



GREAT EASTERN DISTRICT OPERATIONS ADVISORY COMMITTEE

MINUTES DRAFT

Via Zoom
Monday 14th March 2022

**The meeting was declared open at hours by the
Chairman, John Flockart**

Meeting opened at 0932hrs by Chair – John Flockart
John acknowledged the traditional owners of the land, welcomed DFES staff, presenters, Local Government representatives, Chiefs, Deputies, and volunteers.

1 Record of Attendance

John Flockart	Chair	Shire of Merredin
Damien Pumphrey	Superintendent	DFES
Phil Hay	Executive Officer	DFES
Andrae Moore	Secretary	DFES
Murray Dixon	CBFCO – BOC Rep	Shire of Narembeen
Tony Crooks	CBFCO	Shire of Bruce Rock
Alan O'Toole	Shire Rep	Shire of Bruce Rock
Codi Brindley-Mullen	Shire Rep	Shire of Kellerberrin
Simon Tighe	Incoming CBFCO	Shire of Kellerberrin
Stephen Crook	CBFCO	Shire of Merredin
Cr Mark McKenzie	Shire rep	Shire of Merredin
Cameron Large	CBFCO	Shire of Nungarin
Simon Bell	CESM	Shire of Tammin
Ron Burro	CBFCO	Shire of Yilgarn
Shane Chambers	Shire rep	Shire of Yilgarn
Alex Espey		VABFB
Tanya Ramponi	Legal and Compliance – Presenter	DFES
Michelle Machese	Legal and Compliance	DFES
Gavin Eva	Rural Fire Division – Presenter	DFES
Tim McNaught	Rural Fire Division – Presenter	DFES
Justin Corrigin	Area Officer – Lower Wheatbelt	DFES
Jeremy Willis	Area Officer – Central Wheatbelt	DFES
OBSERVERS		
Mick Caughey		Shire of Merredin
Sheree Lowe		Shire of Merredin
Andrina Prnich		Shire of Merredin
Lisa Clack		Shire of Merredin
Mark Bowen	Superintendent – BcoE	DFES
Ant Sadler	A/ Chief Superintendent – Country Operations	DFES
Tracy McBride	Training Support Officer	DFES



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Apologies

Bill Price		Shire of Westonia
Frank Corsini	CBFCO	Shire of Westonia
Grame Keals		DBCA
Jack Walker	Zone Rep	VABFB

Murray Dixon moved the apologies be accepted.

2 Confirmation of Previous Minutes

That the minutes of the meeting held on Monday the 13th September 2021 be confirmed as a true and accurate record.

Moved: Shane Chambers
Seconded: Mick Caughey
All in Favour

3 Business Arising from Previous Minutes

- NIL

4 Action List –

Action	ACTION ITEM	BY WHOM / WHEN
1	-Phil to contact ARC Infrastructure to discuss recent fires on the East/ West Rail line (Burracoppin Area). Speak to them about mitigation in the area and engineering on the track on the bend. -John to provide incidents for discussion. Ref 7.1	Phil Hay John Flockart 13/9/21 - Carry Forward 14/3/22 – Phil Hay Spoke to ARC infrastructure and they are aware of it. To his knowledge there hasn't been anything since – Will need to keep an eye on the are and if the problem occurs again, we will raise again with them. - COMPLETE
2	-Contact Ron Burro to get Historical Weather readings. -Contact BOM about the FDR readings. Ref 7.2	Phil Hay 13/9/21 - Carry Forward
3	Miners Settlement and Mt Hamptons Appliances are getting beyond it now – Still waiting for word on new ones. Ref 10 – Shire of Yilgarn	Antony Sadler 14/3/2022 – Still waiting.



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5 Correspondence –

5.1 Correspondence In

- Nil

5.2 Correspondence Out

- Nil.

6 Matters arising from the Correspondence – NIL

7 Submitted Agenda Item

7.1 HVMB Presentation - by Tanya Ramponi – Presentation Attached

HVMB Template can be sourced from Tanya Ramponi if required – her contact details are at the end of the presentation.

Ron Burro – Question regarding the HVMB is made when FDI reaches 35, can water carts still be used to go to water livestock? Harder with eh new FDIs.

-Tanya believed the watering of stock would fall under the Urgent Work Provision and would be allowed.

Murray Dixon – Question regarding the timeframe on the HVMB notices – Does there have to be a specific time, or can it be ‘To be Reviewed’

- Tanya said that there should be a time on the notice and it can always be reviewed, extended or revoked.

Phil Hay suggested writing ‘0800hrs to 1600hrss and then review as needed.

7.2 GE DOAC representative on Bushfire Service Training Advisory Group – No one volunteered to represent the GE DOAC, so John Flockart said he will attend but it is as an interim measure, not the long term.

Phil Hay commented that this advisory group is very important and by having a representative from your area, you will get a say on training, how it is developed and delivered – Please think about it.

7.3 Shackleton Complex – Brief Overview given by Damien Pumphrey

John Flockart noted that the DOAC is not in a place or have the authority to make recommendations on the incident but as this was the biggest fire the region had seen in years, it would be good to look at what happened with it.

Damien Pumphrey

- On the Monday prior to the Fire DFES received its first indication on heightened weather conditions possible over the weekend in our Operational Preparedness Briefing (OPB).

This meant we began looking at our High Risk and Readiness Assessment and planning-staffing levels and volunteer resourcing.

- On the Wednesday the FDI forecast came out to say it would be extreme or catastrophic conditions. Thursdays OPB confirmed these conditions

- On the Friday we started with notifications to areas, teleconferences with CBFEO and Local Governments, Teleconferences with VFRS and VFES Captains also held.

- Extra IMT staff were put on standby over the weekend, staff days off were cancelled in preparation and Perth Strike Teams were put on standby.

- Aircraft were forward deployed to assist the region also.



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On the day of the fire- Our first notification came at 0921hrs to the region. We contacted Shire of Bruce Rock and within 30mins we had deployed 2 managers to assist Bruce Rock. Cunderdin's FDIs currently was 215 – unheard of.

An observation with a Kestrel by CESH Simon Bell had readings over 400.

- Aircraft attempted to assist but eh winds were too strong that after an initial drop, they deemed they were unable to assist effectively. Even the Large Air Tankers became ineffective.
- After the fire there was no natural materials left in the ground – everything had burnt.
- Complexities we faced included the fire crossing over more than 2 Local Government boundaries but also across 2 DFES regional boundaries.
- 4 hospitals were evacuated, and schools were closed.
- Very significant event for the area.

John Flockart – He was one of the first in the area and got to go around with a DFES Manager to take photos – It was very confronting and a good reminder why we have the processes that we do.

Damien Pumphrey -Wanted to thank all the volunteers that attended the fire. He wanted to acknowledge the shires of Bruce Rock and Corrigin for their assistance.

Due to weather, it really was just a defensive strategy that could be done but the work that Bruce Rock Shire did early on in keeping people safe was a significant effort and needs to be noted.

John Flockart – If we compare to the Esperance fire of 2015, they had over 300000hec lost and 3 lives and he thought the conditions that were at the Shackleton fire were more extreme, so we were very lucky to get away with it how we did.

7.4 FCO Forum – Stephen Crook (intermittent signal to speak)

Wanted to know if it was possible to have a Chiefs Forum annually in the region to look at the latest in legislation and training.

Murray Dixon – from the BOC perspective, they were looking at having a Forum just like this at a state level too. The BOC's proposal was for a 2-day forum annually to get together. Discussion held and it was decided that a regional level CBFCO forum would be very advantageous- possible September or October each year.

Murray Dixon Moved that the DFES region host a CBFCO Forum annually.

Seconded: Ron Burro and Stephen Crook.

All in Favour

Phil Hay said that it will be taken back to the DFES office and discussed how we could assist with this.

7.5 Australian Fire Danger Rating System (AFDRS) Implementation Project - Presentation given by Gavin Eva – Presentation Attached.

- Goes live September 1st 2022



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7.6 Section 33 Notice Review – Presentation by Tim McNaught

- In collaboration with WALGA, DFES through the Office of Bushfire Risk Management (OBRM) has been reviewing the s33 Notice (Fire Break Notice).

- The s33 Notice is tool local governments use to guide landowners and land occupiers on specific activities/actions required for firebreaks or acts that must be done in relation to things upon the land which are conducive to the outbreak, spread or extension of a bushfire.

- The review was necessary to enable local governments to provide contemporary guidance to landowners and land occupiers regarding the obligations to manage firebreaks on their land.

- OBRM reviewed 130 local government s33 notices and liaised directly with City of Cockburn, City of Wanneroo, Shire of Mundaring, City of Busselton, City of Bunbury and Shire of Capel in considerations for what a contemporary s33 notice should incorporate.

- WALGA and OBRM are now developing a template s33 Notice and Guidance Note to assist local governments to develop their s33 notice to ensure it contains the appropriate legal elements, consistent terminology, suggestions of other measures that can guide (but are not legally binding) the community in managing bushfire risk to them and importantly has sufficient rigour to withstand legal scrutiny in court if they wish to prosecute for non-compliance with the legal elements of the Notice.

- Anticipating that the template, like the Permit to Burn template, will be available to local governments through their subscription service with WALGA.

- WALGA with support from OBRM is intending on having the draft template and Guidance Note developed in the next couple of months to then seek feedback from all local governments before finalising and making available to all local governments.

- Any queries can be directed to obrm@dfes.wa.gov.au.

7.7 Volunteer Training – FCO Training – Cr Mark McKenzie – Merredin Shire

- Mark had been talking to others in the shire and were aware that here was a long timeframe since and FCO course has been run in the Shire of Merredin. With the Shackleton Fires it has been a reminder that the training of the FCOs is important and want to know why it hasn't happened in the Shire of 10-15 years and when can they get a course held there? He said there has been a lack of training in all areas in general.

Phil Hay responded – Thank you for the question and raising the discussion.

There was actually a course due to be held there in February but due to operations and illness, staff became unavailable. There has been a request made to hold one in Merredin in September and this is being discussed now to find instructors etc to run this. The intention is for it to happen, and we will advise shortly of this.

There have been other FCO courses held in the region and as always, people from other shires are always welcome to apply for them. Tomorrow there is actually on in Nungarin, and he believed there were some Merredin people on that course.



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FCO is not an operational course, in that it is more about the legal and legislative ideas behind fires and permits etc. If you are looking for operational courses, then it might be useful to look at Incident Level 1 courses to be held.

Murray Dixon – Asked if the course in September will be advertised for everyone? – Phil responded yes it will be on the eAcademy for others to apply.

8 Association of Volunteer Bush Fire Brigades of WA (Inc) – Alex Espey

- Workplace Health and Safety had been a big issue for them
- Covid 19 and vaccinations
- Alex spoke about that WALGA had produced WHS Guidelines

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2022/03/New-Work-Health-and-Safety-rules-to-begin-March-31.aspx>

Attached is the LGIS Understanding WHS Obligations for Bushfire Volunteers

9 P & W Report – Graeme Keals - Apology

Report Attached

10 Local Government Reports

Shire of Bruce Rock – Tony Crook

- 3 letters to repeat offenders for non-compliance to fire breaks
- 3 HVMBs
- 4 harvester fires
- 3 lightning strike fires
- Shackleton's new truck is reportedly close
- Numerous trucks overheated in the big fire
Masks were needed – it was so hot that it was a struggle to breathe

- Tony gave brief overview of the Shackleton fire from their perspective.
 - Comms between Vols, DFES etc was remarkable
 - Main priority was to preserve life and property
 - Great to see machinery from many sources – DFES, Shires, Private – All worked together well
 - Air support was quick to get there but unfortunately couldn't do much
 - Babakin townsite was in great danger but thankfully able to save it
 - Very dangerous fire- Miracle no one died. There was only one burn.
 - Catering – Fed very very well – Food packs to take out were great.

Thank to DFES – remarkable to work with. Everyone worked really well together.

Murray Dixon – wanted to say Well done to Tony and his teams – Did a great job under very trying circumstances

Shire of Kellerberrin – Simon Tighe

- Several Fires
- Assisted at Shackleton Complex
- 3 new shed near completion
- Training is their biggest concern now
- Shackleton raised that they need more PPE (Masks and Goggles)
- Rotation of Chiefs happening – Simon just starting his 2-year term.



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Shire of Merredin – Stephen Crook

- 1 header fire
- 6 HVMB 4 TFB
- Worked with St Johns Ambulance on a promotion photo shoot for their recruitment
- Participated in the WA Pol Emergency Services Christmas Parade – was great
- Shire has applied for a 2nd time for a Water tank for Korbelka
- Had a breakdown of Hine Hill Truck at a structure fire – was out of action for over a month – couldn't get a replacement – was too long. A new 4.4 was due in 2019 – till haven't seen it.
- 12 callouts
- Railway fire – west of Merredin was caused by a train sparking – Have been speaking to Westrail about this – Westrail said they need to know quicker so they can investigate quicker – With increase in rail traffic with increase in freight trains, it was good to see them going through at night when it was cooler.
- Sent a couple of units to Bruce Rock for their fire 3 units total – was surprised they never received any calls from Bruce Rock or DFES for more assistance – Didn't think this was good.
- Had a clearing sale event in Merredin. Had to out a HVMB in place the afternoon of the fire which was generally well received by the buyers – they couldn't go into the paddocks to collect their buys. Had issue with one buyer that because physical for a while – decisions ended up being made to let him go get his stuff and leave.

