

**COMMUNITY DEVELOPMENT AND JUSTICE
STANDING COMMITTEE**

BUSHFIRE PREPAREDNESS 2016–17

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 16 NOVEMBER 2016**

SESSION TWO

Members

**Ms M.M. Quirk (Chair)
Dr A.D. Buti (Deputy Chair)
Mr C.D. Hatton
Ms L. Mettam
Mr M.P. Murray**

Hearing commenced at 11.16 am

Mr WARWICK CARTER

Executive Manager, Planning and Community Development, Western Australian Local Government Association, examined:

Mr JOHN DANIEL LANE

Emergency Management Coordinator, Western Australian Local Government Association, examined:

The CHAIR: Thanks very much. We just have some preliminaries to go through. I am sorry for us all sipping coffee, but we sat very late last night. On behalf of the Community Development and Justice Standing Committee, I would like to thank you for your interest and appearance before us today. One of the functions of the committee is to review the departments within its portfolio responsibilities, and from time to time the committee will conduct agency review hearings. The purpose of today's hearing is to discuss preparations for the 2016–17 bushfire season. I am Margaret Quirk, the chair. On my right is the deputy chair, Dr Tony Buti, the member for Armadale. On my left are Ms Libby Mettam, the member for Vasse, on her left is Mick Murray, the member for Collie–Preston, and to the far left is Mr Chris Hatton, the member for Balcatta. The committee is a committee of the Legislative Assembly of the Parliament of Western Australia. This hearing is a formal procedure of the Parliament and therefore commands the same respect given to proceedings in the house itself. Even though the committee is not asking witnesses to provide evidence on oath or affirmation, it is important that you understand that any deliberate misleading of the committee may be regarded as a contempt of Parliament. This is a public hearing and Hansard will be making a transcript of the proceedings for the public record. If you refer to any document during your evidence, it would assist Hansard if you could provide the full title for the record. Similarly, if you refer to any acronyms, could you spell out what the acronym stands for. Before we proceed today, I need to ask you the following questions. Have you completed the "Details of Witness" form?

The Witnesses: Yes.

The CHAIR: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

The Witnesses: Yes.

The CHAIR: Did you receive and read the information for witnesses briefing sheet?

The Witnesses: Yes.

The CHAIR: Do you have any questions in relation to being a witness at today's hearing?

The Witnesses: No.

The CHAIR: Before we proceed with some specific questions, I do not know whether you would like to make an opening statement in relation to the role of local government in managing bush fire brigades or preparation? You do not have to!

Mr Lane: I think I probably should.

The CHAIR: Okay, thank you.

[11.20 am]

Mr Lane: Local government, as the committee knows, has been involved in managing bush fire brigades for many years. Local government has a fierce, protective nature when it comes to their volunteer bush fire brigades and, certainly, the volunteers who are part of their communities. Having said that, local government cannot provide sufficient funding for the ongoing requirement of government as far as the mitigation goes and the increased cost of running those brigades. There are local governments from the Kimberley to probably the Gascoyne region that would hand back brigades if they were asked to do so. Obviously, you know about the Kimberley; that has been handed back to DFES. There are ongoing discussions with local governments in the Pilbara. I am not saying yes; I am not saying no, but, when it comes to the south west, they are very protective of brigades and there is a lot of angst about an agency such as DFES taking their brigades. So there are a lot of issues across local government. It is a patchwork quilt—if I can say a patchwork quilt. There are lots of different ideas about control of brigades and those sorts of things. From our perspective, we work with all local governments. I do not profess to have a handle on every single local government but the evidence I will give to you today will be a catch-all, but with some specifics involved in there.

The CHAIR: Mr Carter, do you want to add anything at this stage?

Mr Carter: No, thank you.

The CHAIR: Thank you. Mr Lane, you mentioned the funding. Basic equipment and appliances comes out of ESL—sorry, the emergency services levy; I better practice what I preach. There has been some criticism that there is not enough flexibility in those guidelines as to what things are funded and what are not to accommodate local conditions or requirements. Is that something that your members would concur with?

