



Shire of Northam  
*Heritage, Commerce and Lifestyle*

## **Shire of Northam**

### **Minutes**

### **Bush Fire Advisory Committee**

**13 September 2022**



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## 1. DECLARATION OF OPENING

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

## 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:

Chief Bush Fire Control Officer	Chris Marris
Inkpen Bush Fire Brigade	Nic Dewar
Clackline Muresk Bush Fire Brigade	Joe Marasco (proxy) until 5:50pm
	Blair Wilding arrived at 5:50pm and commenced as voting delegate
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
Northam Central Bush Fire Brigade	Kim Hampton
Jennapullin Bush Fire Brigade	Aaron Smith

### Non Voting:

Community Emergency Service Manager	Brendon Rutter
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### Staff:

Acting Executive Manager Development Services	Jacky Jurmann
Chief Executive Officer	Jason Whiteaker
Acting Governance Coordinator	Alysha McCall

### Gallery:

Clackline Muresk Bush Fire Brigade	Carla Miller
	Joe Marasco from 5:50pm
Irishtown Bush Fire Brigade	Murray McGregor

Glenn Steer  
Terrence Hasson  
Digby Hasson

### 3.1 APOLOGIES

#### **Voting Committee:**

Councillor – Shire of Northam  
Deputy Bush Fire Control Officer

Maria Girak  
Simon Peters

#### **Non-Voting Committee:**

District Officer Northam  
Department of Parks and Wildlife (Wheatbelt)  
Department of Parks and Wildlife (Perth Hills)

Drew Graham  
Graeme Keals  
Michael Pasotti

### 3.2 APPROVED LEAVE OF ABSENCE

Nil.

### 3.3 ABSENT

#### **Voting Committee:**

Councillor – Shire of Northam  
Wundowie Bush Fire Brigade  
Wundowie Volunteer Fire and Rescue Service  
Northam Volunteer Fire and Rescue Service

Paul Curtis  
Mathew Macqueen  
Tristan Davey  
Greg Montgomery

## 4. DISCLOSURE OF INTERESTS

Nil.

*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.

## 5. CONFIRMATION OF MINUTES

### 5.1 COMMITTEE MEETING HELD ON 11 JULY 2022

#### RECOMMENDATION / COMMITTEE DECISION

**Minute No: BFAC.285**

**Moved: Mr Kim Hampton**

**Seconded: Mr Jo Marasco**

**That the minutes of the Bush Fire Advisory meeting held on 11 July 2022 be confirmed as a true and correct record of that meeting.**

**CARRIED 9/0**

## 6. COMMITTEE REPORTS

One (1) member of the Gallery left the meeting at 5:37pm and returned at 5:37pm.

Mr Blair Wilding entered the meeting at 5:50pm.

### 6.1 COMMUNITY EMERGENCY SERVICES MANAGER REPORT

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

#### BRIEF

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

#### ATTACHMENTS

Attachment 1: Firebreak and Fuel Load Notice.

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#### A. BACKGROUND / DETAILS

N/A.

#### B. CONSIDERATIONS

##### B.1 Strategic Community / Corporate Business Plan

Theme Area 3: Safety and Security

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

##### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

Nil.

### B.4 Policy Implications

Nil.

### 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

## C. OFFICER'S COMMENT

Pre season preparations are underway for what is looking to be a busy 2022/23 fire season.

### Pre Season Servicing

The appliance servicing is underway with completion expected before end of September.

Through the operational servicing it has been identified again this year about damage caused to equipment via improper use, all personnel are encouraged to ensure familiarity with all equipment via pre-season refresher training to ensure safe and proper use of all equipment on the appliance.

### New Fire Danger Rating System

The harmonisation of the Australian Fire Danger Rating System (AFDRS) begins on Sept 1<sup>st</sup> 2022. This new system is designed to deliver an easier to follow and understand system that aligns with each state and territory in Australia.



All personnel are encouraged to undertake the training module via the volunteer hub to ensure you have an understanding of the new system and the way in which changes will impact how we conduct business in the area, eg how Harvest, Vehicle Movement & Hot Works Bans (HVMB's) will be calculated and implemented.

The AFDRS will go live across Australia on Thursday 1 September 2022.

There are four levels of fire danger in the new system:

1. Moderate: Plan and prepare
2. High: Be ready to act
3. Extreme: Take action now to protect your life and property
4. Catastrophic: For your survival, leave bushfire risk areas

Fire Danger Ratings will be issued on days when there is a fire risk. Each rating will have a clear set of messages, including the actions the community can take to reduce their risk.

Improving the science means we can also issue 'no rating' for days where bushfires are unlikely to spread in a dangerous or life-threatening way. You'll be able to check the daily fire danger for your area at Emergency WA or by visiting the BoM website.

