

PERTH HILLS BUSHFIRES FEBRUARY 2011 REVIEW

1. The February 2011 bushfires in the Kelmscott-Roleystone area was traumatic for the local community and even more so for those who lost their homes or had their houses severely damaged.
2. For many the trauma remains fresh and ongoing and I hope that this independent review of bushfire risk management in the Perth Hills will help the healing process.
3. While I am supportive of this review I do believe the terms of reference are too narrow and restrictive. The review should include an examination of the role of FESA in bushfire risk management in the Perth Hills and FESA's role and performance during and immediately after the Kelmscott-Roleystone February 2011 bushfires. I understand that FESA is conducting an inquiry into its own performance, having commissioned an external person to conduct the inquiry. However, I submit that FESA should not be the contracting party in relation to an inquiry into itself. The public of Western Australia would be better served if there was greater independence in the process of the FESA inquiry.
4. My brief submission is strongly guided by the communications and representations I received from the local community.

- (a) Communication of fire alerts: some residents in the affected area informed me that they had difficulty receiving information updates and evacuation warnings from FESA due to mobile/radio/TV back spots. Furthermore during bushfires, reliable power sources are often under threat which could severely inhibit fire alert warnings via landline, TV and internet.

A possible solution to potential and actual fire alert communication difficulties is to build siren towers in strategic positions in the hills that can be activated at appropriate times.

- (b) Media fire alerts: ABC Local Radio created in 1997 what they call "emergency broadcasting." I have been informed that in Western Australia information provided to FESA from the public must first pass through FESA's media department before it is communicated to media

broadcasters. This can significantly delay the broadcasting of fire alerts and updates to the public.

Incident Controllers should be able to immediately call radio stations to issue fire warnings and updates.

(c) Appropriate Garden Nursery Warnings: One householder I doorknocked in the affected area made a useful suggestions in relation to appropriate vegetation growth in the fire prone hills region.

Shrubs, trees and plants sold at nurseries should have a 'fire danger rating' with a recommendation as to their suitability in fire prone regions.

This submission is brief but I believe contains a number of relevant and pertinent issues and recommendations that have been guided from information I obtained through local residents in the fire affected regions.

Dr Antonio Buti MLA

Member for Armadale

15 April 2011



SUBMISSION TO THE

PERTH HILLS BUSHFIRE

FEBRUARY 2011 REVIEW

To:
Perth Hills Bushfire February 2011 Review
197 St Georges Terrace
PERTH WA 6000

INTRODUCTION:

This submission has been prepared by the Chief Executive Officer and senior staff of the City of Armadale. Since 6 February 2011 the City's resources have been stretched by the recovery effort as its community works its way back to normality. The submission does not seek to be all encompassing but addresses the terms of reference of the Review.

Senior officers have met with the review panel and welcome the objectives set out in the review brief.

The following officers have provided input:-

- Mr Ray Tame, Chief Executive Officer with over 40 years experience in Local Government in WA, 31 of which have been at Councils with a mixture of urban growth and hills/forest areas
- Mr Ian MacRae, Executive Director of Developments Services and responsible, within the City's administration, for oversight of town planning, building and health and environmental matters for the City.
- Ms Yvonne Coyne, Executive Director of Community Services but for the purpose of these discussions, responsible within the City's administration for rangers and emergency services. Ms Coyne is the coordinator of the City's recovery effort, following the 6th February Bushfires. While the Mayor chairs the Recovery Committee, Ms Coyne is the convenor and coordinator of all recovery efforts.
- Mr Brian Watkins, the City's Manager of Ranger and Emergency Services, also the City's Chief Bushfire Control officer under the Bush Fires Act 1954.
- Mr Paul Lanternier is the City's Manager of Parks, responsible within the City's administration for day to day management of the City's parklands and reserves.
- Mr Tony Maxwell, the City's Executive Director Corporate Services is responsible for Finance, IT, corporate, governance and administrative services. Mr Maxwell administered the financial aspects of the Premier's Disaster Relief Fund and the Lord Mayor's Distress Relief Fund.

CITY INFORMATION

Terms of Reference

- 1. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**
 - 2. The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.**
- The City of Armadale has a population of approx. 60,000, stretches over an area of 545 sq.km. approx two-thirds of which is State Forest or water catchment area.
 - The population is centred in the western third of the City. Approx. 10,000 live in the hills and foothills of the Darling Range.

- The Council of the City consists of 14 elected Councillors, representing 7 wards (2 per ward).
- The City has some 412 staff, making up approx. 260 permanent full-time equivalents and 35 contract positions.
- It also oversees some 759 Volunteers, 106 of whom are volunteer bushfire brigade members, and 33 State Emergency Services volunteers.
- The CEO is appointed under the provisions of the Local Government Act 1995, and there are four designated Senior Officers who are responsible for the Technical Services, Development Services, Corporate Services and Community Services Directorates of our organisation respectively.
- The Technical Services Directorate contains the bulk of the City's field staff, responsible for roads, footpaths, drainage, parks and reserves, buildings, waste collection and plant.
- The Development Services Directorate manages town planning, building, health and environmental regulation and compliance.
- The Community Services Directorate oversees community development, recreation and leisure, libraries, rangers and emergency services.
- The Corporate Services Directorate oversees finance, governance, IT and the administrative core of this Council.
- In accordance with the Local Government Act 1995, the elected Council is to govern the Local Government's affairs, be responsible for the performance of its functions, oversees the allocation of finances and resources, determine its policies [Section 2.7(i) and (ii)]
- The CEO is responsible for implementing the Council's policies, decisions and budgeted works, the provision of advice for decision-making and efficient administration of the Council. The CEO manages the day to day operations of the Council. (Section 5.41 of the Local Government Act 1995).
- Each Executive Director reports to Council (on these matters requiring a Council decision) via a Committee. Most of the routine decision-making of the Council is governed by statute and/or policy and is delegated to staff via the City's Local Laws, Policy manual and Delegations Register. All documents are publicly available on the City's website.

RELEVANT STATUTES

Terms of Reference

2. **The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.**
 - The City operates under numerous Acts and Statutes, but predominantly under the Local Government Act 1995, the Planning and Development Act 2005 and most relevant to this review, the Bushfires Act 1954 and the Fire Brigades Act 1942.
 - The City is required to collect the Emergency Services Levy (ESL) under the Emergency Services Act 2002.
 - It is also responsible for ensuring compliance with the Building Code of Australia.
 - Mr MacRae had provided detail on the matters of town planning, building and health controls on those developing or building in the City. (**Refer Attachment 1**)
 - In April 2002 Council repealed Local Laws under the Local Government Act 1960 and consolidated fire control into a new Bushfire Central Local Law under the Bushfires Act 1954. This Local Law enabled the establishment, organisation and maintenance of Bushfire Brigades and appointment of relevant officers to that task.
 - Councils Policy Manual contains three policies, Fire 1 – Firebreaks, Fire 3 – Training and Qualifications and Fire 4 – Health Declaration. (Fire 2 was deleted as superfluous after the new Bush Fire Control Local Law was gazetted in 2002). Copies of the City’s Local Laws, Policy Manual and Delegations register have been provided to the Review.
 - As a metropolitan local authority, parts of the City fall within the metropolitan fire district (ESL1) while parts of its populated area and the forest area to the east of the City centre are considered rural. (ESL3)
 - As a consequence, the City defers to the Fire & Emergency Services Authority (FESA) for fire management, coordination, education and public awareness in its populated areas.
 - Within the District of the City of Armadale there are two (2) Volunteer Bushfire Brigades (VBFB's) Roleystone VBFB and Bedforddale VBFB. These VBFB's operate outside the Metropolitan Fire District (ESL Category 1) and within the Bush Fire Zone (ESL Category 3) notwithstanding Zone 2 turnout protocols operate for the entire Prohibited Bushfire Period; usually 1st December to 31st March but is also dependent upon Local Govt extension of declared 'Restricted Periods.
 - Zone 2 response consists of at least 1 unit mobilised from each of Local Government Bush Fire Brigade, FESA Fire & Rescue Service and Department of Environment & Conservation; 2 x Helitac Water Bombers (1 Helitac Supervisor inside Helitac) mobilised as primary with Type 1 Helitac and/or Fixed Wing backup as required.

- The City has always earnestly supported both VBFB brigades with the best in training opportunity and equipment, supported over recent years by the ESL.
- Armadale City Council and FESA formed a special partnership with the co-location of the Roleystone Volunteer Fire Brigade with its FESA counterparts in the new purpose-built facility at Jarrah Road, Roleystone in 1998.

FIRE READINESS

Terms of Reference

- 3. The actions that can and should be taken by landowners, residents and tenants in relation to bushfire risk management including undertaking vegetation clearance, operation of evaporative air-conditioners and storage and/or removal of hazardous inflammable material surrounding their dwellings and buildings. This should include consideration of associated enforcement regimes and penalties.**
 - The City has maintained a constant awareness of the importance of fire preparedness. It operates under Local Emergency Management Arrangements overseen by its Local Emergency Management Committee. The City's role in that regard relates mainly to recovery and appeared to work well in this instance.
 - It largely defers to FESA on the matter of community awareness. In the 1990s there was some rationalisation of services with the City's focus away from metropolitan areas of Forrestdale and Kelmscott (deemed to be under FESA oversight) and more directly applied to the hills volunteer brigades at Roleystone and Bedforddale.
 - I am not aware of any resource issues or disputes regarding equipment, training or support for the volunteer services, since the late 1990s. (Traditionally, at other hills communities, this had always been an annual Budget and resource dilemma).
 - All of our service and financial planning is done on a long-term strategic basis, avoiding the boom and bust competition of annual Budgets. The introduction of the ESL means that operating and plant requirements of the volunteer brigades is subsidized. We do have a concern about timely replacement of plant on proper asset management principles, but as the City had upgraded attack capability around the time of introduction of the levy, the units are still considered to have excellent attack capability.
 - In conjunction with FESA, the City is responsible for distribution of preventative information, public contact, conduct of inspections, letter-drops and pamphlets on fire awareness. We estimate that approximately \$70,000 p.a. of the rangers & emergency services \$400,000 p.a. Budget is spent on fire readiness and awareness. This is closely coordinated with FESA's own effort, so that a common message and understanding goes out to the community, regardless of Local Government boundaries. Neither agency can conduct this effort in a unilateral fashion, it must be shared.
 - For example, an information leaflet titled "Bushfire Preparedness 2009-10" was distributed to all residents of Clifton Hills in February (2010).
(Refer Attachment 2)

- The Roleystone and Bedfordale Communities have an active Bushfire Ready Group (BRG) facilitated through the volunteer Brigades. This has achieved good exposure throughout the community. At the same time there are always members of the community who choose to ignore warnings.
- Whilst there have been preliminary meetings, there is no established BRG in the Clifton Hills or Kelmscott precincts.

FIRE MANAGEMENT RESPONSIBILITY

Terms of Reference

- 1. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**
- 5. Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups**

- The City has responsibility for crown land vested in the City, road reserves and freehold land owned by it, within the City boundaries.
- Crown land vested in, or land owned by other Government authorities is the responsibility of the relevant authority.
- Much of the forest in the City's rural area is under management of the Department of Environment and Conservation (DEC).
- Unallocated Crown Land (UCL) and Unmanaged Reserves (UMR) are subject of a Memorandum of Understanding (MoU) between the Department of Planning & Infrastructure (DPI) and FESA, whereby responsibility for fire management of these areas rests with FESA.
- The City has Management Plans in place for its most significant land holdings, initially focussed on specific aspects (weed control/dieback, fire management) they are now referred to as Environmental Management Plans containing Fire Management Plans as one component.
- The City's State of the Environment Report 2000 made recommendations on fire managed plans for significant reserves and in 2003 six urban Bushfire Management Plans were adopted, including one for Lloyd Hughes Reserve in Kelmscott.

This latter plan superceded (for fire management purposes) the relevant section of the Lloyd Hughes Reserve Management Plan which had been produced in 2000. The original plan remains on the City's website, because much of its information remains current for use by the local community and friends groups. However, the City's fire management regime for the reserve, including prescribed burning as required by fuel loads, is based on the later (2003) Fire Management practice.

- The fire-affected area for the 6 February 2011 incident can be seen on the attached map. – Figure 1. The area is approximately 49% State Government owned, 44% privately owned and 7% Council-owned.

FIREBREAK INSPECTIONS

Terms of Reference

1. **The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**
 3. **The actions that can and should be taken by landowners, residents and tenants in relation to bushfire risk management including undertaking vegetation clearance, operation of evaporative air-conditioners and storage and/or removal of hazardous inflammable material surrounding their dwellings and buildings. This should include consideration of associated enforcement regimes and penalties.**
- In addition to the awareness material mentioned earlier, the City issues a 7 page pamphlet to every property owner as part of its annual rates assessment booklet issued in August/September each year. The 7 page section is titled “Bushfires” and clearly states the responsibility of landowners within the City. **(Extract from Rates Brochure - Attachment 3)**
 - The City seeks to inspect every property in the district over a 3 year cycle. Areas considered more of a threat are targeted more frequently.
 - The target is 8000 inspections per annum. In February 2011, 6200 inspections had been conducted for the current season (on target). With 62 infringement notices issued, this represents a 1% failure rate (or 99% success) whereby nearly all properties have met their firebreak/fuel load requirement. This is considered to reflect public response to repeated Council campaigns.

BUSHFIRE MITIGATION PLANNING

Terms of Reference

1. **The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**

The City of Armadale (COA) is characterized by a diverse range of land uses from Residential through to Special Rural and General Rural areas, with extensive areas of Regional Parks, State Forest, bush land reserves and water catchment areas.

The COA fire management and planning process is facilitated by the Chief Bush Fire Control Officer (CBFCO), who is employed as the Manager Ranger & Emergency Services with support provided by FESA.

Education, community liaison and the preparation and distribution of information is the City’s major activity aimed at ensuring that landowners and land managers meet their statutory obligations in regards to fire management.

Notwithstanding the multiplicity of landowners (and land managers in the case of Crown land) has logistical implications in terms of communication, education and the application of fire management regulations and standards. This is compounded by the fact that there are diverse land uses throughout the City that require different

approaches for fire management, depending upon the density of dwellings, objectives of land managers (conservation, water protection, education, public purpose, unallocated crown land) and available resources for fire management.

This diverse environment has required the COA to approach fire planning from both a regional perspective and by focusing on individual land parcels.

The regional approach focuses on the key areas of education, community liaison and the application of standards and regulations. The Cities' fire planning and education process links with larger education initiatives undertaken by organisations such as Fire Emergency Services Authority (FESA), the Department of Environment and Conservation (DEC) Western Australian Water Corporation (WAWA) and the Environmental Protection Authority (EPA).

This ensures that a common message is being promoted with regard to fire regulations, safety, fire risk, landowner responsibilities, government standards and the impact of fire on air quality. This cooperative approach also enables the Local Government to undertake community liaison at the local level to assist with individual property fire management.

Property specific fire controls are the primary basis for fire management in the community and represent the "lowest common denominator" approach. Fire preparedness is a critical aspect in reducing risk and enabling effective fire response. It is the responsibility of each and every landowner and land manager to ensure that their landholdings meet statutory fire regulations and that they have implemented adequate fire preparedness measures.

By relying on each of the individual property owners to ensure fire preparedness, the City has needed to be flexible in the type of firebreak that it considers acceptable. The City also needs to ensure that, within this flexibility, the minimum provisions of the Bush Fires Act are adhered to. The application of the Bush Fires Act in this context is not a simple task, because this legislation is principally designed for rural and agricultural areas, not the fringes of the Metropolitan area.

READINESS BY LANDOWNERS, RESIDENTS & TENANTS

Terms of Reference

- 3. The actions that can and should be taken by landowners, residents and tenants in relation to bushfire risk management including undertaking vegetation clearance, operation of evaporative air-conditioners and storage and/or removal of hazardous inflammable material surrounding their dwellings and buildings. This should include consideration of associated enforcement regimes and penalties.**
- Mr Watkins has attested to the readiness of residents in response to FESA and the City's awareness campaigns. (See "Bushfire Mitigation Planning"). Mr MacRae has provided detail of town planning and building regulations, which Council applies.

- The CoA is like other Government agencies in that it is faced with the difficulty of maintaining a balanced approach.

Part of our public would have us clear all fuel annually, conduct burns and require all other landowners, including Government agencies, to do the same.

Other sectors of the public threaten they will chain themselves to trees to protect flora and fauna from management regimes, and that the bushland is the reason they live in the area.

Existing residents seek draconian building and planning conditions on new applicants, often conditions they themselves could not meet.

The City seeks to maintain some balance, ensuring that bushland and the hills amenity is preserved but that those who choose to live there take some responsibility for risk reduction.

