



Shire of Northam  
*Heritage, Commerce and Lifestyle*

## **Shire of Northam**

### **Minutes**

### **Bush Fire Advisory Committee**

**25 October 2016**



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## 1. DECLARATION OF OPENING

The Chief Executive Officer, Mr Jason Whiteaker declared the meeting open at 5:35pm

In the absence of a Chairperson, the Chief Executive Officer called request nominations for a Chairperson for this meeting of the Committee.

One nomination was received for Cr Terry Little.

### RECOMMENDATION / COMMITTEE DECISION

**Minute No: BFAC.141**

**Moved: Paul Antonio**

**Seconded: Greg Montgomery**

**That Council endorse, as elected by the members of the Bushfire Advisory Committee, Cr Terry Little as the Presiding Member for the Bushfire Advisory Committee.**

## 2. ATTENDANCE

### Voting Committee:

Chairperson	Cr Terry Little
Inkpen Brigade	Soren Neilson
Clackline Muresk Brigade	Blair Wilding
Bakers Hill Brigade	Steve Gray
Grass Valley Brigade	Angus Cooke
Irishtown Brigade	David Russell
Jennapullin Brigade	Aaron Smith
Southern Brook Brigade	Paul Antonio
Wundowie Volunteer Fire and Rescue Service	Trevor Sangston
Northam Volunteer Fire and Rescue Service	Greg Montgomery

## **Representatives and Staff:**

Shire of Northam:

Chief Executive Officer  
Executive Manager Development Services  
Community Emergency Service Manager  
Councillors

Jason Whiteaker  
Chadd Hunt  
Daniel Hendriksen  
Ulo Rumjantsev  
John Proud  
Julie Williams (left  
6.35pm)  
Chris Davidson  
Chris Antonio  
Sven Anderson

Department of Fire and Emergency Services

### **2.1 Apologies**

Chief Bush Fire Control Officer (Acting)  
Inkpen Brigade  
Department of Parks and Wildlife (Wheatbelt)  
Department of Parks and Wildlife (Perth Hills)

Mathew Macqueen  
Murray Bow  
Graeme Keals  
Michael Pasotti

### **2.2 Approved Leave of Absence**

## **3. DISCLOSURE OF INTERESTS**

Nil.

#### 4. CONFIRMATION OF MINUTES

##### 4.1 Committee Meeting Held 31<sup>st</sup> May 2016

###### RECOMMENDATION / COMMITTEE DECISION

Minute No: BFAC.142

Moved: Steve Gray

Seconded: Paul Antonio

That the minutes of the Bush Fire Advisory meeting held 31<sup>st</sup> May 2016 be confirmed as a true and correct record of that meeting subject to confirmation that the attachment within Item 6.2- BFAC Terms of Reference should state that the Chief Bushfire Control Officer and Deputy Chief Bushfire Control are Non-Voting members (as contained within the printed Agenda for the meeting).

CARRIED 9/1

*Angus Cooke stated he did not believe he had moved motion attached to Agenda Item 6.8 (Nominations for Bush Fire Control Officers 2016/17).*

#### 5. ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

Staff recommended that the Committee deals with items 7.1, 7.2 and 7.3.

The Chairperson advised that these items would be brought forward.

## 7.1 Fire Control Officer Training

<b>Address:</b>	N/A
<b>Owner:</b>	N/A
<b>File Reference:</b>	5.1.3.1
<b>Report Author</b>	David Russell, Captain Irishtown BFB and Permit-Writing FCO.
<b>Responsible Officer:</b>	Executive Manage Development Services
<b>Voting Requirement</b>	As Per Rescission Motion Requirements

### BRIEF

Council members, FCO's and bush fire fighters have been caught up in the recent furore associated with minimum training standards for FCO's in the Shire of Northam. A competent Chief Bush Fire Control Officer has been sacked after 5 years of service in the position and there is no process for the Recognition of Prior Learning (RPL) that can be used to correct the situation. The proposal presented here is a simple but effective option to cut through the mountain of paperwork associated with this training issue and make progress towards a solution for the 2016/17 bush fire season.

### ATTACHMENTS

Nil.

### BACKGROUND / DETAILS

The Shire of Northam recently reduced more than half its fully operational FCO's to permit writing only because of problems associated with minimum training standards. The fact that DFES has upgraded its computer system for training records and is still in the process of trying to retrieve earlier records has not helped the situation. Some training courses have different names and are difficult to track. It appears that there is undue reliance on incomplete DFES training records. We are now left with precious few fully operational FCO's to cover the whole Shire for bush firefighting and possibly for structure and car fires that occur outside gazetted town sites in 2016/17. Fewer FCO's and greater responsibility are likely to place unreasonable pressure on the available resources.

