

SHIRE OF MT MARSHALL



MT MARSHALL BUSH FIRE ADVISORY COMMITTEE

**Minutes of Meeting held in the
Beacon Country Club, Beacon on
Friday 18 March 2011,
commencing at 1543 Hours**

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Minutes of Bush Fire Advisory Committee held 18 March 2011

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1.0 Declaration of Opening/Announcement of Visitors

Chief Bush Fire Control Officer Mr Alan Gracie welcomed delegates and declared the meeting open at 1543 hours.

2.0 Record of Attendance/Apologies/Approved Leave of Absence

In Attendance

Mr Alan Gracie (Chairman)
Mr Jack Walker
Mr Damian Tomas
Mr Brett Clark
Mr Gary Huckstep
Mr Calvin Potter (Beacon Fire Services Brigade)
Mr Tim Cashmore
Cr Des Miguel
Mr Matt Hancock (LGIS Risk Management)

Apologies

Mr Stuart Hopwood
Mr Sven Anderson (FESA)
Sgt Todd D'Souza (Bencubbin Police)

3.0 Confirmation of Minutes of Previous Meetings

3.1 Minutes of the Mt Marshall Bush Fire Advisory Committee Meeting Friday 24 September 2010

BFAC2011/001 COMMITTEE DECISION / OFFICER RECOMMENDATION:

That the Minutes of the Mt Marshall Bush Fire Advisory Committee Meeting held on Friday 24 September 2010 be confirmed as a true and correct record of proceedings.

Moved Cr D Miguel Seconded Mr G Huckstep Carried 8/0

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4.0 Reports of Officers

4.1 Engineering Administration Officer

4.1.1 Bush Fire Control Officers / Fire Weather Officers

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: N/A
FILE REFERENCE: A6/6
AUTHOR: Jack Walker – Engineering Administration Officer
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 10 March 2011
ATTACHMENT NUMBER: Nil
CONSULTATION: CBFCO & FCO'S
STATUTORY ENVIRONMENT: Bush Fires Act 1954
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION:

That:

- 1. The following people be appointed Bush Fire Control Officers / Fire Weather Officers for the Shire of Mt Marshall and all previous appointments be cancelled:**

Chief Bush Fire Control Officer	Alan Gracie
Deputy Chief Bush Fire Control Officer	Gary Huckstep

Bush Fire Control Officers:

Terry Gobbart	Gabbin
Brett Clark	North Wialki
Len Beckingham	South Wialki
John Dunne	Beacon
Berwyn Walker	Welbungin
Stuart Hopwood	Bencubbin
Damian Tomas	Bencubbin
Jack Walker	Shire of Mt Marshall

Fire Weather Officers

Alan Gracie	South
Gary Huckstep	North
Jack Walker	Shire

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BFAC2011/002 COMMITTEE DECISION:

That the following people be appointed Bush Fire Control Officers / Fire Weather Officers for the Shire of Mt Marshall and all previous appointments be cancelled.

Chief Bush Fire Control Officer	Alan Gracie
Deputy Chief Bush Fire Control Officer	Gary Huckstep
Bush Fire Control Officers:	
Terry Gobbart	Gabbin
Brett Clark	North Wialki
Len Beckingham	South Wialki
John Dunne	Beacon
Tim Cashmore	Cleary
Berwyn Walker	Welbungin
Stuart Hopwood	Bencubbin
Damian Tomas	Bencubbin
Jack Walker	Shire of Mt Marshall
Fire Weather Officers	
Alan Gracie	South
Gary Huckstep	North
Jack Walker	Shire

Moved Mr D Tomas

Seconded Mr B Clark

Carried 8/0

Note: The committee decision differs from the recommendation in that Mr Tim Cashmore was appointed to fill the position of Bush Fire Control Officer for the Cleary area to replace Mr Brad Whyte. Mr Cashmore has indicated that he will attend a Bush Fire Control Officers course in Toodyay in July 2011.