- Clearly, there is need for analysis of the role played by roof-top apparatus such as evaporative air-conditioner or plastic skylights. The properties impacted (recorded on the City's plans) can be compared to earlier aerial/satellite photography and eye-witness accounts of how fire accessed those buildings.

NATURAL AREAS – MANAGEMENT STRATEGIES

Terms of Reference

5. **Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups**

The City's Ranger, Environmental and Parks Services staff meet to discuss the strategic management of natural areas, undeveloped POS and regional bushland on (at least) an annual basis. Following this assessments are carried out in conjunction with volunteer fire brigades, specialized contractors and day-labour. Input is provided by Advisory Committees including Bungendore Park and Armadale Settlers Common along with "friends" groups reporting to the City's Bushcare Environmental Advisory Committee. Collectively, these determine the best practice approach to the management of individual reserves (refer plans) based on fuel loadings, natural values, size, usage, proximity to housing, equity, overall risk assessment etc. Management practices may include but not be limited to herbicide spraying, slashing, control burning, rotary hoeing or other mechanical firebreak or a combination of the above. In some instances the City has constructed bridle trails and walking trails which act as a strategic firebreak and in some cases allow service vehicle access within the reserve. (e.g. Lloyd Hughes Reserve).

Within the City's Technical Services Directorate 2010/2011 budget allocation, natural areas management expenditure is \$300,00 and regional bushland \$228,00.

The City's Parks department endeavours to fulfil Council's strategic objectives by sound management practices that have:

- Enabled delivery of programmed works and maintenance within nominated service levels and projected timeframes

- In accordance with budget allocations and long term financial plans

The City's Parks department manage 518 Parks and other amenity areas including, natural areas, street gardens, community facilities and public access ways comprising 1810 hectares.

Scope

- Development and maintenance of parks, reserves, playgrounds and sporting reserves

Objective

- To provide safe, attractive, cost and socially effective areas for recreation and enjoyment of Public Open Space.

Performance Measures

- Usage levels of parks, reserves, playgrounds and sporting reserves.
- Maintenance costs as compared to other similar local governments.
- Completion of development projects to budget, timeframe and agreed standards.
- The extent to which the community is satisfied with Councils' standard of Parks and Reserves.

Guided by the City's 2010 -2014 Strategic Plan, Council will make better decisions on behalf of its community and use of the Strategic Plan will ensure that better use is made of community funds.

The way we develop and maintain the physical infrastructure of our City has a big impact on quality of life and protection of the environment, this area includes Parks and Reserves.

2. Enhanced Natural and Built Environments

The way physical infrastructure is planned, provided and maintained, and the level of care afforded to our natural environment, has a major impact on quality of life for all citizens.

Outcomes and Strategies

2.8 A natural environment and bushland that is sustained, enhanced and strengthened.

2.8.1 Develop an appropriate policy and long term works programs to protect and enhance our bushland and natural environs under the City's control.

2.8.2 Provide natural area maintenance and management programs.

City of Armadale – Parks and Reserves Classifications

<u>Active Reserve</u> – Irrigated sports fields, booked on a regular basis	85ha
<u>Irrigated Passive Reserve</u> – Irrigated grasslands, with or without gardens/facilities	53ha
<u>Natural Areas</u> – Dedicated conservation or bushland areas including rivers and foreshores	165ha
<u>Dry Park</u> – Non-Irrigated reserve with or without facilities	62ha
<u>Undeveloped POS</u> – Where annual basic maintenance is the extent of management	83ha
<u>Community Facility</u> – Community Centres/buildings and surrounds	
<u>Regional Bushland</u> – Dedicated conservation or bushland areas including rivers and foreshores of regional significance and size	1027ha
<u>Roundabouts and Street Gardens</u> – Areas maintained in road reserves, median strips, roundabouts and occasional verges that contain irrigation	1.5ha
<u>Townscape Amenity</u> – Streetscapes within the Armadale and Kelmscott CBD areas, shopping precincts and Industrial areas. Includes pavement, mall, gardens, verges and facilities	5.30ha
<u>Public Access Ways</u> – Walkways and paths for public access use	6.20ha
<u>Estates POS</u> – High quality open space including entry statements, irrigated parks and gardens and extensive park infrastructure/facilities	17.98ha (currently handed over to the City)
<u>Street Trees</u> – Planted trees within the City’s road network with an estimated 17000 trees citywide on street verges	

New Public Open Space

While the City have accepted handover of a number of significant areas of Public Open Spaces approximately 18 ha across 28 sites associated with new estates.

COMMUNICATION MECHANISMS/SYSTEMS ALERTS DURING BUSH FIRE EMERGENCIES

Terms of Reference

4. The adequacy and effectiveness of information and communication campaigns and mechanisms, including systems for alerting residents in relation to the fire or potential fires.

During Bush Fire Emergencies in the rural/urban interface, (particularly in the Darling Scarp Communities) an issue often arises in relation to providing timely and accurate information to the community.

Two distinct sections of the community can be identified during these times,

- Persons that are at home and require information regarding fire behaviour and direction of fire travel, options available to them regarding staying and defending or relocation.
- Persons that are not at home at the time, and require information regarding access, roadblocks etc., and the well being of their home and family. This group may also require information relating to a relocation centre.

The critical period for Incident Management occurs during the first two to four hours.

Although steps have been taken locally to address the issues, it is often difficult to establish proper Incident Management for approximately two hours.

It may then take a further two hours to assess the current status of an incident, and to project the likely course of an incident and the values at risk. A Bush Fire may travel well over one kilometer during this time under extreme conditions.

It then follows that an Incident Controller will be unable to provide accurate and timely advice to residents in that time frame. It is however possible for combat personnel to assess those values immediately at risk. In order to allow the combat personnel to perform their task effectively, the Police Service is often requested to close general access to certain roads, limiting the opportunity for residents to get to their homes. Some residents may be requested to relocate.

Problems for Incident Managers often occur when members of the community may not have adequately prepared for fire emergencies and either attempt to bypass road blocks or decide to relocate at the last possible moment, creating safety concerns for combat personnel.

However, a well informed and prepared community may behave in a more appropriate manner.

Another set of problems arises when damage to communications and infrastructure systems occurs.

Usually the first problem occurs when local power distribution systems fail. This may in turn create problems when the local telephone exchange loses the electricity supply and telephone communications are severely disrupted.

Some areas on the scarp do not have underground telephone cabling and the telephone system may suffer damage from the fire.

Mobile telephone networks still have “blackspots” in the hills. The network often becomes overloaded during major incidents making this source of communication unreliable for both residents and Incident personnel.

What options are available to Incident Managers and what are their advantages and disadvantages?

Information System	Advantages	Disadvantages
StateAlert	<ul style="list-style-type: none"> • Readily available and simple to activate. • Has the ability to contact residents in a discrete area. • Remains active until answered or system de-activated. 	<ul style="list-style-type: none"> • Relies on the telephone system being operational. • Requires dedicated person to ensure • May be time delay with urgent information.
Door knock by authorised personnel	<ul style="list-style-type: none"> • Is “target” specific. • Provide feedback to Incident Managers. • Contact details can be recorded. • Provides assessment of household preparedness. • Identifies and provides immediate assistance to elderly, infirm or disabled. 	<ul style="list-style-type: none"> • Requires large numbers of personnel. • May place personnel in unsafe situations. • Residents perceive that they may have less opportunity to make own decisions.
Broadcast Media outlets.	<ul style="list-style-type: none"> • Wide coverage, by using multiple outlets, can achieve saturation. • Creates support with media. • Usually has credibility. 	<ul style="list-style-type: none"> • Information may be “coloured” to enhance outlet’s image. • Individual stations may be unable to break existing programming. • Unknown if message reaches “target” group. (Power interruptions). • May create anxiety outside of affected area. Time Delay

Information System	Advantages	Disadvantages
Local Government Information Service Staff	<ul style="list-style-type: none"> • Good local knowledge. • Readily available weekdays. • Staff used to handling distressed residents. 	<ul style="list-style-type: none"> • Phone service may be exposed to disruption. • Getting information through to staff from fire ground. • Weekday service only. • Maybe subject to overload.
FESA Communication Centre.	<ul style="list-style-type: none"> • Readily accessible from fire ground. • High credibility • Knowledgeable staff. • Staff used to distressed callers. 	<ul style="list-style-type: none"> • Public information not core responsibility. • Not appropriate use of 000 service. • May create work overload for staff as they have dispatch responsibilities.

It is apparent from this assessment, that providing residents with timely and accurate information cannot be achieved by using a single system. Incident Managers need to quickly assess which methods in combination will achieve the desired result.

This can be achieved by creating a role for a “Public Information Officer” within the Incident Management Team between the Planning Officer and the Incident Controller.

On the evening of 6 February 2011 it was apparent that reliance on mobile phone (text) communications was fraught because once media started to report the incident, the network (which already has gaps in the hills) became overloaded. I’m sure FESA will have concerns at delays in this mechanism.

The role of “emergency radio” over the free to air radio network should not be overlooked. Feedback from residents evacuated from their homes confirmed that their critical source of information was radio – generally the ABC. This emphasizes the need for accurate, up to date information. While information can be forwarded to radio via the internet, the public may be without power, TV or computer – the simple portable (“transistor”) radio (or car radio) becomes a life-line.

TV and computer (social network) systems generally require power or mobile phone capability. Social networks clearly have a role in future where mobile phones can overcome their current network limitations. It is suggested that public/community radio provides a reliable mechanism we should maximise.

Information on fire direction, emergency resources, road closures, infrastructure loss (bridges, power, water) can be critical in times of emergency.

Notwithstanding there is no substitute for residents planning their actions prior to the bush fire season and adequately preparing their properties to survive a bush fire whether or not they are at home at the time one does occur.

ROAD ACCESS – EXISTING AREAS PRONE TO BUSHFIRE

Terms of Reference

- 1. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**
- 2. The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.**

The City has been asked to comment on the matter of culs-de-sac or single access routes for properties in hills terrain, surrounded by bushland.

Where new subdivision or development is proposed these matters are covered elsewhere in this submission (See Building in areas affected by bushfires). However, there are “legacy” or existing areas where gradual urban development and topography combine to create precincts where only one point of road access exists. In some instances, it is not physically possible to construct a safe, functional alternative.

In others, it may be physically possible, but totally impractical from an environmental, cost or other factor.

If an access road is public, it must be constructed to a safe and sustainable standard. If it is across private land, or designated “only in emergencies”, it must be gated or barred, with effective management arrangements.

All of these arrangements must be such that they don’t create another hazard or risk, in the times between low frequency emergencies. Steep, narrow or winding emergency accessways intersecting with the road or street system, create their own level of hazard, especially if familiarity leads to misuse over time.

It is suggested that those “legacy” areas, where options for access/egress are limited, need to be the target of more stringent fire management and mitigation plans. Landowners in these locations should have a clear and unequivocal fire plan, noting the point at which “fight or flight” decisions must be made.

BUSHFIRE READINESS - RESOURCING

Terms of Reference

5. Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups.

The review has raised questions on the coordination of activities across all levels of government to mitigate the risk, or effect of bushfires.

Two areas are submitted for consideration:-

1. Resourcing of local government fire management

The Emergency Services Levy, required to be collected by all local governments provides valuable support for equipment purchases for local volunteer fire brigades.

However, equipment is just one component of the fire management effort. Difference local authorities have vastly different capability, depending on their own financial standing, level of economic investment and a number of other factors.

Each community is different.

Acknowledging that:

- (a) Bushfires, once started, have no regard for local government boundaries;
- (b) Individual local governments have differing levels of resource capacity to effectively discharge their responsibility. This includes ensuring landowners and land managers in their local government meet their statutory bushfire regulations and have implemented adequate fire preparedness measures;
- (c) Minimum standards of bushfire compliance by landowners/land managers is imperative if the risk of bushfire loss and/or damage is to be minimised.

it follows that consideration should be given to establishing a *mechanism* that provides a pool of funds enabling all local governments to attain minimum standards of bushfire prevention and preparedness compliance.

That *mechanism* could be a variation/expansion of the Emergency Services Levy whereby the levy is increased to provide a pool of funds which are hypothecated to assist local governments to meet minimum standards of bush fire preparedness.

Local governments are increasingly under pressure to do more with less and this represents a potential risk in terms of local governments being able to allocate sufficient resources each year to meet their bush fire prevention and preparedness responsibilities.

The City of Armadale's substantial effort in this regard is outlined elsewhere in this submission.

It is recommended that:

That the State Government give consideration to expanding the Emergency Services Levy such that a separate funding pool is established specifically to assist local government in fulfilling its compliance role and responsibility in terms of bush fire prevention and preparedness thereby ensuring minimum compliance standards are met which in turn minimises the risk of loss and damage arising from bush fires.

2. Coordination of Government Agencies

There are numerous Government agencies that, in the course of their objectives, become owners or custodians of land.

These vary from the smallest reservation to huge tracts of unallocated or “unmanaged” land. Increasingly, land is being set aside (or “reserved”) simply to protect against any change or development that may impinge on its environmental or cultural significance.

i.e. there are no future plans (as in a road or drainage reservation) other than retention. This is normally accompanied by a lack of funding or resourcing of the most rudimentary owner obligations, e.g. fencing, litter control, vermin etc.

These allocations of Government land are quite often immediately adjacent to or within urban development zones which are becoming increasingly dense as Australia seeks to contain the urban sprawl.

Indeed, developers and agencies are now required to purchase “offset” areas (sometimes double the original area) to replace an area deemed essential for development.

The responsibilities and requirements of managing the “offset” area into the future are vague and indefinite.

Where a private landowner fails to meet their management responsibilities, the community quickly brings it to the attention of the local authority, and the threat of prosecution usually prompts action by the owner.

Where the land is under care and control of a Government agency (sometimes without that Agency’s awareness) the local authority may bring the matter to the authority’s attention, but can do little more to enforce action.

This has long been subject of discussion between Local and State Government, mainly on the subject of illegal dumping, litter control, off-road vehicles and trail-bikes, vermin/feral animals, public access, urban water management, erosion control, dust and other nuisance.

However, in the case of Government managed bushland, the critical element is fire management.

The City has a good relationship with the major State landholders (Dept. of Environment & Conservation, Department of Lands) but there clearly could be

improvement in both resourcing and coordination of the management effort. Smaller landowners, such as Main Roads WA (MRWA) and the Water Corporation (WC) have a different primary function (roads, water supply, drainage) with land management following as a secondary, or ancillary function.

It is this “secondary” function that requires coordination and funding, in conjunction with a lead agency, perhaps, DEC, Lands or FESA, for better control.

The City’s Chief Fire Control Officer meets regularly with his FESA, DEC and neighbouring local authority counterparts. This provides a level of coordination, within current funding and resource limitations.

The City has formally invited a meeting of senior State Government agency officers with a representative group of Local Government CEOs to propose better working arrangements and coordination of these matters.

The City will coordinate the local government’s representation through the outer-metro growth group of Councils.

It is hoped that a working group of officers with appropriate land and fire management expertise can be appointed to make recommendations on improved coordination and management of Government lands, particularly bushland adjacent to urban areas.

CONCLUSION

To summarize this submission, the City would like to extend its thanks to all those agencies and volunteers that protected its community throughout the fire incident, and who assisted in the recovery effort. Particular thanks go to FESA, WA Police and the valiant bushfire volunteers for their efforts on 6th and 7th February.

Our community is also indebted to the Mayor, Cr Linton Reynolds, for his outstanding leadership during a time of crisis, the Council for their voluntary efforts throughout the recovery process, the City’s Recovery Coordinator, Ms Yvonne Coyne and the recovery team of dedicated staff who have given “above and beyond” to bring relief and support to those affected residents of Roleystone and Kelmscott.

The City is grateful and pleased to acknowledge that while the 6th February fire damaged over 100 properties and several hundred persons were evacuated, there was no loss of human life.

The City is now committed to working with all its Government and local government partners to learn from whatever lessons that can be gleaned from this event and ensure our community is even better prepared when next the scourge of bushfire threatens our suburbs.

R S TAME
Chief Executive Officer

ATTACHMENT 1

**PLANNING, BUILDING AND HEALTH
CONTROLS ON
DEVELOPMENT/BUILDING IN THE CITY**

BUILDING IN AREAS AFFECTED BY BUSHFIRES

Terms of Reference 2.

The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.

Introduction

This section of the submission provides the background to the planning process and its accommodation of the need to plan for fire. Specific comments are made regarding the areas affected by the 2011 bushfire and the City's general approach to planning for fire.

1. Planning Control

Control over development in the City of Armadale resides in its Town Planning Scheme No. 4 which was gazetted on 4th November 2005 or with the Armadale Redevelopment Scheme which was first gazetted on 29th August 2003. This submission refers primarily to the City's Town Planning Scheme No. 4 except where specifically mentioned, however development control functions for the large areas under the Armadale Redevelopment Authority's control limit the City's ability for whole of local government area planning controls through its Town Planning Scheme.

