

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

INQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 3 MAY 2006**

SESSION ONE

Members

Mr A.P. O’Gorman (Chairman)
Mr M.J. Cowper (Deputy Chairman)
Mr S.R. Hill
Ms K. Hodson-Thomas
Mrs J. Hugh

Hearing commenced at 9.55 am

BREHENY, MR JULIAN

Grains Executive Officer, WA Farmers Federation, examined:

McDOUGALL, MR JOHN

General Executive Member, WA Farmers Federation, examined:

The CHAIRMAN: Thank you both for coming in this morning to give the committee the benefit of your experience and knowledge. Normally, there are five members on the committee, but one member has called in sick, one member has been whisked off urgently to another committee, and one member we are expecting to be here by 10 o'clock. We have a quorum; we are allowed to conduct hearings with two members. If our third member shows up, we will introduce him when he gets here. The committee hearing is a proceeding of the Parliament and therefore warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath, any misleading of the committee may be regarded as a contempt of Parliament.

Have you completed the "Details of Witness" form and do you understand the notes attached to it?

Mr Breheny: Yes.

Mr McDougall: Yes.

The CHAIRMAN: Did you receive and have you read an "Information for Witnesses" briefing sheet regarding giving evidence before parliamentary committees?

Mr Breheny: Yes.

Mr McDougall: Yes.

The CHAIRMAN: The committee has received your submission. Do you wish to propose any amendment to it?

Mr Breheny: I believe Mr McDougall has some extra evidence.

Mr McDougall: I would like to reinforce what we have said. I took it upon myself to do some research among our membership, who are the backbone of the bush fire brigade network and the State Emergency Service, but more the bush fire brigade network. I have put together a paper which is very raw. It contains the comments of the firefighters and the men of the brigades on the ground. There are a number of things in our submission that I think FESA is failing in. I am not sure if this is where we should air that at this point in time. We would be very, very concerned if the legislation does not hold up our concerns. We can go through our concerns, if you wish.

The CHAIRMAN: As I said, we have received your submission. You say you are going to propose amendments to it, which you have on a sheet of paper. Is it your wish that the submission be incorporated as part of the transcript of evidence?

Mr Breheny: Yes.

The CHAIRMAN: Thank you. Mr McDougall, would like to make some comments?
[10.00 am]

Mr McDougall: As I said previously, we would like, if it is necessary, to reinforce some of the points we made in our submission. I have done some research recently, in the past three or four weeks, among our agricultural members, who are very much involved in FESA. They call

themselves the cannon fodder. They are the volunteers, at the bottom. They are the guys, and the girls - quite a few women are throwing in their hat to do this now - who are actually doing the work. They are very concerned that the FESA model may be by stealth heading for the New South Wales Country Fire Authority-type organisation. South Australia is running a similar set-up over there. We reckon, in effect, that it is deadly. That is the view of my members. Too many people in the eastern states are dying in fires. They should not be losing their lives. There is some concern about the lack of information that is coming out. Perhaps when the legislation is finalised and disseminated throughout the country it will take away some of the perceptions and some of the, I suppose, misinformation that appears to be peddled around now.

The CHAIRMAN: Okay. Have you anything further to add?

Mr McDougall: We would like to pick up some of the points in the submission that we would like to reinforce.

The CHAIRMAN: Please do, and we will then get onto some questions.

Mr McDougall: At page 2 of the submission there is a statement -

“That a concerted effort be made to change the policy and attitude by which the Government and urban communities expect the agricultural community to fight non-agricultural fires and that a code of practice be developed to manage the way in which these fires are prevented and controlled”.

That is the sort of thing we believe must be covered, either through legislation or regulation, to make sure that clear protocols or lines of command are in place so that there will be no mistake about who is responsible for what. There are a lot of grey areas in this sort of business. Because of occupational safety and health, and that sort of thing, there are now a lot of people who are very reluctant to be involved in it, because they do not understand their role. That sort of thing is very important.

