

**COMMUNITY DEVELOPMENT AND JUSTICE  
STANDING COMMITTEE**

**INQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION**

**TRANSCRIPT OF EVIDENCE TAKEN  
AT ESPERANCE  
THURSDAY, 8 JUNE 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**

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**Hearing commenced at 12.53 pm****SCANTLEBURY, MR RONALD NORMAN****Manager Administration Services, Shire of Esperance, examined:****MICKEL, COUNCILLOR IAN STANLEY****Farmer and Grazier, Shire President, Shire of Esperance, examined:****BROWN, MR TOM****Farmer, Esperance Bush Fire Brigade, examined:**

**The CHAIRMAN:** Thank you for coming this afternoon to meet with us to give us the benefit of your experience. The committee hearing is a proceeding of Parliament and warrants the same respect that the 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?

**Mr Scantlebury:** Yes, I do.

**Mr Mickel:** Yes, I do.

**Mr Brown:** Yes.

**The CHAIRMAN:** Did you receive an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**Mr Scantlebury:** Yes, I did.

**Mr Mickel:** No, I did not, but, having been before this kind of committee previously, I am quite familiar with the proceedings.

**The CHAIRMAN:** I will have to give you a copy of one and ask you to read it.

**Mr Brown:** Yes, I did.

**The CHAIRMAN:** Would you please state your full name, address and the capacity in which you appear before the committee today.

**Mr Scantlebury:** My name is Ronald Norman Scantlebury. My address is c/- The Shire of Esperance, Esperance. My personal address is 6C Bullarra Court, West Beach. I am the manager of administration services for the Shire of Esperance and I am appearing on behalf of the shire today.

**Mr Mickel:** My home address is Ridgelands Road, Condingup, via Esperance. My role here today is as the shire president for the Shire of Esperance.

**Mr Brown:** I am here today in the capacity of chief bush fire control officer for the Shire of Esperance. I am here to represent the brigades.

**The CHAIRMAN:** The committee has received your submission. Do you wish to propose any amendment to it.

**Mr Scantlebury:** We do not have any amendments.

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**The CHAIRMAN:** Is it your wish that your submission be incorporated as part of the transcript of evidence?

**Mr Scantlebury:** Yes.

**The CHAIRMAN:** Before we ask any questions, do you wish to make any statement in addition to your submission?

**Mr Scantlebury:** Yes. I would like the shire president to make some opening remarks and to address the committee before we get into the details of our submission.

**Mr Mickel:** Mr Chairman, to you, the committee members and the support staff, I would like to extend a very warm welcome to Esperance. It is a great privilege for us to have a committee such as this come to take evidence from us in Esperance. So many times those opportunities are available to us only if we go to the metropolitan area or Kalgoorlie, which is 400 kilometres away and the metropolitan area is a one-and-a-half hour plane flight.

I would like to give a little bit of the background of Esperance and then focus on emergency services. Esperance has a population of nearly 15 000 people spread across the shire, which is 42 000 square kilometres in size. The majority of the people, at least some 12 000, live within three kilometres of where we sit; that is, in the urban area of the town of Esperance. Seven satellite communities are spread around, the closest being Gibson, 25 kilometres away, and towns like Cascade, 110 kilometres away, and Salmon Gums 100 kilometres to the north. The people from these towns use Esperance as a centre. They are communities in their own right and they have some forms of emergency services facilities within them.

The 42 000 square kilometres of Esperance comprises mainly agricultural area. A large area of farm-managed reserves is spread mainly along the coastline and there is some Department of Conservation and Land Management unallocated crown land to the north and east of the shire. We represent people who live 105 kilometres to the west and nearly 200 kilometres to the east. The dangerous Southern Ocean right is on the southern boundary of the shire. The shire extends 160 kilometres north of this point where we sit today. We cover that rectangular area at which Esperance is at the bottom as well as in the middle of it. The point I am trying to make is that it is a very large area.

Agriculture is our base industry; there is some fishing; tourism is building up; the service industries, particularly mining, are starting to really show through - the Ravensthorpe nickel project has brought mining to the fore - and we have the deepest port in the southern part of Western Australia and Australia that exports iron ore. Trains regularly travel down that corridor from Kalgoorlie, delivering about eight million tonnes of iron ore which is exported from the port. It is the biggest nickel exporting port in the Southern Hemisphere. It is also exporting lead. Two million tonnes of agricultural products are also exported from the port. We have a diverse range of activity in Esperance. We believe we play a significant part in this state being known as the most reliable agricultural area in Australia. That statement was made within the past five years. The Esperance port is significant for exporting mineral products from and importing fuel to the goldfields.

I refer now to the emergency services area and one of the biggest issues we face is in managing a bushfire across the rural area and within the national parks and vacant crown land, because there are very few people spread throughout the agricultural areas.

[1.00 pm]

The main roads run south from Norseman to Esperance and west from Esperance to Ravensthorpe. The increased movement of vehicles on these roads has increased the risks to motorists. The poor state of the South Coast Highway is obviously caused by so many road trains moving agricultural product in and out of Esperance. The road trains that travel to and from the Ravensthorpe nickel mine, together with the tourism traffic, which includes the grey nomads towing caravans, and the normal local traffic, is an issue and that is evident from the number of motor vehicle accidents.

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Flooding has, on some occasions, been an issue, although it is not a major issue. Flooding has occurred in the town and the volunteer emergency services have become involved. Another issue that has emerged over latter years is persons lost at sea. With increasing wealth, more people have some form of boat that they take out on the ocean so they can fish, and they do not recognise the dangers of the south coast. Recently we lost people off the rocks, but that has been occurring for a number of years. People do not understand the danger of fishing off the rocks. Emergency services people have put in a huge amount of time rescuing people, and I refer to the Esperance Sea Search and Rescue Group, the State Emergency Services, police and others involved in rescuing people at sea.