Shire of Mount Marshall

- Absent

Shire of Mukinbudin

- Absent

Shire of Narembeen – Murray Dixon

- Couple of HVMBs
- Storm Fronts have caused most of the issues this year
- Winds have been really bad and have noticed an increase in falling tree danger
- Assisted with the Bruce Rock Fire – realised a couple of things and implementing them
 - Encouraging all our crews (farmer response) to have a flashing light of some sort (orange for farmers)
 - Need for full face masks

Shire of Nungarin – Cameron Large

- Fire shed under construction- Should be complete by May
- FCO Training tomorrow – 10-12 people on it
- 1 fire yesterday – possibly suspicious
- Concentrating on Recruitment now – have lots of numbers but many have little or no training

Shire of Tammin – Simon Bell

- Apologies from CFBCO
- BFB re-established after many years, going well so far, applying for an appliance through LGGS this year.
- Looking to install 2x weather stations (1x North Tammin, 1x South Tammin) to use for Fire Danger Index measuring, instead of using kestrels as much due to discrepancies and complaints from community members.
 - Currently looking at weather stations that calculate FDI/FDR themselves and provide that on the online platform.
 - These will allow anyone to view the FDI/FDR at any given time for the Shire online.



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Shire of Trayning

- Absent

Shire of Westonia – Frank Corsini

- NIL - Apology

Shire of Yilgarn – Ron Burro

- 3 HVMBs
- Fuel loads medium to high (med in Pastures and High in Stubble)
- Busy Season
- 7 lightning strike fires
- 10 deliberately lit or suspicious fires -Appears person or persons involved is getting braver and lighting on higher fire danger days. – WA Pol are aware, DFES Comms is aware- Had a very bad one of 23/2 that had the potential to get out of control badly. – Need help to stop them.
- Miners Settlement Truck is constantly breaking down – luckily not at an incident so far.
- Training – agree first timers should go through DFES training but do have some new members with lots of experience that he would be happy to sign off.

Phil Hay said that he was aware of the issue with arson and emphasised the importance of reporting – at the end of the jobs when calling Comcen remember to tell them the cause is suspicious – this will help flag these with the Arson team to investigate.

Damien Pumphrey said he will get in touch with Yilgarn and get region to raise the issue for them.

11 Reports from DFES – District Officer Avon – Phillip Hay

- UCL Mitigation still ongoing – Remind Local Governments that if they have a pocket of land in UCL/UMR that is an area of concern, please let the DFES managers know, and we can come and assess it. RDF is assisting greatly with \$300-400 thousand a year.
- Had fixed wing air bombers positioned throughout the wheatbelt during harvest time – was a great initiative to have them there. Please let us know if you have any feedback on that program
- On the same day as the Shackleton fire, there was another 3 level 3 fires in WA. Because of this, there will be a state-run After Action Review (AAR) held in the next month or so. Please let us know your feedback or contribute to the AAR yourself.
- Covid 19 is ramping up across the state and DFES are starting to implement Business Continuity Plans. This won't affect the front-line service DFES delivers but it may cause some training to temporarily stop and be postponed. Hopefully this will only be for a month or so and we will catch up on courses when we can.

12 BOC Representative Update – Murray Dixon

- BOC looking at a possible CBFCO Forum (as previously discussed)
- Additional PPE for volunteers that go on deployment – not having to wear same clothes for 3 or 4 days
- Water Tanks – 2nd round of applications was oversubscribed. All Local Governments have been advised and there is space in LGGS for them if you want to purchase yourselves.
- One from our DOAC that is now being considered is the regulations around 300l Chaser bins – Has been taken on board
- Cost of fire sheds have skyrocketed. BOC looking at other options such as prefabricated building etc.



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13 Late Items

Murray Dixon – BOM Registered weatherisation in Merredin – Feel it is the ideal location for this. How do we go about getting one there?

John Flockart mentioned the airport in Merredin has recently been sold. Maybe we could piggyback off the instruments they would have to purchase to get the airport functioning again?

John Flockart asked Phil Hay – What is the process of getting ground controllers in the wheatbelt? – didn't seem to be many around.

Phil's response – it is a 4hr face to face course and can easily be run. Local Governments just need to request it from their DFES manager, and we will try to accommodate it. It can be run in an afternoon, midweek, evening or a weekend.

Also noted that there didn't have to be a qualified ground controller at the str, just someone to talk to the pilots on a designated channel and ensure people stayed back from the fires edge when they wanted to drop.

Weather stations – What is the situation as far as using the data to put in Fire bans?

Phil hay said that it is acceptable. It can be justified and validated using surrounding sites.

Easy also to use this web address

weather.agric.wa.gov.au

13 Other Business

- Time of the meeting – are people happy to remain at the 930hrs? Noted there had been more attendance at the earlier meeting so will leave there for now.

- Next meeting is the 12th of September 2022 at 0930hrs. This will be the election of the chair and deputy chair.

Meeting closed at 1222hrs

**Date for the next Merredin DOAC is Monday 12th September 2022 at 930am.
To be held at the Merredin Volunteer Fire and Rescue Building (COVID permitting)**

Department of Fire and Emergency Services Total Fire Bans & Harvest Vehicle Movement Bans

Prepared by:

Tanya Ramponi

DFES Senior Regulation & Compliance Officer



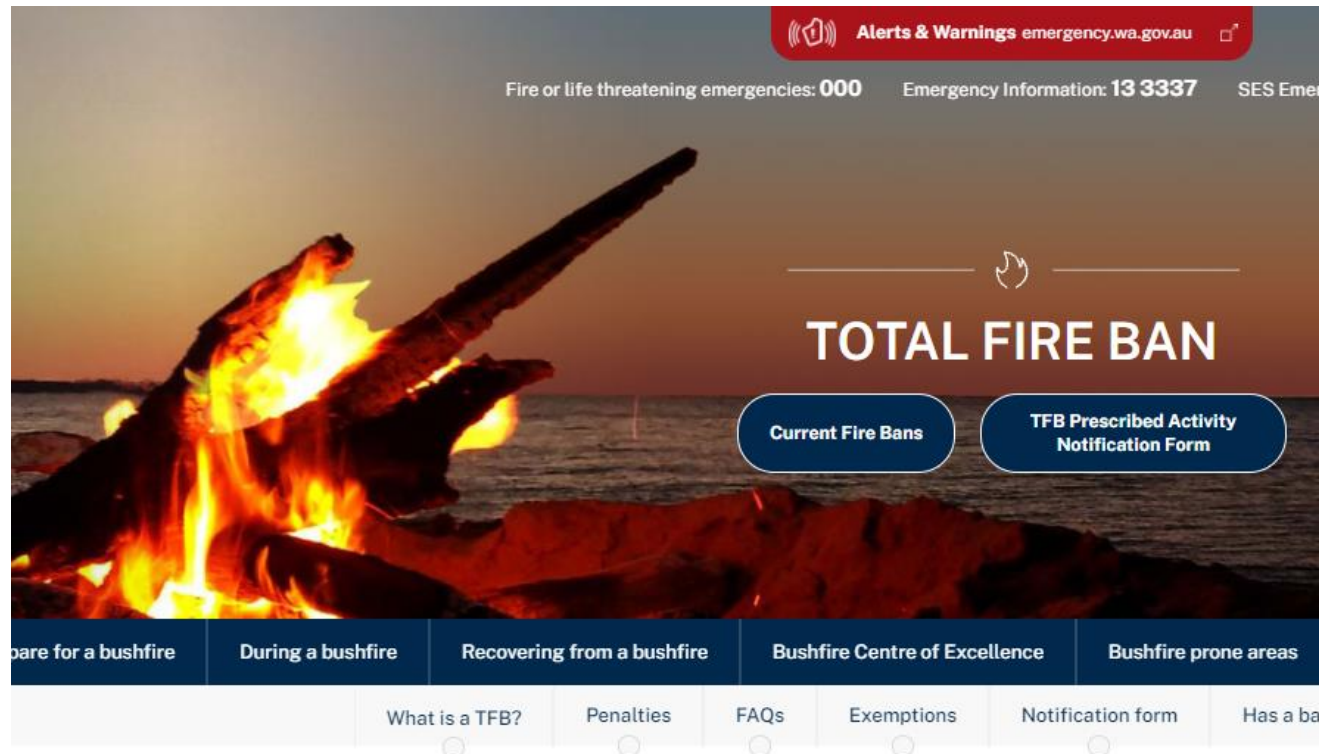
LEGAL, POLICY AND
COMPLIANCE DIRECTORATE



REGULATION AND
COMPLIANCE BRANCH

DFES Total Fire Ban web page

www.dfes.wa.gov.au/site/bushfire/totalfirebans.html



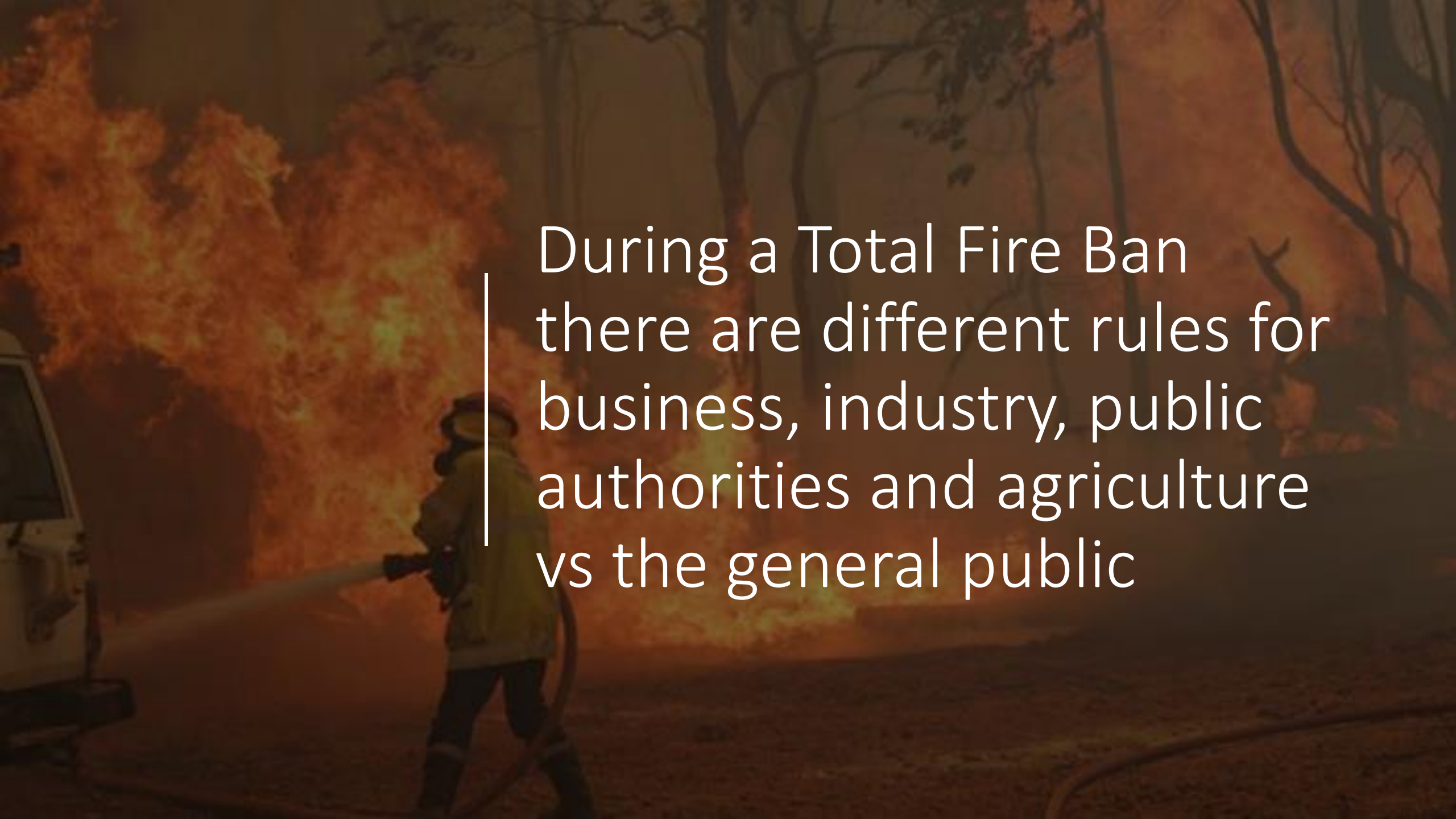
The DFES Total Fire Ban (TFB) page contains:

- Link to Emergency WA
- Link to TFB online notification form for business, industry and public authorities
- TFB frequently asked questions (FAQs)
- TFB Exemption information and applications
- Information on ways to check if a TFB has been declared
- TFB prescribed activity fact sheets
- Number of TFB declarations for each local government over past 6 years



Total Fire Bans (TFB), the law

- Section 22B(2) of the *Bush Fires Act 1954*
- Lighting a fire or carrying out an activity that causes or is likely to cause a fire (in the open air), is banned when a TFB has been declared.
- There are exceptions for business, industry, public authorities and agriculture, allowing them to carry out certain activities, as long as they comply with the conditions within the *Bush Fires Regulations 1954* to prevent a bush fire.