### **Fire Break & Fuel Load Notice**

Due to the changes and amendments to terminology in the Bushfires Act 1954 & Bush Fires Regulations 1954 as a result of the national roll-out of AFDRS, the Shire of Northam Fire Break & Fuel Load notice (s33 notice) required terminology updated to reflect the changes in legislation where it references Fire Danger Ratings only. Changes have been made to ensure the notice can be enforced, these changes just need Council endorsement prior to gazettal to enable enforcement of this notice.

A copy of the document has been provided as part of this report.

### **Pre Season Training**

As part of our pre season training please find the below dates that are open to all members from all brigades.

Should your brigade have training requirements not currently being serviced, please contact myself as a priority to enable some additional training to be scheduled.

Please be advised in some of these cases I will invite our new DO Northam along for a meet & greet.

All training, including brigade training will end with a BBQ provided for attendees.

Full courses will be catered as per normal practice.

### **Pump Operations**

Sep 24-25 – Northam Co-Location Centre  
0800-1600

**Recognition of Current Competencies (RCC) – approved members only**

Bakers Hill Fire Station – Wed, Sep 14th - 1800-2200

Clackline Fire Station – Sat, Sep 17th 0800-1300

Southern Brook Fire Station – Wed, Sep 28th – 1800-2200

Grass Valley Fire Station, Sat Oct 1st, 0800-1300

**Comprehensive Crew Protection (CCP)**

October 19<sup>th</sup> 2022

1730-2130 – Northam Co-location Centre

October 22<sup>nd</sup> 2022

0800-1300 @ Bakers Hill Fire Station

November 3<sup>rd</sup> 2022

1800-2200 @ Grass Valley Station

**Rural Fire Awareness (RFS)**

Friday 23<sup>rd</sup> Sep 1800-2200 – Northam Rec Centre

Wednesday Nov 9<sup>th</sup> 1800-2200 – Northam Rec Centre

**Bushfire Safety Awareness (BSA)**

Saturday October 1<sup>st</sup> 0800-1600 – Northam Co-Location (TBC)

**Firefighting Skills (FFS)**

Sat/Sun October 8-9, 0800-1600, Northam Co-Location Centre (TBC)

**Ground Controller (GC) -** Volunteers attending this course will be invited to attend a preseason training drill in early Nov.

Wed October 26<sup>th</sup> 2022 – Northam Co-Location Centre (TBC)

**Basic WAERN** (4-5 hours)– no dates as yet, will be interest driven

**Recognition of Current Competency (RCC)**

Captains have been provided information pertaining to how the RCC process will be implemented this season, with multiple opportunities over several dates/times for eligible members to undertake the assessment to be signed off for this coming season.

Members are encouraged to contact their Captain and/or brigade Training Officer to discuss their training records and identify any discrepancies that are identified as a priority to enable attendance at the pre season training opportunities as listed above.

Volunteers that wish to query their training records, are encouraged to contact the CESM to allow further investigations and remediation if a record is proven to be inaccurate.

### **Pre season skills based refreshers.**

Captains have been provided with copies of a pre season skills competency assessment, at this stage this assessment is voluntary but highly recommended, this may become an annual pre season requirement in the future to ensure Council is only permitting members able to demonstrate skills currency onto the fire ground into the future.

The assessment is a simple tick and flick, signed off by Captains or brigade Training Officers and is designed to assist volunteers with a refresher on the safe, efficient and effective use of all brigade equipment.

### **RECOMMENDATION**

#### **That Council:**

- 1. Note the Community Emergency Services Manager Report as provided.**
- 2. Endorse the 2022-23 Firebreak and Fuel Load Notice as provided in Attachment 1.**

### **RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.286**

**Moved: Mr Kris Brown**

**Seconded: Mr Mark Littlefair**

#### **That Council:**

- 1. Note the Community Emergency Services Manager Report as provided.**
- 2. Endorse the 2022-23 Firebreak and Fuel Load Notice as provided in Attachment 1, subject to the following amendments:**
  - a. Online registration being added under 6.9**

**CARRIED 9/0**

#### Reason for change to Officer recommendation

Online registration is available for the Harvest, Movement of Vehicles and Hot Works Ban.

The CESM advised:

- The Pump Operations course has been cancelled.

- The RCC training in Bakers Hill and Clackline has been cancelled as there were no registrations. The training in Southern Brook and Grass Valley is still going ahead. It is likely that additional training will be held in Northam as we approach the season (approx. November).
- The only change made to the Fire Break and Fuel Load Notice was in relation to the new rating system.