We have a range of activities in emergency services. One of the key things I would like to focus on is what I consider is the excellent effort of the volunteers who are members of these organisations. Stuart McIntyre, a Fire and Emergency Services Authority officer, is the only paid person in emergency services in Esperance. He is an excellent FESA officer who is dedicated and has a great rapport with the volunteers. Everyone else is a volunteer and they put in a huge amount of time. I include St John Ambulance in emergency services. I know this committee is conducting this inquiry from a FESA point of view, but St John Ambulance volunteers are trained to a very high level to provide a volunteer service. On many occasions they have to get out of bed at one o'clock to two o'clock in the morning to attend a car accident that has occurred 100 to 140 kilometres out of town. They are very dedicated people. The same can be said for the bush fire volunteers. Generally, they reside in the urban areas of Esperance and have a job in town. However, they put in a huge effort and take up training to ensure that they are trained to service the region. It may be a small grassfire, a bushfire, because a lot of the land around Esperance is not cleared - it is low heathy bush - or a structural fire. People within these groups have the qualifications to make sure they can attend structural fires. They have put in a great effort.

I believe there is a lot of expertise in bushfire fighting in the rural areas and that comes from that fact that this area is new in the production of agriculture. Many of the older people have undertaken new land burns and that kind of thing. They are probably not as highly organised as the volunteers in the urban-type units who have regular meetings and training sessions. It is the group activity that works. The volunteers in the rural areas pull together when an emergency occurs. FESA units, which the shire supports, are located in the rural areas and they come together when they are required. The volunteers of these units undergo basic training two or three times a year. Their strategies and training work, but they are not as highly trained as the urban volunteers.

Another thing that we can be proud of is the high quality of farming equipment that most of the property holders have. There has been a huge increase in the quality of farming equipment over the past 15 years. Some of the quality units owned by the large farming operations are probably very close to the standard of the best equipment provided by FESA. It is a great backup and support. There is a very strong camaraderie between the FESA people and the farmers. Very often, they are one and the same. Therefore, benefits flow from that area.

Fire and rescue comes back to the St John Ambulance-type people. They are well trained and very disciplined. The callout time is very short for volunteers, regardless of whether they are businesspeople in the town or employees. We certainly have great cooperation from the employers to make sure the services are provided. Marine rescue is exactly the same. These people dedicate a lot of their time. The State Emergency Services volunteers are prepared to drop what they are doing at the moment of an emergency call to carry out their responsibilities. We are very fortunate. The various volunteer groups work together very well in an overall sense. The different groups are a bit parochial - they like to do their own thing. However, when there is an emergency, the level of cooperation is extremely high and that is recognised by the police, FESA officer and CALM officers.

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I would like to refer to CALM. Over time the bush fire volunteers have had an excellent rapport with CALM. I put that down to the quality of people employed by CALM. They are a little flexible, not highly bureaucratic and quite prepared to work alongside the volunteers. CALM provides assistance with fires that occur in agricultural areas and CALM receives assistance from agricultural areas with fires on its land. Provided they have the will to get on and do things with clear direction, my experience is that the service has been excellent.

I am a fairly practical guy and have my ear close to the ground. I am a farmer and am out there amongst the bush fire volunteers when there is a fire. I have a good understanding of what is going on. Our people are dealing with broader issues. I know that Tom Brown and Ron Scantlebury will give you that specific detail. With the vast knowledge of the senior bush fire control officers who are appointed by the shire, we have identified the issues arising out of the type of vehicles supplied and their usefulness in some of the broader agricultural areas. I was extremely pleased to note that FESA appointed Tom Brown to the committee that was considering vehicle specifications. Tom, being a very practical person, has been in the role of chief bush fire control officer in Esperance for 12 to 14 years.

**Mr Brown:** It is getting close to that.

**Mr Mickel:** Is it longer? He has contributed to providing a lot of commonsense and stability to the bush fire fighting organisation in Esperance. The same can be said for people such as Brian Willoughby who have been close to fire and rescue in Esperance for many years. They have a lot of commonsense and have respect from everyone around them. They have contributed a huge amount to the success of the volunteer services that are available.

I will leave it with Tom Brown and Ron Scantlebury to provide the necessary detail. I have provided an overview of the situation in Esperance. I have a great respect for the commitment of volunteers within all those organisations that service Esperance so well.

**The CHAIRMAN:** I forgot to mention at the beginning that we are missing two members of our committee - Murray Cowper and Shane Hill. Unfortunately they could not be with us today or tomorrow. The committee comprises five members and we have three members present. We have some questions to ask arising out of your submission. If we miss anything, you will be given an opportunity to raise them at the end. On page 2, paragraph 2, of your submission you mention that the volunteer marine rescue service, Esperance Volunteer Fire and Rescue Service and SES will be relocated to one emergency service co-location facility. I am interested in the response of the volunteers to that kind of change.

**Mr Scantlebury:** It has been a long process. It probably covers five or six years; therefore, I will not go through the entire history. The current situation is that we have agreement from the State Emergency Service, Volunteer Marine Rescue Service and the Volunteer Fire and Rescue Service to co-locate in a new facility that will be built in Brazier Street on land leased from Co-operative Bulk Handling Ltd. The planning is proceeding very well. A design has been agreed by all the volunteers in those groups. The shire has undertaken to project manage that building and we are in the final stages of detailed costing for that facility. We have had interesting times and negotiations in getting there. The participating groups realised that their existing facilities would not allow them to meet their standards, so it is a good way forward.

**The CHAIRMAN:** Is bringing them under one roof for economic as well as operational reasons? Will it be part of what the Fire and Emergency Services Authority calls its emergency services groups or will they still be three separate groups?

**Mr Scantlebury:** They will be recognised as three units. The SES and the VMRS work closely together now and they are happy to be located in one building, which is owned by the shire and was previously an ex PMG-Telstra-type depot which the council converted for that use. The current fire station, which is across the road from here, is inadequate and needs to be replaced. That was the

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catalyst for having the two groups co-located and FESA believes they will operate more satisfactorily in one location. Both of the existing facilities could be upgraded at a later stage.

