



Executive Directorate

APPENDICES

Item 12.1.1 – 12.1.2

ORDINARY COUNCIL MEETING

To Be Held

Wednesday, 27th of July 2022

Commencing at 5.00pm

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive – EATON

This document is available in alternative formats such as:

- ~ Large Print
- ~ Electronic Format [disk or emailed]
Upon request.



Item 12.1.1A
Draft Council Plan
2022-2032

Under Separate Cover

RISK ASSESSMENT TOOL

OVERALL RISK EVENT: Strategic Community Plan and Corporate Business Plan Review 2022

RISK THEME PROFILE:

2 - Business and Community Disruption

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

RISK ASSESSMENT CONTEXT:

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	The financial implications associated within the elements of the Corporate Business Plan can affect the financial sustainability of Council	Moderate (3)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Legislative requirements and compliance determine the need for the production of Corporate Business Plan	Moderate (3)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	The inclusion of projects and works within the various plans within the Corporate Business Plan build community expectation	Moderate (3)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

RISK ASSESSMENT TOOL

OVERALL RISK EVENT: Bunbury Geographe Economic Alliance (BGEA) Membership

RISK THEME PROFILE:

6 - Engagement Practices

RISK ASSESSMENT CONTEXT: Strategic

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Not renewing membership would eliminate the cost sharing benefits and opportunities.	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified
LEGAL AND COMPLIANCE	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified
REPUTATIONAL	Not supporting the surrounding Councils in investigating options for economic benefit would negatively impact on the Shire reputational.	Minor (2)	N/A	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified	No risk event identified for this category.	Not Required - No Risk Identified

[Appendix ORD: 12.1.2B]

Subject: FW: BGEA Membership Renewal
Attachments: Shire of Dardanup Andre Schonfeldt BGEA Membership Renewal Letter June 2022.pdf

Importance: High

From: Angie Marcus <admin@bgea.com.au>
Sent: Monday, 20 June 2022 10:49 AM
To: André Schönfeldt <Andre.Schonfeldt@dardanup.wa.gov.au>
Cc: Michael Bennett <michael.bennett@dardanup.wa.gov.au>; Maddie Darch <Maddie.Darch@dardanup.wa.gov.au>
Subject: BGEA Membership Renewal
Importance: High

Dear André,

The Bunbury Geographe Economic Alliance sincerely thank you for your ongoing support of our Organisation and the Bunbury Geographe Region over the past year. Please find attached a letter from our CEO, Brant Edwards for your attention.

Your BGEA Membership is Local Government Medium Level at \$13,500 exc GST. Please could you provide me with a purchase order number by 30 June 2022 so that I can issue your membership renewal invoice for the new financial year. If you have any queries, please do not hesitate to contact Brant or myself.

Thank you for your commitment, your regional loyalty and continued partnership.

Kind Regards

Angie Marcus
MEMBER SERVICES COORDINATOR



4 Stephen Street
BUNBURY WA 6230
PO Box 21
BUNBURY WA 6231

p: (08) 9792 7388
e: admin@bgea.com.au
bgea.com.au

20 June 2022

Mr André Schonfeldt
Shire of Dardanup
PO Box 7016
EATON WA 6232

Dear André,

BGEA Membership Renewal

The Bunbury Geographe Economic Alliance once again thanks you for your ongoing support of our Organisation and the Bunbury Geographe region over the past year.

Our Region, like many within Australia continued to see a strong rebound from the Covid pandemic in most sectors, despite the height of the pandemic only just being reached in WA. Demand for most commodities was strong and prices remained high. This was tempered, however, by housing and worker shortages and supply chain interruptions. This has culminated in rising inflation which is now challenging the profitability of many of our businesses. Rising interest rates will likely cool the housing market and consumer spending, although market volatility is expected to continue for some time. Our Region is better positioned than many others around Australia with relative affordability and very low unemployment likely to continue.

Large capital projects such as the Bunbury Outer Ring Road, Albemarle Lithium Hydroxide plant, Talison Greenbushes expansion, St John of God and Bunbury Regional Hospital upgrades and the Bunbury Outer Harbour Redevelopment are just some of the Projects that will continue to drive our Regional economy in the short term.

BGEA continues to work on behalf of its members to facilitate and promote economic development in our Region with a focus both on current issues such as worker shortages and skills gaps, to longer term initiatives such as industrial land readiness and transition to renewable energy. As a Region it is important we continue to keep an eye on the horizon, ensuring we are adaptive to the global market and importantly planning for and seizing on opportunities for future economic development.

BGEA's strength lies in our collaboration and the collective knowledge, influence and reputation that we bring on behalf of the Region. With the Board's guidance and the newly formed Executive Committees providing valuable input, there has been considerable progress in delivering on BGEA's Strategic Plan and other member driven initiatives.

