebreaks to wide completed on the 10/02/2023)
- 2991 Great Eastern Highway X Chitty Rd Bakers Hill (Mulching along firebreaks to wide completed on the 15/02/2023)
- 5013 Gooch Road (Mulching both side of the firebreak track completed on the 12/04/2023)
- 5974,5977 Trimmer Road including Extension (Mulching both sides of the road reserve completed on the 01/03/2023)
- 5962 Wariin Road (Mulching both sides of the road reserve from Great Eastern Hwy to Great Southern Hwy completed on the 06/04/2023)
- 5956 Inkpen Rd (Mulching both sides of the road reserve from Great Eastern Hwy to Oyston Rd completed on the 30/03/2023)

- 5998 Clydesdale Rd (Mulching both sides of the road reserve from Great Eastern Hwy completed on the 15/05/2023)
- 6000 Muluckine Rd (Mulching both sides of the road reserve from Northam–York Rd to Carter St 16/03/2023)
- 5049,25287 Jennapullin Rd (Nature reserve fire break maintenance including mulching a 3m buffer both sides of tracks completed on the 19/04/2023)

2. Underway

- 5983,5980 Spencers Brook (Mulching both sides of the road reserve) – started 30/05/2023

3. Future planned works & start date

Chemical treatments (to be done in the last two weeks of June and completed by the 1st of July to be eligible for funding) are:

- 5761 Waterfall Ave (Spray the area of unplanned event in January 2022)
- 5799 Muluckine Rd (Spray the area Cnr Hunter Rd and Muluckine Rd approx. 9.5HA)
- 25062 Clackline Town Hall (Spray the area from Dyer St to Kimberley Rd)

Funding application has been made for the next round with a total of 25 treatments. The Shire will be notified by the 1st of July if the treatments are being funded through the MAF program, this treatment list will be reported at the next meeting.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.305

Moved: Nic Dewar
Seconded: Aaron Smith

That Council note the Bushfire Risk Mitigation Coordinator Report as provided.

CARRIED 11/0

Mr M Macqueen declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Macqueen is nominated for a Fire Control Officer position for the 2023-24 season.

Mr A Smith declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Smith is nominated for a Fire Control Officer Position.

Mr B Wilding declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Wilding is currently a Fire Control Officer for the Shire of Northam and is nominated for a Fire Control Officer position again.

Mr N Dewar declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Dewar is a current Fire Control Officer and is voting for the Fire Control Officer Positions.

Mr C Marris declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Marris is nominated for a Bush Fire Control Officer position.

Mr K Brown declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Brown is nominated for a Fire Control Officer position.

Mr M Littlefair declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Littlefair is nominated for a Fire Control Officer position.

Mr R Herzer declared an “Impartiality” interest in item 6.3 – Brigade Nominations – Bush Fire Control Officers 2023/2024, as Mr Herzer is nominated for a Fire Control Officer position.

6.3 Brigade Nominations - Bush Fire Control Officers 2023/2024

File Reference:	5.1.3.1
Reporting Officer:	Alex Espey (Community Emergency Services Manager)
Responsible Officer:	Chadd Hunt (Executive Manager Development Services)
Officer Declaration of Interest:	Nil.
Voting Requirement:	Simple Majority
Press release to be issued:	Yes

BRIEF

For the committee to recommend to Council the appointment of Bush Fire Control Officers (BFCO) for the 2023/2024 bush fire season.

ATTACHMENTS

Nil

A. BACKGROUND / DETAILS

Council resolved at its meeting held on 15 July 2015 the following (in part)–

5. Endorse that the minimum standard to be appointed a BFCO include the recommendation to complete the following DFES training modules prior to 1st November 2015 and become a requirement in order to qualify to the position of Bushfire Control Officer for the 2016 and future fire seasons.
 - *Introduction to Fire Fighting*
 - *Bushfire Fire fighting*
 - *Structural Firefighting*
 - *Crew Leader/Advanced Firefighter and/or Sector Commander*
 - *FCO course or a refresher within the last 5 years*

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Planet.

Outcome 5: A resilient community.

Objective 5.1: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.

Priority Action 5.1.5: Provide an engaged volunteer bushfire brigades.

B.2 Financial / Resource Implications

Advertising Costs – Approx. \$800.00

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

The Shire Northam Bushfire Manual sets out the process for appointment of Bush Fire Control Officers. It is noted that the Manual requires a formal interview process, however this does not occur on this occasion as the process needs further refining.

Section 5.6B of the Bush fires Manual establishes the maximum number of BFCO nominations per brigade to a limit of 3, Council may exercise discretion and permit or reject additional nominations from brigades if Council is comfortable there has been sufficient justification provided from brigades.

B.5 Stakeholder Engagement / Consultation

Shire of Northam Bush Fire Brigades

B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.	Nil.	Nil.
Health & Safety	Appointing volunteers that do not meet the minimum training standards as identified in the Bushfire Service Training Program may result in significant health and safety issues for volunteers and the general public.	Likely (4) x Major (4) = High (16)	Officers recommend Council to appoint members who meet the minimum level of competency-based training qualifications as defined by the Bushfire Manual recognising the intent to comply with Bushfire Service Training Program over the coming season.
Reputation	BFCO's do not have the ability run incidents resulting in a loss of confidence by the public, community expectations for a critical emergency service not being met	Likely (4) x Medium (3) = High (12)	Same as above.

Service Interruption	Inability to provide essential service at local level without external support	Minor (2) x Likely (4) = Moderate (8)	Same as above.
Compliance	BFCO do not hold the required level of competency based training as identified in the Bushfire Service Training Program	Major (4) x Likely (4) = High (16)	Same as above.
Property	Significant risk to property could arise without having skilled and experienced BFCO's in controlling incidents.	Possible (3) x Major (4) = High (12)	Same as above.
Environment	Significant risk to property could arise without having skilled and experienced BFCO's in controlling incidents	Possible (3) x Major (4) = High (12)	Same as above.

B.7 Natural Environment Considerations

Nil.

C. OFFICER'S COMMENT

In consultation with Chief Bush Fire Control Officer Chris Marris the below timeline for the appointment of the 2023 Fire Control Officers and Leadership team has been developed.

28th May 2023	<ul style="list-style-type: none">• Fire Control Officer Nominations Close
29th May 2023	<ul style="list-style-type: none">• Email to Fire Control Officer Nominees advising the call for leadership nominations will be made on 15th June 2023
13th June 2023	<ul style="list-style-type: none">• Fire Control Officer Nominees to the Bush Fire Advisory Committee
14th June 2023	<ul style="list-style-type: none">• Call for nominations from Fire Control Officer's for leadership positions.
21st June 2023	<ul style="list-style-type: none">• Fire Control Officer nominees to the Ordinary Council Meeting• Leadership Nominations close.
22nd June 2023	<ul style="list-style-type: none">• Endorsed Nominees that have elected for leadership consideration to brigades.
2nd August 2023	<ul style="list-style-type: none">• Special Bush Fire Advisory Committee• Leadership Votes held
16th August 2023	<ul style="list-style-type: none">• Leadership Nominees and recommendations to Ordinary Council Meeting.
17th August 2023	<ul style="list-style-type: none">• Leadership roles announced

BFAC are requested to consider and make a recommendation on the number of DBFCO's required, and the appointment of Senior FCO.

Nominated candidates meet the current criteria for appointment under the current requirements of the Bush Fire Manual.

Where a nominee has not achieved the minimum training requirements as prescribed by Council, it is recommended by staff that they should be appointed only after further training has been achieved.

Where a nominee has not achieved the minimum training requirements as prescribed by Council, it is recommended by staff that they should be appointed only after further training has been achieved.

In previous seasons BFAC has recommended and Council appointed a second DCBFCO and a Senior BFCO. The Bushfire Manual does not specifically include the position of the second DBFCO or Senior positions.

It is recommended that the second DCBFCO and Senior BFCO positions be considered for appointment if suitably qualified and experienced nominations are received for that upcoming season.

