

**COMMUNITY DEVELOPMENT AND JUSTICE  
STANDING COMMITTEE**

**INQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION**

**TRANSCRIPT OF EVIDENCE TAKEN  
AT HALLS CREEK  
THURSDAY, 6 JULY 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. Hughes**

**Hearing commenced at 9.13 am****CRAIG, MS LYNETTE****Pastoralist and Councillor, Shire of Halls Creek examined:****SMILLIE, MR ROBERT KEITH****Acting Chief Executive Officer, Shire of Halls Creek, examined:****MORLEY, MR TONY****Executive Manager, Regulatory Services, Shire of Halls Creek, examined:****HARRIS, MR BRIAN RICHARD****Volunteer Emergency Service Unit, Fire and Emergency Services Authority, examined:**

**The CHAIRMAN:** Thank you for attending the hearing this morning and for giving us the opportunity to ask you questions about our inquiry into the fire and emergency services legislation, the Bush Fires Act, the FESA Act and the Fire Brigades Act. Please respond to questions verbally rather than by nodding or shaking your head, otherwise it will not be picked up by the microphones. The committee 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 a contempt of Parliament. Have you completed a "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:** I do not think we had a submission from Halls Creek, so this is an opportunity to make some opening comments.

**Mr Smillie:** Thank you for the opportunity to speak with the committee. I will ask Councillor Craig to represent the shire on elected members' interests and on pastoral issues in particular. She has a greater knowledge of these matters, as a citizen of Halls Creek. I have asked for Mr Morley to speak because he is about to undertake a process that is new to me. That involves working with indigenous communities in the shire in establishing emergency management procedures and raising awareness. I am not across the detail of that, and I thought I would give him the opportunity of explaining that in some detail to the committee, if it wishes. I have worked in a number of rural local governments over the past five years and have taken an interest in emergency management and the impact it has had on the shire. I am happy to make a general statement later and to respond to any questions. However, I do not have a submission to make about this committee's particular brief.

**The CHAIRMAN:** Tony, would you like to make some opening comments?

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**Mr Morley:** I am not sure whether the committee is looking at the process of the LEMC or SEMC policy statement 7 or that sort of thing.

**The CHAIRMAN:** We will ask questions and you can get an idea of where we are coming from. We will ask questions about LEMC, SEMC 7 and the whole bit.

**Mr M.J. COWPER:** Welcome to the hearing. My name is Murray Cowper, MLA. What is the population of Halls Creek shire; what is the ratepayer base; and what impact has the ESL had on Halls Creek?

**Ms Craig:** The population of the shire of Halls Creek is around 4 000 but the population of the town is about 1 700. The shire has a very low rate base. Most of the dwellings in Halls Creek belong to the Department of Housing and Works or are GEHA homes. Very few are privately owned and much of the land is owned by Aboriginals, on which there is no rating. There are quite significant pastoral and mining areas. Our rate base is low and therefore we rely on grants.

**The CHAIRMAN:** The Local Government Grants Commission.

**Ms Craig:** Yes.

**The CHAIRMAN:** Can you give the committee an overview of emergency management plans across the local government area, such as what brigades and services there are?

**Mr Morley:** There is LEMC, FESA, police, health and local government. The records show that the LEMC has not had a meeting since about 2004. It has an emergency management plan. I am currently putting together a recovery plan with LEMC. As part of the process, after this project I am doing, I will introduce recovery management plans into Aboriginal communities.

**The CHAIRMAN:** Does the shire have any fire brigades or SES units?

**Mr Morley:** FESA, SES and the fire brigade are joined together as FESA.

**The CHAIRMAN:** It is an emergency services unit?

**Mr Morley:** That is right.

**The CHAIRMAN:** Is that the one in Halls Creek?

**Mr Morley:** Yes.

**The CHAIRMAN:** What about the broader local government area?

**Mr Morley:** The committee will need to talk to FESA about that.

**Mrs J. HUGHES:** How many members are in your unit?

**Mr Harris:** There are about 15 members.

**Mr Morley:** How does that operate in the remote communities?

**Mr Harris:** We really do not have much to do with the remote communities, but if required we can attend vehicle accidents at the remote communities. Our main functions are around Halls Creek.

**The CHAIRMAN:** What are the main types of emergencies you come across?

**Mr Harris:** Grass fires and the odd road accident. Fortunately we have not had any structural fires for a long while.

**The CHAIRMAN:** What about events such as cyclones and floods?

**Mr Harris:** We can attend cyclones or flooding.

**Mr M.J. COWPER:** When did the fire brigade and FESA start, and what was the amalgamation process?

**Mr Harris:** Originally, it was the Halls Creek FESA unit, which I am pretty sure was formed in May 2001. Prior to that, it was the Bush Fire Services and State Emergency Services. Both

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organisations were brought together into the one FESA unit. Halls Creek was the first FESA unit in the state. I believe the name was changed last year to Volunteer Emergency Service Unit.

**Mr M.J. COWPER:** Was that borne out of a need because of the limited number of people?

**Mr Harris:** The same people are doing both SES work and fire brigade work, so it was logical to bring them together.

**Mr M.J. COWPER:** Has the ESL impacted upon this shire? Obviously it has limited funds available given the nature of its size and scope of the shire. How has the ESL impacted upon your ability to do your job?

**Mr Harris:** Some of the ESL gets through but a lot of the stuff needs looking into such as improving the buildings. It takes a long while to get anything done to our buildings or our vehicles because of our isolated location. Currently we are trying to get electronic motors on our roller doors. We are looking at about two years before that can be done. Tony Stevenson, the manager in Halls Creek, has applied to the Department of Housing and Works and it has agreed to do the work on the doors but it will be another three weeks before someone can get here because of our isolation. The people from the department are coming only to measure and fit the doors. We do not know how long it will take for the doors to be fitted. The biggest problem here is our isolation.