I am also pleased to welcome three new members (Veale Auto Parts, Southern Seawater Joint Venture and Australis Energy) during the current financial year and two other members (Shire of Capel and Neoen) joining at the start of the coming financial year.



[Appendix ORD: 12.1.2B]

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I once again thank you for your support and look forward to your involvement in BGEA activities, whether through our Executive Committees, responses to regional submissions or just informally through discussions with our Board and CEO.

Yours sincerely



Brant Edwards
Chief Executive Officer
Bunbury Geographe Economic Alliance



Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position

May 2022

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Acknowledgement

The WA Local Government Association (WALGA) acknowledges the Traditional Owners of the land and pays respects to Elder's past, and present. WALGA acknowledges the continuing knowledge and cultural practices that they bring to the Local Government and Emergency Management sectors to support resilient and sustainable land management on WA landscapes.

Executive Summary

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

This Paper proposes a new Advocacy Position on the management of BFBs to guide the Association's emergency management advocacy on behalf of Local Government, and in particular its engagement with the State Government on the development of the *Consolidated Emergency Services Act* which is expected to be released for stakeholder consultation in early 2023.

How to Comment on This Paper

Local Governments are encouraged to provide a written response to this Paper or to complete the [survey](#). Formal Council resolutions will assist the Association understand the sentiment of the sector on this important issue.

The Paper outlines the proposed Advocacy Position, followed by the background and rationale for the new position.

Questions are provided at the end of the Paper to guide feedback.

For further information please contact WALGA's Resilient Communities Policy Manager, Susie Moir via 9213 2058 or smoir@walga.asn.au

Feedback should be provided in response to the questions via email to em@walga.asn.au by **5pm Friday 8 July 2022**.

Introduction

This Paper seeks Local Government's views on a new WALGA Advocacy Position on the management of volunteer bush fire brigades (BFBs).

WALGA Advocacy Positions guide WALGA's policy, advocacy and capacity building activities and support a consistent and whole-of-sector approach.

The introduction of the *Work Health and Safety Act 2020* has shone a spotlight on Local Government responsibilities for managing BFBs. In addition, the State Government is currently drafting the *Consolidated Emergency Services Act*, which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill in early 2023. Therefore consultation on a new Advocacy Position with respect to management of BFBs is timely.

In 2012, 2019 and 2021, WALGA undertook comprehensive consultation with Local Government in relation to emergency management matters.

In 2021 WALGA undertook a comprehensive [Local Government Emergency Management Survey](#) to ascertain the sector's sentiment with respect to their emergency management responsibilities. 104 Local Governments responded to the Survey. Responses were provided by:

- 36 Chief Executive Officers
- 18 Community Emergency Services Managers
- 50 Local Government officers

As part of the survey Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

These Survey responses reinforce that it is timely to engage with the sector on this issue.

WALGA has been undertaking a process to update our Advocacy Positions, and as a result has prepared eight new Advocacy Position Statements relating to Emergency Management, which will be considered at the July 2022 State Council meeting, as listed in Appendix 1. These new Advocacy Positions are based on previous State Council endorsed submissions, recommendations from significant reviews and inquiries, and information and priorities captured in sector-wide consultations.

A comprehensive Advocacy Position regarding the *Consolidated Emergency Services Act*, is outlined in Appendix 1, Advocacy Position 8.4.

Background

FESA (now the Department of Fire and Emergency Services (DFES)) was established in 1999 for the purpose of improving coordination of the State's emergency services, replacing the Fire Brigades and Bush Fires Boards¹. DFES provides strategic leadership for emergency services across WA. DFES manages the career fire and rescue service, as well as a number of volunteer emergency services: Volunteer Fire and Emergency Services (VFES); Volunteer Fire and Rescue Service (VFRS); State Emergency Services (SES); and Marine Rescue Western Australia.

Around Australia:

- WA is the only State in Australia in which Local Governments manage bushfire volunteers (pursuant to the *Bush Fire Act 1954*).
- In New South Wales, the NSW Rural Fire Service, which makes up the world's largest firefighting volunteer services, is managed by the NSW Government².
- Similarly, the Victorian Government manages the Country Fire Authority which manages regional fire services in Victoria³.
- In South Australia, the *Fire and Emergency Services Act 2005* (SA) provides for the South Australian Country Fire Service (SACFS) being established as a body corporate, currently managing 14,000 volunteers. The SACFS is responsible to the Minister for Emergency Services⁴.
- In Queensland, the *Fire and Emergency Services Act 1990* (Qld) provides for the establishment of rural fire brigades, with the Commissioner responsible for the efficiency of rural fire brigades⁵.
- The Tasmanian Fire Service sits under the State Fire Commission, established under the *Fire Service Act 1979*⁶, with more than 200 fire brigades across Tasmania, 350 career firefighters and 5000 volunteers.
- The ACT Rural Fire Service sits under the ACT Emergency Services Agency⁷ and is responsible for all bush and grass fires in rural ACT areas, through 450 volunteers in eight brigades.
- Bushfires NT is a division of the Department of Environment, Parks and Water Security, which is responsible for administration of the *Bushfires Management Act 2016*⁸. The Minister appoints members of the Bushfires Council and regional bushfires committees.

