

**COMMUNITY DEVELOPMENT AND JUSTICE
STANDING COMMITTEE**

INQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 21 JUNE 2006**

SESSION TWO

Members

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

Hearing commenced at 10.30 am.

VAN RIJNSWOU, Mr EDWARD

Honorary Secretary, Association of Volunteer Bush Fire Brigades of WA (Inc), examined:

HUNTER, Mr TERENCE GORDON

President, Association of Volunteer Bush Fire Brigades of WA (Inc), examined:

The CHAIRMAN: I have something to read to you and a few questions to ask. The committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the House itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as contempt of Parliament. Have you completed the "Details of Witness" form?

The Witnesses: Yes.

The CHAIRMAN: Do you understand the notes attached to it?

The Witnesses: Yes.

The CHAIRMAN: Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

The Witnesses: Yes.

The CHAIRMAN: We have not received a submission from you other than that which you have given us right now, so we have not had an opportunity to read it. I will give you an opportunity for an opening statement and then you can talk to your submission.

Mr Hunter: Eddie will read the submission and I will elaborate on any points and take questions.

Mr van Rijnswood: We acknowledge that we have not presented anything to the committee before. What we are about to say is pretty well in our script. We have a preamble, but the bulk of our submission is our response to the FESA recommendations and at the end of that we have a few issues of our own that did not feature in FESA's recommendations early in the piece.

The Association of Volunteer Bush Fire Brigades of WA (Inc) aims to represent all volunteer bush fire brigade members in Western Australia. Membership of this association is voluntary and we act, where possible, on a member's behalf when requested. The principal areas of concern of the association are health, welfare, safety, training, and recognition, as well as endeavouring to ensure that the bush fire service provides the community for which it is responsible with the best possible service.

The Bush Fire Service of Western Australia comprises approximately 25 000 volunteer bush fire fighters who belong to about 760 brigades. The Bush Fire Service forms a significant part of the state's volunteer emergency service contingent of some 30 000. By comparison, the State Emergency Service is supported by 2 000 volunteers, the Volunteer Marine Rescue Service by 2 200 volunteers, and the Volunteer Fire and Rescue Service by some 2 500 volunteers.

The Bush Fire Service is a community-based service that is operated by local government under the authority of the Bush Fires Act 1954, with the support of the Fire and Emergency Services Authority of Western Australia, known as FESA. The Bush Fire Service protects the community from bushfires and structural fires.

As with any volunteer organisation, volunteer bush fire fighters are actively supported by such family members as parents, spouses and siblings. Therefore, taking into account this familial support, the Bush Fire Service in WA has a support base of more than 100 000 people, which is a very significant part of the community.

Because of the different fire risks throughout the state, there are a number of different types of bush fire brigades. The broad and informal categories are those of the urban fringe or interface; those in the south west of the state; rural areas such as the wheatbelt; and those in pastoral areas. Volunteer bush fire brigades operating in each of these areas have different needs and approaches to things and operating environments. Notwithstanding this, however, all bush fire brigade volunteers have one thing in common; that is, the desire to protect the communities in which they live and support their families and neighbours from the risk of fires.

That is basically what we are all about. The issues that we wish to briefly address, with your approval, are based on the 12 FESA recommendations. Is it okay for us to proceed at this point?

[10.40 am]

The CHAIRMAN: There are some pages of it, but it answers our questions. Perhaps if we ask the questions we have here you can refer to your submission in answering them. The FESA recommendations are part of its submission to us rather than anything the committee might do necessarily. This committee will make its own recommendations based on what we have heard from you and all the other witnesses throughout the state. We will ask you our particular questions. I know you have answered some of them in your submission. Maybe we can expand on that. The first question relates to the first dot point of your submission. A number of local governments are proposing that FESA take over part or all of the local government bushfire responsibilities. These responsibilities include those related to supporting and administering bush fire brigades. FESA has suggested that the legislation allow FESA to take over bushfire responsibilities, but only when local government in the respective area wants this to occur. Do you have a view on that?

Mr Hunter: We need to be very careful of FESA taking over bush fire brigades. It would either need to take them over in their entirety or leave them with local government. At the moment, as we have said in our recommendations, FESA is taking over the emergency response side of it; that is, putting out the fires. That is probably the minimal cost in the fire side of things. The preparedness, recovery and the promotional side of it is the expensive side. Local government seems to be left carrying the cost of that.

The CHAIRMAN: You are saying FESA should take over the bush fire brigades in their entirety if it is going to do it. You are talking about -

Mr Hunter: The preparedness, recovery and anything that may go with it.

