



## MINUTES

### MINUTES OF ANNUAL GENERAL MEETING OF THE BUSH FIRE ADVISORY COMMITTEE MEETING HELD AT THE FOOTBALL CLUB ROOMS ON TUESDAY 23 MAY 2023 AT 7.30pm

#### 1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS AND DISCLAIMER

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

#### 2 RECORD OF ATTENDANCE

Cr Richard Walker - Shire President  
Peter Clarke – Acting Chief Executive Officer  
Rosalyn Edwards – Ranger and Emergency Services Officer

#### Fire Control Officers & Deputy Fire Control Officers, Secretary's and X-Ray Team

Ben Thompson	-	Chief Bush Fire Control Officer (Dinninup)
Tristan Mead	-	1 <sup>st</sup> Deputy
Brad Skraha	-	2 <sup>nd</sup> Deputy
David Fortune	-	Communications Officer (McAlinden)
Brad Fairbrass	-	Fire Weather Officer
Wayde Robertson	-	Deputy Fire Weather Officer
Clint Westphal	-	Benjinup
Rob Imrie	-	Benjinup
Glenn Mead	-	Chowerup
Luke Harding	-	Chowerup
Wayne White	-	Dinninup
John Ritson	-	East Boyup Brook
Ron Bingham	-	Gibbs Road
Michael Giles	-	Gibbs Road
Brad Skraha	-	Kenninup
Nick Bagshaw	-	Kenninup
Geoff Dalton	-	Kenninup
Brad Fairbrass	-	Kulikup
Ben Creek	-	Mayanup
Mat Franke	-	Mayanup
David Fortune	-	McAlinden
Darren Chapman	-	Mickalarup/Dwalganup
Jamie Forbes	-	Mickalarup/Dwalganup
Rob Introvigne	-	Nollajup
Mick Hester	-	Nollajup

Charles Caldwell (Cr) -	Scotts Brook
Wayde Robertson -	Scotts Brook
Matt Della-Golla -	Tonebridge
David Turner -	Tonebridge
David Muir -	Tweed
Scott Nix -	Tweed
Brian Cailes -	West Boyup Brook

**Apologies**

Ross Parker -	West Boyup Brook
Kieren Power -	McAlinden
Marcus Gifford -	Nollajup
Hayden Bock -	Kulikup
John Ritson -	East Boyup Brook
Ronald Tuckett -	Tonebridge

**Agencies**

Chris Sousa -	Department of Fire and Emergency Services
Darren Harvey -	DBCA, Park and Wildlife, Wellington District

**Agencies Apologies**

Ed Hatherley -	DBCA Park and Wildlife Blackwood
Greg Hogson -	Forrest Products Commission
Clinton Wawilow -	Boyup Brook Volunteer Fire & Rescue (Captain)
Gyula Bogar -	Boyup Brook Volunteer Fire & Rescue Lieutenant

**3 ELECTION OF PRESIDING MEMBER**

5.12. *Presiding members and deputies, election of*

- (1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*
  - (a) *to “office” were references to “office of presiding member”; and*
  - (b) *to “council” were references to “committee”; and*
  - (c) *to “councillors” were references to “committee members”.*
- (2) *The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —*
  - (a) *to “office” were references to “office of deputy presiding member”; and*
  - (b) *to “council” were references to “committee”; and*
  - (c) *to “councillors” were references to “committee members”; and*
  - (d) *to “mayor or president” were references to “presiding member”.*

**3.1 ELECTION OF PRESIDING MEMBER**

The Committee called for nominations  
Cr Richard Walker was declared elected Presiding Member

**3.2 ELECTION OF DEPUTY PRESIDING MEMBER**

The Committee calls for nominations  
Charles Caldwell was declared elected Deputy Presiding Member