**The CHAIRMAN:** What do you have in the way of fast-attack or response vehicles?

**Mr Harris:** We have a 3.4D four-wheel drive tanker that carries 3 000 litres and a light tanker that carries 500 litres of water. We also have a rescue trailer, which carries the road rescue and general rescue equipment. We also have a troop carrier, which is used for general searches and generally for carrying personnel.

**The CHAIRMAN:** What about personal protective equipment?

**Mr Harris:** We are all provided with personal protective equipment. We do not have a great problem with getting the equipment.

**Mr M.J. COWPER:** Do you have any connection with the pastoralists who have their own fire fighting equipment?

**Mr Harris:** We do not liaise much with the pastoralists. Occasionally, we have been called out to attend small scrub fires. That is about the only contact we have with the pastoralists.

[9.30 am]

**The CHAIRMAN:** If you had a major incident in town here, would some of the pastoralists assist you in that, or are you left to your own devices?

**Mr Harris:** I hope so.

**The CHAIRMAN:** Is there nothing formally set up for that?

**Mr Harris:** No, nothing formal.

**Mrs J. HUGHES:** What about outlying towns such as Fitzroy; is there any intergrouping or calling in from another town?

**Mr Harris:** We could, but because of the distance - Fitzroy is a three-hour drive from here - we cannot call Fitzroy Crossing for back up. We are basically on our own. The same goes for Fitzroy Crossing; it is in the same situation.

**The CHAIRMAN:** The coroner and the Auditor General have both done reports on fire control in Western Australia and both have criticised the fact that local government, CALM and FESA could all be in control of a fire at the same time, particularly when the fire is crossing different land tenures. It has been suggested that FESA be empowered to take control of a fire from local government or CALM, when FESA considers this to be necessary. It is anticipated that the

power would need to be used only two or three times a year. CALM and some of the local governments are opposing that notion. What is your view?

**Ms Craig:** Here in Halls Creek, the shire is very good and will respond where it can, when it can and how it can. It just depends, because of the vast area. We have such a big area that it would be very difficult for local government to be able to take over that role. The plant might be down at Balgo and needed at Turkey Creek.

**The CHAIRMAN:** Do you have responsibility at the moment under the Bush Fires Act?

**Ms Craig:** Yes; the shire has that responsibility. When possible FESA is good with the pastoralists in letting equipment be used or getting equipment if it is not too far away. Several pastoralists have called on FESA and it is never disputed, if it is at all possible. FESA always asks us to let it know and it will see what it can do if we do not seem to be controlling fire with what we have and what FESA can offer right at that time.

**The CHAIRMAN:** Would you be supportive of FESA having an overarching role in fire management across the state?

**Ms Craig:** The general perception is that FESA does not do a lot. I am sorry, Brian, but that is the general perception certainly from the pastoralists' point of view. FESA seems to focus more on the town or on emergencies such as missing people, flooding and things like that. The pastoralists in the Kimberley would like to see one central body responsible for fire other than local government that could coordinate. That might be FESA, but it should be a regional body not someone from Perth.

**Mr Smillie:** I did not experience any emergencies in the year I was at Kununurra, and nor have I in the rest of the time I have been here. I was involved in the major fire at Mt Barker about three years ago and in numerous fires south of Fremantle in the Kwinana area. Prior to the recent control by FESA, I was usually required to have my chief fire control officer sit inside the incident trailer and be quiet and answer questions. The FESA-provided controller would run the show very efficiently, but my person and I would be legally responsible for the outcomes at the time. That was never a happy situation from my point of view. More recently at Mt Barker, the moment the fire moved from the bush fire brigade area into the town FESA immediately said it would assume control. I made myself available, but I was very happy that FESA could put in place very qualified people. FESA was able to organise probably the tens of thousands of dollars worth of assets that were then brought to bear. There was no way our local government could have achieved the outcomes that FESA could. I would certainly support that, but given the distances involved in the Kimberley, it boils down to the quality of the incident control that could be available to be flown in at very short notice. I suspect there would be lack of confidence in what might be perceived to be a "townie" trying to tell people how to control the fires that might burn up here; someone who is perceived not to know the Kimberley way and have experience of the particular fire circumstances here. The south west is much easier where there is much more commonality.

**Ms Craig:** Some years ago, Peter Saint - it is a personal thing probably more than anything - who was part of FESA, was in the Kimberley for some years and was the one person we could call. He understood the whole of the Kimberley. He would coordinate and help us out. That worked really well but that was because of his personality. That approach has not continued since he left. He was with FESA.

**The CHAIRMAN:** The way I understand it from FESA's point of view is that FESA would assume responsibility but be completely reliant on the volunteers because it does not have the staff resources but, as you said, Bob, it has access to all those other resources whether it be water bombers, personnel, tankers and all those sorts of things, and can get them up here reasonably quickly considering the distance. However, It would be still totally reliant on the locals as in the case of, I think you said, Kwinana where the chief fire officer was located. They would still be an

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integral part of that operation because FESA is still totally reliant on volunteers in country and rural areas. Operationally, things would not change that much, as far as I can see, because they cannot. FESA would not place full-time officers in Halls Creek or in any other remote areas. On the ground it would still operate the same as it does now, but FESA would have the responsibility and would have to provide those resources.