During a Total Fire Ban
there are different rules for
business, industry, public
authorities and agriculture
vs the general public

What the public can't do during a TFB.

General Public Cannot:

- Light a fire including a campfire, wood fueled BBQ, pizza oven.
- Burn garden waste/rubbish etc.
- Drive a vehicle off-road over paddocks or bushland or anywhere where there is vegetation
- Conduct hot work (grinding and welding) in an area that is *not fully enclosed by a building or structure*
- Mow the lawn or use a slasher, whipper snipper etc. where it is operated by an *internal combustion engine*.
- Use a bee smoking device
- Road work, or clearing i.e. grading private driveways, or clearing land on their property.



What can business, industry & public authorities do?

- Hot work (welding & grinding)
- Road work
- Drive off-road over vegetation (mining exploration, western power fault finding, land clearing etc.)
- Mow lawns as part of a business
- Use wood fueled cooking appliances or cook with an open flame as part of a catering business, including pizza ovens
- Blasting
- Gas flaring
- Use fireworks (exemption required)
- Rail grind (exemption required)
- Power restoration (exemption required)





What agricultural activities can continue during a TFB?

Agricultural activities can continue in relation to *off-road activity* i.e. harvesting, slashing, using a generator, clearing land, driving over paddocks etc.

Once a HVMB is declared under regulation 24C during a TFB, off-road agricultural activity is then banned.

Penalties, breaching a Total Fire Ban

Section 22B(2) *Bush Fires Act 1954*

- For serious breaches of a Total Fire Ban (TFB), the penalty is a \$25,000 fine and/or a jail term of 12 months.
- These penalties apply to anyone who breaches a TFB, whether the actions occurred as part of a business activity, or by a member of the public.
- The Minister also introduced a \$1,000 infringement in 2018 which can be issued on the spot or at a later date .
- Legal action can be undertaken by DFES, Local Government, DBCA (Parks and Wildlife) or WA Police.



Where can I get information about Total Fire Bans?

- <https://www.emergency.wa.gov.au/#totalfirebans>
- <https://www.emergency.wa.gov.au/#cap-rss>

The screenshot shows the EmergencyWA website interface. The top navigation bar includes 'PREPARE', 'WARNINGS & INCIDENTS', and 'RECOVER'. Below the navigation bar, there are tabs for 'List', 'Both', and 'Map'. A 'Filter' button is highlighted with a red circle and a yellow callout box. The main content area displays 'Fire Danger Ratings TODAY (37)' with a list of regions and their ratings: Ninghan Severe, Eucla High, Lakes High, Stirling Co High, Exmouth Gulf Coast Severe, and West Pilbara Coast Severe. A map of Western Australia is shown on the right, with various regions highlighted in different colors corresponding to the ratings. A yellow callout box points to the 'Filter' button with the text: 'Fire Danger Rating View and Filter for next days rating (available after 4.30pm)'.

The screenshot shows the EmergencyWA website interface. The top navigation bar includes 'PREPARE', 'WARNINGS & INCIDENTS', and 'RECOVER'. Below the navigation bar, there are tabs for 'List', 'Both', and 'Map'. A 'Filter' button is highlighted with a red circle and a yellow callout box. The main content area displays 'Total Fire Bans TODAY' with a list of regions and their status: Armadale, Bassendean, Bayswater, Belmont, and Cambridge. Each region has a status of 'Total Fire Bans are declared for today' and a timestamp of '38 minutes ago'. A map of Western Australia is shown on the right, with various regions highlighted in different colors corresponding to the fire bans. A yellow callout box points to the 'Filter' button with the text: 'Total Fire Ban View and Filter for next days rating (available after 5.00pm)'.

Locate your work area on Emergency WA

<https://www.emergency.wa.gov.au/#totalfirebans>

Pin your work area on the map, toggle between screens to determine your *Fire Weather District (FWD)* and *Fire Danger Rating (FDR)* and if a *Total Fire Ban (TFB)* has been declared in the local government area you are working

The screenshot shows the Emergency WA website interface. The top navigation bar includes 'PREPARE', 'WARNINGS & INCIDENTS', and 'RECOVERY'. Below this, there are tabs for 'List', 'Both', and 'Map'. A search bar contains the address '1077 Geraldton-Mount Magnet Rd, Moonyoonooka WA'. A 'Locate Me' button is circled in red. The main content area displays a map of Western Australia with a blue pin on the Geraldton coast. To the left, a sidebar titled 'Fire Danger Ratings TODAY (7)' lists the following:

Region	Rating	Updated
Ninghan	Very High	Today
Coastal Central West - South	Very High	Today
Mortlock	Very High	Today
Inland Central West - South	High	Today
Gascoyne Inland	Severe	Today
Inland Central West - North		Today

Use the locate me button or search via work address to create a pin

The screenshot shows the Emergency WA website interface with the 'Total Fire Bans TODAY' section active. The search bar still contains the address '1077 Geraldton-Mount Magnet Rd, Moonyoonooka WA'. A red arrow points from the 'Locate Me' button to the search bar. The main content area displays a map of Western Australia with a blue pin on the Geraldton coast. Below the map, a list of Total Fire Bans is shown:

Region	Update Time
Chapman Valley	Total Fire Bans are declared for today (a day ago)
North Geraldton	Fire Bans are declared for today (a day ago)
Greenough	Fire Bans are declared for today (a day ago)
Morawa	Total Fire Bans are declared for today (a day ago)
Northampton	Total Fire Bans are declared for today (a day ago)

Notification during a Total Fire Ban

- It is a regulatory requirement for business, industry and public authorities to notify DFES and the local government during a TFB, if the work activity *uses fire or is at risk of causing a fire*.
- Notification must be submitted at least 30 minutes before work starts.
- DFES introduced the *online notification form* to enable stakeholders to meet their regulatory requirements.
- Both DFES and the local government authority are notified via email when the online notification form is submitted.
- This form is required when carrying out a prescribed activity (hot work, road work, off-road etc) or working under a section 22C exemption when a TFB has been declared.
- Submitters can save a PDF copy for their reference once submitted, submitters DO NOT receive a confirmation email.

The screenshot shows the 'tickit' website interface. The top navigation bar includes 'Home', 'Statutes', 'Events', 'Tasks', 'Reports', and 'Documents'. A search bar is located in the top right corner. Below the navigation bar, there is a status bar showing 'Australia/Perth Time: 11 Aug 2021 03:01PM Tanya Ramponi Admin Logout Help'. The main content area contains a form titled 'NOTIFICATION FOR UNDERTAKING EXCEPTED ACTIVITY'. The form includes a 'Details' tab and a text area for 'Company Name' with a note: 'Please enter the name of the company (as per ABN)'. Below this are fields for 'Australian Business Number (ABN)' and 'Trading Name'. A text box at the top of the form provides instructions: 'Use this form to notify the Department of Fire and Emergency Services (DFES) and local government of your intention to carry out any of the below: - a prescribed activity (hot work, road work, off-road, blasting, gas flaring and catering) on a Total Fire Ban day - works on a TFB day, carried out in accordance with an exemption issued under s.22C of the Bush Fires Act 1954 - works during the Local Government restricted and prohibited burning times, carried out in accordance with an exemption issued under s.25A of the Bush Fires Act 1954 Please note this IS NOT an exemption application form, this form is to provide NOTIFICATION only for your intention to carry out works either as prescribed within the regulations or in accordance with a valid exemption on a TFB day or during restricted and prohibited burning times.'

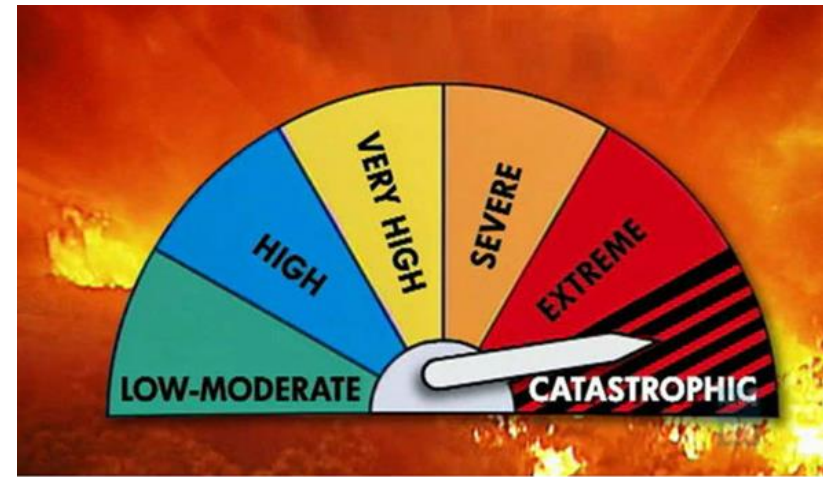
The screenshot shows the DFES website header with the Government of Western Australia logo, DFES logo, and 'Alerts & Warnings' button. The main content area features a large image of a bushfire with the text 'TOTAL FIRE BAN' overlaid. Below the image are two buttons: 'Current Fire Bans' and 'TFB Prescribed Activity Notification Form'. The 'TFB Prescribed Activity Notification Form' button is circled in red. At the bottom, there is a navigation bar with links: 'Overview', 'Prepare for a bushfire', 'During a bushfire', 'Recovering from a bushfire', 'Bushfire Centre of Excellence', and 'Bushfire prone areas'. Below this is a secondary navigation bar with links: 'What is a TFB?', 'Penalties', 'FAQs', 'Exemptions', 'Notification form', and 'Has a bushfire...'

Snapshot of Total Fire Ban numbers for different local government areas

NUMBER OF TOTAL FIRE BAN DECLARATIONS PER FIRE SEASON						
LOCAL GOVERNMENT	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
City of Kalgoorlie-Boulder	2	8	10	14	20	9
City of Mandurah	10	1	0	1	7	6
City of Swan	11	4	0	5	18	22
City of Wanneroo	10	1	0	1	8	10
Shire of Chapman Valley	4	6	3	14	20	20
Shire of Chittering	11	4	0	5	18	22
Shire of Denmark	3	1	2	3	10	1
Shire of East Pilbara	1	0	4	12	11	9
Shire of Esperance	3	4	3	8	13	7
Shire of Northam	3	2	1	2	15	14
Shire of Merredin	4	2	4	2	13	12

Sample of different Fire Weather Districts (FWD)
 Fire Danger Ratings (FDR)
 average over 7 years (2015-2021)

Shire of Merredin falls in the Jilbadgie FWD.



		Average (7 years)					
		Low	High	Very	Sev	Ext	Cat
Fire Weather District	Lower West Coast	192	137	31	6	0	0
	Lower West Inland	209	132	20	3	0	0
	Avon	229	114	16	5	1	0
	Goldfields	99	173	58	28	5	2
	Esperance Shire Coast	268	89	7	1	0	0
	Jilbadgie	189	144	24	7	1	0
		2021					
		Low	High	Very	Sev	Ext	Cat
Fire Weather District	Lower West Coast	199	108	46	12	0	0
	Lower West Inland	206	116	33	9	1	0
	Avon	213	121	22	9	1	0
	Goldfields	79	192	71	20	0	3
	Esperance Shire Coast	256	99	8	2	0	0
	Jilbadgie	133	189	30	13	1	0

A photograph of a combine harvester on fire in a field. The harvester is on the left side of the frame, with large flames and thick black smoke rising from it. The background shows a flat, open field under a clear sky.

Harvest and Vehicle Movement Bans (HVMB)

Bush Fires Regulations 1954

r.24C and r.38A

There are two types of HVMBs and they have different rules and different penalties.

Both types of bans are issued by Local Government.

While there are only two types of Bans, they are known by many different names



Harvest Vehicle
Movement Ban

Harvest Ban

Movement Ban

Complete Harvest
and Vehicle
Movement Ban

Vehicle Movement
Ban

Harvest Vehicle
Movement and Hot
Works Ban

Harvest and
Movement Ban


Total Harvest Ban
and Ban on
Movement of
Vehicles in Paddocks

HVMB Type 1: During a total fire ban
Bush Fires Regulations 1954
r.24C

When to issue a ban under r.24C

- **A TFB has been declared** and the BFCO is satisfied the use or operation of the engine, vehicle, plant, equipment or machinery operated by an internal combustion engine being operated *off-road* is likely to cause or contribute to the spread of a bush fire.
- When a TFB is declared the BFCO *must* impose a ban under r.24C when the Fire Danger Index (FDI) exceeds 35.
- During the hottest/highest risk period for the day and/or while the FDI is above 35. The period of the ban must be specified in the notice (both radio broadcast or written).





Summary of key points for a ban under r.24C

A HVMB issued during a Total Fire Ban is done so using r.24C.

r.24C bans *off-road activity* during a Total Fire Ban.

Off-road activity means the use of an internal combustion engine on land where there is bush, crop, pasture or stubble (vegetation).

The ban does not apply to cleared land.

Private citizens are already banned from *off-road activity during a Total Fire Ban*.

Ban applies to business, industry, public authorities and agricultural activity

What is not included in a ban under r.24C

r.24C ban does not apply to urgent work (off-road) being carried out by an essential service.