I have underlined in our submission a lot of things that I believe are very important and should be enshrined, if not in legislation, at least in the regulations. It is important that local knowledge and experience is not ignored, because otherwise we will finish up with a top-heavy bureaucracy that has a lot of managerial ability and not much ability to carry out the task of saving lives and property, and fighting fires. We make the statement in our submission that local knowledge and experience is being ignored by an increasingly top-heavy bureaucracy. We believe that if the legislation allows this to happen, we will be heading for some sort of disaster. Working my way down through the submission, we generally support the changes in the legislation. I have a strong background in fire control. I was a deputy chief fire control officer for 35 years. I handed that badge in only recently. I worked with the bush fire board regime for a lot of years, mostly with no money, which was not very helpful. What we are very concerned about is that we do not get a centralised organisation that does not let the local people and the local knowledge run what is happening. I did some research on the Canberra fires. That was really just a bureaucratic bungle. If the people who had the fire trucks had been able to use them, I do not think we would have seen quite the devastation we saw. Our guys are terrified that it is going to happen here. We are very concerned that whatever the legislation may reflect, we still have a centralised government body like FESA to make sure there is no overlapping, which has happened in the past. We want to see a lot more cooperation with people like the SES, because they can bring in the food and the support for the firefighters. We have had a bit of trouble with CALM, but we are getting there; they are coming in. This is what we need to do. We do not want a group of people here, in a nice office, in suits, and firefighters 200 kilometres away being directed by this group of people - even with all the best technology. I have seen some of their so-called maps. For the little local brigade that I have just joined, the map shows roads that do not exist; and there are roads there that are not on the maps. This is how people get killed.

The CHAIRMAN: Are they CALM maps?

Mr McDougall: All sorts of maps.

The CHAIRMAN: Okay. They are the maps that are given to the local brigades?

Mr McDougall: What I am trying to say is that you cannot take away the local experience. The locals know that they never built that road, because they went to that river, and they could not cross the river, so they terminated the road, but the road still shows on the map. They are the sort of things that are going to bring FESA undone, because what will happen is my colleagues will walk away from it; and that would be a tragedy.

There is a whole section in the submission on that sort of thing that leads off "WAFarmers while in support of the changes to the legislation". I think I have reinforced most of that. One of those things is having a better level of communication. This is where I think it is falling down now. I do not know whether we can do this with legislation. The communication between FESA and the volunteer firefighters is falling down. I will leave one of these, it might make interesting reading. You can see why they are saying that. It may be because of the change or whatever, but FESA's people on the ground have been told to go quietly until the new legislation comes out. It is creating a feeling of uncertainty where older men like me are walking. We are saying, "No. This is weak. We cannot live with this sort of structure, or the lack of it. We do not want to be responsible for someone's death." When you are at retiring age, you can say well, you are retiring. Unfortunately, in most of these rural towns - we call ourselves dad's army - we are the only people who do not work, so we are the only people who are actually available to man fire trucks. So you have that issue too.

Pretty well the rest of it I think you can take as read, if you take on board those points. I think that is probably the real sharp end of it for us. We want to know what is going on. The other thing is what is going on in the country right now. We are getting a proliferation of fire sheds - fire stations - that are full of antiquated old junk. The trucks are not safe. The safety equipment is not up-to-scratch. I think if it was a workplace, WorkSafe would shut it down. However, because it is a volunteer fire brigade or whatever, it is allowed to happen. There is some real concern there. One of the other things I do in the Farmers Federation is occupational safety and health. That is my portfolio. I am into that up to my eyeballs. I understand the ramifications of all of that. It does not appear to be flowing through into the FESA operations at the ground level. I am sure it does at the employee level, but at the volunteer level it is not happening.

[10:09 am]

The CHAIRMAN: I am surprised to hear you say that because a number of the people we have spoken to throughout the state have said that the personal protective equipment in particular has improved.

Mr McDougall: It has improved. Yes.

The CHAIRMAN: Previously funds were raised to purchase it because there was no money for it.

Mr McDougall: That is right.

The CHAIRMAN: Some concerns were expressed about tenders for fire apparatus. Some shires were providing -

Mr McDougall: Some were not supplying any at all.

