

AGENDA
BUSH FIRE ADVISORY COMMITTEE OF COUNCIL
TO BE HELD ON TUESDAY 18th JUNE 2013
AT 6:00PM IN THE COUNCIL CHAMBERS

1. DECLARATION OF OPENING AND WELCOME

Steve Pollard welcomed everyone to the meeting and declared the meeting open at 6.05pm.

2. DECLARATION OF INTEREST

Nil.

3. ATTENDANCE

Bakers Hill Brigade	Chris Barrington
Clackline/Muresk Brigade	Blair Wilding
Grass Valley Brigade	Luke Gentle
Inkpen Brigade	Sim Kuiper
Irishtown Brigade	David Russell
Jennapullin Brigade	Brett Smith
Southern Brook Brigade	Paul Antonio
Northam Volunteer Fire and Rescue Service	Greg Montgomery
Wundowie Volunteer Fire and Rescue Service	Trevor Sangston
Shire of Northam	Steve Pollard

EXECUTIVE OFFICERS (NON-VOTING RIGHTS)

Chief bush Fire Control Officer	Gary Shepherdson
Chief Bush Fire Control Officer (East)	Robert Herzer
Deputy Chief Bush Fire Control Officer (West)	Mathew McQueen
Department of Environment and Conservation	Michael Pasotti
Fire & Emergency Services Authority WA	Sven Anderson DO
Shire Community Emergency Services Coordinator	Felix McQuistan

4. APOLOGIES

Jean McGready Community Services Executive Manager

5. CONFIRMATION OF PREVIOUS MINUTES

Remove next meeting scheduled for 23rd October 2012 was not held.

Recommendation

That the minutes for the BFAC meeting held on 30th July 2012 be received.

First: David Russel
Seconded: Greg Montgomery

6. AGENDA ITEMS

6.1 Shire of Northam Bushfire Mitigation Strategy

Name of Applicant:	Internal Staff Report
File Ref:	5.1.3.1
Officer:	Felix McQuistan
Officer Interest	Nil
Policy:	Nil
Voting:	Simple Majority
Date:	June 2013

PURPOSE

To consider recommending to Council a process for the prioritisation of bushfire mitigation works, which will need to be completed on Shire of Northam managed land.

BACKGROUND

In keeping with the Kealty report recommendations there is a need to ensure that the Shire of Northam develop a suitable fuel load management plan for reserves vested with the Shire.

Although currently the Shire conduct annual firebreak maintenance to ensure responders have suitable access to many of the reserves vested with the Shire, there is no clear fuel load management plan for reserves vested with the Shire or other significant privately owned parcels of bushland within the Shire of Northam.

STATUTORY REQUIREMENTS

While the *Bush Fires Act 1954* states that the Act does not bind the crown there is significant potential for legal action to be taken against the Council if there is a clear failing to appropriately manage the land.

CONFORMITY WITH THE PLAN FOR THE FUTURE

Key Result Area – Land Use & Infrastructure – Outcome 6 – Adequate provisions for Bush Fire Protection are provided, monitored and maintained.

BUDGET IMPLICATIONS

Cost associated with the engagement of contractors to conduct fuel load reduction on land vested to the Shire of Northam.

OFFICER'S COMMENT

Whilst the Shire of Northam brigades have engaged in much mitigation works over the past few years, there is a need to document and prioritise future works to ensure the Council have shown due diligence in relation to bushfire mitigation on its reserves.

Further to the management of fuel loadings within Shire managed land, there is a need to ensure that brigades have an opportunity to ensure further community safety.

This can be by providing for privately owned land to be included within the mitigation plan based upon prioritisation of works on a tenure blind basis where the property owners are in agreement with the proposed mitigation works.