(Water, sewerage and drainage, electricity, gas, telecommunications, rubbish collection and disposal services, public transport)

r.24C ban does not apply to a road as defined in the *Road Traffic (Administration) Act 2008* section 4.

r.24C ban does not apply to a private road, yard or other area that provides access or parking for any residential, farming or business premises – *as long as the area is sufficiently cleared of flammable material.*

r.24C ban does not apply to road work (grading and bituminising) as prescribed under Division 8 of the *Bush Fires Regulations 1954*

Ban does not apply where *off-road activity* is to prevent the immediate and serious risk to the health or safety of a person or livestock.

What is considered *off-road* under r.24C?

ACTIVITY: Using of an internal combustion engine on land where there is *bush, crop pasture or stubble*.

OFF-ROAD (Land which contains bush etc.): In the *Bush Fires Act 1954* bush is defined as: *bush includes trees, bushes, plants, stubble, scrub, and undergrowth of all kinds whatsoever **whether alive or dead** and whether standing or not standing and also a part of a tree, bush, plant, or undergrowth, and whether severed therefrom or not so severed.*

Bush does not include sawdust, and other waste timber resulting from the sawmilling of timber in a sawmill whilst the sawdust and other waste timber remains upon the premises of the sawmill in which the sawmilling is carried on;

So, for those who don't enjoy reading legislation: in short, bush includes pretty much every type of vegetation, alive or dead!



Examples of *off-road activities* **BANNED** where a r.24C HVMB is issued

- Harvesting
- Western Power / Horizon Power **non-urgent work** which involves *off-road activity* such as fault finding.
- Mining exploration on uncleared land
- Drill rigs operated on uncleared land
- Generators operated on uncleared land
- Clearing of land/paddocks including clearing as part of road work activities
- Driving over paddocks (unless cleared i.e. sand)
- Tree lopping services including clearing trees from power lines (if non-urgent work)
- Slashing road verges
- Lawn mowing businesses



Examples of *off-road activities* that CANNOT be banned under r.24C HVMB

Urgent off-road work by essential services.

Telstra, off-road activity required for the urgent deployment of generators for communication services.

Western Power, off-road activity required for urgent power restoration activities.

Water Corporation, off-road activity required for urgent repairs.



What is NOT considered off-road?

- Operating equipment with an internal combustion engine on land where there is **no vegetation** is NOT considered *off-road* under the total fire ban rules or under r.24C HVMBs.
- If machinery such as the road roller in this image is being used, this *is* allowed on land with no vegetation, this activity is **not impacted by a total fire ban** as it does not fall under the *road work* definition of *grading* or *bituminising* and is not considered *off-road* under the TFB legislation.
- *This is not considered an activity likely to cause a fire.*





Internal combustion engines being used on cleared land cannot be banned under r.24C

Quick Note on *Road Work*

- While road work (*grading and bituminising*) is allowed during a total fire ban and cannot be banned when a HVMB is issued during a TFB, the *grading and bituminising equipment* must have a 5m radius clear from flammable material to operate.
- If the road work site/activity does not allow for a 5m radius, the work *cannot* be carried out during a TFB.
- The grading activity depicted here would not be allowed during a TFB.
- Clearing of land (vegetation) as part of road construction would fall under *off-road activity* and *would be banned* by a HVMB.





Penalties, breaching a HVMB under r.24C

*If someone breaches a HVMB under r.24C, the
Total Fire Ban penalties apply.*

HVMB Type 2: Banning the use of engines, vehicles, plant or machinery during the *limited burning times*

r.38A

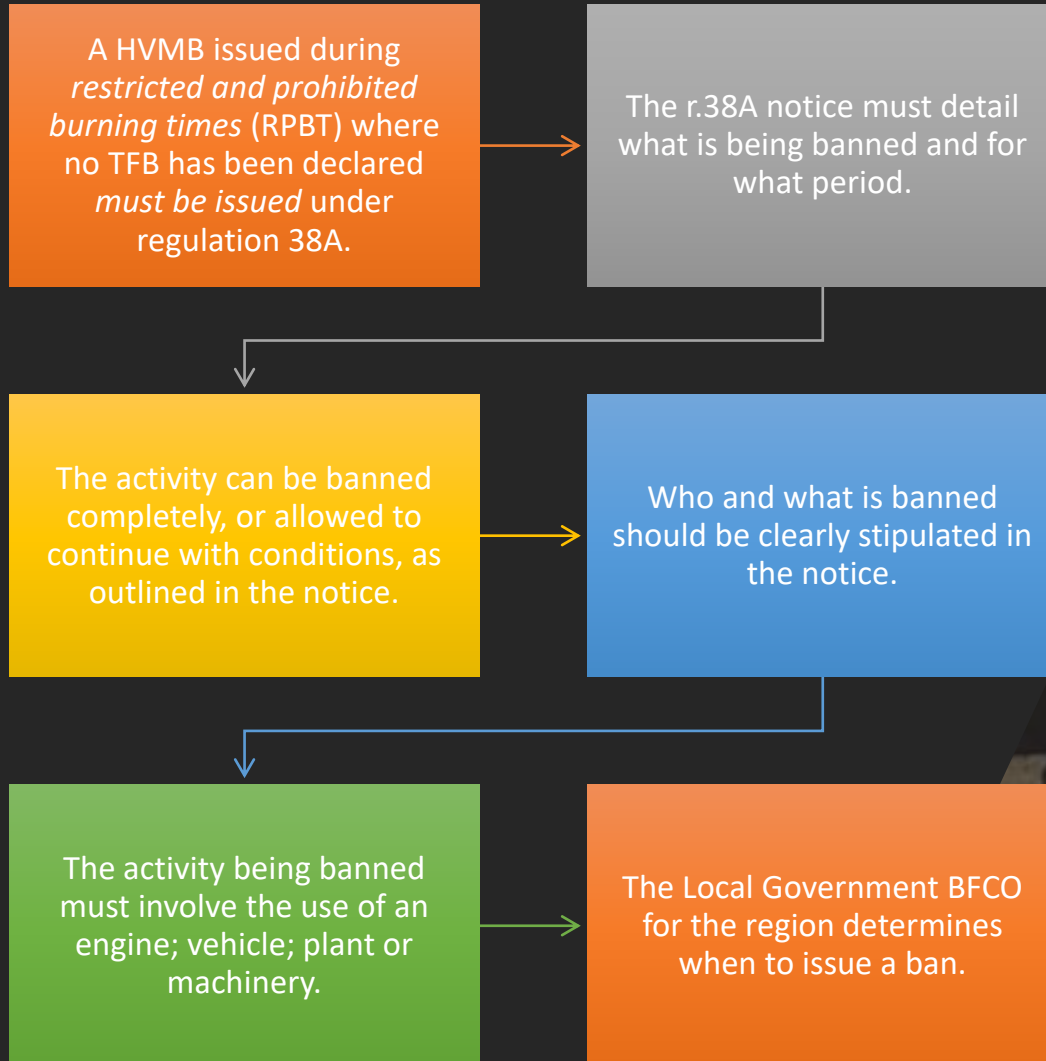


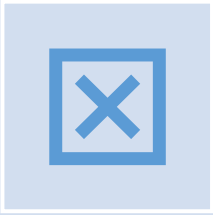
When to issue a ban under r.38A

- It is during the restricted and prohibited burning times (RPBT) and no Total Fire Ban has been declared.
- The BFCO wants to regulate the use of engines, vehicles, plant or machinery *because they are of the opinion there is a risk their use may cause a bushfire or be conducive to the spread of a bushfire.*
- The ban is usually issued for the hottest/highest risk part of the day. The time-frame for the ban must be specified in the notice and in any radio announcement and/or written publication of the ban.



Key points for a ban under r.38A





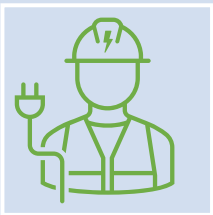
There is no legislative requirement to issue a HVMB under r.38A when the Fire Danger Index (FDI) is 35 or above.



The ban applies to:

Everyone (private citizens, business, agriculture, local government etc.)

If you only want to ban certain activities and not others, you can detail this in the notice.



Unlike r.24C, essential services are not automatically exempt under r.38A, it must be stipulated in the notice if you want to allow them to continue where they would otherwise be impacted by the ban.



A scenic landscape featuring a large body of water in the foreground, with several trees scattered across the middle ground. In the background, a fence line runs across the frame, and a large, light-colored structure is visible on the left. The sky is clear and blue.

Penalties, breaching a HVMB under r.38A

- *Court process \$5,000 fine*
- *Infringement \$250*



Thank you for
your time,
questions?



FOR A SAFER STATE

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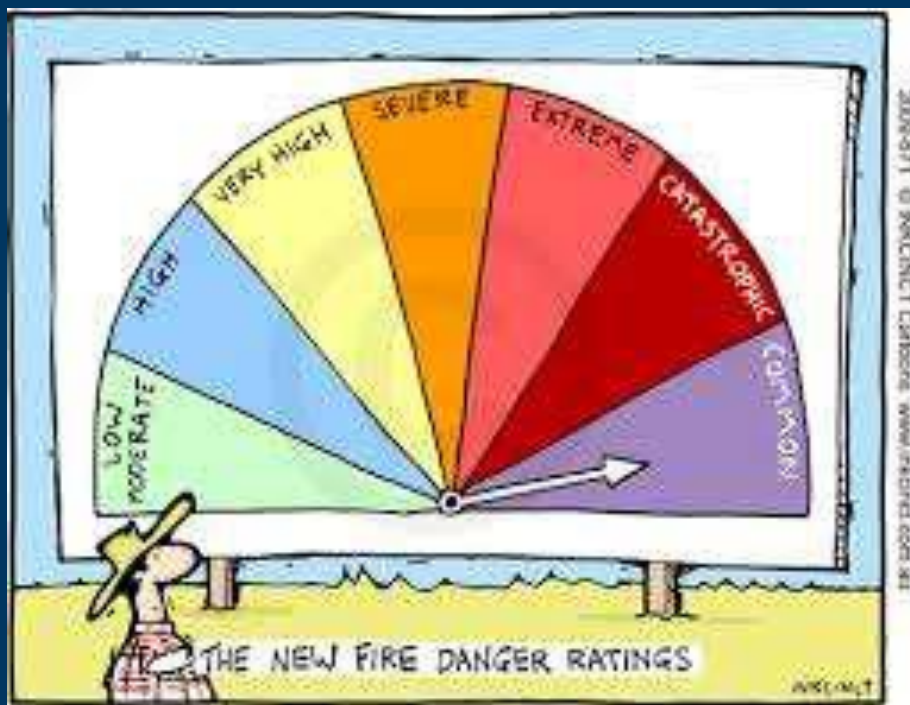
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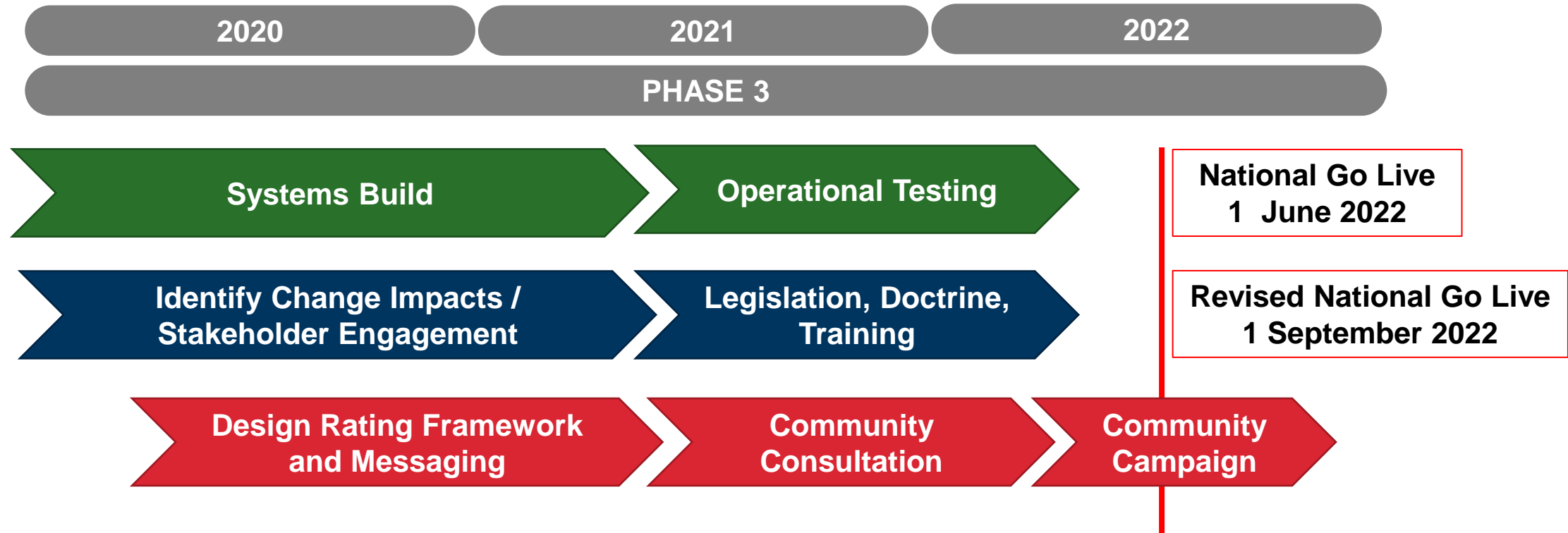
Australian Fire Danger Rating System (AFDRS) WA Implementation Project