¹ <https://www.dfes.wa.gov.au/site/about-us/corporate-information/corporate-history/corporate-history.html>

² <https://www.rfs.nsw.gov.au/about-us/history>

³ <https://www.cfa.vic.gov.au/about-us/who-we-are>

⁴ [Part B 2015 South Australian Country Fire Service.pdf \(audit.sa.gov.au\)](#)

⁵ [Fire and Emergency Services Act 1990 \(legislation.qld.gov.au\)](#)

⁶ [TFSAAnnualReport2021.pdf \(fire.tas.gov.au\)](#)

⁷ [Emergencies Act 2004 | Acts](#)

⁸ [Legislation Database \(nt.gov.au\)](#)

Current Arrangements in WA

In Western Australia 111 Local Governments manage 563 BFBs involving approximately 20,000 volunteers. The Bush Fire Service is the largest volunteer emergency service by a significant margin:

- Bush Fire Service: 19,639 volunteers
- Fire and Rescue Service: 2,486 volunteers
- State Emergency Services: 2001 volunteers
- Volunteer Fire and Emergency Services: 926 volunteers
- Emergency Services Cadet Corps: 2,261 volunteers
- Marine Rescue Service: 1,559 volunteers⁹.

The number of BFBs managed by Local Governments varies from one up to 20. For example, the Shire of Cranbrook, which has a population of 1000 people, annual revenue of \$8 million and 29 employees manages 11 BFBs. The City of Mandurah, population 88,000, annual revenue of \$116 million and 678 employees, manages one BFB.

DFES also manages some BFBs. This includes seven bushfire brigades within the Kimberley and seven bushfire brigades within the Pilbara regions, under Memorandums of Understanding (MOU) with relevant Local Governments which make DFES responsible for the day-to-day management of the BFB and all response activities, excluding in relation to land tenure managed by the Department of Biodiversity, Conservation and Attractions.

Under this arrangement, Local Governments maintain responsibility for administering the *Bushfires Act* and carry out activities such as inspecting fire breaks and issuing burning permits.

The Local Government Grants Scheme (LGGS) Manual ([Appendix 1](#)) outlines five different 'profiles' for Bush Fire Brigades, as follows:

- Farmer Response Rural Brigades
- Pastoral Emergency Management
- Rural Brigades
- Settlement Brigades (Rural/Semi Rural)
- Urban Brigades (Defensive/Structural/Breathing Apparatus).

Considerations for Future Bush Fire Brigade Management Arrangements

Local Government Views

As part of WALGA's 2021 Emergency Management Survey, Local Governments were asked about their level of satisfaction with current arrangements for managing BFBs. 92 Local Governments (69 of which manage BFBs) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

⁹ DFES Volunteering, April 2022

[Appendix ORD: 12.1.3A]

Detailed comments provided in the WALGA survey indicated a strong preference for the State Government to be responsible for all emergency management matters in Western Australia, including the management of BFBs.

Recommendations of Previous Reviews

Over the years there have been many calls for transformational change to the State Emergency Management Framework, in particular rural fire management.

The [Ferguson Report](#) on the 2016 Waroona Bushfire recommended that the State Government establish a rural fire service to address perceived issues in rural fire management, including insufficient capacity and unsuitable governance to deliver rural fire services. In 2017 the State Government hosted a bushfire mitigation summit at which a number of options were considered by stakeholders: a rural fire service operated within DFES; a rural fire service operated within DFES with autonomy; and a dedicated rural fire service that operated independently. Options to transfer the management of all BFBs under one umbrella – DFES or other – were also explored.

The 2017 [Economic Regulation Authority Review of the Emergency Services Levy \(ESL\)](#) considered the extent to which the ESL should be available to fund the administrative and/ or operational costs of a rural fire service, although it was outside the terms of reference for the ERA to examine the merits of a rural fire service or form a view on the best model of a rural fire service¹⁰. A number of Local Governments provided submissions to the ERA Review that supported the creation of a rural fire service¹¹.

Work Health and Safety Act 2020

The requirements of the *Work Health and Safety Act 2020*, enacted in March 2022, have heightened concerns in the sector regarding risk and liability in the management of BFBs, resourcing requirements and training and competency.

The shared responsibility for the health and safety of BFB volunteers adds further complexity to the management of BFBs and responsibilities. Local Governments, DFES, and in some cases the Department of Biodiversity, Conservation and Attractions (DBCA), have a shared duty of care to BFB volunteers due to Controlling Agency activities at incidents, and funding mechanisms (LGGs) for BFB operations and capital equipment.