A list of proposed works for the 2013 – 14 season (Autumn / Spring) is included below;

District	Street	More Locn	Reserve	Size Ha	Perimeter M	Owner	Map	Priority	% Burnt	Burnt Ha
Clackline	Trimmer	MRD Reserve	459328	4.06	1240	WA	Yes	4	100	4.06
Clackline	Mitchell Ave	Opp Army camp	3522 / 457736	35.4	2646	RES	Yes	2	100	35.4
Wundowie	Kuringal Road	North of Wundowie	462465	13.4	2500	UCL	Yes	2	90	12.06
Clackline	Mitchell Ave	North of Pipeline	3522	20	3100	RES	Yes	3	0	0
Wundowie	Jarrahd Rd	Behind Kuringal village	35772	1	800	RES	Yes	1	100	1
Bakers Hill	Jose Rd	North of road termination	48721	42	2800	RES	Yes	2	100	42
Bakers Hill	Shingle Hill	Behind old rubbish tip	39601	140	6000	DEC	Yes	3	0	0
Wundowie	Coats Road	adjacent to Hyde drive	11619	46	2700	RES	Yes	2	0	0
Bakers Hill	Gumley	Martin Street	A 1835	9	1800	Dwyer	Yes	2	0	0
Bakers Hill	Cook Road	Gleeson Hill Rd	A 1835	43	4300	Dwyer	Yes	2	0	0
Northam	Mitchell Ave	Mt Ommany		8	3000	RES	Yes	2	25	2
Northam	Toodyay Northam Rd	CBH	Pvt	2	1600	CBH	Yes	4	100	2
Clackline	Great Eastern Hwy	Army camp	DOD	4	7600	DOD	Yes	3	0	0
Clackline	Great Eastern Hwy	Army camp	DOD	3.5	7400	DOD	Yes	3	0	0
Total Identified				371.36						98.52

BFAC RECOMMENDATION TO COUNCIL

1. That Council endorse the proposed fuel load mitigation works as included in this agenda.
2. That a formal mitigation plan be developed in consultation with the brigades addressing a rolling works programme for all land managed by the Shire of Northam and is to include provision for privately owned land.
3. Appropriate numerations be considered by Shire of Northam

Moved: Chris Barrington
 Second: Paul Antonio All in favour

6.2 Brigade Fire Control Officers

Name of Applicant:	Internal Staff Report
File Ref:	5.1.3.1
Officer:	Felix McQuistan
Officer Interest	Nil
Policy:	
Voting:	Simple Majority
Date:	June 2013

PURPOSE

To consider recommending to Council the appointment of nominated Volunteers to the position of Fire Control Officer in accordance with the *Bush Fires Act 1954*.

BACKGROUND

As with previous years, all Brigades have nominated members for the position of Fire Control Officer at their Annual General Meetings in addition to the election of other brigade officers.

The nominations for the position of Fire Control Officer are forwarded via BFAC to Council for their endorsement for the pending Fire Season.

STATUTORY REQUIREMENTS

Council are Responsible for the appointment of Fire Control Officers in accordance Section 38 of the *Bush Fires Act 195* -

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.*

CONFORMITY WITH THE PLAN FOR THE FUTURE

Key Result Area – Land Use & Infrastructure – Outcome 6 – Adequate provisions for Bush Fire Protection are provided, monitored and maintained.

BUDGET IMPLICATIONS

Minor advertising cost associated with the appointment of the Positions.

OFFICER'S COMMENT

As with previous years the Positions of Fire Control Officer are put forward to Council for endorsed by BFAC. Accordingly, BFAC is requested to make a recommendation for the following positions:

Inkpen	Sim Kuiper
	Sorren Nielsen
	Clive Owen
Bakers Hill	
	Gordon Ashman
	Ulo Rumjantsev
	Steven Gray
Clackline	Mathew MacQueen
	Mathew Letch
	Blair Wilding
	Sue Brooker
	Ray Russell
Grass Valley	Richard Marris
	Phil Gentle
	Paul Reynolds
	Alf Brown
	Garry Shepherdson
Jennapullin	Aaron Smith
	Trevor Smith
	Brett Smith
Southern Brook	Paul Antonio
Irishtown	David Russell
	Robert Herzer
	Ross Mackenzie
	Don French
Shire of Northam	Felix McQuistan

BFAC RECOMMENDATION TO COUNCIL

1. That Council appoint the above-nominated People to the Position of Fire Control Officer for the Shire of Northam.

**Question for Bakers Hill re Simon Peter not an active member at this stage
Would like to get Simon Peters back into the FCO
Brigade will nominate council will**

Moved: Chris Barrington

Seconded: Blair Wilding All in favour

6.3 Fire Break Order

Name of Applicant:	Internal Staff Report
File Ref:	5.1.3.1
Officer:	Felix McQuistan
Officer Interest	Nil
Policy:	Fire Break Order
Voting:	Simple Majority
Date:	June 2013

PURPOSE

To consider recommending to Council the attached Fire Break Order for the 2013-14 fire season.