Bakers Hill VBFB:

Simon Peters
Tristan Davey
Kristafer Brown

Clackline/Muresk VBFB:

Blair Wilding
Justin Fox
Matthew Letch
Richard Letch

Grass Valley VBFB:

Chris Marris
Paul Reynolds
Mark Littlefair
Phillip Lloyd

Inkpen VBFB:

Nic Dewar

Irishtown VBFB:

Robert Herzer

Jennapullin VBFB:

Aaron Smith

Southern Brook VBFB:

Paul Antonio

Wundowie VBFB:

Matt MacQueen
Jason Cacic

Northam VFRS:

Greg Montgomery

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.306

Moved: Kristafer Brown

Seconded: Aaron Smith

That Council appoints the following as Bush Fire Control Officers for the 2023/24 season in accordance with the criteria in section 5 of the Shire of Northam Bushfire Manual:

Bakers Hill VBFB:

Simon Peters
Tristan Davey
Kristafer Brown

Clackline/Muresk VBFB:

Blair Wilding
Justin Fox
Matthew Letch
Richard Welch

Grass Valley VBFB:

Chris Marris
Paul Reynolds
Mark Littlefair
Phillip Lloyd

Inkpen VBFB:

Nic Dewar

Irishtown VBFB:

Robert Herzer

Jennapullin VBFB:

Aaron Smith

Southern Brook VBFB:

Paul Antonio

Wundowie VBFB:

Matt MacQueen
Jason Cacic

Northam VFRS:

Greg Montgomery

CARRIED 11/0

Clarification was sought in relation to:

- An updated record of the nominees training records and upcoming expiry dates.

The Community Emergency Services Manager will provide the update to the Committee prior to the next Bush Fire Advisory Group meeting.

6.4 Review of Verge Policy

File Reference:	5.1.5.7
Reporting Officer:	Brian Humfrey (Bush Fire Risk Management Coordinator)
Responsible Officer:	Chadd Hunt (Executive Manager Development Services)
Officer Declaration of Interest:	Nil
Voting Requirement:	Simple Majority
Press release to be issued:	No

BRIEF

For the committee to receive and note the review of the policy/procedure for burning on road verges.

ATTACHMENTS

1. A guide to the exemptions and regulations for clearing native vegetation [6.4.1 - 45 pages]

A. BACKGROUND / DETAILS

A motion was moved at the previous Bush Fire Advisory Committee meeting held on the 7th March 2023 and subsequently endorsed by Council at its meeting held on 19th April 2023 as follows:

That Council request the Chief Executive Officer to review the policy / procedure for burning on verges and present the findings to the June 2023 Bush Fire Advisory Committee Meeting.

The purpose of this report is to provide an overview of the current situation with respect to road verge burning. Currently the Shire of Northam does not have a specific policy or procedure in place but rather relies on the provisions of the Local Law and other applicable legislation.

B. CONSIDERATIONS

B.1 Strategic Community / Corporate Business Plan

Performance Area: Planet.

Outcome 5: A resilient community.

Objective 5.1: Build community resilience to cope with natural disasters and emergencies, including pandemics, storms, flooding and fire.

Priority Action 5.1.8: Provide bushfire mitigation on Shire controlled land.

B.2 Financial / Resource Implications

Nil.

B.3 Legislative Compliance

Under part V of the Environmental Protection Act 1986 (A guide to the exemptions and regulations for clearing native vegetation)

Regulation 5, Item 3

Clearing for fire hazard reduction

Clearing must be done by or with the authority of:

- The owner of the land on which the clearing is to take place.

Clearing that is fire hazard reduction burning if the clearing is –

(a) to occur outside the prohibited or restricted burning times declared under the Bush Fires Act 1954 for the zone in which the clearing is to take place; and

(b) done in such a way as to minimise long term damage to the environmental values of the vegetation.

This exemption allows for fire hazard reduction burning outside of the prohibited or restricted periods.

“Fire hazard reduction burning” means burning or partial burning of vegetation to reduce the risk of injury or damage to persons and property from an uncontrolled fire in vegetation.

The clearing must be done in a way that minimises long-term damage to the environmental values of the vegetation. Environmental value is defined in section 3 of the EP Act and means a beneficial use; or an ecosystem health condition. Both beneficial use and ecosystem health condition are also defined in section 3.

Whilst having regard to safety issues, care should be taken not to carry out fire hazard reduction burning so frequently that it will reduce or prevent the ability of the vegetation to recover. Care should also be taken, for example, to prevent burning from spreading to a neighbouring property.

This exemption does not apply in an environmentally sensitive area.

The Shire does not have a specific policy or procedure with regard to verge burning but rather the Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2018 states the following-

PART 5 - ROADSIDE CONSERVATION

Division 6 - Fire management

Section 5.13 Permit to burn thoroughfare:

A person shall not burn part of a thoroughfare without first obtaining a permit or unless acting under the authority of any other written law.

Section 5.14 Application for permit:

In addition to the requirements of subclause 7.1(2), an application for a permit for the purposes of clause 5.13 shall—

- (a) include a sketch plan showing the portions of a thoroughfare which are proposed to be burned; and
- (b) advise of the estimated fire intensity and the measures to be taken to protect upper storey vegetation from the burn.

Section 5.15 When application for permit can be approved

The local government may approve an application for a permit for the purpose of clause 5.13 only if the burning of the particular part of the thoroughfare will—

- (a) reduce a fire hazard and alternative means of reducing that hazard, such as slashing or the use of herbicides, are considered by the local government to be not feasible or more detrimental to native flora and fauna than burning; or
- (b) in the opinion of the local government, be beneficial for the preservation and conservation of native flora and fauna.

5.16 Prohibitions on burning

Notwithstanding anything to the contrary in this local law, an application for a permit for the purpose of clause 5.13 is not to be approved by the local government—

- (a) for burning between 31 August and 1 May of the following year where the intensity of the burn could damage native flora and fauna; or
- (b) in any year to any person for any part of a thoroughfare which is on the opposite side of the carriageway to that portion of the thoroughfare for which a permit to burn has been approved in the same year.

B.4 Policy Implications

Currently Council does not have a specific policy regarding verge burning.

B.5 Stakeholder Engagement / Consultation

Nil.

B.6 Risk Implications

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A	N/A	N/A
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	N/A	N/A	N/A
Property	Potential damage to existing infrastructure located within the road verge	Moderate (9) Possible (3) x Medium(3)	Any application needs to consider the existence of any infrastructure within the road reserve
Environment	Potential environmental damage to remnant vegetation in existing road reserves	Moderate (9) Possible (3) x Medium(3)	Any application would need to demonstrate compliance with the Environmental approval process and the restrictions on when burning could be undertaken.

B.7 Natural Environment Considerations

The Local Law provides an ability for permits to be issued for the burning of road verges “if alternative means of reducing that hazard, such as slashing or the use of herbicides, are considered by the local government to be not feasible or more detrimental to native flora and fauna than burning;”

C. OFFICER'S COMMENT

As mentioned above the Shire of Northam does not currently have a policy or documented procedure but rather relies on the Environmental Protection Act 1986 and Local Law which prescribes that permits can be issued for the burning of road verges however under restricted conditions and within a restricted time period (May, June, July and August).

In recent years there has not been any permits or approval to undertake complete verge burning issued.

Given the above information and additional concerns regarding potential damage to existing infrastructure within the road reserve it is not recommended by staff to change the the existing policy/procedure.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.307

Moved: Nic Dewar

Seconded: Robert Herzer

That Council notes the provisions of the Environmental Protection Act and Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2018 as providing a sufficient framework for the management of burning on the road verges within the Shire of Northam.

CARRIED 11/0

Discussion:

Discussion was held regarding the current management of burning on road verges within the Shire of Northam, as well as the possibility of advertising available permits for ratepayers to self-manage with compliance to strict conditions. Permits relating to this will only be available through the Shire, not the Fire Control Officers.

Action Item:

The Community Emergency Services Manager is to investigate the possibility of brigades undertaking the controlled burning on verges as an opportunity for hot training and approach the Shire of Northam regarding potential traffic control during the controlled burn.

Further investigation is to occur on the potential for controlled burning of road verges in line with existing guidelines.



Government of **Western Australia**
Department of **Water and Environmental Regulation**

A guide to the exemptions and regulations for clearing native vegetation

Under part V of the *Environmental Protection Act 1986*



August 2019

UNCONFIRMED

A guide to the exemptions and regulations for clearing native vegetation

Under Part V of the *Environmental Protection Act 1986*

Department of Water and Environmental Regulation
August 2019

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A guide to the exemptions and regulations for clearing native vegetation

Contents

Overview.....	1
How to use this guide	2
Further information	2
Section 1 – Schedule 6 exemptions	3
Section 2 – Regulations.....	11
Regulations 1, 2 and 3	11
Regulation 4 — Intentionally sown, planted or propagated vegetation	11
Plantations.....	11
Other intentionally planted vegetation.....	11
Intentionally planted vegetation that is declared to be native vegetation	12
Regulation 5 — Prescribed clearing.....	12
Five-hectare limit	13
Environmentally sensitive areas	13
Index of themes	35

UNCONFIRMED

A guide to the exemptions and regulations for clearing native vegetation

Overview

In 2004, amendments to the *Environmental Protection Act 1986* (EP Act) introduced provisions for regulating the clearing of native vegetation.