**Ms K. HODSON-THOMAS:** FESA has suggested that it be empowered to request the development of fire management plans from landowners when the land is CALM managed, plantation land or land used for pastoral or grazier purposes. The fire management plan would be requested only if FESA considered this to be necessary to mitigate the risk of fire to life and property, for instance, in areas of high risk. Do you have any comments about that, particularly you Lynette, as a pastoralist?

**Ms Craig:** I think all pastoralists are very aware. They have their own fire management plan for their particular station or pastoral area. That involves firebreaks because we try to protect our feed as much as anything. If it keeps getting burnt out all the time it is degrading the land and there is no growth. I think there would be a bit of a revolt if we had to submit a plan, because the pastoralists feel they have their plan and they carry it out. They would feel perhaps that if a letter comes from Perth telling them to present their plan, they would ask, "What would they know about it anyway; they don't even know where we are, let alone about a plan?"

**Ms K. HODSON-THOMAS:** If there were any arrangements to have fire management plans, they should be with someone, as you referred to that gentleman before, who has local knowledge?

**Ms Craig:** Yes.

**Ms K. HODSON-THOMAS:** Someone who builds a rapport and relationships with pastoralists.

[9.40 am]

**Ms Craig:** Yes, and that is what that fellow did. He drove around, said g'day, called in, had a cup of tea and asked about our issues and to be sure to let him know if there is a fire. We would ring him up and he would say, "Okay." It is really difficult because they will say, "Okay, you should let the police know", so we ring up the police and say, "We've got a fire." The police say, "It's no good telling us; we can't do anything about it. Ring the shire." We ring the shire and they say, "Oh, yeah. Okay, where it is and what is it? We have not got anything around."

**The CHAIRMAN:** Is it not usually a case of reporting it through the 000 system?

**Ms Craig:** It has been brought to our attention, yes

**The CHAIRMAN:** You will not get any immediate response because of your remoteness, but at least if it is reported as a fire through 000, it goes to FESA automatically. Then FESA can keep an eye on it, whether it is through satellites or talking to you or the different pastoralists, and start preparing equipment. If manpower is coming from Perth; it is, what, a four hour flight?

**Ms Craig:** I do not think we have ever had that degree of fire that has needed that sort of response up here

**Mrs J. HUGHES:** As a group of pastoralists, do you come together to share your plans to get a better coordinated approach across the region?

**Ms Craig:** We do not come together for that specific reason, but through the Pastoralists and Graziers Association we make plans; we have talks about fire. We had what I think was the Kimberley fire management protection group that used to travel around. I am not quite sure what it was. Nat Raisbeck-Brown used to run it out of Broome. It came around to us it give us training in satellite detection, spot fires and lightning strikes. We used to all get together. I believe that money has been stopped and that does not operate any more although there is still the fire satellite.

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**Mrs J. HUGHES:** One of the issues there were raised further north was that some of the pastoralists are creating burn areas but leaving openings between stations where the fire can continue through. Has that ever occurred down this way?

**Ms Craig:** I cannot specifically say that we have but I certainly cannot say we have not either. I can see that could happen here.

**The CHAIRMAN:** Large tracts of land have been burnt out in the Kimberley. I think it was last year or the year before a fire started in the West Kimberley and went right down from the Mitchell Plateau and burnt right through. If firebreaks were in place or fire management plans were in place and lodged with FESA, would that not be a far better way of being prepared for fires to come through? One of the things that I heard about that fire was that a firebreak had been created but had not been followed up, and that was one of the reasons the fire got through that particular area. FESA is a relatively new body, which has been there only six or eight years now, and is starting to take fire control much more seriously. It is looking across the state rather than just the metropolitan area. The major metropolitan areas have career fire fighters. Kununurra now has Volunteer Fire and Rescue Service, which also does road rescue, and it still has the SES. Here it has blended into the emergency services unit as it has done in Wyndham. It appears that we are starting to get to a better standard of preparedness compared with what was here many years ago, because it was disparate throughout all the local councils. Some local councils were excellent, but some did not have the resources, the inclination or the expertise to do it. Is FESA getting any better at trying to do that? As part of these pastoralist management plans, will that help FESA to deliver a better service over a long time? We can probably never stop some fires. That is the nature of fire some times.

**Ms Craig:** Yes. I feel that it could work as long as there is a definite plan. If the plan is that we ring 000 and report the fire, then that is it; but I think that on-one has really known what to do, because every now and then they say, "Okay. The first thing we will do is this." Then we do that. As I said, one plan was to call the police first, so the police would do it. This is going back a few years. The very first time we called the police, they said "Don't tell us. What can we do?" If something was really put in place and it was actioned on, I think it would work.

**The CHAIRMAN:** The reason I am asking about that is that Tony Stevenson in Kununurra is pushing education on 000. In the metropolitan area and probably Geraldton and the south west, it is common for people to see a fire, phone 000 and get a response. The state is huge. It must be impossible to get a response immediately to anywhere in the state, but if it is uniform across the state and FESA is the responsible body, hopefully, we will get better planning and a better service. From all accounts that I have heard through this committee, the ESL has provided those local councils in those areas that were not right up there with their fire protection and preparedness with the three-fours, the fast attacks, troop carriers and personal protection equipment. There are issues with buildings because they are much more expensive and harder to build, particularly up here. We have heard that an estimate of \$800 000 to build a TAFE in Kununurra came back after going out to tender at \$1.6 million. That is crazy stuff, which is really difficult to deal with. Hopefully, the ESL is spreading the money around the state. Although some of those councils that were way ahead feel that they are being retarded now, over time it will even out, we can move on and everybody should have a much better level of equipment

**Ms Craig:** Up here we do not use 000 for anything.

**Mr Smillie:** It is a waste of time.

**Ms Craig:** Not that it is a waste of time; it is just that it is for an emergency

**The CHAIRMAN:** Maybe it is because it goes to the eastern states

**Ms Craig:** Yes. If I was in the city I would ring 000, but I would not ring 000 here. If there was an accident, I would ring police; if there was a fire, I would ring the fire brigade.