It seems that the current situation has its roots in BFAC recommendations for training that date back several years. In the meantime the approach to training has been upgraded by DFES and training pathways have been established for fire fighters to attain the competencies required for firefighting generally and for FCO's in particular. Most Shires in WA accept the DFES FCO training course as the minimum requirement for appointment as a fully operational FCO and they do not require supplementary courses to be undertaken. The FCO course has been expanded to include essential

elements such as the AIMS incident control training, which used to be essential as a separate training course for FCOs in the Shire of Northam.

We need to recognise that the minimum training requirement in the Shire of Northam is already supplemented by a requirement for a prospective FCO to have at least 3 years of frontline firefighting experience in the last 5 years. This is a well-chosen balance of training and practical front-line firefighting skills that should satisfy the most ardent critic.

Rather than specify a range of old-style intermediate training courses, starting with the base grade firefighting training and leading up to FCO status, we should rely on the DFES expertise in developing the range of competencies required to be an FCO. DFES is a Registered Training Organisation (RTO) and has a well-respected team of trainers and curriculum developers who have a much higher level of skill in this area than the well-worn fire fighters who confront the flames and radiant heat at bush fires in the Shire of Northam. In general, their skills are at a much more practical level.

In recognition of these developments in the whole system of providing training for firefighting and incident control, the proposal now is to defer to the DFES FCO training. Anyone who has completed the DFES FCO training or completed refresher training in the last 5 years should be competent to be a fully operational FCO. Bush fire fighters and FCO's are always encouraged to achieve a better than minimum standard.

In the midst of this training furore, no one has suggested that the Shire should appoint untrained FCO's who have no experience with frontline firefighting. It is the out-dated description of the progression of training courses that is required that is causing current issues. Our most experienced and most competent fire fighters are being denied the opportunity to exercise their fire management skills because of the bureaucratic nature of the present system. We need to do something to address current issues because the 2016/17 firefighting season has already started.

## **CONSIDERATIONS**

### **Strategic Community / Corporate Business Plan**

Nil.

### **Financial / Resource Implications**

No financial implications for the Shire.

### **Legislative Compliance**

There is no minimum training standard enshrined in legislation.

### **Policy Implications**

The Shire of Northam BFB Administration Manual will need to be updated to include any changes to current training standards adopted at the next Council meeting.

### **Stake Holder Engagement / Consultation**

Extensive consultation with FCO's and fire fighters via the recent FCO meeting and recent BFB pre-season meetings.

### **Risk Implications**

The risk of injury or harm to fire fighters and the general public is increased in situations where experienced fire fighters are not permitted to take control of firefighting operations.

### **STAFF COMMENTS**

In order to allow the BFAC to make a fully informed decision the following points of clarification are provided:

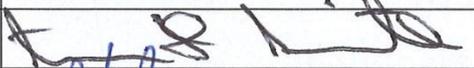
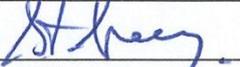
1. In order for the Committee to change its position on training, it is required to firstly rescind the motions of the Committee previously made, in accordance with the requirements of the Local Government Act 1995. A copy of the rescission requirements will be provided. This would then form a recommendation for Council to rescind their motions pertaining to these matters, which would follow the same process.
2. The CBFCO was not 'sacked' from the position. The recommendation of the BFAC to Council, which was subsequently endorsed by Council in June 2016, was very clear. The recommendation stated that Mr Shepherdson be appointed to the position SUBJECT TO the minimum training requirements AS RECOMMENDED BY BFAC being attained.
3. The Shire of Northam has only reduced the number of FCO's as the staff are following the endorsed position of Council, which was determined on the recommendation of BFAC. This recommendation of BFAC was first moved in June 2015 and then again reinforced in June 2016.
4. The Shire of Northam currently has 9 FCO's who meet the minimum training standards
5. In regards to the statement that most Shire's in WA accept the FCO course as the minimum standard to qualify members to become FCO's the following information is provided:

	Number FCO	Fire Control Officer	AIMS Awareness	Intro FF	Bushfire FF	Crew Leader	Advanced Bushfire Fighting	Machine Supervision	Structural FF	Ground Controller	Sector Commander	AIMS 4	Incident Controller Level 1	Comments
<b>DFES Path 6</b>								opt						Path 6 is the DFES recommended training to become an FCO
<b>Northam</b>	9					or					or			
<b>Toodyay</b>	11													Are looking to add AIMS 4
<b>York</b>	17													Level for CBF CO & DCBF CO are higher
<b>Mundaring</b>	Nil set by council. Brigade Captains are the FCO's. Training requirements are under individual brigade constitutions as brigade captain												Will be looking at setting a Shire standard of Pathway 6	
<b>Cunderdin</b>	9													
<b>Harvey</b>	8													
<b>Armadale</b>	15													Rangers require less training
<b>Augusta Margaret River</b>	20													Council Recommendation that FCOs follow DFES Pathways 6 for FCO (not enforced yet)
<b>Esperance</b>	20													Looking at upgrading to Pathway 6 as a result of their recent files

In addition to the adjoining Shires the other Shire's have been selected to assess as they have all been exposed to significant fire events in the past 10 years and have been subject to independent reviews. This being the case the staff believe they would represent an opportunity for the Shire of Northam to learn from their unfortunate experience.