DFES has a role as the lead fire and emergency services agency in WA for preparing training resources and standard operating procedures. DFES is currently developing additional resources suited to each of the above BFB 'profiles', specifically the management and training of BFBs. These additional resources will be discussed further with the sector in the coming months.

Whether the management structure for BFBs could be aligned to reflect the current operations of different brigade 'profiles', as provided in the LGGs Manual and outlined on Page 5 of this Paper, would require further discussion between DFES and the Local Government sector. This could allow for scalability of BFBs depending on location, resources and capabilities.

¹⁰ [ERA Review of the ESL, 2017, pg 185](#)

¹¹ [ERA ESL Review – summary of submissions to issues paper and draft report](#)

[Appendix ORD: 12.1.3A]

Volunteer Insurance

Local Governments are responsible for providing compensation for injury caused to present and former BFB volunteers as a result of their duties. The commercial insurance market ceased writing injury insurance for volunteers in 2012, therefore a self-insurance mutual scheme was implemented to ensure that Local Governments continue to meet this obligation.

Since 2012, due to the high cost of claims, the aggregate limit of liability has increased from \$250,000 to \$750,000. In addition, the annual cost of insurance has nearly doubled (92%) from \$47.50 to \$91.20 per volunteer, and it is expected that this trend will continue¹².

Sector Capacity, Capability and Resourcing

Local Governments vary in their capability, capacity, and resources to manage BFBs, as well as their other extensive legislative responsibilities and requirements¹³.

By way of overview, Local Governments in Western Australia:

- vary in size from less than 1.5 to over 370,000 square kilometres;
- have populations of just over 100 to more than 220,000 people;
- employ fewer than 10 to over 1000 staff; and
- have revenue (2019-20) ranging from just over \$2 million to just over \$225 million¹⁴.

Bush Fire Service and Volunteerism

The localised culture and history of BFBs in WA has had a large influence on the way that Local Governments engage with and manage BFBs. Many BFBs operate in an independent and self-sufficient way, which Local Governments encourage and support, as this contributes to expansion of the volunteer network in the local community, while also building community networks and resilience.

Communities, and therefore many Local Governments, have a significant interest in volunteering and BFBs, with some Local Governments very involved in the establishment, management and operation of their local BFBs. Therefore it is essential that any future management arrangements, including the transfer of responsibility for management of BFBs to the State Government, should be a voluntary process available to Local Governments that do not have the capacity, capability or resources to manage BFBs. It is also essential that the integrity of the Bush Fire Service is maintained, whatever the arrangements for the management of BFBs.

¹² Data provided by LGIS, 17 May 2022

¹³ 2021 Local Government Emergency Management Capability report - SEMC

¹⁴ [Department of Local Government, Sport and Cultural Industries](#)

Options for future management of BFBs

Four options are identified for the future management of BFBs:

1. Status quo - continue with the current arrangements for management of BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their BFBs).
2. Improvements - continue with the current arrangements for Local Government management of BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.
3. Hybrid Model - Local Government continues to manage BFBs where they have the capacity, capability and resources to do so; however where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.
4. Transfer - Responsibility for management of all BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

Proposed Position

Based on the feedback received from Local Governments in the WALGA Emergency Management Survey and the other considerations outlined above, it is considered appropriate for the Association to **support a hybrid model** for the management of BFBs.

A hybrid model would enable the continued management of BFBs by those Local Governments with capacity, capability and resources to do so, while providing a framework for the transfer of the management of BFBs to the State Government where a Local Government does not.

Whatever the arrangements for future management of BFBs, it is apparent that Local Governments with responsibility for management of BFBs require **additional support and resourcing** which should be provided by the State Government, including:

- development of a suite of guidelines and resources to assist Local Governments in their management of BFBs, particularly with respect to the discharge of obligations under the *Work Health and Safety Act 2021*;
- expansion of the Community Emergency Services Manager Program (CESM) so that every Local Government with responsibility for managing BFBs has access to the Program if they wish to participate;
- universal access to DFES training for BFBs; and
- development of mandatory and minimum training requirements including recognition of competency for volunteers.

[Appendix ORD: 12.1.3A]

Based on the previous commentary, the following Advocacy Position is proposed:

Management of Bush Fire Brigades

1. The Association advocates that the State Government must provide for:
 - a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
 - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
 - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
 - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

[Appendix ORD: 12.1.3A]

How to Provide a Response to this Paper and Proposed Position

WALGA strongly encourages all Local Governments, and particularly those with responsibility for managing Bush Fire Brigades to provide a response to this Paper and the proposed Advocacy Position. Council endorsed responses are preferred but not essential.