Mr van Rijnswood: If any organisation wants to take over responsibility for fighting and management of fires, it should be prepared to take responsibility for the whole lot. We have what is called PPRR.

Mr M.J. COWPER: Preparedness, preparation, response and recovery.

Mr van Rijnswood: Exactly. As Terry has indicated, from an administrative point of view, the fighting of the actual fires would be the easiest to manage. Also, it does not cost government anything because the cost of fighting a fire is paid for out of the emergency wildfire fund whereas planning, preparedness and recovery-type things are borne by the community. They can be very expensive. We have to be careful that we do not lose sight of the overall picture of coping with an emergency. There is a feeling amongst the fire brigade fraternity that if an organisation is going to take over responsibility, it should take the whole lot and not just one part. It could take the easy bits and leave the hard bits for somebody else.

Mrs J. HUGHES: Page 2 of your submission refers to FESA recommendation 5 and the power to cancel bush fire brigades being withdrawn by FESA yet at the same time it still wants the power to approve the establishment of brigades. You were saying that there would be an incalculable amount of ill-feeling if this happened. Do you also believe there will be a similar feeling in the establishment of brigades or will it be a completely different turn of events?

Mr Hunter: The sensitivity would still be there. It would not be to the same extent as FESA wanting to close a brigade. The forming of a new brigade would be done in consultation with FESA and there would be an agreement struck before a decision was made not to form a brigade. As we said in our statement, we need to look closely at the community needs at the time, not necessarily at the dollars and cents side of forming a brigade.

Mrs J. HUGHES: Do you believe that a brigade could be formed over the top of a brigade that may only have a few members and could create the disempowerment of existing brigades?

Mr Hunter: In what way do you mean?

Mrs J. HUGHES: For instance, if a brigade that has minimal numbers is in need of equipment, FESA could then establish a new brigade, thereby cancelling the old one by the empowerment of a new one.

Mr Hunter: I think I can see where you are coming from. In a situation where FESA wanted to form, say, a FESA unit or a volunteer fire and rescue brigade, as they are known at the moment, and maybe take out of existence a bush fire brigade, yes, there could be some problems.

Mrs J. HUGHES: Local governments have an option to hand over all responsibility of its brigades to FESA, without necessarily the brigades having a say in it. What is your view on that?

Mr Hunter: It would be a very brave council that did that without consulting with its brigades beforehand. With the way the outer metro areas are growing, there is a possibility of that happening. In some areas there has been a memorandum of understanding without a lot of consultation with the brigades. That has caused some ill-feeling. If the council did hand over complete control to FESA, I could see some problems in the future when FESA started closing down brigades. I hope Eddie would agree with me when I say that it would apply its risk to resource model. That would possibly take out some brigades because they would be too closely located to each other or membership could be down because of the urban expansion or to put fire and rescue brigades in their place.

Mr van Rijnswood: I would support that a little more by saying that any process where new brigades are being considered by FESA must be in consultation with the community because bushfire brigades are by nature very much community-based organisations. Consultation is very important. We believe there should be an appropriate appeal process created in the new legislation to cater for the situation where decisions may not always be palatable. The Ombudsman is not really the most appropriate way to go for this sort of thing because the Ombudsman checks procedures; he does not adjudicate on decisions. That is our understanding.

[10.50 am]

Therefore we believe that provision should be made for a new appeal process in the new legislation. We are dealing with something like 30 000 volunteers who have diverse opinions and views and there are bound to be problems, so we must have an appeal process. Terry mentioned the risk-to-resource model, which is the scientific process that FESA uses to calculate the size of brigades that might be required and where to put them. Our experience has shown that the application of this resource model has been a bit variable. It has changed depending on the circumstances, and those at the receiving end, the volunteers, are not aware of the changes to the design of the model. We believe the risk-to-resource model should be fixed and also made transparent to the volunteers so that they understand the rules of establishing brigades, as they are not clear at the moment on the rules.

The CHAIRMAN: Just for clarification, are you saying that FESA makes it easier or harder, depending on the area and the brigade and on who is cooperative or not cooperative and all those sorts of things before it makes a decision on resources; or what is the variable?

Mr van Rijnswoud: That is a tricky question and I do not want to make any derogatory remarks about anybody. I just say again that the application of the risk-to-resource model has varied from time to time, for whatever reason, and the volunteers in bush fire brigades have not always been aware of the changes or the reasons behind those changes. So, we have a set of variable standing orders, which is not a good thing. You need to know the environment in which you are working. It is not good having some rules on the table if they keep changing, because you do not know what you are debating basically. The method by which the risk is assessed should be clear to everyone, and when they are changed, we should be told about it; that has not been the case in the past. As an association, we have received a number of complaints from bush fire brigade members that the risk-to-resource model has changed and its application has been changed. So, we are looking at a moving target basically, and that is not good for good volunteer relationships.

