

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

Third Report - Fire and Emergency Services Legislation

MR A.P. O’GORMAN (Joondalup) [9.48 am]: I present for tabling the third report of the Community Development and Justice Standing Committee, entitled “Inquiry Into Fire and Emergency Services Legislation”.

[See paper 2120.]

Mr A.P. O’GORMAN: I will start my speech by doing something Irish. I will go to the end of my speech, because I want to thank my fellow committee members and the committee staff.

Ms M.M. Quirk: Is that to be sure, to be sure?

Mr A.P. O’GORMAN: It is to be sure that I mention them before time runs out, because I have prepared a fairly lengthy speech!

I thank senior research officers Nicole Gibbs and Melissa Dove from the Fire and Emergency Services Authority of Western Australia for assisting the committee in its deliberations and the drafting of the report. Their input was critical in understanding the complexity of the emergency services legislation, its application at a practical level and the interrelationship of relevant issues. I also acknowledge - they are hiding behind me in the Speaker’s gallery - principal research officer Katherine Galvin and research officer Dawn Dickinson. Despite joining the committee late in the piece, Dawn made a valuable contribution. I believe also that Katherine Galvin is leaving Parliament tomorrow. I wish her well in her future endeavours at the Corruption and Crime Commission. The departure of someone of her calibre will be a great loss to Parliament; it will be a shame to see her leave. I thank also the other members of the committee, the member for Geraldton, Shane Hill, who assisted with this report; the member for Kingsley; the member for Carine; and the member for Murray, who was also the deputy chair of the committee. I give special thanks to the member for Murray because he stepped in during the last couple of weeks when I had to spend some time in a hospital bed. He made sure the report was adopted on time so that it could be presented by today’s reporting date. Early in the piece the Leader of the Opposition, the member for Warren-Blackwood, spent some time with the committee and provided assistance, particularly in the south west where he has a great understanding of emergency service issues. I thank everybody who was involved with this investigation. I also mention Nicole Burgess who assisted the committee in the early stages before being drafted to another committee as research officer.

The tabling of the report marks the end of a 14-month examination into the fire and emergency services legislation, which commenced on 24 August 2005 by the Community Development and Justice Standing Committee. The committee resolved to conduct an inquiry principally in response to a request by Hon Michelle Roberts, former Minister for Police and Emergency Services. The focus of the inquiry was more broadly a review of the provisions of the Fire Brigades Act 1942, the Bush Fires Act 1954 and the Fire and Emergency Services Authority of Western Australia Act 1998, including the interoperability of that legislation, which is a critical concern given the dates of the various acts. More narrowly, the scope of the review was defined by the committee’s terms of reference which, in brief, encompassed the means by which the legislation puts in place effective and efficient measures to prevent, prepare for, respond to and ensure recovery from fire and emergencies; puts in place appropriate risk management strategies on land owned or managed by local or state government; establishes regulatory responsibility to ensure that appropriate prevention, preparedness and response measures are established for emergency services; provides an appropriate balance between centralised control and community-centred emergency management; the effectiveness of incident command and control systems in fire and emergency services, including interoperability in multi-agency incidents; and any other matters the committee considers relevant to the inquiry.

The report is based on extensive intrastate travel encompassing metropolitan, regional and rural Western Australia and interstate travel to relevant agencies in New South Wales and Queensland. The committee is, therefore, firmly of the view that the report represents the opinions of the broad array of stakeholders relevant to the inquiry, that the proposed amendments to the legislation account for regional differences and that due consideration has been given to intrastate models and practices and their applicability to Western Australia. The report is therefore comprehensive, has a strong analytical basis and provides practical solutions for implementation by government for improved performance and the prevention of, preparedness for and responses to emergencies in this state.

Before I comment on the committee’s recommendations, I will reflect on the invaluable contribution of the state’s 34 000 or so emergency service volunteers. We cannot underestimate their dedication and their contribution of personal and family time to training and response activities and, in some circumstances, to fundraising. The cost benefit of these people’s contribution to the community and government is immeasurable.

The following comment by Mr Robert Fenn, executive director of development services at the City of Albany, perhaps best reflects the integral nature of community-based volunteers to emergency services in Western Australia. He said, "Local knowledge; without doubt the volunteers hold that. There are no ifs, buts or maybes." He is absolutely correct in this assertion, and the committee has been cognisant of this fact in its deliberations. The committee's recommendations are aimed at providing a legislative framework that respects this knowledge base, yet ensures that necessary resources and technical expertise are available to these volunteers when deemed appropriate.

