



Shire of Northam
Heritage, Commerce and Lifestyle

Shire of Northam

Minutes

Bush Fire Advisory Committee

14 June 2022

UNCONFIRMED

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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
Chief Bush Fire Control Officer
Inkpen Bush Fire Brigade
Clackline Muresk Bush Fire Brigade
Bakers Hill Bush Fire Brigade
Grass Valley Bush Fire Brigade
Irishtown Bush Fire Brigade

Jennapullin Bush Fire Brigade
Southern Brook Bush Fire Brigade
Wundowie Bush Fire Brigade
Northam Central Bush Fire Brigade

Paul Curtis
Chris Marris
Nic Dewar
Blair Wilding
Kristopher Brown
Garry Shepherdson
Rob Herzer entered at
5:36pm
Aaron Smith
Paul Antonio
Jason Cacic
Kim Hampton

Staff:

Executive Manager Development Services
Executive Assistant - CEO

Chadd Hunt
Alysha McCall

Gallery:

Clackline Muresk Bush Fire Brigade

Joe Marasco
Carla Miller

3.1 APOLOGIES

Voting Committee:

Grass Valley Bush Fire Brigade
Deputy Bush Fire Control Officer

Mark Littlefair
Simon Peters

Non-Voting:

Community Emergency Service Manager

Brendon Rutter

3.2 APPROVED LEAVE OF ABSENCE

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

3.3 ABSENT

Voting Members:

| | |
|--|-----------------|
| Wundowie Volunteer Fire and Rescue Service | Jeffrey Roberts |
| Northam Volunteer Fire and Rescue Service | Scott Horlin |

Non Voting

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

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 – Bushfire Control Officers | 6.3 | Mr Paul Antonio | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Robert Herzer | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Jason Cacic | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Kristopher Brown | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Chris Marris | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Blair Wilding | Impartiality | Nominated as Bushfire Control Officer. |
| | | Mr Aaron Smith | Impartiality | Nominated as Bushfire Control Officer. |

5. CONFIRMATION OF MINUTES

Mr Rob Herzer entered the meeting 5:36pm.

5.1 COMMITTEE MEETING HELD ON 8 MARCH 2022

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.271

Moved: Mr Nic Dewar

Seconded: Mr Kristopher Brown

That the minutes of the Bush Fire Advisory meeting held on 8 March 2022 be confirmed as a true and correct record of that meeting, subject to the following amendment:

- Item 3 of the note under section 5.1 being amended to reflect attachment 3 & 4.

CARRIED 11/0

6. COMMITTEE REPORTS

6.1 COMMUNITY EMERGENCY SERVICES MANAGER REPORT

| | |
|---|--|
| File Reference: | 5.1.3.1 |
| Reporting Officer: | Brendon Rutter, Community Emergency Services Manager |
| Responsible Officer: | Chadd Hunt, Executive Manager Development Services |
| Officer Declaration of Interest: | Nil. |
| Voting Requirement: | 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 Guide.

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

LGGS Application 2022/23

This years application has been submitted with Council being advised of the outcome by July, with advice pertaining to capital expense applications being advised in August 2022

The cost of running the volunteer bushfire service is increasing annually and as such staff provided an alternate budget for the LGGS Committee to consider. Cost increases in operational expenditure are largely in response to an increasing focus on PPC suitability lifecycles, as well as the provision of additional PPC for our most active members to enable & encourage the safe laundering of PPC in line with OHS guidelines. The other significant cost factor is in response to our improved appliance maintenance and repairs processes.

Bushfires Manual Review

Staff will be initiating the review of the Bushfire Manual, specifically section 4 initially with section 5 to follow, also section 8 - SOP's is also under development. After several stalled attempts to review the manual via multiple workshops, the focus will now be on ensuring the manual aligns with the requirements of legislation, ensuring its meeting Councils obligations, as well as factoring in provisions for brigade autonomy in certain areas. Once the review has been completed in consultation with the volunteer leadership group, the draft will be provided to brigades for a period of 30 days for feedback, after which the manual will be presented to this committee and Council in September.

Training & Work health & Safety legislation.

Since the implementation of the WHS act there has been an increased focus on the bushfire service as an area of significant risk to the local government. There has been a lot of discussion about the impacts on volunteers and staff have provided the attached guidelines "Work Health & Safety for Volunteer Organisations" document for brigade perusal, this document has been developed by WorkSafe Western Australia..

Additional copies of this document are being sought and will be provided to brigades via the BART document wallet for ease of access.

Training has received a lot of attention with a strong focus on currency vs competency for our volunteers who are all working in high risk environments.

Staff, together with the CBFCO & DCBFCO will be meeting over the off season with brigade training officers & Captains, with the intent of looking at any training gaps that may exist within each brigade while developing a strategy to address and close these gaps in a pragmatic way, with a focus on pre season training in CCP and driver training.

Staff via the CESM are also developing a "HAZMAT Awareness" training package to be delivered at Brigade level. Once this package is finalised there will be a "handover" process to brigade training officers, this will enable our training officers to deliver this awareness level training on brigade training nights.

Quarterly Brigade Visits - CESMs A relatively new initiative from the Goldfields Midlands region is for operational managers to meet with brigades more frequently, this has been occurring with VFRS/VFES & SES BGU's for some time with feedback around this approach being positive.

These visits provided an opportunity for direct interaction between the CESM and our volunteer personnel & leadership team, and will provide an avenue for additional specialist/strategic training drills/mentoring, and relationship building to occur in a casual atmosphere where perceived barriers can be broken down, with a BBQ supper being provided as part of this initiative.

By exception the District Officer-Northam will be invited to attend subject to availability, again to encourage that relationship building with some of our other regional staff, it is envisaged that on some of these occasions, the Supt could also be invited to attend subject to competing commitments, to again encourage open and mutually beneficial communications between the Volunteer BFS personnel and snr DFES regional staff.

Some of these visits may be brigade specific, however the focus will be on encouraging inter-brigade relationships and training opportunities.

Consolidated Emergency Services Act (CES Act 2023)

The Minister for Emergency Services the Hon, Stephen Dawson MLC has been tasked by the Dept of Premiere and Cabinet to after 10 years in development, to facilitate and expedite the implementation of the CES Act 2023.

This single piece of legislation will replace the current Bushfires Act 1954, Fire Brigades Act 1942 & Fire & Emergency Services Act 1998 and associated regulations.

This brings WA inline with the rest of the country, and will address some of the legislative difficulties in WA of having multiple pieces of emergency service legislation trying to govern service deliver in the Metropolitan, and Rural/Remote WA.

This is a significant change and is something that has been in development since the first draft was prepared for public consultation in 2012.

The timelines currently being worked to by the State Government is for the Draft exposure bill to be released in 2023 for a brief public comment/feedback opportunity, with an implementation timeframe within 6-12 months due to the substantial consultation and time commitment already gone into the new legislation.

More information will be provided via our operations command meetings in due course, to allow the information to be disseminated back to brigades as it comes to hand.

Resource to Risk (R2C)

After many years in the making the Resource to Risk (R2R) model has now been replaced with a new model, the Resource to Capability model.

The aim of this model is to take a holistic view of capability vs risk across WA and through the testing of the model stages is producing the results required to assist with future brigade and resource development in response to our changing environments.

The R2C process is designed to produce a fairer, more efficient model of operations across WA, and is by design assisting with the development of a program that ensures that the correct appliance types is assigned to a brigade based on profile & location. This will identify areas for improvement which will ultimately ensure the operational readiness of BGU's across all services.

The R2C process will result in the correct appliance types, to suit the designated brigade profiles being identified to meet the growing community needs, and to ensure that brigade capability is being maintained for the future. More will be provided when available. Our volunteer leadership teams and the

operations command will be provided opportunities for inclusion as this process is endorsed and rolled out across WA.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.272

Moved: Mr Jason Cacic

Seconded: Cr Paul Curtis

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

CARRIED 11/0

The Executive Manager Development Services provided an overview of the report.

Clarification was sought in relation to:

- Once the new R2C modelling is complete, would this assist the Wundowie BFB in being equipped with a station? The Executive Manager Development Services advised that this is possible however this was already identified through the current document. It was advised that it was difficult to comment without seeing what that document entails.
- The implications of the R2C modelling at local level planning. The Executive Manager Development Services advised that we should be proactive and review what we have currently and hopefully this can drop into the broader overarching document. This will be a discussion point at the next meeting for how the Committee wants to review the current internal document.
- When the CESM will start the Brigade visits/training? The Executive Manager Development Services advised that this will be commenced prior to the season.
- The process improvements made in relation to the vehicle servicing and repair process mentioned under the LGGS section. The Executive Manager Development Services advised that this related to the compliance and repair processes. The process moving forward will include more stringent timeframes for pre-season appliance servicing.
- Whether vehicles are on track for July/August servicing. The Executive Manager Development Services advised that he is not aware of any issues with this timeframe however this will need to be clarified. It was raised that the vehicles need to match the manuals to ensure the correct parts are ordered.
- Whether a tender will be put out for the servicing. The Executive Manager Development Services advised that this will be put out as a

request for quote and is open to any local businesses if they have the capability/capacity. One of the items to be included is the requirement to provide afterhours service.