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**Mr M.J. COWPER:** Is it the case that for so many years you relied on yourselves and now you find, given the communications and IT situation, you are now coming into the wider mainstream?

**Ms Craig:** Yes; I agree with that

**Mr Harris:** I find that quite often we get calls from the police. Local people call the police, the police call me and then I have to call the comcentre in Perth, which is the equivalent of dialling 000. People in Halls Creek must be educated to ring 000 all the time

**The CHAIRMAN:** That then takes it straight to FESA in Perth and to you.

**Mr Harris:** It does and if they contact me I have to ring Perth anyway

**The CHAIRMAN:** If it went through 000 to Perth first, that sets them on alert and then it comes to you and you respond.

**Mr Harris:** Yes

**Mr M.J. COWPER:** You mentioned before that you had 15 members on the books. How many are indigenous people?

**Mr Harris:** None.

**Mr M.J. COWPER:** What is your view on the situation with attracting them to the service? I know this can be a very sensitive area, but we need to know

**Mr Harris:** I would like to see indigenous people in the unit. Indigenous people should eventually be able to run the unit. We have a very transient population in Halls Creek. The membership of our emergency service unit can vary. We may have 15 on the books at the moment but sometimes we may be lucky to get two people turnout. Some people stay in Halls Creek for 12 months, some a few years, and some only a few months.

[9.50 am]

The people who stay in the town for only a few months probably do not consider it worthwhile joining FESA. I have heard it said that the indigenous people perceive FESA to be a non-indigenous organisation. They also get a lot of pressure from their own people about joining and getting involved. Indigenous people have been involved. One girl in particular was very keen. She did lots of courses and got appropriate certificates but she was telling us all the time that she was under pressure from her family to not continue with us. Eventually she left.

**Ms K. HODSON-THOMAS:** What kind of training is undertaken here? You referred to the transient population, so I assume those volunteers would not remain all the time. What is the average age of the volunteers?

**Mr Harris:** The average age is probably between thirty and mid-forties.

**Ms K. HODSON-THOMAS:** What about the training?

**Mr Harris:** We get excellent training. We provide courses quite often in Kununurra and Wyndham. FESA runs a pre-Easter course for the Pilbara-Kimberley area once a year down in Perth at Forrestfield. Only so many training courses can be put on. At times people can be trained-out from too many training courses. It all depends on whether the members can attend the courses on the particular dates set aside.

**Mr Morley:** I would like to share some information I have received. It might be anecdotal evidence rather than straight-up evidence. FESA does not have a good reputation in communities because sometimes FESA people go in and take control rather than talk to the countrymen and that sort of thing. Historically, in some situations, FESA has taken control. Sometimes indigenous people will not volunteer because if they have to go to a road death, they might get cursed.

**Mr M. J. COWPER:** That is a cultural issue.

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**Mr Morley:** Yes, cultural issues arise. FESA needs to be aware of cultural issues.

**Mr S. R. HILL:** I will direct this question to you, Bob, because of your history of involvement in local government. The Bush Fires Act empowers local government to order private landowners to install firebreaks. However, this provision does not apply to state government-owned land. Should the act bind the Crown so that the state government is bound by the same provisions as private landowners; and, if not, why not? Are there any significant issues regarding that in Halls Creek? Lynette might be able to add to that. I would like to hear your comments, Bob, because of the time you spent with the Town of Kwinana.

**Mr Smillie:** It has been an issue over a number of years. It was certainly an issue in the recent Mt Barker fire. Some agencies are very good. I recollect that, when requested, Main Roads was good in creating firebreaks in particular places but the railway authorities were not. Some serious economic losses were suffered at Mt Barker because crown land was not firebreaked. It has been a case of who holds the tenure of the land. The old lands department was excellent. When the department was told in advance of land under its control, it would provide the funds for the shire to do the firebreaks. Generally, that was very good but there were probably a couple of other agencies, such as rail, that simply could not or would not volunteer in any way at all. That created serious risks in some places.

**Mr S. R. HILL:** Are there any issues here with that, Lynette? You are surrounded by pastoral leases are you not?

**Ms Craig:** As a councillor, I feel that Aboriginal-owned lands and CALM land need to be managed. CALM has been quite remiss. They need some direction.

**Mr Smillie:** I think the biggest single party that put Mt Barker at risk was the shire itself because it did not firebreak its own land in the town site. Although the council was quick to point to other authorities, none of the large parcels of land within the Mt Barker town site were firebreaked or field levels reduced. That was the same in some other towns in the immediate area.

**The CHAIRMAN:** Would you be supportive of binding the Crown in adhering to that, whether it be for firebreaks or fire management plans?

**Mr Morley:** Does not the new emergency management legislation bind the Crown?

**The CHAIRMAN:** No; not at the moment. Tony, you said you are doing a project on emergency services in the community.

**Mr Morley:** I have applied for an AWARE grant to undertake risk management in some of the remote communities. It was originally targeted at six communities but the project will be too large to do six and so we have reduced it to two. We have selected two communities to participate. It is for the countrymen themselves to come up with what they perceive are their risks, rather than us coming in and saying that they are at risk because of a fire a flood or because of diesel fuel or because of their isolation. We would then not treat the risk, because that is another project - an emergency management plan. We will conduct a risk assessment of the communities that will be involved. We are also using interpreters because we have found that that is the best way to do it. FESA people are involved and they are very aware that there is an issue about getting emergency management in the communities and letting the communities participate in that process as well.

