

RURAL FIRE SERVICE — ESTABLISHMENT

Motion

Resumed from 13 June on the following motion moved by Hon Rick Mazza —

That this house supports —

- (a) the creation of an independent rural fire service consistent with the recommendations of the Euan Ferguson report;
- (b) the new RFS being funded by a proportion of the emergency services levy;
- (c) the ESL being treated the same as other sources of state revenue and collected by the Department of Finance;
- (d) the Department of Finance to then remit funding to the Department of Fire and Emergency Services and the RFS as per operational and budgetary requirements; and
- (e) the house directing the Standing Committee on Public Administration to inquire into the implementation of an independent rural fire service and report to the Legislative Council within 12 months of the referral.

HON COLIN HOLT (South West) [1.16 pm]: I wish to make some comments on the motion. I want to wrap some context around when this motion was put on the notice paper by Hon Rick Mazza, which was 24 May 2017. The creation of an independent rural fire service was a very hot topic at that time, but a lot has occurred since then. We have seen the government's response with the establishment of a bushfire office within the Department of Fire and Emergency Services, which is its response to better manage bushfire and emergency response systems in the state. We need to think about this motion in the context that a lot has changed. A review has also been done by the Economic Regulation Authority into the emergency services levy. If we take the intent of Hon Rick Mazza—I am probably stretching his view of the world—in the motion, he is saying that we have to find a better way to manage our emergency response services, especially bushfire response services in regional Western Australia, although, obviously, the rural bushfire response services around Perth include the hills and those places. I absolutely support the intent of the motion in that we have to do things better.

We have seen the creation of the Office of Bushfire Risk Management. I have had mixed feedback from the community about the establishment of that division. I have heard people say that they wanted a full-blown independent rural fire service. I have had feedback that people are quite prepared to give the new structure a go to see whether it performs in the way it is meant to perform. People also had feelings in between; some never agreed with an independent fire service and just wanted a way to ensure that those events were managed and coordinated in a better way that gave confidence to everyone involved in fighting them. We have had a broad spectrum of feedback. I am willing to give the new division an opportunity to prove itself. The two people who have been appointed to head up the division, Murray Carter and John Tillman, are probably two of the best people to choose to run that service. Let us give them a chance to see what they can implement to deliver the outcomes that we are all looking for—that is, better coordination of emergency responses to such events.

We have had a briefing from the minister on this and it is a bit of a suck-it-and-see approach in terms of how it will go. But we still need to be vigilant and make sure that it delivers on what it says it will deliver. We will not probably know how it will work until the next emergency, unfortunately. In the interim, we need to do as much work as we can to ensure the set-up of a structure that will deliver. I was a big advocate for an independent rural fire service. I did not think it needed necessarily to sit completely outside of the Department of Fire and Emergency Services. I was willing to see whether there could be a structure that allowed it to be accommodated within DFES but still deliver that independent view or that overarching coordination role. I have also had feedback from people in the community who have said, “We don't want another bureaucracy. We don't want to spend millions and millions of dollars on another bureaucracy that's not going to deliver a better outcome”, which I totally agree with. We want better coordination and we want more confidence in the coordination roles within emergency management. I have campaigned on this issue for a long time now and it is all about the respect for our volunteers who work tirelessly out there for no return. They basically leave their own properties at risk to fight a fire on behalf of the community. I was really disappointed with the previous structures and management within DFES and how it supported and recruited volunteers. It was a very poor effort and the previous management made things much worse. I have high hopes that the new Fire and Emergency Services Commissioner will address that area. Although we are relatively early into the new government's term, after 18 months of office these sorts of things should be starting to sort themselves out. The Minister for Emergency Services is doing that through the creation of a new division, but there is a long way to go before we can deliver on that outcome, and the proof will be in the pudding with our next emergency situation.

I have some reservations with parts of the motion put forward by Hon Rick Mazza, particularly with the emergency services levy being collected by the Department of Finance, and then with DFES and the rural fire service division, which has obviously not been created yet, applying for funding as per operational budget requirements. I have some reservations because Treasury and Finance are very good at holding onto money, but it is very hard to convince them to let go of it. When we have an almost hypothecated levy that should go into emergency services, there is probably a better way of doing it. I would not mind cutting Finance out of it so that we can ensure that those emergency services levies, which have been collected for emergency services and responses, goes into the emergency services bucket without having competing needs for that funding. Although that money cannot be spent on other things, it could be reserved to counteract net debt, as we have seen with things such as the road trauma trust account. How much is in there now—\$100 million?

Hon Martin Aldridge: It is \$116 million.

Hon COLIN HOLT: It has \$116 million put into it a year. Not much of that money is spent, but it is a useful accounting tool for Finance. I definitely have some reservations around how those levies are managed and how any future, independent rural fire service or rural fire service—I will use that terminology because what does “independent” mean? Does that mean that the service is a division within DFES or is it taken totally outside of DFES? They are some of the bigger questions.