Clarification was sought in relation to:

- Whether the Comprehensive Crew Protection training is compulsory. The Community Emergency Services Manager advised that there is no requirement to attend however this is strongly encouraged.
- Whether an update can be provided on the Mitigation Activity Funding. The Community Emergency Services Manager advised that the tender is finalised and is being presented to the September Council meeting to be awarded. Internal meetings have also been held to review the existing freehold reserves to ensure these are on the maintenance list and on track.
- Whether the recruitment has been finalised for the Community Emergency Services Manager and Bush Fire Risk Management Coordinator positions. The Chief Executive Officer advised that a formal announcement will be made next week.
- Whether funding was secured for the Wundowie Bush Fire Brigade shed and what is the process if funding is not secured. The Chief Executive Officer advised that if funding is not secured an item will be presented to Council to determine how they wish to proceed. The Chief Executive Officer advised that Officers are of the view that it is a matter for the state to fund. The Community Emergency Services Manager advised that we are waiting for a formal response from the LGGs committee at which point discussions will be had at regional level.
- Whether there is an update on the appliances. The Community Emergency Services Manager advised that there is no update/indication of when these will be available.
- Whether the Work Health and Safety (WHS) / maintenance issues can be addressed at the Irishtown Bush Fire Brigade building. It was raised that the toilet doors cannot lock as they have lost the key, the flood light doesn't work, there is a dust issue in summer, electronics overheat and there is no storage. The Community Emergency Services Manager advised that he attended a tour with the District Officer and specifically attended this station so he could raise what is required to bring the building up to standard, it was agreed that this station was a priority. It was advised that the toilet door lock and flood light are easy fixes and he will provide an update next week on the progress of these items. The dust matter is part of a larger issue and can be looked at with any upgrades. Unfortunately funding is unable to be sought out of session and an application for funding will be submitted as part of the March

2023 LGGS application. In relation to storage a temporary solution can be identified and this will be discussed with the brigade.

Discussion was held around the strategies put in place by the Shire of Northam to address WHS issues. This includes undertaking annual WHS inspections. Officers are trying to address at a regional level the potential for funding to address these WHS issues.

The online reporting system was raised as a mechanism to report matters which members were encouraged to use so that items don't get missed. Discussion has been held around reporting the matters raised/addressed to the Committee. It was advised that there was a desire to have a way to check the status of their requests through a portal or dashboard and also select the PPE from a listing. The Chief Executive Officer advised that this would be investigated.

- Whether registrations for the SMS service can be completed online and if so whether this should be included in the Fire Break and Fuel Load Notice. The Community Emergency Services Manager advised that this is available online and can be included.
- Whether the 3m firebreak requirement is standard or modified. The Chief Bush Fire Control Officer referred to section 4.1 which details the requirements for properties over 10 hectares.

## Attachment 1 – Firebreak and Fuel Load Notice

### BUSH FIRES ACT 1954

#### Firebreak and Fuel Load Notice

##### *Shire of Northam*

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954* (as amended), notice is hereby given to all owners and occupiers of land within the Shire of Northam adopted the following requirements as a measure to assist in the control of bush fires, or preventing the spread or extension of a bush fire which may occur within the Shire.

All owners and/or occupiers of land within the Shire of Northam are required to carry out fire prevention work in accordance with this notice by 1 November each calendar year and maintained until 30 April the following calendar year, or within 14 days of becoming an owner or occupier of land if after that date, to comply with the requirements set out in this notice.

**FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY RESULT WITH THE ISSUE OF AN INFRINGEMENT NOTICE PENALTY \$250.00 OR PROSECUTION IN A COURT OF LAW WITH A MAXIMUM PENALTY OF \$5,000 AND BE LIABLE WHETHER PROSECUTED OR NOT TO PAY THE COSTS OF PERFORMING THE WORK DIRECTED BY THE NOTICE.**

### 1. Building Protection Zone

The Building Protection Zone is an area of very low fuel levels and managed vegetation 20 metres out from habitable buildings (As defined in the Residential Design Codes of WA and in AS 3959) and must meet the following requirements,

Habitable building means a dwelling, workplace, place of gathering or assembly, a building used for the storage or display of goods or produce for sale by wholesale in accordance with classes 1-9 of the Building Code of Australia. The term habitable building includes attached and adjacent structures like garages, carports, verandas or similar roofed structures that are attached to, or within 6 metres of, the dwelling or primary building.

- Building Protection Zones for habitable buildings must extend a minimum of 20 metres out from any external walls of the building, attached structures, or adjacent structures within 6 metres of the habitable building.
- On sloping ground the Building Protection Zone distance shall increase at least 1 metre for every degree in slope on the sides of the habitable building that are exposed to down slope natural vegetation.
- Building Protection Zones must consist of non-flammable managed vegetation, reticulated lawns and gardens and other non-flammable features.
- All grass in Building Protection Zones must be maintained to or under 5cm in height.
- Fuel loads within Building Protection Zones must be maintained at 2 tonnes per hectare or lower.
- The crowns of trees must be separated to create a clear separation distance between adjoining or nearby tree crowns. The separation distance between tree crowns is not required to exceed 10 metres.
- A small group of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species.
- Trees are to be low pruned (or under pruned) to at least a height of 2 metres from ground.
- No tree, or shrub over 2 metres high are to be within 2 metres of a habitable building.
- Trees and shrubs over 2 metres high must not be planted in groups close to the habitable building and there must be a gap of at least 3 times the height (at maturity) of the shrub away from the habitable building.
- There must be no tree crowns or branches hanging over habitable buildings.
- Firewood and flammable materials must be stored 20m from habitable buildings
- Driveways and access ways are to be a minimum of (3) metres wide with a vertical clearance of (4)metres to allow for the safe passage of a fire appliance to all buildings and assets on the land
- Roof gutters should be free of leaves and other combustible material.