In addition to the report provided, The Executive Manager Development Services advised that Council has agreed to appoint a Bushfire Risk Management Coordinator. This is currently in the process of being finalised by DFES. This will be a cost share arrangement between the Shire's of Northam, Kellerberrin and Quairading as they are in the same stage as our Shire for bushfire planning.

Attachment 1 – Open Motions

| Motion No | Decision Date | Item No | Subject | Motion | Action By | Comments |
|-----------|---------------|---------|--|---|----------------|---|
| C.4100 | 16/12/2020 | 11.3 | BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON 8 DECEMBER 2020 | That Council: 1. Notes the Community Emergency Services Manager Report as provided. 2. Notes the Chief Bush Fire Control Officer Report as provided. 3. Approve the matter of extending the leadership positions of Bush Fire Control Officers, Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer to a two year term is included as part of the discussions at the next Bush Fires Manual workshop, is brought to the brigades for comment, and is then presented to the next Bush Fire Advisory Committee meeting. | Brendon Rutter | Update 03/06/2022 1. No Action Required. 2.No Action Required 3. no action to date, meeting being held in July with Operational Command team to discuss, further discussions with LGIS representative being arranged for same meeting Update 15/09/2021 1. No Action Required. 2.No Action Required 3. no action to date, meeting being held in July with Operational Command team to discuss, further discussions with LGIS representative Update 15/09/2021 3. No outcome from Operational Command Meeting in July or no feedback received from the brigades as requested. 12/10/2021 3. No update, no further discussions have come from brigades, does not appear to have support from brigades due to lack of communications. 09-11-2021 3. To be included in next Operational Command Meeting agenda |

| Motion No | Decision Date | Item No | Subject | Motion | Action By | Comments |
|-----------|---------------|---------|---------|--------|-----------|---|
| | | | | | | <p>3-12-2021 To be included in next BFAC agenda (2022)</p> <p>13-01-2022 To be included in next BFAC</p> <p>28/02/2022 1. no action required 2. no action required 3. no action to date</p> <p>12/04/2022 1. no action required 2. no action required 3. no action to date</p> <p>11/05/2022 1. no action required 2. no action required 3. no action to date, awaiting OPS Command meeting</p> |

Attachment 2 – WHS Guide



Government of Western Australia
Department of Mines, Industry Regulation and Safety



WorkSafe
Western Australia

GUIDE

Work health and safety for volunteer organisations

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Reference

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Introduction

Everyone has the right to be safe at work, including volunteers. Volunteers play a vital role in communities across Australia and make significant contributions by carrying out unpaid work for a variety of organisations every day.

This guide provides information on how the *Work Health and Safety Act 2020* applies to organisations that engage volunteers. It outlines the primary duty that organisations employing workers and engaging volunteers have under the WHS Act and explains how to meet this duty.

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1 Who has duties under the WHS laws?

1.1 Organisations and their duties

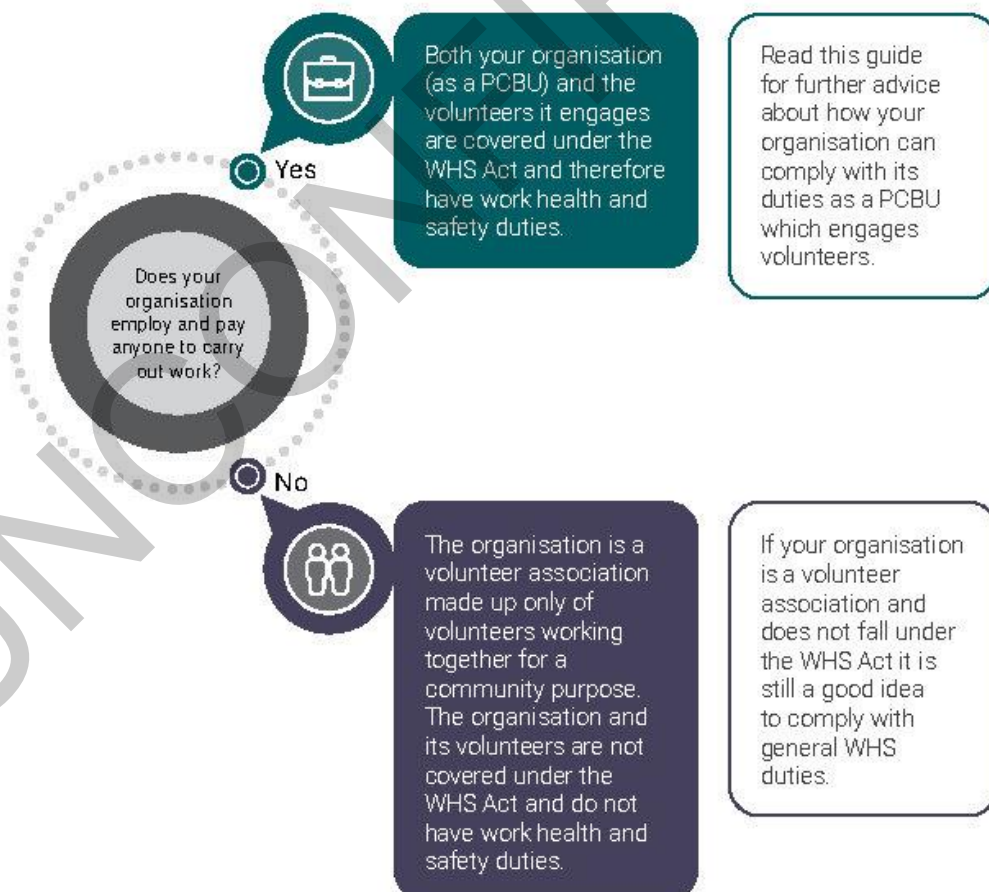
A volunteer organisation will have WHS duties as a person conducting a business or undertaking (PCBU) under the *Work Health and Safety Act 2020* (WHS Act) where one or more persons are employed to carry out work for the organisation. A person may be employed by either:

- the organisation itself
- the organisation's members, whether alone or jointly with any other members.

The organisation will owe a duty to both the paid worker and any volunteers it (or its members) engages.

The WHS Act does not apply if the organisation is a 'volunteer association' (whether incorporated or unincorporated). A volunteer association is a group of volunteers working together for one or more community purposes and none of the volunteers, either separately or jointly, or the association itself employ a person to carry out any work for the association.

Use the flow chart below to find out if the organisation owes health and safety duties.



General and common law duties of organisations who engage volunteers are well established. Australian courts have long recognised that volunteers are owed a general duty of care by the people and the organisations they support. So even if the organisation is a volunteer association and does not fall under the WHS Act it is a good idea to comply with general WHS duties.

1.2 Organisations with state divisions or local groups and their duties

An organisation can consist of a national body with state divisions and local groups. The national body will be a PCBU if they engage paid workers. The national body as a PCBU will owe duties to all workers, including the volunteers of the state divisions or local groups that are volunteer associations. This is because the work of those volunteers is directed or influenced by the national body.

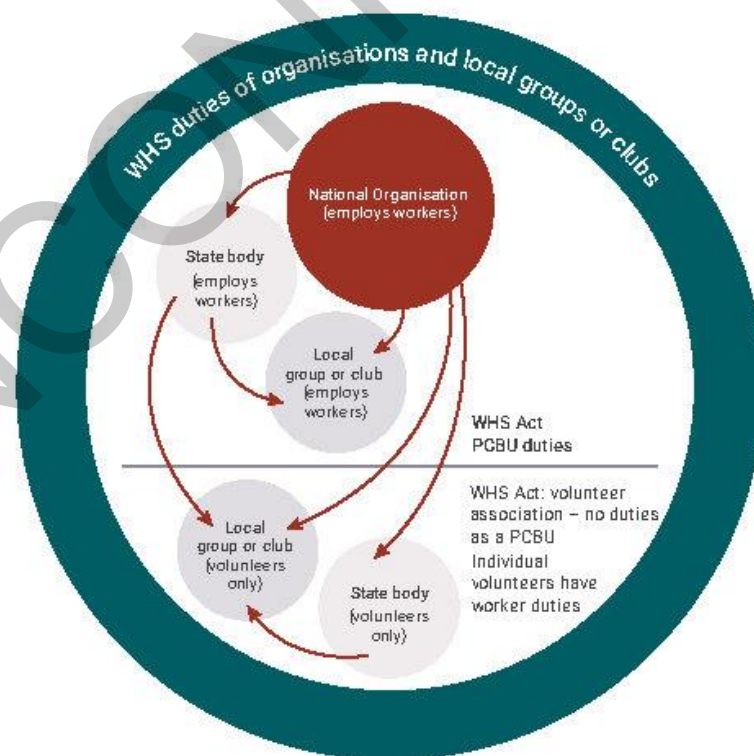
If a state division or local group of the organisation:

- is a separate entity from the national body, and
- engages paid workers to perform work for the organisation (as an incorporated association or through its members as an unincorporated association)

it will owe WHS duties to their volunteers and the volunteers of the local groups to the extent that they direct or influence the work that is carried out.