I give my unqualified support for the motion. Part (e) of the motion is a really good idea. By the time the new division is established, it would have had at least 12 to 18 months to put runs on the board and it is probably a good idea for Parliament to scrutinise what the new division has achieved in that time. Parliament did not have much of a say in the establishment of the division. It was all done through policy and the department. Bushfires are one of the biggest issues that our communities face, especially those in regional Western Australia. We hear about the trauma that wildfire and bushfire emergencies create. When those events happen, they are at the forefront of everyone’s mind. Parliamentarians play a critical role in being a conduit between information on the ground and a government response. Although we have been sitting on the sidelines waiting for the establishment of that division, it is probably a good idea at some point if a parliamentary committee looked into how that is going and maybe inform government of the next lot of recommendations. The committee might just say, “Yes, it’s good.” It may or may not perform the role of an independent rural fire service, but the current structure, as explained to me, does not do all that is required of it. A useful outcome would be to have a parliamentary committee look into that.

Again, I want to offer my unqualified support for the motion. We must recognise that a lot has happened in the last 13 or 14 months since Hon Rick Mazza put this motion on the notice paper. It is a little hard to say, “Yes, we support it all.” We have since moved on a little. However, the intent is to say that we want better recognition of our volunteers and a greater say in their coordination. We want more respect for volunteers and the skills that they bring to the service, and we need an increased focus on a rural fire service that delivers the outcome that we want. What does that structure look like? I think we have something for the interim, but we need to move towards ensuring that we address all those concerns raised in the Ferguson report. If there are any lessons to be taken out of the Economic Regulation Authority’s review of the ESL, which has come out since the honourable member put this motion on the notice paper, then we should take them on board as well. I will leave it there. If we had to support just this motion, I would certainly be voting in favour of it.

HON MARTIN ALDRIDGE (Agricultural) [1.27 pm]: I would like to thank Hon Rick Mazza for bringing the motion to the house. Notice of motion was given on 24 May 2017. I guess one of the challenges of notices of motion is the delay in dealing with them. I am appreciative of the fact the motion was framed in a time shortly after the last election, when we had a change in government and were waiting on the government’s decision and finalisation of its policy with respect to these matters. It is timely that we have a debate about this given the government’s recent decision in favour of a rural fire division. It will only be a matter of months before the wet in the south west of the state will be behind us and again we will be staring upon the dry seasons and the impending fire season that will come with that.

I want to start by establishing some of my experience in this area. Before entering this place, my main profession was emergency services, as a volunteer firefighter and as a career firefighter. I joined my local volunteer fire brigades more than 20 years ago when I was 17 years of age. I was initially in the junior volunteer fire and rescue service, which had not long been formed in Gingin, and the Gingin South bush fire service, which was and still is co-located at the same place within the Gingin town site. I then went away to school in Moora and was there for two years where I participated and trained with the Moora Volunteer Fire and Rescue Service before returning to the farm and eventually being selected to join the career fire and rescue service in Perth. I was 21 years of age when I was in recruit school 53. After three months in recruit school, I was stationed to Perth Fire Station for a period, then Maddington Fire Station and eventually I had a permanent posting to Belmont Fire Station.

Whilst I was a career firefighter I also served in a voluntary capacity in the air intelligence unit, which was an airborne division of the Bush Fire Service in those days. The unit would go out and provide reconnaissance and

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Hon Colin Holt; Hon Martin Aldridge; Hon Colin De Grussa; Hon Rick Mazza; Hon Dr Steve Thomas

intelligence on large fires throughout the state and, indeed, on other emergency events that were not fires. That unit progressed into the career service whilst I was in it, and I had the pleasure of serving a couple of seasons as a career officer within the air intelligence unit of the then Fire and Emergency Services Authority. Even though I was elected to this place in 2013, I continue to serve in a voluntary capacity with the Gingin South bush fire service, although these days my job often takes me away from home so my participation in that role is not always as much as I would like it to be. Having that experience in not just the volunteer service but also the career service, and also across the services, gives me a unique perspective on this issue. While I was stationed at Belmont Fire Station we had a specialist unit and a specialist vehicle, called the incident control vehicle. That vehicle was mobilised automatically to any major incident within the metropolitan and outer metropolitan area. A major incident was third alarm or above, which meant that if three stations were responding to an emergency, the incident control vehicle based at Belmont would also respond with an officer and three firefighters. From that perspective, it further exposed me to major fires and other incidents. I was certainly heavily involved in the communication and coordination of major incidents during my time at Belmont.

Having said that, in the 20 years that I have served in those varying capacities there has been a lot of change, not the least being the creation of FESA, which replaced the WA Fire Brigades Board and the Bush Fires Board in the late 1990s—maybe 1998, if I am not mistaken. There was also the subsequent change more recently to the Department of Fire and Emergency Services, which was a recommendation of one of many inquiries and reviews that I will talk about. Also in that time we saw the introduction of the emergency services levy, I think under a Labor government in 2003. Those two things, and in particular the emergency services levy, were very significant and welcome reforms to the delivery of emergency services in Western Australia.