Under Scheme No. 4 development requires approval with the exception of a single house in the Residential and General Rural zones - except where the development does not comply with the Residential Design Codes, lies within a heritage area, a Special Control Area under Part 6 of the Scheme or is located on land affected by the Swan River Trust's management area.

Lot sizes are determined by the Western Australian Planning Commission (WAPC) which has control over subdivision under the Planning and Development Act 2005. The Commission is generally bound by the provisions of the City's town planning scheme and its zonings and lot size criteria. Part of the Roleystone/Kelmscott bushfire area is included in the Rural Living 2 zone (RL2), which means subdivision requires new lots created to be a minimum lot size of 2 hectares. This area is fully subdivided to the minimum lot size and only in very special cases would the Commission approve a subdivision in this area to a size lesser than 2 hectares.

In the Residential zones, minimum lot sizes are also set out under the town planning scheme, however the specific planning controls are determined by the provisions of the Residential Design Codes which also address matters such as the setback, overlooking, building height of dwellings and outbuildings.

Landowners may seek changes to the zoning provisions affecting their land through applications for the initiation of a scheme amendment, usually referred to as "rezoning". Such a process could result in changes to zoning and associated provisions. Any such amendment would be required to go through a statutory and

public process as set out in the Town Planning Regulations. The City's Planning Department would manage this process and apply relevant planning conditions to the amendment to ensure that additional measures (such as those relating to fire control) were applied if appropriate. Two case study examples for Scheme Amendments for closer development in which fire protection considerations were prominent are cited below.

The City has prepared a range of local planning policies adopted under a process established under the town planning scheme to assist in addressing development applications. The City follows standard practices when planning areas subject to fire hazards and applies standard conditions of subdivision and development (**Appendix 1**). In addition the WAPC has adopted a range of policies to guide it in its decisions on subdivision and to guide local governments in their preparation of town planning scheme amendments.

2. Western Australia Planning Commission Fire Planning Policy

The WAPC, in conjunction with the Fire and Emergency Services Authority of Western Australia (FESA) introduced *Policy No. DC 3.7 Fire Planning* and published the guidelines *Planning for Bushfire Protection (Final)* in December 2001. The purpose of this Policy was to ensure adequate fire protection for new subdivisions by establishing criteria to ensure the least possible exposure to damage by fire and the best possible response if fire should occur. This included policy measures for all development which had the potential to be exposed to bush fire risk. The policy introduced:

- the use of bush fire hazard assessment from a fire protection perspective to determine the nature and extent of controls necessary to reduce fire risks inherent in the subdivision and development of land;
- the adoption of objectives, performance criteria and acceptable solutions which must be met to reduce fire risks; and
- the incorporation of model town planning scheme provisions relating to bush fire protection based on the Model Scheme Text. *Planning for Bush Fire Protection* replaced the Commissions guidelines *Planning for Better Fire Protection* released in July 1989.

In 2006 State Planning Policy 3.4 Natural Hazards and Disasters was gazetted. This SPP stated that:

“This statement of planning policy incorporates by reference the provisions and requirements contained in the guidelines Planning for bushfire protection (2001), development control policy 3.7 Fire planning, and Rural urban bush fire threat analysis (2003), and should be used by governments to determine those areas that are most vulnerable to bushfire and therefore where development should not be recommended”.

In May 2010 the WAPC and FESA released *Planning for Bush Fire Protection Edition 2 Guidelines*. WAPC referred to these as interim guidelines and invited submissions from the public to be considered in the finalisation process of the Edition 2 guidelines which would occur following the release of the Victorian Bushfires

Royal Commission final report then anticipated on July 31st 2010. The Department of Planning also advised that with the release of interim *Edition 2 Guidelines* the previous 2001 Policy DC 3.7 and *Planning for Bushfire Protection (Final)* had been rescinded by the WAPC.

The Edition 2 Guidelines form the new foundation for fire risk management planning in WA at a community and land development level. The Guidelines build on the previous policy and guidelines and particularly align policy to the revised building standard AS 3959. Edition 2 encourages local governments to adopt the guidelines as policy.

Edition 2 remains to be adopted by the Commission. The Department of Planning bushfire planning project officer subsequently advised a deadline for submissions of 25th February 2011. The City provided the submission it was invited to make on the interim guidelines on this date (see summary of the City's submission below – a full copy has previously been forwarded to the Review).

The City observes and has concerns that the proper statutory process may not have been followed by the Department of Planning and the WAPC and this leaves open the possibility that in fact there is no properly endorsed state policy relating to Bush Fire planning in WA. While the 2001 policy has been “superceded” in the 2010 documentation (whether by administrative action or WAPC decision has yet to be determined), the SPP only alludes to and incorporates by reference the superceded policies – it cannot give SPP status to a policy subsequently produced. Moreover the 2010 Guidelines do not purport to be policies, but are interim guidelines pending a “Final” document and in any event appear to have not been adopted formally by the WAPC.

3. Submission on revised *Planning for Bush Fire Protection Edition 2* guidelines

The City made a submission to the WAPC on the interim Planning for Bush Fire Protection Guidelines on 25th February 2011. While this was completed after the Kelmscott-Roleystone Bushfire, it was in large part prepared prior to 6th February. The submission raised the following concerns held by the City and since confirmed by the devastating impact of the Bushfires on lots which, being subdivided and developed for housing prior to the original December 2001 *Policy No. DC 3.7 Fire Planning* and guidelines *Planning for Bushfire Protection (Final)*, were therefore specifically excluded from the scope of the 2010 Guidelines:

- The Guidelines provide insufficient guidance to local government planning and building control for bush fire protection and should be substantially revised. There is a need for greater direction and responsibility by the State. Mapping of bush fire risk should be undertaken by FESA, in conjunction with the WAPC, and not left up to individual local governments, which has resulted in an ad hoc, inconsistent approach. This is a significant issue due to the devastation that bush fires can potentially cause. The City suggested that the task for the State government could be broken down to a manageable scale, starting with the Perth Metropolitan Area where the bulk of the population

live, so that the whole state is eventually covered by “regional” Bush Fire Hazard Assessment Projects. The City offered to contribute towards funding to a WAPC/FESA coordinated Bush Fire Hazard Assessment and Mapping Study across all local governments.

- The City expressed concern that the Guidelines explicitly exclude legacy lots in established areas created by subdivision prior to the initial *Bush Fire Planning Guidelines* 2001. In Armadale and in many LGA’s post-2001, subdivisions have been planned with fire protection an uppermost consideration; therefore, it is the legacy lots which often have the greatest degree of bush fire hazard and risk. The Guidelines state that while the State planning authority has nothing to say about legacy lots, local governments should in any case attend to it as their “duty of care” in regards to approving development in hazard areas. The City commented that it is not appropriate for the State to “wash its hands” of its responsibility in this manner.
- The use of AS 3959 as a voluntary choice by the landowner is problematic due to landowners being able to choose to burden themselves by additional expenses or not. Also the Australian Standards document on Construction in Bush Fire Prone areas is not freely available but has to be purchased from the eastern states, which is an effective discouragement to landowners wishing to understand building requirements and use it in preparing their Building Licence applications.
- The City strongly submitted that the final Guidelines should not be released until the present disjunction between the Building Code of Australia reference to AS3959 Standards in Bush Fire Prone Areas and the absence of regional mapping of bush fire hazard areas which include legacy lots, has been remedied by the creation of appropriate regulations at the State or Regional Level.

4. Bush Fire Planning provisions in the City’s Town Planning Scheme No.4

Prime bushfire hazard protection areas were introduced in November 2005 through Town Planning Scheme No.4 under section 6.7 Prime Bushfire Hazard Protection Areas. The provisions were subsequently modified for greater clarity by amendment No. 30 in 2007. The provisions reflect the Model Text provisions set out in the policy current at the time (DC 3.7).

Scheme Clause 6.7.1 requires that a Fire Management Plan be prepared for all prime bushfire hazard protection areas defined on the Scheme Map. The provisions require that all building development within Prime bushfire protection hazard areas be subject to a requirement for planning approval and be subject to the discretion of the City as stated under 6.7.2.

In its determination of an application, the City is to have particular regard to a number of factors which are listed under 6.7.3 including buildings needing to have regard for AS 3959, the provision of avenues of escapes in the event of a bushfire, as well as the

availability and adequacy of fire services. Under 6.7.4 the City may also refuse any application or impose conditions on any planning approval so as to: (a) minimises the risk to life and/or property and (b) require the registration of a notification on the title in order to give notice of the bushfire hazard and any restrictions and/or protective measures required to be maintained at the applicants cost.

The Scheme provisions also require that a new dwelling in a prime bushfire hazard protection area shall not be occupied or otherwise used as a habitable dwelling until the owner has made a Statutory Declaration to the City that the fuel loadings and criteria specified in the Fire Management Plan has been implemented.

It is a requirement to commence the review of a town planning scheme five years following its adoption. The City is now reviewing its town planning scheme and the Council has allocated funds in its 2010/11 budget for the undertaking of consultancies to review landscape and bush fire planning arrangements. Consultant briefs in these two areas were far advanced at the time of the Roleystone-Kelmscott bushfires. The bushfire planning consultancy has been put on hold in view of the pending Review.

5. Bushfire Hazard Protection Areas

The City has identified six (6) designated Prime Bushfire Hazard Protection Areas within the City of Armadale boundary as shown in Figure 2. The sites which are subject to closer development are located in the Roleystone and Bedforddale hills and have been introduced under the Bush Fire Hazard Protection provisions of TPS No. 4.

The areas are indicated on **Figure 2** and include:

- Amendment No. 2 - 43 lots on Observation Circle, ranging in size from 0.3ha to 2.78ha, with a total approximate area of 23ha.
- Amendment No 14 - a 5 lot protection area on Carradine Road, including a portion of Lot 6 ranging in size from 2ha to 6.7ha.
- Amendment No. 30 - subdividing 27 lots from Lot 123 on Vincent Lookout and Canns Rd in Bedforddale, ranging in size of 0.3ha to 2ha totalling approximately 16 ha. Amendment No 41 – subdividing 22 lots from Lot 102 (area of 10.393ha) on Waterwheel Road in Bedforddale ranging in size from 3000m² to 5393m², with an average size of approximately 4360m²
- Amendment 42 – subdividing 3 lots from Lot 20 (area of 7.6 ha) on Robinson Rd in Roleystone of 2ha average size.
- Amendment No 45 – subdividing 5 lots from Lot 201 and 202 (area of approximately 7 ha) on Coventry Road in Roleystone ranging in size from 1 to 2ha.

6. Means of Designating Bushfire Prone Areas

The City's planning process enables it to take full account of the need of the careful fire planning in areas subject to land use change. These have been outlined above and arise from application of clause 6.7 of the Scheme to the areas zoned for closer development which are designated as Bushfire Protection Areas on the Special

Control Area Map 1 (SCA Map 1) (the SCA Map is an overlay to the town planning scheme map which forms a part of the gazetted Scheme).

In 2004-5 the City employed a consultant to undertake a Broad Brush (Type 1) strategic bush fire hazard assessment mapping for those areas to the east of (and including) the Darling Scarp. This was prepared according to the methodology and purpose outlined in the 2001 WAPC/FESA guidelines to assist the City's planning for areas being considered for zoning and subdivision for closer development under Amendments to TPS No.4.

The broad brush mapping is a strategic land use assessment tool used by officers in conjunction with the WAPC/FESA guidelines in advising Council on the suitability of proposals for land use change to enable closer subdivision and development. Where a proposal for closer development is located in an area identified as at risk of bushfire attack it is designated formally as Bushfire Protection Areas on the Special Control Area Map 1 (SCA Map 1) through the Scheme Amendment process. Special provisions are identified to reduce impacts and protect the development from bush fires.

Specifically, when a new proposal is located in an area indicated as having a bush fire attack level above "Low" the proponent is required to undertake a more detailed combined "Type 2 and 3" hazard assessment. If the level of bushfire hazard (referred to as the Bushfire Attack Level or BAL under the 2010 interim guidelines) can be managed by actions such as fuel reduction and building standards for example, reduced from "Extreme" level to a "High" hazard level or lesser), the proposal can proceed through rezoning. The site/area is accordingly designated as a "*Bushfire Protection Area*" on the Special Control Area Map 1 (SCA Map 1). It is also designated as a "*Development (Structure Plan) (Schedule 12) Area*" on SCA Map 3 (the SCA Maps are an overlay to the town planning scheme map which form a part of the gazetted Scheme).

The generic Special Control Area provisions contained in section 6.7 of TPS No.4 Text which applies to "*Bushfire Protection Areas*", together with the site-specific "*Additional provisions applicable to subdivision and development*" listed for the site in Schedule 12 are implemented through statutory approvals. These require the preparation of a "*Fire Management Plan*" and also require a suite of related actions such as, construction to AS3959 standards, reductions in fuel loadings and maintenance of low fuel "*Building Protection Zones*" and "*Hazard Separation Zones*", physical separation and setback of dwelling envelopes from high/extreme bushfire hazard areas. These must be implemented prior to approval of the use and occupation of the new dwelling.

The fire protection and land management provisions in section 6.7 and Schedule 12 of TPS No.4 Text are supported by conditions placed upon endorsed statutory Structure Plans and by recommendations for conditions to be placed upon subdivisions approved by the WAPC and in development approvals for dwellings or other developments. These include the requirement for a Notification on the title of the new lot that it is located in a bush fire prone area and that a "*Fire Management Plan*"

applies. This informs the purchaser and any successors in title of the hazard the lot is subject to and the landowners responsibilities in actions to reduce the level of risk.

The requirement for a "*Fire Management Plan*" is also a specific condition of subdivision. The "*Fire Management Plan*" contains a variety of more detailed requirements imposed upon the landowner and it is enforceable under the Town Planning and Development Act 2005. It requires the landowners to maintain the fuel loadings specified in the "*Building Protection Zones*" and "*Hazard Separation Zones*" and importantly to be aware and vigilant for the ever present risk of a bushfire.

The Broad Brush (Type 1) bush fire hazard assessment mapping is a strategic assessment tool that is available to officers of the City on its Intramaps internal web based GIS system. As a planning assessment tool it is not generally available publicly. Where a Development Approval is sought for a dwelling house located on a pre-existing lot within the "Extreme" fire hazard area under the Broad Brush (Type 1) strategic map, an Advice note is included in the approval such as BF-AN1 in the **Appendix 1(b)**.

Subsequent to the release of Edition 2 *Planning for Bush Fire Protection* in May 2010 bushfire consultants will be required to use the hazard assessment methodologies for determining the Bushfire Attack Level (BAL) under the interim WAPC/FESA guidelines and Australian Standard AS3959. These methodologies are more detailed than under the 2001 guidelines and quantify the BAL a specific site would be exposed to according to radiant heat exposure fluxes in kilowatts per m². This task requires a level of expertise which is primarily available to the City and private landowners/developers seeking closer development through private consultants with suitable expertise and experience in this field, although the City understands a formal accreditation or qualification has not yet been established or recognised.

The City's rangers, environmental services and planning services sections have a range of skills relevant to bushfire protection and management and can provide advice to landowners on managing and reducing fire hazards and to consultants undertaking hazard assessments. These officers assess and make recommendations to Council on reports of expert fire protection consultants employed principally by landowners. They also make recommendations for implementation of fire protection and management measures through the statutory planning system, particularly Scheme Amendments, Structure Plans, subdivision condition recommendations and Development Approval conditions and advice notes.

Existing established areas which were zoned and developed for closer development under the former TPS No.2 (gazetted 1983) and earlier Schemes are not identified on the SCA Map. However, if a subsequent landuse zoning change for closer development is proposed a new opportunity is therefore presented and the area can be incorporated into the SCA maps and site specific fire management provisions can be provided, such as in Amendment No. 30 in Canns Road Bedforddale.

Lot 123 Canns Road was originally zoned Rural Living and had been subdivided under an earlier Scheme to a lot size of 16.77 hectares (ha). The landowner proposed

a rezoning to Special Residential zone to enable closer development and subdivision down to 3000m² minimum lot size. A range of special fire management provisions were gazetted in the Scheme as Amendment No. 30 in Schedule 12 and on the Structure Plan (**Appendix 2**)

Notwithstanding the procedures adopted in dealing with new areas subject to closure development, it is acknowledged that large areas of the City which were zoned and developed for closer development under the former TPS No.2 (gazetted 1985) and earlier Schemes are located in areas of elevated fire hazard and are therefore at similar risk of bush fires. Both the Final 2001 and the Interim 2010 WAPC/FESA guidelines apply to new subdivisions and neither are intended to be applied retrospectively on existing development within established urban areas, existing townsites or existing subdivisions.