If the state division or local group (or its members) does not employ workers and is made up entirely of volunteers working for the same community purpose, it is a volunteer association and will not have any duties as PCBUs.

The diagram below illustrates how these duties work.



The duty the national body or state division owes to the local volunteers is qualified by what is reasonably practicable for them to do or what is reasonably able to be done. What is reasonably practicable will vary depending on the:

- specific structure and circumstances of each organisation, and
- the extent to which each organisation can control or influence a particular thing or the actions of another person.

To meet their duty to workers including local volunteers, the national body or state division could, for example:

- ensure the distribution of WHS policies and procedures on a range of topics to each division or group, and
- set up processes to ensure consultation can occur between the national body and state and local groups or divisions.

The WHS Act requires that where more than one PCBU has a duty for the same issue, each person retains responsibility for the matter and must discharge the duty to the extent they can influence and control the issue. In these situations, each person with a duty must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons with a duty in relation to the same matter.

PCBUs that share the same duty may enter into an arrangement that only one PCBU takes the required action. However, in order to fulfil their duties, the other PCBUs must make sure and check that the other PCBU is carrying out the required action. For example, a PCBU may not need to provide first aid equipment or facilities if these are already provided by another PCBU at the workplace but must check that the equipment and facilities are adequate and accessible for workers.

PCBUs that consult, cooperate and coordinate activities with others who are involved in the work will make controlling risks more likely and help each duty holder comply with their duty. It can also improve the efficiency of health and safety measures.

1.3 Volunteers

Under the WHS Act a volunteer is a person who works for an organisation without payment or financial reward (but they may receive out of pocket expenses). The law also recognises volunteers as workers. This means that the PCBU must provide the same protections to its volunteers as it does to its paid workers.

As a worker, a volunteer has duties under the WHS Act. A volunteer may also be an officer of a business or undertaking with due diligence duties under the WHS Act (see [Officer duties](#)).

2 What activities are covered by the WHS laws?

Only work activities are covered by the WHS Act. Activities that are purely domestic, social, recreational or private in nature are not included. Whether an activity is considered work may depend on specific circumstances. The following criteria may help determine if an activity is work under the WHS Act:

- the activity involves physical or mental effort or the application of particular skills for the benefit of someone else or for themselves (if self-employed), whether or not for profit or payment
- activities where someone would ordinarily be paid may be considered work
- activities that are part of an ongoing process or project may be work if some of the activities are paid
- an activity may be more likely to be work if someone is managed or controlled by another person when they undertake that activity
- formal, structured or complex arrangements may be considered to be work than ad hoc or unorganised activities.

The activity may be work even though one or more of the criteria are absent or minor.

Examples of activities that may be considered work include:

- maintenance of the things needed to enable an organisation to carry out its work. For example, maintenance work on a hall where a volunteer group meets
- activities that people are ordinarily paid to do but are carried out for the organisation by a volunteer, for instance, driving clients to appointments
- activities that the organisation has a great degree of direction or influence over, or
- activities carried out in accordance with formal or structured arrangements.

3 What does the organisation need to do?

If a volunteer organisation is a PCBU under the WHS Act it must ensure, so far as is reasonably practicable, the health and safety of all of its workers, including volunteers. This means that the organisation must provide the same protections to its volunteers as it does to its paid workers. The protection covers the physical safety and mental health of all workers, including volunteers.

The primary duty of a PCBU is qualified by 'so far as is reasonably practicable'. This means the organisation does not have to guarantee that no harm will occur but must do what is reasonably able to be done to ensure health and safety. If the organisation is run by volunteers, this is a factor that will be taken into account in determining what is reasonably practicable for the organisation to do in any given circumstance.

Other factors that will be taken into account in determining what the organisation is required to do to protect its workers, including volunteers, are:

- the type of business or undertaking it is
- the type of work that the organisation carries out
- the nature of the risks associated with that work and the likelihood of injury or illness occurring
- what can be done to eliminate or minimise those risks
- the location or environment where the work is carried out.

The primary duty of an organisation includes ensuring, so far as is reasonably practicable:

- the provision and maintenance of a work environment without risks to health and safety
- the provision and maintenance of safe plant and structures and safe systems of work
- the safe use, handling and storage of plant, structures and substances
- the provision of accessible and adequate facilities for the welfare at work of workers, including volunteers, for example, toilets, first aid facilities
- the provision of information, training and instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from their work.

3.1 Managing health and safety risks

A safe and healthy workplace does not happen by chance or guesswork. Organisations will have to think about what could go wrong at the workplace and what the consequences could be. Then it must do whatever it can—whatever is reasonably practicable—to eliminate or minimise the health and safety risks arising from the work the organisation undertakes.

The process of eliminating or minimising health and safety risks is called risk management and involves four steps:

1. Identify hazards – find out what could cause harm.
2. Assess the risks – understand the nature of the harm that could be caused by the hazard, how serious the harm could be and the likelihood of it happening.
3. Control the risks – implement the most effective control measure that is reasonably practicable in the circumstances.
4. Review control measures – to ensure they are working as planned.

3.2 What are some of the risks to volunteers engaging in work?

Volunteers, like other workers, face a wide range of possible risks and injuries from carrying out work. Such injuries may be physical or psychological and can result from common activities carried out by volunteers undertaking community services. The level of care that is required will depend on individual circumstances, such as the age of the volunteer, where the work is carried out and the relationship between the organisation and volunteer.

Psychological injuries and illness can be caused by challenging behaviour that the volunteer is confronted with or poor management of organisational change.

Physical injury or illness can be caused by work equipment, for example, by electrocution or electric shock, exposure to hazardous chemicals or contact with moving machinery parts. Injury or illness can also be caused by working in unsafe or unhealthy work environments caused by unsafe or unstable structures or extreme temperatures particularly when working outdoors.

3.3 Providing information, training and instruction to volunteers

Volunteers must be provided with information, training, instruction or supervision so they can carry out their work safely. Training and information should be tailored to the type of work the volunteers do and where they work.

3.4 Talking about health and safety

The WHS Act requires PCBU's to consult with workers, including volunteers, so far as reasonably practicable, about WHS matters that affect them. PCBU's must also talk to workers when it proposes changes that may affect the workers' health or safety.

The aim of the consultation is to ensure that volunteers are given an opportunity to contribute to the identification of hazards and the assessment and control of any risks they face when they carry out their work. The organisation must take volunteer's ideas into consideration when making decisions about safety in the workplace.

3.5 Finding the right consultative arrangements

Some workplaces may need a mix of consultation arrangements to suit the different types of workers and work situations within the organisation. There is no 'one right way' to talk about WHS. How the organisation does it will depend on factors like:

- the nature and size of the organisation
- the type of work that is carried out
- the current engagement arrangements of workers, including volunteers.

For example, if there are a number of full-time workers in an organisation, structured arrangements involving a health and safety committee may be suitable. Whereas an organisation that engages contractors, on-hire workers or volunteers to carry out specific tasks may find 'toolbox meetings' (short discussions on specific health and safety topics relevant to the task) are the most practical way to consult.

Organisations must consult with workers when making decisions on the process and arrangements for consultation. Both the organisation and workers should agree to and be happy with the arrangements in place for consultation. Some of the ways the organisation might consult with its volunteers include:

- sending out regular newsletters via mail, email or relevant app which feature WHS news, information and updates
- regularly updating the volunteer section of its notice board website or app with information, including its latest safe work policies and procedures
- having a 'suggestions' email box for workers, including volunteers to send suggestions to about ways to work safely and other matters
- holding regular meetings to talk to volunteers about the work they do and how to do it in the safest way. Meetings can be via teleconference or online if required
- holding short 'toolbox meetings' where specific health and safety topics relevant to the task at hand are discussed
- through health and safety representatives (HSRs), if requested by workers.