**The CHAIRMAN:** Are you waiting on the grant to come through?

**Mr Morley:** No; the grant has come through. The grant was to backfill my position and that of another officer so that we can participate in this project full-time.

**The CHAIRMAN:** What is the intended outcome?

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**Mr Morley:** It is for the communities to do their own risk assessment based on what they perceive are the risks in their community. From there, the communities' project is to make an emergency management plan. It is a three-step process. The next step in the process is the recovery plan.

**The CHAIRMAN:** Does that involve placing fire appliances or equipment in those communities?

**Mr Morley:** Yes. The object is for them to ask for the resources they require. We do not have the money for that but they will identify the resources.

**The CHAIRMAN:** Will that be submitted through FESA and the ESL?

**Mr Morley:** Yes. This has arisen because of State Emergency Management Committee policy 7 in which the local government authorities are responsible for their communities. There are 56 Aboriginal communities within the Shire of Halls Creek. The responsibility for and the logistics involved in resourcing that policy under the Emergency Management Act is huge. The object of the project is for the community to feel that we are not always telling people what the risks are but for them to tell us what the risks are. It will enable us to also feed on their information about local conditions and so forth.

**Mrs J. HUGHES:** You are empowering those communities.

**Mr Morley:** Yes. It is about empowering those communities to decide what are their risks so that they are aware of them. I know a few local people in some of these communities who do that without being recognised.

**Mrs J. HUGHES:** Are you hoping the next step will be to train the communities to carry out their emergency management plans?

**Mr Morley:** That is right. The next stage will be, as part of the grant conditions, to work out emergency management plans in these communities.

**Mrs J. HUGHES:** Have any of them been through that process? Have you approached any of those communities?

[10.00 am]

**Mr Morley:** None of them has been through that process but they have done it anecdotally. Some of the people know themselves what the risks are, whether it is fire, flood, isolation and that sort of thing. They also know that they need the resources for it.

**Mrs J. HUGHES:** Do they seem to be approachable and to welcome this?

**Mr Morley:** We are only at the start of the project. We are about to give the interpreters and the people presenting the project some training, go through the process of risk management and take that to the community, so we go through the risk management process with the community.

**The CHAIRMAN:** When you say interpreters, do you mean language interpreters or plan interpreters?

**Mr Morley:** Language interpreters. I suppose you could say they are FESA personnel and risk-management interpreters with the project.

**The CHAIRMAN:** You mentioned cultural issues with indigenous people attending a crash at which there might be fatalities. As an Anglo Saxon with only 20-odd years in the country, I have no idea how this can be an issue?

**Ms Craig:** It can be huge.

**Mr Morley:** Yes; it can be a huge issue about curses.

**Mr M.J. COWPER:** Are there 56 communities in Halls Creek.

**Mr Morley:** Yes.

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**Mr M.J. COWPER:** I understand that number can vary from time to time, depending on a death in that community. They might pack up and move into another part of their cultural lands, as it were. It is a bit of a case of trying to pin the tail on the donkey because that creates a shifting situation.

**Mr Morley:** Yes; the communities are fairly fluid. They move from family group to family group. After a while we can work out where the family groups are moving. There will be a flow of where they are moving to. In some bigger communities the numbers go up but there are always constant numbers. For example, in Balgo - Bob might know this better because he has worked in Balgo - the number might fluctuate from 450 to 170.

**Mr M.J. COWPER:** Of course, further down the line you will perhaps be looking at cultural issues arise when trying to put basic equipment into some of these larger communities? Do you envisage problems with putting in, for instance, a fast-attack unit?

**Mr Morley:** It is to do with security for the equipment and also about the training for the personnel. In the town-based communities, it is the turnover of people. There will always be some people - I have talked to them - on the committee who are interested in what is happening. They do it anyway without being told. They just take control of the situation.

**The CHAIRMAN:** When you say "security of appliances", what is the risk? I will be ignorant and say that if we put a fast-attack vehicle that is carrying water into a community, for what else will it be used except for a fire?

**Mr Morley:** The tyres.

**Ms Craig:** They might take it for a joy ride.

**Mr Smillie:** One of my roles at Balgo was to try to secure the assets. It was too late to save a \$175 000 tandem fire truck. That was reduced to a single rear axle, no tank, no pump, no nothing because it was used for high-speed grog runs across the Northern Territory. Now it would just be parts for someone else's land cruiser.

**The CHAIRMAN:** How do we get over that? Quite obviously people in these communities are citizens and as such are entitled to the protection that any other community receives. Is there a way we can get around that? Will Tony's proposal lead to that?

**Mr Smillie:** It could do partly, but this council is proposing rather radically that this shire deliver municipal services to indigenous communities rather than the federal government giving \$20 million to the same communities every year here and expecting the locals to try to do it. We are saying that if we based a town manager sort of person there and had a depot yard where assets could be secured, we would have a slim chance.

**The CHAIRMAN:** Are you suggesting that instead of the money going direct to the communities, it should come through the local council, which will then provide council services, such as roads, rubbish, fire protection and all those sorts of things?