I want to talk briefly about the value of the emergency services levy. If members can remember, before we had an emergency services levy we all paid what I think was called a fire levy on our insurance premiums—that is, if one had insurance. If someone did not have insurance cover, they did not pay the fire levy. Indeed, if people insured offshore, they were able to avoid payment of that levy. There was an increasingly significant amount of leakage from the fire levy as owners, particularly of large commercial buildings in the Perth CBD, preferred to insure offshore to avoid payment of the fire levy. The ESL provided for a fairer application of a levy to raise funds for emergency services. I think the Economic Regulation Authority reflected that in its report as well.

The other thing we saw at that time, and since, was a major investment in lifting the standard of equipment available to volunteer and career firefighters alike in this state. I know when I joined some 20 years ago, the vehicles we were driving to fires were older than I was at the time. That would certainly not be the case today. There were challenges around the availability of personal protective equipment, and the equipment was very poor. The ESL led to a significant improvement. When we get to the point where we start to argue about how many portable radios we should have on a fire truck, not to take away from that issue, but that really shows the advancement in that two decades in the provision of services and equipment, in particular, to our fire agencies in Western Australia. The ESL addressed issues of reliability and safety.

I want to refer to some statistics provided in the ERA report. Sometimes people use the collection and expenditure of ESL on a metro versus country basis. They say that it shows how little the country is receiving from the emergency services levy in comparison with the metropolitan area. The ERA report showed that in 2016–17, 82.3 per cent of the emergency services levy was collected in the metropolitan area and only 69.7 per cent of it was expended in the metropolitan area. What that actually means is that there is a cross-subsidy occurring between the ESL ratepayers within the metropolitan area and the delivery of services. One of the reasons the ESL's introduction was so important was that many of the small local governments, particularly in my electorate, did not have the capacity to respond to all sorts of fires and other emergencies if they simply relied upon the rate base within their community. It is important to mention that, and it is also covered within the ERA's review of the ESL.

I support the sentiments raised in relation to providing greater oversight and transparency of the ESL. I note that the executive summary of the ERA report discusses perceptions and the way in which having some greater oversight and transparency on advice to government on the collection and expenditure of the ESL will address perceptions relating to DFES having complete control. Hopefully that will be the case, but, at the end of the day, it is important to remember that this is the expenditure and collection of funds of the state, which would ordinarily be subject to normal budgetary processes, including the Expenditure Review Committee and cabinet. If it does address some of those perceptions and improves transparency—in particular, the review mechanisms available to third party recipients of the ESL; that is, parties other than DFES—that would be a positive move.

I think the next major reform in this space will be the amalgamation of the emergency services acts. I am not quite sure of the view of the current government on that. I know a lot of work was done by the former government to amalgamate the plethora of emergency services legislation in Western Australia. I believe that that will provide a greater degree of coordination and will certainly increase and improve the capability of our services that respond to fires and other emergencies.

It should be remembered that section 28 of the Bush Fires Act 1954 puts the responsibility of fire management on all landowners. That was reinforced in many of the inquiries that have been done; that is, if you own the risk, you own the responsibility. Of course, much of the land in Western Australia is owned by the Crown—the state government. If that land is vested with the Parks and Wildlife Service as manager, it has the responsibility to manage that risk, which it does with a dedicated fire service. Where I think this comes unstuck is with the issue of unallocated crown land, which the state basically engages DFES to manage. The last time I checked on this, which admittedly was a few years ago, DFES received only in the order of \$400 000 or \$500 000 a year to manage unallocated crown land in Western Australia. I imagine that that quantum of money would not go very far. The other thing the ESL has done to some degree is to play some role in diminishing personal responsibility for fire. People now pay their rates notice, which states that they are paying the emergency services levy, and, to some degree, I think that increases their expectation that when they call for help, somebody is going to come. That perception is a challenging one for our fire agencies. We hear it time and again when we have a fire, particularly in the peri-urban area around Perth. There was one just recently very late in the season around Ellenbrook, which caught everyone a bit by surprise because everyone thought the fire season was over. Then this fire started up. Of course, the ABC ran the story the next morning and questions were asked about when people received a text message and what they were told to do. People rung in saying the Department of Fire and Emergency Services did not tell them early enough what to do. As sure as night follows day, an old fella rung the ABC and I will quote from my recollection what he said. The ABC gave him the talkback opportunity, and he said, “Look out your bloody window!” and then hung up and there was the clunk of the call being disconnected. I think the really important message is that personal responsibility seems to be diminishing. People expect to be told what to do, they wait for the text to arrive and they get angry when their phones do not work. It is almost like we have lost the ability to think for ourselves.