Health and safety representatives (HSRs)

A health and safety representative (HSR) is one way for workers to be represented in relation to WHS matters. If workers are represented by an HSR you must include them in the consultation process.

The appointment of HSRs is not mandatory, and an HSR is not obliged to undertake training. An untrained HSR can exercise most powers except for directing that unsafe work cease or issuing provisional improvement notices (PINs).

The organisation must facilitate the election of an HSR if one or more of the workers, whether paid or volunteer, ask for an HSR to be elected to represent their health and safety matters. To ensure the best representation of workers, HSRs are elected to represent specific work groups. Work groups must be determined before an HSR can be elected. There is also the option for the WHS regulator to become involved if an agreement cannot be reached. The regulator can determine if it is not appropriate for there to be an HSR.

Health and safety committees (HSCs)

Health and safety committees (HSCs) are another way for larger organisations to facilitate consultation. HSCs are not mandatory but must be established within two months of a request to do so from an HSR or five or more workers, who may be volunteers. An organisation can also establish an HSC without a request from workers.

HSCs can assist in developing health and safety policies and procedures for the organisation.

The organisation should also let the volunteers know what to do and who to contact if something happens when they are volunteering. If volunteers notice a health and safety matter that needs fixing they should know who to raise it with.

3.6 Notifying serious incidents

PCBUs are required to let the regulator know if any 'notifiable incidents' occur as a result of the work of the organisation as soon as it is reasonably able.

A notifiable incident is a serious incident that relates to the work an organisation carries out and involves:

- the death of a person
- the serious injury or illness of a person
- a dangerous incident.

Note: There are additional notification requirements under the WHS Regulations.

To help determine what type of incident must be notified, 'serious injury or illness' and 'dangerous incident' are defined in the WHS Act.

A *serious injury or illness* is one that:

- requires a person to have:
 - medical treatment within 48 hours of exposure to a substance
 - immediate treatment as an in-patient in a hospital
 - immediate treatment for a serious injury or illness such as a serious head injury, a serious burn or a spinal injury and a number of other injuries listed in the WHS Act
- occurs in a remote location and requires the person to be transferred urgently to a medical facility for treatment
- in the opinion of a medical practitioner, is likely to prevent the person from being able to do the person's normal work for at least 10 days after the day on which the injury or illness occurs.

'Treatment' means the kind of treatment that would be required for a serious injury or illness and includes 'medical treatment' by a registered medical practitioner, treatment by a paramedic or treatment by a registered nurse practitioner.

Importantly, it does not matter whether a person actually received the treatment referred to in this definition, just that the injury or illness could reasonably be considered to need the treatment.

A *dangerous incident* (also known as a near miss) is an incident in a workplace that exposes a worker or any other person to a serious risk to their health or safety emanating from an immediate or imminent exposure to a number of risks. These risks include an uncontrolled escape, spillage or leakage of a substance, an electric shock, a fall from a height or the collapse of a structure.

Additional notification requirements under WHS Regulations

If a volunteer organisation places volunteers on a mine, petroleum or geothermal energy operation, there may be incident notification requirements under the WHS (Mines) Regulations or WHS (Petroleum and Geothermal Energy Operations) Regulations. Contact WorkSafe for clarification if this circumstance could arise.

3.7 Resolving issues

The WHS Act outlines a process for the resolution of issues about WHS arising out of:

- work carried out at the workplace, or
- the conduct of the organisation.

The issue resolution process applies after a WHS matter is raised but not resolved to the satisfaction of any party after discussing the matter. All parties involved in the issue must make reasonable efforts to come to an effective, timely and final solution of the matter.

If a WHS matter cannot be resolved by talking with all involved parties then the organisation needs to follow the process it and workers have agreed to in writing, or if there is no agreed process, the default issue resolution process set up in the WHS Regulations.

4 Volunteers working from their or other person's home

The organisation may engage volunteers who carry out work for the organisation in their own home. If this is the case, the organisation still needs to talk to its volunteers about doing work safely.

Volunteers that are engaged by the organisation to do work from their own home still need to take reasonable care of their own health and safety and ensure what they do for the organisation does not affect others. They also need to follow any reasonable instructions given to them by the organisation and cooperate with reasonable policies and procedures of the organisation that relate to WHS.

4.1 Private homes as a workplace

Because the organisation obviously does not own, control or manage the places that these volunteers work from (their homes) it means the organisation has a limited ability to ensure a volunteer's health and safety when at work. However, the organisation must still comply with its duty to ensure the health and safety of its volunteers, but what is reasonably practicable for the organisation will be different than if the volunteers worked in a workplace that the organisation has control over.

For example, to meet this duty the organisation might:

- give its volunteers who work from their own home information or advice about how to set up a comfortable workstation, or safely carry out the work they have been assigned
- give volunteers information on why they should not be sedentary for long periods of time and how to avoid this
- ensure volunteers have all the equipment they need to do the work they are given
- require volunteers to familiarise themselves and comply with good ergonomic practices and safe lifting techniques, consistent with any of the organisation's policies and procedures
- establish good communication between the organisation and volunteer including a contact person who volunteers can talk to about any concerns when working in their home.

Similar to when a volunteer works in another person's private home, the organisation might ask its volunteers who work from their own home questions about their homes to gather enough information so that the instructions the organisation provide are appropriate and practical to address the relevant risks to volunteer's health and safety when carrying out the work.

4.2 Volunteering in other people's homes

The organisation might engage volunteers who carry out work in other people's homes. If this is the case, the organisation should provide these volunteers with information about the home they will be visiting before they go there. The organisation might tell its volunteers about specific hazards to be aware of in the home, for example:

- the presence of domestic animals in the yard
- instructions and/or training on how to use unfamiliar machinery or equipment
- the presence of other people in the home
- the layout of the property including any structures that may pose a risk such as stairs, that are particularly steep.

If volunteers visit a number of homes it may not be reasonably practicable for the organisation to provide information about specific hazards in each home. However, the organisation should provide its volunteers with information about the types of hazards they might encounter.

The organisation should also consider asking volunteers questions relating to the work environment to determine if there are any specific risks that should be addressed before the volunteer visits other people's homes. For example:

- is the volunteer comfortable around domestic pets
- does the volunteer have any mobility issues that may impede their ability to access the home (e.g. uses a walking stick or frame and the house has stairs)
- does the volunteer have an allergy
- does the volunteer hold a first aid certificate.

The organisation should always provide the volunteers with any other information that they need to carry out their volunteer work safely. The organisation should also consider the risk of volunteers being exposed to violence when performing volunteering work in a person's home. Violence can harm both the person it is directed at, and anyone witnessing it, both physically and psychologically.

The best way to reduce the likelihood of violence is to eliminate the risk of exposure to it. If that's not possible, the organisation will need to minimise the risk so far as is reasonably practicable. While it is not a requirement that two volunteers attend a home to carry out work for an organisation at any time, the organisation may ask the volunteers to do so as a way of reducing the risk of violence. Other control measures may include providing volunteers with a reliable means of communicating with the organisation to request and obtain assistance when needed.

5 What do the volunteers need to do?

Volunteers also have health and safety duties to:

- take reasonable care for their own health and safety
- take reasonable care to ensure they do not affect the health and safety of other people, for example, other volunteers, members of the public or clients they may be assisting
- comply, so far as they are reasonably able, with any reasonable instruction that is given to them by the organisation, and
- cooperate with any reasonable policy or procedure that the organisation has provided to them.

Essentially what is reasonable care and what is expected of workers is what a reasonable person would do in the circumstances having regards to things like:

- their knowledge
- their role
- their skills and the resources available to them
- their qualifications
- the information that they have
- the consequences to health and safety of a failure to act in the circumstances.

5.1 Volunteers and prosecution

If the volunteers comply with the health and safety duties when carrying out work for the organisation, they cannot be fined or prosecuted under the WHS Act.

6 Officer duties

6.1 Who is an officer

Under the WHS Act an officer of an organisation is not necessarily a volunteer or other worker who has 'officer' in their job title, for example, first aid officer, health and safety officer or administrative officer.

An officer is a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the organisation's activities. Volunteers may sit on the board of the organisation or be in another role where they make or participate in making such decisions. Their decisions may also have the capacity to significantly affect the organisation's financial standing. Only if a person makes, or participates in making, these kinds of decisions are they an 'officer' under the WHS Act.

6.2 Duties of officers

Any officer of an organisation, whether volunteer or paid, has a number of duties, also known as their due diligence obligations. They must exercise due diligence to ensure that the organisation complies with its health and safety duties. This means they must ensure that the organisation has appropriate systems of work in place and they must actively monitor and evaluate health and safety management within the organisation.

