



Bushfire Advisory Committee Meeting

6 November 2024

Commencing at 6:00 PM

AGENDA

The next Bushfire Advisory Committee Meeting will be held at the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 on the abovementioned date and time.

Members are requested to familiarise themselves with the Agenda and prepare notes to help address key issues for the debate during the Meeting.

Members are requested to email questions via email at ceo@toodyay.wa.gov.au at the earliest opportunity so that Officers can respond to those questions prior to the Meeting.

Aaron Bowman

CHIEF EXECUTIVE OFFICER



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ATTACHMENTS can be found in the Attachments Paper on the Council website alongside this agenda.

1 DECLARATION OF OPENING**1.1 ANNOUNCEMENT OF VISITORS****1.2 RECORD OF ATTENDANCE AND APOLOGIES****1.3 DISCLOSURE OF INTEREST****2 MINUTES AND ADDITIONAL INFORMATION****2.1 CONFIRMATION OF MINUTES**

Minutes of Meeting held on 7 August 2024

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Bushfire Advisory Committee Meeting held on 7 August 2024 be confirmed.

2.2 REVIEW OF STATUS REPORT**2.2.1 Confirmation of Minutes and Status Report**

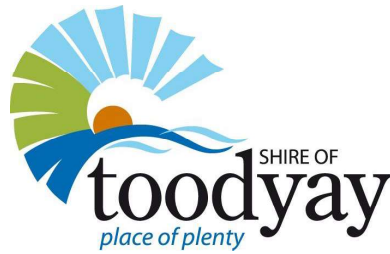
Attachments:	1. Extract of Minutes from August 2024; and ↓
	2. Updated Status Report. ↓
	3. Committee Member Reporting Form. ↓

The extract of the BFAC Minutes from August 2024 are provided for confirmation purposes.

The BFAC Status report is provided for review.

The Committee Member Reporting Form is provided with this agenda, and separately via email for members to complete upon receipt of the Agenda for the BFAC Meeting and email completed forms to j.odriscoll@toodyay.wa.gov.au

Please note that once the meeting is held, the title of this report will change to say update of the Status Report, in the minutes of the meeting.



Bushfire Advisory Committee Meeting

7 August 2024

Minutes

To: Bushfire Advisory Committee Meeting Members and Councillors.

Here within are the Meeting Minutes of the Bushfire Advisory Committee Meeting, held on the above-mentioned date in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566.

Tabitha Bateman
ACTING CEO



BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES

7 AUGUST 2024

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the next Committee Meeting, where the Minutes will be confirmed subject to any amendments made by the Committee.

The "Confirmed" Minutes are then signed off by the Presiding Person.

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

Unconfirmed Minutes

These minutes were approved for distribution on 9 August 2024.

Tabitha Bateman

ACTING CEO

Confirmed Minutes

These minutes were confirmed at a meeting held on 6 November 2024.

Signed:

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

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BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES**7 AUGUST 2024****1 DECLARATION OF OPENING**

Cr M McKeown, Chairperson, declared the meeting open at 7.05pm.

1.1 ANNOUNCEMENT OF VISITORS

Aurelie Zimmerman

1.2 RECORD OF ATTENDANCE AND APOLOGIESMembers

Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Mr C Stewart	Chief Bush Fire Control Officer
Mrs E Francis	Emergency Management Officer
Mr N Griggs	Deputy 1 CBFCO
Mr G Warburton	Reserves Management Officer
Mr I MacGregor	Toodyay Volunteer Fire & Rescue
Mr W Hort	Toodyay Central Bush Fire Brigade Rep
Mr S Tunncliffe	Coondle-Nunile Brigade Representative
Mr W Sutton	Julimar Brigade Representative

Staff

Mrs M Rebane Executive Assistant

Apologies

Cr S Dival	Deputy Shire President
Cr J Prater	Councillor
Cr M McKeown	Shire President (Chair)
Mr R Koch	Deputy 2 CBFCO / CESM

1.3 DISCLOSURE OF INTEREST

Nil.

2 MINUTES AND ADDITIONAL INFORMATION**2.1 CONFIRMATION OF MINUTES****2.1.1 Minutes of Meeting held on 1 May 2024**

OFFICER'S	RECOMMENDATION/BFAC	RESOLUTION
NO.BFAC004/08/24		
MOVED	Mr N Griggs	
SECONDED	Mr I MacGregor	
That the Unconfirmed Minutes of the Bushfire Advisory Committee Meeting held on 1 May 2024 be confirmed.		
<u>Voted For:</u>	Mr C Sullivan, Mr C Stewart, Mrs E Francis, Mr N Griggs, Mr G Warburton, Mr I MacGregor, Mr S Tunncliffe, Mr W Hort and Mr W Sutton	
<u>Voted Against:</u>	Nil	
MOTION CARRIED 9/0		

BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES

7 AUGUST 2024

2.2 REVIEW OF STATUS REPORT

2.2.1 Updated Status Report

Attachments:	1. Updated Status Report. 🔗
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The status report was reviewed and amended.

Points raised:

- location of the signage and manufacture of a new sign for that area.
- Liaison with Mr Hay about the VMS board.
- Issue with 3 water tanks opposite the depot addressed.
- Completion of WAPOL issue on status report.
- Water tank monitoring: confirmation that tanks are ready to go before season starts.

2.3 INWARD/OUTWARD CORRESPONDENCE

Nil.

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES

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4 OFFICER REPORTS

4.1 2024/2025 Bush Fire Control Officer Appointments

Date of Report:	16 July 2024
Applicant or Proponent:	R Koch – Community Emergency Services Manager
File Reference:	FIR25
Author:	R Koch – Community Emergency Services Manager
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Previously Before Council:	Resolution 190/08/23 – Appointments 23/24 Resolution 173/08/22 – Appointments 22/23
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Shire of Toodyay Bush Fire Control Officer (FCO) Nomination Report 2024/2025 (Confidential) (confidential) Section 5.23(2) (b) the personal affairs of any person (under separate cover)

PURPOSE OF THE REPORT

To consider the nominations for the roles of Bush Fire Control Officers and make recommendations to Council for Bush Fire Control Officers and appointment of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer(s) pursuant to Section 38(1) of the *Bushfires Act 1954*.

BACKGROUND

As per items 11.4 and 11.5 of the *Shire of Toodyay Bush Fire Operating Procedures* (the Operating Procedures), a process for nomination, recommendation, and resolution to appoint Bush Fire Control Officers is conducted annually.

As per item 11.5.1 (a-f) the CESM, on behalf of the Shire compiled a report on Bush Fire Control Officer nominations received and circulated to the membership via email on 23 July 2023.

Items 11.5.2 and 11.5.3 of the Operating Procedures, now require a recommendation to Council regarding the appointment of Bush Fire Control Officers from this meeting of the Bush Fire Advisory Committee, in line with the procedure of the aforementioned items in the procedures document.

COMMENTS AND DETAILS

Seven applications for the role of Bush Fire Control Officer have been received. These have been provided as a Confidential Attachment. Given the Operating Procedures provide for

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7 AUGUST 2024

eleven appointments and only seven nominations have been received, the BFAC may wish to consider whether additional nominations are required.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil

Strategic:

Bushfire management is an outcome that the Council has identified to meet the aspirations for Toodyay as a liveable and thriving Shire in the Toodyay 2023 Strategic Community Plan. The focus of the outcome is to increase the number of registered volunteers for the Bush Fire Brigades. Provision of effective leadership and incident control personnel for bushfire events is a key component of effective management of volunteers.

Policy related:

The excerpt below is from section 11.3 of the *Shire of Toodyay Bush Fire Operating Procedures* Administration Manual which denotes the role, duties, responsibilities, and qualifications of a Bush Fire Control Officer as follows:

11.3 Bush Fire Control Officer**Role**

A Bush Fire Control Officer is a delegated representative of the Local Government responsible for the administration of provisions within the Bush Fires Act 1954. The position is required to perform active operational duties in relation to both firefighting and fire prevention strategies within the local community.

A Bush Fire Control Officer must be able to demonstrate experience in wildfire behaviour, AIIMS and knowledge of the area. The person in this position must be able to interpret provisions of the Bush Fires Act 1954 and the Bush Fires Regulations 1954 and be confident with communication skills.

This position reports to the Chief Bush Fire Control Officer on all matters pertinent to bush fire management.

A Bush Fire Control Officer may hold jointly the position of Brigade Captain.