The committee accepts that emergency services personnel and agencies have divergent views about what should happen in the management of emergencies, or in fact in the prevention of or preparedness for emergencies. This is natural as points of view are based on a host of experiences, including the level of identification with a particular emergency services unit, the degree of interagency cooperation, experiences under the management of hazard management agencies, the level of expertise and length of service of emergency services personnel and personal life experiences. Therefore, not every stakeholder will approve of the recommendations in the report. That said, the committee's view is that the majority of stakeholders will be satisfied that, through thorough consultation and research, the committee has arrived at proposals that will ensure that the most effective system is implemented that will enhance the community asset and environmental safety. That is the committee's paramount consideration.

The diminution of the identity of individual emergency service units under the FESA umbrella or through proposed legislative amendment by this committee has been of significant concern to a number of the stakeholders. This includes maintenance of individual unit badging, uniforms and a corporate and legislative structure, which reflect the particularities of those units. The committee has endeavoured, where appropriate, to maintain that individuality. One of the critical issues that the committee has had to consider throughout the inquiry has been the impact of rural adjustment on the ability of some local governments to provide adequate response arrangements to fire emergencies. Rural and regional centres are changing and conglomerations are buying up farming properties in some areas; young people are moving off farms; there are technological impacts on employment; and a booming mining industry means a fly in, fly out work force and so forth. All these contribute to difficulties in recruiting and retaining volunteers and appropriately qualified emergency service managers. Proposals to address shortfalls in this report are not intended to undermine local governments but, in fact, aim to support local governments, which are well resourced and provide dedicated responses to emergency hazards. The reality is that we cannot afford to ignore those who cannot do that. The safety and liability implications are too great.

The committee envisages that the two most contentious issues in this report will be control arrangements in multi-agency incidents and compulsory fire management planning on prescribed categories of land. Several significant state Parliament reports, including two of the State Coroner, Mr Alistair Hope, in 2004-05 and one of the state Auditor General, have highlighted community safety issues inherent in the authority for control being dispersed across a number of agencies in multi-agency incidents. The committee acknowledges that, in many instances, a high degree of cooperation has been engendered at a local level to address this issue. However, it considers that, to ensure consistency in approach, such arrangements need to be legislatively mandated. The committee has therefore recommended that one agency, the Fire and Emergency Services Authority of Western Australia, be empowered to assume control in those circumstances. The committee foresees, and is in fact ever hopeful, that the need for this will not arise often. I emphasise that the recommendation is in no way intended to undermine the ability of hazard management agencies to command their own troops, minimise the importance of local knowledge in the firefighting effort, or undermine the Department of Environment and Conservation's expertise in forest fires and biodiversity values. In these circumstances, the Fire and Emergency Services Authority will provide overall coordination and will be able to engage resources at a level beyond the capacity of most local governments and, in some circumstances, that of the Department of Environment and Conservation. The decision to assume control will be made at the Fire and Emergency Services Authority's executive level. It is requested that the Auditor General give consideration to reviewing the use of these powers in line with other recommended amendments to the legislation.

The committee considers that there is insufficient focus on fire planning for large tracts of land, including crown land. Although other factors also come into play, evidence of this is perhaps best drawn from the Kimberley and Pilbara regions of the state, which are burning at an alarming rate. The intention is to introduce a reasonably consistent yet flexible approach to risk assessment and mitigation across the state in an attempt to protect the state and community's valuable asset base. The committee has reviewed fire management planning templates but does not perceive these to be unduly onerous on landowners or land managers. Where practical, the Fire and Emergency Services Authority will assist landowners and land managers in the development of these plans. The committee has suggested a process for fire management planning that involves a local committee structure that it believes will ensure the input of significant stakeholders and consideration of values in land management

planning. The committee also considers that the existence of three emergency services acts is cumbersome. The Fire Brigades Act 1942 and the Bush Fires Act 1954 are dated and too detailed. The three acts lack interoperability and do not necessarily provide for the roles that emergency service units now perform. The committee considers that, for reasons of efficiency and effectiveness, these acts should be amalgamated into one consolidated emergency services act. Currently, of the three acts, only the Fire and Emergency Services Authority Act binds the Crown. This can at times promote confusion in and noncompliance by agencies that have hazard management agency responsibilities under the legislation. It also raises concerns within the community about the exemption of state government land from firebreak and hazard reduction provisions under the Bush Fires Act 1954. Binding the Crown will mean that government agencies that have hazard management and support roles in emergency services will be forced to comply with the emergency services legislation, despite the existence of agency-specific legislation that may contradict the act's intent, functions or powers, perceived or otherwise.