Local government has two mechanisms by which it can declare areas as being bushfire prone.

Local Law

Under section 433 of the Local Government (Miscellaneous Provisions) Act 1960 local laws may be made under the Local Government Act 1995:

- “(11) for providing that the local government may with the approval of the Minister, declare any portion of the area to be a fire zone;*
- (12) for providing that a register of fire zones be kept by the local government and made accessible for public inspection;*
- (13) for prescribing any requirements with which any building or building work within a fire zone must conform.”*

In making a local law a local government must follow the steps which are set out in section 3.12 of the Local Government Act. This process involves inviting public submissions and various considerations by Council, the Minister and the Joint Standing Committee on Delegated Legislation. From experience, it normally takes around a year to finalise a local law and the process to promote such a law could only be commenced following the necessary detailed mapping of bushfire hazard according to the 2010 interim guidelines upon which the designation of areas under the law would be based.

Town Planning Scheme

The fire planning provisions for the designation of bushfire prone areas in the town planning scheme have been implemented for those areas rezoned for closer development since 2005 (when the provisions were introduced by the new scheme No. 4).

It would also be possible to declare all areas identified as having an elevated risk of bushfire “bushfire prone” under the town planning scheme by undertaking an amendment to the Scheme. The process for amending town planning schemes is set out in the Town Planning Regulations 1967 and from experience generally takes over a year. The amendment process requires public advertising and the consideration of submissions – since this would apply new AS 3959 building requirements to existing subdivided and established areas zoned and developed for closer development under

the former TPS No.2 and earlier Schemes it would go further than required under the 2001 and 2010 WAPC/FESA guidelines. As this would enforce detailed hazard assessments and/or building standards of construction in “bushfire prone areas” upon owners building or extending buildings on existing subdivided lots it would increase building costs. Significant community opposition could not therefore be discounted and hypothetically, this could result in a Council not being prepared to support an amendment with such strongly prescriptive controls. However in such a case the Minister would have the power to override the Council’s recommendation.

A further complication arises where, as in the City of Armadale, a Redevelopment Authority is created under separate State legislation (Armadale Redevelopment Act 2001). This extinguishes the planning powers of a local Town Planning Scheme such as TPS No.4 and creates new town planning powers under a Redevelopment Scheme (RDS) (Armadale Redevelopment Scheme) which is administered by a State authority (Armadale Redevelopment Authority (ARA)) and not the local government. The ARA currently has full town planning and development control powers over 48.25 km² or approximately 9% of the total City of Armadale local government area being land which prior to 29th August 2003 was under the control of the City’s TPS.

A Scheme Amendment to designate areas with an elevated risk of bushfire “bushfire prone” under the City’s town planning scheme would therefore not apply to those areas under the control of the ARA, or a similar Redevelopment Authority if in another local government area. It may be possible to implement mirror controls for “bushfire prone” land in both a TPS and a RDS however, this would require approval and support by both governance structures (in Armadale the Council and the ARA Board) and administrative coordination. While a programme of transition (“Normalisation”) is in place to revert some of these areas back under the control of the city’s TPS No.4 it will be many years if not decades before planning powers for all ARA areas come back to the City.

A Local Law, however, would apply to a full local government area irrespective of areas under a different planning authority such as the ARA in Armadale.

Other than the two mechanisms described above the City is not aware of any statutory mechanism that would enable a local government to immediately declare and implement development and building controls relating to bush fire prone areas.

District or Regional – Not Local

The City is of the firm view, however, that bushfire hazard assessment mapping and designation of “bushfire prone” areas is more appropriate to be undertaken at a District or Regional level across several local government boundaries (eg the Perth hills).

A State Agency such as FESA or the WAPC could therefore declare relevant parts of Perth metropolitan area (where the bulk of the population and infrastructure assets at risk of bushfires are located), as “bushfire prone”. Legislation under the Bush Fires Act or proposed Building Act could provide the power for such a declaration. An MRS Special Control Area (SCA) or a “Planning Control Area” under the MRS could achieve a similar end across several local government jurisdictions, however where

Redevelopment Authorities exist these areas may be excepted similar to a SCA in a local Town Planning Scheme.

There will need to be consistency of requirements across jurisdictions.

For instance, bushland adjacent to urban housing and infill development is common right across to the coastal dune area. If topography combined with bushland is the criteria areas such as Kings Park and Bold Park need to be considered.

7. Scheme Amendments No.22 and No.30: Rezoning and Structure Plan for Lots in Buckingham Road, Kelmscott and Canns Road Bedfordale

The significance of these proposed amendments is that it demonstrates the process the City follows in rezoning land, in particular, the rigorous bushfire planning process which new proposals for closer development in bushfire prone areas are subject to. In this case of Buckingham Road the subject land is located within a fire hazard area which was subsequently impacted on by the February Bushfires.

For the Buckingham Road site in Kelmscott several landowners provided submissions to the District Scheme Review 1996-2005 seeking zoning changes to allow for subdivisions for new lots of 1ha minimum in then Rural D Zone. Landowner submissions were made at all opportunities for public input during the Scheme Review Process, including: December 1996, April 2000, July 2004 and September 2004.

During stages 1 and 2 of the Review Council referred the landowner inputs to the City's planning consultants preparing the draft scheme. As the submissions had not provided any environmental capability and suitability information for the significant change sought to the areas zoning, the potential of the area for subdivision into 1ha lots was not able to be thoroughly assessed through the Scheme review process. With the gazettal of the new TPS on the 4th of November 2005, Council did not support the landowners final submissions due to a range of constraints affecting the land and the absence of sufficient rationale to justify the change, but did relax the previous requirements for subdivisions to achieve a 3ha lot average size, such that only a 2ha lot area was required for subdivision in the new RL2 zone under TPS No.4.

The same landowners subsequently contracted planning consultant firm Hames Sharley to research the environmental capability and suitability information upon which the City could assess an application for rezoning and amendment to the Scheme to allow the closer development and subdivision to minimum lot size of 1 ha they had initially sought through the TPS review process.

Hames Sharley's proposed Amendment No. 22 included: rezoning the 45ha precinct fronting Buckingham Road from Rural Living 2 to Rural Living 1, as well as a Structure Plan to allow for the subdivision of the larger existing lots within the precinct to create an additional 14 additional lots to a minimum size of 1ha.

The Structure Plan submitted with the Amendment originally proposed that 18 new lots could be created. Under the initial preliminary assessment of the original Structure Plan proposal against the site constraints, the submitted proposal was considered clearly unacceptable and therefore unsuitable for advertising. This was because it clearly did not respond to the key issues of bushfire protection and sensitivity of the proposal to the “Prime Landscape Quality-Special Control Area” along the Buckingham Road frontage and protection of land and water resources.

Council considered the proposal formally in December 2007, July 2008 and July 2009. At both Council meetings in December 2007 and July 2008 Council would not accede to advertising the proposal until such time as the number of lots were reduced to 14. A main reason for the reduction in the number of lots was the need for each resulting lot to meet the bushfire planning requirements while also preserving what Council considered a landscape of significant value and therefore sensitivity to overdevelopment. A new set of revised documents was subsequently received which addressed the required modifications adequately for the purpose of seeking public comment and Council sought wider community and agency input via the advertising required by the Regulations.

The proposed amendment and Structure Plan attracted 27 submissions of objection, a 140 signature “Petition of Objection”, and 9 submissions of support. The assessment of submissions and objections indicated a number of significant issues including that the proposed development would result in adverse consequences for the landscape and risk adverse impacts on the local environment.

In regards to fire hazards, escape and access in the event of a fire, as well as being a bushfire prone site was also raised in the submission process. Some community objections considered the area unsuitable to support further residential occupation because of the bushfire hazards. The principal threat was from the adjacent upslope bushland reserve. Another raised threat was that the grass fires coming from the floor of the valley would be more dangerous than those coming across the bushland ridge because most of the existing and proposed houses would be serviced by single land driveways from Buckingham Road which was not consistent with Section 6.7.3 (c) of TPS No.4 that “*the city is to have particular regard to avenues of escape in the event of a bushfire, and the level of hazard associated with and vehicular access facilities*”. Another submission made the connection between the requirements for reticulated water for bushfire protection and its availability in the area, particularly as Buckingham Road is a no through road accessing an area of obvious bushfire hazard. Concerns were therefore raised over the accuracy of Hames Sharley’s preliminary water supply investigations and therefore the assurances given to Council that an adequate future reticulated water service could and would be provided to the proposed subdivided 1ha lots.

The above issues and detailed assessment undertaken during the advertising period raised the concerns of the City over the fundamental viability of the proposal. The Council deferred final consideration of submissions in April 2009 in response to representations by the applicants for more time so they could further review issues and seek to provide further information including a request to the Water Planning authority (Water Corporation) who had objected to the rezoning due to its inability to

guarantee new 1ha lots could be serviced with the reticulated network required by regulation for lots of that size.

In May 2010 Council recommended refusal of Amendment No. 22 based on a number of areas of concern including that the proposal would result in:

- unacceptable risks of adverse impact on the “Prime Landscape Quality;
- risks of site erosion and water quality impacts upon the water quality of the receiving water bodies;
- overdevelopment of the land which would be detrimental to the character and streetscape of the area;
- an undesirable precedent for further subdivision in the Rural Living Zone and further subdivision of the site below the current minimum 2 ha requirement would not be consistent with orderly and proper planning of the locality.

It is noted that while there was concern over additional population in a fire hazard area, the fire management planning undertaken and forming part of the proposed Scheme (SCA and Schedule 12) and Structure Plan provisions were such that fire risk alone was not specifically a reason for refusal. However, based on the necessary fire management of the area required to make the area safe for closer development and habitation on 1ha lots, it was considered the vegetation clearing on the sloping sites would be likely to contribute to a number of cumulative and synergistic risks including erosion and landscape degradation.

In November 2011 the Minister of Planning supported the Council’s decision to refuse to grant approval to the amendment on the grounds that:

- It is considered that the proposed amendment would facilitate development that is inconsistent with the Special Control Area which highlights the importance of landscape and bushland protection, and would be detrimental to the landscape character of the locality.
- The amendment is inconsistent with State Planning Policy No. 2.5 - Agricultural and Rural Land Use Planning as the proposal represents further fragmentation of rural land and is not in accordance with the local planning strategy.

The full implementation of fire management and protection measures is perhaps better illustrated by Amendment No.30 which was successfully gazetted, subdivided and developed since 2007. This Amendment incorporates the special fire protection controls gazetted in the 2005 TPS No.4.

8. Australian Standard 3959 *Construction of Buildings in Bushfire-Prone Areas*

Dwellings in Australia are required to be built to the standards set out in the Building Code of Australia. Where areas are designated as “bushfire prone” under a power in legislation an additional construction standard may apply. Land may be designated as “bushfire prone” by the State or by local government. The standard of construction in areas designated as “bushfire prone” under a power in legislation is described in the document AS 3959.

After the 2009 devastating Black Saturday bushfires the Victorian Government brought down regulations requiring that all new homes must be designed, constructed and located with improved bushfire protection. That is, in accordance with AS 3959. The V Bushfires RC also recommended the Victorian Country Fire Authority to undertake mapping of bushfire risk over the whole of Victoria. *This is the model recommended for Perth and WA by the City, rather than fragmenting a task among numerous local governments with various resource bases, regulatory review timings and potential disincentives to increase the costs to building locally vis a vis nearby similar jurisdictions.*

However, this did not apply to existing buildings. For those buildings owners have been encouraged to consider voluntary retrofitting for better protection from a bushfire.

The new building standard increases the construction requirements on residential buildings so they are better bushfire protected. This ranges from construction measures that provide ember protection at the low levels to direct flame protection at the highest.

Under AS 3959, new homes at risk of bushfire would be required to have:

- Roofs, verandas and decking made from non-combustible material;
- Wall and roof joints sealed against ember attacks;
- Windows protected by non-combustible shutters or made using 4 to 5 mm toughened glass; and
- Door frames made from fire resistant timber and tightly fitted, with a weather strip at the base.

The revised *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* was approved nationally in March 2009. The standard came into effect through the Building Code of Australia (BCA) in the 2010 edition of the BCA. The standard requires that in an area legally designated as “bush fire prone” both the assessment of a site and the construction of buildings to improve their performance when subject to burning debris, radiant heat and flame contact. Compliance with the standard is required in construction of new buildings and certain renovations and extensions in bush fire prone areas. The standard sets out the minimum construction requirements for each of five levels of defined Bushfire Hazard. This is determined by completing a threat matrix that looks at vegetation type and proximity and the slope of the land. The standard is not absolutely straight-forward, with variations existing from state to state.

The standard is applied to Class 1 buildings that are constructed in a designated bushfire prone area.

The City applies AS 3959 to new house construction in areas identified as bush fire prone by designation as Prime Bush Fire Hazard Protection Area (SCA) as listed in section 5 above. The City does not apply the standard in existing areas which were zoned and subdivided prior to the original 2001 WAPC/FESA guidelines and under earlier Town Planning Schemes. Nevertheless these areas are considered likely to be

equally subject to bushfire risk notwithstanding the town planning scheme nor any law provides statutory backing for enforcement of this standard.

In areas of “legacy lots” indicated as of potentially “Extreme” hazard level, where a Development Consent is required for a dwelling (Rural Living, Special Residential and Rural zones) the Planning Department attaches an advice note to the instrument of planning approval (Development Approval (DA)) notifying the landowner of the bushfire hazard and recommending construction to the AS 3959.

9. Planning within the 2011 firezone

Within those areas affected by the Roleystone-Kelmscott Bushfires land has been zoned and subdivided predominantly for residential use since the early 1970s. Land was developed prior to the 1970s to the NW of Lloyd Hughes reserve (on Peter, Edmund and David Streets) with some scattered dwellings on Grade Road and Gemsarna Crescent, but the balance of the area was not developed until after 1970.

The area of residential land was identified in 1973 in the Shire of Armadale-Kelmscott town planning scheme No. 1 as Single Residential. Either side of the Canning River the land was zoned Rural E. Other development standards were as set out in the Uniform Building By-laws 1969. The City of Armadale Town Planning Scheme No.2 was gazetted in 1985 and zoned the residential areas for a range of densities ranging from R2.5 to R5, R10 and R15 with standards as prescribed in the R Codes. The Rural land was zoned Rural D (2ha minimum)(north of the Canning River) and Rural E (1ha minimum)(south of the Canning River).

Town Planning Scheme No. 4 was gazetted in 2005. It largely reflects the pre-existing and earlier zonings but introducing a split coding to allow for some higher density subject to certain conditions being met. The land is zoned Residential R15/25 and R10/25 (Clifton Hills), R10/25, R5 and R2.5 (Kelmscott south of Brookton Highway) and RL2 either side of the Canning River (**see Figure 1**). Of these zones, planning approval is only required for single dwellings in those areas zoned RL (Rural Living) 2. Town Planning Scheme No. 4 also introduced the SCA provisions and maps that are used to identify Bushfire Protection Areas in new development areas subject to closer subdivision and development but none apply within the subject fire area.

A high proportion of the properties within this residential zone were developed with housing in the 1970s and 1980s. Housing has developed in these areas without any special planning control relating to fire avoidance and the City has no statutory power to retrospectively impose more stringent provisions on existing development, should there be merit in doing so.

In Western Australia since the February 2011 Roleystone-Kelmscott bushfire there has been no imposition of a requirement that new dwellings be constructed to meet special standards designed for bushfire prone areas. However, the City of Armadale has urged those constructing or modifying buildings within areas deemed to be bushfire prone to consider measures generally accepted as being prudent for bushfire prone areas. Two related actions have been taken by the City to encourage rebuilding to take account of bushfire risk. Firstly the Building Commission has been engaged to

prepare a summary brochure of measures to be taken to make buildings more fire resistant and secondly a brochure has been released to assist landowners to select plants for a more fire-retardant garden.

The City will await the outcomes of this review before considering further regulatory measures. However, as outlined earlier, it is not considered appropriate to implement “local” measures whereby different local authorities have differing standards.

This leads to confusion of the general public, lower levels of compliance and resentment amongst property owners.

It is more appropriate that controls be on a district or regional basis, designated by a State authority, with consistency of provisions across the metropolitan area. This can then be more readily conveyed by mass media and marketing campaigns leading to a higher level of public awareness.

As advised earlier, were the City to implement its own measures these are not likely to be any quicker to introduce than State measures. Further, the Roleystone-Kelmscott bushfire itself clearly demonstrated that there are complex factors determining bushfire risk. It should be noted that a number of the properties damaged or destroyed in the February fires were outside the immediate fire affected area (**Figure 4**) and it would be unlikely if some of these properties would be identified as within a bush fire prone area as 40 of the affected properties were outside the City’ broad brush (Type1) strategic hazard assessment map of elevated hazard (**Figure 3**).