Officers cannot delegate these duties. They are legally responsible for ensuring:

- workers and other persons are protected against harm
- the organisation has suitable safe work systems in place.

Exercising due diligence as an officer means that officers must take reasonable steps to:

- continuously learn about and keep up-to-date with WHS matters
- have an understanding of the nature of the work the organisation does and stay aware of the hazards and risks workers and volunteers may face when working for the organisation
- ensure and verify that the organisation has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety
- ensure and verify the organisation has processes in place for communicating and considering information regarding WHS and responding to that information, and
- ensure and verify the organisation has, and implements, processes for complying with any duties and requirements under the WHS laws.

There are things that the organisation can do to help volunteer officers fulfil their due diligence duty and at the same time ensure that their organisation is complying with its health and safety duties. For example, the organisation may:

- make WHS a standing agenda item on board meeting agendas
- implement a process for evaluation and review of safe work policies and procedures
- provide officers with an avenue or contact person to ask questions about WHS in the organisation, for example, the WHS manager or the human resource manager
- provide training or information to its officers about the WHS laws and the work of the organisation which is carried out by its workers, including volunteers.

6.3 Prosecution of volunteer officers

A volunteer officer cannot be prosecuted for failing to comply with their officer duties under the WHS Act. This immunity for volunteer officers is designed to ensure that voluntary participation at the officer level is not discouraged. A volunteer officer can however be prosecuted in their capacity as a worker if they do not take reasonable care as a worker (see [What do the volunteers need to do?](#)).

Officers who are not volunteers can be prosecuted for failing to comply with due diligence duties under the WHS Act.

UNCONFIRMED

7 Emergency service volunteer organisations

Emergency service organisations have always owed duties to take care of the health and safety of their workers and others at their place of work. The WHS Act makes it clear that the duties of organisations are owed to all workers, including volunteers. Volunteers are entitled to the same protections as paid workers.

The WHS Act does not affect the ability of emergency service organisations to respond to incidents as long as they continue to ensure, so far as is reasonably practicable, the health and safety of their workers, including volunteers, and other people. This does not mean the emergency service organisation must guarantee the health and safety of its workers, it simply needs to ensure it does all that can be reasonably done to keep its workers, including volunteers, safe.

7.1 Duties of emergency service organisations

The WHS laws treat emergency service organisations in exactly the same way as any other organisation or volunteer association. The primary duty on an organisation is to ensure, so far as is reasonably practicable, the health and safety of its workers, including volunteers of local groups or clubs, and others. Organisations, including emergency services, also have duties for the management and control of workplaces and the management or control of fixtures, fittings or plant at the workplace, so far as is reasonably practicable.

7.2 Emergency service volunteers and 'officers'

Under the WHS Act an officer of an organisation does not mean someone with the word 'officer' in their job title, for example first aid officer, health and safety officer or administrative officer.

An officer is a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the organisation's activities. Some workers, including volunteers may sit on the board of an organisation or be in another role where they make, or participate in making, such decisions. The decisions they make may also have the capacity to significantly affect the organisation's financial standing. Only if a volunteer makes, or participates in making, these kinds of decisions are they an officer under the WHS Act.

Officers under the WHS Act have duties to exercise due diligence to ensure that the emergency service organisation has appropriate and robust WHS measures in place for all its staff and volunteers (see [Officer duties](#)).

7.3 Is an 'incident controller' an officer?

Under the WHS Act an incident controller is unlikely to be an officer. An incident controller is generally regarded to be in control of the current situation rather than the whole or substantial part of an organisation.

An officer under the WHS Act is determined by the individual's level of involvement in decision making for the whole or substantial part of the organisation. It is not determined by a role taken in response to a specific emergency (see [Officer duties](#)).

7.4 Attending the same incident as other emergency service organisations

Sometimes more than one emergency service organisation will attend the same incident. Each PCBU represented at the scene has a duty to ensure, so far as is reasonably practicable, the health and safety of their workers, including volunteers. Workers and volunteers also have duties under the Act. They also must ensure, so far as is reasonably practicable, that their activities do not expose others to unnecessary risk.

To help each PCBU meet their duty under the WHS Act each organisation must also, so far as is reasonably practicable, consult, cooperate and coordinate activities with each other, depending upon the circumstances.

7.5 Risk assessments

The PCBU must have a process in place to ensure a risk assessment is completed to eliminate or minimise the risks to health or safety so far as is reasonably practicable.

There is no need for emergency service organisations to stop and complete paper work before responding to the emergency situation at hand.

However, to help to minimise risks the emergency service organisation may want to develop a checklist to remind incident controllers of things to look out for and steps to follow in an emergency.

8 Bullying, harassment and discrimination

The organisation has a WHS responsibility to ensure not only the physical health of the volunteers but also their mental health. This includes doing what you can to ensure they are not exposed to workplace bullying, harassment and discrimination.

Bullying in the workplace is repeated, unreasonable or inappropriate behaviour directed towards a worker, or group of workers, that creates a risk to health and safety. Some examples of workplace bullying include abusive or offensive language or comments, aggressive and intimidating behaviour, belittling or humiliating comments, practical jokes or initiation and unjustified criticism or complaints.

The responsibility to prevent workplace bullying, harassment and discrimination is covered in the WHS Act by the duty to provide a healthy and safe working environment and safe systems of work.

Volunteers also have a duty under the WHS Act to ensure that their actions do not constitute a risk to their own health and safety or that of other people in the workplace.

Volunteers may also be covered by the national workplace bullying laws. See the Fair Work Commission's website for further information.

Western Australian public servant volunteer workers should contact their agency's Human Resources area or union for advice.

The organisation needs to send a clear message that bullying will not be tolerated and provide information to volunteers about who they can contact if they are bullied in the workplace.

The WHS Act also expressly prohibits the discrimination or unfair treatment of workers, including volunteers, because they have raised a WHS concern. A person found to be engaging in this type of discrimination may be liable to criminal penalties.

9 Other laws

WHS laws are not the only laws that the organisation should be aware of. Below is an outline of some of the laws that the organisation should know about when engaging volunteers. The organisation should seek further information on these laws and other laws from the relevant government body. Organisations in Western Australia can also seek further information on volunteers from [Volunteering WA](#).

Workplace relations laws

- The [Fair Work Ombudsman](#) website has information on when an arrangement between a person and an organisation is a volunteer arrangement as oppose to an employment relationship, for organisations which operate under the national industrial relations system, such as:
 - Ltd companies (e.g. Smith Corp Ltd)
 - Pty Ltd businesses that are trading or financial corporations (e.g. Smith Pty Ltd trading as Jane's Beauty)
 - incorporated associations and other not-for-profit bodies (that are trading or financial corporations)
- The [Wageline](#) website has information for organisations which operate under the state industrial relations system, such as:
 - sole traders (e.g. Jane Smith trading as Jane's Café)
 - unincorporated partnerships (e.g. Jane and Bob Smith trading as Jane's Café)
 - unincorporated trust arrangements (Jane and Bob Smith as trustees for Jane's Café)
 - any incorporated associations or not for profit bodies that are not trading or financial corporations
- Western Australian Government organisations that engage volunteer workers should contact their agency's Human Resources area for industrial relations advice. The Human Resources area may seek further advice from [Government Sector Labour Relations](#) at the Department of Mines, Industry Regulation and Safety.

Anti-discrimination laws

State, territory and Commonwealth anti-discrimination laws prohibit discrimination of a person because of that person's attributes.

- The [Australian Human Rights Commission](#) provides information about Commonwealth anti-discrimination laws.
- The [Equal Opportunity Commission](#) website provides information about Western Australia's anti-discrimination laws.

Workers' compensation, insurance and civil liability

Organisations should have appropriate insurance that adequately covers its workers including volunteers and the activities they carry out when volunteering. Organisations will be liable to pay any compensation for personal injury, property damage or financial loss caused by the volunteer. With some exceptions, volunteers are protected by law from incurring personal civil liability. The [Volunteering Australia](#) website provides information about the most common types of insurance that covers volunteers.

It is also important the organisation has insurance, as volunteers are generally not covered by workers' compensation laws. Contact [WorkCover WA](#) for more information.