Mr Lane: We do concur. There are a number of aspects to that. There is the capital grants program. We have looked at a number of local governments across the board and that goes from the south west high bushfire risk areas to coastal local governments, and some are more in the wheatbelt areas. We have been able to demonstrate some of those in the wheatbelt areas to the Capital Grants Committee. We did that; we tabled a letter at the committee and we also wrote a letter to the fire services commissioner regarding the imbalance of funding. A lot of the local government areas, particularly in the wheatbelt areas, have not seen a significant shift in the capital grant over a number of years, and that will probably be over a 10-year period. Some areas are better funded but, in the main, the capital grants for the operation of the local fire brigades do not actually cover the full operation. We have had a situation where the Shire of Mundaring was involved in a large fire incident in its area. Their capital grant was expended and when they tried to get recompense or refunding for a number of expenses that they had subsequent to those fires, it was a really hard task to try to get that. There were very frustrated.

The CHAIR: How long ago was that?

Mr Lane: Only recently, yes. We went to the Stoneville fire. Basically, what happened was the Stoneville fire tipped them over the edge as far as the operating costs of their brigades, and then they tried to recoup those funds through the capital grants process through DFES, but they were continually knocked back. So they were going cap in hand continually, and they asked for our help. I think it was resolved in the end, but it just goes to show that it is a very onerous process.

The CHAIR: Now, mitigation is obviously a key thing. There is very little funding, as I understand it, for mitigation to local governments; is that correct?

Mr Lane: That is right. It is limited to those local governments that have undertaken the bushfire risk management planning program. That is a program that is under development. It has been under development for the past three years in various stages. It is currently being rolled out to a further 12 local governments and they basically are involved in the installation of the bushfire risk management planning for their local government area, with assistance from OBRM.

The CHAIR: So the funding is for, effectively, a local government bushfire planning officer. Is that in terms of mitigation?

Mr Lane: That is part of the deal, but I am not sure exactly how.

The CHAIR: Are there any moneys attached as well; do you know?

Mr Lane: That I would have to take on notice. I cannot answer that one.

The CHAIR: We had evidence from Commissioner Gregson last week that the funding for those local government bushfire risk managers was going to expire in June 2017.

Mr Lane: Yes.

The CHAIR: So where does that leave local governments?

Mr Lane: In most instances, that would leave local government without that person, because they just cannot afford the extra FTE under their current budget.

The CHAIR: Can you explain a bit about the role? I know about the role, but for the purposes of the record, what do those officers do?

Mr Lane: Those officers, to my understanding—this may be slightly flawed because I have not actually seen the contract—are specifically employed to assist the local government in bushfire risk management planning. What they are actually doing is assisting them to identify which areas of their district are high bushfire-prone areas. They look at their reserves, they evaluate those reserves for fuel loads and then they help them to plan what mitigation strategies might take place in those areas, and also negotiate with other government bodies as to how their input might assist. That is a broad brushstroke understanding of what they do.

The CHAIR: In places like where the member for Collie–Preston is, for example, the officer attached to the local government will look at areas where there is high fuel load, irrespective of the tenure, and organise for remedial action to be taken.

Mr Lane: In most incidents where the tenure is not the local government's tenure, then obviously there are issues around that for funding. There is a program at the moment being run with the Department of Education on their schools' risk. But in the main it looks at the local government reserves and private lands as well, and instigation of mitigation burns or spraying or whatever they decide is the best option for that. These officers are, to my understanding, trained in mitigation activities, so they are able to undertake controlled burns and they are able to undertake the planning of prescriptions for those burns.

The CHAIR: I understand there have been some discussions to include local government brigade members in formal roles in incident management teams. How is that going?

Mr Lane: Yesterday, I was down at Capel and we talked about that very issue at the South West Local Government Emergency Management Alliance. There are 12 local governments in that group. Those local governments are currently in discussion as to how they might do that. There was some misunderstanding and there were a few people telling local governments probably some wrong information about those teams. Some local governments were under the impression that they had to provide this inordinate amount of people and when it was explained to them that, no, all they require for a preform team from local government is local knowledge, and once they understand that, it is about local governments getting together and saying, "How can we then provide these people for that preform team?" So they are having the discussion as to who is the most appropriate person. That might not be a bushfire person; it could be a member of corporate staff who has an understanding of planning or mapping or whatever it might be. It will go from local government to local government. That person will probably be different; it will not be the same person.