FOR A SAFER STATE



AFDRS Implementation Timeline



Consultation and Engagement



Committees /
Working Groups

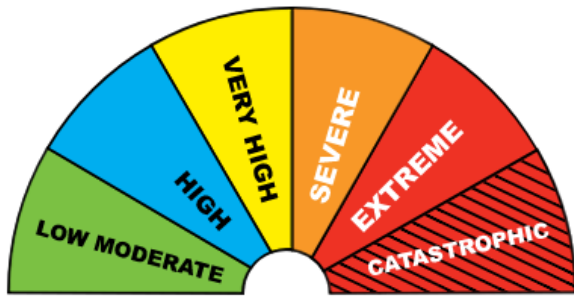
Multi Agency
Workshops
(18 sectors)

Regional Training
(140 participants)

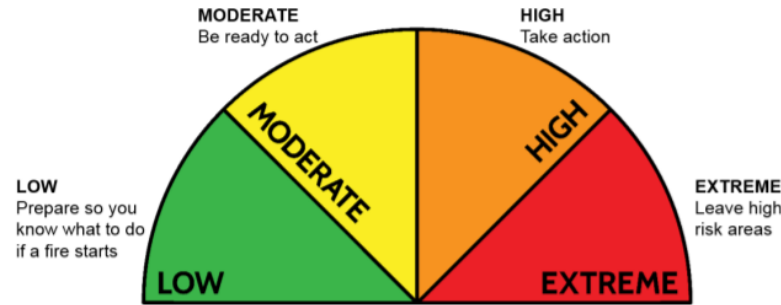
Local Government
Surveys
(66 LGs)

Local Government
Workshops (42)

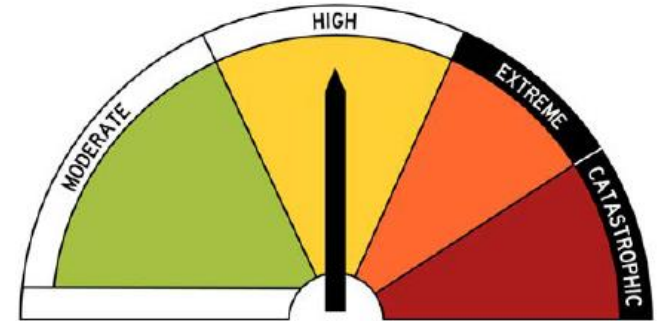
Agreed Fire Danger Rating Framework



Current FDR System



Community preferred Design

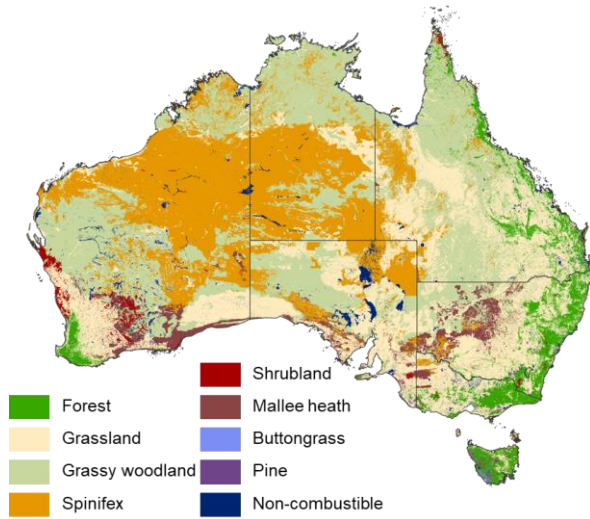


Agreed framework

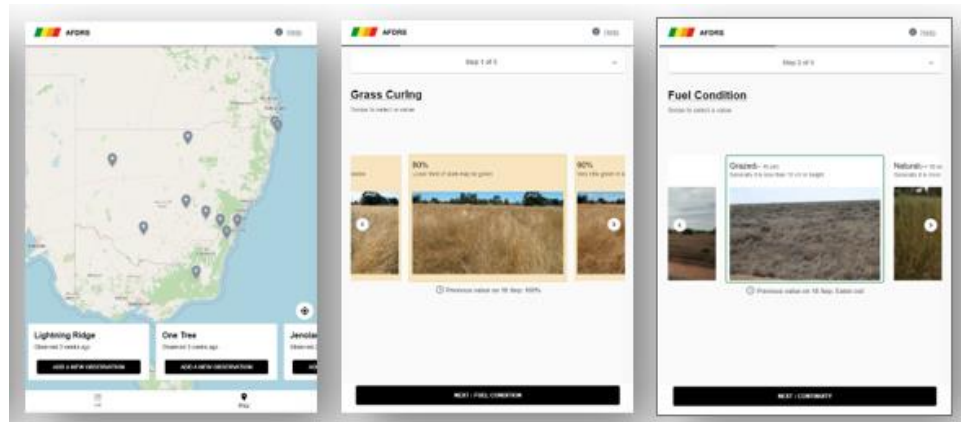
** Design not confirmed*

Rating Name	Fire Behaviour Index Range	Broad Community Messaging
Moderate	12 - 23	Plan and Prepare to Act
High	24 - 49	Be Ready to Act
Extreme	50 - 99	Fires will be Extremely Dangerous. Take Action Now.
Catastrophic	100 +	Fires will be Deadly. It is not Safe to be in a Bushfire Risk Area.

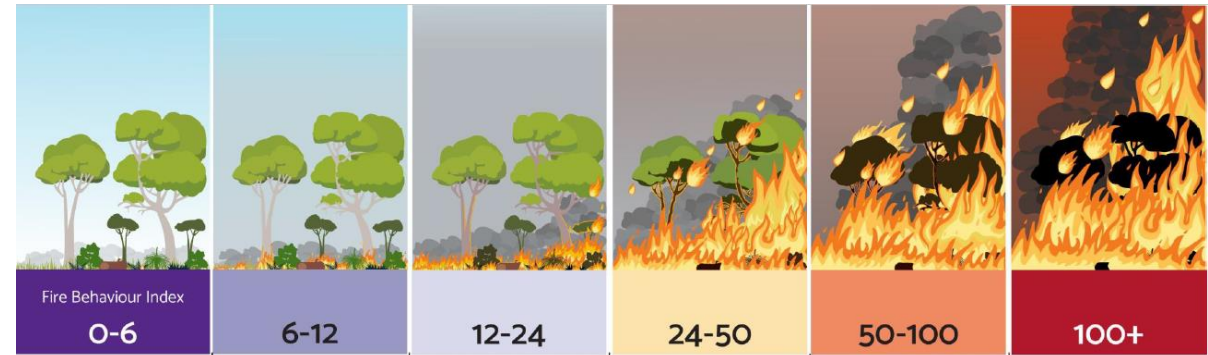
Improved Science, Data and Tools



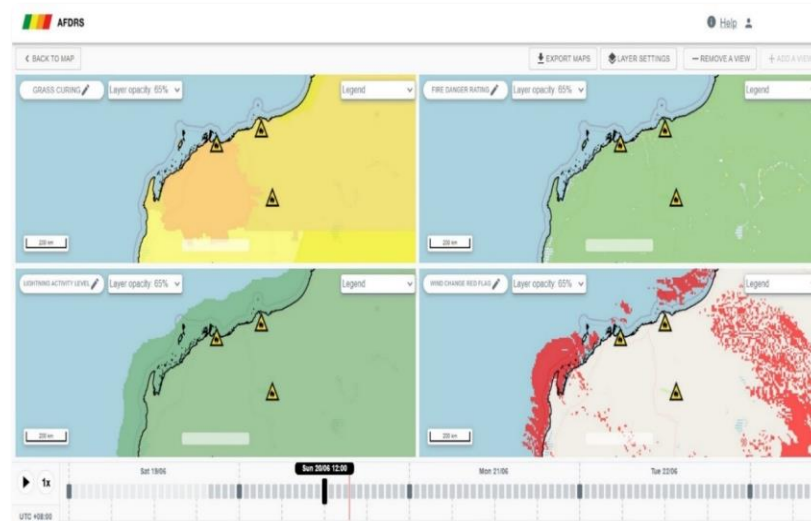
From 2 to 9 Fire Behaviour Models



Fuel State Editor - Better data on fuel type, fire history and grass



From FDI to FBI



Fire Danger Viewer – Decision making portal

FDRs referenced in *Bush Fires Act 1954* and *Bush Fires Regulations 1954*

- Permits to burn
- Burning garden refuse
- Lighting campfires
- Harvest vehicle movement bans r.38A and r.24C
- Bee smokers
- Burning proclaimed plants during prohibited burning times
- Burning clover during prohibited burning times
- Total Fire Bans

Current WA			
Level (FDI)	What should I do?	Total Fire Ban/Harvest and Vehicle Movement Bans	Prescribed activities (Bush Fires Act and Regulations 1954)
Catastrophic (100+)	YOU NEED TO ACT NOW		<ul style="list-style-type: none"> ▪ Hot work ▪ Road work ▪ Off-road activity ▪ Catering activity
Extreme (75-99)	YOU NEED TO GET READY TO ACT	▪ TFB Zone 3 – FDI 75+	▪ Burn clover
Severe (50-74)		<ul style="list-style-type: none"> ▪ TFB Zone 2 – FDI 60+ ▪ TFB Zone 1 – FDI 50+ 	
Very High (32-49)	YOU NEED TO BE AWARE	<ul style="list-style-type: none"> ▪ HVMB during TFB FDI 35+ ▪ HVMB during Restricted and Prohibited Burning Times 	<ul style="list-style-type: none"> ▪ Burn garden refuse ▪ Fire for camping or cooking ▪ Set fire to bush with permit ▪ Burn proclaimed plants ▪ Operate bee smoker device
High (12-31)	Check your bushfire survival plan. Monitor conditions. Action may be needed. Leave if necessary.		
Low-Moderate (0-11)			

Current WA				AFDRS		
Level (FDI)	What should I do?	Total Fire Ban/Harvest and Vehicle Movement Bans	Prescribed activities (Bush Fires Act and Regulations 1954)	AFDRS Fire Danger Rating	Fire Behaviour Index	FBI Descriptions
Catastrophic (100+)	YOU NEED TO ACT NOW		<ul style="list-style-type: none"> Hot work Road work Off-road activity Catering activity 	Catastrophic (100+)	(100+)	High probability of loss of life and property. Extremely rapid fire growth. Elevated risk to firefighter safety. Initial attack success critical to prevent large fire development. Conditions limit strategic suppression options
Extreme (75-99)	YOU NEED TO GET READY TO ACT	<ul style="list-style-type: none"> TFB Zone 3 – FDI 75+ 	<ul style="list-style-type: none"> Burn clover 	Extreme (50-99)	(50-100)	High levels of threat to life/property. Conditions limit strategic suppression options. Extremely rapid fire growth. Elevated risk to firefighter safety.
Severe (50-74)		<ul style="list-style-type: none"> TFB Zone 2 – FDI 60+ TFB Zone 1 – FDI 50+ 				
Very High (32-49)	YOU NEED TO BE AWARE	<ul style="list-style-type: none"> HVMB during TFB FDI 35+ HVMB during Restricted and Prohibited Burning Times 	<ul style="list-style-type: none"> Burn garden refuse Fire for camping or cooking Set fire to bush with permit Burn proclaimed plants Operate bee smoker device 	High (24-49)	(24-50)	Increasing focus on defensive suppression strategies. Fires may escalate very quickly. Increased potential for pasture/crop/stock losses and rural assets
High (12-31)	Check your bushfire survival plan. Monitor conditions. Action may be needed. Leave if necessary.			Moderate (12-23)	(12-24)	Fires typically suppressed with direct, indirect or parallel attack. Most bushfires in this category.
Low-Moderate (0-11)				No rating (0-11)	(6-12)	Typical prescribed burning conditions. Fires generally easily contained within simple road networks and fuel breaks.
					(0-6)	Mostly self-extinguishing, trouble-free fires.