**The CHAIRMAN:** I am interested because FESA is promoting these emergency services groups. They find that the volunteer fire is also a volunteer for the SES and VMRS.

**Mr Mickel:** That may occur in Esperance, but, in the main, they belong to separate groups. Some of the hold-up was the building specification. They believed there was a need for two communication rooms. Because they have different communication processes, they felt it would be confusing if they were dealing with a major event and that one communications room for the SES and fire and rescue would create a major conflict. As part of the rationalisation being considered by FESA head office, it was not prepared to sacrifice anything to provide a quality service. They work closely together, but it could see practical reasons that more dollars needed to be spent on a common design. A lot of the things it has come up with are valuable. I see benefits when it comes together, but when they do come together they must have what they need to do their job efficiently.

**Mrs J. HUGHES:** Does training occur between the three groups as an operational matter? Is there communication compatibility between the three groups.

**Mr Scantlebury:** It occurs not only in those three groups, but also it extends to the urban bush fire brigades, St John Ambulance and police which undertake joint training exercises. Yes, it does happen. There are always difficulties with communications in an emergency - it does not matter whether it is a bush fire brigade or multi-agencies involved. The committee may be aware that FESA is introducing a new Western Australian emergency radio network which will couple together all the different frequencies and radio systems across various emergency services, ranging from police, SES and bush fires. That planning is pretty well advanced. The Shire of Esperance will be the first shire in the state to receive that. We are talking to the technicians from FESA about locations for new towers and how the new system will be modified into our system. We are expecting that to be introduced in the 2006-07 fire season. That may be a little ambitious, but we will pursue that end. Joint training exercises certainly are undertaken between all the groups. We hope the new radio system will make the communications issue more effective for everyone.

**The CHAIRMAN:** Is the facility that is being built funded by FESA, the council or a combination of both?

**Mr Scantlebury:** It will be by a combination. We do not have detailed costing at the moment. The shire has committed the proceeds from the sale of the existing SES headquarters, which is on two lots on the corner of Phyliss Street and Norseman Road, to FESA for the new co-located facility. The shire has also offered assistance with some earthworks at the new site and a contribution to the demolition of the current town fire station. The two amounts total \$25 000 and that will be the shire's contribution and FESA will fund the rest of the project.

**Mrs J. HUGHES:** Will FESA provide training to volunteers to use the new communications system?

**Mr Scantlebury:** Very much so. Tom and I were talking about this with our seniors recently. Not only will FESA have the opportunity to retrain everyone, but also we have been asked to do an audit of our radio systems because higher level, sophisticated radios will need to be placed in strategic locations. From the bush fires brigade point of view, it is an opportunity to go right through the brigade network to ensure that those people who have radios know how to use them and are participating in radio schedules and communications when required. It is one of the issues that Tom will expand upon. The committee must appreciate that when he is currently doing radio schedules, he is sometimes not getting feedback from the whole of the shire. It will be a good opportunity to increase that.

**The CHAIRMAN:** In paragraph 3 on page 2 of your submission you refer to the isolation of the town from the rest of the state, and, as a consequence, Esperance requires legislative and

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operational controls that produce results, not frustration when the system works against the community effort. I am interested in that comment. It intimates that sometimes there is an issue and the community is frustrated with the way things happen during an emergency. Would one of you elaborate on that, please?

**Mr Brown:** One of the things we note is that the further a town is from Perth, the less it gets. A lot of the machinery is designed for the outskirts of Perth and it does not work well for us in this area.

**The CHAIRMAN:** Are you referring to radio equipment?

**Mr Brown:** Yes, radio equipment as well as machinery and people to respond to some of the submissions that we make. These are the sorts of things we find difficult. We are isolated and we have only one FESA officer. To go further into our submission, if we are to deal with the handover of fire controls and level 3s, we need a lot more people. These are the sorts of things that we are concerned about.

**The CHAIRMAN:** You mentioned the legislative and operational controls. What do you see is lacking in the legislation? I suppose you are looking for more powers?

**Mr Scantlebury:** It is the way in which the power is being exercised that concerns us. We have a very good rapport with the local FESA manager and the CALM officers, as the president indicated. However, there have been situations in which we have had fires and, particularly from a CALM perspective, personnel have been brought in from other areas of the state. They have no local knowledge, concern or reason to listen to the local volunteers on the fire front. The reports from our senior fire control officers is that they take a very bureaucratic approach in sticking to the requirements of the legislation in fighting fires when the practical minds on the fire front may be suggesting they should be doing other things.

[1.20 pm]

**The CHAIRMAN:** Is this the Department of Conservation and Land Management you are particularly talking about? One of the Fire and Emergency Services Authority recommendations, and I am sure you are aware of it, they have made it public, is that they actually take control of fires across the state. We have spoken with FESA and what they are telling us is that, in regard to command and control at the incident, the local personnel would still be leading and FESA is a backup and support. They also suggest, as has come out of the coroner's report and the Auditor General's report, that with the 142 or 144 councils and CALM and FESA, we have a total of 144 management agencies and that should be under one control. Would you have great difficulty if that were the situation?

**Mr Brown:** We work very well with south coast FESA operations from Albany and further west of that again. We have a great rapport with them. We have a very good rapport with the people of Perth, other than the fact, as I said, things tend to stop the further they come out. Dealing with those people would be fine. Also, I would like to reiterate that we have a great rapport with the CALM people down here. They work in well with us. We have constraints while fighting fires with them: they have a work-to-order situation where they can only work X number of hours on the thing, and then they have to go away. We sometimes have a bit of friction with our volunteers who have been there just as long, but still have to hold the fire in bay all that night waiting for CALM to reappear. This happened on an occasion last year when we had massive fires in the district, and three or four of them were CALM fires as well. CALM brought 62 personnel into the area to try to hold their side of things. I think that proposal would certainly be better, but I believe that CALM does a very good job in the area as well.