The CHAIR: All right. It sounds as though that is not going to be rolled out this year.

[11.30 am]

Mr Lane: I would suggest yes, but I would also emphasise that the will in some local governments is probably at a higher level than others. I cannot speak for every local government as to how they might approach that. We still do not have a full understanding. We have gone out to local governments and told them what they might be expecting, but how they actually respond to that is probably out of our control.

Mr Carter: The district officers from DFES are the people who are liaising directly with local governments. WALGA is not part of that conversation, other than to originally write to local governments to inform them to expect contact from DFES about preparing the preform team.

Dr A.D. BUTI: Last week in the hearing we had week with DFES, they mentioned about IDs for volunteer firefighters and they made a statement that some local governments do not want their volunteer firefighters to have IDs. If that is the case, do you know the reasons why that might be case?

Mr Lane: Volunteer IDs have been on the table for, to my knowledge, around four to five years. It has been on again, off again and there have been a lot of discussions around that. I think what local government is more worried about is having the responsibility—and this has been discussed previously between myself and DFES—to then be the ongoing supplier of those cards. We do not think that that should be the case. The hazard management agency—if you want to have volunteers identified, then you provide the program, the service. Local governments do not have the capacity or the ability to continually provide —

Dr A.D. BUTI: So it is an administrative burden. That is the reason, is it, that they have said no to it, not that they do not think it is not necessary?

Mr Lane: Again, I cannot speak for every local government, but that is what I have heard from local governments themselves, yes.

Ms L. METTAM: An issue that gets raised a bit locally is local governments' responsibility of reducing fuel loads on local government land and verges. What measures are in place and what sort of commitment does local government make to ensure that this is a priority?

Mr Lane: Local government have a commitment to make sure that their community is safe from bushfire. That is across the board. Having said that, there are lots of issues that are in play here. When we talk about mitigation, we are talking about just looking after the land, and to a certain extent that has been the process of the past, making sure that the firebreaks are in, that the weeds are managed through spraying activities and those sorts of things, and there is mitigation burning carried on to a certain extent. The other thing that probably sits in the way of that is the actual expertise and the funding that actually runs those programs. To give you an example, the Shire of Kalamunda—and Warwick is probably better versed in the Shire of Kalamunda—would expend upwards of \$1 million on bushfire. There are other local governments in the same boat. There are other local governments that just do not have the capacity to do that. The brigades, depending on the size of the brigades—you have to remember that the brigades are made up of volunteers. These people have other jobs, so most of that mitigation work can probably only be done on a weekend, when the weather is suitable. Obviously, now, with the vast amount of paperwork that is required, the prescriptions in themselves are onerous, unless the local governments have that capacity within their workforce. We cannot say here that the chief bushfire control officer is that person who should be looking after that, because the chief bushfire control officer in most instances is a farmer. They are looking after their own plot of land. They are also volunteers. They are not on the salary of the local government. They are the issues that local governments face across the board. When they do those mitigation activities, a lot of the time they come under pressure from local groups. Bridgetown–Greenbushes has all sorts of problems with local environmental groups when they are trying to do what they term cold burns, which is the normal term for a mitigation burn. It is not a hot burn—it does not burn everything; it is just a cold burn. It usually reaches one to two metres up a tree, but it is designed to burn the undergrowth and the scrub. They have all sorts of

things like that—different species and misunderstanding at the community level. Mitigation takes on a vast area of unknowns and problems. The other issue they have is the verge burning. Verge burning in itself brings all sorts of problems with insurance and making sure that it is done under proper conditions. In a nut shell, I suppose that is what is facing local government as far as mitigation goes.

Ms L. METTAM: Okay.

The CHAIR: In terms of enforcement, obviously private landowners need to mitigate on their own properties. How big a problem is that for local government to enforce the regulations in terms of private landowners undertaking that mitigation?