BACKGROUND

As with previous years, all Brigades have been provided the opportunity for input into the development of the Shire of Northam Fire Break Order.

In an effort to align the Shire of Northam firebreak order with best industry practice the proposed firebreak order has been amended to align with the guidelines as set out in "Planning for Bushfire Protection".

Included as an appendix is an extract of "Planning for Bushfire Protection.

STATUTORY REQUIREMENTS

Council are Responsible for the development and enforcement of Firebreak requirements in accordance with Section 33 of the *Bush Fires Act 195* -

33. Local government may require occupier of land to plough or clear fire-break

- (1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the *Government Gazette* and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —
 - (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;
 - (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,

and the notice may require the owner or occupier to do so —

- (c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and
- (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice

CONFORMITY WITH THE PLAN FOR THE FUTURE

Key Result Area – Land Use & Infrastructure – Outcome 6 – Adequate provisions for Bush Fire Protection are provided, monitored and maintained.

BUDGET IMPLICATIONS

Cost associated with the advertising of the Shire of Northam firebreak order.

OFFICER'S COMMENT

As with previous years the BFAC is provided with an opportunity to provide feedback on the proposed firebreak order.

Attached is a copy of the proposed firebreak order, which has been amended to align with the "Planning for Bushfire Protection" document.

Specifically the amendments to the firebreak are included as below;

- Firebreak widths are amended to 3 metres in width;
- Firebreaks vertical clearance of 4 metres is included;
- Building protection zone increased to 20 metres (previously 15 metres).

Whilst the vertical clearance is not included in the firebreak section of Planning for bushfire protection, it is included with "fire service access routes".

It is recognised that brigades utilise firebreaks in many areas as access for appliances and an overhead clearance of the current firebreaks is needed to ensure that appliance damage is minimised and fire-fighter safety is enhanced.

Some further amendments have been made to ensure there is no ambiguity with the Fire Break Order; Amendments are italicized and coloured in orange within the draft firebreak order as attached to this agenda.

BFAC RECOMMENDATION TO COUNCIL

1. That the firebreak order for 2012-2013 be carried over for the 2013-2014 fire season with minor amendments to the wording of defined land sizes.

Moved: David Russell

Seconded: Paul Antonio

6.4 EMERGENCY SERVICE REVIEW – OPTION TO TRANSFER LOCAL BUSH FIRE BRIGADES IMPACT ASSESS

Name of Applicant:	Internal Staff Report
File Ref:	5.1.3.1
Officer:	Felix McQuistan
Officer Interest	Nil
Policy:	Nil
Voting:	Simple Majority
Date:	June 2013

PURPOSE

To consider making a recommendation to Council in relation to a letter received by the Shire of Northam regarding a proposal to include an option for local government to hand over control of bushfire brigades to DFES.

BACKGROUND

A recommendation of the 2005 Community Development and Justice Standing Committee (CDJSC), was for the review and amalgamation of Fire and Emergency Services Legislation (*Bush Fires Act 1954*, *FESA Act 1998* and the *Fire Brigades Act 1942*). Further to this, CDJSC also recommended that legislation also be amended to enable DFES (*FESA at the time*) to enter into an agreement with Local Government to manage the Operation and administration of Bush Fire Brigades.

Recommendation 55

The emergency services legislation is to provide for FESA and local government to enter into an agreement for the purpose of local government transferring the following responsibilities to FESA on a permanent basis:

- *Emergency incident control;*
- *Bushfire Brigade operations and administration; and*
- *The determination and administration of the ESL, in relation to the capital and recurring costs associated with the Bushfire Brigades.*

As part of this review process DFES have written to local governments regarding the management of Bush Fire Brigades requesting if they would be supportive of the CDJSC recommendation in relation to the legislative amendment and furthermore DFES have requested local governments to indicate their position in relation to DFES control of Bush Fire Brigades currently under their control.

A copy of the letter from DFES is attached to this agenda.

STATUTORY REQUIREMENTS

Bush Fires Act 1954

FESA Act 1998

Fire Brigades Act 1942

CONFORMITY WITH THE PLAN FOR THE FUTURE

Key Result Area – Land Use & Infrastructure – Outcome 6 – Adequate provisions for Bush Fire Protection are provided, monitored and maintained.

