



# Bushfire Advisory Committee Meeting

Section 67 of the *Bush Fires Act 1954*

Committee Brief:

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

## 4 May 2021

# Minutes

To: Bushfire Advisory Committee Members and Councillors

Here within the Minutes of the Bushfire Advisory Committee Meeting of the Shire of Toodyay held on the abovementioned date in the Council Chambers at the Shire of Toodyay, 15 Fiennes Street, Toodyay.

Suzie Haslehurst  
**CHIEF EXECUTIVE OFFICER**

BFAC Membership Composition			
Council Rep (Primary)	Councillor Rayner Councillor Bell	Council Rep (Deputy)	Councillor Ruthven Councillor Chitty
Chief Bush Fire Control Officer or his Deputy / Deputies	Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers (DBFCO1 and DBFCO2)		
Captain (or their rep.) from Brigades	Bejoording, Morangup, Coondle-Nunile, Julimar, Toodyay Central.		
Supporting Officers or representative	Chief Executive Officer Shire of Toodyay; Community Emergency Services Manager; Bushfire Risk Management Planning Coordinator; Reserves Management Officer; Ranger(s) from Shire of Toodyay; Toodyay Volunteer Fire & Rescue; Reserves Management Officer; Department of Parks & Wildlife; Department of Fire & Emergency Services (DFES).		



## Preface

These Minutes will remain "Unconfirmed" until the next Bush Fire Advisory Committee Meeting, where the Minutes will be tabled and confirmed subject to any amendments made by the Committee.

The "Confirmed" Minutes are then signed off by the Chairperson.

Attachments that formed part of the Agenda, in addition to those tabled at the Meeting are incorporated into a separate attachment to these Minutes

## Distribution

These minutes were approved for distribution on 10 May 2021.



Suzie Haslehurst  
CHIEF EXECUTIVE OFFICER

## Confirmation

These minutes of meeting were confirmed at a meeting held on 3 August 2021

Signed: 

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*



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**ATTACHMENTS** *with separate index follows Item 8.*

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## 1. OPENING PROCEDURES

Cr Rayner, Chairperson, declared the meeting open at 6.02pm.

### 1.1 Announcement of Visitors

Chiara Acciano from LGIS.

### 1.2 Record of Attendance and Apologies

#### Members

Cr B Rayner	Council Rep./Deputy 2 CBFCO/Chair.
Mr R Koch	CESM/Deputy 3 CBFCO.
Ms S Haslehurst	Chief Executive Officer.
Mr M McKeown	Toodyay Central Bush Fire Brigade Rep.
Mr J Hansen	Bushfire Risk Management Planning Coordinator.
Mr C Stewart	Chief Bush Fire Control Officer (CBFCO)
Mr G Warburton	Reserves Management Officer.
Mr N Griggs	Deputy 1 CBFCO & Coondle-Nunile Brigade Captain/Representative
Mr H Bohlen	Julimar Brigade Representative.
Mr B Rigby	Bejoording Brigade Representative

#### Staff

Mrs M Rebane Executive Assistant.

#### Apologies

Cr B Bell	Council Member.
Mr D Isbill	Coondle-Nunile Brigade Representative.
Mr I MacGregor	Bushfire Vol. Fire & Rescue (Toodyay) Rep.
Mr P Hay	Department of Fire and Emergency Services (DFES)
Mr J Venn	Morangup Brigade Representative

#### Visitors

Mr P Brennan Toodyay Central Bush Fire Brigade Rep.

## 2. CONFIRMATION OF MINUTES

### 2.1 Minutes of Meeting held on 2 March 2021.

#### **OFFICER'S RECOMMENDATION/BFAC RES NO. 04/04/21**

**MOVED** C Stewart

**SECONDED** J Hansen

That the Unconfirmed Minutes of the Bush Fire Advisory Committee Meeting held on 2 March 2021 be confirmed subject to amendments

of the CBFCO statements made during the BFAC Meeting including but not limited to the following:

1. Pages 10 to 13 changes as follows:

#### **6.1.6 CBFCO**

- Thank you to support from the strike teams and the brigade turnouts to the fires that have been from to all points of the compass. Feedback from The information has flowed through to the has flowed through to the local debriefs has been forwarded and this flow through will continue onward to DFES. In particular the message about shift lengths and welfare that will be provided to DFES is the need for on-the-ground personnel and availability of our volunteer resource. as well as the self-management of We will self manage crews should DFES not look after our crews them as a resource satisfactorily.
- DFES are considering incorporating an 8 hour shift into their 1MT Structure. Suggestion of The incorporation of the 8-hour shifts with driving in and out, can become an advantage tactically, particularly in neighbouring shire deployments. The main points from the local debrief will be were presented to the DOAC and also at the level of the State BOC —Emergency Management Committee. Opportunities for operational feedback will be debriefed later come available.

#### Testimonial

- Thanks to the CESM for the successful applications for funding. The background work is greatly appreciated. By the end of 2021 Toodyay will nearly have all new appliances and new stations across the board. We are the a model local government and our operations and there is outside are what they are from the recognition of risk and how Toodyay operates mitigates the risk. It is a credit to all involved.
- Thanks to crews mobilised 29 in December 2020 to assist to re-energise Western Power. The assistance resulted in getting the power back for 900 customers.

### Outsourcing Services

- The Water Corporation has ~~ds~~ requested brigades assist with ~~some~~ their emergency works on piping by providing bushfire support. We declined. These types of requests are normally ad-hoc in nature however most volunteers are happy to cooperate to help the community. The pushback may come as to why government entities cannot provide Western Power is ~~not providing~~ their own firefighting capability in such situations. We intend to support these requests when required subject to further feedback.

### Fire Event Debrief

- CBFCO: We had a debrief ~~ated~~ Central on the local issues experienced and other incidents. We are mindful of ~~the community's welfare and experienced timing~~ issues with the shift changes at the Wooroloo and York events, particularly timing of them.
- At future ~~At the next~~ incidents we will endeavour to coordinate ~~volunteers will be fed better and their shift changes~~ and welfare ~~will be more timely.~~

### Fire Bans

- We have had a few Harvest vehicle movement bans this summer and are ~~consistently~~ educating the community on this. The Shire has tended toward calling harvest vehicle movement bans mid-morning unless the decision is made to go with the DFES Total Fire Ban.
- We aim to have ~~be~~ consistent messaging usually lifting about ~~so we can come off the ban earlier and run to 7.00pm.~~ Hopefully, this has been noticed in the community. Our response is completely dependent on the scenario of the given day.

2. On pages 14 and 15 changes as follows:

#### **6.2.1 CBFCO – Issue with Corporations and Landowners**

Some ~~Using Cobbler Pool as an example,~~ corporate landowners have their operational ~~conditional~~ licences. Fire is usually one condition.

in regard to fire but ~~W~~we are having instances where the corporate and private landowner becomes uncooperative when the brigade leaders are endeavouring to hand the fire control management back to them.

Most recently ~~at the~~ Corporate owner Corporation at the Cobbler Pool fire-site made noises about being cooperative and helpful but they were not. Volunteers spent three days on site, ~~and~~ although the corporates are fully aware, ~~it~~ would be helpful to have a ~~preforma~~ form made up to have them sign that they have been made aware of their responsibilities and if they refuse to sign, the result ~~could~~ will be that the Shire ~~could~~ will take action against them by way of raising a charge so that if the landowner refuses to or does not to take back control of the fire there can be cost recovery in terms of the appliances and machines being used to control the site.

Bushfire legislation pre 1959 had cost recovery charges applicable but it was removed from the legislation to become a prosecution process only within certain restricted fire ban periods. that were self-policed and self-regulated.

The rationale behind the charges request is and for discussion to take place is that brigade volunteers time is free, but there is a cost associated with the running of the appliances. Time could be is costed out. ~~and not paid for but~~ This is more about trying to raise awareness for uncooperative anyone who may be a fire belligerent landowners.

Perhaps the threat of a charge where we can educate landowners and mitigate some of the inconsiderate behaviour that puts volunteer firefighters at risk might change the dynamics of fires dealt with outside the prohibitive seasons where legislation principles are useless.