**Mrs J. HUGHES:** Do those communities currently have elected representation?

**Ms Craig:** Yes; there are eight councillors; three are from what we call the Tjurabalan region, which comprises Balgo, Mulan, Bililuluna and Ringers Soak. Then there is the pastoral region of which I am an elected member. Turkey Creek has an elected member. Then there are our people. This is the first time that everyone who is representing their electorate has resided in the electorate. There are also eight members, two white and six Aboriginal, although one has just resigned. It is a true representation in every way of the percentage of population as well as where people live.

**Ms K. HODSON-THOMAS:** Are there two pastoralists on the council?

**Ms Craig:** No, there is only one now. When we reviewed our wards they were out of sync. There were two pastoralists for this region but there were not the numbers, so we felt that it was far better to put the three in the Tjurabalan region, because there are a lot of people in a big area.

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**The CHAIRMAN:** Is the \$20 million of federal money delivered through CDEP with other grants; and what are the grants?

**Mr Smillie:** The federal government identifies money called "municipal services". It happens largely only in Western Australia. That is meant to finance roads, rubbish, rats and the like. The corporation then engages staff to deliver that and the state Department of Housing and Works has also been topping up that municipal fund administratively to try to physically protect its assets. We are saying that local governments have got the moral and legal obligation to deliver the service and we think we can.

**The CHAIRMAN:** Are you in negotiations with the feds on that at the moment? What is the process?

**Mr Smillie:** The council triggered this about three years ago when it engaged me to prepare a report on the cash flow coming through here. More recently, I understand that your government is very close to signing a bilateral agreement with the federal government for service delivery. There is Halls Creek. I understand that this COAG site is being identified as the trial site to deliver municipal services. There is a fair gap in negotiations, probably at Treasurer's level, about how that might be done. Part of my unspoken role in this acting role is to help the council start to gear up for what we hope will be some real service delivery to the communities.

**The CHAIRMAN:** That would be a fairly radical change.

**Mrs J. HUGHES:** Is the suggestion that it go into the consolidated fund or into an isolated fund?

**Mr Smillie:** We have not had any discussions at all. I imagine that the federal government is saying to the state that the state should pick this up and it will simply withdraw the funds. I imagine there is significant horse trading going on, which we will not be party to. We will simply be saying that we will require some additional resources to take on that wider role.

**The CHAIRMAN:** This is probably way outside the terms of reference of our committee, but it is probably interesting to note that, because if it comes into being and is successful, it will probably result in emergency equipment and other services being placed at these communities. It would be great if we started lifting the standards of service delivery in these communities. Hopefully, it will go ahead.

[10.10 am]

**Mr M.J. COWPER:** Mr Smillie was recently at Balgo. I am acutely aware that the placement of a full-time police presence at Balgo has been many years overdue. Do you think there may be an opportunity to secure an asset down that way in conjunction with FESA under the direction of the police?

**Mr Smillie:** Certainly. There is a perception about who owns the assets. From my observation, there has been a long history of the people from ATSIC telling the communities that the assets are theirs and that they have the absolute right to determine what is done with them. All the issues that have arisen have been about each individual having the right to take any physical asset for whatever purpose. When the Department of Housing and Works has provided a three or five-tonne truck, we have made it known that it is a government truck that is insured and owned by the government and so it cannot be taken for community purposes. Generally those vehicles have survived. Anything else might have a life of three to five months. We need to develop a concept that they are part of the shire, and the fire truck is actually shire equipment of which they have a broader interest, but it is not a community fire truck. The town-based managers cannot say no to requests when they do not have a really good argument about rights and entitlements. They must be able to say that it is a shire truck and cannot be taken away for just any purpose.

**Ms Craig:** Mr Cowper asked about the police presence in Balgo. It has improved a lot of things but, once again, its effect has to do with personalities at the moment.

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**The CHAIRMAN:** Communities vary because the personalities and hierarchies change. Communities need managers, police officers, ambulance drivers and doctors who can adapt and use their personalities to gain a certain degree of control and respect.

**Mr M.J. COWPER:** In relation to the isolation issue here - I know you have had some terrible road crashes - are you provided with any backup counselling and other such services?

**Mr Harris:** We do. Plenty of counselling is in place. There is a direct phone number to Perth and they get in touch with the appropriate counsellor who will be sent to Halls Creek. We have our own peer support. There is a counsellor based in Wyndham, who is also a member of FESA. After the last serious accident here, a counsellor came from Kununurra and spent quite a bit of time with us and especially with those who needed the extra counselling.

**The CHAIRMAN:** What is the process when an Aboriginal person is deceased at an accident? If the indigenous people are shying away from that, obviously you must deal with it? How do you deal with an indigenous fatality? In my culture in Ireland, if someone dies, everybody is in it together. I do not understand how it happens. I have no concept of an indigenous community. It sounds to me as though the deceased person is abandoned and it is something that people will not touch.

**Mr Harris:** That is something I have not had to deal with yet.

**Mr Smillie:** The former CEO rang me this morning and I mentioned to him I was going down to what is known as "dinner camp" with a cultural assessor later today to look at that land. Peter jokingly said, "Well, there are some cultural issues there." He referred to a well-known person who had burnt to death after having gone to sleep too close to a fire. He said that that person's partner was then very, very seriously beaten for failing to save her husband's life. There is a risk that any indigenous or non-indigenous person who is involved in dealing with people who are injured is perceived to have somehow failed to save the injured person or to have contributed to that person's death. The person who tried to help might be identified as someone who perhaps should be punished in some way.