HVMB Analysis

1. Identify variety of weather conditions that equate to a GFDI of 35:
 - Temperature
 - Relative Humidity
 - Wind Speed
2. Calculate the FBI for all of these weather combinations
3. Identify the average and most representative FBI (39.8).
4. Determine conditions which equate to an FBI of 40

FBI 40 Weather Conditions											
Grazed 4.5 t/ha		Relative Humidity									
		5%	10%	15%	20%	25%	30%	40%	50%	60%	65%
Temperature	15°C	34	37	40	43	47	51	61	70	82	90
	20°C	30	33	35	38	42	45	54	63	73	79
	25°C	27	29	31	34	37	40	47	56	65	70
	30°C	24	26	28	30	33	35	42	49	59	63
	35°C	21	23	25	27	29	31	37	44	52	56
	40°C	19	20	22	24	26	28	33	39	46	50
	45°C	17	18	20	21	23	25	29	34	40	44

- curing = 100%
- Grass Condition: Grazed & 4.5t/ha

GFDI 35 Weather Combinations											
Grazed 4.5 t/ha		Relative Humidity									
		5%	10%	15%	20%	25%	30%	40%	50%	60%	65%
Temperature	15°C	31	35	38	40	43	45	49	53	56	58
	20°C	29	33	36	38	40	43	46	50	53	55
	25°C	27	30	33	36	38	40	44	47	50	52
	30°C	25	28	31	33	35	37	41	44	47	49
	35°C	23	26	28	31	33	35	38	41	44	46
	40°C	21	24	26	28	30	32	35	39	41	43
	45°C	19	22	24	26	28	30	33	36	39	40

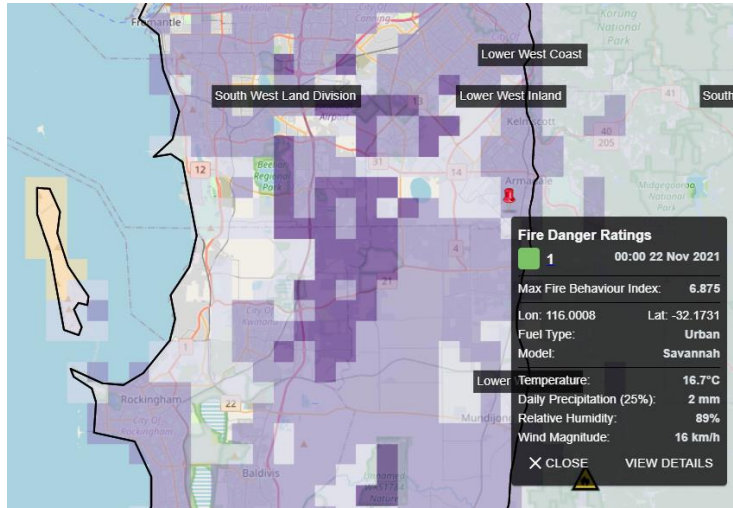
- curing = 100%
- Grass Condition: Grazed & 4.5t/ha

FBI Weather Combinations											
Grazed 4.5 t/ha		Relative Humidity									
		5%	10%	15%	20%	25%	30%	40%	50%	60%	65%
Temperature	15°C	37	38	38	37	37	35	32	31	28	26
	20°C	39	41	41	40	38	38	34	32	29	28
	25°C	41	42	42	42	41	40	37	34	31	30
	30°C	42	44	45	44	43	42	39	36	32	31
	35°C	44	46	46	46	46	45	41	38	34	33
	40°C	45	48	48	47	47	46	43	40	36	35
	45°C	46	49	49	49	49	49	46	42	39	37

- curing = 100%
- Grass Condition: Grazed & 4.5t/ha
- Average FBI = 39.8

Accessing information on FBI

Fire Danger Viewer



Fire Behaviour Calculator Upgrade

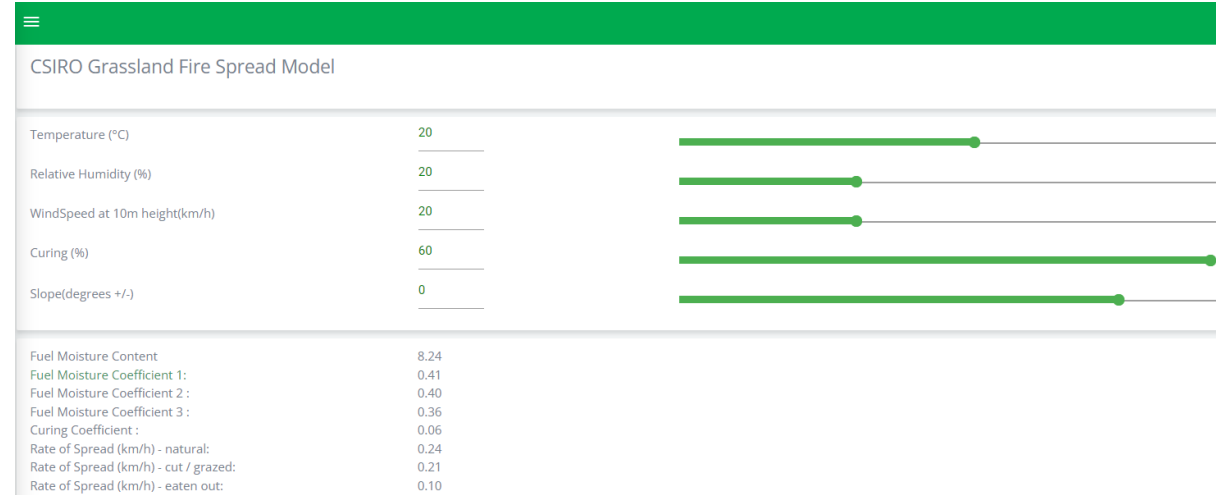


AURORA FIRE BEHAVIOUR CALCULATOR

Calculate rates of fire spread and other behaviour variables using published models for Australian vegetation. Integrate the Bureau of Meteorology's Meteye® forecasts into models for your personalised locations.

BOM Products

District	Thursday 19 March	Friday 20 March	Saturday 21 March	Sunday 22 March	Monday 23 March	Tuesday 24 March	Wednesday 25 March
North West Pastoral	High 27	Low 12	Low 17	Low 14	Low 11	Low 15	Low 17
APY	High 31	Low 10	Low 15	Low 12	Low 13	Low 16	Low 16
Coober Pedy	Low 16	Low 11	Low 11	Low 10	Low 7	Low 17	High 18
Maralinga Tjarutja	High 28	Low 11	Low 8	Low 13	Low 7	High 18	High 19
Roxby Downs	Low 14	Low 9	Low 14	Low 11	Low 11	Low 13	High 19
North East Pastoral	High 30	Low 12	Low 12	Low 13	Low 11	Low 14	Low 14
West Coast	High 35	Low 14	Low 10	Low 7	Low 7	Low 17	Low 17
Eastern Eyre Peninsula	Extreme 55	Low 17	Low 13	Low 14	Low 14	Low 16	Low 16
Lower Eyre Peninsula	Extreme 52	Low 15	Low 11	Low 14	Low 14	High 18	High 18



Supporting Implementation

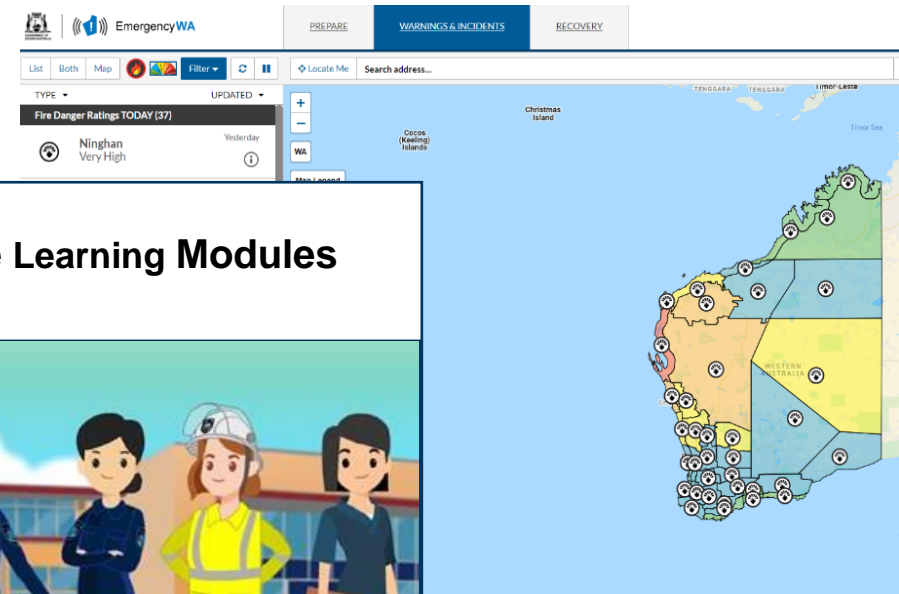
New Systems & Products:

- FDV access to fire managers
- New BOM Products
- Fire Behaviour Calculator upgrade
- Update Emergency WA

Training & Communication

- Regular updates / communication
- Digital training products
- Communications Campaign

Roadside signage replacement options



For more information on the
WA AFDRS Implementation Project

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Understanding WHS Obligations for Bushfire Volunteers

A practical guide to assist local government
leaders meet their obligations

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INTRODUCTION

With the introduction of the *Workplace Health and Safety Act 2020* (WHS Act), there are changes to the workplace health and safety laws in Western Australia.

This guide has been developed to support local governments provide and maintain a workplace free from physical and psychological hazards. This guide provides advice about operational hazards and the processes local governments can adopt in order to comply with the WHS Act with respect to the volunteer bushfire brigades (BFB) they manage and who work under their control.

Members should remember that if they already have good risk management and safety practices in place the legislative changes in the WHS Act will have minimal impact on day to day operations. The WHS Act has further formalised the safety responsibilities of employer's which were in some respects implied but not explicitly stated in the previous occupational health and safety legislation.



1 KEY WORK HEALTH AND SAFETY TERMS

This section provides an overview of the key WHS terms as they apply to volunteer BFBs.

1.1 What is Work Health and Safety

The WHS Act applies to all workplaces (both private and government operations) within the natural jurisdiction of Western Australia. The WHS Act provides a framework to protect the health, safety and welfare of both those persons undertaking work and those persons who might be affected by that work.

1.1.1 PCBU – Person Conducting a Business or Undertaking

The concept of a **Person Conducting a Business or Undertaking (PCBU)** replaces the term ‘employer’ in the WHS Act. Workers are not considered **PCBU**’s.

- A **PCBU** has a duty of care to keep workers and others safe “as far as reasonably practicable”.
- Local governments are defined as a **PCBU**.

1.1.2 Key features relating to volunteering

- The concept of the ‘person conducting a business or undertaking’ (**PCBU**) is intended to capture a broad range of contemporary workplace relationships including volunteering activities.
- A primary duty of care requires **PCBUs** to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work.
- Duties of care apply to persons who influence the way work is carried out, as well as the integrity of products used for work, including providers of WHS services.
- It is a requirement that ‘officers’ exercise ‘due diligence’ to ensure compliance with the WHS Act.
- Reporting requirements apply for ‘notifiable incidents’ such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking
- Consultation on WHS matters with workers is a requirement under the WHS Act
- Procedures for the resolution of WHS issues.

1.2 Duties under WHS

The **PCBU** (*local government*) has a primary duty of care to ensure, as far as is reasonably practicable, that the health and safety of persons is not put at risk from work conducted as part of the business or undertaking.

1.2.1 Volunteer organisation or association

An organisation will have WHS duties as a person conducting a business or undertaking (**PCBU**) under the WHS Act where one or more persons are employed to carry out work for the organisation, including paid and unpaid positions. A person may be employed by either:

- The organisation itself
- The organisation's members, whether alone or jointly with any other members.

Example:

- Bushfire brigades engaged under the relevant local government

A volunteer association is a group of volunteers working together for one or more community purposes and none of the volunteers, either separately or jointly, or the association itself employ a person to carry out any work for the association.

The WHS Act does not apply if the organisation is a 'volunteer association' (whether incorporated or unincorporated).

Example:

- A social sporting group formed and engaged by individual volunteers

1.2.2 Volunteers

Under the WHS Act a volunteer is a person who works for an organisation without payment or financial reward (but who may receive out of pocket expenses). The law also recognises volunteers as workers. Meaning the **PCBU** must provide the same protections to its volunteers as it does to its paid workers.

1.2.3 Spontaneous volunteers

A spontaneous volunteer is usually not associated with an existing bushfire brigade, but more likely to be a member of the community offering assistance in response to an event. These individuals may not have been screened or trained in accordance with procedures.

The management of spontaneous volunteers is a joint responsibility between all stakeholders. It should also be recognised that the majority of public offers of assistance come during the recovery phase of an emergency, which the local government manages on behalf of its community, and which is a positive step in the recovery process.

The *Bush Fires Act (1954)* states that the Chief Bushfire Control Officer can:

“Employ a person or use the voluntary services of a person to assist him, subject to his directions in the exercise of any of the foregoing powers.”

In taking that action, responsibility should be assessed in regards to the suitability of each individual for the task to be performed. All stakeholders – the organisations, government agencies and authorities – have a mutual duty of care.

The following principles should be **APPLIED BY ALL** organisations, authorities, government agencies, and local governments when utilising spontaneous volunteers.

- Spontaneous volunteers should be added to the volunteer register and sign in and out after each shift.
- Spontaneous volunteers should only be assigned generalist tasks.
- Spontaneous volunteers should **NOT** be deployed to high risk activities.
- Spontaneous volunteer activities are supervised.
- Spontaneous volunteers are provided appropriate information to ensure activities are carried out safely.
- Provide adequate and appropriate personal protective equipment and personal protective clothing.

Your **local emergency management arrangements** will assist in identifying the various volunteering organisations that as a local government you may engage with.

1.2.4 Officer

Officers are those individuals within an organisation who make (or participate in) decisions that affect the whole or a substantial part of the organisation, such as the Chief Executive Officer.

It's important to note that whether a person is a paid employee or a volunteer is inconsequential for the purpose of determining if they are an officer under the WHS Act.

An officer is someone who influences the organisation as a whole, rather than a particular function performed by the individual. This will determine if you have organisation-wide, strategic responsibility, as opposed to operational responsibility.