However, perhaps the greatest impact - particularly in regional and remote Western Australia - will be in ensuring a consistent approach to fire management planning across the state. A couple of state government agencies, including the Department of Conservation and Land Management - now the Department of Environment and Conservation - and Main Roads Western Australia, have expressed concern about the financial, practical and environmental implications of installing firebreaks and carrying out hazard reduction works over vast tracts of land. The committee recognises that the legislation, in its current form, could become unworkable if it were to bind the Crown. However, the committee believes that this should occur for reasons of equity and consistency. The reality is that the acts will be repealed and redrafted, affording the state the opportunity to develop flexible legislation to enable landowners and land managers to use fire prevention tools in addition, or as an alternative, to firebreaks.

A number of amendments have been suggested to enhance building safety with respect to fire. FESA requests that it be able to approve building plans and specifications for particular public buildings and to issue certificates of occupancy, to ensure compliance with the fire requirements of the building code of Australia and to meet its own operational fire fighting needs. The committee regards FESA's advisory role in this matter to be inadequate, given that under existing arrangements local governments and developers are not required to comply with FESA's advice. Although this situation may arise only rarely, it cannot be allowed to occur. The committee has recommended an appeal mechanism for developers who may be aggrieved by a FESA decision to reject building plans and specifications on grounds related to fire compliance.

The committee has also recommended that FESA should maintain its existing powers under the Fire Brigades Act 1942 to inspect public buildings to ensure there is no risk to life or property and to order remedial action and apply to a magistrate for closure of a building for rectification of breaches, should risk to life be determined. However, this should apply to only the operation of fire and emergency safety systems. The committee recommends that a referral mechanism should exist for an expert agency to carry out assessment and appropriate action for breaches that are unrelated to fire or emergency systems. The committee also proposes that FESA should retain its existing powers under section 25A of the Fire Brigades Act 1942 to direct the owner of premises to provide and install fire detection and suppressant equipment. FESA has obvious expertise in this area.

The committee supports FESA's proposal to transfer from local government to FESA the power to approve the establishment of bush fire brigades. FESA contends that this is required, given that it manages the emergency services levy, which now funds bush fire brigades. FESA conducts a resource-to-risk assessment to determine the requirements of a given locality when distributing funds. FESA considers that the ESL is compromised by applications from local governments for the establishment of fire brigades that are surplus to local requirements. The committee agrees, given that FESA has administrative responsibility for the ESL and that it is a finite resource.

I spoke earlier about the inherent difficulties in rural adjustment. In consideration of these difficulties, FESA has requested that local governments with fewer resources and diminished capacity in emergency service delivery be given the option to transfer administrative and operational responsibility for bush fire brigades to FESA. The committee supports the concept that well-resourced and capable local governments should retain bushfire responsibilities, while less well-resourced and less capable local governments should have access to assistance from FESA. FESA has also requested that responsibility for the administration of ESL applications for State Emergency Service units be transferred from local governments to FESA. The committee supports this request, because FESA has responsibility for SES units under the Fire and Emergency Services Authority Act and is therefore aware of unit requirements. However, the committee considers that local government must be kept in the loop, perhaps through the local emergency management committee structure.

During the inquiry, concern was expressed about the incompatibility of radio communications and deficiencies in communications infrastructure. This issue is being addressed by the government's emergency services communications strategy. This includes a new radio communications system. While reviewing this issue, the

committee was lucky enough to view the government's shared land information platform. Currently in its infancy, this platform will provide a single point of access for land information data and allow for the use of consistent and, in some cases, real time data, to improve decision-making. An area of focus is emergency management. Western Australia apparently leads the other Australian states in spatial information technology.

The committee examined whether a regulatory agency was required to ensure the efficient and effective delivery of emergency services and emergency management in Western Australia. Some stakeholders considered that a regulatory agency would ensure greater policy coordination between agencies, provide independent assessment of agency performance, assess the efficiency of the legislation, review fire suppression by Crown agencies, serve as an appeal mechanism for fire management planning, and manage the ESL. The committee sought advice on this issue from a number of relevant government departments. Generally, the departments did not support the notion of an independent regulator, principally on the basis that the State Emergency Management Committee, established under the Emergency Management Act 2005, has a strategic role in ensuring an effective emergency management capability for the state. CALM is already regulated by the Conservation Commission of Western Australia. A regulatory function could be established within FESA provided it was structurally separated within the agency and that the responsible minister or Office of the Auditor General was available for the purpose of closer scrutiny of agency compliance, through the performance review function.