Duties and Responsibilities

Duties and responsibilities of the Bush Fire Control Officer include:

- 11.3.1 *Authorise permits for hazard reduction burns within the Shire of Toodyay in accordance with the Bush Fires Act 1954 and Environmental Act as and when directed by the CEO.*
- 11.3.2 *Identify and conduct risk assessments of fire hazards within the Shire of Toodyay.*
- 11.3.3 *Perform duties prescribed by the Bush Fires Act 1954 and authorised by Local Government.*
- 11.3.4 *Maintain a personal logbook to include a record of events and decisions during an incident.*
- 11.3.5 *Take control, command and manage resources during wildfire or hazard reduction burns within the Brigade area they are appointed.*

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- 11.3.6 *To take control of firefighting operations at a wildfire outside their Brigade area where no other Fire Control Officer is present.*
- 11.3.7 *Demonstrate Positive leadership and mentor Captains and Brigade members.*
- 11.3.8 *Provide advice to the CBFCO and CESM as to when harvest bans and or movement of vehicle bans should be applied.*

Criteria of Bush Fire Control Officer -

- *Firefighting experience of 8 years.*
- *Knowledge of managing a volunteer organisation.*
- *Knowledge of all Fire Response Plans in the Shire of Toodyay.*
- *Knowledge of the Bush Fires Act 1954.*
- *Ability to attend further fire and emergency management training.*
- *Effective Interpersonal Skills.*
- *Good Written and Verbal Communication Skills.*
- *Leadership Skills.*
- *Management Skills.*
- *Experience in managing operations.*
- *Ability to perform under stressful conditions.*

Qualifications of Bush Fire Control Officer –

Following courses completed:

- *Bush Fire Safety Awareness.*
- *Firefighting Skills.*
- *Crew Leader 2020.*
- *Advanced Bush Fire Firefighting 2020.*
- *Structural Fire Fighting.*
- *Sector Commander.*
- *Fire Control Officer.*
- *AIIMS 2017.*
- *Incident Controller Level 1.*
- *AIIMS awareness.*
- *Ground Controller.*
- *Machine Supervision.*

If a member has not done a course, they must endeavour to complete the next available course and in this situation the appointment will be at the discretion of the CBFCO and/or CEO.

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Additionally, the process for BFAC to make a recommendation is also specified in the *Shire of Toodyay Bush Fire Operating Procedures*. The excerpt below is from section 11.5 outline the procedure to be followed.

11.5 Recommendation of Nominations (to Council)

- 11.5.1 <intentionally omitted>
- 11.5.2 At each August BFAC, the committee will consider the report (11.5.1) and each member present will participate in a survey in the following manner to assist the committee in drafting a recommendation to Council:
 - a) By indicating which candidate(s) (zero or more) they endorse on the provided candidate survey form.
 - b) Candidates receiving endorsement on an absolute majority of survey responses returned shall be disclosed to the committee in descending order based on the number of survey endorsements received up to a maximum of 11 candidates.
 - c) In the case of a tie where the 12th or subsequent candidates share the same number of survey endorsements as the 11th placed candidate, process 11.5.3(d) and if required (e) shall be followed to determine the 11th candidate.
- 11.5.3 At each August BFAC, the committee will consider the report (11.5.1), and the results of the survey (11.5.2) and each member will participate in the following manner to assist the committee in drafting a CBFCO recommendation to Council:
 - a) Nominations for CBFCO will be called from the BFAC membership. Nominations may come from either:
 - i. candidates recommended in 11.5.2, or;
 - ii. a member of staff who has been appointed an FCO as part of their employment duties under council delegated authority to the CEO.
 - b) Nominees must have expressed their acceptance of the nomination by:
 - i. In writing along with their FCO nomination; or;
 - ii. In person as a member or guest at the August BFAC.
 - c) Where there are more than two accepted nominations, each member present will participate in a survey of the nominees. The membership will be advised of the survey results in descending order based on the number of survey endorsements to assist the committee in drafting a recommendation to Council.
 - d) In the case of a tie, the tied candidates shall become the subject of a subsequent survey, and so on until a result.
 - e) In the case process (d) results in a tie of two candidates the BFAC chair shall have the casting survey response.
- 11.5.4 At each August BFAC, the committee will consider the report (11.5.1), and the results of the survey (11.5.2) and each member

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will participate in the following manner to assist the committee in drafting DCBFCO recommendation(s) to Council:

- a) The process followed shall be the same as 11.5.3, substituting the term CBFCO for DCBFCO.*
- b) The process may be repeated to appoint desired number of DCBFCOs by ascending number designation.*
- c) Candidates previously recommended to the CBFCO or a DCBFCO role shall be ineligible to be nominated.*

11.5.5 *The drafted recommendation(s) resulting from 11.5.2, 11.5.3 and 11.5.4 shall be moved/voted on by the committee membership present as per normal committee procedures.*

Financial:

Nil

Legal and Statutory:

Local Governments appoint Bushfire Control Officers under Sections 38 and 38A of the *Bushfires Act 1954* and the duties of Bush Fire Control Officers are set out in the legislation. The Shire must appoint, at a minimum, a Chief and Deputy Chief Bush Fire Control Officer.

Risk related:

FCOs are provided powers under Section 39 of the *Bush Fires Act 1954*. While the appointment of FCOs aim to reduce risk to the community by providing leadership in control of bush fire incidents, having an untrained or under-skilled FCOs increases the potential exposure to the following risks:

- *Reputational Risk – There is a potential reputational risk to the Shire should review of a major incident expose unacceptable levels of training/skill or oversight in the appointment of FCOs.*

Likelihood: Rare

Consequence: Major

Analysis Risk: Medium

- *Social/Economic/Environmental Risk – There is the potential for social, economic and environmental impact of incidents, where life, or property or other significant assets are lost due to unacceptable levels of training/skill or oversight in the appointment of FCOs.*

Likelihood: Rare

Consequence: Extreme

Analysis Risk: High

In response to this risk, Council moved to adopt the Volunteer Bush Fire Brigade – Bush Fire Operating Procedures as Council's Interim Policy on 24 June 2014 (with most recent amendments adopted 27 July 2023) which sets out the qualities and qualifications of an FCO.

Workforce related:

Shire Staff FCOs – The Shire also requires several staff members to be appointed FCOs to perform the function of their employment. As these appointments relate to the management

BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES**7 AUGUST 2024**

of Shire Staff, Delegation to the CEO exists under the Shire's delegation register (Item ES8) in relation to Section 38 "Local government may appoint bush fire control officers" of the *Bush Fires Act 1954*.

Historically this includes the individuals holding the following positions:

1. Community Emergency Services Manager (CESM)
2. Emergency Management Officer (EMO)
3. Reserves Management Officer (RMO)
4. Ranger 1
5. Ranger 2

The Shire of Toodyay has a Memorandum of Understanding (MOU) with the Department of Fire and Emergency Services (DFES) that the person employed in the CESM role will be appointed an FCO for the Shire of Toodyay. This requirement extends to any staff member who is appointed to act in the role when the incumbent is on a period of leave.

These details have been provided in this report to provide BFAC the CEO's intent and full visibility of appointments to be advertised to meet the requirements of the *Bush Fires Act 1954*, and therefore feature in the officer's recommendation below.

VOTING REQUIREMENTS

Simple Majority

The Presiding Chair called for nominations for Points 1 to 9 in the recommendation.

Surveys circulated at 7.24pm for preferences.

N Griggs nominated Craig Stewart for CBFCO position.

E Francis seconded the nomination.

C Stewart accepted the nomination.

There being no further nominations, Craig Stewart was declared the Chief Bush Fire Control Officer.

E Francis nominated Nick Griggs to the Deputy Chief Bush Fire Control Officer 1 position.

W Hort seconded the nomination.

N Griggs accepted the nomination.

There being no further nominations, Nick Griggs was declared the Deputy Chief Bush Fire Control Officer 1.

N Griggs nominated R Koch to the Deputy Chief Bush Fire Control Officer 2 position.

C Stewart seconded the nomination.

There being no further nominations, Rob Koch was declared the Deputy Chief Bush Fire Control Officer 2.