10 Checklist

If the organisation is covered by WHS laws, this checklist may be used as a guide to assist in complying with WHS duties. You may need to adapt this for your particular circumstances and work environment. When creating a checklist, ensure that the principles of what is reasonably practicable apply (see [How to determine what is reasonably practicable to meet a health and safety duty: Interpretive guideline](#)).

| Question | Yes | No |
|--|-----|----|
| Duties of organisations | | |
| If you answer 'No' to questions 1-7 or are unsure, the organisation will need to take corrective action to meet WHS duties, so far as is reasonably practicable. | | |
| 1. Does the organisation have and keep up-to-date safe work policies, instructions and procedures? | | |
| 2. Does the organisation tailor and distribute its safe work policies, instructions and procedures? | | |
| 3. Does the organisation make sure all its volunteers are provided with training, information, instruction or supervision so that they can do their work safely? | | |
| 4. Does the organisation provide the same protections to its volunteers as its paid workers? | | |
| 5. Does the organisation consult its volunteers about WHS matters that affect them? | | |
| 6. Does the organisation provide its volunteers a way to raise WHS matters and make suggestions for WHS practices? | | |
| 7. Does the organisation consult, cooperate and coordinate with other PCBU's at a shared workplace? | | |
| Officer duties | | |
| If you answer 'No' to any relevant questions at 8-15, you need to take corrective action to ensure the organisation meets its WHS duties, so far as is reasonably practicable. | | |
| 8. Do all officers in the organisation, whether paid or volunteer, know what their duties are under the WHS Act? | | |
| 9. Do the members of the organisation's board talk about WHS matters, policies, procedures and safe work practices at its meetings? | | |
| Volunteers working from their own or other people's homes | | |
| 10. Does the organisation provide its volunteers who work from their home instructions, information and procedures relating to working from home? | | |
| 11. Does the organisation provide its volunteers who volunteer in other people's homes information about the hazards they may encounter when visiting another person's home including work-based violence? | | |



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6.2 CHIEF BUSH FIRE CONTROL OFFICER (CBFCO) REPORT

| | |
|---|--|
| File Reference: | 5.1.3.1 |
| Reporting Officer: | Chris Marris, Chief Bush Fire Control Officer |
| 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 CBFCO.

ATTACHMENTS

Nil.

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

WHS

Much work is still to be actioned on the identified steps from the December 2021 BFAC meeting. Part of this is the need for members to ensure that they have the minimum training before the forthcoming season. Several steps need to be taken by the Shire to help support this, however, I do implore Brigades to take the opportunity to be proactive in this regard and get both new and existing members through training during the off-season where possible. And if there are opportunities/need for this to be delivered in a flexible way for your Brigade/personnel, please reach out so that we can assist in this regard.

This applies to any training – let us know what we can do to support you.

Covid Vaccination Mandates

Last week saw the dropping of the Covid 19 vaccination mandate for DFES staff and volunteers. Whilst most members had been vaccinated, the removal of the mandate will see some members be able to return to the service. It will also dramatically reduce the burden on the Shire to follow-up vaccination certificates etc. Any member who had not provided their vaccination status and/or had not been vaccinated had been placed on a leave of absence. The Shire will now be touching base with all Captains (I believe this week) to confirm which members are to be returned to active duties. Whilst I hope that this would see most return, I do ask that Brigades take the opportunity to ensure membership lists are reviewed as part of this process.

Leadership Positions

I thank those BFCOs who have again put their hand up to nominate for their position this year as well as new candidates. This is one of our key pipelines for future leaders of our service as well as ensuring local knowledge is central to our fire response, so we must continue to support and encourage people into these roles.

As has been communicated to Brigades, the current leadership team have pushed hard to see a timeframe for the appointment of the Chief, Deputy/ies and Senior BFCO positions to be finalised by mid-year, rather than on the cusp of the season (as has been the case in recent years) to allow anyone new coming into these roles time to find their feet. Thus I have requested a special BFAC meeting for July for the appointment (recommendation to the Council) of these positions. This means that in the coming days, endorsed BFCOs from tonight will be contacted inviting them to nominate for Chief, Deputy 1, Deputy 2 and Senior BFCO. Brigades will then need to vote on these positions.

I encourage all eligible BFCO candidates to consider stepping up to one of these leadership positions. This is your chance to make an impact and support our service.

A discussion also needs to take place on the appointment process of the second Deputy, as this has not been clearly articulated since this position was re-introduced a few years ago. It is intended that this be discussed this evening.

Australian Fire Danger Rating System

While I have touched on it previously, I think it is important to provide an update on the Australian Fire Danger Rating (FDR) System. This is a national system that will replace our existing system fire danger rating system due to commence in September of this year.



WA will move from its current six FDR's (i.e. very high, extreme, etc), to the national system of four ratings being Moderate, High, Extreme and Catastrophic. This will be driven by a new calculation of Fire Behavior Index (FBI) rather than the current Fire Danger Index (FDI). The FBI will be influenced by more accurate vegetation type, amongst other inputs. Existing tools used to calculate FDI are being updated and we have been assured will still allow for decisions around HVMB and the likes to be made locally with actual data. A lot of work in finalising these tools is still needed, along with associated training and education.

FBI does not equal FDI and thus the triggers in the legislation will need to be updated. This is due to occur later this month.

This will have impacts locally on signage, our Fire Weather Officers, Permits, HVMB's and associated policies, among other aspects, so will need to be closely monitored and steps taken as the final detail is finalised and communicated to stakeholders over the coming months. I suspect the effects

on actual decisions to implement HVMB will not be fully known until we get to ground-truth as we enter the season.

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.273

Moved: Mr Robert Herzer

Seconded: Mr Kim Hampton

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

CARRIED 11/0

Mr Chris Marris provided an overview of the report.

It was requested that the Community Emergency Services Manager provide more information to brigades on the fire danger ratings.

Clarification was sought in relation to:

- When will the new fire danger boards be rolled out? The Executive Manager Development Services advised that DFES is looking at replacing like for like. The replacements must be installed by 1st September 2022. In addition, documentation has been provided for firebreak notices. It was noted that community education may be a challenge.

Mr Paul Antonio, Mr Robert Herzer, Mr Jason Cacic, Mr Kristopher Brown, Mr Chris Marris, Mr Blair Wilding, Mr Aaron Smith declared an "Impartiality" interest in item 6.3 – Brigade Nominations – Bushfire Control Officers as they are nominated as Bushfire Control Officers.

6.3 BRIGADE NOMINATIONS – BUSHFIRE CONTROL OFFICERS

| | |
|---|---|
| File Reference: | 5.1.3.1 |
| Reporting Officer: | Brendon Rutter – Community Emergency Services Manager |
| Responsible Officer: | Chadd Hunt, Executive Manager Development Services |
| Officer Declaration of Interest: | |
| Voting Requirement: | Simple Majority |
| Press release to be issued: | |

BRIEF

For the committee to recommend to Council the appointment of Bush Fire Control Officers (BFCO) for the 2022/23 bush fire season.

ATTACHMENTS

Attachment 1: Current Training Records.

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*
 - *Bush Fire 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

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

Advertising costs

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 not occurred 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

| Risk Category | Description | Rating (consequence x likelihood) | Mitigation Action |
|-----------------|--|---|--|
| Financial | Nil | N/A | N/A |
| Health & Safety | Appointing volunteers that do not meet the mini training standards as identified in the Bushfire Service | Likely (4) x Major (4) = High (16) | Officers recommend Council to appoint members who meet the minimum level of competency based training qualifications |

| | | | |
|----------------------|---|---------------------------------------|--|
| | Training Program, may result in significant health and safety issues for volunteers and the general public. | | as defined by the Bushfire Manual recognising the intent to comply with Bushfire Service Training Program over the coming seasons |
| 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) | 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 seasons |
| Service Interruption | Inability to provide essential service at local level without external support | Minor (2) x Likely (4) = Moderate (8) | 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 seasons |
| 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) | 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 seasons |
| Property | Significant risk to property could arise without having skilled and experienced BFCO's | Possible (3) x Major (4) = High (12) | Officers recommend Council to appoint members who meet the minimum level of competency based |

| | | | |
|-------------|---|--------------------------------------|--|
| | in controlling incidents | | training qualifications as defined by the B Bushfire Manual recognising the intent to comply with bushfire Service Training Program over the coming seasons |
| Environment | Significant risk to property could arise without having skilled and experienced BFCO's in controlling incidents | Possible (3) x Major (4) = High (12) | 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 seasons |

C. OFFICER'S COMMENT

Brigades were advised via email on May 5th 2022 outlining this years BFCO nomination process as in recent years the process in the Bush Fires Manual has not been followed due to the process requiring refinement.

Brigades were provided with the following procedure for this year. It is hoped this will provide guidance as each brigade approached their AGM.

1. BFAC meeting in June endorses FCO nominations (June 14th)
2. BFAC to make recommendation on the appointment of 1 or 2 DCBFCO's based on qualifications and competencies of nominations, additionally for the appointment of 1 x Senior BFCO
3. Council to consider recommendations and appointment of eligible BFCO's at June Meeting.
4. Special Meeting of BFAC in July to appoint CBFCO, and either one or two DCBFCO's and a Senior BFCO (date 11th July)
5. Council consideration & appointment of Leadership position at meeting in July (20th)

Candidates that have been nominated for the position of Bush Fire Control Officer that meet the criteria as outlined in the Bush Fires Manual and

determined as eligible under the current training requirement, to be appointed are included within the recommendation. Please refer to the BFCO summary sheet for training completed – this has been provided as a separate attachment.