The CHAIRMAN: Some were not supplying any at all and some were really proactive and supplying. The age of the appliances in the shires that were proactive are falling back a bit; whereas the ones that were not supplying are actually coming up. At some stage, we will come to a proper balance where they are maintained.

Mr Breheny: In our submission, we pointed out that the relevant shires had moved to have FESA take over antiquated sheds, but if they were not up to specification, FESA had the opportunity to disregard them and make the shire bring them up to speed. As we put in the submission, and to reinforce that, WA farmers would like FESA to at least work on a plan to bring those sheds up to specification.

The CHAIRMAN: We have seen one of those stations, which I think -

Mr McDougall: Some of them are brilliant.

The CHAIRMAN: Some of them are brilliant, but the West Murray one was not acceptable at all. We have taken note of that as well.

You have probably covered some of the points we were going to ask you about, but we have a list of questions that we have specific reasons for asking. If you have answered a question previously, that is fine; it will give you the opportunity to reinforce it. On page 2, of your submission, you cite that in the main you support the recommendations put forward by FESA, including the need for a more coordinated response to emergency services. You also reference the coroner's recommendation in the Tenterden inquiry about FESA assuming control of bushfires in appropriate circumstances. Does this mean that you support FESA being accountable and responsible for control of a fire during a multi-agency incident?

Mr Breheny: When I spoke to Craig Hynes from FESA he explained the Tenterden case. I was told that, given that some of the fire chiefs are in country areas, sometimes local knowledge can perhaps get in the way. It is felt that in those local areas there is the attitude that, "We can take control of this fire and we don't need the big body from Perth to come in and take control." If that can be overcome and we can avoid situations such as the Tenterden fire, that would benefit all Western Australians.

The CHAIRMAN: Could you give some indication at what point and in what circumstances FESA should assume control?

Mr McDougall: The Tenterden fire was not very big but it was very dangerous. It did not burn much area but it was very highly populated. Local people are quite capable of looking after the local situation. The Tenterden fire moved from one shire to another; CALM land was involved and Western Power poles were down and all that sort of thing. That is when a body such as FESA is absolutely necessary; it must be there. I used to work with the old bushfires board guys. Agencies like that know whose button to push and they can coordinate the government departments. However, they must not leave the very important local people out of it. If they do that, there will be great resistance, and the inclination to say "Go away." FESA can support the local guys and do all the talking to the government. If there is a need to talk to the minister, as has happened with some of these fires, FESA people are the ones to do that.

Mr M.J. COWPER: You have got me a little confused. On the one hand you are saying that you do not want to lose the local knowledge and local experience, but on the other hand you are saying you want FESA to come in and take control in certain instances. The biggest issue is at what point do these higher authorities assume control? You made the point that people in rural Western Australia do not want to see someone sitting in their ivory tower here in the city trying to assume control and coordinate the fires. I could not agree with you any more on that.

Mr McDougall: It is a fine line. I totally agree with you. I have been involved in probably 40 or 50 very big fires throughout my career. When a fire gets beyond the capability of two shifts of firefighters, the local people start running out of legs, physically, then they need someone there who can go a bit further afield.

Mr M.J. COWPER: I find it interesting that it was mentioned to Julian Breheny by Craig Hynes that certain things occurred at the Tenterden fires. We have examined the events surrounding the

Tenterden fires. That fire started very quickly and it was pretty much all over before the troops were on the ground. There are always Monday experts.

Mr Breheny: I was not referring specifically to the Tenterden fire in that case. With regard to the country versus city response, which I have alluded to - I do not come from the country but I work for a farming organisation - feelings among farmers are that people in Canberra or Perth are trying to run things for farmers and get in the way of people and the way they do their jobs. It is not uncommon for Craig Hynes to allude to that. I am well aware of that. Having said that, when I was talking to FESA it outlined a case of fires and grades and when it would take over. I understand that in FESA's recommendations it proposes a monitoring process on fires from the first time it is alerted to them. However, there would be a time until which FESA would leave the fire to the locals. The process FESA proposes would not take a local-level fire entirely out of the hands of the local community. However, once it escalated, FESA would be more than willing to step in. Obviously, with fires, things can explode quickly. As much as governments legislate or regulate to get over that, they can always happen.