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OFFICER'S RECOMMENDATION/BFAC RESOLUTION NO.BFAC005/08/24**MOVED** Mr N Griggs**SECONDED** Mr S Tunncliffe

That the Bushfire Advisory Committee recommends to Council the following:

Appointment of (to Position)

1. Craig Stewart (Chief Bush Fire Control Officer)
2. Nick Griggs (Deputy Chief Bush Fire Control Officer 1)
3. Rob Koch (Deputy Chief Bush Fire Control Officer 2)
4. Garry Forsyth (Bush Fire Control Officer)
5. Ian Macgregor (Bush Fire Control Officer)
6. Grant Scobie (Bush Fire Control Officer)
7. Peter Brennan (Bush Fire Control Officer)
8. Jeff Venn (Bush Fire Control Officer)
9. Charles Wroth (Bush Fire Control Officer)
10. The following Shire Officers as Bush Fire Control Officers:
 - (a) Ebony Francis - Emergency Management Officer
 - (b) Wes Sutton - Reserves Management Officer
 - (c) Shayne Willcocks - Ranger
 - (d) Joseph Tenardi - Ranger

Voted For: Mr C Sullivan, Mr C Stewart, Mrs E Francis, Mr N Griggs, Mr G Warburton,
Mr I MacGregor, Mr S Tunncliffe, Mr W Hort and Mr W Sutton

Voted Against: Nil

MOTION CARRIED 9/0**Attachments**

- 1 Shire of Toodyay BFAC FCO Ballot 2024/2025

BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES**7 AUGUST 2024****5 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE****5.1 RISK MANAGEMENT**

- Avon Earthworks completed mitigation works near the Toodyay Recreation Centre, partly grant funded.
- Verge spraying has commenced.

5.2 PRESENTATIONS OR EVENTS

Nil.

5.3 INCIDENT/EXERCISE REPORTS

- I MacGregor mentioned that training is planned for mid Sept 2024.

5.4 PROJECTS AND GRANT FUNDING

- Unsuccessful funding application for the Bejoording Fire Station.
- Water tank upgrades funding application: waiting for results.
- Multidirectional egress and access routes near North Street and Fitzgerald Terrace: received grant funding.
- Grant application (AWARE) submitted after attending a session in Dowerin regarding telecommunications in disasters. Intention for the funding is to create a digital plan to identify gaps and that information can be used for future infrastructure grant applications.

5.5 STRATEGIC REVIEW / PLANNING

- CESM Quarterly report received from DFES District Officer prompting some review and planning activities. Meetings to be held to address concerns raised.
- Generators: a review undertaken of all generators, not just those in the bush fire stations. A budget item is yet to be approved for the inclusion of monthly testing on all generators in the municipality to prevent any issues during emergencies.

5.6 ROUNDTABLE DISCUSSION AND AGENCY UPDATES**5.6.1 COONDLE NUNILE VBFB**

- Training has been focused on the appliances and equipment to keep things fresh in the minds of our firefighters.
- Weekly vehicle checks are being well attended, even when the weather conditions are not great.
- Regarding the roll-out of the updated Australian Warning System Levels with its action statements; the online awareness training is being encouraged to our members and for members to extend this knowledge share to their families, friends and associates.
- No new membership intake to report, I believe there is a regional campaign for recruiting volunteers, so we will see if there will be any applications between now and the next BFAC meeting.

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- If there is a promotional banner available, we would like to place one in front of our station.

5.6.2 RESERVES MANAGEMENT OFFICER UPDATE

- Fire Mitigation Services very busy in the reserves using chemical work including road verge chemical program. Another activity high pruning. Working out well and saving a lot of work.
- Malkup Fire Ground – mechanical clearing took place and plan to do revegetation project there and TFOR 30th anniversary project earmarked for environmental benefit.
- Handover to the new RMO.
- Thanked all members for support and input. Last BFAC meeting. Inspiring to know we have many dedicated people in Toodyay. Look forward to continued involvement in a different capacity.

5.6.3 JULIMAR BRIGADE UPDATE

- After our recently held AGM, we welcomed aboard 2 new lieutenants in the form of Wes Sutton and Maka Kemp. Congratulations to both of these steadfast Brigade members. They will be most welcome as part of our leadership team. That said they will have all the support and mentoring moving forward.
- Also, a big thanks to Wade Robson for filling the Captain's position for a second time. After much reluctance (not) Wade has passed over the baton to Dale Canning. The above positions have shown a positive step towards succession in the Brigade and are something we have been working on.
- Training will be ramped up again in the coming couple of months, with refreshers to help get us back in the groove.

5.6.4 TOODYAY CENTRAL BFB UPDATE

- Thanks to the Toodyay Football Club regarding the emergency services dinner.
- Every year annual depot and truck clean. Awareness session for crew members to be familiar with all trucks and how to roll hoses up. Shed detailed and trucks ready and good turnout.
- AGM held on 14 May 2024 – all positions filled. 4 new members. Training being undertaken.
- Appreciative of the leadership P Brennan will continue to provide even though he has handed over the Captain baton.

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5.6.5 VOLUNTEER FIRE AND RESCUE

The Emergency Services dinner was a success. If the dinner was brought forward to May during Volunteer Week we may be able to get funding through volunteer channels for that dinner to take place.

5.6.6. UPDATE FROM CBFCO

- AWS: it is good brigades are aware of new fire warning system; including the messages that go with it and those who initiate it.
- Heritage has raised its head in the fire response world, from State level.
- When the Red Hill fire occurred in December/January the crews had started to structure up to track fire around the quarry. All activity came to a halt for several hours until the correct permissions went through DPLH to continue to fight the fire. Incident Control managed this.
- Heritage will have an influence in fire response.
- The shutdown of midband and the 3G network has happened in some areas. Whilst operable still use it.
- Thanks for the Emergency Services Dinner and for I MacGregor being the driving force. It was an excellent night and great recognition.
- Thanks to Greg Warburton for his term of service and quiet influence. It is appreciated how the landscape presents in fire risk for the reserve management space and we look forward to seeing you in your volunteer capacity.

5.6.7 EMERGENCY MANAGEMENT OFFICER

- Vehicle servicing underway.
- Recent training undertaken.
- VSA courses on the quiet end.
- Thanks to Craig and Nick for stepping up and all the other FCO's.
- AWS educational material will be pushed out to the brigades.
- Thanks to Greg Warburton for service provided as RMO.
- Funding options available for promotional banners.

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6 CONFIRMATION OF NEXT MEETING

The next meeting of the Bushfire Advisory Committee Meeting is scheduled to be held on 6 November 2024 commencing at 6:00pm.

7 CLOSURE OF MEETING

The Chairperson closed the meeting at 8.14pm.



Meeting Date	Purpose	Resolution / Action	Target date for completion	Actioned by	Completion Date	Meeting Commentary
02/08/2023	Station Preventative Maintenance	Program of preventative works	ASAP	CESM	April 2024 Council Meeting	Refer to the minutes of Meeting for 1 Nov 2023 Memo been received by members of the BFAC delivered 7/2/2024. Council received a schedule of Preventative Maintenance
1/11/2023	Chainsaw Training Course Funding (P Brennan)	We will act post fire season at this stage as training efforts been placed into other priorities so this will be looked at in due course.	ASAP	CESM	T.B.A.	Refer to the minutes of Meeting for 1 Nov 2023 Still working on. Will provide training to Coondle and central in the new financial year.
07/02/2024	Update from CBFCO	That Council considers an increase in the CESH's credit card to enable an adequate limit for support during emergencies.	ASAP	CESM	Completed on 27 March 2024	Council Resolution: OCM102/03/24
01/05/2024	Cobbler Pool Signage	Signage needed to highlight for benefit of people coming in outside of the area to be advised of the fire risks and something that details our restrictions.	ASAP	CESM	Will be completed by end of August 2024	Four signs are already along Bindi Bindi Road. Signage to be installed to relocate one of the fire danger awareness signs

BFAC STATUS REPORT – Bush Fire Advisory Committee (continued)



Meeting Date	Purpose	Resolution / Action	Target date for completion	Actioned by	Completion Date	Meeting Commentary
						from Bindi Bindi Road and position corner River Rd and Cobbler Pool Road to capture people finding camping sites. Phil Hay said at last meeting there would be a VMS board, programmable to temporarily put on the roadside during peak seasons.
01/05/2024	Questions raised for clarification	Has the Depot Water Tank work now been completed in full to the Shires satisfaction so that all tanks connected to the system will fill to capacity given sufficient rain? <i>Two things will need to happen – information from the contractor and been many changes to the pipework we need a design of the pipework constructed. Some rain yesterday and some intake need to get a better indication of how it is tracking.</i> What is being done or what solid actions can be taken to get positive compliant actions from the owner of 15 Marginata Road, Coondle? <i>CESM had a meeting with WAPOL</i>	ASAP	CESM	Update provided at the August 2024 meeting	This may be removed from the status report.