**Mrs J. HUGHES:** Talking about land tenures, at the moment you have the CALM reserves, the local government authorities and the hazard management agencies with specific land tenures. Do you have a comment on command, not so much the control, at the moment? We are talking about FESA taking command, I think it is, not control, so it takes full responsibility of the fire; whereas

the control is left to the brigades. Does crossing over land tenures become a problem for you - that is, crossing into local government territory?

**Mr Brown:** I certainly think that would be an issue. This comes back to part of our submission. If our shire decided to hand over control of a level 2 or level 3 type fire, which according to the CALM office we do not have here, but our FESA office says we have had one or two of them, there are just not enough FESA people in Esperance. That would obviously increase FESA's staffing levels. Obviously, you are talking about something happening between CALM and FESA. Some of the CALM officers would then become FESA officers as part of the firefighting division. So, no. I think if that were the case, I would have a big problem with the number of people who would be here with FESA.

**Mrs J. HUGHES:** Is that because they do not know the area?

**Mr Brown:** I think our southern coastal people from Albany know the area. A lot of times in the past, when we did not have a FESA officer here at all, the men who came across learnt the area and provided a really good service, but they are late.

**Mrs J. HUGHES:** You are quite isolated, are you not?

**Mr Brown:** We are.

**The CHAIRMAN:** I do not know the kilometres - is it two or three hours drive from Albany to here?

**Mr Scantlebury:** It is five hours. It is 500 kilometres.

**Mr Brown:** It is. A lot of things come up. These fires start through a dry thunderstorm, and we are not the only shire these storms affect. It happens from the cape all the way through to here. All those FESA officers are all being repeatedly dragged out. One of our worst cases was 47 known fires lit across the shire some years ago; luckily, they were followed by two millimetres of rain so not all of them became massive fires, but that is not always the case. Looking forward, that could still happen again. In our situation, where are those FESA officers going to come from? That is why we feel that we must maintain our integrity and the volunteer support behind that system. We do not want people coming in and saying, "We're going to take control of your fires." Some of our volunteers would find that -

**Mrs J. HUGHES:** I was going to ask about that.

**The CHAIRMAN:** Ultimately, the responsibility comes back to FESA, as under its recommendation the responsibility for it is covered by it and it has to provide the support. If you have 47 fires, I am assuming you will have 47 different fire control officers out there - that is, different people in charge of different fires. Obviously, you are battling to make sure they do not run into each other. I cannot even imagine 47 fires. It just seems horrific. Obviously, you have enough volunteers to deal with something of that magnitude?

**Mr Brown:** We do not. We would be absolutely totally stretched. As I said, on that particular occasion, a nice little shower came along behind, and prior to them even becoming an issue they were all put out. They would burn out two or three hectares or -

**Ms K. HODSON-THOMAS:** How many active volunteers do you have?

**Mr Scantlebury:** We have 17 bush fire brigades throughout the shire and 485 active volunteers out of a total volunteer membership of 780. The difference in the number is that some people would just be support personnel, not active firefighters - maybe on the welfare side of things or communications.

**The CHAIRMAN:** You have 700-odd volunteers, because even if they are on the welfare side of things, that is still an active volunteer. They might not be active firefighters.

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**Mr Scantlebury:** Sorry. Those people would not actually be out fighting the fire. The 480 people would be registered for active firefighting.

**The CHAIRMAN:** When you get a fire that is quite significant, do you have backup support in the form of helicopters, planes and the like? That is going to take a while to get here as well. How close are they to you?

**Mr Brown:** They are a long way away. CALM has brought water bombers in. Volunteers do not feel that they are as useful for us as they possibly are in the hills around Perth, where it is untrafficable and whatever. Our sand dune country is certainly an issue along the coast, as we have many problems trying to get machinery in there to try to put them out. The fires tend to run down the fingers of the sand dunes in the hollows, so they do not necessarily become major fires unless a wind, of course, blows in the right direction for them, which happens on occasions. The volunteers feel that big trucks, graders, dozers and earthmoving gear are probably what puts the fires out for us. Helicopters are used to get in. We have a local air service here - that is, operators who can put you up in a plane pretty quickly if you need to do a check on a fire. They are very good at that.

**Mrs J. HUGHES:** Speaking about your volunteers and FESA taking command, will that impact on the volunteers, do you think?

**Mr Brown:** With the current staff, no. They are very good. I refer to the input that FESA will have to put in. I do not think you could claim the local people. We could probably work on that, or someone could. If we could, and they were all like our local officer, and the people in Albany we deal with, that would be great; however, we feel that we would probably end up with people who were more along the lines of CALM people, who fight fires by the book, and that tends to take a little bit more time to put a fire out, and it frustrates the volunteers.

**The CHAIRMAN:** Even if FESA had command and control over that fire across the state and had total responsibility, it is not going to automatically turn around and double, triple or quadruple, or even more, its manpower. It will still be completely reliant on volunteers. It will just be a different responsibility attached. The local council would not have the responsibility - FESA would. Again, it would be rely totally on you guys and on your volunteers however it is tackled. It will not fly or base 20 or 30 FESA people down here just in case, because you already have the personnel here in the form of your volunteers, you and the shire. You cannot replace that experience. I think FESA understands that, recognise that. In fact, I am pretty sure it does. The way I see it, I do not think there will be a huge difference in the practical operations of attending a fire under such a system. It would happen exactly as it currently does across the state. The Auditor General and the coroner came in in respect of the Tenterden fire, because things may have been done differently there if one organisation were responsible across the state. The information we are getting through this inquiry is helping the committee to form an opinion on that matter. FESA has an opinion, some councils have an opinion similar to yours, and some have a completely opposite opinion. Our job is to try to figure out which is the best to recommend. Once the report goes forward, it is up to the minister to respond in the appropriate way. We will see how that goes.

**Mrs J. HUGHES:** You were talking about your urban units and your farmer units, so to speak, and that there was a slight difference in how business was done with training and so forth. Within those numbers of volunteers, how many are from the urban units? Do you have that breakdown? How many of them are farming units?