Factors include whether the role has the ability to recruit, commit funds, and determine the reporting structure, involvement in, or developed policy, process or procedures relevant to the operations undertaken.

1.3 Activities covered by WHS

Only work activities are covered by the WHS Act. Activities that are purely domestic, social, recreational or private in nature are not included. Whether an activity is considered work may depend on specific circumstances. The following criteria may help determine if an activity is work under the WHS Act:

- The activity involves physical or mental effort or the application of particular skills for the benefit of someone else or for themselves (if self-employed), whether or not for profit or payment
- Activities where someone would ordinarily be paid may be considered work
- Activities that are part of an ongoing process or project may be work if some of the activities are paid
- An activity may be more likely to be work if someone is managed or controlled by another person when they undertake that activity
- Formal, structured or complex arrangements may be considered to be work more than ad hoc or unorganised activities.

The activity may be work even though one or more of the criteria are absent.

Examples of activities that may be considered work include:

- Maintenance of the things needed to enable an organisation to carry out its work. For example, maintenance work on a shed where a volunteer group meets.
- Activities that people are ordinarily paid to do but are carried out for the organisation by a volunteer. For example, driving plant and equipment to service centres.
- Activities that the organisation has a great degree of direction or influence over.
- Activities carried out in accordance with formal or structured arrangements.

1.4 What is a duty of care

One principle that has evolved from common law is the concept of duty of care, which imposes a duty to ensure we do not cause a reasonably foreseeable risk of harm to others for whom we owe a duty. Breach of duty of care can result in a finding of liability (e.g. negligence) which can have significant financial and reputational consequences for local governments.

Under the WHS Act, the primary duty of care relating to S.19 states a PCBU must ensure, so far as is reasonably practicable –

- (1) the health and safety of
 - (a) workers engaged, or caused to be engaged, by the person; and
 - (b) workers whose activities in carrying out work are influenced or directed by the person while the workers are at work in the business or undertaking.
- (2) that other persons are not put at risk from work carried out as part of the conduct of the business or undertaking

- (3) A person conducting a business or undertaking must ensure:
- (a) The provision and maintenance of a work environment without risks to health and safety
 - (b) The provision and maintenance of safe plant and structures
 - (c) The provision and maintenance of safe systems of work
 - (d) The safe use, handling and storage of plant, structures and substances
 - (e) Adequate facilities for the welfare of workers in carrying out work for the business or undertaking, including ensuring access to those facilities
 - (f) Any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out
 - (g) That the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking

To comply a person must exercise their duty of care over others where reasonably able to do so.

1.5 What is reasonable instruction

While at work, a worker must comply, so far as reasonably able, with any reasonable instruction that is given and cooperate with any reasonable policy or procedure of the PCBU relating to the health or safety at the workplace that has been notified to workers.

1.6 What is reasonably practicable

As per the WHS Act, ensuring health and safety means doing what is, or was reasonably able to be done at a particular time, taking into account all relevant matters, including:

- (a) the likelihood of the hazard or the risk concerned occurring
- (b) the degree of harm that might result from the hazard or the risk
- (c) what the person concerned knows, or ought reasonably to know, about
 - i. the hazard or the risk
 - ii. ways of eliminating or minimising the risk
 - iii. the availability and suitability of ways to eliminate or minimise the risk
- (d) the cost associated, including whether the cost is grossly disproportionate to the risk.

2 CORE VOLUNTEER REQUIREMENTS

A **volunteer organisation** has duties as a PCBU under the WHS Act and must ensure, so far as is reasonably practicable, the health and safety of all of its workers, including volunteers. This means that the organisation must provide the same protections to its volunteers as it does to its paid workers. The protection covers the physical safety and mental health of all workers, including volunteers.

2.1 A safe and healthy workplace

The legislation does not set out specific steps to show what is considered 'reasonably practicable' in ensuring the safety and health of their volunteers. Therefore, it will depend on the circumstances of each case.

Generally, to ensure the safety of volunteers' activities, it would be reasonable and practicable for a local government to:

- Ensure volunteer work areas are free of hazards
- Ensure that volunteers understand their duties and responsibilities
- Develop policies and procedures governing on-boarding, screening, training guides and supervision of volunteers
- Allocate sufficient resources to ensure the effective management and development of volunteer programs
- Communicate and consult with volunteers on occupational safety and health issues
- Induct and train/instruct volunteers in their tasks

2.1.1 Identify foreseeable hazards

This is the process of finding, recognising, and describing risks. In conjunction with relevant stakeholders, answer the following questions and capture the information within a risk register:

- What can go wrong? What are areas of uncertainty? (Risk description)
- How may this risk eventuate? (Potential causes)
- What are the current measurable activities that mitigate this risk from eventuating? (Controls)
- What are the potential consequential outcomes of the risk eventuating? (Consequences)

Unidentified risks can cause major losses through missed opportunities or adverse events occurring.

Bushfire volunteers in Australian local government areas are likely to be exposed to the following hazards:

- Bushfire
- Building/industrial fire
- Cyclone
- Storm
- Flood
- Tsunami (coastal inundation/river system flooding)
- Earthquake
- Hazardous materials
- Car accidents and traffic management

These hazards present numerous risks and can include:

- Exposure to high heat
- Fume inhalation
- Carbon monoxide exposure
- Dehydration
- Reduced visibility
- Damage to structures

2.1.2 Assess the activity (analysis and evaluation)

Use a risk assessment to assess each hazard, the likelihood and consequence of the potential risk occurring, and the suitability of current controls.

- Are you doing what is reasonably expected of you under the circumstances? (Existing control ratings)
- Determine relevant consequence categories and rate how bad it could be if the risk eventuated with existing controls in place (consequence)
- Determine how likely it is that that the risk will eventuate to the determined level of consequence with existing controls in place (likelihood)
- Combine the measures of consequence and likelihood, determine the risk rating (level of risk)

The risk owner is to verify the risk analysis and make a risk acceptance decision based on:

- Controls assurance (i.e. are the existing controls in use, effective, documented, up to date and relevant)
- Level of risk
- Risk acceptance criteria
- Risk versus reward/opportunity

The risk acceptance decision needs to be documented and acceptable risks are then subject to the monitor and review process.

2.1.3 Minimise impacts

There are generally two requirements following the assessment of risks.

1. In all cases, regardless of the residual risk rating, controls rated 'inadequate' must have a treatment plan (action) to improve the control effectiveness to at least 'adequate'.
2. If the residual risk rating is high or extreme, treatment plans must be implemented to either:
 - Reduce the consequence of the risk materialising
 - Reduce the likelihood of occurrence
 - Improve the effectiveness of the overall controls to 'effective' and obtain delegated approval to accept the risk as per the risk acceptance criteria

2.1.4 Review practices and lessons learnt

Risk owners are to review their acceptable risks on a regular reoccurring basis or if triggered by one of the following:

- Changes to the context
- A treatment is implemented
- An incident occurs
- Audit or regulator findings

Risk owners are to monitor the status of risk treatment implementation and report on actions, as required.

2.2 Consultation arrangements

Participation in consultative meetings should occur with volunteers and identified stakeholders to provide up to date safety and health information. This consultation should also facilitate planning or reviewing tasks and activities, as well as building comradery amongst the brigades and resolving operational issues – a fundamental component of volunteering together safely.

Examples of Consultative arrangements include but not limited to:

- Bushfire advisory committee meetings
- Bushfire advisory group meetings
- Bushfire sector command meetings
- Brigade meetings
- Brigade debriefing sessions
- Local emergency management committees

2.3 Communication arrangements

Communication is essential to ensure volunteers are given consistent and up to date information as it relates to planned tasks and activities being undertaken, as well as ensuring brigades are able to operate in an effective manner.

It is also vital to have multiple means of maintaining effective communication when associated with remote or isolated work, due to the nature of work, time or location, as well as in an emergency situation.

Briefing formats may follow the Australasian Inter-service Incident Management System (AIIMS) 'SMEACS' Incident Planning & Briefing Aid:

- Situation
- Mission
- Execution
- Administration and logistics
- Command and communication
- Safety

Examples of communication arrangements include:

- Bushfire advisory committee meeting
- Bushfire advisory group meeting
- Bushfire sector command meeting
- Brigade meeting
- Training day
- Briefing schedule (initial deployment/situation update/delegation briefing/handover)
- Information briefing

2.3.1 Informing diverse parties

When delivering information, training or instruction it must be provided in a way that is readily understandable by any person to whom it is provided.

It is vital to ensure that the information, training and instruction provided is suitable and adequate for the nature of work undertaken in each role, the associated risks, and control measures available.

This should be considered in relation to an individual's ability to perform the inherent requirements and responsibilities of the role, suitable adjustments, or alternative roles.

2.4 Training and instruction arrangements

In relation to the *National Standards for Involving Volunteers in Not-for-Profit Organisations*, the intent is for the organisation to establish a systematic program that provides needs-based training to volunteers. This is achieved by training volunteers in both job performance skills and organisational development skills such as teamwork, communication and problem solving.

Training for each role requires a different level of training, varying from online course, formal training sessions or exercises to weekly or fortnightly participation at your brigade, group or unit.

The specific requirements where a PCBU involves volunteers shall clearly specify and control the work of volunteers and ensure that their place of work is conducive to preserving their health, safety, general wellbeing, and will focus on:

- Developing policies and procedures that detail the organisation's approach to volunteer training and development
- Allocating responsibility and resources to training and development
- Providing training to address identified needs
- Monitoring the work of volunteers and providing appropriate feedback
- Recognising, formally and informally, the contribution made by volunteers to the organisation and to the community

With relation to the WHS Act, the PCBU must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to:

- The nature of the work carried out by the worker
- The nature of the risks associated with the work at the time the information, training or instruction is provided
- The control measures implemented
- Information, training and instruction is provided in a way that is readily understandable by any person to whom it is provided
- Records of training is kept for a period of seven years in relation to hazardous chemicals to which the worker is likely exposed

2.5 Provision of Personal Protective Equipment (PPE)

Where PPE is identified as a control for mitigating risks to the hazards volunteers will likely be exposed to, as a direct result of the nature of their work, is required to be provided to workers (unless the personal protective equipment has been provided by another PCBU).

There is no need to double up in the provision of PPE. However when directing the work to be undertaken, the PPE must be suitable – including size, fit, and being reasonably comfortable for the worker to use and wear. It should be maintained, repaired or replaced as required to ensure it is clean, hygienic and in good working order for use.

Adequate supervision or readiness checks should incorporate assessing the appropriate use and wear of equipment provided and having available provisions for replacements.

2.6 Private equipment

The *Bushfire Act 1954* states that at different times private equipment may be used *“in connection with a bush fire, which is necessary for, directed towards, or incidental to, the control or suppression of the fire or the prevention of spread of the fire, or in any other way necessarily associated with the fire including travelling and support services, such as meals and communication systems”*.

It is important to communicate clearly when an individual is operating of their own accord, or commences operating as a volunteer. This means that when emergency services are activated, the personnel, plant, and equipment being provided (even if privately owned) are under the control of the local government. Therefore, the provision of reasonable information, training, and instruction needs to be established at that time (prior to engaging the equipment), through reasonable means to ensure the health and safety of involved parties.

2.7 Facility considerations

There are over 540 listed brigades (as of 2022) which all have individual workplace facilities. These facilities are required to be maintained so as to allow for persons to enter, exit and move about without risk to health and safety in both normal working conditions and in an emergency situation.

Considerations must be made to how facilities are maintained to allow for work to be carried out, safe storage of plant and equipment, safe means of evacuation, appropriate ventilation, mitigating the extremes of heat or cold, and accessible facilities (toilets, drinking water, washing and eating facilities).

A workplace inspection tool can be a suitable way of ensuring these aspects are monitored and maintained in relation to the nature of hazards at the workplace, size, location and nature of the business undertakings.

2.7.1 Fire protection and firefighting equipment

If hazardous chemicals are stored, handled or used on site, emergency equipment must always be available for use in an emergency.

The PCBU is to ensure fire protection and firefighting equipment is properly installed, tested and maintained, and where unserviceable or inoperative alternatively managed and returned to full operation as soon as practicable.

2.7.2 Fuel and chemical storage

When chemicals are stored onsite, a risk assessment should be undertaken to identify what is required, including signage, bunding, traffic management, training, security, and readily accessible, up to date material safety data sheets (within 5 years).

2.7.3 Containing and managing spills

If safety equipment is required to control an identified risk in relation to using, handling or storing hazardous chemicals, safety equipment is to be provided, maintained and accessible at the workplace.

Spill kits are a common way of ensuring adequate provisions are available when storing or using hazardous chemicals on site.

3 INCIDENT RESPONSE CONSIDERATIONS

To ensure a consistent approach in managing the workplace and responding to a workplace incident or injury, it is important to apply your specific local government's processes. LGIS provides support in regard to reporting WHS hazards, reportable workplace incidents and diseases, injury management, and undertaking the relevant and required actions as soon as possible.

3.1 A notifiable incident

The Department of Mines, Industry Regulation and Safety requires work related deaths and certain types of injuries and diseases to be reported to WorkSafe. Failure to report could lead to prosecution. Reporting must be done by the relevant local government whenever these occur in connection with their business, and an internal process should be outlined within internal WHS documentation.