BFAC STATUS REPORT – Bush Fire Advisory Committee (continued)



Meeting Date	Purpose	Resolution / Action	Target date for completion	Actioned by	Completion Date	Meeting Commentary
		<i>Tuesday last week. They will go out to the property. May have to look at other avenues.</i>				
01/05/2024	Water tanks and monitoring	This was asked by the members present at the meeting to be included as a regular item on the status report.	ASAP	CESM	Clarified at August 2024 meeting.	Item to remain on status report however the task is administrative.



BFAC Committee Member Reporting form

Reporting Details

☐ I request for the item noted below to be discussed at the next BFAC meeting:

Date of Committee Meeting: _____

Item Name / Subject / Title / Purpose: _____

Are you tabling attachments at the meeting? ☐ Yes ☐ No ☐ Copy attached

The background information is below: ** If you require more room, include the text in the email when you send this form back to the Shire.*

Proposed recommendation required? ☐ Yes ☐ No *If yes, write wording below **

COMMITTEE MEMBER DETAILS

Name(s): _____

Organisation representing
(if applicable): _____

Contact Details: Phone No: _____ Email: _____

OFFICE USE ONLY

☐ Officer Received Date: _____ Resolution Number: _____

☐ Council approved ☐ Report minuted



Administration Centre
15 Fiennes Street (PO Box 96)
TOODYAY WA 6566

T (08) 9574 9300
F (08) 9574 2158
E records@toodyay.wa.gov.au
W www.toodyay.wa.gov.au

2.3 INWARD/OUTWARD CORRESPONDENCE

Nil.

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

4 OFFICER REPORTS

4.1 Adoption of Bush Fire Brigades Local Law 2024

Date of Report:	3 September 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	LAW1
Author:	R Koch – Community Emergency Services Manager
Responsible Officer:	A Bowman – Chief Executive Officer
Previously Before Council:	Nov 2023 – Local Law Review
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Gazettal 1946; and ↓ 2. Gazettal 1970; and ↓ 3. New Bush Fire Local Law 2024. ↓

PURPOSE OF THE REPORT

To consider the new Bush Fire Brigades Local Law (**Attachment 1**) and make a recommendation to Council.

BACKGROUND

Local laws can only be made when authorised by the *Local Government Act 1995* (the Act) or other written laws but cannot be inconsistent with any State or Federal law.

Under the *Bush Fires Act 1954* a local government may establish and maintain one or more bush fire brigades for the purpose of carrying out normal brigade activities. The *Bush Fires Act 1954* also prescribes that a local government may, and in another circumstance shall, operate its bush fire brigade in accordance with local laws.

Two Bush Fire Brigades Local Law entries in the government gazette have been located as follows:

- GG 15 July 1970, page 2101
- GG 6 Dec 1946, page 1499. By-laws Toodyay Rd Board.

Research indicates that neither of these have been repealed.

In 2023 DFES wrote to Local Government's informing them importance of local laws for legislative requirements. Advice from WALGA indicated the Shire's local law was valid, however legislation requires periodic reviews of local laws and this has not occurred.

Officers compared a variety of other local government's bush fire local laws and developed a local law that is Toodyay specific.

COMMENTS AND DETAILS

This report is for the Bush Fire Advisory Committee to consider the attachments and make a recommendation to Council.

The proposed Local Law is intended to compliment current and future planned review of the Shire of Toodyay Bush Fire Operating Procedures.

The implementation of the new local law will provide a basic framework for operation of the Shire's Bush Fire Services and in doing so meet the requirements of the *Bush Fires Act 1954*.

Bush Fire Operating procedures will continue to exist to provide administrative and operational guidance to the Service. This approach will ensure that operating procedures remain adaptable for process refinement within the basic structure (provisions) of the local law).

IMPLICATIONS TO CONSIDER

Consultative:

Nil.

Legal and Statutory:

Section 41(1) of the *Bush Fires Act 1954*:

For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

The Bush Fire Advisory Committee recommends to Council the following:

That Council, under absolute majority, pursuant to the provisions of section 3.12(3) of the *Local Government Act 1995* resolves its intent to adopt the *Shire of Toodyay Bush Fire Brigades Local Law 2024*:

- (a) The **purpose** of which is to provide for the establishment, organisation and maintenance, administration and funding of bush fire brigades.
- (b) The **effect** of which will repeal the previous local laws and ensure that bush fire brigades will be organised and managed to comply with this local law.
- (c) The **justification** of which is that it will provide rules to a bush fire brigade governing the operation of a bush fire brigade pursuant to the *Bush Fires Act 1954* and the provisions of its subsidiary legislation.

DECEMBER 6, 1946.]

GOVERNMENT GAZETTE, W.A.

1499

CANCELLATION OF RESERVES.

No. 11731 (Kellerberrin), No. 15421 (Kukerin), No. 15433 (Narrogin), No. 16581 (Harrismith), No. 19251 (near Kalgan), No. 21575 (Bruce Rock), No. 15551 (Manjimup), No. 22192 (Boddington).

Department of Lands and Surveys,
Perth, 22nd November, 1946.

HIS Excellency the Lieutenant-Governor in Executive Council has been pleased to approve, under section 37 of the Land Act, 1933-1945, as follows:—

Corres. No. 6872/07, Vol. 2.—Of the cancellation of reserve No. 11731 (Kellerberrin Lots 196 and 197). (Plan Kellerberrin Townsite.)

Corres. 8226/12.—Of the cancellation of reserve No. 15421 (Williams Location 11339) "Water." (Plan 408/80, F1.)

Corres. No. 2529/14.—Of the cancellation of reserve No. 15433 (Narrogin Lots 1005 and 1007) "Gravel." (Plan Narrogin Townsite Sheet 2.)

Corres. No. 1095/16.—Of the cancellation of reserve No. 16581 (Harrismith Lots 34 and 39) "Recreation and Showgrounds." (Plan Harrismith Townsite.)

Corres. 3405/45.—Of the cancellation of reserve No. 19251 (Plantagenet Location 4460) "Quarry (Gravel)." (Plan 451/80, D3.)

Corres. No. 1810/14.—Of the cancellation of reserve No. 21575 (Bruce Rock Lot 46) (Church Manse—Methodist). (Plan Bruce Rock Townsite.)

Corres. 7037/12.—Of the cancellation of reserve No. 15551 (Manjimup Lot 202) "Camping." (Plan Manjimup Townsite.)

Corres. 3081/40.—Of the cancellation of reserve No. 22192 (Boddington Lot 39) "Road Board Purposes." (Plan Boddington Townsite.)

G. L. NEEDHAM,
Under Secretary for Lands.

BUSH FIRES ACT, 1937-1945.

Permits for Burning Clover, Potato Tops and
Flax Refuse.

Department of Lands and Surveys,
Perth, 27th November, 1946.

Corres. No. 274/38, Vol. 2.

IT is hereby notified, for general information, that Mr. W. M. Wright is duly authorised, under the provisions of the Bush Fires Act, 1937-1945, and the regulations made thereunder, to issue permits for the purpose of clover burning, burning potato and tomato refuse and of burning flax refuse, in the Capel Road District.

The appointment of Mr. J. O. Roberts is hereby cancelled.

G. L. NEEDHAM,
Under Secretary for Lands.

BUSH FIRES ACT, 1937-1945.

Suspension of Prohibited Periods.

Department of Lands and Surveys,
Perth, 20th November, 1946.

Corres. No. 272/38.

HIS Excellency the Lieutenant-Governor in Executive Council has been pleased to suspend, under the provisions of section 9 (3) of the above Act, the operations of all declarations prohibiting the burning of the bush so far as such declarations extend to State Forests, Timber Reserves and other lands under the control of the Conservator of Forests, in the Road Districts and for the periods as shown in the Schedule hereunder.

G. L. NEEDHAM,
Under Secretary for Lands.

Schedule.

Zone No., Road District, Period of Suspension
(from and to, both dates inclusive).

- 1; Narrogin; 23/10/46; 4/12/46.
2; Williams; 23/10/46; 4/12/46.
3A; Balingup; 15/12/46; 24/12/46.
3A; Preston; 15/12/46; 24/12/46.
3A; Greenbushes; 15/12/46; 24/12/46.
3A; Sussex; 15/12/46; 24/12/46.
3A; Capel; 15/12/46; 24/12/46.

BUSH FIRES ACT, 1937-1945.

By-laws of the Toodyay Road Board relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Road District of Toodyay.

Establishment of Brigade.