The committee considers that a number of the concerns giving rise to the call for an independent regulator will be addressed under the Emergency Management Act and also through the committee's recommendations, if they are implemented. Although FESA is opposed to the concept of an internal regulator on the grounds of a conflict of interest, the committee considers that ongoing monitoring and review of performance is warranted by the complexity of emergency services and the number of service delivery agencies, and that monitoring and performance review can be performed within the agency provided the role is structurally separated.

It is not considered appropriate for the agency to have jurisdiction over CALM given that this role is effectively performed by the Conservation Commission of Western Australia and that the commission is independent. However, the committee suggests that CALM be required to undertake fire management planning under prescribed circumstances and that those plans be subject to an independent, ad hoc audit. The committee considered necessary some level of independent assessment of performance under the legislation, particularly in light of the recommendations of this report. The committee considers that the Auditor General is most appropriately placed to undertake this assessment, given that a number of the committee's outcomes were informed by recommendations made in the Auditor General's "Performance Examination - Responding to Major Bushfires" report.

FESA has requested that the authority be re-established as the Department of Emergency Services. One of the critical reasons for this request for change is that the FESA board is a representative board of management and members are required to perform roles that they are not necessarily qualified to perform, particularly with respect to corporate expertise and governance. FESA made reference to a legal case and a number of reports in support of the argument for its re-establishment as a government department, and to highlight the inherent difficulties in representative boards of management. FESA suggested that it be re-established as a department with an advisory board, which would effectively remove issues of conflict of interest for board members. It was suggested that the department be named the Department of Emergency Services, to reflect the amalgam of emergency services volunteers.

I present for tabling submissions to the committee.

[See paper 2121.]

MR M.J. COWPER (Murray) [10.09 am]: I think my fellow committee members would be in agreement about the work carried out by principal research officer Katherine Galvin, who was ably assisted by Dawn Dickinson, Nicole Gibbs, Melissa Dove and Nicole Burgess. The work they did in the unenviable task of organising five members of Parliament to come together for regular meetings, and organising travel in all parts of Western Australia and Australia, was no mean feat. To them I say well done. When I first entered Parliament, I was placed on this committee. I honestly did not know much about committee work and how committees functioned. It was virtually a case of having to learn as I went along. The Community Development and Justice Standing Committee was examining various issues that were of interest to the committee and was heading down a certain route. However, some pressure was brought to bear on us to inquire into the fire and emergency services legislation in this state. I was somewhat interested to know how this could occur. Under the Fire and Emergency Services Authority of Western Australia Act, the emergency services acts must be reviewed by the government after they have been in operation for five years. The minister was able to offload that responsibility to our committee, and it has obviously now become an issue for the Parliament. After some consideration, and after having spoken to a few people, I decided that I should stay with this committee and look at this very interesting, complex and vexed issue. The report was prepared by the members collaboratively. It

was debated and considered. The committee heard from many people throughout Western Australia. I believe the committee has come up with a worthy document that aptly describes the situation that exists in regional Western Australia. From a personal perspective, obviously we all come from different backgrounds. I have the benefit of having previously lived in regional Western Australia and having an understanding of how things occur on the ground. However, I found it very interesting to have the opportunity to look at this issue from a fresh perspective and through the eyes of the people who presented before the committee.

The bottom line - I do not think this is anything new - is that without the support of volunteers in Western Australia, this state would not have an emergency management response capability. There are paid firefighters in the metropolitan area and in major regional centres throughout Western Australia. There is also a hierarchical system within FESA that is responsible for the State Emergency Service, of which I am proud to say I am a member. The bush fire brigades and the marine rescue brigades are comprised mostly of volunteers. Without those volunteers, particularly in regional Western Australia, this state would not be able to respond to emergency situations.

As the committee travelled around Western Australia we found it interesting that even within the bush fire brigades, the search and rescue brigades and the marine rescue brigades there were differences of opinion, depending on where people came from. That reflects the fact that the size of this state is vast and it has different needs and issues pertaining to hazard management. It also reflects the fact that over a period of time the response capabilities of volunteers have evolved in different ways because of the differences in being able to access people who are prepared to do the job, the different topographical and geographical conditions that apply in different parts of the state, and the differences in local temperatures and weather conditions.

