

MINUTES OF THE SPECIAL CHITTERING BUSHFIRE ADVISORY COMMITTEE MEETING

Tuesday, 6 May 2014

**Council Chambers
6177 Great Northern Highway
Bindoon**

**COMMENCEMENT: 7.30pm
CLOSURE: 8.20pm**



These minutes will be confirmed at the next meeting of the Chittering Bushfire Advisory Committee to be held on 3 June 2014.

SIGNED BY

Person presiding at the meeting at which minutes were confirmed

DATE

Disclaimer

The purpose of this Committee meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Chittering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

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1. DECLARATION OF OPENING OF MEETING / ANNOUNCEMENTS OF VISITORS

The Presiding Member declared the meeting opened at 7.30pm.

2. RECORD OF ATTENDANCE / APOLOGIES

2.1 Attendance

| | |
|------------------|---|
| Ian Hollick | Presiding Member |
| Dennis Badcock | Chief Bushfire Control Officer |
| Kim Haeusler | Wannamal Brigade |
| Frank Schubert | Bindoon Brigade |
| Phillip Humphrey | Upper Chittering Brigade |
| Steve Browne | Lower Chittering Brigade |
| Dennis Harvey | Muchea Brigade |
| David Wilson | Training Coordinator |
| Cr Doreen Mackie | Councillor, Shire of Chittering |
| Gary Tuffin | Chief Executive Officer, Shire of Chittering |
| Jamie O'Neill | Community Emergency Services Manager, Shire of Chittering |

The following non-voting members were in attendance:

| | |
|------------------|---|
| Will Lee | Upper Chittering Brigade |
| Reg Redmond | Upper Chittering Brigade |
| Fred Hoogland | Bindoon Brigade |
| Nic Walter | Bindoon Brigade |
| John Mangini | AVBFB & VVEAC Representative |
| Cr Robert Hawes | Shire President, Shire of Chittering |
| Cr Sandra Clarke | Councillor, Shire of Chittering |
| Cr Alex Douglas | Councillor, Shire of Chittering |
| Cr Don Gibson | Councillor, Shire of Chittering |
| Cr Barni Norton | Councillor, Shire of Chittering |
| Karen Parker | Manager Human Resources, Shire of Chittering (Minute Secretary) |

2.2 Apologies

| | |
|---------------------|---------------------------------------|
| Greg Cocking | Deputy Chief Bushfire Control Officer |
| Craig Garrett | DFES |
| Cr Michelle Rossouw | Councillor, Shire of Chittering |

3. DISCLOSURE OF INTEREST

Nil

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF PREVIOUS MINUTES

5.1 Chittering Bushfire Advisory Committee meeting - Tuesday, 1 April 2014

OFFICER RECOMMENDATION

Moved Gary Tuffin / Seconded Jamie O'Neill

That the minutes of the Chittering Bushfire Advisory Committee meeting held on Tuesday, 1 April 2014 be received as a true and accurate record of proceedings

CARRIED 10/0

6. GENERAL BUSINESS

6.1 Community Emergency Services Manager – Memorandum of Understanding

The intent of this Special meeting is to clarify Councils position on the Community Emergency Services Manager – Memorandum of Understanding, the position of the Chief Bush Fire Control Officer, the reasons for the decision, also to give CBFAC members the opportunity to raise any points of concern in relation to the matter.

Background

At the Ordinary meeting of Council held on 19 March 2014, Council resolved as follows:

"That Council:

- 1. authorise the Chief Executive Officer to sign the Memorandum of Understanding for the provision of a Community Emergency Services Manager as attached for a three year period; and*
- 2. advise the Department of Fire and Emergency Services of 1 above and provide a copy of the signed Memorandum of Understanding."*

A meeting of the Chittering Bush Fire Advisory Committee (CBFAC) was held on 1 April 2014. There were two formal recommendations moved at the meeting as follows:

“That Council consider the Chief Bush Fire Control Officer position to remain as a Volunteer Role and the CBFCO remains a member of the Chattering Volunteer Fire Services.”

“That Council’s resolution 9.4.1 made at its meeting of 19 March 2014 be deferred until Council has met with its BFAC elected members to further discuss and clarify the Memorandum of Understanding to enable this document to be more transparent and its intended protocols reassessed.”

On Wednesday 9 April 2014, Council held an informal meeting with the current Chief Bush Fire Control Officer and the Community Emergency Services Manager. As a result of this meeting, Council has taken the position to move forward with the Memorandum of Understanding as proposed with the following amendments:

8.7 *The CESM will be required to perform operational emergency management duties as required and ~~must~~ may be appointed as the Chief Bush Fire Control Officer by the Shire.*

Amending the word ‘must’ to ‘may’ will give the Shire flexibility in the future to appoint the Chief Bush Fire Control Officer at its discretion.