- Staff agree with the statement made pertaining to relying on the DFES expertise to guide training requirements. Refer above table.

**Notice is hereby given by the following:**

	BFAC Representative Name	Signature
1.	DAVID RUSSELL	
2.	Aaron Smith	
3.	STEVE GRAY	
4.	PAUL ANTONIO	

**To revoke or change the following decision:**

Meeting / Date	31 May 2016
Agenda Item No	BFAC 6.8 / Council 11.5
Agenda Item Name	Nominations for Bush Fire Control Officers 2016/17
File Reference	5.1.3.1
Resolution No	BFAC.136 / C.2722

**Copy Resolution:**

**SUBSTANTIVE MOTION / COMMITTEE DECISION**

**Minute No: BFAC.136**

**Moved: Angus Cooke**

**Seconded: Aaron Smith**

**That it be recommended to Council that it;**

- 2. Modify the requirements to be a fully operational Active FCO to have undertaken the following DFES training modules in addition to having a minimum 3 years Fire Fighting Experience within the last 5 years –**
  - i. Introduction to Fire Fighting**
  - ii. Bush Fire Firefighting**
  - iii. Structural Awareness**
  - iv. Crew Leader/Advanced Firefighter and/or Sector Commander FCO course or a refresher within the last 10 years**

**CARRIED 10/0**

**RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.143**

**That it be recommended to Council that it;**

**1. Revokes BFAC Decision BFAC.136, Point 2, which reads;**

*Modify the requirements to be a fully operational Active FCO to have undertaken the following DFES training modules in addition to having a minimum 3 years Fire Fighting Experience within the last 5 years –*

- i. Introduction to Fire Fighting*
- ii. Bush Fire Firefighting*
- iii. Structural Awareness*
- iv. Crew Leader/Advanced Firefighter and/or Sector Commander FCO course or a refresher within the last 10 years*

**CARRIED BY ABSOLUTE MAJORITY**

**7/3**

**RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.144**

**Moved: David Russell**

**Seconded: Blair Wilding**

**BFAC recommends to Council that:**

- Bush fire fighters who have completed the DFES FCO training course or a refresher FCO training course in the last 10 years are eligible for appointment as an FCO in the Shire of Northam provided they can also demonstrate 3 years of frontline firefighting experience in the last 5 years;**
- This requirement is to apply to the FCO list as recommended to Council on 15 June 2016;**
- The Chief Bush Fire Control Officer, Garry Sheperdson, is to be reinstated for the 2016/17 bush fire season;**
- The Shire makes provision for the Recognition of Prior Learning (RPL) in the assessment of firefighting competencies for all fire fighters;**
- This resolution supersedes all past resolutions relating to minimum training standards for FCO's; and**
- BFAC is to review the minimum training standards for all fire fighters annually.**

**CARRIED 7/3**

## 7.2 BFAC Meeting Procedure

<b>Address:</b>	N/A
<b>Owner:</b>	N/A
<b>File Reference:</b>	5.1.3.1
<b>Report Author</b>	David Russell, Captain Irishtown BFB and Permit-Writing FCO
<b>Responsible Officer:</b>	Executive Manager Development Services
<b>Voting Requirement</b>	Simple Majority

### BRIEF

There has been widespread debate over the months since the BFAC meeting of 31 May 2016 regarding the accuracy of the BFAC minutes and the interpretation of the wording in the minutes. This paper proposes a change in BFAC procedures that should provide greater accuracy and clarity of communications between BFAC and Council members.

### ATTACHMENTS

Attachment 1: Extract from the Shire of Northam Standing Order Local Laws 2008.

### BACKGROUND / DETAILS

The current process for BFAC recommendations to be forwarded to Council are that the unconfirmed minutes of BFAC meetings are included in a Council agenda and recommendations contained within those minutes are adopted, amended or not adopted after due consideration by Council members. BFAC members who may want to propose amendments to the minutes do not have an opportunity to do so before Council takes action. The minutes of the BFAC meeting of 31 May 2016 had been included in the agenda for the Council meeting of 15 June 2016 before they had been circulated to BFAC members and many members were not aware that they were in the agenda.