The following questions are provided for Local Governments to consider:

1. Does your Local Government manage BFBs?
2. Does your Local Government support the proposed Advocacy Position on arrangements for the management of Bush Fire Brigades? Why or why not?
3. Does your Local Government have any further suggestions or changes to the proposed Advocacy Position?
4. For Local Governments that manage BFBs, is your Local Government's preference to continue to manage BFBs or to transfer responsibility to the State Government?
5. Is your response endorsed by Council? If so, please include the Council paper and resolution.
6. Do you have any further comments to make?

Responses can be provided by way of written submission or by completion of the online [survey](#).

Please provide written submissions by **5pm Friday 8 July 2022** to em@walga.asn.au (Subject line: Bush Fire Brigade Advocacy Position).

WALGA will review the feedback received and prepare a report for consideration by WALGA Zones and State Council in September 2022.

APPENDIX ONE - Proposed Emergency Management Advocacy Position Statements

(Positions to be considered at July 2022 State Council Meeting)

8 Emergency Management

Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Governments however face a few challenges in addressing their emergency management responsibilities, and these challenges differ greatly across the State.

8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies;
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches to key activities including data management, communications, and hazard management.

8.3 Sustainable Grant Funding Model for Emergency Management

Local Government should be empowered to discharge its emergency management responsibilities through sustainable grant funding models that support a shared responsibility and all hazards approach to prevention, preparedness, response and recovery from natural disasters. A sustainable grant funding model for Local Government emergency management:

1. empowers Local Governments to undertake proactive approaches to preparedness, prevention, response and recovery;

[Appendix ORD: 12.1.3A]

2. supports the resilience of local communities through capacity-building activities and programs;
3. is responsive to the variations in Local Government resourcing and context
4. develops the skills, capacity and capability of the emergency management workforce; and
5. is consistent, flexible, timely, accessible, scalable, strategic and the guidance provided is comprehensive.

8.4 Consolidated Emergency Services Act

1. The Association advocates for the development of a Consolidated Emergency Services Act to provide a comprehensive and contemporary legislative framework to support the effective delivery of emergency services in Western Australia. The Legislation should clearly define the roles and responsibilities of all emergency management stakeholders including Local Government.
2. The Local Government sector seeks ongoing engagement in the scoping and co-design of the Act and associated Regulations and supporting materials such as Guidelines and fact sheets.
3. The Association advocates for DFES to undertake a full costing analysis of the new Act and to provide to Local Government details of the cost implications prior to the release of any Exposure Draft Bill.
4. Any new or increased responsibilities placed on Local Government by the Consolidated Emergency Services Act must be accompanied by funding and resource support to enable Local Governments to adequately discharge those responsibilities.
5. The Association recognises that in addition to the Consolidated Emergency Services Act, the Regulations and other supporting materials that are developed to support it provide a key resource for Local Governments in understanding and discharging their legislative obligations.
6. The Association advocates for the Act to provide clear guidelines for the process for transferring responsibility for bushfire incident response from Local Government to DFES.

8.5 Resource Sharing

Local Governments and the Association support resource sharing across the Local Government Sector for the purpose of emergency management, to support Local Governments to undertake effective and timely response and recovery to emergencies as well as conduct business as usual. The Association will endeavour to facilitate support to the sector in undertaking resource sharing arrangements.

8.6 Lessons Learnt Management

The Association advocates for the implementation of a transparent and contemporary assurance framework for emergency management lessons management overseen by the State Emergency Management Committee. Findings from inquiries and reviews, and progress on implementation of recommendations, should be publicly reported regularly and consistently.

8.7 Emergency Services Levy

Local Government requests the implementation of the recommendations from the 2017 Economic Regulation Authority (ERA) Review of the Emergency Services Levy, which supported increased transparency and accountability in the administration and distribution of the ESL through:

[Appendix ORD: 12.1.3A]

1. Expansion of the ESL to fund Local Government emergency management activities across prevention, preparedness and response.
2. Administration of the ESL by an independent organisation that is funded through consolidated revenue, with regular independent reviews of expenditure and assessment of the effectiveness of ESL funding expenditure to support prevention, preparedness and response activities.
3. The ESL administration fee should recompense Local Governments for the complete cost of administering the ESL.
4. Public disclosure of the allocation and expenditure of the ESL.
5. Public disclosure by the State Government on the progress of implementation of each of the ERA Review recommendations.
6. A review of the role, responsibilities and reporting arrangements of the Community Emergency Services Manager (CESM) Program.

8.8 Local Government Grants Scheme (LGGS)

Local Government supports:

1. A full, independent review of the LGGS to investigate and analyse how ESL funds are allocated to Local Government via the LGGS;
2. A redesign of the LGGS to remove the ineligible and eligible list and create a sustainable, modern, equitable grants program that funds Local Government emergency management activities across prevention, preparedness and response
3. An audit of existing buildings, facilities, appliances, vehicles, and major items of equipment for both Local Government Volunteer Bushfire Brigades (BFB) and State Emergency Services (SES) to inform the preparation of a Comprehensive Asset Management Plan and to guide future funding requests;
4. in the interim, an immediately increase in the quantum of State Government funding to enable the provision of funding of operating and capital grant applications in full, to provide all resources necessary for the safe and efficient operation of Local Government Bushfire Brigades, in accordance with obligations of the Work Health and Safety 2020 legislation.