**Mr Scantlebury:** I could quickly have a look at that figure as an estimate, if you like.

**Mrs J. HUGHES:** That would be terrific, because obviously farmers tackle their firefighting quite differently: they get into the fire and put it out and do not necessarily follow the bureaucracy and those sorts of things. I guess they are the ones that I am concerned about with FESA coming in as an overarching body and how the farming units would react.

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**Mr Brown:** I certainly feel for our area that that would be an issue. At the moment, all our representatives are in the shire. I know that the ultimate responsibility for our fires rests with the shire at the moment, but we do not look at that in terms of us still being in control. We do not expect the councillors to come out. Whereas if FESA is in control, a lot of our volunteers would say, "Oh, this is not our issue any more - this is FESA's. Let them sort it out." That would be a very bad backward step. I heard a little bit of that sort of comment come out of the Tenterden fire that you quoted before. The way we operate at the moment with FESA and CALM is very good.

**The CHAIRMAN:** I do not think that will change even if responsibility changes.

**Mr Brown:** However, if it does change and FESA takes control, I think some of the hierarchy of the brigade are probably more than happy to step away due to -

**The CHAIRMAN:** And say, "It's their problem."

**Mr Brown:** Yes. It is due to the constraints and legalities, and all the sorts of things when you front the coroner's court, like the people did down there, for a long period of time is not what -

**The CHAIRMAN:** They do not want to face that.

**Mr Brown:** Yes.

**Mr Scantlebury:** Mr Chairman, in answer to that question, approximately 230 of our active members would be from the four urban rural fire brigades. They would come from Pink Lake, Six Mile Hill, Quarry Road and Coomalbidup.

**Mrs J. HUGHES:** So that is 230 even?

**Mr Scantlebury:** Yes.

**Mrs J. HUGHES:** What about the rest of the 780? Is that just the active members?

**Mr Scantlebury:** That is active, so that would be 230 out of 430.

**Mrs J. HUGHES:** Out of 485?

**Mr Scantlebury:** Yes, 485.

**Mrs J. HUGHES:** So are the rest the farming community?

**Mr Scantlebury:** That would be correct.

**Mr Brown:** Our urban brigades, Mr Chairman, do a lot of travelling. They are more than happy as experience for themselves to hop in a truck and go on many occasions to either end of the shire to help out. They have just been fantastic.

**The CHAIRMAN:** Your urban brigades obviously are trained - I cannot think of the word for it - in building fires -

**Mr Brown:** In structure fires.

**The CHAIRMAN:** Thank you; I could not think of the word. They are trained to structure fires and they have breathing apparatus training and those sorts of things?

**Mr Scantlebury:** Only a limited number of them do because that role is taken by the Fire and Rescue Service which is a volunteer FESA service from in town here, and those volunteers at that station are very well trained in road rescue, house fire emergencies and those types of things.

**Mr Mickel:** Mr Chairman, with regard to the issue of the directive for FESA to take over fires and how would the farming volunteers react, I suspect not very well. We have picked up a lot of information from South Australia where the farming community say, "Well, we're not needed at a fire. We're not allowed to go to a fire. Unless it's on our own property or if it is threatening us, we don't even bother any more." It would be sad if that happened here in Esperance. With the larger more remote properties, the need to have that local passion to care for your neighbour, to take up the responsibility, I think is absolutely essential. If bureaucracy gets in the way of that, I think we

would lose everything we have built up over the years. So I would be quite concerned if there was a dictatorial attitude saying, "If you have not got this piece of paper, if you do not have this sort of clothing on, that you do not have all the things absolutely right, you are not even allowed to walk away from the fire station and head towards the fire." We would be chasing fires for months and months on end down here. We have certainly changed the level of thinking in the mentality of the volunteers with regard to how they prepare themselves. I think just from an employer's point of view, you quickly learn your responsibilities to have people appropriately dressed and appropriately equipped, but if bureaucracy overrides that and says, "We don't need you; we fight it now, calling ourselves FESA or the bushfire organisation within this local government area," would be sad. That is where the conflict would arise.

Tom spoke about the 47 fires, and quite a number of them got started in the Munglinup Cascade area which is the very western-most part of our fire area two years ago. I certainly was one of those volunteers who took a vehicle from the eastern side of the shire where I reside and where my properties are and went out there. It was about four hours driving in a fire truck, I think, to get to where we were deployed. The only issues I heard out there with a lot of fires - FESA had at that stage set up at the Cascade Primary School and was directing operations from there - were that bureaucracy overtook commonsense: the CALM officer said, "Yes, you can put a break in there but you will make it 30 feet wide." The trees were 50 feet high and one tree falls over and we were chasing fire again. This sort of mentality breaks the hearts of volunteers who have good commonsense and local knowledge who have lived in the area for five, 10 or 50 years. That has to be carefully managed. If FESA take that same sort of approach, and take control with an approach of, "Everybody out other than the people with the right piece of paper," would be very sad for a district such as ours. We are remote, as has been mentioned many times before.

**The CHAIRMAN:** Can we just move on a bit -

**Mr Scantlebury:** May I just add to that? It has been mentioned that FESA being the one organisation that would assume control of a fire, and we are talking about personnel for firefighting in those instances, it is also fair to say that the shire puts in a considerable amount of effort in our district in terms of the welfare and the organisation of the volunteers for the bush fire brigades in our own right. I would go so far as saying that that type of resourcing would not be put in place by FESA. We work very hard to ensure that the volunteer bush fire brigades are informed of what is going on etc. We have very regular meetings. They have a very direct access to their level of government in the district. For instance, if Tom, as the chief bushfire control officer, has an issue, we have an advisory committee meeting, and that matter goes directly to our council to consider. That is an area in which people are overlooking that relationship. It is not just on the days when fires are happening; there are the other 364 days of the year when you have to nurture, encourage and support that volunteer network in our district. It might sound a bit parochial, but I think our shire does put a lot of effort into that aspect.

**The CHAIRMAN:** I think most councils do that, but we have a few that do not quite do that; that is not probably because they just do not have the resources to do that, rather than because they do not want to.