The situation is further complicated when Shire staff members amend the wording of BFAC recommendations before they are considered by Council. This occurred with recommendations from the BFAC meeting of 31 May 2016 that were considered by Council on 15 June 2016. The usual practice is to include a summary of BFAC recommendations in the Council agenda just before the BFAC minutes. In the Council agenda of 15 June 2016, the wording in the summary of BFAC recommendations differed to the wording of the recommendations in the BFAC minutes because Shire staff members altered recommendations 11, 15 and 16 in the summary.

The Shire of Northam's *Standing Orders Local Law 2008* sets out a process for the adoption or amendment of recommendations from an Advisory Committee. This Local Law does not provide for a Shire staff member to

amend an Advisory Committee recommendation before Council considers it. It does not matter if a Shire staff member believes that it is perfectly reasonable to amend an Advisory Committee recommendation or whether attention is drawn to the amendment in some way. It is not acceptable for Shire staff members to amend an Advisory Committee recommendation under any circumstances. The Local Law makes it quite clear the amendments should be proposed and adopted by Council members only.

The comments above apply in the same way to documents that are developed by an Advisory Committee and then recommended to Council. When an Advisory Committee adopts a draft document and recommends it to Council, Shire staff members should not amend the document before Council considers it.

Any action to prevent Shire staff members from amending Advisory Committee recommendations does not limit their capacity to make comments on recommendations from an Advisory Committee to Council and suggest amendments for consideration by Council members. However, the unadulterated Advisory Committee recommendations should be presented in the agenda and be dealt with by Council members before other staff proposals are presented. This makes BFAC's intentions very clear to Council members.

In order for BFAC members to track the progress of their recommendations to Council and ensure that their intentions are accurately recorded and interpreted, it is proposed that BFAC members are able to check the minutes of a BFAC meeting before they are included in a Council agenda. This could be achieved by circulating the minutes to BFAC members within 14 days of a BFAC meeting as per the BFB Administration Manual and then allowing five working days for BFAC members to comment or raise any issues. It is not reasonable to wait for a following BFAC meeting to raise these issues, as there are many months between meetings.

If this process had been in place earlier in the year, the issues that we have now associated with minimum training requirements for FCO's could have been resolved before the start of the 2016/17 bush fire season.

In order for BFAC and Council members to be clear about the content of documents developed by BFAC, it is proposed that each draft document considered by BFAC is amended in accordance with BFAC resolutions and the amended version is circulated to BFAC members to check before it is included in the Council agenda. This would apply to documents such as the BFB Administration Manual, Fire Break Orders, etc. This should reduce the confusion of drafts, BFAC's recommended amendments, staff comments and recommended amendments including duplicated amendments that are all in the one document as is presented to Council at the moment.

It is not suggested that these proposals would usurp the usual process for confirming BFAC minutes in a BFAC meeting. It would provide an opportunity for BFAC members to discuss issues with Shire staff members and inform Council members in the proper manner to explain any ambiguities.

## **CONSIDERATIONS**

### **Strategic Community / Corporate Business Plan**

N/A.

### **Financial / Resource Implications**

N/A.

### **Legislative Compliance**

The *Standing Orders Local Law 2008* provides for an Advisory Committee of Council to regulate its own procedure subject to the *Local Government Act 1995* and Regulations, the Standing Orders and resolutions of Council (section 17.10, see Attachment 1.).

The *Standing Orders Local Law 2008* also sets out a process where Council members may amend recommendations from an Advisory Committee to Council (sections 17.3 to 17.8, see Attachment 1.)

### **Policy Implications**

Any additions or amendments to BFAC procedures should be included in the BFB Administration Manual after Council has adopted the relevant BFAC recommendations.

### **Stake Holder Engagement / Consultation**

N/A.

### **Risk Implications**

N/A.

## **STAFF COMMENT**

In order to allow the BFAC to make a fully informed decision the following points of clarification are provided:

1. Staff do not support the notion that there was 'wide spread debate' over the accuracy of the minutes. Staff remain of the view that the minutes absolutely reflect the decisions of the meeting. Clause 17.3 (2) of the local law clearly outlines the process for how minutes of 'committee's' are confirmed. This clause clearly states that minutes are confirmed and adopted by an Elected Member (Councillor) being