### YOUR PROPERTY

#### 2. Land with area less than 10,000m<sup>2</sup>(1 hectare)

- Maintain all grass on the land to a height no greater than 10cm all windrows or dead flammable material must be removed.
- Maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land
- Land with a habitable building on it must maintain a Building Protection Zone in line with the requirements of Section 1 of this notice.

#### 3. Land with an area g 10,000m<sup>2</sup> (1 hectare) to 100,000m<sup>2</sup> (10 hectares)

Options (selected one out of the three options)

1. Install bare earth firebreaks three (3) metres wide immediately inside within (10) metres of all boundaries in a continuous form. All overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum height of four (4) metres to allow for the safe passage of a fire appliance or;
2. Maintain all grass on the land to a height no greater than 10cm all windrows and or dead flammable material must be removed. An access area within (10) metres of the boundary with a minimum width of (3) metres with a vertical clearance of (4) metres where all overhanging branches are trimmed back to allow for the safe passage of a fire appliance or;

3. A combination of the above two options for properties with natural bush sections and pastured land sections

- Land with a building on it must maintain a Building Protection Zone in line with the requirements of Section 1 of this notice.
- On land for the use of tendering livestock a level of feed can be maintained to last the season. All grass a distance of 5m from any firebreak must be maintained to a height no greater than 10cm.
- Maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land.

**Firebreak**

Means a strip or area of trafficable ground, which is at least three (3) metres wide for cropped/stubble areas, or Three (3) metres wide for bushland/remnant vegetation areas with a minimum height of four (4) metres, which is kept and maintained totally clear of all inflammable matter. Such firebreaks may be constructed by one or more of the following methods: PLOUGHING, CULTIVATING, SCARIFYING, RAKING, BURNING, CHEMICAL SPRAYING OR OTHER METHOD as approved by an Authorised Officer.

In agricultural areas it is considered acceptable if a vehicle can travel through crop area within 10m of the property boundary to traverse around low branches or limbs.

4. Land with an area greater than 100,000m<sup>2</sup> (10 hectares)

Options (selected one out of the three options)

1. Install bare earth firebreaks two (2) metres wide immediately inside within (10) metres of all boundaries in a continuous form, for all cropped/stubble areas, or three (3) metres wide for all natural bush/remnant vegetation areas on the property within ten (10) metres of the property boundary. All overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum height of four (4) metres to allow for the safe passage of a fire appliance or;
  2. Maintain all grass on the land to a height no greater than 10cm all windrows and or dead flammable material must be removed. An access area within (10) metres of the boundary with a minimum width of (3) metres with a vertical clearance of (4) metres where all overhanging branches are trimmed back to allow for the safe passage of a fire appliance or;
  3. A combination of the above two options for properties with natural bush sections and pastured land sections
- On land for the use of tendering livestock a level of feed can be maintained to last the season. All grass a distance of 5m from any firebreak must be maintained to a height no greater than 10cm.
  - Maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land.

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In agricultural areas it is considered acceptable if a vehicle can travel through crop area within 10m of the property boundary to traverse around low branches or limbs.

5. Fuel Depot and Storage Areas, Haysheds, Stockpiled Flammable Materials and Stationary Machinery.

- Remove all flammable matter within (10) metres of Fuel Depot and Storage Areas of where fuel drums whether containing fuel or not, fuel ramps or fuel dumps are located, Hay Shed, Stockpiled Flammable Materials, Stationary Machinery are stored.
- Install bare earth firebreaks three (3) metres wide immediately inside and along all boundaries of land in a continuous form with a vertical clearance of (4) metres where overhanging branches are trimmed back immediately adjacent to Stationary Motors, Haystacks, Stockpiled Flammable Materials and Stationary Machinery.

6. Bushfire or Emergency Management Plans

(Compliance is required throughout the year, every year)

Means a bushfire management plan, emergency management plan or an approved Bushfire attack level (BAL) assessment that has been developed and approved to reduce and mitigate fire hazards as part of a Town Planning Scheme, subdivision approval, development approval or a building permit

- All properties with a Bush Fire, Fire or Emergency Management Plan shall comply with the plan in its entirety.
- Any requirements identified in a Bush Fire, Fire or Emergency Management Plan are in addition to the requirements of this notice.

7. Application to vary the Firebreak Requirements with Alternative Arrangements

If it is considered impracticable for any reason whatsoever to implement any of the requirements of this Notice, you may apply in writing to the Shire of Northam by no later than the 1st October each year for permission to implement alternative measures under the following options,

- a) A temporary variation for extenuating circumstances only

- b) A permanent feature of the property requires a variation to his order, if approved the variation will apply until specifically rescinded or replaced with a new individual notice by the shire.

Take notice if permission is not granted in writing you must comply with the requirements of this notice.