BACKGROUND:

This report recommends that the following people be appointed Bush Fire Control Officers / Fire Weather Officers for the Shire of Mt Marshall and all previous appointments be cancelled.

Chief Bush Fire Control Officer

Alan Gracie

Deputy Chief Bush Fire Control Officer

Gary Huckstep

Bush Fire Control Officers

Terry Gobbart	Gabbin
Brett Clark	North Wialki
Len Beckingham	South Wialki
John Dunne	Beacon

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Gary Huckstep	Tampu
Berwyn Walker	Welbungin
Stuart Hopwood	Bencubbin
Damian Tomas	Bencubbin
Jack Walker	Shire of Mt Marshall

Fire Weather Officers

Alan Gracie	South
Vacant	North
Jack Walker	Shire of Mt Marshall

COMMENT:

As you would be aware Brad Whyte advised us last year that he would be relocating and unable to fill the position of FCO for the Cleary area. The meeting in September 2010 suggested that Dale Andrews be approached. I have only just heard back from Dale that he is not interested. I have therefore approached Tim Cashmore to see if he will take on the role. At the time of writing this item I had not received a response.

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4.1.2 Bush Fire Control Officers – Dual Registration

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	Shire of Trayning
FILE REFERENCE:	A6/6
AUTHOR:	Jack Walker – Engineering Administration Officer
DISCLOSURE OF INTEREST:	No Interest To Disclose
DATE:	9 March 2011
ATTACHMENT NUMBER:	4.1.2 Correspondence from Shire of Trayning
CONSULTATION:	Alan Gracie – Chief Bush Fire Control Officer Sven Anderson – FESA Area Manager Shire of Koorda Shire of Mukinbudin Shire of Trayning
STATUTORY ENVIRONMENT:	Bush Fires Act 1954, Section 40 (1)(2)
POLICY IMPLICATIONS:	N/A
FINANCIAL IMPLICATIONS:	N/A
STRATEGIC IMPLICATIONS:	N/A
VOTING REQUIREMENT:	Simple Majority

2011/003 COMMITTEE DECISION / OFFICER RECOMMENDATION:

That:

- 1. The following Bush Fire Control Officers be dual registered with the adjoining local authorities.**

**Alan Gracie – Shires of Mukinbudin and Trayning
Garry Huckstep – Shire of Koorda
Brett Clark – Shire of Mukinbudin
Len Beckingham – Shire of Mukinbudin
Cleary FCO – Shire of Koorda; and**

- 2. Reciprocal arrangement be extended to Bush Fire Control Officers from adjoining local authorities.**

Moved Mr C Potter

Seconded Mr D Tomas

Carried 8/0

BACKGROUND:

Refer to attachment 4.1.2, correspondence from Shire of Trayning.

COMMENT:

The Bush Fires Act allows Bush Fire Control Officers to be jointly registered for more than one district, if both local authorities agree. Joint registration is

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more important for those FCO's which operate in areas close to the border between local authority districts.

Even if not dually registered, a Bush Fire Control Officer has authority to operate in an adjoining district and can exercise all their powers providing that an officer or member of a brigade of the adjoining local authority in which the fire is burning is not present.

In the event that a member of the 'home' brigade is present (not necessarily an officer) they take charge and can give instructions to brigades and officers coming in from adjoining areas.

ATTACHMENT 4.1.2

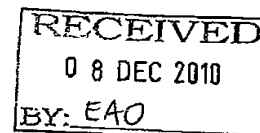


Our Ref. NM/BMT: F3.1

Your Ref.

SHIRE OF TRAYNING

Railway Street, Trayning, Western Australia
ABN 13 671 073 560
Postal Address: P.O. Box 95, Trayning WA 6488
Telephone: (08) 9683 1001 • Fax: (08) 9683 1040
Email: admin@trayning.wa.gov.au



Mr Matt Gillfellow
Acting CEO
Shire of Mt Marshall
PO Box 20
BENCUBBIN WA 6477

1 December 2010

Dear Matt,

Emergency Arrangements – Incident Controller Authority

In a recent meeting with Mr Colin Brown, Fire and Emergency Services Authority, one of the matters raised for discussion related to the authority of a person in charge of an emergency retaining control of the emergency if it crosses Shire boundaries.