- either the 'Presiding Member' of the Committee or general member of that Committee.
2. Staff have already put steps in place to ensure that the minutes of meetings are sent directly to members of the Committee once completed. In the past they have simply been published generally on Shire of Northam website.
  3. In regards to staff 'amending' wording of recommendations of Committee meetings, this is not entirely accurate. Staff presented the minutes of the BFAC meeting as taken, these were received as a true and correct record as per Council standing orders – there were **NO** alterations to wording of these minutes. Staff did make a suggested adjustment to recommendations to provide clarity and to provide additional time for FCO's to attain required training standards, however this was clearly identified as being an addition to the recommendation of BFAC. It was then up to the Council to either move the recommendations of BFAC as presented with or without the suggested wording adjustments. The suggested amendments to the BFAC recommendations were highlighted in yellow with an explanation to ensure Council was aware that these were not the recommendation of the BFAC. The Council was eminently aware of the BFAC recommendation and the staff adjustments and to suggest otherwise is simply incorrect.
  4. In regards to providing 5 working days after the minutes are provided to allow for comment or issues to be raised, staff would request that the BFAC give consideration to how staff would deal with an individual raising their issue or comment. It has the potential to create a significant amount of confusion if one person raises an issue. Is the expectation that staff will then contact all members of the Committee to get their thoughts – and if people have different recollections, what are the staff expected to do. Staff are of the view that the current system works adequately. This is supported by a review of the past three years which indicates there have been no amendments made to minutes provided to the next meetings. If BFAC Members have concerns with Minutes they should contact their Elected Member representatives.

**RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.145**

**Moved: David Russell**

**Seconded: Angus Cooke**

**BFAC recommends to Council that:**

- **BFAC members are given at least 5 working days after the minutes of a BFAC meeting are circulated to comment or raise issues associated with the wording of the minutes, before the BFAC minutes are included in a Council agenda; and**
- **Each draft document considered by BFAC is amended in accordance with BFAC resolutions and the amended version is circulated to BFAC members for at least 5 working days for comment before it is included in the Council agenda.**

**CARRIED 9/1**

## Attachment 1

### SHIRE OF NORTHAM STANDING ORDERS LOCAL LAW 2008 PART 17—COMMITTEES OF COUNCIL

Extract: 18 October 2016

#### 17.3 Reports of Committees to be Taken as Read

- (1) The reports and recommendations of every Committee shall, when presented to the Council, be taken as read.
- (2) The confirmation and adoption of recommendations of the Committee shall be moved by—
  - (a) The Presiding Member of each Committee;
  - (b) or if absent, another member of the Committee;
  - (c) or if no member of the Committee is present, a member of the Council nominated by the President.
- (3) It shall not be necessary to second the motion for adoption.

#### 17.4 Procedure of Report of Committees

- (1) Upon the consideration by the Council of any report or recommendations of a Committee, the President shall, without further motion, put the recommendations, in their numerical order, unless the Council shall otherwise determine.
- (2) Each item adopted by the Council shall become a resolution of the Council.

#### 17.5 Withdrawal, Correction and Amendments of Committees

- (1) In moving, the adoption of a recommendation of any Committee, the mover may not propose any amendment to any recommendation, except for the correction of a verbal or clerical error.
- (2) The Presiding Member of a Committee, may be excused from moving the adoption if the Presiding Member wishes to move an amendment to it. In that case, another member may move the confirmation and adoption of the recommendation.
- (3) The Presiding Member or other members of a Committee bringing up a recommendation may move the confirmation and adoption of the recommendation.

#### 17.6 Reports of Committees—Questions

When a recommendation of any Committee of the Council is submitted for confirmation and adoption, any member may direct questions directly relating to the recommendation through the President, to the Presiding Member or any member of the Committee bringing up the recommendation. No argument or speeches are permitted.

### **17.7 Procedure on Amendments on Reports of the Committees**

When an amendment is proposed with reference to the adoption or otherwise of any recommendation of any Committee, the amendment shall be disposed of before the other proceedings of the Committee are considered.

### **17.8 Non-Related Motions on Reports of Committees**

A member may not move any motion on any report or recommendation of any Committee which does not relate to the recommendations presented by the Committee.

### **17.9 Recommendations of Committees—Inspection of Plans**

All plans referred to in the recommendations of the Committee that may require the consideration of the Council, shall lay on the table of the Council Chamber for the inspection of members at the meeting at which the matter is being considered.

### **17.10 Committee Procedure**

Each Committee may, subject to the Act and Regulations, these Standing Orders and any resolution made by the Council, regulate its own procedure.

### **17.11 Rights and Responsibilities of Members who are not Committee Members**

Members who are not members of a Committee may participate in the meeting, only at the invitation of the Presiding Member but they are not entitled to vote.

