



COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

ANNUAL REPORT 2005-2006

Report No. 2

in the 37th Parliament

2006

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Community Development and Justice Standing Committee

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ANNUAL REPORT 2005-2006

Report No. 2

Presented by:
Mr A.P. O'Gorman, MLA
Laid on the Table of the Legislative Assembly
on 14 September 2006

COMMITTEE MEMBERS

Chairman	Mr A.P. O'Gorman, MLA Member for Joondalup
Deputy Chairman	Mr M.J. Cowper, MLA Member for Murray
Members	Mr S.R. Hill, MLA Member for Geraldton
	Ms K. Hodson-Thomas, MLA Member for Carine
Co-opted Member Inquiry into Fire and Emergency Services Legislation	Mrs J. Hughes, MLA Member for Kingsley Hon P.D. Omodei, MLA Member for Warren-Blackwood (25.08.2005-13.04.2006)

COMMITTEE STAFF

Principal Research Officer	Ms Katherine Galvin, BSW
Senior Research Officer	Ms Nicole Gibbs <i>(seconded from the Fire and Emergency Services Authority of Western Australia from 17 October 2005 to 21 April 2006)</i>
Research Officer	Ms Dawn Dickinson, BSc (Hons), MURP <i>(from 23 May 2006)</i> Ms Melissa Dove, BSc (Geol Hons), Grad Dip Ed <i>(seconded from the Fire and Emergency Services Authority of Western Australia from 17 October 2006 to 28 April 2006)</i> Ms Nicole Burgess, BA <i>(until 21 November 2005)</i>

COMMITTEE ADDRESS

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COMMITTEE'S FUNCTIONS AND POWERS

The functions of the Committee are to review and report to the Assembly on: -

- (a) the outcomes and administration of the departments within the Committee's portfolio responsibilities;
- (b) annual reports of government departments laid on the Table of the House;
- (c) the adequacy of legislation and regulations within its jurisdiction; and
- (d) any matters referred to it by the Assembly including a bill, motion, petition, vote or expenditure, other financial matter, report or paper.

At the commencement of each Parliament and as often thereafter as the Speaker considers necessary, the Speaker will determine and table a schedule showing the portfolio responsibilities for each committee. Annual reports of government departments and authorities tabled in the Assembly will stand referred to the relevant committee for any inquiry the committee may make.

Whenever a committee receives or determines for itself fresh or amended terms of reference, the committee will forward them to each standing and select committee of the Assembly and Joint Committee of the Assembly and Council. The Speaker will announce them to the Assembly at the next opportunity and arrange for them to be placed on the notice boards of the Assembly.

CHAIRMAN'S FOREWORD

This is the second report of the Community Development and Justice Standing Committee of the 37th Parliament appointed on 07 April 2005. The Committee resolved on 24 August 2005 to conduct an *Inquiry into Fire and Emergency Services Legislation*, principally on request from the Hon. Michelle Roberts, MLA, former Minister for Fire and Emergency Services. During the period 24 August 2005-30 June 2006 the Committee called for public submissions, conducted metropolitan and regional hearings, briefings and site visits and travelled to New South Wales and Queensland to meet with State emergency services' agencies.

Throughout the conduct of this Inquiry, the Committee has been impressed with the dedication of Western Australia's 33,000 emergency services volunteers. The required training, administration and response activities of volunteer emergency services' units consume a considerable amount of personal time. The impact of their effort in terms of prevention, preparedness, response and recovery from emergencies should not be underestimated.

MR A.P. O'GORMAN, MLA
CHAIRMAN

CHAPTER 1 COMMITTEE ACTIVITIES

1.1 Introduction

During the course of this reporting period (Table 1.1), the Committee:

- Conducted 1 inquiry;
- Held 19 deliberative meetings;
- Has taken evidence from 102 persons;
- Was briefed by 37 persons;
- Undertook 10 site visits to emergency services units/agencies;
- Undertook investigative travel to 10 locations, principally intrastate;
- Attended 1 conference;

Table 1.1

Summary of activities of the Community Development and Justice Standing Committee, 1 July 2005 - 30 June 2006

Description	Activity
Briefings	16
Deliberative meetings	19
Formal evidence hearings	51
Witnesses appearing	102
Reports tabled	0

1.2 Public Hearings

Pursuant to Assembly Standing Order 264, the Committee has power to send for persons, papers and records. During the period 1 July 2005 - 30 June 2006, the Committee conducted 51 public hearings, taking evidence from 102 witnesses to assist with its investigations (Table 1.2).