**4 ELECTION OF OFFICERS/MEMBERS**

**Chief Fire Control Officer**

Ben Thompson was declared elected Chief Fire Control Officer

**1<sup>st</sup> Deputy Chief Fire Control Officer**

Tristan Mead was declared elected Deputy Chief Fire Control

**2<sup>nd</sup> Deputy Chief Fire Control Officer**

Brad Skraha was declared elected Deputy Chief Fire Control

**Communications Officer**

David Fortune was declared elected as Communications Officer

**Fire Weather Officer**

Brad Fairbrass was declared elected as Fire Weather Officer

**Deputy Fire Weather Officer**

Wayde Robertson was declared elected as Deputy Fire Weather Officer

**Training Officer**

Rosalyn Edwards was declared elected as Training Officer

**Fire Control Officers from each Brigade**

Rob Imrie and Clint Westphal were declared elected as delegates/Fire Control Officers from the **Benjinup Brigade**.

Glenn Mead and Luke Harding were declared elected as delegates/Fire Control Officers from the **Chowerup Brigade**.

Tristan Mead and Wayne White were declared elected as delegates/Fire Control Officers from the **Dinninup Brigade**.

John Ritson and Ken Holland were declared elected as delegates/Fire Control Officers from the **East Boyup Brook Brigade**.

Ron Bingham and Michael Giles were declared elected as delegates/Fire Control Officers from the **Gibbs Brigade**.

Geoff Dalton and Nick Bagshaw were declared elected as delegates/Fire Control Officers from the **Kenninup Brigade**.

Brad Fairbrass and Hayden Bock were declared elected as delegates/Fire Control Officers from the **Kulikup Brigade**.

Ben Creek and Mat Franke were declared elected as delegates/Fire Control Officers from the **Mayanup Brigade**.

David Fortune and Kieren Power were declared elected as delegates/Fire Control Officers from the **McAlinden Brigade**.

Darren Chapman and Jamie Forbes were declared elected as delegates/Fire Control Officers from the **Mickalarup/Dwalganup Brigade**.

Marcus Gifford and Rob Introvigne were declared elected as delegates/Fire Control Officers from the **Nollajup Brigade**.

Charles Caldwell and Wayde Robertson were declared elected as delegates/Fire Control Officers from the **Scotts Brook Brigade**.

Matt Della-Golla and David Turner were declared elected as delegates/Fire Control Officers from the **Tonebridge Brigade**.

David Muir and Scott Nix were declared elected as delegates/Fire Control Officers from the **Tweed Brigade**.

Brian Cailes and Ross Parker were declared elected as delegates/Fire Control Officers from the **West Boyup Brigade**.

Clinton Wawilow and Gyula Bogar to be recommended as Fire Control Officers for the **Boyup Brook Townsite**.

Rosalyn Edwards and Donna Forsyth are required to be Fire Control Officers for the Shire of Boyup Brook as part of *Section 33, 58 and 59 of the Bush Fires Act 1954* compliance, powers of entry and enforcement of the Act.

**COMMITTEE RECOMMENDATION – Item 4**

**MOTION**

**Moved: Cr Walker**

**Second: Charles Caldwell**

***Recommended to Council that;***

***The above be appointed as Officers as defined under Section 38 of the Bush Fires Act 1954.***

**Carried**

**BFAC 23/05/001**

**Fire Control Officer**

*Section 38 (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.*

*Section 38 (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.*

**Weather Officers**

*Section 38 (13) The local government shall give notice of an appointment made under subsection (8) or (10) to the FES Commissioner and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the FES Commissioner shall cause notice of the appointment to be published once in the Government Gazette.*

**5 PRESENTATIONS**

Nil

**6 CONFIRMATION OF MINUTES**

**6.1 Bush Fire Advisory Meeting – 24 May 2022**

**MOTION**

**MOVED: Ron Bingham**

**SECONDED: Dave Fortune**

(Att 1) *That it be recommended to Council that the unconfirmed minutes of the Bush Fire Advisory AGM held on the 24 May 2022 be confirmed as an accurate record.*

**Carried**

**BFAC 23/05/002**

**6.2 Brigade Meeting Minutes**

**MOTION**

**MOVED: Tristan Mead**

**SECONDED: Charles Caldwell**

*That it be recommended to Council That the AGM Minutes of the various brigades be received.*