This motion relates to the Ferguson inquiry, but having worked in the firefighting volunteer services I know there has been an enormous number of inquiries just like this one. Every time a major incident occurs, there is a major incident review or post-incident analysis—I do not know the technical term these days—that is kind of like an internal review of everybody who responded to the fire, what worked and what did not. Unfortunately, we have had to have coronial inquests after the loss of civilian or firefighter lives. Since I became involved in volunteer firefighting, my local government has had a sad history of having lost at least two volunteer firefighters. There have been special inquiries, like the one we are dealing with today led by Euan Ferguson, there have been royal commissions, and in recent years the Auditor General has played a role, particularly around making recommendations on the management of volunteers in Western Australia.

An observation about all these inquiries is that if governments had implemented every recommendation in full from the probably 10 to 15 inquiries over the last two decades, I am not sure that a fire truck could leave a station. My concern is the added burden on volunteers, and the increased cost to the state and the emergency services levy on ratepayers, amongst other things, would certainly be heavy, and we would reach a point of there being great difficulty in doing the job. Interestingly, some of these reports are conflicting. Today’s motion is focused on the Ferguson inquiry, which was the most recent. The formal position of the National Party, endorsed at the Geraldton conference a few years ago, fully supports the Ferguson inquiry recommendations. If I am not mistaken, that was also the former Liberal–National government’s formal position.

A point raised by many speakers in this debate has been the wide and varied views of volunteers, their associations and even service divisions. It has been very difficult. When we went through the process post the Ferguson inquiry, our party room met with all relevant associations. The challenge we put to them was how to land at a position that was acceptable to them all. That is a difficult challenge, and it would be difficult for any government faced with implementing and responding to the Ferguson recommendations. I make particular mention of Ferguson’s recommendation on the creation of a rural fire service. He provided some flexibility or latitude in how that service would or could be created—everything from a fully independent agency or statutory authority, right through to something that was a sub-department; I think he even mentioned the Department of Fire and Emergency Services or the Department of Parks and Wildlife as potential hosts for a rural fire service.

I will talk specifically about bush fire brigades, because that is the only service that I am currently a member of. When I talk to bush fire brigades, of all of the rural fire services in Western Australia that is where I probably get the most varied opinions on this. Volunteers, and sometimes localities, have a very strong anti-DFES sentiment. I am not quite sure where that comes from, but maybe it is due to some sort of historical occurrence of something having gone wrong or the personalities involved. I am not sure; I am just assuming. But there is very much an anti-DFES sentiment, sometimes to the point of volunteers saying that DFES has stopped them from fighting fires. I often challenge volunteers to explain to me how and why DFES is stopping them from fighting fires. I talk them through it: somebody makes a call to 000, the emergency operators dispatch a fire brigade, and I ask them to explain how they are hindered from doing their job as a volunteer firefighter. We have that sort of sentiment. I think the majority of volunteer bush fire fighters that I interact with say they just want to get on with the job.

They want to turn up and serve their community as quickly and efficiently as possible, with as few encumbrances as possible. They just want to get on with it.

At the other end of the spectrum, a number of volunteer firefighters in local government areas continue to express a view that they would like to formalise their local bush fire services under the Department of Fire and Emergency Services' umbrella—in other words, to transition from local government control to state control. Unless I am mistaken, I think Western Australia is the only jurisdiction in Australia that has local government–run and operated fire services. Among bush fire service volunteers throughout the state there is a wide range of views. That may in part be down to their local experience, their local relationships with DFES managers and staff, and indeed other services like Parks and Wildlife. In other areas that has perhaps not been as positive.

Operationally, two issues come up time and again. In almost every review, inquiry or post-incident assessment the issues are coordination and communication. To be honest, I do not think that has changed in 100 years of firefighting in Australia, or indeed in emergency response. That should not be an excuse for us not striving to do better—we always should. With that in mind, I have some concerns about and struggle with the notion that further segregating our fire services will improve coordination and communication. I certainly favour the model consistent with the recommendations of Ferguson that retained a Fire and Emergency Services Commissioner in Western Australia, but had under them a chief officer of metropolitan fire and emergency and a chief officer of rural fire and emergency, and maybe they would carry the rank of deputy commissioner or something of that nature. But obviously government has taken a different approach, as is its right.

The challenge post-Ferguson with the establishment of an independent rural fire service was not well canvassed or considered in the report. The report did not identify clearly who should be in a rural fire service. If we are talking rural, I assume that is everywhere outside the Perth metropolitan area. Outside the Perth metropolitan area we have many, many fire and emergency services agencies. The bush fire service is probably the biggest, and it is local government–run and operated, and responsible to local government. We obviously have the fire and rescue service, the volunteer fire and emergency service as well as other emergency service organisations such as the State Emergency Service. It was not intended that a rural fire service would be just a return to the Bush Fires Board days which would be just for bush fire brigades and where would VFRS or VES —

Hon Darren West: Did you attend one of the 27 briefings across the state that the minister held?

Hon MARTIN ALDRIDGE: I was not invited to any. I was not invited to the summit either. Maybe that is something Hon Darren West might take up with his Minister for Emergency Services. I think I received the notification from the minister five minutes before five o'clock to say that he was going to be in my electorate, if that is any reflection.