Mr Lane: Local government to local government it probably differs. If you go to the wheatbelt areas, farmers do that as a natural operation of their farm so it does not become a huge problem. It is more of a problem in the lower south west particularly where you have issues where people are seeking the bush change-type environment and there are lots of trees and things like that that overhang their properties. Trying to get that mitigated against is extremely problematic. Obviously, the bushfire notices go out annually. Enforcement of those is a very onerous task. The City of Busselton has spent an inordinate amount of money in getting programs and employing people to actually do that. It was a problem with catching up; now that they have caught up, they are only dealing with the recalcitrant offenders, you know, the people who continually ignore their notices. So to a large extent there is a local government that has done that and caught up, but there are others that are just behind the eight ball. To actually follow it—it is one thing to issue a bushfire notice, but it is another thing to actually follow it up and then calculate what the fuel loading actually is. That is a big task.

The CHAIR: In 2015, the National Bushfire Mitigation Program, which, I gather, is a federal and state government partnership, provided funds for 12 local government projects. Can you maybe give us an idea about some of those programs? We are not familiar with them.

Mr Lane: That was the funding that was tied to the bushfire risk management planning that was rolled out by DFES and the Office of Bushfire Risk Management. It was tied to them actually completing their bushfire risk management plans and then they had a minor amount of funding; I think it was \$50 000 per local government. They had to identify which of the high risk areas they wanted to treat so it was tied to that and there was a bit of angst from local governments because the program finished and DFES walked away and then they said, “If we do not finish this under our own volition, are we still going to get our mitigation funding?” That was successfully resolved and I think all of those governments ended up with that funding.

The CHAIR: I have certainly had some feedback from local fire control officers that the computer system that they operate on is suboptimal and that, for example, they might do some mitigation efforts on land and the entry effectively does not get changed so it is still recorded maybe as high fuel load or high risk or whatever. Have you heard of those complaints?

Mr Lane: Yes, I am aware of that. It is the same across the state wherever you go. The computer or the line capacity obviously is challenged. I have even had the local government officer or emergency management officer from the City of Cockburn tell me that when they are trying to upload data into the risk management system, it is very, very time consuming. It will take one officer in the local government the full day just to upload current data. It is slow and cumbersome and if that is in the city, you can imagine how that would be extrapolated out to the country areas where computer connectivity is nowhere near as good.

[11.40 am]

The CHAIR: In terms of when there is an incident—one that comes to mind is Yarloop—we have got some evidence on the Aurora predictive system that operates out of Cockburn that by feeding in the forecast details at eight o'clock in the morning they were able to predict that Yarloop would be

in the path of the fire at 6.30 pm or 7.00 pm. Has that information been to local governments at any stage? Are you aware of whether there is any mechanism for—instead of going through, well, maybe concurrently going through their processes that a local government can be notified directly of those kinds of predictions?

Mr Lane: I am aware that local governments are fed information so the bushfire control officer would get information. I am not sure as to the veracity of that information or how timely it is.

The CHAIR: I am concerned about the latter.

Mr Lane: I probably would shy away from that question. I do not have that technical information.

The CHAIR: I have one further question before I handover to my colleagues. It is not really about this fire season, it is generally. The Ferguson report talked about setting up a rural fire service. Have you got any idea what that might mean for local government brigades? Have you been consulted by government?

Mr Carter: WALGA is yet to take a position on that matter. We are aware of the Ferguson report, but as an association WALGA has yet to take a position on the rural fire service.

The CHAIR: I am not asking what your opinion is; I am asking whether you have been consulted or asked by anyone.

Mr Carter: Yes, we have been consulted by the minister.

The CHAIR: Which minister?

Mr Carter: Minister Francis.

The CHAIR: When did that occur?

Mr Carter: Yesterday.

The CHAIR: Yesterday. All right, thank you. I presume, without wanting to trespass too much on confidential discussions, you said you have not got any position, but do you know what would be proposed to happen to the brigades under this model or whatever model it is?

Mr Carter: No.

The CHAIR: It is very hard to form a view if you do not know what is proposed.

Mr Carter: Yes, that is correct. I was not at the discussions yesterday; unfortunately, I was interstate. But I understand that they discussed a number of options and a number of issues of how local government could work with any new format, be it a standalone brigade or part of another organisation or whatever it may be.

The CHAIR: It is certainly not the case, from what Mr Lane has said, that local governments are universally keen to hand over control of their brigades.

Mr Lane: When I said that, I was speaking of the situation as it is now. If the situation was to change and there was another entity looking after bushfires, that may change also.

The CHAIR: You have not got enough information to put to your members at this stage.