Mr M.J. COWPER: We have seen a number of models throughout the state and in the eastern states. In New South Wales there is a country fire service headed by a commissioner. There is also a commissioner for the fire brigade.

The CHAIRMAN: You missed the opening comments, Murray.

[10.18 am]

Mr M.J. COWPER: In New South Wales, two separate entities look after the fire response. One of the issues here is: where do we draw the districts? As we well know, particularly those areas that are provincial to the metropolitan area, the boundaries are being pushed back almost on a daily basis. One of the common questions in our inquiry is: who sets the districts and who is responsible for what area? These are the grey areas where the transition between country and metro come in.

Mr McDougall: I totally agree with you, Murray. There needs to be some sort of a guideline. When agricultural fires are lit by a harvester or something like that, in two or three hours it is all over. There might be another eight hours of monitoring, which means that the community can handle it. Guys can have a sleep and watch the fire the next day on a rotational basis. However, once it goes past that point, it becomes another issue because then it is necessary to bring in outside help such as fire service gear from another region and to request other shires to bring in water tankers, planes and the whole works. Another situation can change that completely. If conditions on the day are very dangerous, all that extra help should be called in during the first hour. I know your dilemma but we need a point at which the local firefighters can feel that they are in control of their own destiny and management at a level with which they can cope. As you were saying, Murray, who is the brave person who says, "Righto, we bring in the big guns"?

The CHAIRMAN: From what I am hearing, I think what you are actually saying is exactly the same as what FESA has said to us. I am deciphering from FESA's comments that farming communities and volunteer fire services take care of normal fires that happen almost on a daily basis in farming communities. FESA does not even want to know about them. They might get reported as log fires and recorded, to build up some information. However, as soon as they move from that small local area and spread across a number of local council boundaries and into CALM land and we then need to support it with SES, sometimes an ambulance and all these other things -

Mr McDougall: The police.

The CHAIRMAN: - the police and the aircraft - that is when FESA should be the coordinating body.

Mr McDougall: Absolutely.

The CHAIRMAN: However, nine times out of ten, even when FESA is participating as a coordinating body, the command of the fire stays with the locals. I think I am hearing that the system that is operating now will continue to operate, except it will be more formalised inasmuch as FESA will have the ultimate responsibility to make sure that the extra fire tenders, the aircraft, the police, the ambulance and all those things get there if required. That is what I am interpreting from it. I could be completely wrong but I think that is the way it needs to go.

Mr McDougall: If I may, Tony, you have the essence of it. The real issue is what Murray referred to: the grey areas of who does what and when, need to be thrashed out with everybody. That is the area that will either disfranchise or keep the volunteers in the job. I went to Canberra, and I have relations at Port Lincoln so I copped all that from there as well. The guys on the ground are very frightened - this might be a perception - that a body that is removed from the situation will tell them how to fight the fire that they are looking straight at. That happened with the Canberra and the Lincoln fires. People external from the situation were telling people to shift equipment from one place to another based on old information. Of course, they did as they were told and the fire escalated.

We have said all along that if there are properly trained people on the ground who live in the area, they work a lot harder. If people are defending their own home they put a lot more effort into it. It is absolutely critical that the fire bombers get there and the coppers get out and shut the roads and all of those things. When the local fire control officer on the ground says that he needs three water tankers now it needs someone who has the ability to commandeer them from wherever they have to come from. In my experience, that person is the local CEO of the shire and that takes hours.

The CHAIRMAN: Yes; that is what I understand. If the fire officer in control at the fire deems it necessary to commandeer extra tenders or aircraft, rather than going through local shires or local police, he should have a direct link to FESA. The person in control makes that decision and FESA supports it. That is what I understand.

Mr McDougall: I think FESA's role will be to find out how desperate the situation is and to advise, for example, that it has only four tankers available. FESA might then say, "Well, we cannot give you a water tanker, it is heading towards Wickepin or Corrigin, and that is a town; you guys have to do the best you can, but we will get a tanker back to you when we have the opportunity". I think they are the decisions that FESA should make.