As I see it, the other issue is that we have a number of volunteer fire services within the metropolitan area. Indeed, I believe that our busiest bush fire brigades in Western Australia are resident within the metropolitan area. How would they fall in or out of an independent rural fire service? It is sometimes pitched that we need to separate all the volunteers from the career firefighters because there is this great cultural divide. It is an interesting concept because if we establish an independent rural fire service, it will be run and predominantly staffed by career fire service personnel. They will be people employed by the state to run an independent rural fire service. From my perspective, those issues have not been fully resolved. It was certainly an idea that was suggested in the report and, obviously, featured quite predominantly. But I think that its implementation would not necessarily be too easy for the government, considering some of the issues that I have just raised.

I talked about contrary findings. At one of the more recent inquiries held—if it was not in Perth hills, it was in Margaret River—I think the inquirer found that we should abolish fire districts in Western Australia; in other words, we should resource the risk and respond to the emergency accordingly, without the lines-on-a-map approach: “This is our turf; this is your turf; we're in charge here, you're in charge there.” I think it was about removing barriers, not increasing them, and improving coordination.

At the end of the day, regardless of what service people work in, whether they are paid or a volunteer, they want to get there as quickly as they can. They want to put the wet stuff on the red stuff and they want to go home safely to their community. That has to be the primary driver of anything we do and consider about emergency service reform, particularly in the way we rely, in a very significant way, upon volunteers in Western Australia.

I want to speak further on the issue of organisational culture. I have certainly seen in my experience issues on fire grounds and in emergencies. Sometimes, in my experience, there will be a range of reasons for that. Sometimes volunteers will be at fault; sometimes career personnel will be at fault; sometimes we like to blame the Parks and Wildlife Service. I think someone in one of their contributions talked about the relationship between volunteers and the Parks and Wildlife Service some years ago being very poor. I recall that time. Was it you, minister?

Hon Stephen Dawson: Yes.

Hon MARTIN ALDRIDGE: I think that has significantly changed in the last decade in particular. I think the focus on organisational culture is sometimes used to one's advantage to prosecute an argument for why we need to segregate fire services in Western Australia. Of course, there will always be instances of conflict, but I do not think it is isolated to one service or another. I think it often comes down to the fact that we are all human beings and, at times, we have to work under significant pressure in these types of situations, and sometimes we are not without fault. I want to put on the record that what we do not want to lose is the confidence in our career and volunteer personnel to make decisions. Sometimes they will be the right decisions and sometimes they may be found wanting. But I think the moment our fire agencies lose confidence in being able to make decisions in the heat of emergency situations in which people might be losing property or indeed losing lives, as soon as we as a community do not back the decision-making of those agencies—not that we should not learn from decisions that could be better—that will put us in the very difficult position of creating reluctance amongst people who have the unenviable task of managing major fires and emergencies in Western Australia.

I turn now more specifically to the motion and will address a number of the issues. In his contribution today, Hon Colin Holt outlined some of what I will say but not entirely. Part (a) of the motion states —

supports the creation of an independent rural fire service consistent with the recommendations of the Euan Ferguson report;

As I said, I think the Ferguson report gave some latitude and flexibility to government to make some decisions around the final creation of a rural fire service. Obviously, the mover of this motion, Hon Rick Mazza, has a preference for a fully independent rural fire service, which I think is one of the two options presented by the inquirer. I do not favour that option, as I have been presenting in my address today. I remain unconvinced about how it may well be achieved and, probably more importantly, how effective it would be, in particular its interoperability with other agencies within Western Australia. If a fire, regardless of where it is, starts, for example, in Wundowie and heads towards Toodyay, a range of fire agencies, volunteer and career, the Parks and Wildlife Service, local government and other agencies such as the Department of Health and the department for child protection, or whatever it might be called these days, would respond. My focus is, and has been, how will this work better? It is not: Will it achieve what we are doing today? How will it improve what we are doing? Part (b) refers to “funds the new RFS by a proportion of the emergency services levy”. I think that is directly linked to part (a).

I am not sure about the wording of part (c) of the motion, which refers to the emergency services levy being treated the same as other sources of state revenue and collected by the Department of Finance. When I first read that, I thought Hon Rick Mazza was advocating that the Department of Finance would collect the emergency services levy from the landowners of Western Australia. Having read his contribution, I am not sure that is what he is advocating. Indeed, I think he prefers local government collection of the emergency services levy but then have it transferred to the Department of Finance; not the Department of Fire and Emergency Services. I have concern about part (c). I think the collection should be retained within local government. There are a number of reasons why that ought to be the case, not the least being every non-government landowner in Western Australia has a relationship with their local government through receiving a rates notice once a year; whereas the Department of Finance probably never has any sort of relationship with landowners, unless of course they have an obligation to perhaps pay land tax or, indeed, stamp duty that might be applied to the transfer of land. Indeed, even then we would not have a direct relationship; it would be done, typically, through a conveyancer.