The City draws the reviewers attention to the observation of its own volunteer firefighters that many of the houses destroyed by ember-attack had evaporative air-conditioners located on the roof. This needs further investigations as it may have implications for building control outside the bushfire prone area. Embers are known to travel a considerable distance on the wind.

This consideration clearly needs to be assessed at a State (if not national) level.

10. Conclusions

This submission has predominantly dealt with the planning and building policy framework for Urban Residential and Rural Living zones. The land ravaged by fire on 6th February 2011 was zoned, subdivided and developed under these zones for primarily residential use over the past 50 years without any special regard for fire hazard. An example of Amendment No.30 in the Special Residential zone is also referenced to demonstrate current best planning practice.

Since 2005 the City has incorporated SCA provisions into its town planning scheme to ensure that no land use changes likely to intensify development occur without taking full account of the measures needed to plan for and avoid fire risk primarily by means of a site-specific Fire Management Plan. However, this would apply to land being rezoned, not land already zoned and developed under earlier schemes as was the case in the fire affected areas.

The City has followed the advice of the WAPC and FESA in the planning process for closer development in its 2001 guidelines currently being superseded by interim 2010 guidelines. This is illustrated by the City's careful consideration of two proposals for intensification of land use resulting in the full incorporation of safeguards into scheme amendments, one in Canns Road which was successfully rezoned and developed for Special Residential use and the other on Buckingham Road which was subsequently not supported for closer development for a range of environmental reasons. These illustrate how in the face of pressure from landowners for intensified and closer development for their land, the City and Council follow best practice.

Under the WAPC/FESA interim guidelines of 2010 the City is not required (nor is it practical) to retrospectively implement AS 3959 building standards on land zoned and subdivided prior to 2001 such as impacted by the February fire. These standards are implemented in newly subdivided areas but, as clearly articulated in the State Government Guidelines, are not intended to be enforced retrospectively.

The City has also not applied AS 3959 to buildings being erected on properties affected by the fires because there is no current statutory power to enable it to do so. The City could commence a process to introduce such a requirement although it would probably take at least a year to finalise and being dependent of consultation outcomes and political support by the local and State government, the passage of such regulations or timeframe would not be guaranteed. There is no mechanism available to the City to enable it to immediately apply AS 3959 standards.

The City is of the view that its pre-emptive enforcement of AS 3959 within the areas affected by the February bush fires would be inappropriate for the following reasons:

- The area affected by the fires is only one area that could or is likely to be fire prone – there would be logically a need to identify all fire prone areas within the City;
- Not all the houses destroyed or damaged or areas affected by the bush fire would be described as fire prone as embers took the impact well beyond the fire front and outside the hazard separation areas recognised as fire prone under AS 3959 methodologies;
- The imposition of the additional requirement to those rebuilding would be inequitable when those adjacent properties would not be required to upgrade to meet the standard (and fire victims may be doubly penalised by additional building costs);
- The imposition of an additional requirement within the City of Armadale also would be ad hoc given the similar threats over the hills and wider areas. A consistent approach across all fire prone areas within the State is required;
- Fire planning has become a matter of State policy and management and should be uniformly addressed jointly by FESA and the WAPC.

The City has nevertheless sought to assist in a better understanding of how to design houses and surroundings to best resist bushfires. Those rebuilding in the fire affected area are accordingly being advised to consider best practice, however the City is not imposing additional prescriptive standards through building regulation.

The City suggests that the Review consider:

- The need for greater direction and responsibility by the State. Mapping of Bush Fire Hazard Assessment should be undertaken by FESA, in conjunction with the WAPC, across the State or at least to District level and not left up to individual local governments.
- The matter of existing properties at risk of bushfire should be addressed to some degree at the State level – albeit not necessarily requiring the full meeting of the standards that may be applied to new development. The use of AS 3959 as a voluntary choice by the landowner is problematic due to landowners being able to not choose to burden themselves by additional expenses.

REFERENCES

Planning for Bushfire Protection Final.WAPC/FESA, December 2001

Development Control Policy 3.7, Fire Planning, WAPC 2001

State Planning Policy 3.4 Natural Hazards and Disasters, 11 April 2006, Government Gazette, WA

Planning for Bushfire Fire Protection (Interim) Guidelines, WAPC/FESA, May 2010

Australian Standard Construction of buildings in bushfire-prone areas, Standards Australia AS 3959- 2009

Submission to Department of Planning from City of Armadale on Interim Planning Guidelines: Planning for Bush Fire Protection (Edition 2), 25th February 2011

City of Armadale Town Planning Scheme No. 4 (November 2005)

City of Armadale Town Planning Scheme No. 2 (1985)

Shire of Armadale-Kelmscott Town Planning Scheme No. 1 (1973)

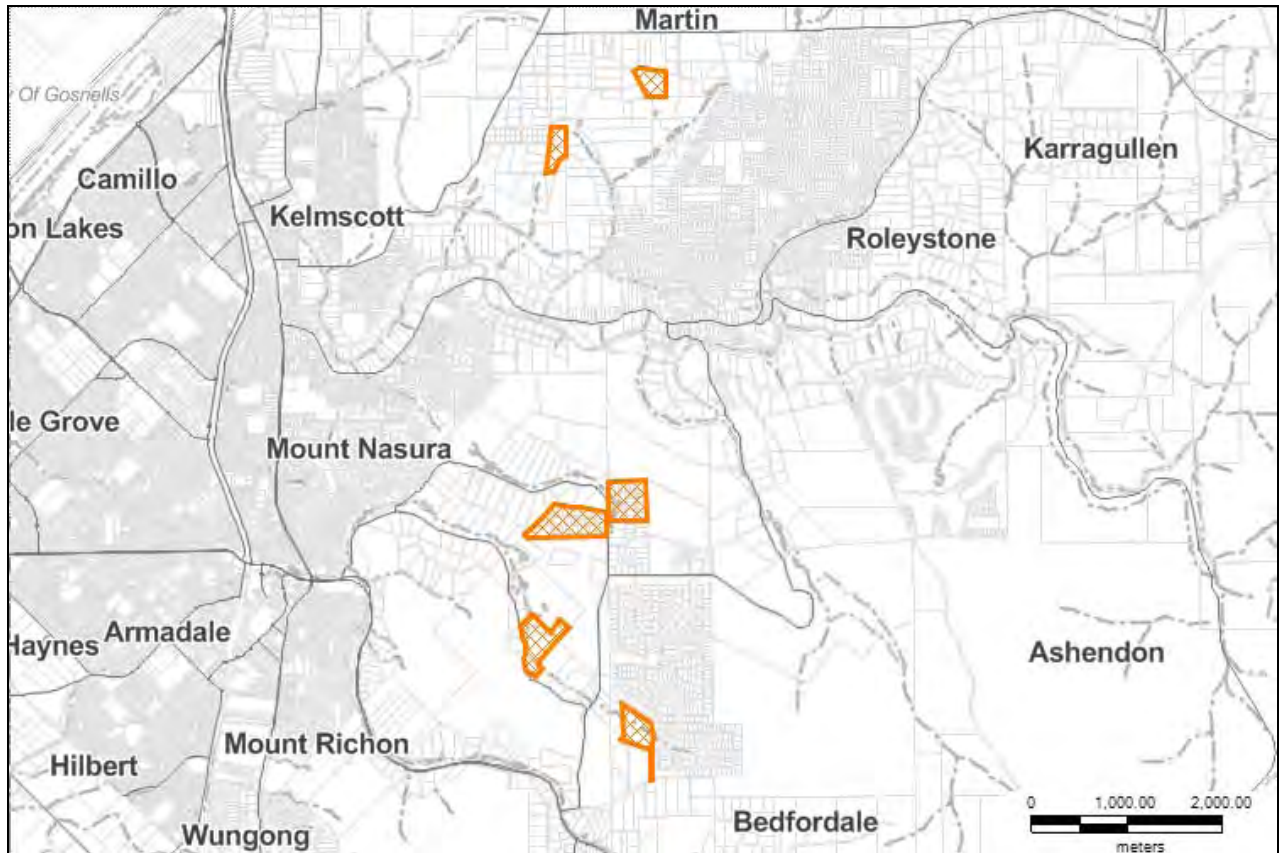
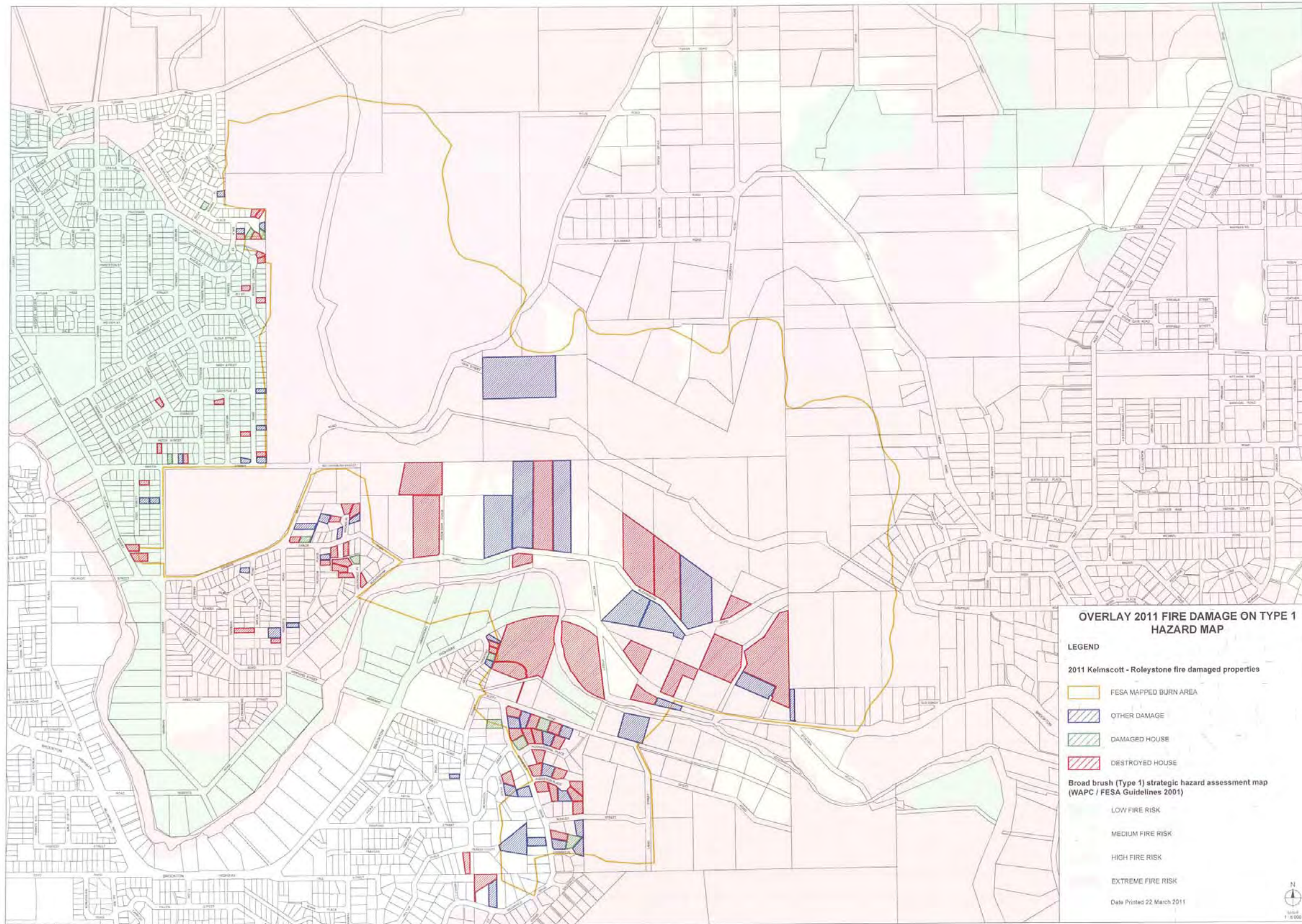


Figure 2. Map displaying the six Bush Fire Protection Areas (in orange). SCA Map 1.

Figure 3
Overlay 2011 Fire Damage on Broad Brush (Type 1) Hazard Assessment Map



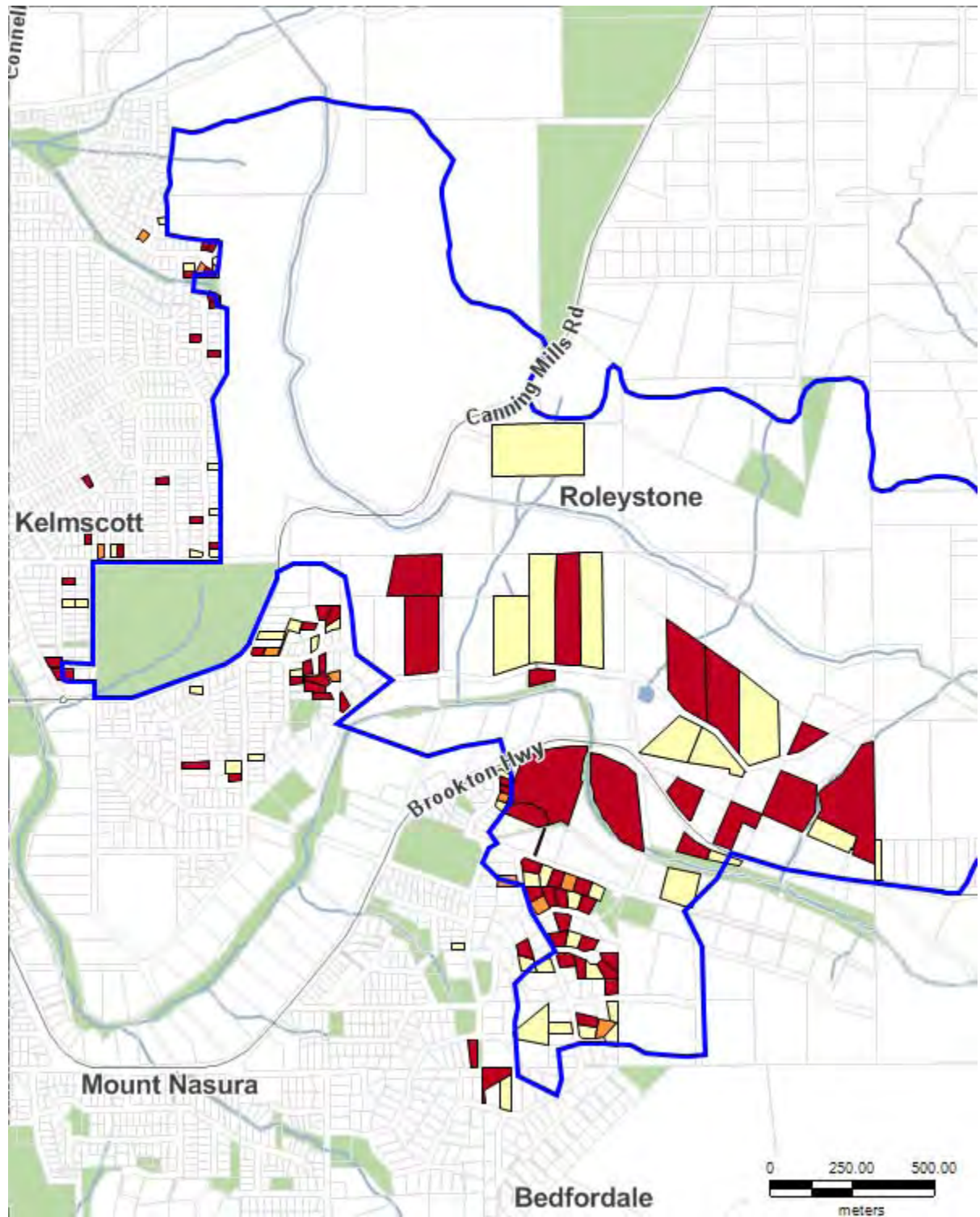


Figure 4 Area affected by Roleystone/Kelmscott Bush Fire

APPENDIX 1 (a) - STANDARD SUBDIVISION CONDITIONS
USED TO IMPLEMENT BUSH FIRE PROTECTION

CONDITIONS		
Code	Condition	Keyword
RS-F1	A Fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority.	Fire Management Plan
RS-F2	Certification by the Water Corporation / Fire and Emergency Services Authority that subdivision reticulation plans meet specifications and that hydrant fire fighting services will be installed to the satisfaction of the City.	Hydrants
PM-N1	A Notification, pursuant to section 165 of the Planning and Development Act is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this Notification is to be included on the Deposited Plan. The notification to state as follows: " [INSERT VALUE HERE] ..." <i>Bushfire Prone Areas</i> "The subject lot abuts a bushfire prone area and measures should be taken to design/construct buildings in-accordance with Australian Standard 3959 – Construction of buildings in bushfire-prone areas" to minimise the risk of property damage.	Notification – (A 165 notification is imposed on the Title where there is a 'hazard or other factor seriously affecting the use or enjoyment of the land'). (Memorial)
PM-TPS	The subdivider providing a written undertaking to ensure that prospective purchasers of the lots created will be advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land.	TPS
PM-N2	Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising that [INSERT VALUE HERE] .	Notification – (A 70A notification on the Title is to be imposed where there is a factor affecting the "use or enjoyment of the land").
ES-R3	Satisfactory arrangement being made with the City for the upgrading of Rd. [<i>Refer to ES-ANI</i>]	Road Upgrade

APPENDIX 1 (b) STANDARD DEVELOPMENT APPLICATION
CONDITIONS
USED TO IMPLEMENT BUSH FIRE PROTECTION

Single House

- BF-1 The dwelling to be constructed in-accordance with Australian Standard 3959 (as amended) – Construction of Buildings in Bush Fire Prone Areas. *(Impose if within Bushfire Prone Area on Special Control Area Map 1 or if a requirement of Structure Plan)*
- BF-2 Prior to occupation of the dwelling the City shall be provided with a statutory declaration certified by a suitably qualified person that the lot complies with the fuel loadings and criteria specified in the Fire Management Plan to the satisfaction of the Executive Director Development Services. *(impose if requirement of structure plan i.e Vincent Lookout area)*
- BF-3 No revegetation or planting shall be undertaken on the lot other than in accordance with the Fire Management Plan and Landscape Master Plan approved by the City for the site, to the satisfaction of the Executive Director Development Services. *(impose if condition BF-1/BF-2 applies)*
- BC-1 A schedule of external colours and materials shall be submitted to and approved by the Executive Director Development Services. The development to be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.
- BC-AN3 With regard to Condition No. BC-1, please note that Zinalume, metallic or white coloured finishes are not permitted. It is expected that the colour and material schedule will be submitted prior to the issue of a Building Licence.