Table 1.2

Public Hearings of the Community Development and Justice Standing Committee, 1 July 2005 - 30 June 2006

Date	Name	Position	Organisation
19/10/2005	Mr Wayne Scheggia	Director, Policy	Western Australian Local Government Association
	Mr Bruce Wittber	Policy Manager Governance	Western Australian Local Government Association
	Mr Nabil Yazdani	Principal Policy and Technical Officer	Department of Housing and Works
	Mr Peter Gow	Executive Director	Department of Housing and Works
9/11/2005	Mr Robert Mitchell	Chief Executive Officer	Fire and Emergency Services Authority of WA
	Mr Craig Hynes	Director, Country Operations	Fire and Emergency Services Authority of WA
	Mr Ian Bowden	Legal & Legislation Officer	Fire and Emergency Services Authority of WA
	Mr Colin Williams	Manager Fire Safety Branch	Fire and Emergency Services Authority of WA
16/11/2005	Mr Kieran McNamara	Executive Director	Department of Conservation and Land Management
	Mr Alan Walker	Director	Department of Conservation and Land Management
	Dr Karl O'Callaghan, APM	Commissioner of Police	Western Australia Police
	Mr Chris Dawson	Deputy Commissioner (Specialist Services)	Western Australia Police
	Senior Sergeant Alan Eason	Officer in Charge, Emergency Management Unit	Western Australia Police - Maylands Police Complex
23/11/2005	Mr Roger Underwood	Bush Fire Front	The Bushfire Front Inc.
	Dr Francis McKinnell	Consultant	The Bushfire Front Inc.

23/11/2005	Ms Veritas Bryson	Executive Director, Office of E- Government	Department of the Premier and Cabinet
	Ms Karen Gee	Senior Policy Officer, Office of E- Government	Department of the Premier and Cabinet
20/02/2006	Mr Stephen Gash	Chief Executive Officer	Shire of Kojonup
	Mr Steve Magini	Chief Fire Control Officer	Kojonup Bushfire Association
	Mr Tim Johnston	Deputy Chief Fire Control Officer	Kojonup Bushfire Association
	Mr Arthur Jones	Regional Director	Fire and Emergency Services Authority
	Mr Russell Gould	District Manager	Fire and Emergency Services Authority of Western Australia
	Mr Gary Logan	State Emergency Service District Manager	Fire and Emergency Services Authority of Western Australia
	Mr Graham Stanley	Chief Executive Officer	Shire of Cranbrook
	Mr Nicholas Burges	President	Shire of Cranbrook
	Mr Ron Denney	Chief Bushfire Control Officer	Shire of Cranbrook
21/02/2006	Mr Robert Fenn	Executive Director	City of Albany
	Mr Stephen Gray	Bush Fire Control Officer	City of Albany
	Mr Charlie Butcher	Chief Bush Control Officer	Albany Volunteer Bush Fire Brigade
	Mr Noel Francis	President	Albany Volunteer Marine Rescue
	Ms Joanne Weekes	Local Manager	Albany State Emergency Service
	Dr John Watson	Regional Manager	Department of Conservation and Land Management

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21/02/2006	Mr Greg Broomhall	Regional Fire Coordinator	Department of Conservation and Land Management
	Mr Martin Lloyd	Regional Leader	Department of Conservation and Land Management
	Cr Ken Pech	Councillor	Shire of Gnowangerup
	Mr Kevin Forbes	President	Shire of Plantagenet and Great Southern Zone of the Western Australian Local Government Association
22/02/2006	Mr Vern McKay	Chief Executive Officer	Shire of Manjimup
	Mr John Connor	Chief Bush Fire Control Officer	Shire of Manjimup
	Mr Peter Keppel	Regional Manager	Department of Conservation and Land Management
	Mr Dennis Barnsby	Captain	Eastbrook Bush Fire Brigade
	Mr Ian Bennett	Local Manager	State Emergency Service Brigade
23/02/2006	Mr John Kowal	Manager, Law and Safety Services	City of Bunbury
	Mr Robert Chandler	Regional Manager	Department of Conservation and Land Management
	Mr John Tillman	Regional Fire Coordinator	Department of Conservation and Land Management
	Mr Greg McKay	Regional Director - South West	Fire and Emergency Services Authority of Western Australia
	Mr Eliot Fisher	Sea Rescue Skipper	Bunbury Sea Search and Rescue Group
	Mr Ian Axell	Local Manager	Bunbury State Emergency Service Brigade
24/02/2006	Ms Christine Thompson	Chairperson	Local Emergency Management Committee
	Mr James Camplin	Chief Bush Fire Control Officer	Shire of Murray