8.9 Expansion of the Community Emergency Services Manager (CESM) Program

That the Association advocates for an expansion of the Community Emergency Service Manager (CESM) Program, as follows:

1. All Local Governments should have the option of participating in the CESM Program.
2. The full cost of the CESM Program should be funded through the Emergency Services Levy.

8.10 Management of Bush Fire Brigades

To be developed.

[Appendix ORD: 12.1.3B]

RISK ASSESSMENT TOOL

OVERALL RISK EVENT: Failure to provide feedback to WALGA on the Proposed Advocacy Position on the Arrangements for Management of Volunteer Bushfire Brigades

RISK THEME PROFILE:

6 - Engagement Practices

RISK ASSESSMENT CONTEXT: Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Failure to provide feedback to WALGA on the Proposed Advocacy Position on the Arrangements for Management of Volunteer Bushfire Brigades, will result in Council losing the opportunity to have their say and contribute to the final position that will be presented on behalf of Local Governments at the WALGA State Council in September 2022.	Moderate (3)	Likely (4)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

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Bushfire Volunteers Association – Going Forward

A Position Brief Outlining Key Concerns Regarding the WALGA's

Future Management of Volunteer Bushfire Brigades in W.A.

1. Background

Over many decades in Western Australia, communities throughout the State have experienced the destructive consequences of fire and its negative impact upon on landscape, the productive potential of the land, i.e. agriculture, destruction of homes and infrastructure as well as the social dislocation which can often be traumatic and long-lived.

These experiences galvanised grass-root actions from individuals and their community on preparedness to mitigate the impact from fire. It is from these community-based actions that the Volunteer Bush Fire Brigades (VBFB) evolved.

Importantly, to this very day, VBFBS operate around a nucleus of individuals from their respective communities, all of whom volunteer their time, energy and respective skills to be prepared and ready to respond to fire emergency as well as monitor and manage risk.

In Western Australia, 111 Local Governments manage 563 Volunteer Bushfire Brigades with 20 000 participant volunteers. The Volunteer Bush Fire Service represents the largest volunteer emergency service by a significant margin.

And, its evolution has gone beyond just responding to bush/grass fire. Now, structural fires, motor vehicle accidents and search and rescue have been included within the remit, especially in areas where time for other emergency service response can be elongated due to geography and distance.

Significantly, VBFBS are a community asset that appropriately sits within the Local Government Authority (LGA) framework. Under this arrangement, LGAs are responsible for administering the *Bushfires Act* and carry out activities such as inspecting fire breaks and issuing burning permits but a BFB's work can often go further than that.

It is worthy of note that the existence and activity of local VBFBS often provides a further value-add in that it encourages and supports the establishment of firefighting equipment and resources held by private landowners as well as other risk mitigation activity, i.e. establishment of on-farm water points, further enhancing local preparedness.

Apart from underpinning an important emergency response mechanism, VBFBS have become important community

[Appendix ORD: 12.1.3C]

focal points, integral to social bonding and a community identity, promoting volunteerism through example, contributing to fund-raising, education and assisting vulnerable groups, i.e., the elderly.

VBFs are borne from the community and by their nature, strengthen community resilience and their engagement on the issues of preparedness. This context is both the value and sustainment of an important response mechanism.

As recognised in WA Local Government Association's (WALGA) *Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position*, May 2022, "The localised culture and history of BFBs in WA has had a large influence on the way that local governments engage with and manage BFBs. Many BFBs operate in an independent and self-sufficient way, which Local Governments encourage and support, as this contributes to expansion of the volunteer network in the local community, while also building community networks and resilience.

Communities, and therefore Local Governments, have a significant interest in volunteering and BFBs, with some Local Governments very involved in the establishment, management and operation of their local BFBs."

The strength of the VFBF mechanism is its community values and connections which augments the overall emergency response of Western Australia.

2. Objections to the Status Quo

In recent years, the call for change to the oversight and operational management of VBFs has focussed on alternatives to the current Emergency Services Levy (ESL) management and Local LGA management framework that Brigades sit within, i.e. *Ferguson Report* (2016) and the *Economic Regulation Authority Review of the ESL* (2017). Nevertheless, it appears the key drivers to this question are less about the operational management and more about the financial and resource impost upon LGAs, the key considerations being:

- a. The rising cost of insurance and the public liability risk, as further embedded by;
- b. *The Work Health and Safety Act 2020*, enacted in 2022;
- c. The limited scope to fund administrative and operational cost of Brigades from the ESL;
- d. The gap in funding new technology, equipment and standards for Volunteer Bush Fire Brigades which must be met by Local Government.