If you intend to clear native vegetation, you will need to apply for a permit from either the Department of Water and Environmental Regulation (DWER) or the Department of Mines, Industry Regulation and Safety (DMIRS), or otherwise an exemption must apply. It is an offence to clear native vegetation without the authority of a permit or an exemption.

Exempt clearing does not require a permit. There are two types of exemptions.

The first type is found in Schedule 6 of the EP Act. These exemptions may be referred to as the Schedule 6 exemptions.

The second type is found in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Regulations). These may be referred to as exemptions under Regulations.

The exemptions under Regulations do not apply in environmentally sensitive areas (ESAs) declared under section 51B of the EP Act.

This guide explains what the exemptions are, the circumstances in which they apply and what is defined as intentionally planted vegetation.

Please note that while your clearing might be exempt from the requirement for a clearing permit under the EP Act, requirements contained in other legislation could apply.

How to use this guide

The first section of this guide explains how the Schedule 6 exemptions work. The second section of the guide explains how the exemptions under the Regulations work.

If you are looking for a particular clearing activity or topic that might be exempt, you can refer to the Index, which lists items by their topic (e.g. clearing for roads, clearing for fence lines etc.).

Further information

If you have any questions about this guide or are not sure if you can clear under an exemption, phone DWER on 6364 7000. For exemptions relating to mineral and petroleum activities contact DMIRS on 9222 3333.

More general information about clearing native vegetation can be found at www.der.wa.gov.au/our-work/clearing-permits.

Please note: The information provided in this document is current as at November 2013 outlines some of the laws for regulating clearing native vegetation introduced under the *Environmental Protection Act 1986*. Persons who intend to undertake activities that may involve clearing are advised to consult the actual legislation and seek advice, including legal advice, where necessary.

A guide to the exemptions and regulations for clearing native vegetation

Section 1 - Schedule 6 exemptions

This table lists the exemptions that can be found in Schedule 6 of the *Environmental Protection Act 1986* (EP Act). These exemptions mainly refer to clearing that is required under other laws.

- The first column refers to the clause in the Act.
- The second column shows the legal wording of the exemption.
- The third column uses simpler language to explain how the exemption works.

Table 1 Schedule 6 exemptions

Clause no.	Wording of exemption	Comment / explanation
1. <i>Clearing that is required under other laws</i>	Clearing that is done in order to give effect to a requirement to clear under a written law.	<p>This exemption allows clearing that is a duty or obligation under another law. This exemption does not allow clearing that is merely permitted or approved but refers to clearing that is actually required by a written law. It is necessary that the requirement under the written law can be characterised as a 'requirement to clear', not just a requirement for which clearing may be incidentally connected.</p> <p>Example 1 Section 54 of the <i>Energy Operators (Powers) Act 1979</i> It is the duty of the occupier of any land over which vegetation is growing to clear as much of the vegetation as is necessary to prevent it interfering or obstructing the construction, maintenance or safe use of any supply system. Where this is not carried out, the energy operator may enter upon the land without notice to clear the vegetation.</p> <p>Example 2 Section 33 of the <i>Bush Fires Act 1954</i> A local government at any time may require an owner or occupier of land in its boundaries to clear fire-breaks in such a manner as the local government may determine and to maintain the fire-breaks clear of inflammable matter.</p> <p>Example 3 <i>Land Administration Act 1997</i> Under the <i>Land Administration Act 1997</i> this exemption may include clearing that is required to: give effect to the Pastoral Lands Board's requirement that a lessee make specific improvements to a pastoral lease in accordance with a development plan, or maintain in good condition lawful improvements to the pastoral lease</p>

Clause no.	Wording of exemption	Comment / explanation
<p>2. <i>Assessment by the Environmental Protection Authority</i></p>	<p>Clearing that is done:</p> <p>(a) in the implementation of a proposal in accordance with an implementation agreement or decision;</p> <p>(b) in the case of a proposal that –</p> <p>(i) was made under an assessed scheme; and</p> <p>(ii) because of section 481(2), was not referred to the Authority,</p> <p>in the implementation of the proposal in accordance with a subdivision approval, a development approval or a planning approval given by the responsible authority;</p> <p>(c) in accordance with –</p> <p>(i) a prescribed standard;</p> <p>(ii) a works approval;</p> <p>(iii) a licence;</p> <p>(iv) a requirement contained in a closure notice, an environmental protection notice or a prevention notice;</p> <p>(v) an approved policy;</p> <p>(vi) a declaration under section 6;</p> <p>(vii) an exemption under section 75; or</p>	<p>(a) This exemption applies to clearing assessed under section 40 as part of a proposal referred under section 38 of Part IV of the EP Act. The clearing must be in accordance with the implementation agreement or decision. Implementation agreement or decision is defined in section 3 of the EP Act.</p> <p>This exemption does not apply to proposals which the Environmental Protection Authority has decided not to formally assess, whether or not the Environmental Protection Authority provides advice to the proponent or decision making authorities. It also does not apply to expansions or works not covered by the conditions of the original proposal unless done in accordance with the implementation agreement or decision.</p> <p>(b) This exemption applies to assessed schemes implemented in accordance with a subdivision approval, development approval or planning approval where the clearing of native vegetation was assessed. Assessed scheme is defined in section 3 of the EP Act.</p> <p>If a decision-making authority is uncertain whether clearing of native vegetation has been considered as part of an assessed scheme, the Environmental Protection Authority should be contacted for advice.</p> <p>(c) This exemption allows clearing in accordance with the items listed. “In accordance with” means as dictated by the works approval, licence or other instrument.</p> <p>Clearing native vegetation is not usually assessed as part of an application for a works approval or licence. This means a clearing permit is still required unless a works approval or licence is issued with</p>

Clause no.	Wording of exemption	Comment / explanation
	<p>(viii) a licence, permit, approval or exemption granted, issued or given under the regulations; or</p> <p>(d) in the exercise of any power conferred under this Act.</p>	<p>specific approvals relating to clearing native vegetation.</p> <p>(d) This exemption allows clearing that is done in the exercise of any power given under the EP Act.</p>
<p>3. <i>Clearing carried out by the Department of Biodiversity, Conservation and Attractions</i></p>	<p>Clearing by the department, within the meaning of the <i>Conservation and Land Management Act 1984</i>, in the performance of its function under section 33(1)(a) of that Act of managing land, but, in the case of land referred to in section 33(1)(a)(i), only if the management is carried out in accordance with section 33(3).</p>	<p>This exemption refers to clearing done by the Department of Biodiversity, Conservation and Attractions as part of its role as the manager of lands.</p> <p>Lands include state forest; timber reserves; national parks; conservation parks; nature reserves; marine nature reserves; marine parks; marine management areas and other lands and waters vested or managed by the or the Conservation and Parks Commission.</p> <p>The clearing must:</p> <ol style="list-style-type: none"> 1 be in accordance with a management plan where there is a management plan; 2 where there is no such plan – <ol style="list-style-type: none"> (i) in the case of nature reserves and marine nature reserves, only operations necessary for the preservation or protection of persons, property, land, waters, flora or fauna, or for the preparation of a management plan; or (ii) in the case of national parks, conservation parks, marine parks and marine management areas, either necessary operations as for (i) or compatible operations approved by the Minister as being compatible with the purposes of the park or management area;

