



Executive Summary

Western Australian Local Governments have extensive roles and responsibilities prescribed in the State Emergency Management Framework (State Framework) across the emergency management activities of prevention, preparedness, response, and recovery. Relevantly, pursuant to the *Bush Fires Act 1954*, Local Governments have responsibility for bushfire and the management of volunteer Bush Fire Brigades (BFBs).

This Paper proposes a new Advocacy Position on the management of BFBs to guide the Association in particular its

Introduction

This Paper seeks Local Government WALGA Advocacy Position on the management of volunteer bush fire brigades (BFBs).

activities and support a consistent and whole-of-sector approach.

The introduction of the *Work Health and Safety Act 2020* has shone a spotlight on Local Government responsibilities for managing BFBs. In addition, the State Government is currently drafting the *Consolidated Emergency Services Act*, which consolidates the *Fire Brigades Act 1942*, *Bush Fires Act 1954* and *Fire and Emergency Services Act 1998* into a single piece of legislation, anticipated to be released as a Green Bill in early 2023. Therefore consultation on a new Advocacy Position with respect to management of BFBs is timely.

In 2012, 2019 and 2021, WALGA undertook comprehensive consultation with Local Government in relation to emergency management matters.

In 2021 WALGA undertook a comprehensive [Local Government Emergency Management Survey](#) to ascertain the sector

Background

FESA (now the Department of Fire and Emergency Services (DFES)) was established in 1999 for the purpose of improving coordination replacing the Fire Brigades and Bush Fires Boards¹. DFES provides strategic leadership for emergency services across WA. DFES manages the career fire and rescue service, as well as a number of volunteer emergency services: Volunteer Fire and Emergency Services (VFES); Volunteer Fire and Rescue Service (VFRS); State Emergency Services (SES); and Marine Rescue Western Australia.

Around Australia:

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Current Arrangements in WA

In Western Australia

Detailed comments provided in the WALGA survey indicated a strong preference for the State Government to be responsible for all emergency management matters in Western Australia, including the management of BFBs.

Recommendations of Previous Reviews

Over the past few years, there have been many calls for transformational change in the emergency management framework, in particular rural fire management.

The [2016 Waroona Bushfire](#) recommended that the State Government establish a rural fire service to address perceived issues such as insufficient capacity and unsuitable governance structures. The Government hosted a bushfire mitigation summit in 2017, and a number of options were considered by stakeholders: a rural fire service of DFES; a rural fire service established within DFES with autonomy; and a rural fire service established independently. Options to transfer the management of rural fire services to Local Government or other entities were also explored.

The [2019 Commission on Authority Review of the Emergency Services Act 2002](#) considered whether the ESL should be available to fund the establishment of a rural fire service, although it was outside the scope of the review to determine the merits of a rural fire service or form of service¹⁰. A number of Local Government submissions were received, with a number that supported the creation of a rural fire service.

Work on the *Health and Safety Act 2020*

The review of the *Health and Safety Act 2020*, enacted in March 2020, highlighted the need for a Director regarding risk and liability in the management of rural fire services, and the need for training and competency.

The state of Western Australia is a public entity for the purposes of the *Information Access Act 2002* (IAA). The IAA provides that information held by a public entity is to be made available to the public unless it is exempt from disclosure. The IAA provides that information is exempt from disclosure if it is of a kind that is exempt from disclosure under the *Information Access Act 2002* (IAA). The IAA provides that information is exempt from disclosure if it is of a kind that is exempt from disclosure under the *Information Access Act 2002* (IAA).

Volunteer Insurance

Local Governments are responsible for providing compensation for injury caused to present and former BFB volunteers as a result of their duties. The commercial insurance market ceased writing injury insurance for volunteers in 2012, therefore a self-insurance mutual scheme was implemented to ensure that Local Governments continue to meet this obligation.

Since 2012, due to the high cost of claims, the aggregate limit of liability has increased from \$250,000 to \$750,000. In addition, the annual cost of insurance has nearly doubled (92%) from \$47.50 to \$91.20 per volunteer, and it is expected that this trend will continue¹².

Sector Capacity, Capability and Resourcing

Local Governments vary in their capability, capacity, and resources to manage BFBs, as well as their other extensive legislative responsibilities and requirements¹³.

By way of overview, Local Governments in Western Australia:

- vary in size from less than 1.5 to over 370,000 square kilometres;
- have populations of just over 100 to more than 220,000 people;
- employ fewer than 10 to over 1000 staff; and
- have revenue (2019-20) rang0 0 1 221.57 455.57 455.57 1.57W* n B.B59547(j)- W* n BT /F1 11.0

Based on the previous commentary, the following Advocacy Position is proposed:

How to Provide a Response to this Paper and Proposed Position

WALGA strongly encourages all Local Governments, and particularly those with responsibility for managing Bush Fire Brigades to provide a response to this Paper and the proposed Advocacy Position. Council endorsed responses are preferred but not essential.

The following questions are provided for Local Governments to consider:

1. Does your Local Government manage BFBs?
2. Does your Local Government support the proposed overnme

APPENDIX ONE - Proposed Emergency Management Advocacy Position Statements

(Positions to be considered at July 2022 State Council Meeting)

8 Emergency Management

Local Governments in Western Australia play a significant role in emergency management. Both Commonwealth and State Government policy identify Local Government as a key player in community disaster resilience, preparedness and response. Local Governments however face a few challenges in addressing their emergency management responsibilities, and these challenges differ greatly across the State.

8.1 Emergency Management Principles

1. The State Government bears fundamental responsibility for emergency management and has the role of providing strategic guidance, support and services for emergency management activities in Western Australia.
2. The State Government should provide financial and resourcing support as necessary to enable Local Governments to adequately deliver their extensive emergency management roles and responsibilities under the State Emergency Management Framework.
3. The Local Government Sector should be engaged as a partner in policy and legislative reviews that impact Local Government emergency management roles and responsibilities.

8.2 State Emergency Management Framework

Local Governments are supported to undertake their emergency management responsibilities by a simple and streamlined State Emergency Management Framework with the primary objectives of:

1. Protecting people, the economy, and the natural environment from disasters;
2. Supporting communities in preventing, preparing for, responding to and recovering from emergencies; and
3. Clearly outlining roles, responsibilities and accountabilities for Local Government and other emergency management stakeholders;
4. Scalability and adaptability that supports Local Governments of varied capacity and capability; and
5. Supporting agency interoperability through common systems and approaches.

1. Expansion of the ESL to fund Local Government emergency management activities across prevention, preparedness and response.
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