### 8. The Burning of Garden Refuse

Pursuant to the powers contained in section 24G (2) of the *Bush Fires Act 1954*, the Shire of Northam prohibits the burning of all garden refuse within its district during the Prohibited Burning Times. This prohibition applies to all persons within the Shire's district.

- The burning of garden refuse or rubbish on the ground or in an incinerator that would otherwise be permitted under Section 24F is prohibited absolutely on all land within the district during the Prohibited Burning Period.
- The burning of garden refuse or rubbish on the ground or in an incinerator that would otherwise be permitted under Section 24F is prohibited on all land under 2000m<sup>2</sup> (square metres) in size during the Restricted Burning Time, without a Fire Permit issued under Regulation 15 of the *Bush Fires Act 1954*.
- The burning of garden refuse or rubbish on the ground or in an incinerator that would otherwise be permitted under Section 24F is prohibited absolutely on all land within the district during the Restricted Burning period between 1st Mar – 30 Apr each year.
- During the Restricted Burning period October 1<sup>st</sup> & Nov 30<sup>th</sup> each year, residents on land that is greater than 2,000m<sup>2</sup> in area it is permissible to undertake the burning of garden refuse (dry leaves, small branches, off cuts, etc.) in a single pile on the ground no larger than 1.0 m<sup>3</sup> between the hours of 18:00 (6pm) and 23:00 (11pm) and by complying with all the conditions of section 24F (3) in the *Bush Fires Act 1954* & Regulation 15B Bush Fires Regulations 1954.
- Reticulated water supply or min 600lts of water must be available for immediate use at all times, the fire is to be completely extinguished with water prior to leaving area unattended.

### 9. Restricted and Prohibited Burning times

- The "Prohibited Burning Time" means the 1 December each calendar year through until 28th February the following calendar year (inclusive, and as varied pursuant to Sections 17 and 18 of the *Bush Fires Act 1954*).
- The "Restricted Burning Time" means the 1 October through until 30 November and the 1 March through until 30 April each calendar year (inclusive, and as varied pursuant to Sections 17 and 18 of the *Bush Fires Act 1954*).

### 10. Cooking & Camping

Pursuant to the powers contained in section 25H (1) of the *Bush Fires Act 1954*, the Shire of Northam prohibits the lighting of a fire in the open air for the purpose of camping or cooking during the prohibited period. This prohibition applies to all persons within the Shire's district.

For the purposes of this section (1aa) a gas appliance, comprising a fire the flame of which is encapsulated by the appliance and which does not consume solid fuel, shall not be taken to be a fire in the open air.

An appliance that burns a solid fuel, (BBQ, Pizza Oven, Meat Smoker etc.) cannot be operated on days of "HIGH", "EXTREME" or "CATASTROPHIC" fire danger rating.

- Any chimney on the appliance must be fitted with a suitable spark arrestor that is maintained in a clean, sound and efficient condition.
- If solid fuel is being consumed, then the burning fuel must be sealed from the open air by a secure, sealable door.
- Appliance must not be left unattended and a reticulated water supply must be available for immediate use.

Take notice a person/s who contravenes a of this section is guilty of an offence that carries a penalty of \$3,000.

### 11. Permits to burn

Means a "Permit to Burn the Bush" as issued by an Authorised Officer under section 18 of the *Bush Fires Act 1954*.

- Applications for Permits are available from the Shire of Northam at no cost.
- You must comply with all conditions imposed by the Shire or an Authorised Officer in respect of any Permit issued by the Shire.
- Permits will not be valid on days of "HIGH", "EXTREME" or "CATASTROPHIC" fire danger.
- Permits may also be revoked if in the opinion of an authorised officer the conditions are not deemed suitable for prescribed burns.  
Take notice that the Shire of Northam prohibits the burning of any road verge within the entire district.

Take Notice that pursuant to Section 18 (11) of the *Bush Fires Act 1954* - Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a Bush Fire Control Officer or an officer of a Bush Fire Brigade out of control on the land, the person shall be liable



to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10 000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction.

A person who commits a breach of this section other than subsection (11) is guilty of an offence.

Penalty: For a first offence \$4 500.

For a second or subsequent offence \$10 000.

## 12. Harvest, Movement of Vehicles and Hot Works Bans

All persons within the Shire of Northam are required to comply with a direction declared under Reg 38A, 38B, 38C & 38D, Bush Fires Regulations 1954.

- A Harvest, Vehicle Movement & Hot Works Ban (HVMB) requires the cessation of all harvesting, vehicle movements and hot work operations within the Shire of Northam.
- A Harvest, Vehicle Movement & Hot Works Ban (HVMB) prohibits the movement of vehicles on properties within the Shire of Northam except for the essential watering of stock in a diesel powered vehicle.
- A Harvest, Vehicle Movement & Hot Works Ban (HVMB) prohibits the use of all welding, grinding and abrasive tools on properties within the Shire of Northam in the open air. Exemptions in accordance with Council Policy may be available. Further information is available by contacting Shire of Northam (08) 9622 6100.