I particularly want to mention the people from the Department of Conservation and Land Management. CALM has evolved over time. Originally CALM comprised people who were foresters. Those people were very proud to be known as foresters. Those people were, and still are, the experts in dealing with fires in the south west forests. They have gained a wealth of knowledge that cannot necessarily be transposed into some sort of manual. In recent times the people in CALM have felt that they are the poor cousins of firefighting in Western Australia. I put on record that those people can be assured they are still a vital part of this state's capability to deal with emergency management, particularly fire management. However, a difficulty arises when the borders between the different groups are blurred. The chairman of the committee gave a classic example of this when he referred to the fact that a number of coronial inquiries in this state have drawn attention to the need for a central command and control structure for emergency services management in this state. The committee has recommended that that body be FESA. The downside of that, though, is that the committee has recommended also that the name of FESA be changed to better reflect the emergency services functions that it performs across the board. One of my concerns is that FESA may be influenced by one particular section of our emergency services response that seems to be gaining an increasing dominion over other emergency services groups. I am sure the new chief executive officer of FESA, Jo Harrison-Ward, is acutely aware of that situation. It will be interesting to see how this emergency management document will fit in with the direction that the government and the new CEO plan to take. In many respects I believe that Western Australia is at the crossroads of where we will need to go into the future in dealing with emergency services management. The issues are changing and evolving. In the future this state will need to deal with things that we did not need to deal with 10, 15 or 20 years ago. One of those things is counter-terrorism. We will need to put in place a structure that will be able to meet the challenges that lie ahead.

The committee examined this legislation from a very broad church. It is important that before people draw their own interpretations from this report they examine the evidence that we took from the people who appeared before the committee, because that evidence had an influence on the recommendations that we have made. Clearly not everyone in the emergency services management area will be happy with the report. It is an impossible task to keep everyone happy all the time. It is therefore important that people read the transcripts of evidence to see how we arrived at the recommendations that we have made. The member for Joondalup touched on that matter in his chairman's report. I support those views. The opportunity to travel around the state with my colleagues on the committee and talk to people on the ground will be of great benefit to me, as shadow minister for emergency services, in preparing the opposition's policy into the future. I am sure that with the assistance of my colleague the member for Carine we will come up with a very good policy. The onus is now on the government. I will be interested to see whether the government is prepared to accept the recommendations of the committee, given that in some respects this inquiry was forced upon us, and what seriousness it places on this report.

I thank my colleagues on the committee - the members for Geraldton, Kingsley and Carine, and the member for Joondalup, the chair - for their good companionship during the committee's inquiry into this matter. Some bonds have been formed, and there were some good laughs along the way. This was a very pleasant committee to be a part of.

MR S.R. HILL (Geraldton) [10.18 am]: It gives me great pleasure to say a few words on this very important report. I firstly thank my fellow committee members, in particular Hon Paul Omodei, who brought a great deal of knowledge to the early stages of the committee's deliberations, and also the member for Joondalup, as the committee chair, and the members for Murray, Carine and Kingsley. I also thank the committee staff: Katherine Galvin, who leaves us this week - and I wish her all the best in her employment endeavours; and Nicole Gibbs, Melissa Dove, Dawn Dickinson and Nicole Burgess. I also thank, most importantly, the lovely Hansard staff who travelled to remote and regional Western Australia with us and sat in the back of four-wheel drives for many hours and then jumped out to set up the committee hearings. I place on record my thanks to the Hansard staff for the great work they did, particularly in the north west.

Section 7.4 of the committee's report recommends the transfer of fire hydrant ownership and responsibility, apart from servicing and reinstatement of paving, to the relevant water supply authority and community service obligation payments in recognition of asset transfer. The committee considers current ownership and maintenance arrangements to be unnecessarily complex and inappropriate. Western Australia is the only state in which the water supply authority or local government authority does not have responsibility for hydrants. Water supply authorities have expressed concern that in respect of civil liability in negligence claims, hydrants are treated as non-commercial and are not part of core business. The committee's view is that a level of responsibility rests with the water supply authorities because hydrants form part of their infrastructure, and that CSO payments will adequately recognise the non-commercial nature of those hydrants.

Further, the committee ascertained from the State Solicitor that ownership of hydrants is of minimal, if any, relevance to the incidence of civil liability in negligence. The Water Corporation sought independent legal advice, which contradicted the State Solicitor's advice. The committee has recommended that all legal advice received on this issue be considered in the drafting of emergency services legislation.