Part (d) of the motion is linked to part (c). Part (e) refers to the Standing Committee on Public Administration inquiry. This is probably the aspect of the motion on which time has moved on. The motion was put on the notice paper in May 2017, shortly after the change of government and the election in March of that year. I have generally no objection to reviews. However, now that the government has made a decision about the rural fire division, and that process is in its very early days, I wonder whether a review might be better targeted and look at the effectiveness of the rural fire division model that has been proposed by the government, which I think does sit outside the recommendations of the Ferguson inquiry.

I want to suggest another thing that the review could look at, perhaps on a more regular basis. The other place used to have the practice of conducting a pre-fire season capability assessment. That practice has disappeared over the past few years. I wonder whether the committees of this house might be able to play a role in testing the capacity of the Department of Fire and Emergency Services and other agencies to respond to the impending fire season. That would be of potential value in improving the delivery of fire and emergency services going forward.

Two years have passed since the Ferguson inquiry was handed down and we have a new government that has made a decision on the rural fire division. I believe the emergency services sector needs some confidence and time to test whether the rural fire division will improve the capacity of our fire and emergency services organisations in Western Australia. Our job now is to scrutinise and, indeed, challenge the effectiveness of that approach, or potentially recommend a different approach if that needs to be the case.

Therefore, for all the reasons that I have outlined, I will not be able to support the motion before the house today. I know that will be difficult for some members to accept. I note that a fair degree of politics has been involved in this issue, particularly post the Ferguson inquiry and in the lead-up to the election campaign. It is with a heavy heart that I make this decision. I am a serving volunteer firefighter in the bush fire service. I have had over 20 years' experience in fire and emergency services in Western Australia. In my mind, this motion, and the effectiveness of an independent rural fire division, is completely removed from any sort of political influence. I believe that my view is not inconsistent with the recommendations of the Ferguson inquiry—indeed, I believe it is consistent. The challenge for all of us in this place, and for the community of Western Australia, is to make sure that we are well prepared and capable of handling whatever might come our way in the impending fire season. Thank you.

HON COLIN de GRUSSA (Agricultural) [2.03 pm]: I, too, want to make a contribution to this motion as brought to the house by Hon Rick Mazza and to indicate that I will be supporting the motion. However, I flag that later during my contribution to the debate, I intend to move an amendment to the motion. That amendment will be a very simple one.

For me, the key to this motion is that it refers more to the operational aspects of bushfire management. As a volunteer bush fire fighter, one of my greatest concerns is the way in which the system is currently operating and will continue to operate under the new rural fire division. My concern is that that will not change in any way the operational aspects of bushfire management. Some of those issues stem from an apparent lack of understanding, I guess, of what is needed on the ground by rural firefighters in broadacre areas. I recall a number of examples from my own experience in which we received new equipment from the emergency services levy. That was fantastic. We were given trucks that were modern and well equipped and in principle should have been very good and able to do the job. However, they were not always the right trucks for the job. We had an incident a few years ago with trucks on which the front tyres were a different size from the back tyres; therefore, the spare tyres could fit only one end of the truck. Not only that, but if it was a four-wheel drive vehicle and it was a sandy area, it would get bound up in four-wheel drive and the driver would need to reverse for a kilometre to enable the transmission to unwind before they could get the truck out of four-wheel drive. When this issue was raised with the department by our local brigades, we were told that there was absolutely no way that we could change those tyres because that was the standard procedure that someone had come up and that was the requirement. The other problem is that they were on-road tyres, and as soon as the four-wheel drive vehicles got off-road—considering that rural firefighting is generally done off-road—the trucks got bogged and were not fit for purpose. However, those arguments were not heard, because the senior bureaucrats in the department had decided that these were the standards and this is what the equipment would be, regardless of whether it worked.

Another issue was the fittings that were supplied with the trucks. That might seem a relatively small issue. However, all the fittings were designed to work with fire hydrants. There are not many fire hydrants on any of our cropping and broadacre farms. When the brigades used their own money to buy fittings that would fit onto the water tanks and farm dams around the place and those trucks went back for repairs, those fittings would be removed and discarded and the brigade would have to buy them again—all because they were not the standard equipment and did not fit the standard guidelines that were determined by the department. Those kinds of issues demonstrate why we need to have some independence on the operational side of rural firefighting, as well as in determining what the equipment standards and guidelines should be. The way in which that is managed is creating a great number of issues for local brigades and volunteers.