24/02/2006	Mr Kevin Jones	Captain	Pinjarra Volunteer Fire and Rescue Service
	Mr Ray Flatt	Senior Firefighter	Coolup Bush Fire Brigade
	Mr Maurice Leach	Captain	Coolup Bush Fire Brigade
	Mr Shane Woods	Captain	West Murray Bush Fire Brigade
12/04/2006	Mr Keith Shadbolt	President	Volunteer Marine Rescue Association of Western Australia
	Mr David Bowers	Secretary	United Firefighters Union of WA
3/05/2006	Mr John McDougall	General Executive Member	The Western Australian Farmers Federation (Inc)
	Mr Julian Breheny	Grains, Executive Officer	WA Farmers Federation
	Mr Ray Sousa		Town of Kwinana
10/05/2006	Mr Phil Petersen ESM	President	State Emergency Service Volunteers Association
	Mr Hugh Thomson		Pastoralist and Graziers Association
	Dr Henry Esbenshade		Pastoralist and Graziers Association
	Mrs Ruth C. Webb-Smith		Pastoralist and Graziers Association
17/05/2006	Dr Beth Schultz		Conservation Council of Western Australia
	Mr Cameron Poustie	Principal Solicitor	Environmental Defender's Office (WA)
29/05/2006	Cr Ian Carpenter	Deputy Mayor	City of Geraldton
	Mr Graham Little	Chief Executive Officer	Shire of Three Springs
	Mr Geoff Shoemark	Executive Manager	City of Geraldton
29/05/2006	Mr Richard Maslen	Chief Bush Fire Control Officer	Shire of Greenough

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1/06/2006	Mr Mark Jones	Unit Manager	Greenough State Emergency Services Unit
	Mr Craig Chadwick	Unit Manager	Morawa State Emergency Services Unit
	Mr Barry Lapham	Commander	Geraldton Volunteer Sea Rescue Group
	Mr Rudolph Wille	Deputy Commander	Geraldton Volunteer Sea Rescue Group
	Mr Kelly Gillen	Regional Manager	Department of Conservation and Land Management
	Mr Anthony Desmond	Regional Leader	Department of Conservation and Land Management
	Mr Matthew Merritt	Captain	Geraldton Volunteer Fire and Rescue Service
	Mr Gordon Purvis	Fire Services District Manager	Fire and Emergency Services Authority
	Mr David Parkin	Fire Services Station Officer	Fire and Emergency Services Authority
	Ms Allison Henss	Fire Services Station Officer	Fire and Emergency Services Authority
8/06/2006	Mr Ronald Scantlebury	Manager Administration Services	Shire of Esperance
	Cr Ian Mickel	Shire President	Shire of Esperance
	Mr Tom Brown	Farmer	Esperance Bush Fire Brigade
	Mr David Green	Captain	Esperance Volunteer Fire and Rescue Service
	Mr Stuart McIntyre	Area Manager	Fire and Emergency Services Authority
9/06/2006	Mr Klaus Tiedemann	Esperance District Manager	Dept of Conservation and Land Management
9/06/2006	Mr Gavin Wornes	Fire Coordinator	Dept of Conservation and Land Management
	Mr Keith Rowe	Local Manager	State Emergency Service

	Mr Stuart Taylor	Chief Executive Officer	Shire of Ravensthorpe
	Mr Rodney Daw	Chief Bushfire Control Officer	Shire of Ravensthorpe
	Mr Gary Webster	Captain	Ravensthorpe Volunteer Fire and Rescue Service
14/06/2006	Dr Roy Green	Chairman	Environmental Protection Authority
	Mr Vincent McMullen	Director Planning Reform	Department for Planning and Infrastructure
	Mr Paul Hayes	Senior Policy and Legal Officer	Department for Planning and Infrastructure
21/06/2006	Mr Terence Hunter	President	Association of Volunteer Bushfire Brigades of WA Inc.
	Mr Edward Van Rijnswood	Hon. Secretary	Association of Volunteer Bushfire Brigades of WA Inc.
	Mr Max Osborn	Secretary	WA Volunteer Fire and Rescue Service Association (Inc)
28/06/2006	Mr Kevin Cuneo	Director	Fire and Emergency Services Authority
	Mr Bill Hewitt	A/Chief Executive Officer	Fire and Emergency Services Authority
	Mr Sandro Piscicelli	Manager	Water Corporation
	Mr Peter Moore	A/Chief Executive Officer	Water Corporation
	Mr Peter Armanasco	Regional Business Manager	Water Corporation
	Mr Geoff Oddy	Chief Executive Officer	Aqwest
	Mr Barry Jeffrey	Manager	Busselton Water