The CHAIRMAN: Yes, that is exactly right. Other information has come from other government departments that I think this committee was a bit surprised to learn. A couple of weeks back we visited the Department of Land Information and it can provide almost real-time aerial photographs by satellite. They can actually show the heart of the fire, the direction it is going, the weather and all that. DOLI can then feed that information back to the local person in command, who can make decisions then based on having a much wider view of the fire. The people on the ground will have a picture of not just the fire front that they are fighting but those all around it also. A whole lot of other information can assist the local commander that can come through FESA via the other government departments.

Mr McDougall: I have used some of that technology. The real benefit is that everybody gets to see it. The New South Wales Country Fire Authority is not very well liked among the bushfire control officers around Western Australia because of its record. It has killed a few firemen and some of it has been brought about by the way it operates. I think the issue is that there needs to be someone to bring it all together, to make sure the firefighters do not feel as though they have been excluded from what is happening. They get very annoyed if they start getting directions from someone who they perceive does not know what they are looking at.

Mr Breheny: One of the things that I noted in the submission is that the concerns from people in the country were not about the timing of the fire; they were about the time of translating the technology and procedures to the farmers in a learning situation. I believe that, because of the

constant updates in technology and new material, some farmers felt that they were not getting the right directions in, perhaps, learning and new technology and the lines of communication. Although that was obviously all right during the fire, in the quiet times, communication between FESA and the volunteers could be considerably better.

Mr M.J. COWPER: This is in essence the dilemma that faces this committee, the people of Western Australia and any person involved in emergency services. In any of the training exercises that I have been involved with two factors have come out. One is training and the other is communication. The bigger an organisation organisation, whether it be a fire organisation or any private organisation, the greater the need for communication and the bigger the problem it becomes.

You said that you do occupational health and safety welfare in your own right. We have all seen various rural areas that, as you pointed out, would not subscribe to or fulfil the role of the occupational health and safety welfare issues. In essence therefore, it is necessary to appoint a training officer, then a communications officer and, as that organisation grows, there is the potential for the flow of information down to the fire front to be restricted. I do not believe there is a model - we have looked at many models - that is the absolute best model. What we are looking for, I suppose, is an optimum model that will best suit Western Australia. Given fires vary from incident to incident -

Mr McDougall: Day to day, depending on the weather pattern.

Mr M.J. COWPER: - a one-all fits-all sort of washover of responses is going to be difficult to achieve. We are endeavouring to investigate the best option currently available to us. I hear the concerns of the Western Australia Farmers Federation. We have heard first-hand from those people. One of the issues your organisation will have is determining whether those farmers who have their little fast attack units on the back of their trailers, and who probably turn up in their King Gees and Blunstones, will fulfil the requirements of occupation, health, safety and welfare. The point has been made that if we will have this overarching organisation, certain standards will need to be set, and whether the people you represent will be prepared to do that extra bit of training to fulfil the requirement. I can see some resistance because if they have been fighting fires for the past 30 or 40 years, why should they now do all this training? We have this dilemma: in essence, it is almost like a dog chasing its tail. We are looking at examining the optimum level of structure going forward.

Mr Breheny: It is a matter of whether you can institute some recognition of prior learning into the training, and make the training readily available. One of the biggest concerns in rural and remote regions is making the training available. There are a number of RTIs and TAFEs around which would be quite willing to provide that training providing there was a recognition of prior learning component.

The CHAIRMAN: This question is about CALM. CALM argues that it should be in control of fire on CALM land, and that FESA should assume control with respect to local government, but not CALM land. Would you like to make a comment on that aspect? Obviously you would.

Mr McDougall: I have years and years of experience fighting CALM fires. It depends entirely on who from CALM is available on the day. If CALM is part of a community, FESA should be the overarching body because CALM has a very jaundiced view about how a lot of things should happen. We are in the process of a good neighbour policy with CALM, and I believe that is probably one of the greatest steps forward that CALM and the rural community have embarked upon in the past 25 to 30 years. From experience, FESA still should be the overarching body. However, while the fire is on CALM-controlled land, it is the same situation as with the local fire control officer; that is, those people fight the fire or manage the fire at that level. I do not think it should swap over just because the fire goes through the fence into CALM land. If you want an overarching body, it should be FESA. It should be one or the other. CALM should fit into that

arrangement like everybody else. I have some real problems with responsibility flicking over as soon as a fire goes through the fence. That is a personal view, too!