	<b>BRIGADE</b>	<b>RECEIVED DATE</b>	<b>MEETING DATE</b>
(Att 2.1)	Benjinup	23/05/2023	9/5/2023
(Att 2.2)	Chowerup Brigade	19/05/2023	9/5/2023
(Att 2.3)	Dinninup Brigade	8/5/2023	2/5/2023
(Att 2.4)	East Boyup Brook Brigade	19/5/2023	4/5/2023
(Att 2.5)	Gibbs Brigade	8/05/2023	8/05/2023
(Att 2.6)	Kenninup Brigade	18/5/2023	2/05/2023
(Att 2.7)	Kulikup Brigade	29/4/2023	22/05/2023
(Att 2.8)	Mayanup Brigade	10/5/2023	27/04/2023
(Att 2.9)	McAlinden Brigade	21/05/2023	30/04/2023
(Att 2.10)	Mickalarup/Dwalganup Brigade	23/05/2023	9/05/2023
(Att 2.11)	Nollajup Brigade	23/05/2023	8/05/2023
(Att 2.12)	Scotts Brook Brigade	22/05/2023	28/04/2023
(Att 2.13)	Tonebridge Brigade	23/05/2023	21/05/2023
(Att 2.14)	West Boyup Brigade	24/05/2023	26/04/2023

It was noted West Boyup Brook's minutes will be sent to the Shire 24/05/2023, that the Volunteer Fire & Rescue Brigade is not a Shire Brigade therefore minutes are not required, and Tweed Brigade has not held their AGM.

*(Attachment circulated)*

**Carried**

**BFAC 23/05/003**

## 7 BUSINESS ARISING

### 7.1 Annual Firebreak Notice

The Bush Fire Advisory Committee is requested to review Notice and advise administration of any changes that need to be made.

(Att 3.1)

The Shire of Boyup Brook 2022/2023 Fire Information & Firebreak Notice was sent out with the agenda. The Bush Fire Advisory Committee was requested to review and advise administration of any changes that need to be made.

The Ranger highlighted the booklet contained additional information related to other provisions of the *Bush Fire Act* and Regulations, general hazard and preparedness information. BFAC is only requested to review the Firebreak Notice - enforceable activities under section 33 *Bush Fires Act 1954* only.

Information on other sections in the *Bush Fires Act 1954*, and other information or guidance that is not enforceable through section 33 were separated from the fire-break notice, and hard copies of the following were available at the meeting.

(Att 3.2)

\* Shire of Boyup Brook Firebreak Notice - enforceable through section 33

(Att 3.3)

\* Other provisions of BF Act or Fire Information

Michael Giles asked why the Ranger is reviewing the Notice and Fire information booklet? It was advised; WALGA and DFES have collaborated to produce a Guidance Note to support Local Governments to produce an effective and enforceable fire-break notice. Hard copies of the draft Guidance Note were also made available at the meeting.

The Chief advised there are local rules that have been decided by BFAC added to the booklet to be enforced. The Ranger advised information on other sections in the Bush Fires Act, and other information or guidance that is not enforceable through section 33 should be clearly separated from the fire-break notice and make reference to the section of Act that it is enforceable under, it can be in the same document but under a clearly separate heading. The Shire may need to investigate reviewing our Bush Fires Local Law.

### **COMMITTEE RECOMMENDATION – Item 7.1**

#### **MOTION**

**Moved: Michael Giles**

**Second: Brad Skraha**

***Recommended to Council that;***

***No changes be made to the 2023/2024 Fire Information & Firebreak Notice, that the review be delayed until next season and, that adequate notice be given to BFAC to review the Firebreak Notice.***

**Carried**

**BFAC 23/05/004**

**7.2 Brigade Contacts for 2023/2024**

The Bush Fire Advisory Committee is requesting to review and advise administration of any changes that need to be made.

Changes to positions are recorded in Brigades AGM minutes, no other changes.

**8 REPORTS**

**8.1 Chief Bush Fire Control Officer Report**

The exiting Chief Tristan Mead thanked all the team for their assistance at fire over the season, response to fires has been great.