It is envisaged that the threat of cost recovery a ~~fine~~ may result in the landowner implementing more fire preventative measures on their property and if a fire starts, they will fight the fire more judiciously and make the call earlier to a brigade, knowing that a cost recovery expense may be part



~~of the response because the preventative measures taken by the landowner were not enough~~ being more cooperative after hand back of an incident.

3. Page 16 changes as follows:

Response from CBFCO

It is not about ~~replacing the emergency~~ response but ensuring that people continue to be engaged with their own fire event. It would be advantageous to charge only a belligerent landowner the cost of the appliances being used. The option would be more about educating or guiding landowners to do the right thing by making them think about

the cost that is associated with emergency callouts.

Response from CBFCO

This can ~~only~~ be implemented by the local government by way of a Notice **that gets** served on a landowner and if they do not pay the charge it becomes a debt to the Shire in addition to the landowner's rates.

Points raised as follows:

**Note:** CBFCO advised he would provide a written submission regarding this matter to the Office of the CEO (refer to attachments to these minutes).

**MOTION CARRIED 10/0**

**3. INFORMATION ADDITIONAL TO THE AGENDA**

**3.1 Review of the BFAC Status Report**

The report was reviewed and amended.

**4. PRESENTATIONS OR EVENTS**

**4.1 Occupational Safety and Health Presentation.**

Chiara provided an overview of the model of the Work Health and Safety Act, passed in 2020. The changes to the new model have implications on volunteers (*refer to the attachments to the minutes*).

Some points made as follows:

- Working collaboratively with volunteers;
- Volunteers understanding responsibilities;
- Ensuring policies and procedures in place;
- Sufficient resources to put safety procedures in place;

- Channels to communicate with the local government;
- Providing adequate training and structure to the volunteers;
- Making sure tasks do not adversely affect someone else;
- Performing tasks and activities in accordance with policies and procedures;
- New requirement for what is called an Officer. This is new. Duty of Care for the Officer. In a PCBU a person in the Senior Executive position affecting the whole – it will be the CEO and any other executives that have the ability to affect the whole of the organisation;
- Requirements are that the CEO will have to exercise due diligence and take reasonable precautions to prevent injuries occurring in the workplace including the volunteers.

Is that an authority that CEO can delegate?

*The authority will follow the chain of command. If you look at the City of Wanneroo or the City of Swan that has to be more than just the CEO. If there was ever an investigation done by Work safe they would look at all parties relevant to that position. There has been recognition that Officers are within associated volunteer bodies. The position may be voluntary. Information about that and their responsibility in that has come from Safe Work Australia (overarching organisation who created the bill). Officers in voluntary positions will have an immunity however if their actions cause injury to a person they will be investigated as a worker volunteer. Reason: do not want volunteers to step down to make decisions.*

How far down does the delegation go when brigades answer to a controlled network that answers to the Shire. Does it go to the Captain under that act?

*LGIS do not believe they will go down very far. It will likely be the CEO or an Officer delegated the duty.*

Some points made as follows:

- Work safe investigations focus on who has the element of control. Who issued the instructions/directions/ what work was being performed? Who has contributed to this series of events causing a fatality or permanent disablement? Who had control of money ensuring safety equipment, processes are in place, and where contribution occurred?
- Not unknown to prosecute 3-5 parties.
- If fatality occurred there is no doubt the investigators would speak with DFES as well.

Further clarification was sought.

Purpose of Presentation

- To make everyone aware of the changes in the OSH legislation. The regulations are to come.
- The Shire will review some of what we do with our bushfire service.
- Stronger initiatives will be put in place to make sure changes are not onerous on the volunteers.
- Legislation recognises volunteers as an employee.
- Further consultation will occur with Brigade Captains.
- OSH issues will be addressed at each station.
- LGIS well aware of complexities between different groups and associations.
- Volunteers to have appropriate authority and training to perform their role. Support where we can.

*Presentation finished at 6.44pm.*

## **5. REPORTS FROM SHIRE OFFICERS**

### **5.1 Report(s) from CESM**

#### **5.1.1 LGGS Funding – ESL funding**

Asked for a lot of funding that includes funding application for last remaining fire shed in Bejoording. Hopefully see money for that one and another appliance at Bejoording as well.