8.8 *The CESM will be available to fulfil designated roles on the DFES Key Personnel Roster (KPR). This may require the CESM to be On-Call after hours 1:5 weeks during the southern bush fire season (usually Dec 1 – March 31). The KPR provides operational support to incidents across the metropolitan area ~~and takes precedence over local response.~~*

The Memorandum of Understanding will be effective from the 1 July 2014 until 30 June 2017 unless otherwise changed by a Council resolution.

Meeting discussion

Cr Doreen Mackie provided a brief summary of the background for this report:

- Originally approached by FESA (now DFES) with a proposal for a joint CESM program with the Shire of Victoria Plains.
- Shire of Victoria Plains withdrew from the proposal, but Council, following a recommendation from the CBFAC went ahead.
- The current MOU with DFES expires on 30 June 2014.
- Council has considered the Draft MOU for the CESM program for the next three years and the achievements of the program.
- Following a formal recommendation from the CBFAC Council made changes to the MOU:-
 - 8.7 ‘Must’ has been replaced by ‘may’, this will allow flexibility for change, eg, if a Council does not believe a future CESM is suitable for the role of Chief Bushfire Control Officer, they can appoint an alternative person into the role;

8.8 The 'and take precedence over local response' has been removed, the CESM will always put local issues first.

- Council should have instigated the changes in a more respectful way to the current Chief Bushfire Control Officer. This oversight was acknowledged and the Chief Executive Officer wrote a letter on behalf of Council.
- Council now needs to move forward on the changes and concerns from tonight's meeting will be taken into consideration when Council makes their decision.

Members discussed the issue at length, with a number of comments / concerns being repeated, a summary of matters considered are provided below:

- Flexibility in the MOU very important.
- Is the current CBFCO able to continue until his term expires, MOU expires 30 June 2014 and changes will commence 1 July 2014, unless Council determine otherwise.
- No further action on the MOU has been taken since the request made by BFAC, but Council will need to formally consider in the very near future.
- DFES has not said that any funding will be withdrawn.
- Although a joint arrangement with DFES, the Shire will have a major part in the appointment of any new CESM in the future.
- Chittering is the only local government in the North Coastal, North East, South East and South Coastal Districts to have a volunteer CBFC.
- Will the CESM be available 24x7 365 days of the year? Yes and when he is on leave a relief will be in place.
- Local knowledge important. Not all members agreed with this as the dynamics of our community is changing and as membership is changing this knowledge is gradually being lost. Particularly relevant for southern parts of the Shire.
- The CBFCO stated that he has not been informed on any clear advantages for the change. Believes that having a paid employee (CESM) and volunteer CBFCO works like the Shire President (volunteer) and the CEO.
- The CEO said that the statements and examples he provided at the 1 April 2014 BFAC meeting in relation to accountability and disciplinary action etc have been misunderstood; these were examples only of what might occur, not what may have occurred. With the strong development of the Shire forecasted into the future, outcomes from previous fires, changes to legislation etc, Council need to be very confident that what is expected of volunteers is realistic and achievable. He also said that it was much easier to discipline and hold to account a staff member than a volunteer when something goes drastically wrong.

- The change is no reflection on the current CBFCO's skills and abilities. Dennis Badcock is held in high regard and he has carried out the role proficiently. Council need to move forward and ensure that they meet the obligations placed on them now and into the future.
- The Presiding Member said that he was involved with the City of Swan change over to a paid CBFCO. Brigades were very skeptical and had the same arguments / concerns as the CBFAC, but the change has been very successful. Mr Hollick said he believes that operationally there will be no difference to the Brigades. Previous experienced Chattering Fire Fighters have refused to take on the role of CBFCO because of the increasing responsibility, work load etc.
- Questions raised whether a volunteer CBFCO could keep up with the work load and training requirements for the role.
- Mention made of an interview on the ABC a couple of weeks back with Wayne Gregson and a representative from WALGA who discussed issues relating to Fire Control, times are changing and the Fire Services need to move forward.
- Changes being made statewide, Local Governments will be required to be more accountable and processes need to be put in place to ensure the Shire meets its obligations.
- DFES do not have any issues with proposed changes to MOU.
- John Mangini confirmed the statement he made at the April BFAC meeting that the Associations position on the matter is that 'so long as the position remained totally with the local government there is no preference to the role being paid or volunteer'.
- Some members prefer the CBFCO be a paid employee (as it is they who are passionate about their position; all responsibilities form part of the criteria for that role, including training, out of hours etc) and they have no other impediments to hinder them in the role such as work commitments) and believe that is the best way to go into the future. While others believe the role should continue to be filled by a volunteer.
- As the community grows the pressure, responsibility and training requirement will increase significantly, too much to expect from a volunteer.
- Transition is never easy, but it is important to move forward.
- Cr Mackie advised that a further report will be presented to Council to amend the MOU as outlined above.

15. CLOSURE

The Presiding Member declared the meeting closed at 8.20pm.





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