The CHAIRMAN: I am not asking you to give us names or anything, but can that be based on personalities or cooperation and things like that?

Mr van Rijnswoud: We are dealing with a large organisation like FESA, which has a lot of people, and I think personal interpretation by various levels of management are allowed to influence how things like the risk-to-resource model and many other things might be interpreted and applied.

Mrs J. HUGHES: Further down your notes you refer to management stability, volunteer loyalties and those types of things, and the impact of the changing face of people from higher up coming in, either to control a situation or for training and those sorts of things. Can you elaborate a little more on that?

Mr Hunter: Yes. Unfortunately the situation in FESA at the moment is that there are a lot of people holding acting positions. That has been going on for quite a while now. Especially around the outer metro area, you have various managers coming and going, depending on who is on leave, who is doing what, promotions and that type of thing. At the moment most of the managers are from a fire and rescue background, so they are going through a promotional hierarchy and we are not getting the stability of people in the areas for any length of time. They get to know a new manager or the person looking after them, and once they start to build up a rapport, they move on and they have to start all over again. Basically, they are looking at retraining somebody in their area because a person comes in who has very little bush fire background, which is predominantly an area that bush fire volunteers look after, and they have all sorts of problems because the local knowledge has gone from the actual paid staff who would be able to help them out. So they basically have to train somebody else, and at this stage that is with somebody moving through the system every few months.

Mrs J. HUGHES: Is this having an impact on your volunteer numbers rather than just morale?

Mr van Rijnswoud: No, it is just morale.

Mr Hunter: It is mainly morale. The actual loss of volunteers, I would say, is very minimal due to that; it is more the morale of volunteers and the disenchantment of them.

Mr van Rijnswoud: There is also the lack of action. Again, the association has received quite a number of comments and complaints from volunteers saying that because there is somebody acting in a position, often they get this colloquial response, "I can't give you an answer or a decision on that because I'm only keeping the seat warm." So nothing really progresses. That puts it pretty bluntly. If a volunteer has an issue that needs resolution, he is frustrated by the fact that the issue is not being progressed because the person he is dealing with is only acting in that position and will not take it on board.

Mr M.J. COWPER: May that be because the Fire and Emergency Services Authority has been thrust into the role of taking a Big Brother approach with the various other groups, such as SES and bush fire volunteers, and they may be stretched a bit thin?

Mr Hunter: No, I do not think that is the case, because when FESA was first formed, it actually went quite well. It took a very difficult situation and I thought the bringing together of all the different groups was handled very well. What has happened is that the experience of the bushfire people who came over had the broadacre knowledge of fighting fires, and that has gradually died. Those people have gone out of the system now and have either retired or moved on. It has basically gone back to a career firefighter's type of environment and those people, unfortunately, have not had any experience of broadacre fires and they are being put in situations that they do not understand.

Mr M.J. COWPER: Collie, where you are from, Terry, has a very big CALM capability as well.

Mr Hunter: Yes.

Mr M.J. COWPER: It is interesting to see the interaction with your unit in that total environment, because CALM has also encompassed this capability. Obviously the issues that were raised by the coroner related primarily to incidents that occurred during bushfires here in the Perth hills a few years ago. Can you give us a bit of an understanding of how it is down your way?

Mr Hunter: Down in our region, in the Wellington group, the working relationship between CALM and the bush fire brigades is excellent, as it is in the reports we get from all around the state. There are very few areas that have problems. The only problems are basically localised personality problems between different officers, but not with the actual working relationship. I was at a DOAC - district operations advisory committee - meeting in Bunbury yesterday, which I chaired, and the rapport there with CALM, and from reports back from all the chiefs, was excellent, and they thanked CALM for the working relationship they have. The same thing has come out of Albany as well. At times they do fall in a hole when it is a multi-agency fire and bush fire brigades, FESA and CALM get mixed up together.

Mr M.J. COWPER: Would you like to proffer to the committee a model that perhaps would retain that good working relationship?

Mr Hunter: We have actually put a suggestion in our notes. Eddie and I had a meeting with CALM a few weeks ago over the Waroona fire and the shortfalls there, because we thought overall, for whatever reason, that had been run horrendously. One of the proposals that we put up there was that, no matter which organisation is running the fire, there needs to be a position in the incident control centre for a volunteer who has local knowledge and can be asked about what is happening around the area of the fire, what the person expects the fire to do, and also has an understanding of what would happen.