#### **5.1.1 Julimar Fire Station Project**

Will come to the Shires Planning and Development Department to get licences sorted.

#### **5.1.1 Driver Training**

Driver training will be outsourced to external third-party providers and will not be done as an in-house DFES course any more. Reason: the process is more efficient.

Points raised as follows:

- Can get you through on road and off road in one weekend so it will not cost people two weekends of their time.
- Courses can be put on at shorter notice.



- Come the new financial year a lot of courses will be on offer and done at driver training ranges located in the Perth district.
- Currently working with DFES e-academy because external driver training courses will not be recognised like for like to DFES training.
- Providing the external training will tick our OSH requirements but DFES need to be consulted to find the gaps between both training outcomes.
- A small gap course may be developed in the long-term to cover any gaps.

Question:

If DFES not recognising it, who is paying it?

*LGGS is going to pay for the training. DFES have altered their view and allowed funding for external driver training from this resource. It will not impact on the Shire's costs in that regard. They will issue a code for the driving courses equivalent. Prior recognition of learning will be considered with the external driver training provider.*

## **5.2 Report(s) from CEO**

### **5.2.1 DFES MOU**

We are in process of negotiating the DFES MOU in regard to the CESM position and absorbing changes with DFES apportioning funding which will mean strong discussions on our behalf because it means we have to pay more for the services provided by our CESM and we are also having discussions with the Shire of Goomalling about the breakup of time between both Shires.

## **6. UPDATES AND REPORTS**

### **6.1 Brigade Roundtable discussion and reporting**

#### **6.1.1 Julimar update**

- Met with Coondle a few weeks ago and collaboratively teamed together to undertake strikes. Thanks to Coondle for brunch.
- Started training with high school cadets. Four weekends to go. Good feedback from them.

### **6.1.2 Deputy 1 – DBFCO**

- Callouts over the last few days (VFRS and outside Coondle).
- Calls made were for us to sort out a neighbour dispute using us as an in between. We still have responsibility to do what we need to do but we are not and I would not advise any brigade getting involved in arguments with people about what is right or wrong. Make a note of the addresses and report it to Brigade Captains.
- Thanks to CESM and CBFCO. Good season. Movement bans worked well. Good balance between the seasons. Four callouts. Have a new HR driver.
- High school program good. Waiting for further reports from those involved in the program. Have scheduled scenarios for the Year 6 school-students tomorrow. People are coming in from Northam and we intend to manage an evacuation of the Year 3 students out of the school. Aim is to show the kids now what being in emergency services is all about so when they come of age, they may consider taking part.

### **6.1.4 RMO**

- MAF application a combined effort. Anticipating a very comprehensive program that will be slightly different than the previous two programs because there will be minimal road verge mulching, vehicle crossings, access, etc. Moving forward the program will change and get into other areas of work in terms of fire mitigation.
- The fire permit season went smoothly and certainly due to the Parks and Gardens assistance, and the fact that landholders could apply for up to a 28-day permit; it is interesting to note that landholders applying for permits are unfamiliar with the option to apply for any number of days between 1 and 28 and some landholders are getting used to idea to apply for more days so they can do their burning according to weather conditions and availability.

### **6.1.6 CBFCO**

- Thank you maintaining shifts thru to the end of season and after it has ended we are still busy.

- CESM working through the local government and Shire of Toodyay Legal Consultants to see what happens in terms of the raising a charge proposal. inquiries we I have made enquires to DFES legal at State level.
- It is our AGM season. There has been great stability and groups and brigades very efficient at getting their houses in order.
- Morangup still have Jeff Venn as Captain.
- Permits worked well this year and there were very few normal permits. Farmers were adopting other methods to mitigate crop residues and prepare soils not just by burning it.

#### **6.1.3 Bejoording Brigade**

- Not much change membership wise.
- Started projects at the fire shed to improve accessibility up to pumps and tanks.
- Installing stairs so that it will aid in access. Locals will supply rocks and fill to deal with some erosion before stairs go in. After the heavy rains some of the new fill was washed away. Still retained gravel to stabilize the ground.
- Not much action in fire events.