**Mr Scantlebury:** That could be correct, yes.

**Mr Mickel:** Knowing local government reasonably well, I appreciate the point you made earlier about CALM and VCU having 144 shires so you have 146 governing bodies. I appreciate the concerns about that. I certainly know if you draw a 60 kilometre circle around Cunderdin, you cover 30 shires. I appreciate the difficulties there. Some of those fires that we have had here could be across three or four shires. I know that fire that I just talked about where the boundary lines of Ravensthorpe and Esperance shire intersected, the cooperation that came from people there with the same mentality working for the Shire of Ravensthorpe and the Shire of Esperance, and I think Mr Rod Doyle might be in later as the chief fire control officer to address you, really worked.

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[1.39 pm]

If FESA is going to take the approach that you have inferred and just provide assistant resources, as you might say, in the total overall management of it, well, those people could work within that. It is only when bureaucracy takes over, with the different mentality that comes out, a mentality that is probably the forest fire-type of thing, is where our concerns would be.

**The CHAIRMAN:** The biggest issue and concern for the committee is making sure that we do not lose the volunteers, particularly in large numbers. This is my second inquiry on emergency services, and you cannot overstate the benefit of volunteers. The state would not survive without volunteers. It is really important that we do not ostracise them in any way or cause them concern even. You had a comment in regard to the emergency services levy and the perceived inadequacy of the funding under ESL; would you like to expand on that?

**Mr Scantlebury:** Yes, Mr Chairman. We, along with every other local government when this was first introduced, had the task of assessing our expenditure on bush fire brigades. Fortunately, the Shire of Esperance has been well connected to the brigades over many years and has very good records to put that forward. You can see from the table that I have included on page 2 that we are getting somewhere in the order of three-quarters of what we are requesting as operational funds on a yearly basis. This year, for example, for the bush fire brigades, we have requested \$232 000 for 2006-07, and we have just been notified that we have received \$167 900, which is a \$700 increase from the allocation in the previous financial year. We find that that meets the absolute minimum standards of supporting the brigades across our shire in a very low fire season. When we have anything like a normal fire season, which we had in 2004-05, you can see our result in that year, we spent \$198 000 on firefighting and we only received an initial ESL of \$165 000. We had to then wait some seven or eight months to recoup that deficit through the FESA system, which was a convoluted, laborious task, and probably cost myself, and the shire in turn, much money in administration and following up. We are saying that the ESL is barely meeting our needs. That is for operations. There has been no funding received here for minor equipment improvements such as brigades that are asking for improvements to their headquarters. They might want to build a small training facility; they might want to replace a motor on a truck; they might want to buy new special nozzle equipment that costs \$1 000 each for their hoses, and those types of things. We are receiving no funding for that. It is just barely operational funding for the necessities of turning out a fire truck and protecting the volunteers to do so. We are suggesting that that is inadequate. I know Tom might have some comments on how he sees that from a farming perspective and how the ESL has impacted on his organisation. We were interested to know that there has been an increase proposed in the current state budget, so that may be of some assistance.

**The CHAIRMAN:** Prior to the ESL, how well resourced were the shire's brigades?

**Mr Scantlebury:** I have been here only since 2004, but looking back on the history of it, I believe our shire made a very good commitment to the brigades. It certainly had in a place a vehicle replacement program through the shire. It continually reviewed the vehicles and the brigades for support. Did you have a levy system in those days?

**Mr Brown:** Yes. Most of the funding for brigades for their own operations was from voluntary levies on individual properties. I know this comment is not going to go down terribly well with a lot of people but it is interesting how the funding operates. As a volunteer, prior to this, I used to put in about \$250 a year, but my submission now is \$30 due to the way my property is done. I do not think as much money comes out of the country as it probably should. To me, \$30 for a total FESA coverage all across Western Australia is not a lot to pay. I suggested to the minister when she was down here last year that that could happen, but she said it was too hard - it was never going to change. The way we are now works well.

**The CHAIRMAN:** Can I just get this clear? Prior to the FESA levy, the council or shire used to put a levy onto the property owners down here regardless?

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**Mr Brown:** We introduced a levy that covered us for two years, which, prior to the FESA levy coming through, was very helpful for budget purposes because the information was already there, so we swung straight into ESL without any problems at all. That then covered all properties, so that none of the people who lived anywhere could get out of that - it was always collected as part of your rates.

**The CHAIRMAN:** Was that a percentage of your rates or a set figure? Were you the only council that did that?

**Mr Mickel:** If I could just explain. The brigades themselves had their own levy system for many years. It was a voluntary levy. In many brigades, 100 per cent was paid. There were a few recalcitrant people who were not prepared to pay up and they still got their fires put out when something happened - I can assure you of that. The volunteers came to the shire and wanted the shire to take it up to make sure it was applied to every rate assessment so that it was fair right across the board; it simplified the paperwork for those people sending out invoices and collecting. We support our volunteers and we took that up. The levies were applied at that time, as Ron has just said, to every rate assessment. That was allocated to the brigades along with the additional contributions the shire might be making to support those brigades. We had an emergency services levy, you might say, in place for two years prior to the state bringing it in. My comments would be similar to Tom's. I was surprised that it was so low, but I guess that was politically acceptable at the time. Raising it is probably wise but not politically acceptable. We are now hearing from our brigades that they want to put on their own volunteer levies again to raise the amount of money that is available to them to do the job properly. It sounds to me that that is where we have to go. If there is not going to be any other form of change, we will move into that area to ensure they are fully resourced. Some of the things I am seeing out with the brigades are intriguing me in how they are going about to do their job better. Some of them run around with laptops now and satellite finders. They know exactly where they are going and they know where they have to hit and where they do not. They can give instant information back to the control points from where they are; it is all appearing there. This type of stuff is coming in, but it costs money. It does not seem it is going to come out of these levies. How are we going to address that? This is the type of equipment we need to be on top of these fires and to be able to have the people doing it efficiently and effectively.