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.

Until the required training is completed the member is ineligible to be designated as a fully operational BFCO.

Officers will prepare a development plan and work with all candidates to ensure training requirements are able to be achieved as soon as practical. Once the extra training is achieved and the personnel then meet the requirements of Council formal appointment can be granted by way of Certificate of Appointment, and further advertising as per standard advertising protocols.

As mentioned in the Policy section of this report the process as outlined within the current Bushfire Manual has not been followed, with specific reference to the establishment and conduct of the Selection Panel.

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.

Clackline/Muresk VBFB

Blair Wilding
Matthew Letch
Justin Fox
Richard Welch

Grass Valley VBFB

Phil Lloyd
Paul Reynolds
Mark Littlefair
Chris Marris

Irishtown VBFB

Robert Herzer

Bakers Hill VBFB

Simon Peters
Kris Brown
Tristan Davey

Wundowie VBFB

Matthew McQueen
Jason Cacic

Inkpen VBFB

TBC

Southern Brook VBFB

TBC

Jennapullin VBFB

TBC

Northam VFRS

TBC

Wundowie VFRS

TBC

RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.274

Moved: Cr Paul Curtis
Seconded: Mr Kris Brown

That Council appoints the following as Fire Control Officers for the 2022/23 Season in accordance with the criteria in section 5 of the Shire of Northam Bushfire Manual:

Clackline/Muresk VBFB

Blair Wilding
Matthew Letch
Justin Fox (subject to meeting the minimum training requirements before the start of the 2022/23 season)
Richard Welch

Grass Valley VBFB

Phil Lloyd
Paul Reynolds
Mark Littlefair
Chris Marris

Irishtown VBFB

Robert Herzer

Bakers Hill VBFB

Simon Peters

Kris Brown

Tristan Davey

Wundowie VBFB

Matthew McQueen

Jason Cacic

Inkpen VBFB

TBC

Southern Brook VBFB

Paul Antonio

Jennapullin VBFB

Aaron Smith (subject to meeting the minimum training requirements before the start of the 2022/23 season)

Northam VFRS

TBC

Wundowie VFRS

TBC

CARRIED 11/0

The Executive Manager Development Services advised that a special meeting is proposed on 11 July to appoint the remaining FCO's.

Discussion was held around the process for voting on the leadership positions and the timeframe for this. The Executive Manager Development Services advised that there would be a potential delay of 1 month for appointment of the leadership positions if this was delayed for brigades to provide their FCO nominations. There is the option to proceed on the current timeframe however there is the risk that an FCO not yet appointed may be interested in a leadership position. The consensus was to continue the process on the current timeframe.

Action: The CESM is to call for expressions of interest for the leadership positions and note that this is subject to Council endorsement of them being appointed as an FCO.

Discussion was held around the process for voting on the deputy positions with respect to whether there should be 1 or 2 deputies. The reason for there being 2 deputies and a senior FCO was discussed with this being clarified that it was to ensure succession within the leadership team.

Action: The voting slips for the deputy position/s is to facilitate the option for whether the Brigade wants 1 or 2 deputies.

UNCONFIRMED

Attachment 1 – Current Training Records

| Shire of Northam Volunteer Bushfire Control Officers 2022/23 | | | | | | | | | | | | |
|--|---|--|-------------------------------------|--------------------|----------------------|-------------------------|-----------------------------|---|----------------------------|-------------------|------------|-----------------------------|
| Active FCO's to have completed FCO & Sector Commander or FCO & Advanced Bush/Crew Leader within 5 yrs. | | | | | | | | All must have completed, Intro, Bushfire & Structural to be eligible. Minimum level of training required | | | | |
| | | | | | | | | Additional qualifications for Chief & Deputy Bush Fire Control Officer - need have 3yrs experience as BFCO. | | | | |
| | INTRODUCTION TO FIREFIGHTING / Bushfire Safety Awareness (Date) | BUSHFIRE FIREFIGHTING / Firefighting Skills (Date) | STRUCTURAL FIRE FIREFIGHTING (Date) | CREW LEADER (Date) | ADVANCED BUSH (Date) | SECTOR COMMANDER (Date) | FIRE CONTROL OFFICER (Date) | Compliance with minimum training criteria YES/NO | Machine Supervision (Date) | Ground Controller | AIIMS 2017 | Incident Controller Level 1 |
| Kristofer Brown | 2014 | 2015 | 2015 | 2014 | 2014 | 2017 | Aug 20 | YES | 2017 | 2015 | 2019 | 2020 |
| Simon Peters | 2014 | 2015 | 2016 | 2011 | 2005 | 2015 | 2021 | YES | 2020 | 2020 | 2020 | pending |
| Matthew Letch | 2014 | 2015 | 2014 | 2017 | 2017 | | 2021 | YES | | 2015 | | |
| Mathew Macqueen | 2010 | 2015 | 2010 | 2011 | 2011 | 2015 | 2021 | YES | 2009 | 2015 | 2019 | 2015 |
| Jason Cacic | 2020 | 2020 | 2010 | 2021 | 2021 | 2021 | 2020 | YES | 2020 | 2020 | 2020 | 2022 |
| Robert Herzer | 2012 | 2015 | 2012 | 2020 | 2005 | 2016 | 2018 | YES | 2011 | | | |
| Chris Marris | 2017 | 2017 | 2017 | 2020 | 2018 | 2017 | 2021 | YES | 2017 | 2019 | 2019 | 2020 |
| Paul Reynolds | 2011 | 2015 | 2018 | 2021 | 2001 | | 2021 | YES | 2004 | 2015 | | |
| Phil Lloyd | 2011 | 2015 | 2020 | 2009 | 2009 | | 2021 | YES | | 2015 | | |
| Mark Littlefair | 2020 | 2020 | 2020 | 2020 | 2020 | 2021 | 2021 | YES | 2019 | | 2021 | |
| Tristan Davey | 2020 | 2020 | 2016 | 2020 | 2018 | 2019 | 2020 | YES | | 2019 | 2019 | |
| Blair Wilding | 2020 | 2020 | 2015 | 2021 | 2021 | | 2021 | YES | | 2002 | | |
| Richard Welch | 2020 | 2020 | 2018 | 2021 | 2018 | | 2021 | YES | | | | |
| Justin Fox | 2020 | 2020 | 2022 | 2020 | 2020 | 2021 | 2021 | YES | 2020 | 2020 | 2021 | |
| Paul Antonio | 2020 | 2020 | 2020 | 2021 | 2021 | | 2020 | YES | | | | |
| Aaron Smith | 2020 | 2020 | | 2021 | 2021 | | 2021 | No | | | | |

NOTE: The Introduction to Firefighting and Bushfire Firefighting competencies were superseded 01/01/2020 - New competency is Firefighting Skills and Bushfire Safety Awareness (Anyone with both the previous competencies has been awarded the new competencies as at 2020.
(Current as at 23/08/2021)

7. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Mr Paul Antonio left the meeting at 6:43pm.

Mr Paul Antonio returned to the meeting at 6:45pm.

7.1 WUNDOWIE BUSH FIRE BRIGADE FIRE SHED

BACKGROUND

10th March 2020 item 7.2:

Secure land and apply to LGGS. This motion was carried by BFAC, and out of that motion:

- A. Has the Shire approached Bill Pierce about the land next to Wundowie VFRS.
- B. The application was knocked back in 2020/2021 and has been knocked back again 2021/2022. Has anything been put forward in the 2022/2023 application period?

Appendix: Has the Shire done anything about allocating funds to secure land and to build a fit for purpose facility seeing previous applications through ESL/LGGS have continually been rejected?

Notifications: 5th September 2021, a letter was sent to Councillors regarding the brigade, facilities and OHS. See attached letter. There has been very little to no change from the letter and old facility to now being housed at the Wundowie Works Depot. We now have access to a toilet; however, the rest has gone unchanged. Currently, our female members are still unable to get changed on station, the sliding door is starting to prove a significant problem being difficult to open/close. We have female members who find the facility unfit for purpose and are not comfortable getting changed at the facility regardless time of the day, crew, people at the depot due to contaminated PPE/PPC.

MOTION

That Council secures appropriate land within the immediate Wundowie Townsite before the end of the 2022/2023 financial year and a fit for purpose facility based off the DFES facility modelling build and the brigade moved in prior to 1st of November 2023.