I make the comment that from an operational perspective, particularly in the Esperance area, in which I spent most of my time fighting fires, our relationship on the ground with the Department of Biodiversity, Conservation and Attractions was absolutely fantastic. Those guys, and the local vollies and town fireys, all worked together very well. If a volunteer was called up to help fight a fire in the national park, there was absolutely no issue. Everyone would jump up on the truck and get in there and give those guys a hand, because they are local guys and they know what they are doing on the ground. That relationship was very good, and very important. It certainly was very important in the terrible fires in 2015 when we all had to pitch in and help out. The greatest issues that arose were when managers or fire professionals came from Perth to take over the management of fires. That is because the systems and processes that they use to manage fires include a great number of meetings and briefings. During the 2015 fires, volunteers came down to relieve our local volunteers. However, they did not really do any relieving, because they were stuck in meetings from 10.00 am or 10.30 am, and our guys were still on the ground and had been there all night, and, by 4.00 pm or 5.00 pm, those guys had to go home because they can work only a certain number of hours. Those sorts of cultural differences create a real problem, when all we want to do is put out the fire. Everyone has a job to do. They are all volunteers and they all have families and businesses that they also need to attend to. That is when a great number of issues arise and a great deal of consternation is created between the volunteers and the department.

The motion moved by Hon Rick Mazza is more about the operational aspects of rural fire management. As the Ferguson report stated, the rural fire service would be created to enhance the capability for fire management and

bushfire risk management at a state, regional and local level. I agree with that. I am not sure that the current government's proposal of a rural fire division will do that. That is where I have the greatest issues.

A massive number of inquiries have been held and many hours and dollars have been spent looking into some of the major incidents that have occurred over recent years. I will not go into the detail of all the reports from those inquiries. They are very good reports, and very comprehensive. A number of key themes in those reports are important—obviously, the creation of a rural fire service and also that the emergency services levy should be handled by an independent body that is not the Department of Fire and Emergency Services. I think that is entirely appropriate. The suggestion in the Economic Regulation Authority report about the Office of Emergency Management doing that was good, but that is no longer an independent body so we cannot follow that guideline.

I am a little concerned about the motion moved by Hon Rick Mazza in that parts (c) and (d) quite specifically suggest that the Department of Finance collect the revenue and remit that funding to the Department of Fire and Emergency Services and the rural fire service.

Amendment to Motion

Hon COLIN de GRUSSA: I move —

That parts (c) and (d) be deleted.

I do not intend to talk for very long on this amendment. I wanted to say a couple of things. Part (c) relates to the Department of Finance collecting the emergency services levy. I think that is problematic. Local government should be the collector of the ESL. Part (d) relates to remitting the funds to DFES and the RFS. That part also needs to be deleted because it references the Department of Finance.

HON RICK MAZZA (Agricultural) [2.14 pm]: I do not support the amendment. I can see why Hon Colin de Grussa and you, Mr Acting President (Hon Martin Aldridge), when you spoke, were not happy with the money going directly to the Department of Finance. My intention was that the funds would still go to local government, which would then remit them to the Department of Finance, which I think I covered when I made my speech after moving the motion. Page 54 of the Ferguson report references the “A Shared Responsibility: The Report of the Perth Hills Bushfire February 2011 Review” by Mr Keelty. Recommendation 48 of that report was that the state government move the responsibility for the management and distribution of the emergency services levy to the Department of Finance. Page 55 contains some remarks about evidence given to that inquiry. The Association of Volunteer Bush Fire Brigades described sentiment towards the administration of the ESL as follows —

This is a very strong issue amongst volunteers and the local governments. There is a perception that the rules are different for Department of Fire and Emergency Services who are now in control of the distribution of the funding. There is a strong sense of conflict of interest that the body administering the levy is the main beneficiary of the level of funding to which they receive? There needs to be clear separations and the rules re-visited to ensure volunteers and local governments have access to funding to enable bushfire mitigation to occur and fairer access to equipment and resources funding.

The Bushfire Front also gave evidence, and it agreed that a need to review the ESL remains. It stated —

I would like to see a much more independent decision-making process relating to ... levy money as part of the overall funds that are available for bushfire management in Western Australia and they should go into the pool, which is then allocated according to a properly thought out strategy: where is the problem, what are the priorities, where will this money do most good?

That is the idea of this inquiry. If there are some issues surrounding the ESL and if there is concern about how it is collected, the inquiry can flesh those things out. Certainly, from speaking to the AVBFB, one of its major concerns is that it had no input into this new RFD. It was notified only about an hour before the announcement. This inquiry would also give it and other stakeholders a way of expressing their point of view and where they sit.

I do not support the amendment moved by Hon Colin de Grussa because I believe that the committee could work through those issues.

HON DR STEVE THOMAS (South West) [2.18 pm]: I take on board the remarks of both the previous speakers. I understand that the emergency services levy is currently collected by local government and distributed directly to the Department of Fire and Emergency Services and avoids being put into the Treasury budgets and avoids the Department of Finance. That may or may not be ideal. I guess the critical thing is that the ESL should go completely to the management of fire and emergency services, including mitigation, which it currently does. I am always nervous about putting it via Treasury. I think that does have some concerns. I think the current system is probably adequate for the time being, although it would be useful for the committee proposed by Hon Rick Mazza to investigate it. For that purpose, I think it would be best if the house supported Hon Colin de Grussa's amendment because it is currently the case that the ESL should not be collected by the Office of State Revenue and managed by the Department of Finance.