[11.00 am]

Mr van Rijnswood: We have actually given that position a name; it is a volunteer liaison officer. It is a new idea, but, again, we must consider that by far the largest proportion of firefighting crews are volunteers and these multi-agency fires are being managed by career personnel. Based on our experience, we believe it is absolutely critical that this new volunteer liaison officer be built into the management structure. There have been repeated incidents in which volunteers have been called in and left standing around for a very long time. We know that fighting a fire is a bit like a war: there are a lot of hurry-up and wait-time situations. That is accepted. The Waroona fires and the Perth hills fires indicated very clearly that the management and deployment of volunteers need to be handled a lot more sensitively and efficiently so that we do not waste volunteers' time. We must remember that volunteers come to a fire from work and family commitments. They have already done a full day's work and are then asked to do another 12 or 14 hours. For a lot of that time they could be standing around the control point waiting for instructions or they are being sent off to do

meaningless tasks and inappropriate types of work. There have been plenty of cases in which they have been left on the fire ground for far too long. We have an issue of fatigue management and normal welfare-type issues. Are they fit to go out on the job? When should they be pulled out? Are we doing the right thing by the volunteers? Those sorts of things are being overlooked by the incident control team. If there was a volunteer liaison officer as part of the incident control team, his sole responsibility would be to interact with the incident management team but focus very strongly to make sure that the volunteers are used appropriately and safely and looked after in general.

The CHAIRMAN: You mentioned multi-agency fires. I want to ask a question about that. At the moment legislation empowers FESA, local government and CALM to have the control of a fire at any given time. The control of the fire is dependent on land tenure. You mentioned some fires early on. The Auditor General and the coroner have both criticised this particular arrangement. They say that one body must be accountable and responsible for the control of a fire during a multi-agency incident. Both claim that anything less jeopardises the safety of the community of Western Australia. Would you like to comment on that? Should FESA be the overarching body in the case of fire, or is it fine as it is with CALM and local government at the moment?

Mr Hunter: I think that an organisation or a body needs to have overall responsibility for a major incident. Somebody has to be held accountable and report to government on what is happening when a minister asks what is happening at a fire. At the moment you could have three people giving reports and taking back information which, in some cases, goes back in totally different formats depending on what section of the fire they are on or what their agenda is and so forth. To have one organisation that is accountable and has to report would be a good idea. Which organisation that should be is up to legislators to decide.

The CHAIRMAN: Thanks for that.

Mr M.J. COWPER: That is a handball!

The CHAIRMAN: You mention in your submission about binding the Crown. I will not ask further about that. FESA has made a recommendation to re-establish itself as a department of emergency services. That would mean the removal of "Fire" from the corporate name. FESA's argument is that the removal is appropriate because fire is just one of the many emergencies that volunteers attend to. There has been objection to this on the basis of a claim of a loss of identity. Should the authority be re-established as a department? Do you have a view on the name for the department?

Mr Hunter: Which issue do you want to deal with first: the binding of the Crown or -

The CHAIRMAN: Not the binding of the Crown. You have already stated that the act should bind the Crown. We will leave that to one side. We will do the other one.

Mr Hunter: As it states in our report on page 7, we have concerns about making it a department. That could lead to us losing our ability to communicate our concerns and have some say about our direction, I suppose. That is because there would be a director who reports directly to the minister. Underneath that, he is accountable to nobody at that level. Even though a representative board or an advisory board may be put in place, the director would not necessarily have to take any notice of it. The current situation we have is that the board is supposed to be a management board. Therefore, the information is fed up through the different committees to the board and, if it is taken on board and agreed with, it should be implemented or at least it has the possibility of being implemented. If we go for a department, that ability completely disappears. That is my understanding of how it would work. We are rather concerned about that. The changing of the name to "emergency services" is something we do not really have a problem with.

Mr van Rijnswood: No.

Mr Hunter: It better reflects what the structure is about - emergency services as a plural. The word "department" is a concern to us.

Mrs J. HUGHES: The volunteers do not object to "Fire" being removed?

Mr van Rijnswood: Not at all.

Mr Hunter: Not our volunteers at this stage. We have not heard anything that they would object to it as long as down the line they still keep their identity within the organisation and the structure.

Mrs J. HUGHES: You are saying that, within FESA as long as the identity of "Fire" is distinguishable underneath that emergency services department, that would be appropriate?

The CHAIRMAN: Bearing in mind that they are not supportive of the idea of re-establishment.