The CHAIRMAN: That is pretty clear to us.

Mr S.R. HILL: Just following up on that, John, I have a bloke out in the shire of Chapman Valley. A number of farmers out there are frustrated about government-owned land like CALM land and nature reserves and whatnot. We have to put in our firebreaks, but CALM does not. Can you comment on that aspect? Should it be bound under the act?

Mr McDougall: This is part of our good neighbour policy. We have been hounding about this sort of thing. To be good neighbours, if I am bound by the bylaws of this shire or by government legislation, those laws should also apply to CALM. That is one of the things CALM needs to learn about being good neighbours: if you put up a fence in town here, I buy half and you buy half. With CALM, I put up a fence, I buy it all and CALM does not pay anything.

Mr M.J. COWPER: What about in remote areas like the out in the Kimberley?

Mr McDougall: In what way, Murray?

Mr M.J. COWPER: What about CALM-managed land way out in the desert? The state could spend forever and whatever amount of money putting firebreaks around all its managed land, but at the end of the day -

Mr McDougall: We have encouraged CALM over the years to do that. Where it "manages" large chunks of scrub - some of which have conservation value, and some of which does not - we have put a lot of effort into them. Over the years we have chained down a strip of land along the edge of it. It looks ugly, but from a firefighting point of view, it changes the demographics of the whole thing because the fire is put on the ground. What we say to CALM is that if it will not be a good neighbour, it will have to put up with being a bad neighbour because everybody will be against it. Where we have found they have cooperated to some degree, the attitude is a lot better - everyone sees it in a different light. Where the operation is a fair way away from conglomerations of people, CALM is a lot happier to do prevention work than is the case in areas where the whole population looks over its shoulder. I can say that from experience.

We have said all along that government land and CALM land should be treated like the private land that it joins onto. So if restrictions apply to me as a landholder, those restrictions should apply to unclaimed crown land - we used to call it VCL - or CALM land, because the farmer carries a far greater burden by having these people as neighbours. Look at land prices. If you have a farm with CALM land on three sides, and you try to flog it, and you compare it to another farm in the middle of the district with no CALM land around it, a discount applies to the CALM land surrounded farm.

Mr M.J. COWPER: We have actually heard that CALM puts in firebreaks not so much to break the fire but more to get access to the fire front.

Mr McDougall: Yes. We had CALM do it in the south east; it put them into blocks. Going back to what we talked about in some of these notes, it relates to the safety of firefighters. If we go in to extinguish a blaze in a national park, we have a way out. That way out must be on a map that is recognised by everybody. So if you get into a situation - this happens - in which you just have to run and retreat, if you cannot retreat, that is how people die. This is what we found. We had CALM doing this in a lot of cases and it worked. You have a firebreak, an access track and an escape route.

Mr Breheny: As far as the pastoral regions are concerned, I know that the Pastoralists and Graziers Association have put quite a bit of work into that to ensure better coverage.

The CHAIRMAN: FESA suggested that it be empowered to request the development of fire management plans from landowners when the land is CALM managed, plantation land and land used for pastoral or grazing purposes. This picks up from what you were saying. The plan will be

requested in circumstances where FESA considered it to be necessary to mitigate the risk of fire to life and property. I note that you have made a reference to WA farmers being consulted in respect of the development of plans. I refer to page 3 and dot point 2. Would you like to comment generally on this proposal, which I think was probably what you were about to do?

Mr Breheny: I guess as far as drawing up fire management plans is concerned, if there is a template for fire management plans, that template should be drawn up with some consultation with farmers groups. Therefore, there will not be restrictions in those fire management plans that do not apply to the circumstances. I know that is very difficult in Western Australia with the number of different geographic areas or types of areas. No more than what is written is required. We have no problem as long as FESA consults the Farmers Federation and individual farmers in drawing up fire management plans, and there is some give and take in that system - not necessarily a huge amount of give and take, as I am not arguing for a voluntary code. WA farmers would be reasonably happy as long as some consultation takes place.