Tristan Mead thanked the FCOs for their support of the last 4 years as Chief. Works carried out through MAF funding have paid for several VHF High Ban radios. Tristan Mead will continue to support the program in his new role.

All lots identified by the X-Ray team to DBCA have been burnt, Tristan Mead thank DBCA for their work.

**8.2 Brigade 2023 AGM Minutes as tabled by the Chief Bush Fire Control Officer**

Business arising from Brigade AGM minutes raised under general business. A number of items raised at the Brigade's AGM will be raised with the X-Ray Team for further investigation.

**8.3 Forest Product Commission (FPC)**

Greg Hogson from FPC was unable to attend, apologies and an update was provided direct to X-Ray team.

**8.4 Department Biodiversity Conservation & Attractions (DBCA)**

(Att 4)

DBCA, Park and Wildlife Wellington District - Report

DBCA, Parks & Wildlife Service, Blackwood District Fire Coordinator Ed Hatherley apology, was completing a large burn south of Nannup.

**8.5 Department of Fire & Emergency Services (DFES)**

(Att 5)

Chris Sousa - District Officer Nelson – DFES

Chris Doherty (apology) – Bush Fire Mitigation Coordinator – hard copies of the

(Att 6)

MAF treatment application were provided and

(Att 7)

MAF GP 2020 – 2023 R1 Status for the Shire

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10 GENERAL BUSINESS**

**10.1 Memorandum of Understanding - Fire Truck Use at Boyup Brook**

The MOU between PF Olsen and The Shire of Boyup Brook – Fire Brigades of Chowerup and adjacent localities. Intends to locate a truck with equipment for the purposes of firefighting for the use of the Brigade.

The MOU was sent out with the agenda and tabled. Questions were asked including who will be responsible for consumables, where will it be housed?

Michael Giles stated if the Shire had signed the previously prepared Plantation Industry MOU there would be no need for individual MOUs as responsibilities for consumables etc. are all covered.

In June 22 the CEO at the time Dale Putland asked the plantation industry to provide support and liability, however all this was also covered in the Plantation Industry MOU. The Plantation Industry MOU was presented to Council, for the 3<sup>rd</sup> time 23 February 2019 with no response and the question was asked if the MOU was ever presented to BFAC?

The Shire President Richard Walker responded that the Plantation Industry MOU manages risks collectively and shares resources. Boyup Brook Shire Council assesses individual plantation risks with the relevant plantation companies, through the development planning process.

**It was agreed the Shire president Richard Walker and the X-Ray team will review the MOU with PF Olsen before September 2023. *Action Item***

**10.2 Servicing of fire units and trailers**

Charles Caldwell asked that the brigades take back servicing of fire units, last year some of the units were left at the Shire Depot for extended periods of time. Tristan Meads stated Brigades are unable to service the units under the ESL and the insurance may be affected.

**COMMITTEE RECOMMENDATION – Item 10.2**

**MOTION**

**Moved: Charles Caldwell**

**Second: Ben Creek**

***Recommended to Council that;***

***An alternative servicing provider be sourced for the fire units and trailers and that the X-Ray team will provide recommendations on alternative servicing providers.***

**Carried**

**BFAC 23/05/005**

***Action Item***

**GENERAL COMMUNICATION BETWEEN X-RAY TEAM AND DECISIONS**

**10.3 Contacted for Brigade business**

Scotts Brook seek clarification on the Rangers position and which Ranger should be contacted for Brigade business. It was clarified the Rangers will share responsibility for Brigade business.

Rangers are working on the best way to receive the various Brigade requests and utilising/improving the Shire's existing Customer Service request system where first responsible officers will be allocated.

**10.4 Information is not going through the X-Ray**

West Boyup questioned the location of the new fire shed and asked why information is not going through the X-Ray team and is now public information through Council



meetings.