BUDGET IMPLICATIONS

There are numerous and complex cost implications with the proposal to change management arrangements in relation to Bush Fire Brigades including but not limited to the Shire of Northam ESL.

OFFICER'S COMMENT

The Letter from DFES has requested an indication from the Shire in relation to its position regarding DFES management of Bush Fire Brigades, there is limited information available to enable either the brigades or Council to provide a stance regarding this matter.

Whilst there may be some significant benefits in relation to the transfer of control to DFES for both Brigades and Council, DFES have failed to provide any substance in relation to the transfer of the Brigades and leave many questions unanswered.

Specifically DFES have not provided an indication of what the proposal to manage brigades entail, nor have they indicated a model of how DFES management of brigades would be rolled out.

There is a multitude of factors that would need to be considered in relation to any proposal of this nature including;

- Variation to Restricted and prohibited burning times
- Training and Equipping Brigades
- Appointment of fire control officers
- Issuing of Permits
- Funding pathways for brigades
- Harvest and vehicle movement bans
- Ownership of infrastructure

BFAC RECOMMENDATION

Council write to DFES and advise them of the following;

- 1. Council have no objection to the proposed amendment to the legislation allowing DFES to manage brigades where the local government is in agreement.**
- 2. Council will not develop a position in relation to its own situation until a formal proposal or model is made available to Council addressing the above points and proper consultation with the DFES, the Shire of Northam and Brigades has been conducted.**

Moved : Paul Antonio
Seconded: David Russell

ALL IN FAVOUR

7. DISCUSSION TOPICS

7.1 DFES Legislation review

Legislation is closed for feedback, be alert that this is going on recommendation for 2015. Clackline discussed this at last meeting moved a motion that we would like to see a committee in BFAC to look at the three changed. Submission is already out, an implication is pretty major on the volunteer brigades, a BFAC committee would look at the positive and negative on the three acts.

Once the white paper comes through CESC will forward a copy to all Brigades.

7.2 Southern Brook Bush Fire Shed

All completed external paving needs to be done. Opening will be held in the not to distant future.

7.3 ESL Budget Received \$ 87,930

A cost overrun would normally be around \$5,000, normally we would get reimbursed each year.

Insurance – why is that not coming out of FESA. Local government is the management of bush fire.

ESL budget is disappointing from the brigades

7.4 Deputy Chief Fire Control Officer Appointment.

Nomination forms will be sent out for the position of Deputy Chief.

8. GENERAL BUSINESS

General Discussion was held on the following points

- Vehicle dumping resulting in fire's (Brigade members are reminded to report dumped vehicles ASAP to minimise arson as a result)
- Brigade equipment to handle Vehicle fire's (Brigades and Officers reminded that VFRS is available to support them at vehicle fire's and can be called upon mobilisation to vehicle fire's however they remain part of usual business for bush fire brigades and training is available)
- Inkpen Land acquisition (Currently awaiting feedback from DLI regarding the availability of land for the Inkpen BFB)
- Change in Appliance type for Wundowie (Wundowie now have a HSR which is not generally suited to bushfire fighting unlike the previous appliance)
- Fleet replacement programme (CESC to forward a copy of the fleet replacement programme to the brigades)
- BFAC Rules (Ensure that there are a minimum of 2 BFAC's per year)
- Volunteer recruitment (CESC to assist brigades to attain more volunteer members and consider approaching state to assist in recruitment and retention)
- Two members are now qualified as trainer / assessors and will be able to assist in providing recognised DFES training
- Tree pruning (Steve pollard to address concerns of brigades regarding tree pruning's being left on the side of the road and causing an increase in available fuel loading)

- Brigade member compensation for lost time (Steve Pollard to address this with Council)
- Brigade incident statistics (CESC to submit as a report to the next BFAC)
- DEC are undertaking a review of appliances, training and PPE as a result of the “Black Cat Creek” incident.
- Public awareness – Volunteers needed – there will be an open day for Bakers Hill Bush Fire Brigade. Other brigades have been invited as well.

9. NEXT MEETING SCHEDULED

The next meeting will be held around September at the Northam Council Chambers

10. DECLARATION OF CLOSURE

This meeting was closed at 8.11pm.

CHAIRPERSON

DATE