1. On the resolution of the Board to establish, maintain and equip a Bush Fire Brigade under the provisions of the Bush Fires Act, 1937, and regulations thereunder, the Brigade shall be formed in accordance with these by-laws; and a name shall be given to the Brigade and application accompanied by a copy of these by-laws shall be made to the Minister for Lands for its registration accordingly.

A bush fire brigade may be established for the whole of the road district or for any specified area thereof. Provided that, unless the resolution of the Board establishing a bush fire brigade specifies therein only a part of the district as the area for which such brigade is established, the brigade shall be deemed to be established for the whole of the said road district.

Appointment of Officers.

2. The Board shall appoint a captain, a first lieutenant, a second lieutenant and such additional lieutenants as it shall deem necessary to act as officers of the brigade, and who, in the Board's opinion, have the necessary qualifications and knowledge of the district required in such capacities.

3. The secretary of the Board or such other person as the Board may appoint, shall be the secretary of the Brigade.

4. The Board may appoint an equipment officer, who shall be responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the Board for the purposes of the Brigade. Such officer may station such equipment at a depot approved by the captain where, if possible, motor trucks can easily be called upon. If there are more than one such depots in the area, the equipment officer shall appoint at each depot a person to look after the equipment and have it ready for immediate use when required.

5. The Board shall appoint bush fire control officers in accordance with the requirements of the district and may prescribe the area over which each such officer shall have jurisdiction. The employment, dismissal and payment for services of persons (other than officers) employed for duties under this Act, shall be vested in the chairman and secretary of the Board conjointly.

Duties of Officers.

6. The duties of all officers appointed under these by-laws shall be as laid down in the provisions of the Bush Fires Act, 1937-1945, and each officer so appointed shall be supplied with a copy of the Act and regulations. The captain shall have full control over the members of the Brigade whilst engaged in fire fighting and shall issue instructions as to the methods to be adopted by the firemen. In the absence of the captain, the first lieutenant; and in the absence of the first, the second lieutenant or senior officer of the Brigade present at the fire shall exercise all the power and duties of the captain. The captain shall, when so directed by the Board, instruct all land owners or occupiers to plough a break or breaks on all cleared land or land under pasture.

Membership of Brigade.

7. (1) The membership of a Bush Fire Brigade may consist of the following:—(a) Subscribing members; (b) fire fighting members, and (c) associate members.

(2) Subscribing members shall be those persons who, being interested in forwarding the objects of the Brigade, pay an annual subscription to the funds of the Brigade at the following rates:—

- | | |
|---|---------------|
| (i) Owner or occupier of land within the Brigade area—minimum subscription of | s. d.
10 0 |
| (ii) Other persons—a minimum subscription of | 5 0 |

(3) Fire fighting members shall be those persons, being able bodied men over 18 years of age who are willing to render service at any bush fire when called upon, and who sign an undertaking in the form contained in the First Schedule to these by-laws.

1500

GOVERNMENT GAZETTE, W.A.

[DECEMBER 6, 1946.]

(4) Associate members shall be those persons who are willing to supply free motor transport for fire fighters or equipment, or are prepared to render other approved assistance, and who sign an undertaking in the form contained in the Second Schedule to these by-laws.

(5) No fees or subscriptions shall be payable either by fire fighting members or associate members, and the enrolment of persons as such members shall in every case be subject to the approval of the Board.

(6) A subscribing member shall be eligible for enrolment as a fire fighting member.

Finance.

8. The expenditure incurred by the Board in the purchase of equipment, etc., payment for services and generally for the purposes of this Act, shall be a charge on the ordinary revenue of the Board, but the secretary shall keep a separate record of the expenditure incurred under this Act.

Meetings of Brigade.

9. Saturday—Third in each second month.

These by-laws under the Bush Fires Act, 1937-1945, were passed by a resolution of the Toodyay Road Board (a local authority under the provisions of such Act) at a meeting held at Toodyay on 14th September, 1946.

(Sgd.) H. C. WOOD,
Chairman.

(Sgd.) M. Y. KEATING,
Secretary.

Approved by His Excellency the Lieutenant-Governor in Executive Council, 13th November, 1946.

(Sgd.) R. H. DOIG,
Clerk of the Council.

First Schedule.

FORM OF ENROLMENT—FIRE FIGHTING MEMBER.

I, the undersigned, hereby make application to be enrolled as a Fire-fighting Member of the..... Bush Fire Brigade.

My private address is.....

My business address is.....

I can be communicated with by telephone No.....

If needed, I can provide my own transport to the scene of any outbreak. (This line to be struck out if not applicable.)

I hereby declare that I am over 18 years of age, and in good health.

On election by the Committee as a Fire-fighting Member, I hereby undertake—

1. To promote the objects of the Brigade as far as shall be in my power.
2. To be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder.
3. To use my best endeavours to give assistance in fire fighting measures when called upon, and on such occasions to obey all orders and instructions issued by duly authorised officers of the Brigade.

Applicant's signature.....

Date.....

Second Schedule.

FORM OF ENROLMENT—ASSOCIATE MEMBER.

I, the undersigned, hereby make application for enrolment as an Associate Member of the..... Bush Fire Brigade.

- (a) I am prepared to offer to transport fire-fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type..... available for such purpose.

- (b) I am prepared to offer my services in the following capacity:—

.....
.....
.....

(Paragraph (a) or (b) above may be struck out if both do not apply.)

My private address is.....
My business address is.....
I can be communicated with by telephone No.....
On election as an Associate Member by the Committee, I hereby undertake—

1. To promote the objects of the Brigade as far as shall be in my power.
2. To be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder.
3. To use my best endeavours to assist in fire suppression work in the above capacity when called upon.

Applicant's signature.....
Date.....

NAMING OF ROAD.

Department of Lands and Surveys,
Perth, 22nd November, 1946.

Corres. No. 1361/86.

IT is hereby notified for general information that His Excellency the Lieutenant-Governor in Executive Council has been pleased to approve, under section 10 of the Land Act, 1933-1945, of the main road from Kalamunda to Canning Mills (part of road 1837, road 1480, part of road 2237, road 5686 and part of road 4597), in the Darling Range Road District, from road 1844 to the South-Eastern corner of reserve 6853, being named "Canning Road"; of the previous name "Canning Hills Road" of portion of this road being superseded, and such roads shall hereafter be known and distinguished as "Canning Road" accordingly. (Plans 1C/20 N.W., 1C/40, and Kalamunda, South Kalamunda, Walliston and Carmel Townsites.)

G. L. NEEDHAM,
Under Secretary for Lands.

TOWNSITE OF ASPLIN.

Department of Lands and Surveys,
Perth, 13th November, 1946.

Corres. No. 10703/06.

HIS Excellency the Lieutenant-Governor in Executive Council has been pleased to approve, under section 10 of the Land Act, 1933-1945, of the boundaries of the townsite of Asplin being amended by the excision of Nelson Location 11911. (Plans Asplin Townsite and 415D/40, C3 and 4.)

G. L. NEEDHAM,
Under Secretary for Lands.

CASH ORDER LOST.

Department of Lands and Surveys,
Perth, 14th November, 1946.

Corr. 794/38.

IT is hereby notified that the undermentioned Cash Order has been lost. Payment has been stopped and it is intended to issue an order in lieu thereof:—

Cash Order No. 5931; amount £16 4s. 3d.; drawn by S. A. Smith; in favour of H. C. Lee.

G. L. NEEDHAM,
Under Secretary for Lands.

APPLICATIONS FOR LEASING RESERVE 2166. PERTH LAND AGENCY.

Crazing Purposes.

Section 32 of the Land Act, 1933-1945.

Department of Lands and Surveys,
Perth, 20th November, 1946.

Corr. 3769/92.

APPLICATIONS are invited for the leasing of the land comprised within reserve 2166, situated near Mundijong and containing 121 acres.

The above reserve will be available for leasing under section 32 of the Land Act, 1933-1945, for a term of one year at a rental of ten pounds, renewable at the will of the Hon. the Minister for Lands, and terminable at three months' notice, rent being apportioned accordingly and no compensation being payable for improvements effected at the expiration of the lease or the sooner determination thereof.

Applications for the above, accompanied by one year's rent, must be lodged at the Lands Office, Perth on or before Wednesday, 11th December, 1946.



LOCAL GOVERNMENT ACT 1995

BUSH FIRES ACT 1954

Shire of Toodyay

Bush Fire Brigades Local Law 2024



Gazette Date:, page

LOCAL GOVERNMENT ACT 1995
 BUSH FIRES ACT 1954
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Declaration

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Toodyay resolved on _____ to make the following local law.