#### **6.1.7 Bushfire Risk Management Planning Coordinator**

- Supplementary Information – link to interesting video:

<https://eacademy.dfes.wa.gov.au/ilp/pages/mediacontent.jsf?catalogId=12255059&mediaId=12278407>

The above link will prompt users to sign into your DFES account (volunteer) first.

Video will show Captains what modifications are available to be made to new 12:2s but ours is not due for replacement and I would ask the CESM to look into possible modifications based on the fact that we may not get new unit for some time.

- Had pre-AGM meeting of the Central Brigade leadership group. Recruitment was high on list.
- Objectives to follow up on:



The Shire used to, on a regular basis, give out a Welcome to Toodyay kit that was an A4 package sent out once a property settled. We could send out new information for people to be aware of. Example could be a map on which all the locations of the brigades could be entered upon.

- The Shire can encourage people living close to these locations to be aware of the brigade locations and “pick the one closest to you and come down to speak with the brigade.” The handout will require an email address and phone number. In Central’s case it will be the Central Secretary Email address and for terms of longevity we don’t want to be changing phone details or email details regularly as it impacted on Shire Officers. It would be more ideal to have both phone and email addresses. This will make it easier for residents to get a hold of brigades and may increase membership.
- A question of clarification was made to the CEO in respect to Shire Officers attending incidents during work hours and whether they are aware they are able to do that without having any reduction in their pay. Spoken to a couple of Officers who have a different take on whether they are able to be paid or not paid – If the Shire is able to offer them that all brigades could pick up new members from the Shire staff.

*CEO to follow up.*

- Bushfire Ready  
*is a community-led program that encourages local residents to learn about planning and preparing for bushfires by working together. ..Bushfire Ready is focused on increasing community resilience and encourages residents to form a Bushfire Ready Group within their street or area.*

There is only one in Majestic Heights that is operational at the moment. Coordinators have been invited to a two-day symposium at the Bushfire Centre for Excellence. They sent us an agenda of what will be covered. Encouraging members in the brigade to put their hand up to become a Bush Fire Coordinator Facilitator.

There is a lot of support from DFES in terms of information and help to set up a bushfire ready group

in your area to deal with it. I can put you in touch with someone in DFES to talk to you more about it.

- OSH processes: Where the Central brigade is located on Stirling Tce we thought it is a good idea to instal a pre-emptive warning light system on either side of the driveways where the brigade is so warning lights flash when emergency vehicles are exiting the station.
- The purpose makes people aware that that is where the brigade is. Is this something we need to address? There will be variable cost implications depending on where the signs are located.

#### **6.1.5 M McKeown**

- 12:2 roster come up and what has occurred is that we have lost four of our drivers in the last three months.
- At the moment 12:2 is on the central brigade roster and we think it should be taken off the roster. It is a shire owned appliance. It is not our truck. Obviously, we need a Coordinator for that. In the first instance, for next summer, we are prepared to look after the roster but put as many people on it as possible including drivers from other brigades.
- Julimar offered to train people on the 12:2.
- With the tank, if it is needed to be deployed more often can we send it out with two people on it. To keep each other company in the first instance, but also being necessary when a driver is driving back to the station having travelled to whoop-whoop so that the second passenger can keep the driver awake. Would like to sort out a separate roster before next summer.
- Got some other ideas about rosters but will deal with inhouse.
- Toodyay appliances getting called out to fires further away. That one yesterday was 100km drive to the fire. Has to be someone closer to go to the fire. It was a long way away. I don't know how many appliances were there. Clarification was provided.
- Have AGM next Tuesday and we will get a new captain because I am giving up after eight years of being the Captain.

### 6.1.8 Cr Rayner

- FCO nominations coming up; normally happens in between this and the next meeting.
- 21 days prior to the next BFAC meeting any nominations given to BFAC members from brigades will be given to the CESM who will also go to existing FCO's to see if they wish to self-nominate and continue as FCO's.
- Clarification sought in relation to the numbers of FCO's from each brigade.

*Response was that it doesn't make a difference who applies to be an FCO from the brigade pool as a whole.*

- Clarification sought in relation to the permit app.  
*CESM reported that there were some glitches and the Shire is looking at introducing a new system that will be more capable than the whims of free third-party software.*
- Clarification sought in relation to upgrading trucks to become useable as a 12:2 by adding bigger tyres and heavier springs. 3,000 litres is a lot of water. We as a brigade talk about the duty of care. Nominated as 12:2 why cannot we get a special license like Serpentine Jarrahdale has done through their application to the Department of Transport to permit their vehicle as an emergency vehicle.