Mr van Rijnswood: Only from the point of view that we see the department as not giving us the level of representation that we believe we should have. If the department could guarantee that level of representation for 30 000 volunteers, we would not mind.

The CHAIRMAN: What about training? Are you happy with the training you are receiving from FESA? Is it enough or too much? Will you comment on the adequacy of training?

Mr Hunter: Training has been a hot topic for quite a while. The package that has been put together is adequate for what we need. We have actually got to the stage now at which both the fire services - our role in fire and rescue and the bushfire training - have become the one stream. We now train in the areas that are most appropriate to our areas. A new training package is being rolled out at this moment. From what I have seen of it, it will be adequate for what we need. The amount of training being offered by FESA is, at times, restricted, which is due to costs and so forth. We would be a lot happier if more training was made available and the training was changed to reflect the situation of the worker today. A person can ill afford to take a week off work to go to training courses like people used to be able to do 15 or 20 years ago. It is even getting to the stage now at which people cannot afford a full weekend off to go to training. They need to tailor the training so that it can be done interactively via computer or kept down to one-day courses. I believe that the new package is endeavouring to reflect that.

The CHAIRMAN: We also received a recommendation to the inquiry that the three emergency services acts - the Bush Fires Act, the Fire Brigades Act and the Fire and Emergency Services Authority of Western Australia Act - be incorporated into one emergency services act. It is argued that the acts are reflective of the era in which they were drafted and do not reflect the changing roles of the various services. Do you have an opinion on that? You may have covered it previously.

[11.10 am]

Mr van Rijnswood: We agree that the legislation is well overdue for renewal. It does not reflect the current environment. The situation at the moment is that the bush fire service, in particular, has two masters. We still come under the control of local government as far as the aspect of establishing brigades is concerned. Operational and incident responsibility rests with FESA. There will always be problems in a situation that has two masters. Having said that, one piece of legislation will be a good thing. However, given that the bush fire service is large and unique, and given it is community based, the legislation must retain the identity of the bush fire service so that it does not lose its link with the community because the community is the bush fire brigade. That is very important. Anything that any emergency services organisation does with the bush fire service must be done with careful consultation, otherwise we will lose that community input.

Mr Hunter: I agree with Eddie. As he said, it is unique in its structure because we rely heavily on volunteers and farmers to come together to protect the community. Overall, 90 per cent of the state is covered by bush fire brigades volunteers. To change the act in such a way that it removes them from the equation and takes away their identity would be counterproductive in the long run.

Mrs J. HUGHES: Your submission refers to making a provision to formalise the links with local government and it specifies expectations, obligations and so forth. Can you elaborate on that considering that the opportunity exists for local governments to enter into an agreement with FESA?

Mr van Rijnswood: I mentioned earlier that in some respects we supported the amalgamation of all the legislation. However, the rank and file bush fire brigade members are fiercely protective of their own identity. I think they would be very distressed if the bush fire service disappeared and became the responsibility of an organisation like FESA. They believe they are community based and that they belong to the local government which, contradicts to a certain degree what I said about having two masters. We have to handle this situation carefully. I am not sure whether we have a ready answer for that situation. When talking about FESA entering into an agreement with local government, our experience has been that that has not worked in quite a few areas. FESA has what it calls memorandums of understanding. A number of them still exist. A number have been disbanded at the end of their initial term because the local government end of the agreement was not happy with the deal. The BFS membership understanding of the MOUs is that it has benefits for one side only, and those benefits are not so much for the bushfire side of things. The MOUs do not seem to be working.

Mrs J. HUGHES: Is it your view that the act should formalise it purely with local government; that is, leave the bush fire brigades under their control?

Mr Hunter: Yes. There would still need to be a provision so that they could hand over fires or -

Mrs J. HUGHES: In the escalation of an emergency.

Mr Hunter: Yes. The concern is that if FESA takes over the running of fires, we will lose the local knowledge of what is happening in an area, especially when you get away from the outer metropolitan area. Trying to control a fire remotely from Perth or Albany -

The CHAIRMAN: Is that the case? If there were a fire in Nannup, for example, those who will respond to it are the bush fire brigades and/or the fire and rescue service in that area. Would they not be the people dictating to FESA how it should be run? FESA has a regional office that feeds Kojonup and Nannup from Albany.