### **17.12 Standing Orders to Apply to Committees**

These Standing Orders shall apply generally to the proceedings of Committees of the Council except that—

- (a) The requirement for members to speak only once shall not be applied in meetings of Committees;
- (b) The requirement for motions and amendments to be seconded shall not be applied in meetings of Committees;
- (c) The requirement to stand whilst speaking to a motion shall not apply, unless directed to do so by the Presiding Member.

### 7.3 Shire of Northam BFB's Response to Structure and Car Fires

<b>Address:</b>	N/A
<b>Owner:</b>	N/A
<b>File Reference:</b>	Insert File No.
<b>Report Author</b>	David Russell, Captain Irishtown BFB and Permit-Writing FCO.
<b>Responsible Officer:</b>	Executive Manage Development Servicesr
<b>Voting Requirement</b>	Simple Majority

#### **BRIEF**

Nil.

#### **ATTACHMENTS**

Nil.

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#### **BACKGROUND / DETAILS**

In the past, the usual practice has been that the Shire of Northam BFB's would provide backup to VFRS when called upon by local VFRS Incident Controllers dealing with structural and car fires. Usually VFRS personnel trained in the use of specialist equipment would take care of the structure or car on fire and BFB's would attend to any associated grass or bush fire. Recent information from the CSM at the Shire of Northam (see following email) is that this situation has now changed to BFB's being "first responders" to structural and car fires.

*All fires outside the gazetted fire district (Northam and Wundowie Town sites) are the responsibility of the Bushfire Brigade this includes structure fires and car fires. We can call the FRS out as support, but we would always have the ultimate responsibility unless we hand the fire over to DFES under a Section 13 or it is a Hazmat.*

*Daniel*

This places BFB members in a high-risk situation for which no specialised resources or adequate training is currently provided. Of primary concern is the risk of exposing ill equipped bush fire fighters to the risk of explosion and contact with hazardous substances and toxic environments. As first responders, BFB personnel are not equipped or trained to rescue people who may not be able to escape a fire from a confined space.

A risk assessment should be undertaken to look at the number of dwellings and the number of car fires per year outside of the gazetted fire areas (controlled by VFRS) to determine the resources that are required including manpower and equipment; and the level of training that is required to safely respond to these fires in the first instance.

All of this comes at a time when the Shire has stripped all of the powers of most of its FCO's appointed under the *Bush Fires Act 1954*; and there is an ongoing issue with the Shire imposing additional training requirements for FCO's in addition to DFES FCO training. Until this issue is resolved, the few remaining fully operational FCO's would have to carry the burden of first response to all structure and car fires in the Shire, outside of its gazetted town sites.

## **CONSIDERATIONS**

### **Strategic Community / Corporate Business Plan**

N/A.

### **Financial / Resource Implications**

High expenditure to refit fire trucks would be required if BFB's had to respond to structure and car fires. It is not likely that this could be completed in the current fire season.

Level 2 PPE and additional protective requirements in line with VFRS volunteers would be required.

The Shire would require more fully operational FCO's to take on the responsibility of Incident Control at structure and car fires.

### **Legislative Compliance**

There is currently no legislation that requires bush fire fighters to respond to structure and car fires.

### **Policy Implications**

Even though bush fire fighters have been informed by DFES recently that their current policy is for BFB's to be the first responders to structure and car fires and that support would come from VFRS as required, this has not been the custom and practice so far. In fact, VFRS units have usually been called out first and have established Incident Control with support from BFB's to fight any grass or bush fire that may be associated with a structure or car fire. The Shire does not have a policy or any Standard Operating Procedures on BFB responses to structure and car fires and it is not covered in the current BFB Administration Manual.

### **Stake Holder Engagement / Consultation**

This matter has been discussed briefly at the FCO meeting on 6 October 2016.

### **Risk Implications**

There is a high risk of explosion and exposure to toxic fumes for bush fire fighters operating with fire trucks that are not equipped for structure and car fires (for example – no ladders and no foam for fire suppression); and who are not equipped with breathing apparatus or trained to use it.

There would be increased risk of harm to members of the public involved in structure and car fires in situations where the first responders to an emergency are not trained and not equipped to rescue people trapped in a confined space.

#### **STAFF COMMENT**

At the FCO meeting, this was discussed and staff indicated they were developing a procedure for this.