Part 1 - Preliminary

1.1 Citation and Application

This local law may be cited as the *Shire of Toodyay Bush Fire Brigades Local Law 2024* and applies throughout the district.

It is made in accordance with Subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

1.2 Commencement

This local law commences 14 days after it is published in the *Government Gazette*.

1.3 Repeal Provisions

This local law repeals the:

- (i) By-laws of the Toodyay Road Board relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Road District of Toodyay as published in the *Government Gazette* on 6 December 1946 (page 1499); and
- (ii) By-laws of the Toodyay Shire Council relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Shire or any part of the Shire of Toodyay as published in the *Government Gazette* on 15 July 1970 (page 2101).

1.4 Interpretation

- (1) In this local law, unless the context otherwise requires –

Act means the *Bush Fires Act 1954*;

brigade area means the area described in clause 2.2(1)(b);

Bush Fire Advisory Committee means the Shire of Toodyay Bush Fire Advisory Committee as formed under section 67 of the Act.

Bush Fire Brigade or *Brigade*, means a bush fire brigade established by the Local Government under clause 2.1 and registered in a register kept pursuant to section 41 of the Act;

Bush Fire Control Officer, means a bush fire control officer appointed by the Local Government under clause 5.1(1);

Bush Fire Brigade Member or *Brigade Member*, in relation to a Brigade, means a member of the Bush Fire Brigade, or may be –

- (a) an Elected Officer of the Brigade; or
- (b) another member of the Brigade;

Chief Bush Fire Control Officer means the Chief Bush Fire Control Officer appointed by the Local Government;

Chief Executive Officer means the Chief Executive Officer of the Local Government;

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Deputy Chief Bush Fire Control Officer means the Deputy Chief Bush Fire Control Officer appointed by the Local Government;

district means the district of the Local Government;

Elected Officer in relation to a Brigade, means each of the Captain, First Lieutenant, Second Lieutenant and any other Lieutenant –

- (a) appointed by the Local Government under clause 2.2(1)(c); or
- (b) elected by the Brigade Members under clause 2.2(4);

Local Government means the Shire of Toodyay ;

normal brigade activities is defined in section 35A of the Act; and

Regulations means regulations made under the Act.

- (2) In this local law, unless the context otherwise requires, a reference to –
 - (a) a Captain;
 - (b) a First Lieutenant;
 - (c) a Second Lieutenant;
 - (d) any additional Lieutenant;

means a person holding that position in a Bush Fire Brigade.

Part 2 - Bush Fire Brigades

2.1 Existing Bush Fire Brigades and Establishment of Bush Fire Brigades

- (1) A bush fire brigade established by the Local Government prior to the day on which this local law comes into operation –
 - (a) is to be taken to be a bush fire brigade established under and in accordance with this local law; and
 - (b) the provisions of this local law apply to the bush fire brigade.
- (2) The Local Government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (3) A bush fire brigade is established on the date of the Local Government's decision under clause 2.1(2).

2.2 Name and Officers of Bush Fire Brigades

- (1) On establishing a Bush Fire Brigade under clause 2.1(1), the Local Government is to –
 - (a) give a name to the Bush Fire Brigade;
 - (b) specify the brigade area in which the Bush Fire Brigade is primarily responsible for carrying out the normal brigade activities; and
 - (c) appoint, in relation to the Bush Fire Brigade –

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- (i) a Captain;
 - (iii) a First Lieutenant;
 - (iv) a Second Lieutenant;
 - (v) additional Lieutenants if the Local Government considers it necessary.
- (2) A person appointed to a position under clause 2.2(1)(c), is taken to be a Brigade Member.
- (3) The term of office of a person appointed to an Elected Officer position under clause 2.2(1)(c) ends –
- (a) at the completion of the first Annual General Meeting of the Bush Fire Brigade;
 - (b) when the person resigns from that position; or
 - (c) when the appointment, or the person's Bush Fire Brigade membership, is terminated under this local law;
- whichever occurs first.
- (4) At the first and each subsequent Annual General Meeting of a Brigade, the Brigade Members are to elect, from among the Brigade Members, persons to fill each of the Elected Officer positions of the Brigade.
- (5) If the position of an Elected Officer of a Bush Fire Brigade becomes vacant at any time other than at the completion of an Annual General Meeting of the Brigade, then a Special Meeting of the Brigade may be held at which the Brigade Members may vote for a replacement Brigade Member to fill the position until the next Annual General Meeting of the Bush Fire Brigade.

Part 3 - Dissolution of Bush Fire Brigades

3.1 Cancellation of Registration

- (1) In accordance with section 41(3) of the Act, the Local Government may cancel the registration of a Bush Fire Brigade if it is of the opinion that the Bush Fire Brigade is not complying with the Act or this local law; or is not achieving the objectives for which it was established.
- (2) Upon a Bush Fire Brigade's dissolution, the equipment, assets and funds of the Brigade must be placed under the control of the Local Government and dealt with in accordance with the *Local Government Act 1995*.

3.2 New Arrangement After Dissolution

If the Local Government cancels the registration of a Bush Fire Brigade, the Local Government is to make alternative arrangements in respect of the Brigade Area.

Part 4 - Organisation and Maintenance of Bush Fire Brigades

4.1 Local Government Responsible for Structure

The Local Government is to ensure that there is an appropriate structure through which the organisation of Bush Fire Brigades is maintained.

4.2 Managerial Role of the Local Government

- (1) Subject to any direction by the Chief Executive Officer, the Local Government has primary managerial responsibility for the organisation and maintenance of Bush Fire Brigades.

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- (2) Considering recommendations from the Bush Fire Advisory Committee, the Chief Executive Officer will appoint suitably qualified persons as Bush Fire Control Officers.
- (3) The Local Government will report to the Chief Executive Officer not later than 30 April each year for the consideration and appropriate provision being made in the next Local Government budget, the status of a Bush Fire Brigade's –
 - (i) training and readiness;
 - (ii) protective clothing;
 - (iii) equipment; and
 - (iv) vehicles and appliances.
- (4) The Local Government is to monitor Bush Fire Brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year or as directed by the Chief Executive Officer to the Chief Executive Office.
- (5) The Local Government is to ensure that Bush Fire Brigades are registered that the list of Brigade Members is maintained.

4.3 Functions of Chief Bush Fire Control Officer

- (1) The functions of the Chief Bush Fire Control Officer are –
 - (a) to provide leadership to Bush Fire Brigades;
 - (b) to liaise with the Local Government concerning fire prevention / suppression matters generally and directions to be issued by the Local Government to Bush Fire Control Officers; and
 - (c) responsibilities and powers as conferred in the Bush Fires Act 1954 and Bush Fire Regulations 1954.
- (2) The Chief Bush Fire Control Officer or the Deputy Chief Bush Fire Control Officer may attend as a non-voting representative of the Local Government at any meeting of a Bush Fire Brigade.

4.4 Equipment and Maintenance of Bush Fire Brigades

- (1) A Bush Fire Brigade is to report to the Local Government the quantity and quality of all appliances, apparatus and equipment of the Bush Fire Brigade when directed to do so.
- (2) The maintenance, replacement and upkeep of all Bush Fire Brigade protective clothing, equipment and appliances is to be the responsibility of Local Government.

4.5 Functions of Captain and Other Elected Officers

- (1) The functions of the Captain of a Bush Fire Brigade are to –
 - (a) provide leadership to the Bush Fire Brigade;
 - (b) monitor the Bush Fire Brigade's resourcing, equipment and training levels;
 - (c) liaise with the Local Government concerning –
 - (i) fire prevention or fire suppression matters generally; and
 - (ii) the Brigade's Bush Fire Brigade Officers;

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- (d) ensure that a list of the Bush Fire Brigade's Members is maintained;
 - (e) report annually to the Local Government the office bearers of the Bush Fire Brigade in accordance with the Regulations; and
 - (f) arrange for normal brigade activities as authorised by the Act or by the Local Government.
- (2) The functions of other Bush Fire Brigade Officers of a Brigade are to support the Captain of the Brigade in their role.