While the most likely emergency to cross boundaries is a bush fire, other emergencies have the capacity to do so as well, such as fire resulting from a vehicle accident on a road that forms the boundary between two Shires, a chemical spillage or lost person.

The role of Incident Controller is not recognised by legislation, although it is a practical function that is covered by the State Emergency Management Committee policies. In a fire emergency, an Incident Controller is most likely to be a Fire Control Officer, however, as an FCO, their authority terminates at the Shire boundary unless the adjoining Shire has also appointed them as an FCO. This doesn't mean that they cannot continue to fight the fire, but it does mean that their authority to issue directions ceases. A person from the adjoining Shire holding any role, regardless of experience or training, has the higher authority.

In discussing this, it was felt that the function of Incident Controller needs some recognition, and that they should retain the function of Incident Controller, until they are able or willing to hand over that responsibility to an appropriate person.

Accordingly, Council resolved at the last meeting to request adjoining Shires to adopt a position that –

The person who is in charge of an emergency, whether appointed as an FCO by either Shire or not, that crosses Shire boundaries is deemed to be the Incident Controller of the emergency, and shall remain as Incident Controller, until such time as the function is transferred to an alternative suitably qualified or experienced person.

It would be appreciated if you could raise this suggestion with your Council for discussion.

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4.1.3 Emergency Arrangements – Incident Controller Authority

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	Shire of Trayning
FILE REFERENCE:	A6/6
AUTHOR:	Jack Walker – Engineering Administration Officer
DISCLOSURE OF INTEREST:	No Interest To Disclose
DATE:	9 March 2011
ATTACHMENT NUMBER:	4.1.2 Correspondence from Shire of Trayning
CONSULTATION:	Alan Gracie – Chief Bush Fire Control Officer Sven Anderson – FESA Area Manager
STATUTORY ENVIRONMENT:	Bush Fires Act 1954
POLICY IMPLICATIONS:	N/A
FINANCIAL IMPLICATIONS:	N/A
STRATEGIC IMPLICATIONS:	N/A
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

For committee consideration.

BFAC 2011/004 COMMITTEE DECISION:

That the information be received.

Moved Mr G Huckstep

Seconded Mr D Tomas

Carried 8/0

Note: The committee considered the matter and felt that no further action was necessary.

BACKGROUND:

Refer to previous attachment 4.1.2, correspondence from Shire of Trayning.

COMMENT:

I have passed on the letter from the Shire of Trayning to FESA for comment but at the time of writing this item I had received no response.

Agenda item 4.1.2 was my first solution, but the more I read Niel's letter, the more I've come to the conclusion that there are two issues. The second, being the roles and responsibility of the Incident Controller.

In my opinion, if a fire started in the Shire of Mt Marshall, the CBFCO or his Deputy would be the Incident Controller. If the fire looked like crossing into another shire he would liaise with the most senior fire officer in that shire who could then become part of the Incident Management Team. The only time I believe that the officer from the adjoining shire may indicate that he wished to take over was, if in his opinion the fire was not being managed efficiently.

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4.1.4 Fire Break Order

LOCATION/ADDRESS:	Shire of Mt Marshall
NAME OF APPLICANT:	N/A
FILE REFERENCE:	A6/6
AUTHOR:	Jack Walker – Engineering Administration Officer
DISCLOSURE OF INTEREST:	No Interest To Disclose
DATE:	9 March 2011
ATTACHMENT NUMBER:	4.1.4 Council Resolution 2010/185
CONSULTATION:	Alan Gracie – Chief Bush Fire Control Officer
STATUTORY ENVIRONMENT:	Bush Fires Act 1954, Section 38
POLICY IMPLICATIONS:	N/A
FINANCIAL IMPLICATIONS:	N/A
STRATEGIC IMPLICATIONS:	N/A
VOTING REQUIREMENT:	Simple Majority