The Fire and Emergency Services Authority has identified as an issue the substandard nature and insufficiency of hydrants in some local government areas. It has been suggested that local government rectify this situation. The same would apply to areas for which FESA has responsibility. The committee's view is that this issue requires further consideration because local governments have not had the benefit of access to the emergency services levy for hydrants that FESA has. The issue of who is responsible for maintaining fire hydrants was raised at many of the hearings, particularly by the City of Albany, the City of Geraldton, the Shire of Greenough and many of the south west local authorities.

The committee considered in brief the provision of emergency services to indigenous communities. Although emergency services legislation provides for the latter, a number of impediments were determined to service delivery to remote communities, including isolation and seasonal access. FESA indicates that it provides a full response to hazards. In essence, the commonwealth has recently undertaken significant consultation with indigenous communities to underpin the development of a national emergency management strategy for remote indigenous communities, which, I understand, is due to be released later this year. The committee was cognisant that time must be given for the rollout of this strategy, although the state government needs to ensure the commitment of sufficient resources to ensure its effective implementation.

They are the two main sections in the report that I wanted to identify. The remote communities are of concern to me. These communities need additional support. They have limited services available to them. There will be some challenges in dealing with the remote communities, particularly their boards of management. We need to work harder to address some of the current issues.

I ask the minister to take on board my concerns. I have grieved in relation to fire hydrants, and particularly the concerns facing local government about who has the ultimate responsibility for them. I believe it should be the Water Corporation. The relevant water authority should have responsibility for fire hydrants; that is the situation that applies in other states. If the minister takes that issue on board, it will be appreciated, particularly by concerned local governments.

Mr J.C. Kobelke: Being the minister responsible for the Water Corporation, I will take it on board and make sure we deal with it.

Mr S.R. Hill: I thank the minister.

MRS J. HUGHES (Kingsley) [10.24 am]: It has been an absolute pleasure to be part of the Community Development and Justice Standing Committee, and 10 minutes is insufficient time in which to encapsulate what I would like to say. I thank all my colleagues. We had a great time. We nearly ran out of fuel around Manjimup - it was a hairy moment. We have travelled in four-wheel drives through the north west. We have had an incredibly great time along the way while learning a great deal about our state.

I especially thank Katherine Galvin, Dawn Dickinson, Nicole Gibbs, Nici Burgess and Melissa Dove, who have done an extremely amazing job. Without their professionalism and expertise, I do not think the house would have such an incredible report before it. The report comprises 88 recommendations and is more than 250 pages

long. Each of those pages is full of useful information. A huge number of hours have been spent collecting the information and collating it. I also thank our witnesses. We had a great number of them. The appendix at the back of the report shows that we consulted far and wide throughout the state with several agencies and service members.

All in all, the state is functioning extremely well and we are in extremely good hands with the ongoing work that the men and women of Western Australia are doing. They are dedicated to and serious about the service they provide. They contribute not only to making their towns safer, but also to the overall fabric of our society. They fill the void of the diminishing face of leaders and heroes in our society. We should cultivate these traits and promote our daily heroes to better show off to others their sense of pride and satisfaction, the comradeship they share and the appreciation of the communities that they make safer. Primarily, it is the needs of these people to which we should give priority when we are fashioning any new legislation. Without them, we cannot do anything.

One observation I made as we travelled around the state, and it did not matter whether we were in the south, middle or north of the state, was that these people are very proud of the work their service is providing. This was evident by the badges on their uniforms, which depict the towns they represent and the organisations they are involved with. Recommendation 62 pretty much says it all, and I hope the minister will take great note of it. It states -

... FESA should ensure the individuality of emergency service entities (including badging reflective of their unit and locality) in its business practices.

It is absolutely imperative that the proposed legislation provide for these entities to retain their identities. These people are involved in emergency road rescue, marine rescue or bushfire fighting, and their organisations need to remain individual and not be lost in a bureaucracy such as a new department. I would like that to be taken into consideration.

We came across bushfires on our travels, and while we were in Fitzroy Crossing there was a huge fire. Not only were the volunteers dedicated to fighting the fire, but also, while they were having some respite to get their breath back, they appeared before the committee to make witness statements. This group of men and women in this state are incredible and they keep giving. The volunteers are the keystone to the local knowledge. They know the best breaks, access routes - how to get in and out - when to back-burn, which way the wind is blowing and the terrain. If we lose that knowledge, this state will be in big trouble. We need to nurture these people and make sure we do not lose them. They must be given the opportunity to pass on their knowledge to the younger generation who, we hope, will become members of these volunteer organisations.