#### **RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.146**

**Moved: David Russell**

**BFAC recommends to Council that:**

- **The Shire undertakes an immediate risk assessment by a competent person(s) into the readiness of BFB's to respond to structure and car fires in the Shire.**

**CARRIED 9/1**

#### **RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.147**

**Moved: David Russell**

**BFAC recommends to Council that:**

- **Prior to the risk assessment has been undertaken and risk control measures have been implemented, that a Standard Operating Procedure is developed in consultation with DFES to reduce the risk of injury to BFB personnel operating at structure and car fires.**

**CARRIED 10/0**

Cr Williams left the meeting at 6.35pm

## 6. COMMITTEE REPORTS

### 6.1 Removed From Agenda

### 6.2 Nomination for Fire Control Officer Wundowie

<b>Address:</b>	Bush Fire Advisory Committee
<b>Owner:</b>	N/A
<b>File Reference:</b>	5.1.3.1
<b>Reporting Officer:</b>	Daniel Hendriksen Community Emergency Services Manager
<b>Responsible Officer:</b>	Chadd Hunt Executive Manager Development Services
<b>Voting Requirement</b>	Simple Majority

#### BRIEF

For the committee to recommend to Council the appointment of a Fire Control Officer for the area of Wundowie for the 2016/17 Fire Season.

#### ATTACHMENTS

Nil.

#### BACKGROUND / DETAILS

At the BFAC meeting on the 31<sup>st</sup> of May 2016 it was discussed that it would be beneficial that a representative of Northam and Wundowie VFRS have the powers of an FCO under the Bushfire Act. The meeting subsequently endorsed a member of the Northam VFRS as an FCO for the Northam townsite. It is suggested that the Committee also consider recommending that a member of the Wundowie VFRS be appointed as an FCO for the Northam townsite.

#### CONSIDERATIONS

##### Strategic Community / Corporate Business Plan

- Objective: Provide services and processes to enhance public safety.
- Strategy C2.1: Provide community services to uphold public safety standards.
- Strategy C2.2: Support provision of emergency services.
- Strategy C2.3: Provide, monitor and improve adequate Bush Fire Protection provisions.

##### Financial / Resource Implications

Minor advertising costs are associated with appointments of Fire Control Officers.

## 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.

## Policy Implications

Council endorsed that recommendation at its meeting held on 15<sup>th</sup> June 2016. At the same meeting Council endorsed the following;

2. Modify the requirements to be a fully operational Active FCO to have undertaken the following DFES training modules in addition to having a minimum 3 years Fire Fighting Experience within the last 5 years –
  - i. Introduction to Fire Fighting;
  - ii. Bush Fire Firefighting;
  - iii. Structural Awareness; and
  - iv. Crew Leader/Advanced Firefighter and/or Sector Commander FCO course or a refresher within the last 10 years.

## Stake Holder Engagement / Consultation

Staff have contacted the captain of the Wundowie VFRS in regards to nominating a suitable member to fulfil this role.

## Risk Implications

Nil.

### **OFFICER'S COMMENT**

The nominations for Fire Control Officer for the Wundowie area are;

- Tyron McMahon, Wundowie VFRS

Tyron is the Apparatus Officer for Wundowie VFRS and a 1<sup>st</sup> Lieutenant for the Wooroloo BFB with 4 year's fire fighting experience.

### **RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.148**

**Moved: Trevor Sangston**

**Seconded: David Russell**

**That it be recommended to Council that it;**

- 1. Appoints Tyron McMahon as a Fire Control Officer for the 2016/17 Season subject to the individual complying with the adopted minimum training and experience standards:**

**CARRIED 9/1**

### 6.3 Application to the FES Commissioner to Alter the Burning Periods

<b>Address:</b>	Bush Fire Advisory Committee
<b>Owner:</b>	N/A
<b>File Reference:</b>	5.1.3.1
<b>Reporting Officer:</b>	Daniel Hendriksen
<b>Responsible Officer:</b>	Chadd Hunt
<b>Voting Requirement</b>	Simple or Absolute Majority

#### BRIEF

Under section 17 and 18 of the Bushfires Act 1954 the Fire and Emergency Services Commissioner sets the dates for the prohibited and restricted periods. Local Government can only vary the date 14 days either side of the set dates gazetted by the Commissioner. It is apparent that these dates are in need of review.

This issue was raised and discussed at a recent FCO meeting, which has resulted in this report being provided to the BFAC for consideration.

#### ATTACHMENTS

Nil.

#### BACKGROUND / DETAILS

The current prohibited and restricted burning dates are as follows –  
Restricted 19<sup>th</sup> September to 31<sup>st</sup> October  
Prohibited 1<sup>st</sup> November to the 21<sup>st</sup> February the following calendar year  
Restricted 22 February to the 5<sup>th</sup> April

Due to seasonal change the date set by the FES Commissioner do not align to the appropriate time of year were the risk of fire is at its greatest. It is suggested that the following dates be applied –

Restricted 1<sup>st</sup> October to 30<sup>th</sup> November  
Prohibited 1<sup>st</sup> December to the 28<sup>th</sup> February the following calendar year  
Restricted 1<sup>st</sup> March to the 30<sup>th</sup> April

#### CONSIDERATIONS

##### Strategic Community / Corporate Business Plan

Objective: Provide services and processes to enhance public safety.  
Strategy C2.1: Provide community services to uphold public safety standards.  
Strategy C2.2: Support provision of emergency services.  
Strategy C2.3: Provide, monitor and improve adequate Bush Fire Protection provisions.