Mr Hunter: What has been reported to us at the association with the memorandums of understanding is that most of them have been in the outer metropolitan area. In the short term there seems to be some benefit for local government and the volunteers. As they progress, we have found that we are getting numerous complaints that the volunteers are being dictated to by the managers and so forth - you shall do this, you shall do that. For example, in one of the local governments they were putting up a new proposal and that proposal was forwarded on to the association for comment. The manager chastised the people who forwarded it on. He said they had no right to forward it on and that it should have remained within that local government. All the volunteers were doing was seeking clarification as to whether it was a good or bad idea. This is happening more and more. It has happened in the north outer metropolitan area and in the south outer metropolitan area. Maybe it is a perception, but they believe that they are being dictated to about what they can and cannot do, and that is not making them happy.

Mr van Rijnswood: Mr Chairman, if I use your example of the Nannup fire, when a Nannup fire is of a certain size the local brigades would respond. However, if it escalates like it did in Waroona and the Perth hills, it reaches a situation at which FESA would step in and would start to control it from Perth or whatever point they would deem necessary to control it from. In the past there have been problems with this. Without exception we have found when multiagencies are involved in major incidents - and the fire is a large fire like the fire in Perth hills and Waroona - there are communication problems. That has been highlighted in reports released by the coroner and the Auditor General. Communication problems seem to be the nature of large fires. I refer not only to

technical communications but also the interaction between different people and bodies become difficult. That problem needs a good looking at.

The CHAIRMAN: Did FESA control - or should it have controlled - the multiagency fire in the Perth hills?

Mr Hunter: That was a CALM fire. I believe CALM was the incident controller of that fire. My understanding is that it finished up with two incident control centres running - FESA ran one and CALM ran the other.

The CHAIRMAN: We have been told that on a number of occasions.

Mr Hunter: My understanding is that the Waroona fire was basically the same.

The CHAIRMAN: The Auditor General said that there is confusion between local government, FESA and CALM. How do we legislate to remove that confusion? It will take legislation to remove that confusion, because clearly it is not working now with cooperation.

Mr Hunter: It gets back to one body being held accountable ultimately to government. If it goes wrong and something happens, the various bodies hide behind each other and blame each other. If one body is held accountable, it has to take the reins.

The CHAIRMAN: A number of local governments that we have spoken to have said that if FESA is the responsible body, it will also take control. They have said that it will not be responsible without having control, and that takes the control away from local governments and the bush fire brigades.

Mr Hunter: I think they are talking two different things. Taking control of a multiagency fire is different from taking control of a local fire

Mrs J. HUGHES: Or command of a brigade.

Mr Hunter: Yes, that is correct.

Mr van Rijnswood: The application of AIIMS - the Australian Interagency Incident Management System - must be strengthened. If that were more rigorously adhered to during a multiagency large-scale fire, I think some of these problems might start to disappear. That system needs development. Maybe the regulations or legislation should state how things should be done.

[11.20 am]

Mr Hunter: I think you will find that we say the three agencies. However, from our perspective, we see that the problem is FESA and CALM being involved. Local government is really set to one side. Once it becomes a multi-agency fire, it has very little to do with the running of it, if anything at all, because it is just taken out of the equation. Part of our concern is that it takes the volunteers out of the system; it takes them out of the incident management team, which in a lot of cases also takes the local knowledge out. Therefore, in saying that local government is part of the problem from the management side of it, once it becomes a multi-agency fire, it becomes a problem between FESA and CALM.

The CHAIRMAN: How has the emergency services levy impacted on the brigades, if there has been any impact at all?

Mr Hunter: It has impacted on the brigades. Some of the smaller shires, with very small rate bases, have benefited greatly from the levy in that they are getting appliances into their areas that they would not have dreamt of before the levy came in. Some of the bigger local governments - the outer metro local governments and the bigger towns - that have quite a reasonable rate base and that had in place under the grants scheme, before the levy came in, a plan for changing out equipment have probably been disadvantaged, because their equipment is actually being changed out at a longer duration. Whereas they were being changed out after eight years or even fewer under the grants scheme, now they are pushing it out to 16 years. Most of the outer metro brigades, and going

down south through the coastal strip, and even up as far as Geraldton, are running behind with replacement appliances. They were all told, "If you put in your five-year replacement plan prior to the bringing in of the emergency services levy, that is what we will set our replacement program on for the next five years." That lasted the first year and it went straight out the window.

The CHAIRMAN: Is that purely an implementation thing because so many were behind the eight ball, shall we say? The recalcitrants, I suppose, were behind the eight ball, and the good councils were right up there. Is it just a case of bringing what was a fairly unsupported council or local government area up to a standard and then lifting the others? Is it an implementation thing over time that should even itself out?