OFFICER RECOMMENDATION:

That the following Fire Break Order be adopted:

FIRST AND FINAL NOTICE
BUSH FIRES ACT, 1954 (as amended)
Notice to all owners and / or occupiers of
land in the Shire of Mt Marshall

Fire Break Order

Notice is hereby given to landowners and / or occupiers within the Shire of Mt Marshall that firebreaks must be installed by 1 October and maintained clear of inflammable material up to and including 15 March as per the requirements in relation to Section 33 of the Bush Fires Act 1954.

Agricultural Land

Clear a firebreak consisting of mineral earth, to a width of no less than 3 metres, as close as practical, inside all external boundaries of the property.

Firebreaks must be maintained to provide a vertical clearance of a minimum 3.5 metres as to allow adequate access for fire appliances.

An approved fire fighting appliance is required to be present in any paddock where crop harvesting, straw raking or hay bailing is being carried out. The fire fighting appliance must be in a state of readiness and have a minimum capacity of 400 litres of water.

Harvesting is permitted on Sundays and all public holidays, with the exception of Christmas Day, Boxing Day and New Years Day.

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Town Sites

All town site lots within the Shire of Mt Marshall shall be cleared of all debris of an inflammable nature and be maintained free of such material.

Fuel Ramps and Depots

All grass and other inflammable material to be cleared from areas where drum ramps or bulk fuel are located and where drums, full or empty are stored and such areas are to be maintained clear of grass and other inflammable materials.

Variation to firebreak notices

If it is considered to be impracticable for any reason to clear firebreaks or remove inflammable material from land as required by the notice you may apply to Council or its duly authorised officer for permission to provide firebreaks in alternative positions. If permission is not granted by Council or its duly authorised officer, you shall comply with the requirements in this notice.

Harvest / Movement of Vehicle Bans

A ban on harvesting and the movement of vehicles in paddocks may be imposed when the predicted weather conditions are classified by the Bureau of Meteorology as very high or extreme, or when local conditions warrant bans to be applied.

All such bans are at the discretion of the Chief Bush Fire Control Officer or a duly appointed person.

General Provisions

Failure to comply with this notice shall subject the offender to the penalties prescribed in the Bush Fires Act 1954.

If the owner or occupier fails to carry out the work, the Local Authority may enter the land and prepare the fire breaks at the cost of the owner or occupier.

If the requirements of this notice are carried out by burning, such burning must be in accordance with relevant provisions of the Bush Fires Act 1954.

BFAC 2011/005 COMMITTEE DECISION:

That the following Fire Break Order be adopted:

FIRST AND FINAL NOTICE
BUSH FIRES ACT, 1954 (as amended)
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land in the Shire of Mt Marshall

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All such bans are at the discretion of the Chief Bush Fire Control Officer or a duly appointed person.

General Provisions

Failure to comply with this notice shall subject the offender to the penalties prescribed in the Bush Fires Act 1954.

If the owner or occupier fails to carry out the work, the Local Authority may enter the land and prepare the fire breaks at the cost of the owner or occupier.

If the requirements of this notice are carried out by burning, such burning must be in accordance with relevant provisions of the Bush Fires Act 1954.

Moved Mr D Tomas

Seconded Mr B Clark

Carried 8/0

Note: The committee decision differs from the officer recommendation in that the committee included Boxing Day (26 December) as a total harvest ban day.

BACKGROUND:

Council's fire break order has not been amended for a number of years and with the recent changes to total fire ban legislation where Councils can control harvest and movement of vehicle bans during that period one of the stipulations is that a fire fighting appliance must have a capacity of 400 litres of water, not 200 litres as is currently stipulated by Council. Another point of discussion last year was that there was no allowance for vertical clearance.