Questions were raised at the West Boyup Brook AGM and asked at the Council meeting. The questions were taken on notice and Ranger Donna Forsyth responded that a new fire shed was a suggestion only without plan or approval. Water connection for a washing machine in the existing shed is approved and the work has been contracted to Russel Squires. It is the shires preference that business arising from Brigade meetings are recorded in the minutes and raised through BFAC.

**10.5 BFAC agenda delay**

Brad Skraha raised concerns that the BFAC agenda was delayed, and not enough time was given to review the information like the MOU and Firebreak Notice.

The Ranger apologised that the agenda was delayed, due to IT issues. Tristan Mead noted the date was not confirm for the BFAC meeting however BFAC generally meets third week of May each year. Delays also incurred from receiving the Brigade agendas and the Firebreak Notice is review annually.

**COMMITTEE RECOMMENDATION – Item 10.5**

**MOTION**

**Moved: Brad Skraha**

**Second: Dave Fortune**

***Recommended to Council that;***

- 1. The BFAC first agenda is to be sent giving a months' notice of the meeting date;***
- 2. That all Brigade must hold their meetings before end of April and Brigade minutes must be submitted by the first week in May. (already in Local Law 3.6 Holding of AGM);***
- 3. Information for Brigades to address and review must be sent at the beginning of April and include any recommended changes.***

**Carried**

**BFAC 23/05/006**

**Note: Extracts form the Boyup Brook Bushfires Local Law**

***Action Item***

*Division 3 – Annual general meetings of bush fire brigades*

**3.6 Holding of annual general meeting**

A bush fire brigade is to hold its annual general meeting during the month of March or April each year.(amended 12 August 2005).

**3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee**

At the annual general meeting of a bush fire brigade, one brigade member is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

**3.8 Nomination of bush fire control officer to the local government**

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

**3.9 Minutes to be tabled before the Bush Fire Advisory Committee**

- (1) The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.
- (2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade’s annual general meeting at the next meeting of the –
  - (a) Bush Fire Advisory Committee; or
  - (b) Council, if there is no Bush Fire Advisory Committee, following their receipt under subclause (1).

**10.6 MAF treatment applications**

It was also raised through Trian Mead that MAF treatment applications areas were being identified outside of the X-Ray team consultation. The team were advised consultation and identification of MAF treatment areas are not limited to the X-Ray team.

Below is from DFES Bush Fire Mitigation Coordinator MAF GP 2020 – 2023 R1 Status for the Shire of Boyup Brook (**Attachment 7**).

*“There has been consultation with the X ray team, Local and State government stake holders to develop the treatment applications for submission.*

*Identification of assets that have been risk assessed in accordance with the Bush Fire Risk Management Plan and Mitigation Activity Fund Grants Program have also been included as required by the Bushfire Risk Management Branch to meet funding requirements and treatment Objectives”.*

**10.7 Contact details of absentee landowners**

David Turner of Tonebridge Brigade raised, there is an issue of obtaining contact details for absentee landowners in case of fire emergency and of fire mitigation work. FCO’s need this information. How do we obtain this information? In case of an emergency, having to contact ranger is not practical and fast enough.

Dave Turner requested BFAC request Council to make attempts to provide Brigade with all land owners contact details.

The committee was advised giving out contact phone number is against Local Government privacy laws however names and postal address can be given. The committee was asked in what situation have the issue arises as each request will have a different priority level. The provided example was; giving notify to adjoining

landowner regarding mitigation work once a permit was issued. The Ranger reminded the requirement of a permit holder to ensure they have given notice to owners or occupiers of adjoining land prior to obtaining a permit. Period of notice to neighbours prior to burning cannot be more than 28 days or less than 4 days (this can be done by post), although lesser notice may be determined by mutual agreement. It is a good method to have contact phone number of owners or occupiers of adjoining land to determine mutual agreement.

Another example was given that DBCA was carrying out a burn and the FCO wanted to warn the adjoining landowner and check their firebreaks were in place. It was acknowledged this local information sharing is supported and encouraged.

McAlinden Fire Brigade shared that they updated their McAlinden Location Fire Brigade Contact List in May 2023 and encourage other brigades to create or update local contact list. This list includes a reference number, contact names, phone numbers and lot numbers. The reference numbers are recorded on their McAlinden Brigade map.