Clause no.	Wording of exemption	Comment / explanation
		(iii) in the case of other land to achieve the purpose for which the land was vested or managed (as described in section 56 of the <i>Conservation and Land Management Act 1984</i>).
4. <i>Clearing under the Sandalwood Act 1929</i>	Clearing authorised under a licence – (a) referred to in paragraph (a); or (b) granted under paragraph (b), of section 3(1) of the <i>Sandalwood Act 1929</i> .	This exemption allows a person licensed under the <i>Sandalwood Act 1929</i> to take sandalwood in accordance with the terms and conditions of the licence.
5. <i>Taking flora under the Wildlife Conservation Act 1950</i>	Clearing consisting of the taking of flora – (a) as authorised under a licence under section 23C of the <i>Wildlife Conservation Act 1950</i> ; or (b) as consented to under section 23F of the <i>Wildlife Conservation Act 1950</i> by the Minister administering that Act.	This exemption allows a person holding a commercial purposes licence under section 23C of the <i>Wildlife Conservation Act 1950</i> to take protected flora for sale in accordance with the terms and conditions of the licence. This exemption also allows a person who has obtained the consent of the Minister under section 23F of the <i>Wildlife Conservation Act 1950</i> to take flora declared as rare.
6. <i>Taking flora under the Wildlife Conservation Act 1950</i>	Clearing consisting of the taking of flora by a person authorised – (a) by subsection (1)(a); or (b) under subsection (1)(b), of section 23D of the <i>Wildlife Conservation Act 1950</i> for the purposes of sale under a licence issued under that section.	This exemption allows a person holding a Commercial Producer's licence under section 23D of the <i>Wildlife Conservation Act 1950</i> to take protected flora for sale in accordance with the terms and conditions of the licence. Note that section 23D of the <i>Wildlife Conservation Act 1950</i> , requires the Minister to consider the clearing principles set out in Schedule 5 of the EP Act. The Minister shall not issue a licence under the <i>Wildlife Conservation Act 1950</i> if the taking of protected flora would be seriously at variance with those principles.
7. <i>Clearing by the Forest Products Commission</i>	Clearing under the <i>Forest Products Act 2000</i> , of vegetation maintained, or	This exemption allows clearing by the Forest Products Commission of forest products in plantations, plant nurseries, or seed or propagation orchards which are maintained, or established and maintained, by the

Clause no.	Wording of exemption	Comment / explanation
	established and maintained, under section 10(1)(g) of that Act.	Forest Products Commission. Forest products means trees or parts of trees: timber, sawdust or chips, charcoal, gum, kino, resin or sap, and firewood located on public land or share-farmed land.
8. <i>Specific clearing under the Forest Products Act 2000</i>	Clearing under a production contract or road contract entered into and having effect under the <i>Forest Products Act 2000</i> .	<p>This exemption allows clearing of forest products by the Forest Products Commission or its contractors in accordance with a production contract provided that:</p> <ul style="list-style-type: none"> • the quantities and kinds of forest products and the location of the forest products to be managed, harvested, or sold are in accordance the relevant management plan. <p>A production contract has no effect after the relevant management plan has expired.</p> <p>This exemption allows for clearing in accordance with a road contract for the construction or maintenance of roads for the purposes of managing or harvesting forest products.</p> <p>Production and road contracts may only be made in relation to land managed by the Department of Biodiversity, Conservation and Attractions if the management plan allows for the management or harvesting of forest products.</p>
9. <i>Clearing under the Planning and Development Act 2005</i>	Clearing in accordance with a subdivision approval given by the responsible authority under the <i>Planning and Development Act 2005</i> , including – (a) clearing for the purposes of any development that is deemed by section 157 of that Act to have been approved	<p>This exemption allows clearing in accordance with a subdivision deemed approved by the responsible authority under the <i>Planning and Development Act 2005</i>.</p> <p>This may include clearing native vegetation for the purposes of:</p> <ul style="list-style-type: none"> • constructing roads to provide access to or within the subdivision; • providing water services to the satisfaction of the Water Corporation;

Clause no.	Wording of exemption	Comment / explanation
	<p>by the responsible authority; and</p> <p>(b) clearing in any building envelope described in the approved plan or diagram</p>	<ul style="list-style-type: none"> • filling or draining the land in accordance with the specifications of the approval; and • clearing within any building envelope described in the approved plan or diagram. <p>Most subdivision approvals do not explicitly authorise the clearing of native vegetation other than for the purposes outlined above.</p>
<p>10. <i>Clearing under the Bush Fires Act 1954</i></p>	<p>Clearing that is done –</p> <p>(a) as permitted under section 17(5); or</p> <p>(b) in accordance with a permit obtained under section 18; or</p> <p>(c) in accordance with permission granted under section 22(c); or</p> <p>(d) under section 22(2), 23, 26A, 39(1)(d) or 44(1)(c); or</p> <p>(e) as authorised by a proclamation under section 26,</p> <p>of the Bush Fires Act 1954.</p>	<p>This exemption allows clearing under the <i>Bush Fires Act 1954</i> for:</p> <ul style="list-style-type: none"> • burning during a restricted time if a permit is obtained from a bush fire control officer; • burning if the Minister for Emergency Services or a person acting on the Minister’s authority grants permission during a declared bush fire emergency period; • burning during prohibited times if a burning permit is obtained from a bush fire control officer to burn bush on land to protect a dwelling, building, haystack or crop, or to control certain weeds; or • clearing by a bush fire control officer to construct fire breaks or clear land to control or prevent the spreading of a fire. <p>Bush fire control officers are appointed under section 38 of the <i>Bush Fires Act 1954</i>.</p>
<p>11. <i>Clearing under the Fire Brigades Act 1942</i></p>	<p>Clearing that is done under section 34(a), (c) or (h) of the <i>Fire Brigades Act 1942</i>.</p>	<p>Under the <i>Fire Brigades Act 1942</i> the Director of Operations or the officer or member of the brigade in charge at a fire may take and direct any clearing which appears necessary to protect life and property, or to control and extinguish the fire.</p>

Clause no.	Wording of exemption	Comment / explanation
12. <i>Clearing for fire prevention or control on Crown land</i>	Clearing that is done for fire prevention or control purposes or other fire management works on Crown land, within the meaning of the <i>Land Administration Act 1997</i> , by the Fire and Emergency Services Authority of Western Australia established under the <i>Fire and Emergency Services Authority of Western Australia Act 1998</i> .	This exemption allows clearing by the Department of Fire and Emergency Services for fire prevention or control purposes or for other fire management works on Crown land.
13. <i>Clearing under the Land Administration Act 1997</i>	Clearing caused by the grazing of stock on land under a pastoral lease within the meaning of the <i>Land Administration Act 1997</i> as long as that grazing is not in breach of – (f) that Act; (g) the pastoral lease; (h) or any relevant condition set or determination made by the Pastoral Board under Part 7 of that Act.	This exemption allows a pastoral lessee to graze stock on a pastoral lease in accordance with the <i>Land Administration Act 1997</i> , the terms and conditions of the pastoral lease and any relevant condition or determination by the Pastoral Lands Board.
14. <i>Clearing under the Fish Resources Management Act 1994</i>	Clearing of aquatic vegetation that occurs under the authority of a licence or permit within the meaning of the <i>Fish Resources Management Act 1994</i> .	This exemption allows the clearing of aquatic vegetation that is authorised by a licence or permit issued under the <i>Fish Resources Management Act 1994</i> . For example, this may include the incidental clearing caused by the ordinary and otherwise lawful use of rock lobster pots in accordance with a licence to take rock lobster.

Section 2 - Regulations

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 address a number of matters related to clearing of native vegetation, such as:

- when intentionally planted vegetation is defined as native vegetation and therefore the rules for clearing of native vegetation will apply
- fees to lodge an application to clear native vegetation
- the information that DWER must keep about applications to clear
- the information that DWER must publish about applications to clear and decisions on clearing of native vegetation
- clearing activities that do not require a permit if carried out outside of an environmentally sensitive area declared under section 51B of the EP Act.

Please note that the following section is not the official version of the Regulations, but a guide that explains to you how the exemptions under the Regulations work. The explanations do not address Regulations 7 (fees) and 8 (records to be kept by the CEO). For information on these exemptions, refer to the official version of the Regulations.

The official version can be obtained from the State Law Publisher at www.slp.wa.gov.au.

Regulations 1, 2 and 3

Regulation 1 states the official name of these Regulations, which is the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Regulation 2 states the day the Regulations came into operation. This was 8 July 2004.

Regulation 3 lists some definitions of particular terms used in the Regulations. In this guide, these definitions have been included with the exemption to which they relate.

Regulation 4 – Intentionally sown, planted or propagated vegetation

Plantations

The clearing laws only apply to “native vegetation”. The definition of “native vegetation” in the EP Act does not include native species in a plantation. A plantation is defined in section 3 of the EP Act as “one or more groups of trees, shrubs or plants intentionally sown, planted or propagated with a view to commercial exploitation”.

Other intentionally planted vegetation

Under section 51A of the EP Act “native vegetation” does not include vegetation that is intentionally sown, planted or propagated unless:

- the vegetation was sown, planted or propagated as required under the EP Act or another written law; or
- it is declared to be native vegetation under the regulations.

Vegetation that is required to be sown, planted or propagated under a written law will often be as a result of conditions of an authorisation or lease.