Mr Hunter: No, unfortunately, I do not think it will even itself out, because I would suggest that, in real terms, the actual purchasing power since the levy has come in has probably dropped in the vicinity of 12 per cent. The amount of money set aside for bills for the bush fire brigade appliances has remained static over the period that it has been in place, but the cost of building those appliances has escalated, and possibly gone up a third or even more. Consequently, the number of appliances that we can build in a given year with that amount of money has halved. That is part of the reason that you cannot replace the appliances.

Mr van Rijnswoed: I will add a little to the levy question. There is a strong feeling among the bushfire community that the management of the funds collected by the emergency services levy could be handled better. Local governments have a problem with how the rates are collected and how they are disbursed. At the moment, there is not a clear transparency of the reasons and how the funds are disbursed. We get a steady trickle of complaints from members about that aspect of the levy. In our submission to you we have actually submitted that consideration be given to the establishment of an independent regulatory body, a bit along the lines of the Office of Energy. In this particular case we could say that the office of safety is responsible not only for the management of and the decisions for disbursing the funds, but also for some of the safety and operational-type issues, to make it completely independent of the organisation that also stands to benefit from it, because FESA does have an interest. By creating this independent regulatory body, it would keep it completely independent and interest free.

Mrs J. HUGHES: You talked about local governments being able to develop the capability of handling level 2 and 3 incidents in the case of multiple incidents throughout the state, and also that local government is quite instrumental in recovery after fire and how FESA would interplay with the recovery phase. Can you give me a little more information regarding those comments?

Mr van Rijnswoed: It is a difficult one.

Mrs J. HUGHES: It is.

Mr van Rijnswoed: It has always been said that local government is the best equipped for the recovery phase because it understands the local situation the best. However, the recovery phase is also the most difficult, and local government usually does not have the funds and the resources to look after the recovery. It is better handled by something, let us say, at a state level. Therefore, we have a two-sided discussion, I suppose. It is quite difficult to resolve. Whether we give local government the lead role for recovery, provided it has fairly ready access to state and even federal resources for rapidly looking after whatever size incident you are recovering from in your own area, it is important that the local community be the driving force for the recovery aspect.

Mrs J. HUGHES: If FESA was in control of a major emergency incident, as happened in Queensland just recently - the recovery is quite difficult as it is - do you believe that FESA should remain there until after the recovery, basically, or should it hand it down to local government?

Mr Hunter: I think FESA or whoever would need to overview it. It may have been done at the local level by local government, but it would be funded, overviewed and the major plans put together by FESA or the emergency services authority, however it is called, so that it is standard

over the whole state, rather than relying on a local government having to put together a recovery plan and trying to implement it, and going out and basically raising funds, as it has to do now, to carry out the recovery.

Mr van Rijnswood: FESA could overview what local government is doing; it could watch out for areas of distress and say, "I think we can help here. You really are short of money." FESA could then lobby government, or it would know where to go to find the resources to fix the situation, which local government may not be aware of.

Mrs J. HUGHES: I have a bit of a pet thing about St John Ambulance as such. Do you believe that St John Ambulance should come under the umbrella of emergency services?

Mr Hunter: It is an emergency service. How it would fit into the umbrella would be very interesting. However, if it means that they sort out the funding situation with them and streamline it, there would be no reason that it could not be fitted into it.

Mrs J. HUGHES: Do you believe it would be beneficial?

Mr Hunter: I have been involved with St John for many years. I think the system that it has works very well. However, again, it is having a resourcing problem, like everyone else, and a funding problem. If it could be brought under an umbrella whereby it got the funding and the support that it requires, it could be implemented. However, I think you would have a fight on your hands.

The CHAIRMAN: Thanks, gentlemen, for coming in this morning. Just before we finish, I will give you an opportunity to throw in anything that we have missed or any comments that you would like to make.

[11.30 am]

Mr Hunter: I will refer to a few items on page 8 of our submission. First, is insurance for volunteers. The coverage of insurance for volunteers is a major issue. If a volunteer is killed, the insurance payout is very clear-cut. We cannot complain about the time frame for getting that claim paid out. It happens very quickly. However, if a person is injured, because the insurance is done through local government, the cover that applies depends upon who the insurer is. Most local governments do their insurance through MIBS - Municipal Insurance Broking Service - which I understand is an insurance broker, and the business is brokered out to different insurance companies. The insurance companies have different interpretations on how they deal with the cover for volunteers. Currently, they are covered under the workers' compensation act, which means that as soon as the volunteer has a loss of income over an extended period, his income can be reduced. Therefore, he could be earning anything up to less than 25 per cent of his normal income. There is a problem with the time between when the actual injury occurred and when the insurance company acknowledges that it will accept the claim; therefore, the volunteer will be out of pocket during that time. We are urging that that be picked up, as we outlined in our submission; that is, that local government is forced to take up gap insurance to ensure that volunteers are not out of pocket and do not experience a drop in income should they have an extended injury, which is what happens with workers' compensation. The current system is causing hardship to several people who have been injured.