## Financial / Resource Implications

Nil.

## Legislative Compliance

Section 17 and 18 Bush Fires Act 1954 deal with the imposition of restricted and prohibited burning times specifically as follows –

### 17. Prohibited burning times may be declared by Minister

1. The Minister may, by declaration published in the *Gazette*, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.
2. Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.
3. A copy of the *Gazette* containing a declaration published under subsection (1) shall be received in all courts as evidence of the matters set out in the declaration.

### 18. Restricted burning times may be declared by FES Commissioner

1. Nothing contained in this section authorises the burning of bush during the prohibited burning times.
2. The FES Commissioner may, by notice published in the *Gazette*, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the notice except in accordance with a permit obtained under this section and with the conditions prescribed for the purposes of this section, and may, by subsequent notice so published, vary that declaration or revoke that declaration either wholly or for the purpose of substituting another declaration for the declaration so revoked.
3. Where by declaration made under subsection (2) restricted burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those restricted burning times shall have effect in respect of that zone in each year until that declaration is revoked.

### **Policy Implications**

Nil.

### **Stake Holder Engagement / Consultation**

Discussion has been held the Acting CBFCO and FCO's generally regarding the proposed change of dates

### **Risk Implications**

Nil.

### **OFFICER'S COMMENT**

It is apparent that the current dates are not appropriate due to seasonal weather changes and as such staff recommend that the BFAC and Council request that the restricted and prohibited burning times be modified as per the dates in the recommendation.

### **RECOMMENDATION / COMMITTEE DECISION**

**Minute No: BFAC.149**

**Moved: Greg Montgomery**

**Seconded: Blair Wilding**

**That it be recommended to Council that it;**

**Requests the FES Commissioner and/or the Minister for Emergency Services to modify the restricted and prohibited burning periods for the Shire of Northam to:**

- **Restricted 1<sup>st</sup> October to 30<sup>th</sup> November**
- **Prohibited 1<sup>st</sup> December to the 28<sup>th</sup> February the following calendar year**
- **Restricted 1<sup>st</sup> March to the 30<sup>th</sup> April**

**CARRIED 8/2**

## 6.4 Acting CBFCO Report

Removed as not present at meeting.

## 7. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

## 8. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

- Blair Wilding – In the new version of the Bushfire Administration Procedure Manual the section with the training matrix for each position in the brigade has been removed.

Mr David Russell, who was a member of the working group who reviewed the Administration Manual advised this we left out due to the current revision being undertaken of the pathways training, by DFES.

- Blair Wilding – In the Bushfire Administration Procedure Manual, 5.8.1

### **5.8.1 Auditor – Secretary / Treasurer**

*The financial accounts of the brigade shall be presented at the annual general meeting by the Treasurer or Secretary / Treasurer, as the case may be.*

*The brigade may elect to have an independent Auditor appointed. If so then;*

1. *At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.*
2. *The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.*

It was asked why this section is in the Manual as it is stated that an auditor is not required.

Mr David Russell from the Sub-committee that developed the Bushfire Administration Procedure Manual advised that:

5.8.1 Was put in as an option for a larger Brigades. An auditor is not required but should a brigade choose to use an auditor the conditions of use are stated in 5.8.1 of the Manual.

- From the Floor, Bob Stockman Clackline BFB – A voting form was sent out to the brigade to vote on the Chief and Deputy Bush fire Control Officers. Some of the nominees on the list he believes do not meet the first part of the training requirements which states;

*Having a minimum 3 years Fire Fighting Experience within the last 5 years*

**Advised** – The Chief Executive Office, Mr Jason Whiteaker, advised that the voting form was sent out to Brigades to advise them of the candidates that met the training standard criteria and who had indicated a willingness to stand for the position. Council's Staff determined that the question of relevant experience was one that the brigades were better positioned to make judgement on in their determination of the most suitable candidate.

## 9. DATE OF NEXT MEETING

The next Bush Fire Advisory meeting is to be held at the Council Chambers on 14 March 2017 at 5:30pm

## 10. DECLARATION OF CLOSURE

The Presiding Member declared the meeting closed at 6:50pm.

"I certify that the Minutes of the Bushfire Advisory Committee meeting held on Tuesday, 25 October 2016 have been confirmed as a true and correct record."

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

\_\_\_\_\_ Date