Intentionally planted vegetation that is declared to be native vegetation

Regulation 4 prescribes the kinds of intentionally planted indigenous vegetation that are “native vegetation” and which therefore require a clearing permit or exemption to clear and includes:

a. Planting that was funded (wholly or partly):

- by a person who was not the owner of the land; and
- for the purpose of biodiversity conservation or land conservation.

OR

b. Intentionally planted vegetation that has one of the following:

- a conservation covenant or agreement to reserve under section 30B of the *Soil and Land Conservation Act 1945*;
- a covenant to conserve under section 21A of the *National Trust of Australia (WA) Act 1964*;
- a restrictive covenant to conserve under section 129B of the *Transfer of Land Act 1983*;
- some other form of binding undertaking to establish and maintain, or maintain, the vegetation.

For the purposes of Regulation 4, biodiversity conservation includes conservation of species diversity, genetic diversity or ecosystem diversity and land conservation includes management of salinity, erosion, soil acidity or waterlogging. Planting includes to sow and to propagate.

Regulation 5 – Prescribed clearing

This Regulation includes a table of exemptions, referred to as “items”. Each exemption listed in the table only applies if the clearing is either done by the person specified in the table, or with that person’s prior authority.

If you clear using one of the exemptions in the table below, you must make sure you clear in a way that limits damage to neighbouring vegetation.

Clearing under exemptions set out in Regulation 5 must also fit within the description set out in the Table to Regulation 5.

A guide to the exemptions and regulations for clearing native vegetation

Five-hectare limit

Certain items under the Regulations only exempt clearing to the extent that the total combined clearing under any of these exemptions does not exceed five hectares in any financial year.

This means that if you clear under one or more of the following items, the total area cleared for all of these purposes may not add up to more than five hectares in a financial year.

- Clearing to construct a building (Regulation 5, Item 1)
- Clearing to collect firewood (Regulation 5, Item 5)
- Clearing to obtain fencing or farming materials (Regulation 5, Item 6)
- Clearing for woodwork (Regulation 5, Item 7)
- Clearing for fence lines (Regulation 5, Item 10)
- Clearing for vehicular tracks (Regulation 5, Item 12)
- Clearing for walking tracks (Regulation 5, Item 13)
- Clearing isolated trees (Regulation 5, Item 19)

Environmentally sensitive areas

There are a number of areas where the exemptions under the Regulations do not apply. These areas are environmentally sensitive areas (ESAs) declared by the Minister under section 51B of the EP Act. If you want to clear native vegetation in an environmentally sensitive area for one of the purposes in the Table, you will need to apply for a clearing permit.

The current ESAs are contained in the Environmental Protection (Environmentally Sensitive Areas) Notice 2005 published in the Western Australian Government Gazette, Friday 8 April 2005, No. 55. Visit the State Law Publisher at www.slp.wa.gov.au for a copy of the gazette.

A web viewer can assist you in locating some of the environmentally sensitive areas. Users are advised that the map is not the legal list. To use the viewer visit the DWER website at www.der.wa.gov.au/your-environment/environmentally-sensitive-areas

The following table lists the exemptions that can be found in Regulation 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

- The first column refers to the Item number in Regulation 5.
- The second column shows the legal wording of the exemption.
- The third column uses simpler language to explain how the exemption works.

Item no.	Wording of exemption	Comment / explanation
<p><i>Regulation 5, Item 1</i></p> <p>Clearing to construct a building</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing of a site for the lawful construction of a building or other structure on a property, being clearing which does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing is to the extent necessary; and</p> <p>(b) the vegetation is not riparian vegetation.</p>	<p>Clearing of native vegetation for the lawful construction of a building or other structure is exempt as long as other relevant approvals have been obtained, including any planning approvals and building licence.</p> <p>“Building” means a roofed building or other roofed structure that is permanently fixed to the ground, and includes a transportable building that is:</p> <p>(a) connected to a sewerage system or septic tank; or</p> <p>(b) intended to be used as a permanent building.</p> <p>Clearing may also be carried out for the construction of other structures.</p> <p>Clearing must only be to the extent necessary for the building or other structure. For example, this exemption does not allow you to clear a large area to simply install a 2m x 3m garden shed.</p> <p>This exemption does not allow clearing of riparian vegetation.</p> <p>“Riparian vegetation” means the distinctive vegetation associated with a wetland or watercourse.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p>

Item no.	Wording of exemption	Comment / explanation
		<p>Under this item you should note that clearing for a building, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing may not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 2</i></p> <p>Clearing resulting from accidents or to reduce danger.</p> <p>Clearing must be done by or with the prior authority of:</p>	<p>Clearing –</p> <p>(a) for the purposes of preventing imminent danger to human life or health or irreversible damage to a significant portion of the environment; or</p> <p>(b) as a result of an accident caused otherwise than by the negligence of the person clearing or the person who authorised the</p>	<p>In regard to clearing under this exemption:</p> <p>(a) The danger or risk to the environment must be present, immediate or imminent, and not remote either as to likelihood or as to time of occurrence.</p> <p>(b) An accident is an event that is neither intended nor foreseen and where a person can demonstrate that the event did not result from any conduct of the person which was careless,</p>

Item no.	Wording of exemption	Comment / explanation
<ul style="list-style-type: none"> The owner of the land on which the clearing is to take place; or A person responsible for the safety or welfare of the persons who are likely to be in danger or for the portion of the environment. 	clearing.	<p>negligent or reckless.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 3</i></p> <p>Clearing for fire hazard reduction</p> <p>Clearing must be done by or with the authority of:</p> <ul style="list-style-type: none"> The owner of the land on which the clearing is to take place. 	<p>Clearing that is fire hazard reduction burning if the clearing is –</p> <p>(a) to occur outside the prohibited or restricted burning times declared under the Bush Fires Act 1954 for the zone in which the clearing is to take place; and</p> <p>(b) done in such a way as to minimise long term damage to the environmental values of the vegetation.</p>	<p>This exemption allows for fire hazard reduction burning outside of the prohibited or restricted periods.</p> <p>“Fire hazard reduction burning” means burning or partial burning of vegetation to reduce the risk of injury or damage to persons and property from an uncontrolled fire in vegetation.</p> <p>The clearing must be done in a way that minimises long-term damage to the environmental values of the vegetation. Environmental value is defined in section 3 of the EP Act and means a beneficial use; or an ecosystem health condition. Both beneficial use and ecosystem health condition are also defined in section 3.</p> <p>Whilst having regard to safety issues, care should be taken not to carry out fire hazard reduction burning so frequently that it will reduce or prevent the ability of the vegetation to recover. Care should also be taken, for example, to prevent burning from spreading to a neighbouring property. DWER has prepared a guideline to assist in understanding requirements to prevent long</p>

Item no.	Wording of exemption	Comment / explanation
		<p>term damage to vegetation which is available at www.der.wa.gov.au/our-work/clearing-permits.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 4</i> Clearing in accordance with a code of practice Clearing must be done by or with the prior authority of: A person to whom the code applies.</p>	<p>Clearing in accordance with a code of practice issued by the CEO under section 122A of the Act.</p>	<p>In its current form, this item does not provide for any exemptions as it does not adopt a code of practice made under section 122A. That is because Item 4 refers to all codes of practice made under section 122A, rather than a specific code or codes. The power of the Governor to make regulations under section 123 to “adopt...either specifically or by reference, any...codes” is confined to codes that are capable of being specifically identified in the regulation.</p>
<p><i>Regulation 5, Item 5</i> Clearing for firewood Clearing must be done by or with the prior authority of: The owner or occupier.</p>	<p>Clearing to provide firewood use by the owner or occupier of the property on which the vegetation is located for domestic heating or cooking, being clearing which –</p> <ul style="list-style-type: none"> (a) does not kill any live vegetation and does not prevent regrowth of the vegetation; (b) is carried out to provide firewood to the extent to which firewood could not be obtained from vegetation already cleared for another purpose; and (c) does not, together with all other limited clearing on the property in the financial year 	<p>This exemption allows the owner or occupier of the land to clear native vegetation for firewood for domestic use only.</p> <p>Vegetation cleared under this exemption cannot be sold but may be given away. Advice should be obtained from the Department of Biodiversity, Conservation and Attractions on what “sell” means, as it may include such things as raffling or bartering.</p> <p>Firewood must first be collected from clearing undertaken for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation, or if from live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p>