The movement of unlicensed vehicles and over-sized vehicles on roads to and from an emergency has been an ongoing problem over a number of years. I have had meetings with the police department on this issue. At the moment we assume that we can easily take vehicles to an emergency under police regulations. The police are nervous about that and it is possibly a grey area, because the vehicle is unlicensed and is moved without a permit onto a gazetted road. Even though it is under escort, if someone is unfortunate enough to run into it, the officer as well as the person driving that piece of equipment could be held liable. There is nothing clear-cut that says that it can be done. We have no way of returning the vehicle to its owner after an incident, unless we get a permit or put it on a float. Some of the equipment that we use is big. We need specialised

equipment. We had an incident a couple of years ago in which a mining company loaned equipment that was taken 10 kilometres from the mine site and used; however, it could not be returned for a week. Consequently, that mining company will no longer loan equipment that needs to cross a gazetted road. The legislation should include a provision that will allow us to take equipment to and from an incident; not an emergency. Under the new emergency services legislation, as soon as an incident is declared an emergency an authorised officer can basically do what is needed. However, that provision does not cover a local incident. It is a real problem. When this action is taken, the police put their neck on the line. The volunteers and mining operators do it at the moment, but if we are unfortunate and an accident occurs, we could be in trouble.

Mrs J. HUGHES: That is interesting, particularly at a local level. A farmer may, in the case of a fire on a neighbour's farm, decide not to call a bush fire brigade but to help his neighbour on a personal basis by taking his equipment to that property. That would have implications.

Mr Hunter: It will have exactly the same implications for a person who puts a piece of equipment on a road.

Another issue is fire weather officers. There has been talk of taking them out of the legislation. The Fire and Emergency Services Authority is talking about doing that. Fire weather officers are very important in declaring fire bans and bans on the movement of vehicles within their local government authority. Going on the size of some local authorities, the weather conditions from one boundary to the other can be vastly different. The Bureau of Meteorology may put out a forecast for extreme or high fire danger for the entire local authority area. However, if the warning is for a blanket high fire danger, in a particular part of the local authority it could be extreme. The weather officers should be able to upgrade the warnings and stop harvesting and the movement of vehicles and, in some cases, curtail burning with restricted burning. Conversely, a warning of extreme fire danger for a certain area may be declared, but in reality it may not reach that level. The fire weather officer needs to be able to remove that extreme fire danger declaration to allow people to go about their business.

Another issue is prohibited burning, which is a very difficult issue. We need to find another word to replace "prohibited" which will have the same impact but not exactly the same meaning. Under sections 22 to 24 and part of 25 of the act, burning is allowed during the prohibited burning time for various reasons. People are very aware, with the promotion, that they cannot light a fire. However, that confuses the public. They are being slapped on the back of the hand for thinking about lighting a fire, yet in the evening some people are burning a paddock for clover seed recovery. It creates a lot of confusion.

The final issue is on page 9 of our submission and refers to funding for emergency service cadets. At the moment there is no funding for bush fire cadets, other than through local government. The present system does not allow us to draw funds from the emergency services cadet structure unless we attach the bush fire cadets to a school. Of course, in country areas there are either not the schools to attach a unit to or schools do not want the problem of having a cadet unit attached. Funding should be made available to all emergency service cadets, irrespective of whether they are fire and rescue, emergency services or bush fire cadets. The funding should be available to all of them. Currently, the original scheme is administered by FESA but cadets do not have access to it because they are not attached to a school. That needs to be looked at. The act could be amended to allow the government to do it. Perhaps Mr van Rijnswood will expand on what I have said.

Mr van Rijnswood: I reinforce the need for funding for emergency services cadets. As we stated in our submission, the average age of a volunteer bush fire fighter is relatively high. Some elderly people are involved, and there is a great need to recruit from the younger members of the community to keep up our continuity of membership. We would like more young people involved. The cadet system is a good recruiting ground. In addition, it makes a good contribution to the social

structure of the community. In places where there is a strong cadet unit, there is less antisocial behaviour and probably less arson. It has many benefits.

The CHAIRMAN: Thank you for your contribution to the committee's inquiry. A transcript of the hearing will be forwarded to you for 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. Thank you again for giving us the benefit of your knowledge this morning.

Hearing concluded at 11.40 am