Take notice a person/s who contravenes a declaration made under regulation 38A, 38B, 38C or 38D or who fails to carry out any direction given to him is guilty of an offence that carries a penalty of \$5,000.

A Harvest Vehicle Movement and Hot works Ban will be advertised on the Shire of Northam Website, social media and where possible on ABC Radio 531AM, MMM 864 AM and.

Notification can be obtained via a free SMS service which is available upon request from the Shire of Northam (08) 9622 6100

Register for our free SMS notification service for Harvest Ban and other important information, directly to your phone. <https://www.northam.wa.gov.au/community/online-services/onlineservices.asPX>

## 13. Additional Works

In addition to the requirements noted above, regardless of land size and location, the Shire of Northam or its duly authorised officer may require you to undertake additional works on your property to improve access and or undertake further hazard removal and/or reduction works, where in the opinion of that authorised officer, it is to be necessary to prevent the outbreak and/or the spread of a bush fire.

Take notice that pursuant to Section 33(4) of the *Bush Fires Act 1954*, where the owner and/or occupier of land fails or neglects to comply with the requisitions of this Notice within the times specified, the Shire of Northam may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of this Notice which have not been complied with and pursuant to Section 33(5) of the *Bush Fires Act 1954*, the amount of any costs and expenses incurred may be recovered from you as the owner and or occupier of the land.

If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Regulations 1954*.

The owner or occupier of land to whom a notice has been given under subsection (1) and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence, that offence carries a penalty of \$5,000, additionally a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner and/or occupier by the date required by this Notice.

## 14. Reserves vested with the Shire of Northam

The Shire of Northam reserves the right to conduct any mitigation works deemed necessary on any reserves vested with Shire of Northam for the purpose of reducing the risk of fire to the community. Each reserve will be assessed in accordance with ISO 31000:2018 and identified in the Bushfire Risk Management Plan.

Treatments implemented may include but are not limited to prescribed burns, slashing, mulching or any other means necessary as determined by the Shire of Northam to ensure the risk is reduced to a satisfactory level.

## GENERAL ADVICE

This notice gives the minimum requirements for fire control within the Shire of Northam and all residents and ratepayers are encouraged to be prepared by undertaking additional fire protection measures. Creating a household "Bushfire Plan" to ensure the safety of property and life. Further additional information to that contained in this notice can be obtained from the 5min Fire Chat website [www.dfes.wa.gov.au/bushfire/prepare](http://www.dfes.wa.gov.au/bushfire/prepare) or from the Shire of Northam website [www.northam.wa.gov.au](http://www.northam.wa.gov.au)

All previous versions of this notice are hereby cancelled.

By order of the Council,

JASON WHITEAKER, Chief Executive Officer

## 6.2 CHIEF BUSH FIRE CONTROL OFFICER (CBFCO) REPORT

<b>File Reference:</b>	5.1.3.1
<b>Reporting Officer:</b>	Chris Marris, Chief Bush Fire Control Officer
<b>Responsible Officer:</b>	Chris Marris, Chief Bush Fire Control Officer
<b>Officer Declaration of Interest:</b>	Nil.
<b>Voting Requirement:</b>	Simple Majority
<b>Press release to be issued:</b>	No

### BRIEF

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

### ATTACHMENTS

Nil.

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### A. BACKGROUND / DETAILS

N/A.

### B. CONSIDERATIONS

#### B.1 Strategic Community / Corporate Business Plan

Theme Area 3: Safety and Security

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

#### B.2 Financial / Resource Implications

Nil.

#### B.3 Legislative Compliance

Nil.

#### B.4 Policy Implications

Nil.

#### 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

### C. OFFICER'S COMMENT

#### Leadership team

Following the confirmation of the leadership team by the Council in late July, the team has met on a number of occasions to discuss issues at hand and the forthcoming season. I thank Simon, Kris and Blair for their engagement to date.

#### Shire of Northam Position on WALGA Position

Following item 6.2 from the July BFAC on the brigade's input in the advocacy position for the management of bush fire brigades, I attended the July Council Forum and subsequent Council Meeting, to ensure the Shire of Northam Council was aware of a) the limited opportunity in this instance of discussion and debate on brigades positions on the proposed position, and b) based on that limited opportunity, that the majority of brigades had indicated their support of the Volunteer Bush Fire Brigades Association's position which was basically in support of the current Local Government Structure, with improvements.

The Council ultimately adopted the following position:

*That Council makes a submission to the WA Local Government Association (WALGA) in relation to the future management of volunteer Bush Fire Brigades as follows –*

*- That a Working Group comprising representatives of WALGA, DFES and the Volunteer Bush Fire Association be established to develop a preferred model for the future management of Bush Fire Brigades.*

#### Bush Fire Manual

Work and discussions continue to take place concerning the updating of sections four and five of the bush fire manual. These two sections relate to the management of brigades (including meeting and voting rights) and BFCOs (including CBFCO and DCBFCO).