Item no.	Wording of exemption	Comment / explanation
	<p>in which the clearing takes place, exceed five hectares.</p>	<p>This exemption therefore allows a landholder to continue with traditional practices of gathering firewood from vegetation on the property, while placing some reasonable limits on those practices.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for firewood, combined with other exempt clearing activities on the property, may not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p><i>Regulation 5, Item 6</i></p> <p>Clearing to provide fencing and farm materials</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier.</p>	<p>Clearing to provide material for use by the owner or occupier of the property on which the vegetation is located for constructing and maintaining fences, buildings and other structures on land in the possession of the owner or occupier, being clearing which –</p> <p>(a) does not kill any live vegetation and does not prevent regrowth of the vegetation;</p> <p>(b) is carried out to provide material to the extent to which the material could not be obtained from vegetation already cleared for another purpose; and</p> <p>(c) does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>Both parts of this exemption must be satisfied before it applies. It allows the owner or occupier of the land to clear native vegetation for fence posts and other materials for the owner or occupier's personal use on the land in question. Vegetation cleared under this exemption cannot be sold, given away or used off site.</p> <p>Fencing and farm materials must first be collected from clearing undertaken for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation, or if of live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p> <p>This exemption therefore allows a landholder to continue with traditional practices of gathering fencing and farm materials from vegetation on the property, while placing some reasonable limits on those practices.</p> <p>"Property" means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for fences and farm materials, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1)

Item no.	Wording of exemption	Comment / explanation
		<ul style="list-style-type: none"> • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 7</i> Clearing for woodwork Clearing must be done by or with the prior authority of: The owner or occupier</p>	<p>Clearing to provide timber for use by the owner or occupier of the property on which the vegetation is located for non- commercial woodwork (in the nature of furniture-making, wood turning or carving), being clearing which –</p> <p>(a) does not kill any live vegetation and does not prevent regrowth of the vegetation;</p> <p>(b) is carried out to provide timber to the extent to which the timber could not be obtained from vegetation already cleared for another purpose; and</p> <p>(c) does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows the owner or occupier of the land to clear native vegetation for woodwork for domestic use.</p> <p>Under the <i>Wildlife Conservation Act 1950</i>, vegetation cleared under this exemption cannot be sold but may be given away. Advice should be obtained from the Department of Biodiversity, Conservation and Attractions) on what “sell” means, as it may include such things as raffling or bartering.</p> <p>Timber for woodwork must first be sourced from clearing for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation or if of live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p> <p>This exemption therefore allows a landholder to continue with traditional practices of gathering woodwork from vegetation on the property, while placing some reasonable limits on those practices.</p>

Item no.	Wording of exemption	Comment / explanation
		<p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for woodwork, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 8</i> Clearing for cultural purposes of an Aboriginal person Clearing must be done by:</p>	<p>Clearing for the cultural or spiritual, but not commercial, purposes of an Aboriginal person on land to which the person has a cultural or spiritual connection and a right of access.</p>	<p>This exemption allows clearing of native vegetation for traditional purposes by an Aboriginal person, provided that the Aboriginal person has a spiritual or cultural connection and has a right to access the land in question.</p>

Item no.	Wording of exemption	Comment / explanation
The Aboriginal person.		<p>An Aboriginal person's cultural or spiritual connection to particular land is determined in accordance with the body of traditions, observances and customs of the particular community or communities to which the Aboriginal person belongs or with which the person identifies.</p> <p>An "Aboriginal person" means a person who is a descendant of one or more of the Aboriginal peoples of Australia, who claims to be an Aboriginal person and who is accepted as such in the community in which he or she lives.</p> <p>This exemption does not allow for commercial use of the native vegetation.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 9</i></p> <p>Clearing by licensed surveyors</p> <p>Clearing must be done by:</p> <p>The authorised land officer or licensed surveyor.</p>	<p>Clearing by –</p> <p>(a) an authorised land officer or surveyor (as defined in the <i>Standard Survey Marks Act 1924</i>) in the exercise of powers under that Act; or</p> <p>(b) a licensed surveyor (as defined in the <i>Licensed Surveyors Act 1909</i>) in the course of making an authorised survey.</p>	<p>This exemption allows clearing by licensed surveyors and authorised land officers who in the course of their professional duties exercise any power under the <i>Standard Survey Marks Act 1924</i> or <i>Licensed Surveyors Act 1909</i>. This ensures that licensed surveyors and authorised land officers are able to continue to exercise their powers under these Acts.</p> <p>Standard survey marks are geodetic stations which establish a framework from which other surveying can be done.</p> <p>Authorised surveys relate to the creation of lots.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p><i>Regulation 5, Item 10</i></p> <p>Clearing along a fence line - alienated land</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing of alienated land along a fence line of, or within, a property to the width necessary to provide access to construct or maintain a fence, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows an owner to clear a strip of native vegetation on either side of a fence line on private property to provide access for fence maintenance or construction.</p> <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing along a fence line, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19)

Item no.	Wording of exemption	Comment / explanation
		This exemption does not apply in an environmentally sensitive area.
<p><i>Regulation 5, Item 11</i> Clearing along a fence line – Crown land</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the land on which the clearing is to take place.</p>	<p>Clearing of Crown land along a fence line to provide access to construct or maintain a fence –</p> <p>(a) between alienated land and Crown land - if the clearing is no more than 1.5 metres from the fence line; or</p> <p>(b) between Crown land and Crown land - if the clearing is no more than 5 metres from the fence line on one side and no more than 1.5 metres from the fence line on the other side.</p>	<p>This exemption allows the government agency which has the care, control or management of the land, or a lessee under a lease lawfully granted by the Crown (such as a pastoral lease), to clear to provide access for fence maintenance or construction:</p> <p>(a) between alienated land and Crown land, a strip of native vegetation up to 1.5 metres wide on the Crown land along the fence line (this Item does not deal with clearing for a fence line on alienated land – see Item 10); or</p> <p>(b) between Crown land and Crown land a strip of native vegetation up to 5 metres on one side and 1.5 metres on the other side.</p> <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 12</i> Clearing for vehicular tracks</p> <p>Clearing must be done by or with the prior authority of:</p>	<p>Clearing to construct a vehicular track on a property, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing for the track is no wider than</p>	<p>This exemption allows for clearing of a strip of native vegetation to the extent necessary for an access track. For example, this may be for general access to a property or to farm infrastructure such as a hay shed.</p> <p>There must be at least 100 metres between the track and any other cleared land that can be used for the purpose intended for that track. This may include other cleared areas.</p>

Item no.	Wording of exemption	Comment / explanation
<p>The owner of the property on which the clearing is to take place.</p>	<p>necessary;</p> <p>(b) there is at least 100 metres between that track and any other cleared land that can be used for the purpose for which the particular track is intended;</p> <p>(c) the vegetation is not in a road reserve; and</p> <p>(d) the vegetation is not riparian vegetation (unless there is no reasonable alternative route and the track is necessary for the commercial activities carried out on the property).</p>	<p>Construction of vehicle tracks within riparian vegetation is generally not allowed, but where there is no reasonable alternative route, and the track is necessary for the commercial activities of the property, it may pass through riparian vegetation.</p> <p>“Riparian vegetation” means the distinctive vegetation associated with a wetland or watercourse.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for a vehicle track, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19)

Item no.	Wording of exemption	Comment / explanation
		This exemption does not apply in an environmentally sensitive area.
<p><i>Regulation 5, Item 13</i></p> <p>Clearing for walking tracks Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing to construct a walking track on a property, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing for the track is no wider than necessary;</p> <p>(b) the track is used by pedestrians or there is a reasonable expectation that it will be used by pedestrians.</p>	<p>This exemption allows clearing for the installation of walking tracks for use by pedestrians.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for a walking track, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p><i>Regulation 5, Item 14</i></p> <p>Clearing to maintain existing cleared areas for pasture, cultivation or forestry</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier of the land on which the clearing is to take place.</p>	<p>Clearing of land that was lawfully cleared within the 20 years prior to the clearing if –</p> <p>(a) the land has been used as pasture or for cultivation or forestry within those 20 years; and</p> <p>(b) the clearing is only to the extent necessary to enable the land to be used to the maximum extent to which it was used in those 20 years.</p>	<p>This exemption is largely about allowing clearing of native vegetation that has regrown on land that has been used for cultivation, pasture or forestry over the previous 20 years. For the exemption to apply, the following requirements must all be met:</p> <ol style="list-style-type: none"> 1 The land must have been lawfully cleared within the 20 years prior to clearing. 2 The land must have been used as pasture or for cultivation or forestry within those 20 years. 3 The clearing is only to the extent necessary to enable the land to be used to the maximum extent to which it was used in those 20 years. It does not allow for a greater area of clearing, or for more intensive clearing. <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 15</i></p> <p>Clearing to maintain existing cleared areas around infrastructure etc.</p> <p>Clearing must be done by or with the authority of:</p> <p>The owner or occupier of the land on which the clearing is to take place</p>	<p>Clearing of land that was lawfully cleared within the 10 years prior to the clearing, for one of the following purposes –</p> <p>(a) around a building or structure for the use of the building or structure;</p> <p>(b) for a fire risk reduction area for a building;</p> <p>(c) to maintain an area along a fence line to provide access to construct or maintain the fence; or</p> <p>(d) to maintain a vehicular or walking track, to the extent of the prior clearing.</p>	<p>This exemption allows for clearing for maintenance of areas previously cleared for buildings or structures, for fence lines, for fire risk reduction or for vehicular or walking tracks within 10 years to the maximum extent of the previous clearing.</p> <p>The second clause provides for situations where clearing for the above purposes may have taken place more than 10 years previously, or where it is unclear how much vegetation was cleared previously. This clause allows clearing up to the amount specified for each activity.</p> <p>“Building” means a roofed building or other roofed structure that is permanently fixed to the ground, and includes a transportable building that is:</p>