*CESM: with respect to the 12 2 capacity we are keeping an eye on that one to see whether Serpentine Jarrahdale are successful in applying for exemption of weight. If they are I would seriously entertain that as a solution. In the interim DFES acknowledged issues.*

*Second round remediation addressing that in some way. Likely to expect some improvement but will not go back to capacity it was 600 kilos over the drive It never held 12 thousand litres.*

*CESM: keeping eye on Serpentine Jarrahdale. If there is a precedence. Happy to go down that path.*

- CBFCO: In respect to a Concessional licence – DFES will not support that, indicating it would then become the local government's responsibility. To carry risk  
Their fix is to cut bits off the overflow. DFES got away with it for eight years. The fault was found only after a



12.2 went over the pits and was weighed. DFES built the 12.2 and want to fix it the DFES way otherwise local government carries all the risk.

## **6.2 BFCO Roundtable discussion and reporting**

### **CESM**

With 12:2 drivers we can use local governments to fund licensing costs so if someone wants to do driving we can fund the cost of having the license.

If good candidates are available from any brigade and they have good availability plus are good stable, and reliable, then please advise the CESM.

The Shire Depot looks like an oil refinery. We have expanded the tank capacity through a DWER grant.

We are in the final stages of being completed. Once the rain comes over the winter period we can use it next season; which will make up for water for the brigade appliances. There is an overflow switch that will flick off. The banks help meet the firefighting requirements of the Depot. It is really looking very good. An email will be sent out when they can be utilised.

*CBFCO sought clarification sought from M McKeown in relation to how many 12 2 operators there were. Response were that there are a dozen or so from all brigades.*

## **7. CONFIRMATION OF NEXT MEETING**

The next meeting of the Bush Fire Advisory Committee is scheduled to be held on 3 August 2021 commencing at 6.00pm.

## **8. CLOSURE OF MEETING**

The Chairperson closed the meeting at 7.29pm.

# Attachments to Minutes

Bush Fire Advisory Committee

4 May 2021

## INFORMATION ADDITIONAL TO THE AGENDA

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3.1 Bushfire Advisory Committee Status Report

1



**BFAC STATUS REPORT**  
**Bush Fire Advisory Committee**

*Supporting Officer / Responsible Officer*  
*Community Emergency Services Manager /*  
*CEO*



Meeting Date	Purpose	Resolution / Action	Target date for completion	Actioned by	Completion Date	Meeting Commentary
02/03/2021	Changes to Volunteer Bushfire Brigade Bush Fire Operating Procedures	<p>That the Shire of Toodyay Bush Fire Advisory Committee recommends to Council the adoption of the amended Shire of Toodyay Bush Fire Operating Procedures as amended to this report which include:</p> <ol style="list-style-type: none"> <li>1. The new Standard Operating Procedure (SOP.24 – Use of Drones During Bushfire Operations).</li> <li>2. Amendments to the New Membership Application Process (Item 2.1, Section 1).</li> <li>3. Amendments relating to the update of training course names.</li> <li>4. Miscellaneous amendments relating to (Item 2.2.2, Section 1) and sundry formatting amendments.</li> </ol>	Completed	CESM	27/04/2021	<p>04/05/2021: indicated the procedures were adopted by Council at their OCM held on 27 April 2021.</p> <p>The CESM will send out the updated procedures.</p>



**BFAC STATUS REPORT**  
**Bush Fire Advisory Committee**

*Supporting Officer / Responsible Officer*  
*Community Emergency Services*  
*Manager / CEO*



Meeting Date	Purpose	Resolution / Action	Target date for completion	Actioned by	Completion Date	Meeting Commentary
2/3/2021	Issue with Corporations and Landowners	No resolution made but questions posed to the local government	ASAP	CESM	t.b.a.	CESM to consult with the CEO about possible mitigation of risk.  04/05/2021: Best course of action to seek legal advice before we proceed further.