**Mr M.J. COWPER:** I will proffer an experience in this town with which I was involved whereby a similar incident occurred. In the Mulan community, a couple were sleeping in a tent with their twin children and another child when a spark set fire to the foam mattress. The parents and one of the children were able to get out before the tent ignited but the twins perished in the fire. The survivors immediately packed up and left the area. It was not until we got a phone call from Cherrabun a day later that we were made aware of the incident. By the time we got there, it was a pretty ordinary event. That country then becomes taboo country for a certain amount of time until a cleansing period allows them to go on. Another issue is that Aboriginal people will not mention a deceased person's name. That becomes very difficult subsequent to a death when the police are trying to investigate the circumstances surrounding the death when, culturally, they are unable to either speak the name of the deceased or make any reference directly to them. Unique cultural issues attend this particular area. In addition, there are also the five skin groups who make up this community. The indigenous population here has its own issues from among those five groups.

**Ms Craig:** Pain is part of the grief process. We all feel it but it seems to be a matter of, "You were there and this person has died; it doesn't matter that you were called out, it is your fault".

**The CHAIRMAN:** The Environmental Protection Authority has undertaken a review of fire management in the Kimberley and it cites requests for the establishment of a Kimberley bushfire advisory panel or a Kimberley fire council to broker fire management arrangements between existing agencies. This is principally because people argue that there is lack of coordination. Is there huge lack of coordination?

**Ms Craig:** Yes, there is.

**The CHAIRMAN:** Would a Kimberley bushfire advisory panel or Kimberley fire council help?

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**Ms Craig:** Yes. Pastoralists feel that there should be somebody central in the Kimberley.

**The CHAIRMAN:** What about aerial-controlled burning?

**Ms Craig:** Yes. We do aerial-controlled burning. It is not all that successful for many reasons but we would not like to lose it either. It is not successful because its demand is often very seasonal, as you can imagine. Its success often amounts to when pastoralists can get the plane for the aerial burn. If it is booked for May, the dates cannot be changed. It might be still raining until the end of April and so the burn will not be successful, but it will still go ahead because the date has been set. Pastoralists feel they should keep the aerial burning but that we should look at some other way of getting it.

**Mrs J. HUGHES:** Is some flexibility needed?

**Ms Craig:** Yes, we need some flexibility. I do not know how it can be done. It is very seasonal here.

**Mrs J. HUGHES:** It must happen on a yearly basis according to season, rainfall and that type of thing.

**Ms Craig:** Yes. Had pastoralists burnt last year in May, they could have burnt out the whole state. This year we had a very late wet season and so when the planes came, the aerial burn was not effective enough.

[10.20 am]

**The CHAIRMAN:** Do you have fire hydrants at all in the town?

**Mr Harris:** There are hydrants around town.

**The CHAIRMAN:** Who looks after them?

**Mr Harris:** I believe it is the shire's responsibility to maintain the fire hydrants.

**The CHAIRMAN:** Is the Water Corporation the authority in charge of water here?

**Ms Craig:** It is the Water Corporation.

**The CHAIRMAN:** Do you know how many fire hydrants are here?

**Mr Harris:** Not off hand. It would have to be getting on for 20 I would say.

**Mr S.R. HILL:** When you were in Kwinana, Bob, fire hydrants would have been a key issue for the local authority. Who do you believe should have the responsibility for maintaining fire hydrants - the Water Corporation, or FESA?

**Mr Smillie:** At those times the town volunteer brigade was overseeing the maintenance of them. I would have thought the Water Corporation is best geared to maintain them.

**The CHAIRMAN:** Do you go out and check the hydrants in Halls Creek to make sure they work?

**Mr Harris:** We inspect them from time to time.

**The CHAIRMAN:** Do you refer maintenance to the council?

**Mr Harris:** And the council just picks that up. Does council bill FESA for that maintenance or does the council pick it up?

**Mr Morley:** As far as I know we do not bill FESA. We pick it up.

**Ms Craig:** We pick it up ourselves.

**Mr Morley:** Any new building applications that come through, such as for the recent new hospital and the new aquatic and recreation centre, must comply with the requirement for hydrants and so forth, so new hydrants have been built with those new developments.

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**Mr M.J. COWPER:** Who is the emergency coordinator for Halls Creek? Who chairs the LMAC committee and who ensures that the plans are maintained?

**Mr Morley:** In the Halls Creek plan, it is the president or the CEO of the local authority, with the deputy as a member in conjunction with the officer in charge of the police station.

**The CHAIRMAN:** The LMAC system works quite well, but you have said it has not met since 2004.

**Mr Morley:** I am taking that from the records, which state that it has not sat since 2004.

**Mr M.J. COWPER:** If there were another Amos and Annetts missing stockmen set-up involving a search over a vast area, who would be the coordinator of that?

**Mr Morley:** Usually the officer in charge - the controller.

**Mr M.J. COWPER:** How many troops would be able to get into the field - 15?

**Mr Harris:** No, we would not get 15. It would vary from day-to-day. Sometimes we would be able to get half a dozen people. Another time we would be able to get only two.

**Mr M.J. COWPER:** What is the situation with the members you have and their ability to get away from work to attend incidents?

**Mr Harris:** Most of our members can get away from work provided it is a true emergency.

**Mrs J. HUGHES:** How many emergencies would you be called out to in a year?

**Mr Harris:** Not many. Our main work involves scrub fires, which is not a true emergency. I think we had three vehicle rescues last year, which would be classed as a true emergency. That is about it.

**Mr M.J. COWPER:** Do they still cart nitropryl through here to Cadjebut?

**Ms Craig:** Cadjebut has been closed for quite a while now. I believe part of it will be opening up again soon.

**Mr M.J. COWPER:** If there was a fairly volatile incident involving a heavy vehicle that was moving some material into the Argyle diamond mine, would you have the capacity to handle that? Are your volunteers HAZMAT trained?