I briefly mention the importance of the work that is done by the Department of Environment and Conservation. When the committee was in Manjimup, it was evident that the DEC employees have an enormous knowledge of the forests, and they know which methods to use to fight fires. The population in the south west is becoming more dense and the firefighting is extremely important. We have to look at safety and also remember biodiversity, which is the hallmark of the south west, and we must nurture and protect it.

Tourism is an important facet of the state, and the Department of Environment and Conservation should be recognised for the work it does and remain an independent firefighting capability.

Another very important issue that was relevant throughout the state was the provision of the slip-on firefighting units. The coroner pointed out that he considered that the whole idea of the slip-on units should be abandoned. However, throughout the state slip-on units were by far the most important vehicles for firefighting. Not only did we see that, but also the guys fighting the fires felt the same way. Many farmers and landowners have slip-on units, and they are there at the beat of a drum with their trucks and slip-on units, fighting the fire from all directions. It is important to clarify what will happen with the slip-on units. For private landowners, the insurance issue is very important. If they come with their slip-on units to fight a fire, we need to make sure that they are completely covered with the units they have and are not subject to any liability. That is a very important issue for a lot of the farmers who do this on a daily basis. The people in Packsaddle have rejigged the way in which they attach their slip-on units to make them safer. There are some very ingenious people in the community. Slip-on units are extremely important, and we would like them to remain.

One of the main reasons for the inquiry in the first place was to investigate the issues of control and command. It took a little while for me to get a complete handle on what is command and what is control of an emergency situation, because for me the two often flicked in and out. The issue of the control of a fire is a very important facet of the review of the legislation. In the event of a large emergency involving multiple agencies, who takes control? There is the possibility of three entities being in control at the same time - local government, the Department of Environment and Conservation, and the Fire and Emergency Services Authority. Recommendation 48 encapsulates how the committee feels about this issue, and I hope the minister will take due

note of that recommendation. In the case of multi-agency incidents, FESA should be permitted to take control on a statewide basis.

One of the other issues we dealt with was the importance of local government. We should not forget that local government has played a key role in emergency services for a very long time. I understand that some local governments have not had the resources to equip their emergency services adequately. The emergency services levy has been a terrific resource for them in fixing that situation. Local government and the brigades need to be nurtured very carefully. A lot of brigades are very dedicated to their local governments and vice versa. Bringing bushfire brigades under the umbrella of FESA, or the Department of Environment and Conservation, or whatever it will be at the time, needs to be managed very carefully, so as not to lose the support of local government. After all, local government is the workhorse of emergency services when it comes to firebreaks, infringement notices and monitoring the general care of communities. We need to make sure that we do not ostracise local government in creating a more statewide approach to emergency services. The amalgamation of some local governments in the future may ease some of those issues. The transition, if local government and the brigades require it, should be smooth for all those brigades.

I thank everybody for the opportunity to be a member of this committee.

MS K. HODSON-THOMAS (Carine) [10.34 am]: The chairman of the committee, the member for Joondalup, has provided a good synopsis of the committee's recommendations, as have you, Mr Acting Speaker (Mr M.J. Cowper), the member for Kingsley and the very kind member for Geraldton. He was a good companion when we travelled to the north, and looked after me very well. My focus today will be on the volunteers. As the house has already heard, the committee traversed the state from Kununurra to Esperance, and it was evident that the diversity of these regions requires varied action.

The state's emergency services could not function without the commitment of the state's 34 000 emergency services volunteers, particularly in remote and regional Western Australia. I place on record the high regard I have for the contribution our volunteers make. These valuable individuals underpin emergency services right across our vast state, serving selflessly to protect their communities. They should never be taken for granted. It is simply impossible to quantify the value of their contribution to the protection of life and property. The cost of the government providing such services would be prohibitive. I accept that some volunteers will be happy with the recommendations of the committee, but some will not. You alluded to that in your speech, Mr Acting Speaker. The reality - this is something that the chairman reflected on - is that we need to provide a framework that maximises the safety of all emergency service providers, the general community and the state's assets. I believe that we have achieved that through detailed examination of the issues at hand. The changes proposed by our committee respect the value of the volunteers' local knowledge, and provide enough flexibility to give assistance to local governments that are less able to support local emergency service units, while respecting the ability and independence of local governments that are more able to manage those units. This naturally has a flow-on effect on the volunteers who comprise these units.