I would be perfectly happy to see the current system remain—that is, for the ESL to be collected by local government and sent directly to the Department of Fire and Emergency Services—but the committee should look at that. I understand from the amendment that has been moved by Hon Colin de Grussa that the committee would still be free to do that if we removed parts (c) and (d) from the motion before the house. Removing those two parts would not preclude the committee from looking at where the ESL should be managed rather than necessarily prescribing it, as parts (c) and (d) do. For that reason, I intend to support the amendment moved by Hon Colin de Grussa.

Amendment put and negatived.

Motion Resumed

HON RICK MAZZA (Agricultural) [2.20 pm] — in reply: I would like to thank all members for their contributions to the debate. Hon Dr Steve Thomas supported the motion. He gave an excellent summation of the rural fire division. Hon Colin Tincknell supported the motion. He stated very clearly that other jurisdictions have a rural fire service as a separate entity and he sees no reason for us not to have something similar. Hon Tim Clifford said that the Greens would not support the motion, which was a bit of a surprise, because my understanding was that, leading up to the election, the Greens had supported an independent rural fire service, but for their own reasons they have decided not to support this motion. Hon Diane Evers also said in her contribution that she would not support the motion. She suggested that we sit and watch what unfolds with the rural fire division and she wants a more collaborative approach. Unfortunately, there will be no way of reviewing the RFD in any way other than having an inquiry at some stage. The proposed inquiry would have run for 12 months, and during that 12 months it would have had a good chance to look at it.

Hon Stephen Dawson said that the government would not support the motion. He said that a lot of consultation had taken place, but the feedback that I have had from the Association of Volunteer Bush Fire Brigades is that one of its major gripes is that it does not feel it has had adequate consultation. The bushfire summit that I attended was a very preliminary type of consultation. The AVBFB found out about an hour before the announcement and it feels very aggrieved at this time that its 26 000 members have had no input into how this thing will unfold. It has been done completely within the department. That is something that they feel very aggrieved about. Members have received various letters from the AVBFB stating that it is very unhappy at this time. That is disappointing, because we are trying to build a collaborative approach and a good culture between DFES and the career firefighters and the volunteers. I think that when the volunteers are excluded and alienated, it does nothing to heal that rift between the two parties, and that is not good for major emergencies in Western Australia.

Hon Colin Holt said that we could better manage bushfires. This is something that is constantly under review. The first major inquiry into bushfires was the 1961 Royal Commission to inquire into and report upon bush fires in Western Australia, and there were a number of recommendations that we still use today. When we have moved off that course with prescribed burning over the last 15 or 20 years, it has got us into trouble. It is always a work in progress and something that we have to constantly watch. He had mixed feelings about the role of the rural fire division—RFD. It is still not operational, unfortunately. That is another grievance of the volunteers. The RFD will have a purely administrative role; it will have no operational activity. Hon Colin Holt also stated that the ESL funds still needed to be hypothecated to emergency services. I accept that, but I think that some of the criticism in the Ferguson report and others was about the transparency and efficiency of the ESL.

Hon Martin Aldridge gave an extensive background. Obviously, he has had a lot of experience as both a volunteer and a career firefighter over a 20-year period. He also felt that there is always a lot to learn as we move on, but he did not support the motion, which is disappointing, but, of course, that is his prerogative. Hon Colin de Grussa supported the motion and I appreciate that, and he moved an amendment to the motion regarding the ESL. As I said in my speech on the amendment, the idea of having an inquiry is to thrash out all aspects of the ESL and to look at what the report would disclose or recommend about the application, collection and administration of the ESL.

I thank all members for their contributions. Hopefully, we will get support for the motion.

Division

Question put and a division taken, the Acting President (Hon Martin Aldridge) casting his vote with the noes, with the following result —

Ayes (15)

Hon Jacqui Boydell
Hon Peter Collier
Hon Colin de Grussa
Hon Donna Faragher

Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza
Hon Michael Mischin

Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse

Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Ken Baston (*Teller*)

Extract from *Hansard*
[COUNCIL — Wednesday, 27 June 2018]
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Hon Colin Holt; Hon Martin Aldridge; Hon Colin De Grussa; Hon Rick Mazza; Hon Dr Steve Thomas

Noes (16)

Hon Martin Aldridge
Hon Robin Chapple
Hon Tim Clifford
Hon Alanna Clohesy

Hon Stephen Dawson
Hon Sue Ellery
Hon Diane Evers
Hon Laurie Graham

Hon Alannah MacTiernan
Hon Kyle McGinn
Hon Martin Pritchard
Hon Samantha Rowe

Hon Dr Sally Talbot
Hon Darren West
Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Pairs

Hon Simon O'Brien
Hon Jim Chown

Hon Matthew Swinbourn
Hon Adele Farina

Question thus negated.