Development Envelope

- DEV-1 Retention of trees specifically identified on the approved site plan to the satisfaction of the Executive Director Development Services. *(impose only if specific trees have be identified for retention on site plan)*

Advice Notes

DE-AN1 The applicant is advised that all buildings and/or structures are to be confined to the designated development envelope as shown on the enclosed plan. Please note that the area of land excluded from the building envelope is not to be developed, cleared or built upon.

Bushfire

BF-1 The dwelling to be constructed in-accordance with Australian Standard 3959 (as amended) – Construction of Buildings in Bush Fire Prone Areas to the satisfaction of the Executive Director Development Services. *(Impose if within Bushfire Prone Area on Special Control Area Map 1 or if a requirement of Structure Plan)*

BF-2 Prior to occupation of the dwelling the City shall be provided with a statutory declaration certified by a suitably qualified person that the lot complies with the fuel loadings and criteria specified in the Fire Management Plan to the satisfaction of the Executive Director Development Services. *(impose if requirement of structure plan i.e Vincent Lookout area)*

BF-3 No revegetation or planting shall be undertaken on the lot other than in accordance with the Fire Management Plan and Landscape Master Plan approved by the City for the site, to the satisfaction of the Executive Director Development Services.

Advice Note

BF-AN1 It is recommended that the dwelling be constructed in-accordance with Australian Standard 3959 – Construction of Buildings in Bush Fire Prone Areas. *(impose on all houses within Special Residential and Rural Areas if not a requirement of a structure plan)*

BF-AN2 The owner is advised that compliance with the approved Fire Management Plan for the area is required. A copy of the Fire Management Plan should have been provided to you by the developer at the time of purchase, however a copy can be obtained from the City at no charge.

Firebreaks

FB-1 All flammable material, bush fuel loads (with exception of living trees) and dry grass on the property must be maintained below 50mm in height and be no more than 2 tonnes/ha at all times, by regularly removing all leaf litter, long grass, logs, branches and twigs from trees, to the satisfaction of an authorised officer in accordance with the Bush Fires Act 1954.

FB-AN1 With regard to Condition FB-1, the requirement to minimise the fuel load on site has been imposed to reflect the requirements of the Fire Break Notice, as should the approval be exercised it will no longer be possible to maintain a 3m wide firebreak internal to the site, adjacent to the property boundary.

Future Development / Stages

FD-1 The areas identified as future development areas on the site plan are to be maintained in a tidy condition, kept free from weeds and rubbish at all times, to the satisfaction of the Executive Director Development Services.

Building / Demolition

GB-AN4 The proposal involves a change of classification for the building to Class <<classification number>>. Therefore the whole building will need to comply with the current Building Code of Australia requirements for the new class of building. This may include but is not limited to energy efficiency, disabled access, sanitary facilities and fire safety. Any alteration works will require a building licence.

COVERING LETTER ADVICE NOTES

CA-1 A Building Licence is required prior to the erection of any structure on the property. In this regard, <<Choose which paragraph you want “your Building Application will now be determined by the City’s Building Department, you are invited to submit an application for a Building Licence to the City’s Building Department to reflect the provisions of this Notice of Determination”>>.

CA-2 The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the Planning Development Act 2005. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$50,000 for each offence and a daily penalty of \$5,000 per day for the continuation of that offence. It is the responsibility of the applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.

STANDARD ADVICE TO APPLICANT

Standard Advice Notes included on “Notice of Determination” template:

F-A The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the Planning Development Act 2005. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$50,000 for each offence and a daily penalty of \$5,000 per day for the continuation of that offence. It is the responsibility of the applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.

F-B If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the Planning and Development Act 2005 against such refusal or imposition of such aggrieved Condition.

Such application for Review must be made not more than twenty eight (28)

days after the date of Council’s decision via the form available from the

State Administrative Tribunal (copies available from the State

Administrative Tribunal, at Level 4, 12 St Georges Terrace, Perth, or GPO

Box U1991, Perth, WA, 6845, or www.sat.justice.wa.gov.au or from

Council’s offices), and should be accompanied by the relevant fee detailed in

Schedule 18 of the State Administrative Tribunal Regulations 2004.

F-C The developer is reminded of the requirement under the provisions of the Environmental Protection Act that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise, and rock breaking in particular, are not permitted:-

- Outside the hours of 7.00am to 7.00pm; or
- On a Sunday or Public Holiday.

**APPENDIX 2_
SCHEDULE 12 –
DEVELOPMENT (STRUCTURE PLANNING) AREAS**

[cl 6A]

No.	Description of land	Additional provisions applicable to subdivision and development
39.	Lot 123 Canns Road – Special Residential Development Area (as identified on Scheme Map)	<p>39.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.</p> <p>39.2 The Structure Plan for the site shall include a Fire Management Plan prepared to the satisfaction of the City in consultation with the Department of Conservation and state agencies relevant to fire protection and management of the abutting regional bushland.</p> <p>39.3 The Structure Plan, subdivision and development of the site shall meet the following requirements –</p> <p><u>Bushfire Protection</u></p> <p>39.4 Memorials on each lot title shall advise purchasers that the lot is bushfire prone and that the use and development of the lot is to be in accordance with the Fire Management Plan and the City shall recommend a condition of subdivision to that effect.</p> <p>39.5 The Building Protection Zone and Hazard Separation Zone on each lot shall be prepared with the general fuel loadings and criteria specified in the Fire Management Plan prior to the clearance of conditions for the creation of new lot titles and the city shall recommend a condition of subdivision to that effect.</p> <p>39.6 Strategic firebreaks and access to emergency water resources identified on the Structure Plan shall be provided as an easement on the title of any affected lot.</p> <p>39.7 All building development shall require an application for planning approval.</p> <p>39.8 All dwellings shall be constructed in accordance with the Level 1 standards specified by Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas.</p> <p>39.9 A new dwelling shall not be occupied or otherwise used as a habitable dwelling until the owner has provided the City with a Statutory Declaration that the fuel loadings and criteria specified in the Fire Managements Plan have been implemented and the City may require an appropriately qualified person acceptable to the City to certify that this work has been completed.</p> <p>39.10 No revegetation or planting shall be undertaken on any lot other than in accordance with the Landscape Master Plan or Fire Management Plan.</p> <p><u>Effluent Disposal</u></p> <p>39.11 The Structure Plan shall identify Building / Development Envelopes on all lots and indicate those lots requiring nutrient removing effluent disposal systems.</p> <p>39.12 No effluent disposal system or effluent disposal area shall be permitted within the 30m buffer to the sumpland of seasonally waterlogged soils identified on the Structure</p>

**Amendment
No.30
GG 21/12/07**

Plan and no leach drains permitted within 50m of any watercourse, well or open water body.

- 39.13 All effluent disposal systems within 50m of the sumpland identified on the Structure Plan shall be Nutrient Removing Systems.
- 39.14 Applications for all leach drain effluent disposal systems will need to demonstrate that the site chosen for effluent disposal has free draining soil to a depth of 2 metres and a width of 3 metres, which, may require removal of the layer of lateritic duricrust and replacement with clean fill, as determined by soil depth conditions on specific lots.
- 39.15 Subsoil drains shall be required upslope of all effluent disposal areas to divert any shallow seepage away from effluent disposal areas.

Stormwater Management

- 39.16 The design and construction of roads and vehicle / pedestrian crossings over the watercourse shall have regard to Department of Water construction guidelines and minimise detrimental impacts on waterways and the City will recommend a subdivision footnote to that effect.
- 39.17 The design and construction of the stormwater management system shall have regard to the guidance contained in the “Stormwater Management Manual for Western Australia (Department of Environmental 2004 as amended) and the City will recommend a subdivision footnote to that effect.

General

- 39.18 In lieu of provision of a Public Open Space contribution, the subdivider shall contribute 5% of the site as cash-in-lieu to the City for open space and recreation facilities in the locality with the land valued in accordance with Section 155 of the Planning and Development Act 2005.
- 39.19 The purchasers of all lots shall be advised of the provisions of the Scheme applying to the site and the City shall recommend a condition of subdivision to that effect.
- 39.20 Maximum number of lots shall be 27 in accordance with the Structure Plan and the City will not support further subdivision.
- 39.21 The irrigation of any lot by diverting or otherwise removing water flowing in the watercourse adjacent to Canns Road shall not be permitted and the City shall recommend a condition of subdivision to that effect.
- 39.22 Subdivision works are to be implemented in accordance with a Dieback Management Plan prepared to the specification of the City and the City shall recommend a condition of subdivision approval to that effect.

ATTACHMENT 2

LEAFLET

“BUSHFIRE PREPAREDNESS 2009-10”



Government of Western Australia
Fire & Emergency Services Authority



February 2010

Dear Resident

Bushfire Preparedness 2009-10

Your property, being located in or close to bushland, may be affected in the event of a bushfire occurring. We are pleased to provide some information to assist you and your family to prepare yourself and your property in the event of a bushfire.

With planning and effort the majority of houses in bushfire risk areas can survive most bushfires. The more you prepare your home the better chance it will have of surviving bushfire in your area.

Clear the area around your home of all rubbish, long dry grass, bark and other material that may catch fire. Use non flammable mulch nearest to your home and clear out your gutters regularly. Create and maintain a minimum two-metre gap between your house and tree branches. Prevent sparks from entering your home by filling the gaps. This will help protect your home when embers fall near and around your home.

Homes with evaporative air conditioners are particularly at risk of catching fire from embers coming from bushfires or even small back yard fires. If a fire starts in your air conditioner it can spread quickly throughout your home. In the case of a fire nearby, run the air conditioner to wet the filter pads and then switch the air conditioner off. If the unit can run water over the filter with the fan turned off, continue to do so. If the water cannot be run on its own, wet the air conditioner pads using a garden hose.

Store fuels, such as BBQ gas bottles, away from the house.

Ongoing vigilance by members of the community in reporting suspicious behaviour and potential arson in the area will further assist in minimising the likelihood of a bushfire occurring. If you have any information about a fire or suspect somebody of deliberately lighting fires, call Crime Stoppers on 1800 333 000.

Please visit www.fesa.wa.gov.au for additional information. Should you have any further queries please contact City of Armadale Ranger Services on 9399 0111 or FESA's Community Safety Coordinator on 9323 9566.

Yours sincerely

JO HARRISON-WARD
CHIEF EXECUTIVE OFFICER
FIRE & EMERGENCY SERVICES
AUTHORITY OF WA

RAY TAME
CHIEF EXECUTIVE OFFICER
CITY OF ARMADALE

Bushfires Act 1954
City of Armadale

Notice to all owners and occupiers of land within the City of Armadale

PLEASE READ CAREFULLY

All property owners are required to have mineral earth trafficable firebreaks constructed in accordance with this notice by 30 November 2010 and maintained until 14 March 2011

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required on or before the 30th day of November 2010 or within fourteen days of you becoming the owner or occupier of land should this be after the 30th day of November 2010 to clear firebreaks and remove flammable materials from the land owned or occupied by you as specified hereunder and to maintain the specified land and firebreaks clear of all flammable materials up to and including the 14th day of March 2011.

DEFINITIONS

“FIREBREAK” means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or flammable material leaving clear bare mineral earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the fire break area.

“FLAMMABLE” means any bush, plant, tree, grass, mineral, vegetable, substance, object thing or material that may or is likely to catch fire and burn.

“TRAFFICABLE” means to be able to travel from one point to another in a 4X4 fire vehicle on a firm and stable surface, unhindered without any obstruction or getting stuck bogged or trapped.

“VERTICAL AXIS” means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak

ALL AREAS OF LAND (within the City of Armadale) LESS THAN 5000 m²

Have the entire land clear of all flammable material by mowing, slashing or other means. All grasses are to be maintained below 5 centimetres in height and all trees, bushes, shrubs are to be trimmed back over driveways and access ways to all buildings to three (3) metres wide with a clear vertical axis over it to afford access for emergency services to all structures and points of the property

On any lot having an area of less than 5,000m², the keeping of grass on the lot at all times covered by this notice to a height less than 5 centimetres will be accepted in lieu of clearing a firebreak.

ALL AREAS OF LAND (within the City of Armadale) OVER 5000 m²

Install bare mineral earth trafficable firebreaks clear of all flammable material to a minimum of three (3) metres wide immediately inside all external boundaries of the land with all overhanging branches, trees, limbs etc. to be trimmed back to four (4) metres wide with a clear vertical axis over the firebreak area. Install bare mineral earth trafficable firebreaks to a minimum of three (3) metres wide immediately surrounding all buildings, sheds and haystacks or groups of buildings situated on the land, with all overhanging branches, trees, limbs etc. to be trimmed back to three (3) metres wide with a clear vertical axis over the firebreak area. This includes driveways and access to all buildings on the land

Installation methods may vary to suit your property environment, these may include, but not limited to ploughing, cultivating, scarifying, burning, grading, chemical spraying

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

- **MOWED FIREBREAKS ARE NOT PERMITTED**

HAZARD REDUCTION

In addition to the provisions of this notice you may be required to carry out further works which are considered necessary by Council or an Authorised Officer of the City and specified by way of a separate written notice forwarded to the address as shown on the City of Armadale rates record for the relevant land.

APPLICATION TO VARY FIREBREAK REQUIREMENTS

If it is considered impracticable for any reason whatsoever to clear firebreaks or establish other arrangements as required by this notice, you may apply in writing to the Council of the City of Armadale, or its duly Authorised Officers no later than the 1st day of November 2010 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly Authorised Officers you must comply with the requirements of this notice.

In some instances naturally occurring features such as rocky outcrops, natural watercourses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with an Authorised Officer of the City, and approved by the Authorised Officer in writing

All firebreaks and other alternative arrangements allowed by the preceding parts of this notice must be established on or before the 30th day of November 2010 (or within 14 days of you becoming the owner or occupier should this occur after that date) and remain clear of flammable material up to and including the 14th day of March 2011.

- **COUNCIL DOES NOT ISSUE EXEMPTIONS TO THE FIREBREAK NOTICE**

DOES YOUR PROPERTY HAVE A FIRE MANAGEMENT PLAN

All properties with a Fire Management Plan approved as part of subdivision consent shall comply with the plan in its entirety

PENALTY: \$5000

FUEL STORAGE

On all land where fuel drum ramps are located and where fuel dumps, whether contained fuel or not, are stored, clear maintained firebreaks three (3) metres wide with a clear vertical axis over it, around any drum, ramp or stack of drums.

NO BURNING ON SUNDAY OR PUBLIC HOLIDAY

Except when specifically authorised to do so for purpose of fuel reduction by a Bush Fire Control Officer (BFCO) appointed by Council under the provisions of the Bush Fires Act 1954, an owner or occupier of land shall not set fire to, or cause or allow to be set on fire, any bush, rubbish or refuse whatsoever on a Sunday or a day that is a Public Holiday.