I will provide members with some insight into the level of commitment of some of the volunteers whom the committee was fortunate enough to meet with during the inquiry. These are only some of them; there are so many committed and dedicated volunteers in the community - as I said, 34 000 on the ground. In Fitzroy Crossing, Mr Andrew Twaddle, a builder by trade and a business owner, was able to provide the committee with only about 20 minutes of his time because he and a number of volunteers and agency staff were fighting a major bushfire on a pastoral property while we were there. That is a regular occurrence, given the landscape and regular burning in the Kimberley. We heard from a group of pastoralists in the Kimberley region who, as well as being volunteers, are also trialling fire management plans in the region. We met with an amazing woman, Ms Lyn Carter, manager of the Wyndham emergency services unit, who has combined the concept of an emergency services unit, bushfire brigade, State Emergency Service unit and a volunteer fire and rescue service with a youth centre. She also provides training opportunities for local indigenous and non-indigenous youth, and a number of her young members have been employed by local mining companies. Her passion and dedication were evident. I also add that this dedicated volunteer is a shift worker. She is an incredible woman, and it is a great model that should be adopted in other regions.

During our hearings in Esperance it was evident that there is a real sense of cooperation in that region, engendered by a very strong community. This region needs more paid staff on the ground, which is a matter that requires immediate attention. We heard about the strong partnership arrangement between heavy industry and community-based volunteers. All our industry hearings were incredibly interesting and quite an education. The commitment industry makes to its local community is quite evident, and more needs to be said about it. We also heard about the supplementary funding raised by the volunteer marine rescue services through their private fundraising activities to ensure adequate response capacity for water-based rescue. As most people will know, I have always had an interest in that area. It is an important element in emergency management. These are just a few of the examples that come to mind.

We need to recognise the level of personal time committed to training and emergency response activities. However, we also need to ensure that the state meets its duty of care by ensuring the availability of high-level resources and expertise without diminishing the value of local knowledge. We also need to plan for the impact of rural adjustment, something the committee has considered in its recommendations and certainly alluded to on a number of occasions in the report. This includes examining mechanisms by which volunteers can be recruited and maintained, such as targeted recruitment campaigns, raising volunteer profiles and approving funding and management of emergency service cadets. We need to be flexible in our approach to the management of volunteers; for example, by providing variable training schedules and sufficient notification of those schedules that respect personal commitments. As I have said, they are a great group of people.

I will deal with the issue of the ambulance services in regional and rural Western Australia. It was quite clear that there is a real inequity between the ambulance service and other emergency services in this state that are funded more generally under the emergency services levy or through Fire and Emergency Services Authority funding. Some community-based services are closing as a consequence of the inadequate levels of volunteerism. Obviously, the reasons behind this would need to be explored further. Fairness dictates that St John Ambulance, which is tasked with management of the service in this state, should be consulted along with other stakeholders. It is certainly an issue that requires further examination. We simply cannot have a situation in which volunteers are struggling to raise funds to purchase basic medical equipment and vehicles. That burden is far too great.

In concluding, I thank all my colleagues for the balanced manner in which they approached this report. I am the newcomer to the committee. Even though I have been a member of this place for almost 10 years, it is the first time I have been a member of a standing committee, so it has been an interesting education process for me. Valuable work is done on these standing committees. I thank all members of the committee for their support and encouragement during the process, and for my learning also. I also take the opportunity to thank the combination of secondees from FESA and the parliamentary committee staff who assisted us in this inquiry.

FESA is the state government agency tasked as the hazard management agency for the majority of hazards in this state. In making that statement I do not in any way minimise the importance of other agencies tasked with hazard management roles. However, it was in this context that the committee seconded staff from FESA, supplementing their expertise with a high level of consultation with other relevant stakeholders.

Finally, I place on record my thanks to the staff of the Community Development and Justice Standing Committee for their assistance during this inquiry, in particular Katherine Galvin, the committee's principal research officer, whose professionalism and commitment during the inquiry were tireless. It is with much regret that we lose Kathy to the CCC, so I take the opportunity to wish her well in her new career path. I also thank Dawn Dickinson, a recent and valuable addition to our committee, who has dedicated herself to the task with the same professionalism, enthusiasm and commitment.

I also take the opportunity to thank the Hansard staff for the contribution they made during this inquiry. What a professional team it is. We dragged them from pillar to post. On the trips, they probably carried more bags than anybody else because they had to have their equipment with them. They managed it very well. Therefore, I thank the Hansard staff.