Mr McDougall: We have no problem with that. We have been hammering CALM for years to do this. If it is deemed necessary that large plantations that are probably owned by farmers anyway apply to the plan, we have no problem with that at all, providing that the plan has broad guidelines so that you can put a fire plan together that is actually manageable and workable. What often happens is that some of the fire plans or conservation plans that are put together fall over because they are completely unworkable. I believe that there should be a fire plan registered, especially in the pastoral area, because it might be deemed by the pastoralist that he is quite happy to burn half his station to save the other half. Whatever. It may be an owner is happy to burn a portion of the plantation to save the rest of it. Of course, if everybody knows what is on the books, it has a good chance. If the people who actually own or manage the piece of land are not available, and there is a fire plan in place, you have something to work from. The worst thing in the firefighting world is an absentee landlord. I have been sued and all sorts of things. You have to make a decision. If there is a plan that says the person is quite happy to lose a third of it to save the other two-thirds, you have something to work with.

[10.40 am]

The CHAIRMAN: You may not feel that this concerns you, but we would like to get your views on the emergency services levy. Currently, the emergency services levy process calls for local government to complete an emergency services levy grant scheme application form for SES unit funding. The ESL grants scheme committee must then approve or reject the application for funding. If the committee approves the amount requested, the funding is provided to the local government and the local government forwards it on to the SES. As you are aware, FESA has recommended that local government be taken out of the ESL application process and that the SES unit deal directly with FESA in relation to that ESL funding; that is, the SES unit would advise FESA directly of its funding requirements. At the third dot point on page 3, you say that WA farmers want details of any determination and the formula for making a determination of capital and recurring costs required for the effective operation of SES units. Why do you want that?

Mr Breheny: Going back to the conversation I had with Murray about city versus country, it was explained to me that the majority of funding for country units comes from the city due to the number of people paying the levy. However, if we can see some determination of the levy that individual shires are paying and the level of funding for individual SES units, it would give people a better indication - I hate to say it - that they are not being ripped off, perhaps. It is more of an illustrative reason.

Mr McDougall: If the local authority is taken out of it, FESA then has a credibility problem. If a government agency funds an organisation within a shire and the shire council does not know anything about it, or it finds that it is not being funded but does not know that until it goes to a local government week, it feels disfranchised. This causes the anger and resentment to build up. I can

see FESA's point of view that if it funded in that way, it could spread it out on a needs basis. Some shire councils might believe that they have a greater need than do the ones next door to them. I can see where FESA is coming from, but I do not think it is a good idea. If FESA does not keep the local authority informed, we will finish up with what is starting to build in the country now; that is, distrust. That is the last thing we want. We want that smoothed away very quickly. I do not know whether that answers your question.

The CHAIRMAN: It is an interesting question, because some of the local authorities have put the view that you have just put. Some of the SES units have said that they have problems with local councils and would prefer to deal directly with FESA. There are two issues that we will have to figure out for our report and make some recommendation about.

Mr McDougall: I agree with that.

Mr Breheny: In essence, the SES units will take over or usurp the local government's role. They will become, in essence, the fire agent of the town, but it will just cut out a middle man, so to speak.

Mr McDougall: I think we need communication. If FESA deals directly with emergency services, we must at least make sure that the local authority is somehow in the loop.

Mr Breheny: We have put in our recommendation that there be consultation.

Mr McDougall: That will probably solve a lot of that problem. I know what you mean. I worked on a government committee on rural water. There are shire councils and then there are shire councils. I can give you a list of the ones that people do not want to have anything to do with.

The CHAIRMAN: There are a few I do not want to deal with. At the fourth dot point on page 4, you refer to the need for an independent review of the agency's service delivery. I assume that is FESA. Can you give us an idea of who you envisage conducting this review, and should it be a stage review or a continuous review?