Item no.	Wording of exemption	Comment / explanation
	<p>Clearing of land that was previously lawfully cleared for one of the following purposes if the clearing does not exceed the extent specified for the purpose –</p> <p>(a) around a building or structure for the use of the building or structure – 20 metres from the building or structure;</p> <p>(b) for a fire risk reduction area for a building – 20 metres from the building;</p> <p>(c) to maintain an area along a fence line to provide access to construct or maintain the fence – 5 metres from the fence line;</p> <p>(d) to maintain a vehicular or walking track – 5 metres wide.</p>	<p>(a) connected to a sewerage system or septic tank; or</p> <p>(b) intended to be used as a permanent building.</p> <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>“Fire risk reduction area”, in relation to a building, means a low fuel area (building protection zone) designed to minimise the likelihood of flames contacting the building.</p> <p>Note: this exemption only applies if the original clearing was lawful – in other words it will not authorise the maintenance of areas that were cleared unlawfully.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 16</i></p> <p>Clearing under the <i>Rights in Water and Irrigation Act 1914</i></p> <p>Clearing must be done by or with the prior authority of:</p> <p>The person to whom the permit is granted or other approval is given.</p>	<p>Clearing that is the result of carrying out works under a permit or other approval under, or referred to in, section 11, 16, 17 or 21A of the <i>Rights in Water and Irrigation Act 1914</i>.</p>	<p>A clearing permit is not required where approvals have been granted under the <i>Rights in Water and Irrigation Act 1914</i> to carry out works to take water or to interfere with the bed and banks of a watercourse and clearing is conducted in accordance with the approval.</p> <p>This item does not exempt clearing relating to a section 5C licence to take surface water or groundwater.</p>

Item no.	Wording of exemption	Comment / explanation
		<p>Impacts on native vegetation as a result of these approvals are considered as part of the permit application under the <i>Rights in Water and Irrigation Act 1914</i>.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 17</i></p>		<p>This exemption has now expired.</p>
<p><i>Regulation 5, Item 18</i></p> <p>Clearing under the <i>Swan River Trust Act 1988</i></p> <p>Clearing must be done by or with the prior authority of:</p> <p>In the case of paragraph (a), the person to whom the approval is granted, in the case of paragraph (b), a person.</p>	<p>Clearing –</p> <p>(a) in accordance with an approval under Part 5 of the <i>Swan River Trust Act 1988</i>; or</p> <p>(b) as described in regulation 6(2) of the Swan River Trust Regulations 1989.</p>	<p>This exemption applies to:</p> <ul style="list-style-type: none"> • the person to whom the approval is granted under Part 5 of the <i>Swan River Trust Act 1988</i>; or • the person carrying out the clearing described in regulation 6(2) of the Swan River Trust Regulations 1989. <p>This exemption ensures that multiple approvals are not required from the Department of Water and Environmental Regulation in respect to approvals issued under the <i>Swan River Trust Act 1988</i>.</p> <p>Impacts on native vegetation are considered as part of the application assessment under the <i>Swan River Trust Act 1988</i>.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 19</i></p> <p>Clearing of isolated trees</p> <p>Clearing must be done with the prior authority of:</p>	<p>Clearing of a tree on a property that is in an otherwise cleared area on the property and is more than 50 metres from any other native vegetation, being vegetation which does not, together with all other limited clearing carried</p>	<p>This exemption allows for the removal of single trees that are more than 50 metres from any other native vegetation.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p>

Item no.	Wording of exemption	Comment / explanation
<p>The owner of the property on which the tree is located.</p>	<p>out on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>Under this item you should note that clearing an isolated tree, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year. The area of a tree is calculated by the using the drip line of the tree. For the purposes of this exemption, this is taken to include all trees that are more than 50 metres away from any other native vegetation.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 20</i> Clearing resulting from low impact or other mineral or petroleum activities</p>	<p>Clearing that is, or is the result of carrying out, a low impact or other mineral or petroleum activity described in Schedule 1 if the activity is carried out – (a) in accordance with Schedule 1; and</p>	<p>This exemption allows clearing for low impact or other mineral or petroleum activities provided they occur outside of those non-permitted areas specified in Schedule 1 of the Regulations.</p> <p>Clearing activities that have been identified as “low impact” are those that have a minimal or low impact on native vegetation and</p>

Item no.	Wording of exemption	Comment / explanation
<p>Clearing must be done by or with the prior authority of:</p> <p>The person granted the authority to carry out the activity.</p>	<p>(b) in an area of the State other than a non-permitted area specified in Schedule 1.</p>	<p>may be regulated under processes administered by the Department of Mines, Industry Regulation and Safety. Examples include some clearing for temporary tracks, groundwater drilling, clearing for camp sites, anchoring vessels and removing marine growth from certain structures. See Schedule 1 to determine whether or not this exemption applies to you.</p> <p>There is a requirement that all cleared areas are progressively rehabilitated.</p> <p>An exemption for other mineral or petroleum activities is defined in clause 2(2) of Schedule 1 and allows clearing of up to 10 hectares per financial year for clearing authorised under the <i>Mining Act 1978</i> and the various petroleum Acts in an authority area.</p> <p>The term “authority area” is defined in Schedule 1.</p> <p>Non-permitted areas for the purpose of this exemption are also defined in Schedule 1; DWER’s map viewer at www.der.wa.gov.au/our-work/clearing-permits assists in locating these areas.</p> <p>These exemptions do not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 21</i></p> <p>Clearing for a temporary bypass road</p>	<p>Clearing that is the result of the construction of a temporary vehicular track that is necessary to bypass a stretch of road (whether public or</p>	<p>This exemption allows for the creation of temporary emergency diversion access tracks following damage of a road by events such as flooding.</p> <p>This exemption is available only to road managers.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Clearing must be done by or with the authority of:</p> <p>The Commissioner of Main Roads, the Public Transport Authority, the local government, the person or the entity responsible for the stretch of road.</p>	<p>private) that is impassable due to unforeseen damage to part of that stretch of road.</p>	<p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 21A</i></p> <p>A Clearing for a crossover</p> <p>Clearing must be done by or with the authority of:</p> <p>The person with the authority to construct the crossover.</p>	<p>Clearing that is the result of constructing a crossover from a road to a property adjacent to the road, and any associated sight line areas, if the construction is within the scope of the authority to construct the crossover.</p>	<p>This exemption allows for the creation of a crossover between a road and a property, to enable access to that property through the road reserve.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 22</i></p> <p>Clearing in existing transport corridors</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The Commissioner of Main Roads, the Public Transport Authority, the local government,</p>	<p>Clearing in relation to a stretch of road or railway if the clearing is –</p> <p>(a) in an area or for a purpose specified in Schedule 2;</p> <p>(b) to the extent specified for that area or purpose in Schedule 2; and</p> <p>(c) in accordance with Schedule 2.</p>	<p>This exemption allows for maintenance of road and railway verges in accordance with Schedule 2 of the regulations.</p> <p>Schedule 2 defines:</p> <ul style="list-style-type: none"> • the area or purpose for which clearing may be allowed; • the extent of the clearing that is permissible and; • how the clearing is to be carried out. <p>While this exemption does not apply in an environmentally sensitive area, an area that would otherwise be an</p>