MOTION / COMMITTEE DECISION

Minute No: BFAC.275

Moved: Mr Jason Cacic

Seconded: Mr Kris Brown

That Council, subject to the 2022/23 LGGs being unsuccessful, secure appropriate land within the immediate Wundowie Townsite before the end of the 2022/2023 financial year and a fit for purpose facility based off the DFES facility modelling be built and the brigade moved in prior to 1st of November 2023.

CARRIED 11/0

OFFICERS COMMENT

Staff have been in discussions with the Wundowie Football Club about a licence to use agreement being drafted to enable the Wundowie BFB to operate from the Wundowie Football Pavilion.

At the May /Council meeting, it was endorsed by Council for the allocation of over \$50k for the supply and install of a single bay shed, to be built to house the appliance, to be constructed adjacent to the pavilion as a medium term solution, as council continues to seek a more long term/permanent solution in consultation with DFES and the LGGs committee.

Council has previously sought funding for a purpose built facility in the below annual LGGs submissions.

2020/2021

2021/2022

2022/2023

Discussions are continuing and it is envisaged that a formal agreement will be entered into with the current lease holder (Wundowie Football Club) for the brigade to have access to the hall for meetings/training, also utilising one of the changerooms to house PPC & General storage, and allow access to shower facilities for suitable decontamination post incident.

Staff have and will continue to work with the DFES LGGs Committee and regional representatives to bring about a more suitable long term plan for the continued development of the Wundowie VBFB.

Staff acknowledge the significant effort & contribution the Wundowie VBFB members have committed to their community, and it is the intent of staff to continue to work with the volunteer membership, to secure a more permanent solution into the future.

DISCUSSION

Clarification was sought in relation to:

- The short to medium timeframe / plan for the brigade and what is the timeframe if LGGs funding is not forthcoming. The Executive Manager Development Services advised that Council's proposal was to utilise the Wundowie Football Pavilion facilities and construct a shed adjacent to this until LGGs funding is provided to construct a facility at the former Men's Shed. It is Council's belief that this should be funded by the state government.
- The reason for DFES not being forthcoming with funds. The Executive Manager Development Services advised that they do not specifically advise and state that there are other priorities in the state.
- The reason the new shed cannot be constructed in the former Men's Shed location that was proposed for the LGGs application. The Executive Manager Development Services advised that the reasoning for the location adjacent the Wundowie Football Pavilion was to leverage existing facilities (toilets and showers). The former Men's Shed site requires demolishing and would require facilities which otherwise would have been provided at the Pavilion to be constructed.
- Whether temporary facilities could be placed at the former Men's Shed site to allow the shed to be constructed here. The Executive Manager Development Services advised that this is a possibility however would need to be discussed with the brigade.

Action: Temporary facilities at the former Men's Shed site such as a donga with showers/toilets to be discussed with the brigade.

Mr Chris Marris left the meeting at 6:52pm and returned at 6:52pm.

Ms Carla Miller left the meeting at 6:52pm and returned at 6:54pm.

8. URGENT BUSINESS APPROVED BY DECISION

Nil.

9. GENERAL BUSINESS

9.1 IRISHTOWN 1.4R APPLIANCE TO BE REPLACED BY A 3.4 APPLIANCE

BACKGROUND

The current 1.4 does not meet the members & community needs. It has limited water supply; limited crew capacity; it has a noisy pump (108db at monitor), unable to house increasing amounts of equipment such as current First Aid Kits wash down kits and inadequate PA system.

During burn over training this season we all raised concerns about how we would survive in a burn over with three crew. The cab is far too cramped.

The current appliance is up for replacement and an appliance that is able to carry four or more crew and water will be safer and serve the community more effectively.

OFFICER COMMENT

Staff have met with brigade reps and discussions ensued around the end-of-life process for the replacement of the 1.4R as it is an appliance that is not fit for purpose in the geographic area of responsibility.

The brigade members expressed their desire for the existing 1.4R to be replaced with 3.4U, staff are supportive of this request and have made the request for the indicative replacement program 2023/24 to 2025/26.

DISCUSSION

The Executive Manager Development Services advised that this will be noted in the program and will be brought forward as much as possible.

The Executive Manager Development Services reiterated that we need to ensure we are proactive in reviewing the R2R document. This should be completed prior to the next season.

Clarification was sought in relation to:

- Whether this can be upgraded or if the replacement is based on like for like. The Executive Manager Development Services advised that this can be upgraded to a 3.4 if there is a need.

- Whether the issues raised are putting volunteers at risk. Mr Herzer advised that it is not ideal as the new first aid kits do not fit.

Action: Safety issues to be raised to support a replacement unit being provided.

Action: Review the R2R document as a local level.

9.2 IRISHTOWN FIRE SHED UPGRADE

BACKGROUND

The current shed was built in 2004 and has not been upgraded during this time. The request includes:

- Upgrade to incorporate a training/kitchen area that is lined and sealed to keep dirt and leaves out.
- Upgrade toilets, include shower/laundry area and area to wash masks and PPC
- Upgrade the external lighting
- Incorporate dedicated storage areas/racking
- Upgrade the internet connection, currently not working effectively
- Incorporated an external BBQ area for social gatherings.
- A transfer pump to allow filling from the water tank.

This could be achieved by extension of the shed by 3m to the rear and extending the toilet side out to the same line

OFFICER COMMENT

Staff have met with brigade members, with conversations surrounding the current facility no longer being fit for purpose, and unable to meet the needs of the Irishtown VBFB members.

Staff and members identified the following enhancements required for the facility to future proof the brigade.

- 1- Dedicated office/comms room
- 2- suitable training room
- 3- No storage capacity
- 4- No ablutions/showers (OSH requirements)
- 5- No sanitary space for the cleaning & servicing of FF respirators and PPC
- 6- Inadequate PPC Storage

Staff are supportive of the majority of the brigades request and will start the process of designing the station enhancements to include all eligible items and allow for formal costings to be developed and submitted as part of the 2023/24 LGGS Application.

The works will bring the facility up to the same standard available at all other brigade facilities, and will ensure that councils obligations are being met under the WHS Act 2020.

An application for funding in 2020/2021 was unsuccessful however officers will ensure that a costed project development proposal will be submitted on the 2023/24 LGGs Submission.

DISCUSSION

Clarification was sought in relation to:

- Whether there is any way to bring forward the submission timeline. The Executive Manager Development Services advised that this is not possible as the submission period has closed for the 2022/23 period.

Action: An update is to be provided at the September BFAC on the WHS items raised.

Action: An update is to be provided at the December BFAC on the plan for the 2023/24 LGGs funding application.

9.3 CURRENT BURNING PERMITS PUBLISHED ON BART

BACKGROUND

BART is used by all members to manage brigade business and it would be logical to have current permits listed in this app.

This would give members better situational awareness during restricted burning times.

OFFICER COMMENT

Staff have consulted the developer, and at this current time BART is not capable of displaying a live datasheet such as is required for permits. Staff will provide an update if/when this changes.

DISCUSSION

Action: Printed books be produced once fire danger ratings are finalised.

9.4 RADIOS FOR FCO'S

It was requested that radios be provided to all FCO's. The Executive Manager Development Services advised that the DFES position is that these are not

available. A solution was requested if DFES will not fund these as it is causing communication issues.

MOTION / COMMITTEE DECISION

Minute No: BFAC.276

Moved: Mr Blair Wilding

Seconded: Mr Nic Dewar

That Council seek written clarification from DFES in relation to the reason for radios not being provided to FCO's and request DFES to provide an action plan on how they plan to address the current communication issues.

CARRIED 11/0

9.5 ON ROAD / OFF ROAD DRIVING COURSES

It was requested that more DFES driving courses be held. The Executive Manager Development Services advised that these can be requested.

Action: Community Emergency Services Manager to coordinate additional on road and off road driving courses which are held by DFES.

Cr Paul Curtis left the meeting at 7:34pm and returned at 7:37pm.

9.6 WOOROLOO REPORT

It was raised that the state government took recommendations on board as a result of this incident. Clarification was sought in relation to whether the Shire is accepting these recommendations. The Executive Manager Development Services advised that this will need to be clarified.

Action: Community Emergency Services Manager to provide clarification.

10. DATE OF NEXT MEETING

Meeting schedule:

- 11 July 2022 (special meeting)
- 13 September 2022
- 8 November 2022

11. DECLARATION OF CLOSURE

There being no further business, the Presiding Member, Mr Chris Marris declared the meeting closed at 7:37pm.

"I certify that the Minutes of the Bush Fire Advisory Committee, held on Tuesday 14 June 2022 have been confirmed as a true and correct record."

_____ Presiding Member

_____ Date

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