Mr McDougall: We are great believers in sunset clauses. Open-ended legislation or open-ended funding is in danger of running into something that was never intended. It is very, very necessary. We are doing something completely different in this state from what has been done in the past. As soon as it has had a chance to bed itself in a little, I would love to hear what everybody else thinks about what we decide, because I think there will be some highlights and some lowlights. If it is not reviewed, quite often a big bureaucracy like the one we are talking about now will start to consume itself and become ineffective. By the time the government is made aware of it, it will take a lot of trawling it back. If it is reviewed regularly every five years -

Mr Breheny: Yes, probably every three to five years. As far as service delivery is concerned, I do not know who would be appointed as an independent reviewer, but I thought the government would have quite a bit of expertise in this area. I know that plenty of consultants are employed.

The CHAIRMAN: We will try to avoid the consultants.

Mr McDougall: Would it be appropriate to have a review of this type? I am not sure of the protocols within government, but at a particular time can there be a -

The CHAIRMAN: The reason this committee is doing the review is that when FESA was set up, the legislation provided that there be a five-year review. I think we are in the sixth year, but a time was set in the legislation, which means that somebody must review it. The legislation did not stipulate who would do that. It stipulated that the minister would do it, and the minister was Michelle Roberts at the time. She asked the committee to do it for a number of reasons, and one of those reasons is that it goes across the political spectrum, so we get not only the left-wing, or Labor, point of view, but also the conservative point of view. This committee, being a parliamentary committee, has certain power to travel around the state. We have funding to travel east, which we did when we went to New South Wales to look at its CFA -

Mr McDougall: Why did you not tell me, because I would like to have had a look? All the information we were able to glean came via the New South Wales fire authority knowing that we were scrutinising it.

The CHAIRMAN: New South Wales has a very different way of doing it from the way we do it. We also looked at Queensland, which has a very different way of doing it. In fact, we happened - I do not know if it was a pleasure or an honour - to be there when the big cyclone hit Queensland.

Mr McDougall: Just recently?

The CHAIRMAN: Yes, just recently. We saw Queensland's full emergency services are up. Despite the media reports, I thought they were very proactive in getting things there and had services on the ground in a relatively short period. I know that the Queensland media disputed that and said that it was too slow and not good enough and that people were not prepared, but we saw that they were.

Mr Breheny: They had seen the mileage they could get out of hurricane Katrina.

The CHAIRMAN: Yes, that is right. Do you have any other statement to make or questions to ask?

Mr McDougall: We could probably go on for another half an hour, but we would probably be milling around the subjects we have covered. We are happy.

The CHAIRMAN: I thank you again for your contribution to the committee's inquiry. A transcript of this hearing will be forwarded to you for your correction of typographical errors or errors of transcription or fact. New material cannot be introduced and the sense of the evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, you should submit a supplementary submission for the committee's consideration. If the transcript is not returned within 10 days of receipt, it will be deemed to be correct. You also have an extra sheet?

Mr McDougall: It is just rough. It backs up a lot of what we have said. These are comments that have been made by my colleagues. I am quite happy to give it to you. My wife, who is my secretary within the Farmers Federation, transcribed it, and I just went through it and touched it up a little so that it makes more sense. People have been quite brutal in their comments, but I think you need to see it because that is how they feel. They have asked a lot of questions that FESA has failed to answer. We are finding that the senior people in the fire brigade seem to know the answers, but nobody else does. We are talking about a breakdown in the dissemination of information. That is an issue. It is an issue for farmers. We cannot even get our own members to respond to it, and we represent them.

The CHAIRMAN: That is one of the issues with the training that Murray was talking about.

Mr McDougall: Absolutely.

The CHAIRMAN: Many farmers will not have the time to do that extra bit of training to allow them to fight fires -

Mr McDougall: You will see by those notes that some of them resent the way it has been delivered to them now, or is not being delivered to them. I think you are across the issue.

The CHAIRMAN: Thank you very much, gentlemen. Hopefully, when our report comes out, you will be pleased with it.

Mr McDougall: No doubt you will hear if we are not.

The CHAIRMAN: I am sure that we will.

Hearing concluded at 10.52 am