**The CHAIRMAN:** You mentioned the vehicle replacement; how did that happen before?

**Mr Scantlebury:** Reading back, there was a system in place where the Bush Fires Board in those days would subsidise 50 per cent of the cost of a fire appliance, and the shire would match that with a 50 per cent contribution. That vehicle replacement program formed part of the council's budget. On an annual basis, we would look at the total fleet of vehicles and make application for those grants for the appropriate trucks to be replaced.

**Ms K. HODSON-THOMAS:** Over what timeframe, Ron? Was it a 10-year program or 15-year?

**Mr Brown:** Some of our machinery is very old. It does not fit into the FESA 16-year-old turnover. Some of that gear is still out there, and we are certainly concerned. We were not replacing them with brand-new trucks, but it was certainly better than some of the stuff that was there. We were picking up a few second-hand vehicles through the shire and the Bush Fires Board.

**Mr Mickel:** I think the question probably related to how long was the shire's program. We were setting that out for 20 years, but it was quite tightly tied into 10 years with the first three basically guaranteed. We were able to maintain that, and even pick up on that a little bit, to get the changeover happening quicker. However, we came from a reasonably low base, I believe, as Mr Brown has said to you. Everybody would have loved to replace some of the vehicles that were around, but the higher priority was in the urban satellite centres - that was, to get a vehicle in there because of structural fire and the other state assets and all those other sorts of things such as primary schools and whatnots in those communities. The priorities were worked out by the brigade people. It was not the shire's responsibility. We had Ron's assessor in there working with those people and

they were identifying their own priorities. Their priorities probably were to throw out nine-tenths of the vehicles and replace them with new units and go from there. We set a program that was at the recommendation of our advisory committee made up of the leaders of our organisation to have an ongoing replacement program. We believe we have slipped ground, and one of the reasons for that is the high-value vehicles. Some of them are over-equipped, we believe.

**The CHAIRMAN:** Can you comment on that because FESA has the 16-year replacement program; obviously, it is behind that because it is such a huge state with so many appliances in use and it will take it time to catch up. Therefore, I expect we will see some slippage in the initial years, but, hopefully, over time that should pick up and we should get the whole fleet across the state within a reasonable time frame. Can you further comment about the types of vehicles and how some of them may be over-specified for your requirements?

**Mr Mickel:** I think Mr Brown is in a perfect position to tell that story. He has convinced the former director general of FESA and he had a very good impact on the previous minister.

**The CHAIRMAN:** This comment has come up in a few places. I think if we are setting the standard for "this sort of a truck" and it carries equipment that you do not ever use for various reasons, that money could be sitting there. It might be \$5 000 or \$6 000 on each truck. That money could be better used elsewhere. I am interested to hear about that.

**Mr Brown:** A FESA committee did a study. Two of its members came from Esperance. One was Stuart; I was another, with another fellow from the south west and two from the wheatbelt. We sort of went outside the state advisory committee because we thought that the state advisory committee was putting far too many bells and whistles on trucks that were not necessary. Working with the FESA officers in Perth on that truck design, it was surprising how that many pieces of legislation cover what is on a truck and how it operates. We were able to cut it back and we were able to modify the back to suit us a little bit more. We did bow in the end to FESA saying that the only truck that would come out of Perth is a new one, and it has to have this, this and this on it. All of that was because it is now part of state government policy. As I said, we were able to cut it back a little bit. This was knowing that we were asking some of these pump trucks to last not 16 years but maybe 20 and 25 years. We from Esperance thought that a petrol motor would be half the cost of, say, a diesel motor, but the petrol motor will not last 20 years. We were defeated on some issues but won on others. We saved a substantial amount of money. Some of those build-ups are starting to come out of the different build-up places now, which is certainly a newer, better type design for broadacre firefighting. We will wait to see how that works out. We believe that we cut down on a substantial amount of money. One of the main things is that FESA had a truck that was more suited to urban-type firefighting. The pump on it was \$36 000-odd, whereas the diesel motor and pump that we were looking at cost \$25 000. The other thing was that when we said "Yes", that truck was also adequate to go into some of the districts through the wheatbelt where an urban truck was needed, but the pumping capacity of not the live drive but the other one, saving an extra \$7 000-odd was sufficient. One of our main savings was convincing FESA to have more of a rural truck in some towns; that is, a lot of these towns do not even have water points, so why would you want a truck for a water point?

**The CHAIRMAN:** Can we move on fairly quickly because we are running late. You mentioned earlier the difference between a low-fire season and a high-fire season, and in your submission you mentioned that HR should have a reserve fund. How do you envisage that operating?

**Mr Scantlebury:** We would see it is quite a simple thing to do. From our own perspective, in the 2003-04 year when it came in, we had a low fire season and we had an operating surplus of \$12 000. We propose that the shire be mandated to hold a reserve account, which is normal practice for local government accounting. If there was a surplus of that nature, that money would be able to be allocated into a surplus account, rather than that cash being reduced off the following year's grant, which FESA does at the moment. If that were the case, we would then have had an evening

out of our next year's result, which was a \$33 000 deficit. The council cash-flowed that money until that recoup came in in March 2006 following the end of 30 June 2005.

**The CHAIRMAN:** So you would have only to have covered say \$20 000-odd.

**Mr Scantlebury:** Yes. So we are saying that in relation to the number of brigades, say, and the size of the grant, the council be given a capped amount it could retain as a reserve; this would be audited and reported, all of those things that the ESL requires, but do not cut the operating small surplus cash off the following year. The local government should be allowed to have that cash -

**Ms K. HODSON-THOMAS:** As a rollover sum?

**Mr Scantlebury:** Yes, and to be able to smooth out the next year's result, maybe. If, for example, we had had a \$12 000 surplus in the first year and a \$33 000 surplus in the next year, we might have a cap on the shire's reserve amount of \$20 000. We should have been expecting then to pay that over \$20 000 back or have that cut off the following year's cash. I see it as a much simpler, more refined, easier-to-follow system if it was retained at the local government level. All of the checks and balances that need to go through the auditing process would be in place, rather than FESA having the strings back to that all of the time. In simple terms, that is what we would propose.