**Mr Harris:** Probably not.

**Ms Craig:** I would say not.

**Mr Morley:** Not HAZMAT, but FESA has had to control a gaseous situation at a service station, and it controlled it very well.

**Mr Harris:** Both Sally Malay and Argyle have firefighting and rescue equipment. FESA was looking to come to some agreement with Sally Malay to provide some sort of emergency service.

**Mr M.J. COWPER:** Do you not have a HAZMAT trailer here?

**Mr Harris:** Not as such, no.

**Mrs J. HUGHES:** Do you have access to any ambulance services?

**Ms Craig:** Yes we do. The hospital has a volunteer ambulance service.

**Mrs J. HUGHES:** Are there any problems with being able to get volunteers to man that?

**Ms Craig:** There are volunteers, but there is a problem, once again, in trying to get volunteers to actually man it. There are orderlies at the hospital now who are trained to drive the ambulances and to operate equipment such as stretchers, gas cylinders and that type of thing.

**Mrs J. HUGHES:** Are emergency services and ambulance people able to communicate efficiently?

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**Mr Harris:** If you mean communicate between our vehicle to the ambulance, no. I think the only communication the ambulance carries is a satellite phone, but we carry VHF, UHF, HF and sat phone.

**Mrs J. HUGHES:** If you are heading to an emergency, how do you coordinate the service?

**Mr Harris:** We receive the 000 call, but we do not get information until we meet the ambulance.

**Mrs J. HUGHES:** The ambulance does not know what to expect?

**Mr Harris:** We cannot physically communicate with the ambulance.

**Ms Craig:** The ambulance would have an idea. When the accident is reported, the ambulance driver will know there has been a vehicle roll-over, with one person deceased, three people seriously injured or whatever, but until it reached the scene it would not know whether it needed the jaws of life and something else because people need to be cut out of the vehicle. We hope emergency services have it when they arrive, and they usually do.

**The CHAIRMAN:** Would it be an advantage for emergency services to be able to communicate with ambulances?

**Mr Harris:** I believe all the emergency services should be able to communicate with each other.

**Mr M.J. COWPER:** Who funds the replacement program for the ambulance?

**Ms Craig:** I think it is the Department of Health. It is not a St John ambulance. I could be wrong, but I know it is operated through the Department of Health.

**The CHAIRMAN:** I think that is right. We were told that in Kununurra. Thank you all for coming.

**Ms Craig:** I have a submission from S. Kidman and Co in Adelaide. Unfortunately the manager at Ruby Plains is unable to be here this morning. He wanted to be here, but he is fighting a bushfire that has been burning for a week.

**Mr M.J. COWPER:** Where - at Ruby Plains?

**Ms Craig:** Down the back of Sturt Creek, on the Coronardo country.

**Mr M.J. COWPER:** Is it Donkey Springs way?

**Ms Craig:** It has come from Ringers Soak. It has been burning for about a week. It is burning out a lot of their country. The CEO of S. Kidman and Co asked me if I would table a submission from that station on fire in the east Kimberley.

**The CHAIRMAN:** You have not had a chance to read that, have you?

**Ms Craig:** I have read it quickly, and this morning I received a quick précis on the phone of what it was about.

**The CHAIRMAN:** Are you happy to table it?

**Ms Craig:** Yes. Mr Peter Burton, another pastoralist from Springvale, wanted to come along, and I gave him the opportunity. He was hoping to get here, but he sends his apologies. The views I have put forward from the pastoralists are representative.

**The CHAIRMAN:** Do you have any other closing statements?

**Mr Morley:** I would like to submit the project management plan for the project I am doing. Be aware that it does not involve the six communities; it is only two.

**The CHAIRMAN:** Okay.

**Ms Craig:** One of the big issues with the pastoralists and fire is Aboriginal burning. I see that the Environmental Protection Authority is pretty keen to include that in fire prevention. It has an idea that customary burning is the way to go, and that is the way it was controlled. Unfortunately, there



is no customary burning as such these days; it is just a matter of matches being thrown from a car along the side of the road.

**The CHAIRMAN:** When you talk about customary burning, are you talking about the way indigenous communities burn around their communities for protection?

**Ms Craig:** Not only protection, but food sources. They used to go out and rub two sticks together and burn a little area. That does not happen now. The Environmental Protection Authority is still saying customary burning seems to be the way to go to control these wild fires. Pastoralists do not agree with that.

**Mrs J. HUGHES:** You believe there needs to be a coordinated approach to those areas as well?

**Mr Harris:** We feel that a lot of the community is unaware that the members of FESA units or fire brigades are just volunteers. It seems that more and more is expected of volunteers. I think the community abroad needs to be made more aware that we are just volunteers. We have normal jobs and normal private lives, and there is only a certain amount of time that volunteers can really give to the community.

**The CHAIRMAN:** Are you talking about bureaucratic processes and bureaucracy needing too much information, or the general perception?

**Mr Harris:** Just the general perception, really.

**The CHAIRMAN:** I think we have heard that a fair bit around the state. A lot of it is about bureaucracy, filling out forms, acquittals and those sorts of things, some of which cannot be avoided.

**Mr Harris:** A lot of paperwork has to be filled out. There should be a way of minimising the paperwork.

**The CHAIRMAN:** Thank you for your contribution to the committee's inquiry. A transcript of the hearing will be forwarded to you. New material cannot be introduced in the sense that 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 to us within 10 days of receipt, we will deem it to be correct.

We know 10 days is a bit tight up here so we are allowing some leeway.

**Hearing concluded at 10.33 am**

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