Yet another point that needs to be discussed is as a result of Councils resolution (attachment 4.1.4) from the confirmation of the September 2010 Advisory minutes when it requested that the requirements to have firebreaks on rural properties be investigated. The resolution was included to allow investigation into the legal liability of council if firebreaks are:

- (1) Not constructed
- (2) Not adequately constructed
- (3) Not enforced by Council

COMMENT:

I have invited Mr Matt Hancock from Local Government Insurance Services Risk Management team to discuss Council's concerns on its legal obligations in regards to fire breaks on rural properties. If you feel that firebreaks on rural

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properties are no longer required we can amend the above recommendation accordingly.

In my opinion you could be jeopardising the safety of volunteers if you were to recommend that rural fire breaks be made non-compulsory.

ATTACHMENT 4.1.4

The Presiding Member declared that item 9.6.1 deferred earlier in the meeting would be addressed as follows:

9.6.1 Confirmation of Bush Fire Advisory Committee Minutes: 16 October 2009 and 24 September 2010

LOCATION/ADDRESS: Mt Marshall District
NAME OF APPLICANT: N/A
FILE REFERENCE: A6/6
AUTHOR: Lauren Grylls – Executive Assistant
DISCLOSURE OF INTEREST: No Interest to Disclose
DATE: 29 October 2010
ATTACHMENT NUMBER: 9.6.1a Minutes of Meeting – 16 October 2009
9.6.1b Minutes of Meeting – 24 September 2010
CONSULTATION: Nil
STATUTORY ENVIRONMENT: Nil
POLICY IMPLICATIONS: Nil
FINANCIAL IMPLICATIONS: Nil
STRATEGIC IMPLICATIONS: Nil
VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION:

That the minutes of the Bush Fire Advisory Committee meetings held on 16 October 2009 and 24 September 2010 be received and all resolutions be adopted.

2010/185 COUNCIL RESOLUTION:

That:

- 1. The minutes of the Bush Fire Advisory Committee meetings held on 16 October 2009 and 24 September 2010 be received and all resolutions be adopted; and**
- 2. The requirements to have firebreaks on rural properties be investigated.**

Moved Cr PA Gillett

Seconded Cr MR Shemeld

Carried 7/0

Note: The officer recommendation was amended to include part 2 to allow investigation into the legal liability to council if firebreaks are:

- not constructed;
- not adequately constructed;
- not enforced by the council etc

BACKGROUND:

Nil

COMMENT:

The minutes of the Bush Fire Advisory Committee meetings held on 16 October 2009 and 24 September 2010 are submitted for council information.

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5.0 Fire Control Officers Reports

Gary Huckstep

- Investigate the possibility of installing signage indicating when 'camp fires are allowed' in popular tourist spots and parking bays.
- Required some goggles for Tampu Fire Appliance

Brett Clark

- Approach Council to consider SMS's for Harvest Bans.
- Some training or cheat sheet required for the operations of the two way radio.

Damian Tomas

- Also requested cheat sheet for two way radios.

Alan Gracie

- Advised committee that water tanks had been installed at Welbungin and Gabbin
- Also suggested that signage for camp fires be investigated.

Jack Walker

- Advised that two Fire Danger Index Boards had been received by the Shire and sought the committee's views on the location of the boards.

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6.0 Other Reports

Nil

7.0 New Business of an Urgent Nature Introduced by Decision of the Meeting

7.1 Proposed location of Fire Danger Index Boards

BFAC 2011/006 COMMITTEE DECISION:

That the Fire Danger Index Board for Beacon be located at the intersection of the Burakin – Wialki Road and Bencubbin – Beacon Road and the board for Bencubbin be located on the Bencubbin – Kellerberrin Road south of the Mukinbudin turnoff.

Moved Mr C Potter

Seconded Mr D Tomas

Carried 8/0

8.0 Next Meeting

September 2011 – date and time to be advised unless an earlier meeting is required.

9.0 Meeting Closure

With no further business the Chairman declared the meeting closed at 1746 hours.

These Minutes were confirmed by the Bush Fire Advisory Committee at its Meeting held on

Date

Mr Alan Gracie

Chairman