PENALTIES

The penalty for failing to comply with this notice is a fine not exceeding \$5,000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

By order of the Council.

R S Tame - Chief Executive Officer

**COMMUNITY ENGAGEMENT ACTIVITIES WITHIN THE CITY OF ARMADALE
NOVEMBER 2009 – MARCH 2011**

ACTIVITY	LOCATION	DATE	STAKEHOLDER SUPPORT
Community meetings	BEDFORDALE	10-Nov-2009 11-Nov-2009 12-Nov-2009	Bedfordale VBFB Ruth Noonan, CE Vivienne Gardiner, CE FESA
Display – Shopping Centre	ROLEYSTONE	5-Dec-2009	Roleystone VFS
Display – Shopping Centre	Armadale	1-Dec to 8-Dec-2009	Ross Kitson, Station Officer, Armadale FRS
Display – Central Shopping Centre	Armadale	9-Dec to 31-Dec-2009	Ross Kitson, Station Officer, Armadale FRS
Variable message board with Prepare. Act. Survive. messages	ROLEYSTONE (Araluen Estate) BEDFORDALE (Churchmans Brook)	13-Jan to 17-Jan-2010 17-Jan to 20-Jan-2010	Roleystone VFS Brian Watkins, CBFCO, City of Armadale
Letter drop	ROLEYSTONE (Araluen Estate)	14-Jan-2010	Roleystone VFS Rob van Uden, Deputy CBFCO, City of Armadale
Letter drop	BEDFORDALE (Churchmans Brook)	17-Jan-2010	Bedfordale VFS Rob van Uden, Deputy CBFCO
Letter drop – Clifton Hills		?-Jan-2010	Nathan Hall, Roleystone VFS/COA Ranger Services
Letter drop	Mt Richon & White Rails (City of Armadale)	19-Jan-2010	Bedfordale VBFB Ruth Noonan, CE FESA
Mail drop (750 householders)	Bedfordale	End Sep-10	Bedfordale VBFB
Meeting – Bushfire Ready Street Coordinators (20 attendees)	Bedfordale	5-Oct-10	Bedfordale VBFB

ACTIVITY	LOCATION	DATE	STAKEHOLDER SUPPORT
Consultation – KARRAGULLEN & ARALLEN	City of Armadale offices	8-Oct-10	Brian Watkins – CBFCCO Robbie Van Uden – Deputy CBFCCO Stuart Wade – DM Perth South East Chris Cairns – BF Ready Facilitator Roleystone VBFB Ruth Noonan – CE FESA Bedforddale VBFB
Meeting – Bushfire Ready (series of 5 meetings) Approximately 140 attendees	Bedforddale	12-Oct-10 13-Oct-10 19-Oct-10 20-Oct-10 21-Oct-10	
Meeting – Bushfire Ready Street Coordinators (30 attendees)	Roleystone	27-Oct-10	Chris Cairns – Bushfire Ready Facilitator Roleystone VBFB Robert Littman – Bushfire Ready Facilitator Roleystone VBFB Craig Popperwell – Bushfire Ready Facilitator Roleystone VBFB Noel Plowman – Captain, Roleystone VBFB Ruth Noonan, Community Engagement FESA
Bulk Mail Out with PAS insert (157 householders)	KARRAGULLEN	29-Oct-10	Brian Watkins – CBFCCO City of Armadale Ray Tame – CEO City of Armadale Chris Cairns – Bushfire Ready Facilitator Roleystone VBFB Bob Littman – Bushfire Ready Facilitator Roleystone VBFB
Community Meeting (40 attendees)	KARRAGULLEN Sacred Heart Catholic Church	7-Nov-10	Roleystone VBFB
Variable message board with preparation messages	KARRAGULLEN (Cnr Brookton Highway & Canning Road) ARALLEN (Croyden Road)	23-Nov to 01-Dec-10	Brian Watkins – City of Armadale Ruth Noonan – CE

ACTIVITY	LOCATION	DATE	STAKEHOLDER SUPPORT
Variable message board with preparation messages	Keimscott (Brookton Highway & Hill Street)	23-Nov to 01-Dec-10	Brian Watkins – City of Armadale Ruth Noonan – CE
Meeting – Araluen Progress Association (50 attendees)	ARALUEN	24-Nov-10	Peter McCarthy – A/DM Perth South East Robbie Van Uden – DBFCO, City of Armadale Chris Cairns – BF Ready facilitator Roleystone VBFB Bob Littman – BF Ready facilitator Roleystone VBFB
Bulk mail out with PAS insert (410 householders)	ARALUEN	26-Nov-10	Brian Watkins – CBFCO City of Armadale Ray Tame – CEO City of Armadale Ruth Noonan – CE FESA
Display – Shopping Centre	Roleystone	27-Nov-10	Chris Cairns – BF Ready facilitator Roleystone VBFB Bob Littman – BF Ready facilitator Roleystone VBFB Roleystone VBFB members
FESA Information Line correction letter (410 householders)	ARALUEN	10-Dec-10	Brian Watkins – CBFCO City of Armadale Ruth Noonan – CE FESA
Meeting – Araluen Progress Association, including drive thru of upgraded access tracks (53 householders)	ARALUEN	14-Dec-10	Chris Cairns – BF Ready facilitator Roleystone VBFB Bob Littman – BF Ready facilitator Roleystone VBFB
Mail drop (750 householders)	Bedforddale	12 to 13-Feb-11	Bedforddale VBFB members
Meeting – Bushfire Ready Street Coordinators (80 attendees, including local residents)	Roleystone	15-Feb-11	Chris Cairns – Bushfire Ready Facilitator Robert Littman – Bushfire Ready Facilitator Craig Popperwell – Bushfire Ready Facilitator Noel Plowman – Captain, Roleystone VBFB Stuart Wade – District Manager 5th East Deanna Foster – Media & Public Affairs FESA Ruth Noonan, Community Engagement FESA
Newsletter article – <i>Bedforddale Blurb</i>	Bedforddale	Mid-Feb-11	Bedforddale VBFB

ACTIVITY	LOCATION	DATE	STAKEHOLDER SUPPORT
Community meeting (230 attendees)	Bedforddale, including Churchmans Brook	16-Feb-11	Mike Fancote – President Bedforddale VBFB Ray Barnett – Bushfire Ready facilitator Ian Thompson – Bushfire Ready Facilitator Bob Tizzard – Councillor, City of Armadale Gunther Best – Councillor, City of Armadale Brian Watkins – CBFCO, City of Armadale Chris Cairns – Roleystone VBFB
Bushfire Information (250 copies)	Roleystone Primary School Kelmscott Primary School Clifton Hills Primary School Good Shepherd Primary School	21-Feb-11	
Meeting – Bushfire Ready Street Coordinators (training) (6 attendees)	Kelmscott (Bromfield Drive)	1-Mar-11	Peter Jago – Street Coordinator Ian Thompson – Facilitator Bedforddale VBFB Ruth Noonan – Community Engagement FESA
Meeting – Bushfire Ready Street Coordinators (training) (18 attendees)	Roleystone	1-Mar-11	Chris Cairns – Bushfire Ready Facilitator Robert Littman – Bushfire Ready Facilitator
Bushfire information session (6 attendees)	WACSSO Canning District, Armadale SHS	2-Mar-11	Ken Walker – WACSSO Ruth Noonan – CE FESA

2010 – 2011 Fire Season to 31.3.2011

315 Complaints from the public regarding fire hazards

These were:

58 regarding firebreaks
12 regarding fire hazard not on private property
230 regarding Fire Hazard on Private Property and
23 regarding Fire Hazards on Council Reserves

All blocks were inspected

111 Fire Break Variations were issued

61 complaints were received about illegally burning off

Fire Permits issued:

<u>AREA</u>	<u>TOTAL</u>
Kelmscott	30
Roleystone	60
Hilbert	1
Piara Waters	1
Mount Nasura	6
Haynes	5
Armadale	4
Seville Grove	3
Mount Richon	4
Forrestdale	14
Wungong	25
Champion Lakes	14
Karragullen	15
Bedfordale	61

Total 243 (12 of these were for hazard reduction – 231 for burning small piles of waste)

31 March 2011 BW:EJ

Fire Break Inspections To Date:

<u>Ranger</u>	<u>Area</u>	<u>Approximate Properties in Area</u>	<u>Approximate Percentage Done</u>	<u>Approx completed</u>
Porter	Haynes - Hilbert	481	60	289
Rohan	Bedforddale	584	40	233
Kelliher	Roleystone	419	60	251
Hagan	Roleystone	434	60	260
Heliams	Seville Grove	1437	70	1006
Fenton	Kelmscott	1137	50	569
Gary	Forrestdale	466	100	466
Williams	Piara Waters / Harrisdale	3169	100	3169
Williams	Mount Richon	393	100	393
Totals		8520		6636

The City of Armadale has sent out 26854 rate assessments so far this financial year.

32 Percent or 8520 properties are planned to be inspected by Ranger Services in the 2010 – 2011 Bush Fire season, 1st December 2010 to 14 March 2011.

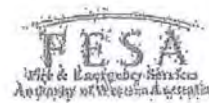
6636 or 78% have been inspected up to 31 March 2011.

63 Bush fire infringements have been issued which equates to less than 1% of properties inspected not complying with the City of Armadale Bush Fire Notice

31 March 2011 BW:EJ



Department for Planning
and Infrastructure



MEMORANDUM OF UNDERSTANDING

between the

DEPARTMENT FOR PLANNING AND INFRASTRUCTURE

and the

FIRE AND EMERGENCY SERVICES AUTHORITY

in relation to

Fire Risk Management on Unallocated Crown Land and Unmanaged
Reserves in the Metropolitan Area, Regional Centres and Townsites

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Memorandum of Understanding (MOU)

1. Parties:

The Department for Planning and Infrastructure (DPI), Albert Percy House, 489 Wellington Street
Perth, Western Australia.

And

The Fire and Emergency Services Authority of Western Australia (FESA), 430 Hay St Perth,
Western Australia.

2. Background:

- (a) The purpose of this MOU is to prescribe and formalise administrative and service delivery arrangements between FESA and DPI in relation to fire risk management on Unallocated Crown Land (UCL) and Unmanaged Reserves (UMR) in the metropolitan area, regional centres and townships.
- (b) DPI has fire management responsibility for UCL and UMR in the metropolitan area, regional centres and townships.
- (c) A policy objective of DPI is, to the extent that available funding and resources permit, to endeavour to economically and effectively:
 - (i) minimise community risk in relation to fire on UCL and UMR in the metropolitan area, regional centres and townships;
 - (ii) undertake fire mitigation/hazard reduction measures which are consistent with those required by local governments pursuant to section 33 of the *Bush Fires Act 1954*;
 - (iii) meet the reasonable requirements of Local Government fire prevention plans developed in accordance with FESA standards and guidelines;
 - (iv) contribute to the achievement of FESA Fire Services' fire mitigation objectives in these areas, as expressed in FESA's Division and Directorate business plans.
- (d) FESA is responsible for the administration of the *Bush Fires Act 1954*, *Fire and Emergency Services Authority of Western Australia Act 1998* and the *Fire Brigades Act 1942*, and has close links to local governments and their bush fire brigades. In working towards its objective to improve community safety practices and provide timely, quality and effective emergency services, FESA will:
 - (i) develop and implement strategies to identify and manage UCL/UMR fire risk in the metropolitan area, regional centres and townships;
 - (ii) provide advice to local governments concerning fire risk management and fire mitigation strategies and encourage local governments to develop and implement fire prevention plans.

- (e) Fire management of UCL and UMR in the metropolitan area, regional centres and town sites will therefore be based on the following premises:
- o Statewide fire mitigation resource allocation will be based on an assessment of FESA Fire Services risk priorities commensurate with the UCL/UMR fire risk management funding provided by DPI.
 - o Regional risk priorities will be based on FESA Fire Services regional business plans.
 - o Local distribution of funds will be prioritised, based on assessments by FESA Fire Services regional staff conducted in conjunction with other relevant stakeholders. Where local governments have prepared fire prevention plans, due cognisance will be taken of these and identified UCL/UMR fire risks.
 - o In all cases, priority of resource allocation will be based on assessment of risk to life, property and environmental values (conservation and bio-diversity), in that order.
 - o Unforeseen emergent risks may nevertheless require urgent treatment and priority in allocation of funds. If time permits, the parties will agree to such re-prioritisation beforehand. However, in an emergency situation, FESA has the discretion to proceed without prior consultation with DPI. FESA is to subsequently inform DPI of such action.
- (f) Fire mitigation treatments include but are not limited to:
- o firebreak and access road construction;
 - o fuel break construction;
 - o broad-scale and, where appropriate, specific prescribed hazard reduction burning;
 - o slashing/clearing; and
 - o incorporation of land into Local Government fire prevention plans.

Definitions:

In this Memorandum of Understanding, unless the contrary intention appears:-

- o "Interest" has the meaning given by section 3 of the *Land Administration Act 1997*;
- o "LAA" means the *Land Administration Act 1997*;
- o "metropolitan area" means the Perth metropolitan region, as defined by section 6 of the *Metropolitan Region Town Planning Scheme Act 1959*;
- o "parties" means the parties identified on the first page of this Memorandum of Understanding who make this Memorandum of Understanding;
- o "regional centres" means places within the meaning given by section 24 of the *Local Government Act 1995* outside of the metropolitan area;
- o "townsites" means townsites within the meaning of section 25 of the *Land Administration Act 1997*, outside of the metropolitan area and regional centres;
- o "unallocated Crown land" means Crown land -
 - (a) in which no interest is known to exist, but in which native title within the meaning of the *Native Title Act 1993* of the Commonwealth may or may not exist; and
 - (b) which is not reserved, declared or otherwise dedicated under this Act or any other written law;
- o "unmanaged reserve" means a reserve to which the care, control and/or management is not placed with a management body, whether under section 46 of the *Land Administration Act 1997*, or management arrangements under another act.

4. **Service Arrangement**

DPI will budget each year for fire management on UCL and UMR in the metropolitan area, regional centres and townships. It is reliant on advice from FESA regarding appropriate funding for fire mitigation programs, inclusive of management costs, and on Treasury for the provision of funds. The majority of these funds will be transferred to FESA, which will expend them on the discharge of fire mitigation programs within the general framework of this MOU.

5. **Specific Responsibilities and Services**

5.1 Pursuant to this MOU, DPI will undertake to:

- (a) Provide UCL/UMR land status verification as requested by FESA, including any notification of caveats, covenants and/or restrictions and other interests applicable (eg rare flora, Native title), to suit mutually agreed work schedules.
- (b) To the extent that funds are provided to DPI by Treasury for this purpose, provide FESA an annual allocation of dedicated UCL/UMR fire risk management funding for the purpose of this MOU by September each year.
- (c) Provide and maintain specific contacts in operational areas for day-to-day UCL/UMR matters affecting regional staff and notify FESA of these contacts.
- (d) Provide and maintain a senior officer point of contact for policy/executive liaison.
- (e) Review the FESA annual UCL/UMR performance report and provide feedback.
- (f) Review and discuss FESA's fire risk management programs, including residual fire risks, with FESA Fire Services staff.
- (g) Work with FESA on development of submissions to Treasury for additional funding if required, to service an adequate fire risk management program for UCL and UMR in the metropolitan area, regional centres and townships.
- (h) Provide FESA with access to GIS and land information ("data") as requested for the provision of fire management services under this MOU. The parties acknowledge that this undertaking is subject to consultation with and agreement by the Department of Land Information of the provision of data.

5.2 Pursuant to this MOU, FESA will undertake pursuant to standards agreed to by the parties to:

- (a) identify, analyse, assess, prioritise and document UCL/UMR fire risks in the metropolitan area, regional centres and townships.
- (b) To the extent that funds are provided by Treasury to DPI, and by DPI to FESA for this purpose, allocate DPI funds for appropriate fire risk treatments (and all associated and incidental costs) against prioritised risks, in keeping with the approach outlined in section 4 of this MOU.
- (c) Work with DPI on development of submissions to Treasury for additional funding if required, to provide an adequate fire risk management program for DPI's UCL and UMR in the metropolitan area, regional centres and townships, based upon FESA's assessment and advice in this connection.
- (d) Report at least annually on the outputs, the efficiency and the effectiveness of UCL/UMR fire risk management programs.

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- (e) Carry out fire risk management tasks in a professional manner and comply with industry standards in respect of such tasks;
- (f) Ensure contractors carry adequate insurance against injury or damage arising out of fire management activities on Crown land;
- (g) Supervise and document risk treatment works.

6. Implementation

This MOU will be clearly communicated to all relevant staff in both FESA and DPI within 30 days of the date of commencement.