In 2021, WALGA undertook what is referred to as an "*Emergency Management Survey in 2021*" on questions about the level of satisfaction with current arrangements for VBFs.

The findings were drawn from 104 LGAs with the following groups within the WALGA network, identified as:

- 36 Chief Executive Officers
- 18 Community Emergency Services Managers
- 50 Local Government officers

The survey results were recorded as follows:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

Apart from a lack of definition around what the results refer to in terms of implications to the LGAs, it also raises questions about the balance of the catchment group and furnished percentages.

Questions, for example, may relate to the delegation, or the historic interaction and therefore understanding of the VFBF network of a general LGA officer or, a Community Emergency Service Manager who is in fact a Department of Fire and Emergency Services (DFES) employee or, under a joint contract.

Interestingly, the survey did not incorporate responses from the wider stakeholder group also engaged with the support, operation and management of VBFs such as councillors and the VBFs themselves.

It is respected that this was a WALGA survey directed at its own constituents but despite this aspect, the VFBF response mechanism is more complicated and varied than represented by the survey catchment group as outlined above. The consultation appears to be upon a very narrow base. Therefore, the question should be asked; Is the survey subjective and balanced? The consultative methodology should be re-visited.

3. Acknowledgement

It is acknowledged by Bushfire Volunteers that there is a cost associated with maintaining preparedness and response capability. Points a, b, c, and especially d, being valid influencers upon the financial constraints experienced by all LGAs.

It is understood and accepted that the fiscal constraints applied to the VBFs creates a gap that might only be met by further costs to the ratepayers. The Bushfire Volunteer's position is that these circumstances are not acceptable

[Appendix ORD: 12.1.3C]

and are created by an arbitrary application of ESL funds with a nett loss to LGAs and VBFBs alike.

The remedy requires an examination of the transparency of decisions behind ESL budget allocations, with a particular analysis of the decision matrix used by the DFES Commissioner to meet the resource requirements of LGAs and VBFBs across the State.

4. Response to WALGAs Options for future management of VBFBs

Following is the Bushfire Volunteers response to the four options identified for the future management of VBFBs, as outlined in WALGA's *Arrangements for Management of Volunteer Bush Fire Brigades: Proposed Advocacy Position*, May 2022 (Page 8):

1. **Status quo** - continue with the current arrangements for management of (V)BFBs whereby the majority are managed by Local Government and transfer arrangements are negotiated on an ad hoc basis between DFES and Local Governments (or their (V)BFBs).

Bushfire Volunteer's Position - IN PART SUPPORTED – WALGA in conjunction with the Bushfire Volunteers Association jointly advocate to continue with the current arrangements for LGA management of VBFBs. There must be additional support provided by the State Government's ESL (*managed independently from DFES*) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.

2. **Improvements** - continue with the current arrangements for Local Government management of (V)BFBs with additional support provided by the State Government with respect to increased funding and better access to training resources and other support.

Bushfire Volunteer's Position - SUPPORTED WITH AMENDMENT - WALGA in conjunction with the Bushfire Volunteer Association jointly advocate to continue with the current arrangements for LGA management of VBFBs with additional support provided by the State Government ESL (*managed independently from DFES*) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.

3. **Hybrid Model** - LGAs continues to manage (V)BFBs where they have the capacity, capability and resources to do so; however, where they do not have the capacity, capability and resources, responsibility for management of BFBs is transferred to DFES.

Bushfire Volunteer's Position - NOT SUPPORTED – The effectiveness and efficiency of the VFBF response model relies on the proven agility and adaptive ability of the community asset of VBFBs to embrace geography, rapid response capability and the management of risk.

Adopting a Hybrid model undermines the overall preparedness of community based VBFBs by effectively splitting the response mechanism, compounded by diminishing clarity associated with decisions of the funding of resources.

4. **Transfer** - Responsibility for management of all (V)BFBs is transferred to the State Government, consistent with the arrangements in other States and Territories.

Bushfire Volunteer's Position - NOT SUPPORTED

5. **Bushfire Volunteer's Position and Response to the proposed WALGA Management of Bush Fire Brigades recommendations.**

Following is the Bushfire Volunteer's response to the three options identified for the future management of VBFBs, as outlined in WALGA's *Arrangements for Management of (Volunteer) Bush Fire Brigades: Proposed Advocacy Position*, May 2022 (Page 9).

1.The WALGA Advocacy Position advocates that the State Government must provide for:

- a. A clear pathway for LGAs to transfer responsibility for the management of (V)BFBs to the State Government when ongoing management is beyond the capacity, capability and resources of the LGA.

Bushfire Volunteer's Position - NOT SUPPORTED – remove the DFES from direct management of funds – establish an independent board supported by a small secretariat independent to DFES, with equality of rules for all those that have access to the fund, incorporating process for needs-based assessment against emergency, prevention, preparedness, response and recovery requirements of VBFBs.