While it was desired to have this document ready for presentation to this BFAC, the leadership team in consultation with the Shire, decided that the document was not ready to be presented. The leadership team most recently met last Sunday to consolidate feedback on these sections and is again meeting with the Shire tomorrow for further discussions.

I would expect it will take several further iterations and discussions to get the document to a point where it can then be presented to Brigades/BFAC for broader feedback and adoption. In the interim, I encourage brigades to continue to provide feedback to the leadership team on areas that require attention.

### **WHS**

Consultation with the leadership team on WHS outstanding action items has currently stalled while I believe additional advice is received from insurers. This is not to say action is not being taken in the interim. The leadership team remains committed to continuing consultation and engagement on the topic as we quickly approach the coming fire season. Ensuring consideration of the impacts of any changes and finding appropriate solutions which both protect our volunteers while not putting an undue burden on them is essential.

One key action item out of the work in the space is ensuring that our active firefighters are recognised as trained and competent to perform their duties. A cohort of experienced members remain that, for various reasons, show on DFES system as not being trained in the basic fire fighting courses.

A meeting with Captains and Training Officers was conducted in mid-August to identify these members and discuss a path forward via recognition of current competency (RCC). I strongly encourage Captains, Training Officers and your brigade leadership teams to assist in pushing the upcoming RCC sessions, and please reach out to me or the leadership team if you are having any difficulties or need support to bring about the desired outcome.

### **Australian Fire Danger Rating System**

As per the CESM's update, the new Fire Danger Rating System has now come into effect. This will require some training of BFCO's and harvest ban officers ahead of the season to ensure it is correctly applied from a perspective of harvest vehicles and hot works bans along with permits. While there are some improved data inputs built into the system which should provide for more robust outputs, there will likely be difficulties and/or anomalies experienced particularly in this first season. So as these are felt, I encourage you to seek feedback from members/community and provide feedback to the leadership team so that refinements can be made.

### **LEMC**

Kris Brown attended the Local Emergency Management Committee meeting on my behalf on September 1 where there was an emergency management workshop and exercise to test the preparedness of the region for a significant incident. Kris has some interesting mapping out of this exercise which will be incorporated into our pre-season scenario evening.

### **DOAC**

This morning I attended the Northam District Operations Advisory Committee meeting here in Northam. Key topics of discussion were the implementation of the Australian Fire Danger Rating System, the Consolidated Emergency Services Act, along with ongoing discussion on WHS. The Consolidated Emergency Services Act is expected to reach public consultation in the first half of 2023. It is not expected that the legislation will be ready until at least 2025.

A discussion was also had on aerial support within the region and current plans for the forthcoming season.

### **Pre-Season**

There are several activities planned for pre-season, with the scenario evening being one of them. This is due to be held on Wednesday, October 12 at the Northam Recreation Centre. Invites have/will be going to all Brigades and BFCO's and I encourage as many members to attend as possible, particularly senior members. This will also be a chance for members to meet with the new DFES District Officer and Superintendent who both plan to attend the evening. I have also asked that the Shire extend an invite to the incoming CESM once appointed.

There will also be a pre-season BFCO forum (date TBC) along with the scheduled Ground Controller course slated for October 26 which I encourage you to register for.

### **Christmas Leave**

While the leadership team and the Shire have been aware for some time, I wanted to provide advanced notice to the broader brigade network that I will be taking six weeks' leave from mid-December. During this time, Northam Deputy 1 (Simon) will be acting Chief and Northam Deputy 2 (Kris) will be acting Deputy 1. The BFCO team will be briefed on arrangements closer to the time, along with the DFES Office and neighbouring Shires.

**RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.287**

**Moved: Mr Aaron Smith**

**Seconded: Mr Rob Herzer**

**That Council note the Chief Bush Fire Control Officer Report as provided.**

**CARRIED 9/0**

The Chief Bush Fire Control Officer provided an overview of the report.

Discussion was held around farmer training and obligations as a result of the changes to legislation. The Chief Executive Officer advised that the Shire of Northam are currently seeking clarification from our insurer in relation to whether they fall under the Bush Fire Act or the Emergency Management Act as spontaneous volunteers. Once clarity is provided, information will be provided to the brigades and the community as we want to ensure there is coverage on both sides and that the farmers are clear where they stand. It was noted that this is the most pressing issue from the Shire's perspective prior to the bushfire season.

## 7. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 7.1 BURNING PERMITS ISSUED BY FCO'S

#### BACKGROUND

During the recent restricted burning period, the Grass Valley BFB received negative feedback from several people regarding issuing of Permits to Burn. This was despite a motion being discussed at the BFAC meeting of December 2021 and two subsequent BFCO meetings discussing this topic.

This negative feedback was from permit applicants and FCO's.