1.3 Briefings

In addition to gathering evidence during the formal hearings, the Committee received a number of informal briefings. The briefings were used to gain information in relation to the Committee's inquiries as well as other matters (Table 1.3)

Table 1.3

Briefings provided to the Community Development and Justice Standing Committee, 1 July 2005 - 30 June 2006

Date	Name	Position	Organisation
31/08/2005	Mr Bob Mitchell	Chief Executive Officer	Fire and Emergency Services Authority of Western Australia
	Ms Nicole Gibbs	Executive Officer	Fire and Emergency Services Authority of Western Australia
14/09/2005	Mr Keiran McNamara	Chief Executive Officer	Department of Conservation and Land Management
	Mr Alan Walker	Director Regional Services	Department of Conservation and Land Management
	Mr Des Pearson	Auditor General	Office of the Auditor General
	Mr Peter Wilkins	Director Performance Review Division	Office of the Auditor General
21/03/2006	Mr Heinz Mueller	Executive Officer	Office of Emergency Services, New South Wales
	Mr Greg Mullins	Commissioner	New South Wales Fire Brigades
	Mr John Anderson	Deputy Commissioner	New South Wales Fire Brigades
	Ms Carmel Donnelly	Director of Corporate Services	New South Wales Fire Brigades
	Dr Tony Flemming	Deputy Director General	Department of Conservation and Environment, New South Wales
	Mr Mick O'Flynn	Manager Conservation Operations	Department of Conservation and Environment, New South Wales
22/03/2006	Mr Phil Koperburg	Commissioner	New South Wales Rural Fire Service

	Mr Trevor Anderson	Director Administration and Finance	New South Wales Rural Fire Service
	Mr Mark Crossweller	Executive Director Operations	New South Wales Rural Fire Service
23/03/2006	Mr Ian Mitchell	Acting Deputy Commissioner	Fire and Rescue Service, Queensland
	Mr Steven O'Reilly	Manager Legislative Review Project	Fire and Rescue Service, Queensland
	Mr David Reid	Director Legal and Legislative Services	Fire and Rescue Service, Queensland
	Mr Gerard Lawler	Assistant Commissioner	Ambulance Service, Queensland
	Mr Mark Dole	Executive Officer for the Executive Director	Counter Disaster and Rescue Service, Queensland
	Ms Jackie Malone	Director Helicopters	Counter Disaster and Rescue Service, Queensland
	Mr Eddie Bennett	Director State Emergency Services	Counter Disaster and Rescue Service, Queensland
	Mr Ralph Carlisle	Team Leader Dangerous Goods and Safety	Counter Disaster and Rescue Service, Queensland
	Mr Bruce Grady	Special Projects	Counter Disaster and Rescue Service, Queensland
	Dr Michael Logan	Manager Scientific Unit Cannon Hill	Counter Disaster and Rescue Service, Queensland
24/03/2006	Ms Barbara Williams	Acting Executive Director Strategic Policy and Executive Services Division	Department of Emergency Services, Queensland
	Mr David Reid	Director of Legal and Legislative Services	Department of Emergency Services, Queensland
24/03/2006	Mr Andrew Gilroy	Secretary	Queensland Emergency Services Advisory Council and Rural Fire Advisory Council

29/03/2006	Mr Grahame Searle	Chief Executive Officer	Department of Land Information
29/03/2006	Mr Mark Carniello	Senior Project Manager	Cooperative Research Centre/Emergency Management
	Inspector Corkill	Operations Manager Police Communications Centre	Western Australia Police
	Superintendent Lockhart	Divisional Officer for the Communications Division, Traffic and Operations Portfolio.	Western Australia Police
	Superintendent Langford	Traffic and Operations Portfolio	Western Australia Police
05/04/2006	Mr Bill Hewitt	Acting Chief Executive Officer	Fire and Emergency Services Authority of Western Australia
	Mr Greg Pobar	Manager Coordination	Fire and Emergency Services Authority of Western Australia
	Mr Keith Darbyshire	Manager Information Services	Fire and Emergency Services Authority of Western Australia
08/05/2006	Inspector Corkill	Operations Manager Police Communications Centre	Western Australia Police

1.4 Investigative Travel

In line with its *Inquiry into Fire and Emergency Services Legislation*, the Committee undertook investigative travel to the South West of Western Australia (19-24 February 2006), Sydney and Brisbane (20-24 March 2006), Geraldton (31 May and 01 June 2006) and Esperance (8-9 June 2006). Intrastate travel comprised formal evidence hearings with relevant State Government agencies and volunteer units involved in the provision of emergency services as well as the conduct of a number of associated site visits. Briefings were conducted in New South Wales and Queensland with equivalent State Government agencies.