Part 5 - Administration of Bush Fire Brigades

5.1 Local Government Appointments

- (1) The Local Government may appoint, and may suspend or terminate the appointment of, persons to the positions of the Chief Bush Fire Control Officer, the Deputy Chief Bush Fire Control Officer and Bush Fire Control Officers.
- (2) A decision to suspend or terminate a person's appointment to a position under clause 5.1(1) must be made in accordance with the principles of procedural fairness.
- (3) A person's appointment to a position under clause 5.1(1) ends –
 - (a) if the appointment is for a fixed term (on the expiry of that term);
 - (b) if the person dies (on the date of their death);
 - (c) if a person gives written notice of resignation (on the date, as specified in the written notice, that the resignation is to take effect or, if no date is specified, on the date that the written notice is given to the Chief Executive Officer); or
 - (d) if the appointment is terminated by the Local Government (on the date that written notice of the termination is given to the person),
 whichever occurs first.

5.2 Membership of a Bush Fire Brigade

- (1) A person wishing to be a Bush Fire Brigade Member may make an application for membership to the Captain of the Bush Fire Brigade.
- (2) An application for membership of a Bush Fire Brigade –
 - (a) is to be assessed by the Captain of the Bush Fire Brigade who is to make a recommendation to the Local Government; and
 - (b) is to be determined by the Local Government who is to accept or reject the application.
- (3) A person whose membership application is accepted is to be appointed as a Brigade Member of a Bush Fire Brigade.
- (4) A person's membership of a Bush Fire Brigade under this clause 5.2 ends –
 - (a) if the person dies (on the date of their death);
 - (b) if a person gives the Captain of the Bush Fire Brigade written notice of resignation (on the date, as specified in the written notice, that the resignation is to take effect or, if no date is specified, on the date that the written notice is given to the Captain); or

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- (c) if the appointment is terminated by the Chief Executive Officer (on the date that the written notice of the termination is given to the person);

whichever occurs first.

- (5) Subject to clause 5.2(7), the Chief Executive Officer may suspend or terminate the membership of a Brigade Member appointed under clause 5.2(3) if, in the opinion of the Chief Executive Officer, the Brigade Member is unfit to serve as a member of the Bush Fire Brigade.
- (6) A decision to suspend or terminate a person's membership of a Bush Fire Brigade under clause 5.2(5) must be made in accordance with the principles of procedural fairness.
- (7) If the Chief Executive Officer has a conflict of interest in considering and determining whether a person's membership should be suspended or terminated –
 - (a) the Chief Executive Officer must refer the matter to the Chief Bush Fire Control Officer; and
 - (b) the Chief Bush Fire Control Officer is to consider and determine the matter.
- (8) At the end of the period of suspension imposed under clause 5.2(5) or 5.2(7), the Chief Executive Officer (or if clause 5.2(7) applies, the Chief Bush Fire Control Officer) must –
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) confirm the continuation of the membership.

5.3 Meetings of Bush Fire Brigades

- (1) A Brigade may hold Ordinary Meetings on such days and at such times and places, as the Brigade considers appropriate.
- (2) A Brigade should hold at least six Ordinary Meetings each year.
- (3) A Brigade must hold an Annual General Meeting each year by the month of June.
- (4) At the Annual General Meeting, the Brigade is to –
 - (a) elect Bush Fire Brigade Officers;
 - (b) receive the Captain's annual report;
 - (c) receive the Elected Officers' annual report; and
 - (d) adopt the annual financial statements of the Brigade.
- (5) Notice of the Annual General Meeting and any ordinary meeting must be given to all Brigade Members at least fourteen days before the commencement of the meeting.
- (6) A Brigade may hold a Special Meeting to allow the membership to deal with a specific motion or business.
- (7) A notice of a Special Meeting must be given at least 72 hours before the commencement of the meeting.
- (8) The purpose of the Special Meeting must be included in the notice of meeting.

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Part 6 - General

6.1 Consideration in the Local Government Budget

In addition to funding made available through emergency services grants, the Local Government may provide further funding depending on the assessment of budget priorities for the year in question in accordance with Part 6 of the *Local Government Act 1995*.

AUTHORISATION

Dated this.....day of2024

The Common Seal of the)
Shire of Toodyay was)
affixed by authority of a)
resolution of the Council)
in the presence of)

Cr Michael McKeown
Shire President

Aaron Bowman
Chief Executive Officer

Date

Date

4.2 Bush Fire Service Work Health and Safety

Date of Report:	25 October 2024
File Reference:	FIR1
Author:	R Koch – Community Emergency Services Manager
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Attachments:	Nil

PURPOSE

To provide information to the Bush Fire Advisory Committee regarding the introduction of new processes to ensure compliance with the *Work Health and Safety 2020 (WHS Act)* and associated regulations.

BACKGROUND

The WHS Act came into effect March 2022. This new legislation has further formalised the responsibilities of employers which in some respects were implied but not explicitly stated under previous health and safety legislation. This is true for management of volunteers for which the WHS Act clearly defines as workers or employees. In short, whether a volunteer or employee on the payroll, the responsibility of the employer (in this case the Shire) with respect to health and safety in the workplace are considered equal. Both the brigade station and the fire ground are considered the workplace of the bush fire volunteer.

Local government insurers and risk advisors, LGIS, have been raising awareness within the wider local government industry regarding management of volunteers. The Shire has elected to introduce changes to strengthen its management of Bush Fire Service personnel.

COMMENTS AND DETAILS

In a basic form there are three key pillars to achieve good WHS practices:

- Training;
- Doctrine (incorporating administration practices, standard operating procedures, and record keeping); and
- Personal Protective Equipment/Clothing PPE/C.

Training

The Shire of Toodyay utilises DFES developed training packages to train our members in their roles.

However, induction processes are required to ensure WHS compliance and as such a work health and safety induction is being introduced for both new and existing members. This will take the form of the *DFES Work Health and Safety Induction* via the eAcademy. Members will have until 31 December 2024 to complete this requirement.

The DFES induction product was chosen in consultation with LGIS owing to:

- It is contextualised to the emergency services sector.
- It utilises existing (eAcademy) system familiar to most members.
- The eAcademy integrates with the membership database streamlining administration.
- Provides ability for members and supervisors (i.e. Captains) to view completion records of their members.
- Approximately 20% of membership have already completed this course.
- The content is utilised by all DFES brigades, groups and units (BGUs) reducing duplication for BFS members dual listed with SES, VFRS and VMRS.
- Furthermore, a WALGA and DFES combined working group is currently evaluating a draft variant of the chosen package which would be further contextualised to Local Government Bush Fire Service via the eAcademy.

Members have been enrolled in the *DFES Work Health and Safety Induction* in the eAcademy and informed via email and SMS (25 November 2024) of this requirement.

Update of doctrine relating the above process will occur.

Doctrine/Administration

SOPs – The Shire of Toodyay adopted Bush Fire Operating Procedures in 2014, with a number of updates since adoption. A full review of both the administration and operating procedures is underway, with consultation to occur at a future BFAC during drafting and adoption process.

Records – The Shire will shortly undertake a process to confirm and enhance membership records. This will require actions from all members. This process will include:

- Provision of current records to each member for review and confirmation.
- Medical declaration questions.
- Onboarding acknowledgment – this will confirm induction knowledge relating to site (station) and local context (i.e. SOPs and reporting procedures) and will be recorded using the *Volunteer Firefighter Induction* on the eAcademy (as per DFES process).

For simplicity, the above will be carried out in a single document for review, confirmation and acknowledgment, with a completion requirement for all members by 31 December 2024. Members have been informed about this requirement via email. At the date of report writing, DFES is working on a machine-readable report for all LGs to support the streamlining of the current membership confirmation for members (and the administrators). Based on timelines indicated by DFES, the Shire aims to be commencing this process with members mid-November.

Effect on New Membership Applications – To reflect the above requirements, changes to new membership application processes are also being implemented. This will ensure that all new personnel achieve relevant requirements as they move through the registration/onboarding process without retrospective actions from either the member or Shire. Captains will be informed of process changes and doctrine updated accordingly.

Other – The Shire has previously limited access to the BART application to active fire fighters only (or by individual consideration of auxiliary member role). This was due to BART's primary function of indicating availability for turnout. Increasingly BART is being used as a

communication medium and an intranet of sorts via documents function disseminating information, forms and links to systems. As the latter uses have relevance to auxiliary membership as much as firefighters, the Shire is currently considering providing the app to all members with the intent of broadening the rollout. Captains/members will be informed of outcomes/rollout in due course.

PPE/PPC

The Shire currently issues and records PPE/C to all members. The Shire has also implemented diesel particulate matter management to reduce impacts related to stored PPE/C. Update of doctrine relating to PPE/C will occur to reflect current issuing and management standards being practiced.

OFFICER'S RECOMMENDATION 1

That the Bushfire Advisory Committee notes the officers advice contained in this report.