- b. The co-design of a suite of relevant guidelines and materials to assist those LGAs that manage (V)BFB.

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Bushfire Volunteer's Position - NOT SUPPORTED – under the current structure VBFBs and LGAs can (and do) design their own training to suit their environment and community needs – Centralised DFES training may not take into account specific and unique LGA requirements.

- c. Mandatory and minimum training requirements for (+V)BFB volunteers supported by a universally accessible training program managed DFES.

Bushfire Volunteer's Position - NOT SUPPORTED – A centralist training regime is not necessarily adaptive or responsive to LGA or VBFB requirements, funding should not be restrictive permitting LGAs to provide relevant and targeted training to the VBFB community asset, conducted by qualified external trainers. This is an important point to supporting volunteers and volunteerism within the community. Historically, well-funded community-based training with LGA oversight has proven to be successful in building the community asset, as well as the capability of volunteers.

- d. The recognition of prior learning, experience, and competency of VBFB volunteers.

Bushfire Volunteer's Position - SUPPORTED but should be overseen by the responsible LGA. The current *Bushfire Act* framework enables LGA to RPL their volunteers currently. This permits targeted local community recognition relevant to a particular LGA and community. Under the current arrangements, the LGA can be responsible for RPL of volunteers that is reflective of community and local operational area needs.

2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for (V)BFBs in accordance with 1(a).

Bushfire Volunteer's Position - NOT SUPPORTED – the focus should be upon bolstering the current structure and adequately funding the LGA and VBFB response mechanism.

3. Where management of (V)BFBs is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.

Bushfire Volunteer's Position - NOT SUPPORTED – This option takes away an important community-based asset, associated activity and funding. Transferring VBFBs to the State is replicating what has been built by communities across Western Australia under a bureaucratic banner. This is without necessarily supporting a host of community benefits that have been supportive of LGAs or, guaranteeing response capability over time. This option is not in line with the *Ferguson Report* (2016) or other recent reports.

6. Bushfire Volunteers Association Recommendations

On analysis of the WALGA *Emergency Management Survey*, it appears the questions and responses require a greater definition as the dichotomy of response can leave the matter more open ended than definitive. Naturally more discussion can be facilitated on what the real message of the survey results mean. A justified conclusion can be drawn that dissatisfaction relates to the administrators views on funding and resourcing. The following recommendations address this long-established concern.

WALGA, jointly with the Bushfire Volunteers to advocate for:

- I. **The continuation of the current arrangements for LGA management of VBFBs with additional support provided by the State Government ESL (managed independently from DFES) where the rules for funding eligibility are the same for all agencies who benefit from the ESL, with respect to increased funding and better access to funded independent service providers for training resources and other support, fully funded by ESL.**
- II. **The arbitrary ESL fund decision making power held by the DFES Commissioner be withdrawn and transitioned to a suitably qualified independent board with equal numbers of representatives local Government, Bushfire Association, State Government.**
- III. **That funding decisions are based on established guidelines (*established by an independent board above*), incorporating process for needs-based assessment against emergency, prevention, preparedness, response and recovery requirements of Volunteer Bush Fire Brigades.**
- IV. **An independent review is conducted into the resource needs required by Local Government to appropriately manage the Volunteer Bush Fire Brigade Resource to augment preparedness and the mitigation of risk.**

[Appendix ORD: 12.1.3C]

- V. An independent social audit is conducted to qualify the contribution that is made to community by Volunteer Bush Fire Brigades and assess the impact of a changed management arrangement upon those social factors (to be reconciled against proposed management of Brigades)

7. Bushfire Association Position Summary

The Bushfire Volunteer's position is that the current management structure and all the benefits of the VBFBs sitting within LGAs provides a substantial community asset, with local control, local decision making, and the subsequent local benefits.

The position is that structurally, the emergency response mechanism is proven to work well and provide for the needs of the community, having evolved and adapted over time and clearly, retaining the values and expertise of an independently motivated volunteer entity to meet the emergency response objectives.

The primary driver for the call to change current structure and establish alternative arrangements is primarily driven by resourcing gaps, state agency staff and centralised bodies that want centralised control and funding. These are factors which are not necessarily contributing positively to the maintenance of the VBFBs within the LGA.

Importantly, it is the Bushfire Volunteer position that the narrative for change is underpinned by the funding issues. A shift in the oversight of Bush Fire Brigades does not address the funding solution or, the guarantee required to maintain an effective community response mechanism over time.

Our recommendations above address the funding orientation so that there is a more equitable distribution of the ESL to support the excellent work to date by LGAs and the VBFB community.

For further Association Contact;

Email – admin@bushfire.org.au

Phone - 1800 238 657

Web - <https://www.bushfire.org.au/>

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Our mailing address is:

admin@bushfire.org.au

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