Regional hearings have complemented a schedule of metropolitan based hearings which has enabled the Committee to capture the views of a cross section of career and volunteer emergency

services units and other agencies integral to emergency services in this State. It has also allowed for the Committee to consider the applicability of the legislation to different terrain, climatic conditions and within the context of available resources. Interstate briefings have provided a useful comparative analysis of Western Australia's emergency services legislation with legislative frameworks in those States.

The people the Committee spoke to are listed above in Tables 1.2 and 1.3.

1.5 Conferences

The Committee attended the *Sustainability and Bushfire Recovery Conference*, the 10th Annual Conference of Parliamentary Environment and Public Works Committees, in Canberra, from 28-30 September 2005. The most valuable insight for the Committee were lessons learnt from, and programs of recovery post, the 2003 Canberra bushfires.

1.6 Reports Tabled

The Committee did not table any reports during the period 1 July 2005 - 30 June 2006.

1.7 Work in Progress

On 24 August 2006 the Committee resolved to undertake an *Inquiry into Fire and Emergency Services Legislation* and determined to report to the Legislative Assembly on 31 August 2006. The review includes consideration of the *Bush Fires Act 1954*, the *Fire Brigades Act 1942* and the *Fire and Emergency Services Authority of Western Australia Act 1998* (FESA Act). The Inquiry been extended to 19 October 2006 to account for the taking of additional evidence.

The review of the operation and effectiveness of the legislation by the responsible Minister is a requirement under Section 41 of the FESA Act. The Hon. Michelle Roberts, MLA, former Minister for Police and Emergency Services, requested the Community Development and Justice Standing Committee of the 36th Parliament conduct the review. Although that Committee resolved to do so, the Inquiry lapsed on dissolution of the Legislative Assembly. The current Committee on a subsequent request from the same Minister, resolved to progress the Inquiry.

The following terms of reference were adopted:

That the Committee examine, report and make recommendations on fire and emergency services legislation in Western Australia, with particular reference to:

1. *the means by which legislation puts in place effective and efficient measures to prevent, prepare for, respond to and ensure recovery from fire and emergencies;*
2. *the means by which legislation puts in place appropriate risk management strategies on land owned/managed by local governments or by State government departments or agencies;*

3. *the effectiveness of incident command and control systems in fire and emergency services including interoperability in multi agency incidents;*
4. *the means by which State legislation establishes regulatory responsibility to ensure that appropriate prevention, preparedness and response measures are established for emergency services;*
5. *the means by which legislation provides an appropriate balance between centralised control and community centred emergency management; and*
6. *any major issues that emerge that the Committee considers should be included within the inquiry.*

In August 2005 submissions to the Inquiry were invited via advertisement and through a direct mail out to relevant State Government Departments, local governments, a range of peak representative bodies for career and volunteer emergency services units and other relevant stakeholders.

The Committee commenced evidence hearings on 19 October 2005. As detailed previously, hearings have been held in the metropolitan area and a range of pre-determined regional centres and towns throughout the State, with briefings conducted interstate.

CHAPTER 2 FINANCIAL STATEMENT

The Community Development and Justice Standing Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditure is required on a case-by-case basis and is entirely at the discretion of the Speaker.

The Committee's expenditure for the financial year 1 July 2005 - 30 June 2006 (in accordance with Standing Order 276) is detailed below:

Table 2.1

Expenditure Items of the Community Development and Justice Standing Committee, 1 July 2005 - 30 June 2006

Expenditure Item	\$
Advertising	\$11500
Conference Fees	\$2400
Travel	\$77000
Protocol	\$1500
Printing	\$250
Miscellaneous	\$750
TOTAL	\$93400

Notes:

- Figures rounded off to nearest \$100.
- Salaries of committee staff are not included.
- Costs of shared administrative expenses, including lease costs for committee accommodation, not included.