4.3 Facility Scheduled Maintenance

Date of Report:	28 October 2024
File Reference:	FIR1
Author:	R Koch – Community Emergency Services Manager
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Attachments:	1. Facility Maintenance Schedule ↓

PURPOSE

To provide information to the Bush Fire Advisory Committee regarding the establishment of a facility maintenance schedule as it applies to Bush Fire Service locations.

BACKGROUND

Over recent years, three of the five bush fire brigades have transitioned from basic fire sheds to fit for purpose fire stations. The new facilities require higher levels of upkeep owing to their enhanced features.

The Bush Fire Advisory Committee first raised issues surrounding preventive maintenance of bush fire stations at the 08 February 2023 meeting. An update providing a proposed list of items and indicative frequencies was tabled at the 7 February 2024 meeting.

COMMENTS AND DETAILS

The Shire has further considered the required maintenance items and timing for each, and has developed a schedule (**Attachment 1**), to which it proposes to carry out works. The purpose of carrying out scheduled maintenance, is to ensure uninterrupted operations, longevity of facilities and to meet compliance standards including workplace safety considerations.

The schedule considers additional items than previously foreshadowed to the committee, and includes details where items exist on both stations and vehicles (i.e. first aid items, fire extinguishers).

The Shire will coordinate the works in line with the schedule. The schedules commencement date is January 2025.

OFFICER'S RECOMMENDATION 1

That the Bushfire Advisory Committee notes the schedule (**Attachment 1**) of this report.

FACILITY NAME	FREQUENCY		Quarterly		Bi-Annual		Fire EXTINGUISHERS		Annual - Kits		Annual - AEDs		WATER FILTRATION		ROLLER DOORS		ROOF SAFETY SYSTEM		TESTING & TAGGING		ACID TESTING		CUTTERS		SIRCONS		GENERATORS		SMOKE ALARMS		SECURITY SYSTEMS		GAS APPLIANCES	
	Rovert Thwait	Rovert	Rovert & Tarnley	Rovert	Building	Vehicle	Building	Vehicle	Building	Vehicle	Annual - AEDs	UV Light + Filter	Pipe Crib	Pipe Wall + UV	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	1st Service	2nd Service	3rd Service	Annual	Annual	Annual	Annual			
Beeding Fire Station	April	July	October	January	October	April	October	April	July	July	July	August	February	July	September	August	August	August	August	August	August	August	April	September	October	October	January	March	August	July	July	July		
Combeley Bush Fire Brigade Station	April	July	October	January	October	April	October	April	July	July	July	August	February	July	September	August	August	August	August	August	August	August	April	September	October	October	January	March	August	July	July	July		
Neerambi Bush Fire Brigade Station	April	July	October	January	October	April	October	April	July	July	July	August	February	July	September	August	August	August	August	August	August	August	April	September	October	October	January	March	August	July	July	July		
Marange Co-Location Centre (BFD/SES)	April	July	October	January	October	April	October	April	July	July	July	August	February	July	September	August	August	August	August	August	August	August	April	September	October	October	January	March	August	July	July	July		
Footley Co-Location Centre	April	July	October	January	October	April	October	April	July	July	July	August	February	July	September	August	August	August	August	August	August	August	April	September	October	October	January	March	August	July	July	July		

STATUS KEY

ONLINE

QUE IN NEXT 30 DAYS

NOT YET QUE

NOT REQUIRED

4.4 Cobbler Pool Camping Restrictions

Date of Report:	1 November 2024
File Reference:	FIR1
Author:	R Koch – Community Emergency Services Manager
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Attachments:	Nil

PURPOSE

To provide information to the Bush Fire Advisory Committee regarding the restrictions to camping at Cobbler Pool.

BACKGROUND

Several years ago, a private land holding in the vicinity of Cobbler Pool area underwent subdivision with the area locally known as the Cobbler Pool Camp Site reverting to crown land with Shire management. More specifically this site is now known as Lot 112/P410101 or Reserve 539140.

Since this time, free camping on the land has steadily increased. Fire incidents have also increased with several callouts over the last few years to this site.

Ranger Services have also noted several campfires which have been left unextinguished and unattended during the recent restricted burning period.

The *Land Administration (Land Management) Regulation 2006* Section 15 contains provisions relating to camping. Specifically, but not limited to; a person must not camp on regulated land other than in area designated for camping.

The Bush Fire Advisory Committee has noted the emerging issue surrounding potential fire incidents stemming from this site.

COMMENTS AND DETAILS

The Cobbler Pool site is a degraded environment dominated by high fine (grass) fuel load which is both susceptible to ignition and fast rate of spread of a fire. Being a river/valley-based location, the adjacent upslope adds to the risk of spread of fire (particularly to the north). The greater Julimar subdivision area is situated at the top of this upslope.

The 2023 Avon Valley Fires (caused by rail movement) in this area, highlighted the potential of fire originating in this area.

In addition to management of fire risk the Shire has also considered:

- Sanitation/environmental health risks.
- The uncontrolled railway crossing which both splits the site and represent the main access to riverside locations where most of the camping has been noted as occurring.

The Shire is currently liaising with LGIS (local government insurers and risk advisors) to further understand the risks associated with continued unauthorised camping on the site.

As an initial action, the Shire has decided to restrict (prohibit) camping during the Prohibited Burning Period (nominally 01 November – 08 March annually).

The Shire may consider further restricting camping once LGIS advice is received and considered.

Staff are currently undertaking the following immediate actions:

- Organising signage
- Repairing fencing/gates to restrict vehicle access.
- Ranger Service patrols
- Advertising

Locked gates will utilise the Shire 'fire' lock to ensure Bush Fire Service access to the site is maintained.

Arc Infrastructure, who have a proximity interest in the site, and occasionally use the site as a temporary material and plant lay-up area, are being liaised with regarding the changes. There is no intention of restricting Arc Infrastructure use of the site.

OFFICER'S RECOMMENDATION 1

That the Bushfire Advisory Committee notes the contents of this report.

5 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE**5.1 RISK MANAGEMENT****5.2 PRESENTATIONS OR EVENTS****5.3 INCIDENT/EXERCISE REPORTS****5.4 PROJECTS AND GRANT FUNDING****5.5 STRATEGIC REVIEW / PLANNING****5.6 ROUNDTABLE DISCUSSION AND AGENCY UPDATES**

Administration Centre T (08) 9574 9300
15 Fiennes Street (PO Box 96) F (08) 9574 2158
TOODYAY WA 6566 E records@toodyay.wa.gov.au
W www.toodyay.wa.gov.au

Committee Member Reporting form

Reporting Details

☐ I request for the item noted below to be discussed at the next:

Committee

Meeting:

(please tick)

- ☐ Audit & Risk Committee ☒ **Bushfire Advisory Committee**
☐ Environmental Advisory Committee
☐ Local Emergency Management ☐ Museum Advisory Committee

Date of Committee Meeting: **06/11/2024**

Item Name / Subject / Title / Purpose: Coondle Round Table

Are you tabling attachments at the meeting? ☐ Yes ☐ No ☒

The background information is:

We've acknowledged the fact that the Shire is conducting roadworks on Toodyay Bindi-Bindi Road, the members have been briefed regarding the communication with traffic management (on channel 10 UHF) and how to navigate the roadworks safely when turning out to an incident.

Training has been focused on the appliances and equipment to keep things fresh in the minds of our firefighters.

Weekly vehicle checks are well attended, the anticipation is building for the summer months.

Driver shortages are still an issue, not just for Coondle but I'm sure all brigades are in a similar position, don't see a short term fix for this however, new membership may provide licenced people but will have to undergo DFES/Local Government driver training.

We've only had one new applicant since the last BFAC meeting, would have liked more but one is better than none, he is booked to undergo the second part of basic training this month and will be good to go thereafter.

Proposed recommendation required? ☐ Yes ☐ No write some wording below

N/A

COMMITTEE MEMBER DETAILS

Name(s): Steve Tunncliffe,

Organisation representing

(if applicable): Coondle Nunile VBFB

Contact Details: Phone No: 0424 033 313 Email: steve.tunncliffe@hotmail.com

OFFICE USE ONLY

- ☐ **Officer Received Date:** _____ **Resolution Number:** _____
☐ **Council approved** ☐ **Report minuted**

6 CONFIRMATION OF NEXT MEETING

The next meeting of the Bushfire Advisory Committee Meeting is scheduled to be held on commencing at .

7 CLOSURE OF MEETING

The Chairperson will close the meeting.