Tristan Mead said the WhatsApp group was an effective form of communication and encourage brigade to create local communication tree for their areas before emergency situations arise.

The Shire Ranger advised that landowners and occupiers are very grateful to Brigades and are generally willing to provide their phone numbers when requested. A suggestion was made to write to landowner and request emergency contact details. The mail out could be sent with rates.

**It was agreed a letter from the Brigades requesting emergency contact details to be sent with rates. Action Item**

**10.8 Waters and Rivers**

Glen Mead raises there are still ongoing mitigation works required in waters and rivers however DWAR have no money. The question was asked if DBCA could assist? DBCA advised they can't take on other department land tenure and they also have a limited budget.

**10.9 Crown land**

It was asked with the UCL managed land going back to traditional landowners will DBCA now administer fire mitigation works on UCL land?

It was noted that the Shire has not received an official notice that traditional landowners will be acquiring UCL. DBCA stated that some UCL land has vested management orders in place by various agencies. DBCA already has UCL lots vested in their control as would the Shire of Boyup Brook.

DBCA also noted that they are not obligated to give notice of burning in the same manner as permit burns.

**10.10 Slip on unit insurance**

Rob Introvigne, of Nollajup Brigade has heard the green/yellow slip-on fire units that require straps to hold them down are banned and seek clarification if this is correct? The Shire Ranger question how brigades are checking info fire, are they using T-Cards? Also, do the units have the ID Stickers.

**The Shire will seek further clarification from LGIS.**

**Action Item**

**10.11 Plantation inspections, penalties and enforcement**

Ron Bingham, of Gibbs Road asked if the fine could be increased non-compliant plantation inspection that re-offend and don't complete firebreak? The Ranger advised the \$250 penalty for non-compliance under *Section 33 of the Bush Fires Act 1954* is legislated therefore cannot be increased. The Shire can elect to have the matter heard in court and seek the maximum penalty however prosecutions incurs additional costs that may not be recovered.

The council plantation development planning approval process was discussed. It is possible for Local Governments to impose a condition on a development approval to require ongoing compliance with a BMP which is enforceable under the *Planning and Development Act 2005*.

The Shire can engage contractors to carry out the requirements of a fire- break notice that has not been met by the landowner or occupier and the expense is fully recoverable in the same manner as rates.

The X-Ray team were encouraged to report non-compliance of the Firebreak Notice to the Ranger for enforcement and document any previous warnings they give to gain compliance.

**11 ACTION ITEMS**

	<b>Action Items</b>	<b>Responsible Party</b>
<b>10.1</b>	Review the MOU with PF Olsen before September 2023.	<i>Richard Walker X-Ray Team</i>
<b>10.2</b>	Alternative servicing provider be sourced for the fire units and trailers 2023/24.	<i>Shire of Boyup Brook – Donna Forsyth Roz Edwards</i>
<b>10.5</b>	<p>1. The BFAC first agenda is to be sent giving a months' notice of the meeting date.</p> <p>2. Reminder sent to all Brigades regarding that they must hold their AGM before end of April and minutes must be submitted by the first week in May. (local law 3.9 allows one month after meeting, minutes to be given to Chief)</p> <p>3. Information for Brigades to address and review must be sent at the beginning of April and include any recommended changes.</p>	<i>Shire of Boyup Brook – Donna Forsyth Roz Edwards</i>
<b>10.7</b>	A letter from the Brigades requesting emergency contact details to be sent with rates.	<i>Shire of Boyup Brook – Donna Forsyth Roz Edwards</i>
<b>10.10</b>	Clarification regarding the use of green/yellow slip-on fire units that require straps to hold them down – update and inform brigade members.	<i>Shire of Boyup Brook – Roz Edwards</i>

**12 CLOSURE**

There being no further business the Presiding Member declared the meeting closed at 9:45pm.

\_\_\_\_\_  
**Presiding Member**

\_\_\_\_\_  
**Date**