Mr Lane: From my discussions with local governments around the state, at the moment, they have no ironclad decision as to which way they will go. There are two issues: they want their community looked after and they are still worried about what would happen to the jointly funded bushfire officers and how that might pan out. You have got community fire officers employed as a 50–50, sometimes a 60–40, contract between DFES and the local government. What happens to those officers? So, they are worried about those two things. The brigades themselves: What might happen to the brigades? Are they going to be better off under a new system if we hand the brigades over to a bushfire service or we keep the brigades ourselves and operate under the bushfire service?

Those questions are still to be asked by us of them. Once we get the information from government, I think we will be better placed to ask our members what they actually want.

The CHAIR: Can I just clarify: between yesterday and when the Ferguson report was first released, you have had no contact with government about the findings or the issues?

Mr Lane: The only contact that I have had with government is through committees—through the SEMC structure.

Dr A.D. BUTI: And just to follow on from that, you said that Minister Francis met with representatives of WALGA yesterday. Do you know if that was a confidential meeting or not?

Mr Lane: I am not aware of that.

Mr Carter: I am not aware.

Dr A.D. BUTI: Can you find out if it was confidential; and, if it was not, would you be able to provide us with the contents of that meeting? You said a number of proposals were discussed.

Mr Lane: My direct manager was involved, and our president.

Mr Carter: We can take that on notice and we can find out for you.

Mr Lane: We can take it on notice and go back to the CEO.

Mr C.D. HATTON: With the Esperance fire, Commissioner Gregson was indicating that there might be eight new staff attributed to the region. I do not think they are there yet.

The CHAIR: No. He said that it did not go anywhere. There was a proposal.

Mr C.D. HATTON: Yes, that is what I was getting to—whether it be a proposal—but they are not there. The point I want to make is that there is a suggestion that there could be more oversight by DFES in the regions. Is that something that local councils would accept—the notion of more oversight by DFES—in your opinion?

Mr Lane: I cannot really comment on those local governments. That is the first that I have heard of that, so —

Mr C.D. HATTON: So the notion of more oversight, I guess, could be parallel to more control, but maybe not, with DFES. Do you think that would be acceptable or a good way to go?

Mr Lane: I think it depends on what is the idea behind more control —

The CHAIR: The proposal is more district offices and more presence in the region.

Mr Lane: If it is presence by DFES for the assistance of local government, yes, I think they would probably invite it. But if it is the presence of DFES to ensure compliance of local governments, then I am pretty sure you would get a negative response.

Mr C.D. HATTON: There is a distinct conflict, is there not?

Mr Lane: Yes. I mean, there is no doubt that it is needed, because it is centrally driven and, as Esperance played out, we understand that it is a long way between Perth and Esperance and with brigades coming in by road, it is a long time to get people on the ground. I suggest that the community would welcome any further bolstering of that capability, if that answers the question.

Mr C.D. HATTON: Yes, thank you. It was a fairly broad question.

Mr M.P. MURRAY: My question is probably an after the event one. When a fire goes through and there have been trees pushed over and areas burnt that need rehabilitation, what input, if any, is there from you guys into that rehabilitation? Is there any fund that is available for that rehabilitation after the fires? It may be building toilets, planting different trees or whatever.

Mr Lane: I am not exactly sure if anything is available in environmental management under those programs for that. I know that lots of local governments have a problem trying to reinstate

bushwalks and things like that that have been burnt. The onus goes back onto local government. I would suggest that it would, again, be driven by their funding, what they have available and how important the actual asset is to the community. If you look at Kojonup, they have got significant areas that are reserves for flora and fauna. I would suggest that if a fire went through that area, that would be a significant project for the Shire of Kojonup and they would be pouring whatever assets they had into that because it is important for their community.

Mr M.P. MURRAY: Other than that, to your knowledge, there is no fund or anywhere you can apply to the federal or state governments?

Mr Lane: Not that I am aware of, but I am not across the environmental areas.

Mr M.P. MURRAY: I know that is out of bounds a bit, but I am just trying to find out myself.

Mr Lane: I am not sure about that.

The CHAIR: Thank you very much for your attendance. A transcript of the hearing will be forwarded to you for the correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached to the transcript. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. Thanks very much.

Hearing concluded at 11.50 am