- When informing the local FCO that burning was about to start, one applicant said he had applied for a permit from the Shire and this was not issued in a timely manner despite twice phoning the Shire and being assured it would be issued that day and this did not happen.
- An FCO was rung by an officer of the Shire at 4 pm on a Friday afternoon asking him to authorise a permit before the close of business that day. This would have required the FCO leaving what he was doing on his farm, driving to his house, print, sign and scan the form before forwarding it to the Shire. This short notice and last-minute scramble on a Friday afternoon is not acceptable. FCO's are volunteers and fit in bushfire obligations around their everyday business.
- In several cases the local FCO's were not issuing permits to people in their own geographic area. The first the local FCO knew that burning off was being carried out was smoke being seen. FCO's have been asked to issue permits outside their own areas by an officer of the Shire. Local knowledge is important to ensure the relevant conditions are applied to a permit. This local knowledge also allows the FCO to implement special restrictions against the applicant if required, from past experience.
- Permits had been issued with a local FCO being named on the permit but signed by somebody else with no knowledge of the FCO.
- Permits were being extended without first contacting the issuing FCO to see if the conditions on the permit were pertinent for another seven days.

## **MOTION / COMMITTEE DECISION**

**Minute No: BFAC.288**

**Moved: Mr Mark Littlefair**

**Seconded: Mr Aaron Smith**

**That Council review the burning permit process and include;**

- **That the FCO authorise permits only in their own geographic area, the permit in their name and signed by them. If the FCO is unable to carry this out, the FCO must be contacted first before approaching another FCO.**
- **As part of the review consideration be given to a paper based permit system run in parallel with the web based system used by the Shire. The local FCO could write out and issue the permit, take a photo of it on their phone and send this to the Shire thus allowing for an instant update of the Shires list of permits issued.**
- **That a database be developed by the Shire to record both paper based permits and online permits.**
- **Allow FCOs access to the database of all permits issued, run at the Shire by either records or the CESM to record any permits that are issued.**
- **Permits could have the facility to be revalidated by signature endorsement of the issuing FCO should prevailing conditions be acceptable for an extension.**
- **Facility on the permit for the permit holder to sign to acknowledge that they have read the conditions of the permit.**

**CARRIED 9/0**

## **OFFICERS COMMENT**

The process for permits is currently under review as part of Section 5 of the Shire of Northam Bushfires Manual.

The staff are working with the leadership team to develop a robust process that meets the legislated obligations of the organisation and balance this with the needs of the community.

The process once formalised will be communicated to all members once this has been endorsed.

## **8. URGENT BUSINESS APPROVED BY DECISION**

Nil.



## **9. GENERAL BUSINESS**

### **9.1 STATUS OF INKPEN SHED**

Clarification was sought in relation to whether the additional funds were approved. The Community Emergency Services Manager advised that this was approved however they identified that there was a generator on site which they wouldn't fund. This has triggered a discussion in relation to off grid power with back up storage. Officers are waiting for advice on whether the funding will cover this.

### **9.2 BRIGADE REPORT AT BFAC**

It was raised whether the committee would be interested in a brigade update at the meetings which could be on a rolling schedule. The Chief Executive Officer advised that the committee would need to determine whether this provided any value.

Discussion was held around the general business agenda item. The Chief Executive Officer advised that Council establishes committees where it wants advice from a group which has experience / expertise in the subject matter. It was advised that general business is generally not supported as it does not give other committee members an opportunity to make an informed decision to Council when items are raised from the floor. It was raised that this type of "general discussion" might be better suited to being held after the meeting has concluded. The Senior Fire Control Officer advised that the value in general business is that it allows an item to be discussed and if further information or brigade engagement is required, the BFAC representative can take it back to brigade to expediate the process.

It was raised that there is an overlap between leadership group meetings and this committee. The Chief Executive Officer advised that the Committee's Terms of Reference can be provided however in summary the purpose of BFAC is to provide recommendations to Council on matters relating to bush fire. The BFAC is more strategic, and the leadership group is more operational. There could be operational matters which require a strategic decision which would then come to the BFAC.

### **9.3 FIREBREAKS**

Whether the Shire will be lenient on firebreaks where an effort has been made. The Chief Executive Officer advised that the Shire would take a pragmatic approach. This is generally split into two categories, ones that we have issues with every year or someone we have never had an issue with. Where there has been no issues in the past, we will try to work with them to get it done as the outcome is what is important.

#### **9.4 FIRE BANS**

Clarification was sought in relation to what days over Christmas / New Year will have fire bans. The Chief Bush Fire Control Officer advised that the Leadership Group has had a discussion in relation to this and Australia Day. The group is currently exploring options and a motion will be presented to the November BFAC meeting.

#### **10. DATE OF NEXT MEETING**

8<sup>th</sup> November 2022.

#### **11. DECLARATION OF CLOSURE**

There being no further business, the Presiding Member, Mr Chris Marris declared the meeting closed at 6:27pm.

"I certify that the Minutes of the Bush Fire Advisory Committee, held on Monday 13 September 2022 have been confirmed as a true and correct record."

 \_\_\_\_\_ Presiding Member

6/12/19 ~~10~~ / 22 \_\_\_\_\_ Date