For example, a resource sharing arrangement or activity undertaken by multiple local governments where a notifiable incident occurs would require all parties to separately report the incident to WorkSafe. Assistance and support can be provided individually to each local government by LGIS.

3.2 Injury management

Injury management is a workplace managed process to facilitate a quick and safe return to work following a workplace injury. Injury management is essentially about effective communication and coordination between claims and rehabilitation practitioners, employers, workers and medical practitioners, to ensure that injured workers are provided support and assistance to return to the workplace.

The LGIS injury management team can provide a variety of proactive injury management solutions to ensure you are meeting your legislative responsibilities and providing the highest standard of injury management support for injured workers within the sector.

To assist workers with gaining a greater understanding of the injury management process we encourage our members to make the [LGIS Injury Management and the Worker \(pdf\)](#) document readily available to a worker after an injury.



3.3 Public Liability

To enable LGIS to act on your behalf after receiving notification of an incident where a member of public has suffered an injury, financial loss or property damage which they claim you are responsible for, we require the following from the third party:

A written request (letter/fax/email) request addressed to the PCBU (referred to as a 'letter of demand') that includes:

- Details of the circumstances of the incident
- Time and date of the incident
- The address or location of the incident
- A specific request asking you to compensate or reimburse the third party for any loss suffered

Please note:

- The third party should not be encouraged to submit a letter of demand if they have not already indicated that they wish to be compensated in some way. If you are notified of an incident and the person does not indicate that they want to be compensated, you may wish to submit a 'report only' claim - this is denoted on the front page of the [Public Liability claim form \(pdf\)](#) or [Professional Indemnity claim form \(pdf\)](#). This will advise us of the incident in case any claim is submitted in the future.
- We recommend that you do not ask the third party to supply quotes or invoices, as some claimants assume they will automatically be reimbursed. In the event that LGIS Liability decides to settle a claim, we will request quotes/invoices prior to settlement negotiations.
- No 'forms' of any kind (e.g. Incident Report Form etc.) can be used in place of a 'letter of demand'.

What we require from you:

- Completed [Public Liability claim form \(pdf\)](#) or [Professional Indemnity \(pdf\)](#) claims form (pages 1 and/or 2) and signed (page 4)
- Page 3 of the [Public Liability claim form \(pdf\)](#) to be completed and signed by the relevant overseer/engineer/supervisor
- The third party's original letter of demand (or a copy)

The following information, if available, should be provided:

- A report describing all relevant details of the incident from your perspective
- Photographs of the incident site / alleged hazard, preferably before any hazards are repaired
- Copies of any relevant documentation related to the incident.

3.4 Supervision

Supervision of the volunteer is the same as for a worker; performance management should be structured and allow for two-way communication. Volunteers who are not performing should be

offered training and other appropriate forms of support. All performance management meetings and decisions should be documented. Volunteers should follow the grievance and complaints policy and procedure as adopted by the local government.

3.5 Bullying, harassment, discrimination and equal opportunity

3.5.1 Bullying or harassment

To ensure not only the physical wellbeing of the volunteers but also their mental wellbeing, the workplace must take all reasonable steps to ensure volunteers are not exposed to workplace bullying, harassment and discrimination.

Bullying in the workplace is repeated, unreasonable or inappropriate behaviour directed towards a worker, or a group of workers, that creates a risk to the individual's health, safety and wellbeing.

Volunteers also have a duty under the WHS Act to ensure that their actions do not constitute a risk to their own health and safety or that of other people in the workplace.

The organisation needs to clearly communicate that bullying will not be tolerated and provide information to volunteers about the process and who they can contact if they are bullied in the workplace. This may incorporate communication within the induction, training process, or brigade communication arrangements on the local government's code of conduct.

3.5.2 Discrimination

It is sometimes a difficult decision for the coordinator of volunteers to reject a volunteer as unsuitable for a chosen volunteer position. The local government is subject to the same anti-discrimination legislation as applies to selecting paid staff.

It is therefore imperative that the local government has clearly defined position descriptions and selection criteria documented. The interview process should also be documented in case the rejection is challenged. Ideally, the reason for the rejection should be explained to the volunteer and if appropriate alternative positions should be offered. The local government needs to demonstrate that they have been reasonable and practical in their assessment of the volunteer.

3.5.3 Equal Opportunity

It is recommended that local governments have regard for equal opportunity objectives when developing policies and procedures governing recruitment, screening, training and supervision of volunteers.

3.6 Issue resolution

Teamwork is fundamental to achieving common goals. When issues arrive it is vital they are managed effectively in a proactive manner. To support this, following your health and safety resolution process or procedure for managing consolation and communication is one tool for ensuring action is taken, and the opportunity for action to be taken afforded to the relevant stakeholders.

3.7 Prosecution

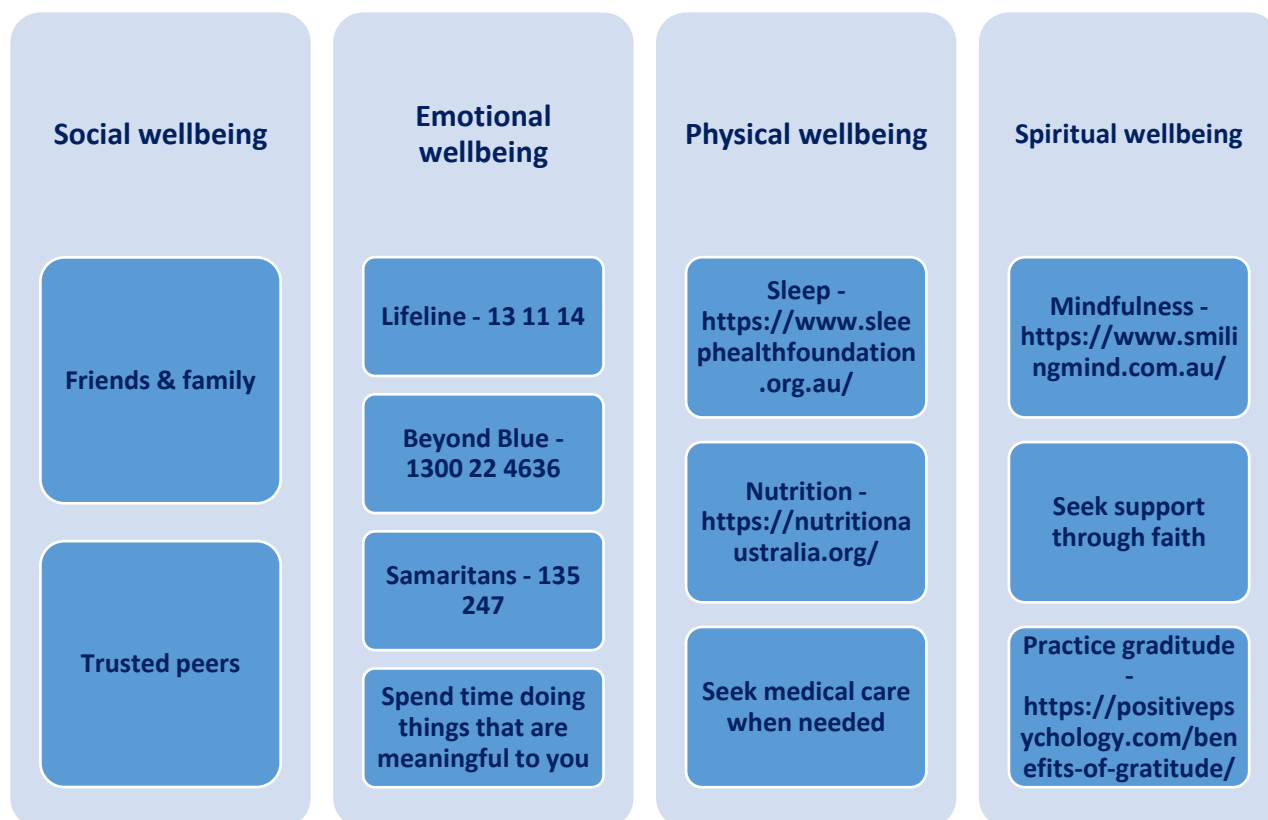
If volunteers comply with the health and safety duties when carrying out work for the organisation, they cannot be fined or prosecuted under the WHS Act.

3.8 Support

The nature of this type of activity can present significant emotional demands for bushfire volunteers. Emotional demands can be defined as work/situations that that are emotionally challenging, due to high emotional involvement, or having to regularly disguise emotion in the moment.

Demands can arise through working within your own community, coping with the loss of life (human and animal), defending your own properties and/or properties of other families, viewing the loss of livelihoods, and being confronted with life threatening situations.

When emotional demands are coupled with additional demands, this can lead to adverse outcomes on health and wellbeing, such as psychological strain, burnout, and issues with sleeping. So, it's really important that volunteers are proactive in managing their own mental health and wellbeing, to be in the best frame of mind when responding to events. Support is available and may include:



4 RESOURCES

The below templates may assist in the implementation and maintenance of volunteer arrangements.

4.1 An organisational work health and safety system checklist

DOCUMENTATION	N/A	YES	NO
Work health and safety plan and policy			
Risk register (foreseeable high risk tasks/activities)			
Documented safe operating procedures			
Contractor OSH management process. Contractors provide Certificates of Currency for Public Liability, Professional Indemnity, Motor Vehicle and Workers' Compensation. Subcontractors also produce Certificates of Currency when required.			
Incident/injury/hazard/near miss management procedure/form			
Electrical isolation procedure/form			
Site security plan (arrangements)			
Site traffic management plan			
Establish roles and responsibilities			
DOCUMENTATION	N/A	YES	NO
Site inductions			
PPE policy/procedure and register			
Emergency preparedness and response plans including site maps/muster point/s, first aiders and emergency contacts			
Plant and equipment risk assessments			
Plant maintenance records			
Work health and safety policy			
Fitness for work policy			
Workers' compensation and rehabilitation policy			
Issue resolution process			
Material safety data sheet register			
Activation/call out/permit to work procedure			
TRAINING	N/A	YES	NO
Training competencies and licenses documented and recorded			
Emergency preparedness and response training provided (fire warden/s, chief fire warden, first aiders and firefighting equipment)			
Health and safety representative training			
List of Inducted workers			

SIGNAGE		N/A	YES	NO
Hazardous substances				
Designated speed restrictions				
Plant/pedestrian directional movement requirements				
Potable water				
Emergency exit signs				
PLANT & EQUIPMENT		N/A	YES	NO
Maintained first aid kits				
Personal protective equipment				
Hazardous substances banded in designated secure area				
Installed and maintained firefighting equipment				
Plant and equipment secure storage area				
Out of service and danger tags				
RCD's on electrical power boards and equipment				
Lockable electrical power boards				
Tagged (in date) electrical equipment				
ACTION PLAN ITEM		ACTION DATE		RESPONSIBLE PERSON/S

4.2 A risk assessment

This risk assessment example is to be used in conjunction with your enterprise risk management framework and risk matrix.

STEP 1 BACKGROUND															
Directorate/department:															
Activity being assessed:															
STEP 2 DOCUMENTATION (Relevant legislation/standards/documentation)															
Is the activity/task/equipment or plant required to be registered				Yes <input type="checkbox"/>		No <input type="checkbox"/>		Is this involving new plant or equipment or impact other tasks?				Yes <input type="checkbox"/>		No <input type="checkbox"/>	
Are instruction manuals accessible?				Yes <input type="checkbox"/>		No <input type="checkbox"/>		Is a Safe Work Procedure or Safe Work Method Statement required?				Yes <input type="checkbox"/>		No <input type="checkbox"/>	
STEP 3 RISK ASSESSMENT (Use the Local Government Enterprise Risk Framework when assessing and controlling hazards)															
Activity/step/ process	Hazard description	Risk and potential impacts	Likelihood	Consequence	Risk rating	Priority	Description and evidence of controls/corrective actions	Date controls in place	Likelihood	Consequence	Residual risk rating	Effectiveness of the control in place	Responsible person	Additional controls or changes made	
1)															
2)															
3)															
4)															
5)															
6)															
Assessment conducted by:							Signature:						Date:		

4.3 A facility inspection checklist

DOCUMENTATION	N/A	YES	NO
Visible WHS Policy			
Incident/injury/hazard/near miss management procedure/form available			
Site evacuation plan and diagram available			
Brigade standard operating procedures available			
Issue resolution procedure available			
Material safety data sheets available			
PPE available			
Emergency contacts information available			
Out of service and danger tags			
SIGNAGE	N/A	YES	NO
Hazardous substances signage			
Designated speed and vehicle movement signage			
Emergency equipment and exit signs			
Potable water signage			
PLANT & EQUIPMENT	N/A	YES	NO
Access restricted to plant and equipment			
PPE in good working order, clean and hygienic for use			
Facilities clean and free from slip, trip, and fall hazards			
Hazardous substances banded in designated secure area			
Firefighting equipment tested and tagged			
Maintained first aid kits			
RCD's on electrical power boards and equipment			
Tagged (in date) electrical equipment and batteries isolated			
Facilities, plant and equipment operational, clean, hygienic and tidy			
Stored food and drinks in-date and not spoiled			
Plant and equipment in good working order and state of readiness			
ACTION PLAN ITEM	ACTION DATE	RESPONSIBLE PERSON/S	

PROPRIETARY NATURE OF PROPOSAL

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