Item no.	Wording of exemption	Comment / explanation
<p>the person or the entity responsible for the stretch of road or railway.</p>		<p>environmentally sensitive area is not an environmentally sensitive area to the extent it is in a maintenance area of a road or railway. A maintenance area is an area that has been lawfully cleared.</p> <p>You should note that the taking of flora declared as rare under the <i>Wildlife Conservation Act 1950</i> still requires consent, even if the flora are not within an environmentally sensitive area.</p> <p>For an official version of Schedule 2, please refer to the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.</p>
<p><i>Regulation 5, Item 23</i></p>		<p>This exemption was transitional and has now expired.</p>
<p><i>Regulation 5, Item 24</i> Clearing under a petroleum Act. Clearing must be done by or with the prior authority of: A person covered by the authority to carry out the exploration.</p>	<p>Clearing that is the result of carrying out exploration under an authority under the <i>Petroleum and Geothermal Energy Resources Act 1967</i>, the <i>Petroleum Pipelines Act 1969</i>, or the <i>Petroleum (Submerged Lands) Act 1982</i>.</p>	<p>This exemption allows clearing for exploration approved under various petroleum Acts.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p><i>Regulation 5, Item 25</i></p> <p>Clearing under the <i>Mining Act 1978</i>.</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The person granted the authority to carry out the prospecting or exploration.</p>	<p>Clearing that is the result of carrying out prospecting or exploration under an authority granted under the <i>Mining Act 1978</i>.</p>	<p>This exemption allows clearing for prospecting or exploration activities approved under the <i>Mining Act 1978</i>.</p> <p>Pre-1899 'minerals to owner' Crown grants refer to freehold areas of land principally in the south-west of the state. The <i>Mining Act 1978</i> does not apply to this land and therefore this exemption will not apply. One example of this land is Hampton Locations.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p><i>Regulation 5, Item 26</i></p>		<p>This exemption was transitional and has now expired.</p>

A guide to the exemptions and regulations for clearing native vegetation

Index of themes

Theme	Clause/Regulation no.
Accidents or to reduce danger (Clearing resulting from)	Regulation 5, Item 2
<i>Bush Fires Act 1954</i> (Clearing under the)	Schedule 6, Clause 10
Clearing that is required under other laws	Schedule 6, Clause 1
Code of Practice (Clearing in accordance with)	Regulation 5, Item 4
Construct a building (Clearing to)	Regulation 5, Item 1
<i>Country Areas Water Supply Act 1947</i> (Clearing under the)	Regulation 5, Item 17
Crossovers (Clearing for)	Regulation 5, Item 21A
Cultural purposes of an Aboriginal person (Clearing for)	Regulation 5, Item 8
Department of Parks and Wildlife (Clearing by)	Schedule 6, Clause 3
Existing transport corridors (Clearing in)	Regulation 5, Item 22
Fence line – alienated land (Clearing of)	Regulation 5, Item 10
Fence line – Crown land (Clearing of)	Regulation 5, Item 11
Fencing and farm materials (Clearing to provide)	Regulation 5, Item 6
<i>Fire Brigades Act 1942</i> (Clearing under the)	Schedule 6, Clause 11
Fire hazard reduction (Clearing for)	Regulation 5, Item 3
Fire prevention or control on Crown land (Clearing for)	Schedule 6, Clause 12
Firewood (Clearing for)	Regulation 5, Item 5
<i>Fish Resources Management Act 1994</i> (Clearing under the)	Schedule 6, Clause 14
<i>Forest Products Act 2000</i> (Clearing under the)	Schedule 6, Clause 8

A guide to the exemptions and regulations for clearing native vegetation

Theme	Clause/Regulation no.
Forest Products Commission (Clearing by)	Schedule 6, Clauses 7 and 8
Formal assessment by the Environmental Protection Authority	Schedule 6, Clause 2
Infrastructure maintenance activities (Clearing resulting from) – NOW EXPIRED	Regulation 5, Item 23
Isolated trees (Clearing of)	Regulation 5, Item 19
<i>Land Administration Act 1997</i> (Clearing under the)	Schedule 6, Clause 13
Licensed surveyors (Clearing by)	Regulation 5, Item 9
Low impact or other mineral or petroleum activities (Clearing resulting from)	Regulation 5, Item 20
Maintain existing cleared areas around infrastructure (Clearing to)	Regulation 5, Item 15
Maintain existing cleared areas for pasture, cultivation or forestry (Clearing to)	Regulation 5, Item 14
<i>Mining Act 1978</i> (Clearing under the)	Regulation 5, Item 25
Notice of Intention under the Soil and Land Conservation Regulations 1992 – NOW EXPIRED	Regulation 5, Item 26
<i>Petroleum and Geothermal Energy Resources Act 1967, Petroleum Pipelines Act 1969</i> or the <i>Petroleum (Submerged Lands) Act 1982</i> (Clearing under the)	Regulation 5, Item 24
<i>Planning and Development Act 2005</i> (Clearing under the)	Schedule 6, Clause 9
<i>Rights in Water and Irrigation Act 1914</i> (Clearing under the)	Regulation 5, Item 16
<i>Sandalwood Act 1929</i> (Clearing under the)	Schedule 6, Clause 4
<i>Swan River Trust Act 1988</i> (Clearing under the)	Regulation 5, Item 18
Temporary bypass road (Clearing for)	Regulation 5, Item 21

A guide to the exemptions and regulations for clearing native vegetation

Theme	Clause/Regulation no.
Vehicular tracks (Clearing for)	Regulation 5, Item 12
Walking tracks (Clearing for)	Regulation 5, Item 13
<i>Wildlife Conservation Act 1950</i> , section 23C (Taking flora under)	Schedule 6, Clause 5
<i>Wildlife Conservation Act 1950</i> , section 23D (Taking flora under)	Schedule 6, Clause 6
<i>Wildlife Conservation Act 1950</i> , section 23F (Taking rare flora under)	Schedule 6, Clause 5
Woodwork (Clearing for)	Regulation 5, Item 7

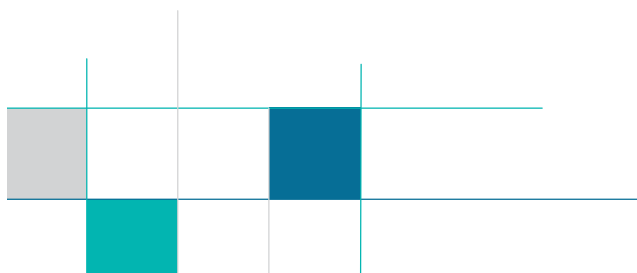
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7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

7.1 BASING AIRCRAFT AT NORTHAM DURING THE HARVEST PERIOD

BACKGROUND

This is in line with the suggestion made at DOAC. While the availability of aircraft to Northam out of the metro is good, this initiative has reduced the time for Northam to be able to access air support during a high-risk period. Furthermore, and importantly, it has increased the service area and speed in which aircraft can respond to additional Shire's in our region, such as to the East, NE and SE of us, aiding in preventing incidents from escalating. This not only helps the Shire in question but also reduces the amount and frequency of support requests coming into our Shire. The result is that there are reduced incidents where our resources are being sent out of area (which increases the risk to our own community).

OFFICER COMMENT

The 2022 High Threat Period/Western Australia Grain Harvest forward basing of the combination fixed wing and rotary fire suppression aircraft in Northam provided a strategic advantage during firefighting operations to the Shire of Northam community through several incidents during the 22/23 high threat period.

The Community Emergency Services Manager Alex Espey supports this motion in its entirety.

MOTION / COMMITTEE DECISION

Minute No: BFAC.308

Moved: Chris Marris

Seconded: Kristofer Brown

That Council request the Chief Executive Officer to write to Department of Fire and Emergency Services Commissioner expressing the Shire of Northam's strong support to base aircraft at the Northam Airport during the harvest period, as has occurred during the past two seasons, and request that this initiative continue to occur for future harvest periods.

CARRIED 11/0

Discussion:

Discussion was held regarding the statistics over the last 2 years that the aircraft were based at the Northam Airport and potential barriers to the continuation (i.e. pilot accommodation).

8 URGENT BUSINESS APPROVED BY DECISION

Nil.

10 DATE OF NEXT MEETING

Upcoming meetings:

- 05 September 2023 at 5:30pm
- 31 October 2023 at 5:30pm

A Special meeting will also be held on:

- 01 August 2023 at 5:30pm.

11 DECLARATION OF CLOSURE

There being no further business, the Presiding member, Mr C Marris, declared the meeting closed at 6:32pm.

"I certify that the Minutes of the Bush Fire Advisory Committee, held on Tuesday 13 June 2023 have been confirmed as a true and correct record."

_____ Presiding Member

_____ Date