**The CHAIRMAN:** Thanks for that. Do councils currently enforce the fire management plans, firebreaks and all that sort of thing? FESA is suggesting that it be empowered to request the development of fire management plans from landowners when it is CALM-managed land, plantation land or land used for pastoral or grazing purposes, and the fire management plan would be requested only if FESA considered it to be necessary to mitigate the risk of fire to life and property. Can you comment on that? Do you think FESA should have the power to ask for fire management plans?

**Mr Brown:** I certainly believe that, on some of those situations with DOLA owning a fair swag of Western Australia, that it should have a fire management plan. Does that include crops? Would individual farms have fire management plans? Is that the interpretation?

**Mrs J. HUGHES:** Pastoral or grazing.

**Mr Brown:** I do not have a really big issue. In other words, you are talking about each station owner in a pastoral region having to have a fire management plan on his property. This is not necessarily the case in our shire. I am located in Esperance, and I do not really know what happens outside of our shire. I am roughly expert for this district. However, I do not want to push my ideals onto a pastoral region.

**The CHAIRMAN:** We are just interested in your comment on it.

**Mr Brown:** Individual landowners in this shire do not have firebreaks. We had them for a long time. It was a three-metre break around the internal part of a boundary. We took them out some years ago because of the condition of the soil around Esperance. We were getting far more degradation from firebreaks than we were from individual fires or whatever they were causing. A tremendous number of fires were never stopped on a three-metre firebreak. We prefer more of a strategic-type management with laneways grazed out, roads being four metres wide, low-field buffers through properties etc.

[2.00 pm]

People are aware of that and they also know they have to control fires. They do not want them to run right through their property, although we did have a series of farms west of Esperance in the big fires last year that were just totally burnt out. Nothing, no matter what you put in place, will stop those fires.

**The CHAIRMAN:** I refer to binding the crown. The Bush Fires Act currently empowers local government to order private landowners to install firebreaks, but that provision does not apply to

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state government-owned land. Should the act bind the crown so that state government is bound by the same provisions as private landowners?

**Mr Mickel:** It is a favourite of mine from local government to say, yes, the crown should be bound in all those issues - and to have the ability to rate them, too! However, that is a separate fight and I think I have just about given up on it. I believe there is a responsibility of the government to do what you would expect of any other landowner anywhere. To me, that just seems fair. It amuses me and it pleases me to see that when a fire starts on vacant crown land, and I have property that adjoins vacant crown land in the north east part of the shire, that they are very quick to assist in putting up firebreaks. To me, it seems false economy. Why wait for there to be a fire out there threatening before you put in those breaks? Why should there not be an annual program of managing certain break areas? Maybe you have a five-year or a 10-year program of going back to the breaks, but that is the way I would deal with it. Certainly, I know that our shire has taken up a program with our satellite towns of maintaining the buffer areas around those towns regularly with slashing and with burning. Esperance is included in that program. Our theory is to be ahead of the game, to have those breaks in and to do that work on a regular basis and to maintain those areas regularly to protect two things: as I have highlighted to my fellow councillors on a number of occasions, it is not just to protect the property, it is to protect the firefighters who have to try to defend that property on the very worst day. Those fires do not come on nice, cool winter days or cool autumn days when you might be doing a control burn; they come on those days of howling northerly winds that move them so quickly. I think that is where must manage our fire buffer zones. I think the crown should be doing the same thing on the land that CALM is responsible for. I am fully supportive of what they do in the programs in the metropolitan area. For the little smoke that comes into the city on the odd occasion, I would say that that is necessary to save the lives and properties of many people in very bad conditions. We just have to deal with it that way. I cannot see why, because the state government owns it, it should be any different from whether Joe Bloggs, a farmer, owns it or Bill Smith, the developer, owns it. I think they all have a responsibility to clean it up. It is rather interesting in this town, the phone calls that I get in regard to vacant blocks. People see those photos on the television of what is happening in Sydney or what is happening with fires in those urban areas. In the Tenterden fire, houses have burnt out. People straightaway ring me up. They perceive they are going to be burnt out. We make property owners with vacant blocks now clean them up to make people feel more safe, to lessen the risk. Why should the state government be any different?

**Mr Scantlebury:** On the fire management plan, I add that currently in the shire the ITC has some major tree plantations throughout the shire. They certainly maintain and develop very detailed fire management plans. We have a copy of them at the council office. CALM has a copy of them. I know that Mr McIntyre has a copy of them. They are extremely detailed.

**The CHAIRMAN:** Was that local government or is it something they have done off their own bat?

**Mr Scantlebury:** I believe it is just something that they have done from managing their own properties. Certainly, it is of great assistance to the district.

**Mr Mickel:** We do have some requirement of them. They do under the forestry's -

**Mr Scantlebury:** On the town planning land-use provisions in the scheme, we would have some requirement of them to do it, but they do an exceptional job on detailing down to the last fence, water point, gates and tracks on all of their mapping - it is very good.

**The CHAIRMAN:** Gentlemen, thank you very much for coming in. Do you have any final comments that you want to make in case we have missed something? If not, I will read you the closing statement and we will move on to the next group of people. Again, thank you for your contribution to the committee's inquiry. A transcript of the hearing will be forward to you for correction of typographical errors or errors of transcription or fact. New material cannot be introduced, in the sense that the evidence cannot be altered. If you wish to provide additional



information or elaborate on a particular point, you should submit a supplementary submission for the committee's consideration. If the transcript is not returned within 10 days of receipt, it will be deemed to be correct. Once again, gentlemen, thank you for lending us your experience and giving us your time. You will get a transcript and you have 10 days to look it over and get it back to us.

**Mr Mickel:** Thank you, Mr Chairman. Once again, thank you for being here. The way you have conducted this with the questioning has been really good. We know we are addressing the issues that you are interested to make recommendations on or to develop responses back to government. We thank you for the opportunity to be involved.

**Hearing concluded at 2.06 pm**

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