7. Dispute Resolution

When an unresolved dispute arises, one party will advise the other and specify the nature and substance of the issue in dispute. The parties agree to use their best endeavours to expeditiously resolve the dispute through negotiation between officers at appropriate levels and/or formal mediation involving key managers and directors. If the dispute remains unresolved, the Chief Executive Officer of FESA and the Director General of DPI, and/or the relevant Cabinet Ministers, will be called on to resolve the dispute.

8. Governing Law and Jurisdiction

- (a) This MOU is governed by and will be construed in accordance with the laws of Western Australia.
- (b) The parties acknowledge and agree that this MOU is not legally binding, and is not enforceable and does not fetter the legal powers and responsibilities of the Minister for Lands under the LAA.
- (c) The parties acknowledge and agree that they will nevertheless use their best endeavours to achieve the MOU's objectives.
- (d) Each party acknowledges and agrees that its responsibility under this MOU is dependent upon, and limited by, the funds allocated for the provision of fire management services on UCL and OMR in the metropolitan area, regional centres and townships.

9. Confidentiality

- (a) The terms and conditions of this MOU are confidential.
- (b) Any confidential information arising through the provision of land information by DPI will be treated as confidential by each party and will not be disclosed to any third party unless there is a legal obligation to disclose this information or unless with prior written consent of the other party.

10. Variation and Review

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10. Variation and Review

This MOU describes the agreement between the parties for the management of metropolitan, regional centre and towns site UCL and UMRs, based on current knowledge. It will be reviewed in March each year, but may be varied at any time with the mutual agreement in writing of the Director General of DPI and the Chief Executive Officer of FESA, so as to accommodate new information and the need for adaptive management.

11. Term and termination

This MOU will continue for a term of five (5) years from the date of commencement, subject to clause 11. Nothing in this MOU will affect the rights of either party to terminate this MOU upon giving the other party 30 days notice in writing.

12. Renewal and Holding Over

If the parties agree, the MOU may remain in place for further review periods of five years each, or until terminated by agreement between parties. Where negotiations are still in course between the parties towards a revised or new MOU at the time this MOU expires, the MOU will continue in force until replaced or renewed, unless either party specifies otherwise.

13. Notices

Notices or other communications by each party to each other and under this MOU must, unless otherwise notified in writing, be addressed and forwarded as follows:

Director General
DEPARTMENT FOR PLANNING AND INFRASTRUCTURE
Albert Facey House
489 Wellington Street
Perth WA 6000

FESA Chief Executive Officer,
Fire and Emergency Services Authority of Western Australia
FESA House
PO Box 1174
PERTH WA 6824

08/11 04 09:38 FAX 0893475001

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MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made

on the 11th day of May 2004

BETWEEN THE

Department for Planning and Infrastructure
459 Wellington Street
PERTH WA 6000

AND

Fire and Emergency Services Authority of Western Australia
480 Hay Street
PERTH WA 6000

and will take effect from 19 April 2004

SIGNED for and on behalf of Department for Planning and Infrastructure by:

Greg Martin
DIRECTOR GENERAL


Signature

11/5/04
Date

SIGNED for and on behalf of the Fire and Emergency Services Authority of Western Australia by:

Bill Forbes
AFESA CHIEF EXECUTIVE OFFICER


Signature

16 APR 04
Date



Zones 2 & 2A Operational Protocols

2010/2011

Prepared by
Stuart Wade, FESA District Manager, Perth South East Region
in conjunction with:
Rob Towers, DEC Regional Fire Coordinator

Issue Date 1st December 2010

Darling Scarp High Risk Bushfire Area

Special response zones designated as Zone 2 and Zone 2A have been established along the Darling Scarp for the following reasons:-

- High risk to life and property
- Bushfire prone area
- Steep slopes and variable winds resulting in fast moving erratic fire behaviour and an increased rate of spread due to gradient
- Limited access in many areas
- Very politically sensitive
- Urban/Rural Interface area similar to the Canberra Fires

A Rapid coordinated response is required to minimise the likelihood of significant loss of life and major damage to property in a vulnerable bushfire prone area:

Operational Times

- Zone 2 & 2A Turnout protocols operate for the entire Prohibited Bushfire Period; usually
 - 1st December to 31st March but is also dependent upon Local Govt extension of declared 'Restricted Periods';
- Can be suspended for specified periods after consultation & agreement between DEC & FESA (DEC District Fire Coordinator Hills & FESA District Manager PSE as representatives to coordinate intra-departmental consultation)
- Water bomber (fixed & rotary wing) turnout only available when aircraft are activated for the season;
- May be invoked for earlier or later periods, if extreme fire conditions exist.

Please note: The implementation/cessation of the Zone2/2A Operational Protocols on Dec 1, may OR may not correspond with the contracted period for Air Operations and as such the turnout of fixed and rotary wing aircraft will be dependent on contractual arrangements NOT date.

Zone 2 & 2A Response

- Automatic
 - 3rd Alarm classification until downgraded – therefore important that the OIC of the first arriving unit :-
 - confirms 3rd Alarm; OR
 - downgrades alarm level;
 - FESA District Manager advice/turnout;
 - DEC Duty Officer Perth Hills advice/turnout;
 - Fixed/Rotary Water Bomber turnout during the contracted period and subject to availability; refer to Agency response for Zone 2 & 2A below.
 - Air Intelligence on Standby (subject to availability);
 - FESA Communications Support Unit on Standby (subject to availability);
- Agency Responses
 - Zone 2
 - At least 1 unit automatically mobilised from each of Local Government Bush Fire Brigades, FESA Fire & Rescue Service and Department of Environment & Conservation;
 - 2 x Helitac Water Bombers (1 Helitac Supervisor inside Helitac) mobilised as primary with Type 1 Helitac and/or Fixed Wing backup as required.

(When selecting back up resources Heli/Air Attack Supervisors should take into consideration, assets at risk, fuel types and water penetration requirements)

Zone 2A

- At least 1 unit automatically mobilised from each of Local Government Bush Fire Brigades, and Department of Environment & Conservation;
- FESA Fire & Rescue Service mobilised on request only;
- Air Attack Supervisor plus 2 x Fixed Wing Water Bombers mobilised as primary with Helitacs as backup if required.

(When selecting back up resources Heli/Air Attack Supervisors should take into consideration, assets at risk, fuel types and water penetration requirements)

Communications

Communications within Zones 2 & 2A should follow the Metropolitan Regions Primary Radio Channel Allocation Guide 2009/2010, the relevant portion of which is shown below:-

METRO - METROPOLITAN REGIONS PRIMARY RADIO CHANNEL ALLOCATION GUIDE 2009/2010

Local Authority (Area)	FESA 6IP Repeater Network	FESA 6AR Repeater Network	Primary Command Repeater Channel			Primary Simplex Channels		DEC Repeater Network	
			Zones 2 & 2A	Scarp Face		Coastal	Hills	Coastal	Hills
Armadale	25	55	38	38	29# / 35	96 - 99	46 - 49	17	9
Chittering	30 / 25	52	37			96 - 99	46 - 49	11	18
Cockburn	25	55	35			96 - 99	46 - 49	17	
Gingin	30 / 92 / 6	52	28			96 - 99	46 - 49	13	
Gosnells	25	55	38	38	29	96 - 99	46 - 49	17	9 / 15
Kalamunda	25	55	38	38	29	96 - 99	46 - 49	17	9
Kwinana	25	55	36			96 - 99	46 - 49	17	
Mundaring	25 / 24	57 / 58	34	34	29	96 - 99	46 - 49		9
Rockingham	80	55	35			96 - 99	46 - 49	17	
Serp/Jarrahdale	80	56 / 55	36	36	36/40	96 - 99	46 - 49	17	9 / 15 / 19
Swan	25	57 / 53	32 / 34	32		96 - 99	46 - 49	11	18
Wanneroo	25 / 92	53 / 52	32			96 - 99	46 - 49	11	
Water Bombing Channel 23 (Repeater)			Air Intelligence Ch 50 (Simplex)						
6IP Locations: 92 Guilderton 6 Lancelin 24 Northam 25 Mt Gungin 30 Bindoon 80 Jarrahdale									
6AR: 51 Claremont 52 Gingin 53 Wanneroo 55 Canning Mills 56 Dwellingup 57 Red Hill 58 Wooroloo									
Command & Simplex Channels shown are as per Communications Pre-plan - IMT to confirm # North of Turner Rd									

Overall Zone 2 Boundary (inclusive of Zone 2A) Starting in the North

Zone	Map ref	Description
ZONE 2A	PN ESD 250 L4	From Great Northern Highway east following the City of Swan/Shire of Chittering Boundary to Chittering Rd
	PN ESD 251 O3	South following Chittering Rd then East along Wilson Rd
	PN ESD 251 H17	Follow Wilson Rd until it becomes Smith Rd, then to Taylor Rd
	PN ESD 251 H19	South down Taylor Rd into Clarkson Rd
	PN ESD 281 N5	From the end of Clarkson Rd across to the North Eastern Corner of Walyunga National Park
	PN ESD 281 P7	Down Ewing Rd to O'Brien Rd
	PN ESD 312 D12	South down O'Brien Rd to Toodyay Rd
You have now entered the Zone 2 Area		
The Zone 2 Boundary starts on O'Brien Rd (PN ESD 282 C18) 486 390N / 417 240E and runs due west to Brigadoon boundary, north to Walyunga NP and due west to Great Northern Highway (PN ESD 281 B15)		
ZONE 2	PN ESD 342 F10	West along Toodyay Rd to Roland Rd and South down Roland Rd, into Byfield Rd and Seabourne Rd to Great Eastern Highway
	PN ESD 342 E14	West along Great Eastern Highway to Homestead Rd, then south to Jacoby St, west along Jacoby St to Charles St, across to Thomas Rd then west down to O'Connor Rd
	PN ESD 342 D19	South down O'Connor Rd, following the Glen Forrest Bush Fire District & Old Mill Gully Creek to where the creek meet the Helena River.
	PN ESD 341 N20	West along the Helena River to the Kalamunda Bush Fire District Boundary
	PW ESD 371 M3	Due South to Pauls Valley Rd and west along Pauls Valley Rd to Fern Rd
	PW ESD 371 M9	South down Fern Rd across to Mundaring Weir Rd and south to Aldersyde Rd
	PW ESD 371 N19	Continue South down Aldersyde Rd, Right (West) into Lawnbrook Rd East and Left (South) down Glenisla Rd to Canning Rd
	PW ESD 402 B14	Continue south down Canning Rd to Brookton Highway
	PW ESD 402 C15	South east along Brookton Highway to Gardiner Rd
	PW ESD 432 A1	South until Gardiner becomes Croyden Rd
	PW ESD 401 N20	Follow Croyden Rd around to McNess Drive
	PW ESD 431 P14	South along McNess Drive until it becomes Canning Dam Rd; Continue along Canning Dam Rd to Albany Highway
	PW ESD 431 I12	West along Albany Highway to Springfield Rd
	PW ESD 431 H17	South down Springfield Rd past the Wungong Dam wall
You have now left the Zone 2 Area		
The Zone 2 Boundary starts Where the Bedforddale Bush Fire District & Byford Bush Fire District meet at the Wungong Reservoir. (PW ESD 431 H17) Following the Bedforddale Bush Fire District west to 436 500N / 408 050E (PW ESD 431 A18) Follow a line Due South to Nettleton Rd then west to South West Highway (PW ESD 460 N2)		
ZONE 2A	PW ESD 461 I5	Follow the south-western edge of the Wungong Reservoir to where the creek enters the reservoir at PW ESD 461 M5, then due west from the reservoir to Old Haul Rd Number One
	PW ESD 461 I5	Follow the Old Haul Rd Number One south until it becomes Wren Rd
	PW ESD 492 B7	Continue south along Wren Rd over Jarrahdale Rd & into Swan Rd. Follow Swan Rd to Blue Rock Rd.
	PW ESD 492 A12	South along Blue Rock Rd to Balmoral Rd
	PW ESD 492 A17	West along Balmoral Rd to Turner Rd, then south along Turner Rd to Berry Rd
	PW ESD 520 K2	West along Berry Rd to Kingsbury Drive then south and follow around to the South Western Highway
	PW ESD 430 P5	North up South Western Highway to Serpentine Jarrahdale Shire Boundary
You have now entered the Zone 2 Area		
ZONE 2	Street Smart 466 D3	Along South Western Highway & Albany Highway to Tonkin Highway
	Street Smart 406 B4	Along Tonkin Highway to Welshpool Rd East
	Street Smart 406 D1	East on Welshpool Rd to Lewis Rd, North east along Lewis Rd to Anderson Rd
	Street Smart 376 E2	North along Anderson Rd to Hale Rd, Turn north and continue along Hawtin Rd to Kalamunda Rd
	Street Smart 376 E1	North west along Kalamunda Rd to Midland Rd then to Ridge Hill Rd
	Street Smart 346 E8	East along Ridge Hill Rd to Sadler Rd then around Sadler Rd to Midland Rd
	Street Smart 316 D2	Follow Midland Rd to Helena Valley Rd, west to the Roe Highway and follow to Great Northern Highway
You have now left the Zone 2 Area		
ZONE 2A	PN ESD 250 L4	North along Great Northern Highway to the City of Swan/Shire of Chittering Boundary

ATTACHMENT 3

**EXTRACT FROM
RATES BROCHURE 2010-2011**

Extract from the Rates Brochure 2010-2011

Bush fires

In the case of an emergency call 000

The City of Armadale is rated as one of the highest fire risk areas in the State. Both permanent and volunteer fire and rescue brigades together with the City's own volunteer bushfire brigades cooperate to ensure maximum fire protection for our City.

The innovative co-location of bushfire and fire and rescue volunteer brigades at the Roleystone Fire Station is indicative of Council's proactive approach to fire safety. There are three volunteer fire brigades within the City of Armadale. They are:

- Roleystone Volunteer Fire Services, Jarrah Road, Roleystone
- Bedforddale Volunteer Bush Fire Brigade, Waterwheel Road, Bedforddale
- WA Volunteer Fire and Rescue Service, Forrest Road, Armadale

Fire control officers

Name	Title	Contact Details
Brian Watkins	Chief Bushfire Control Officer, City of Armadale	City Administration 7 Orchard Avenue Armadale Tel: 9399 0111 Mb: 0419 912 515
Robbie Van Uden	Deputy Chief Roleystone Fire Control Officer	Fire station Jarrah Road, Roleystone Tel: 9397 5406 Mb: 0409 685 625
Gavin Fancote	Bedforddale Fire Control Officer	Fire station Waterwheel Road, Bedforddale Tel: 9497 2536 Mb: 0448 087 871
Station Officer	Fire & Rescue Service permanent staff Volunteers Ranger Services	Tel: 9497 9046 Tel: 9399 5611 Tel: 9399 0111

Extract from the Rates Brochure 2010-2011



Bush fires can grow rapidly

Burning permits

Burning is prohibited at certain times of the year and permits are required at all other times. Due to unseasonable weather conditions the prohibited burning period may be extended or shortened. You must check the local papers for details or call the City of Armadale Ranger Services

How do I obtain a permit?

- For burning between 1 October to 30 November and 1 April to 31 May inclusive; permits can be obtained from the Ranger Services Department at the City of Armadale's Administration Centre, 7 Orchard Avenue on Monday, Wednesday and Friday between the hours of 3pm and 4pm.
- For permits (in residential areas) at all other times contact Health Services on 9399 0111.

When applying for a permit you must provide the lot number and street name of the property.

Cost

There is no charge for obtaining a Burning Permit. To burn without a Burning Permit is an offence under the Bush Fires Act and City of Armadale's local law and carries a penalty of \$500.

When to obtain a permit

Permits are required:

- When burning bush and/or grass at any time between 1 October and 30 November inclusive and 1 April to 31 May inclusive.
- At all other times in residential areas.

Extract from the Rates Brochure 2010-2011

Penalties

The following penalties may be incurred:

- \$250 for failing to maintain a fire break
- \$250 for lighting a fire in the open air
- \$250 for setting fire to bush during prohibited burning time
- \$250 for failure of the occupier to extinguish a bushfire
- \$100 for refusing to provide a name and address
- \$100 for failing to produce a permit to burn

Major offences result in court action with fines ranging from \$1,000 to \$25,000 or imprisonment for 14 years or both.

Fire danger

No burning of any type is permitted, including incinerators on Sundays and public holidays, or days on very high or extreme fire danger.

Please call Telstra's weather information service on 1196 for further information.

Burning prohibited

Burning is totally prohibited between 1 December and 31 March inclusive. Some hints for burning:

- Don't light a fire on a hot or windy day.
- Don't try to burn more than you can control.
- Inform your neighbours.
- Make sure smoke and sparks will not affect your neighbour's washing or open windows.
- Cut or rake long grass around trees, buildings and fences before burning.
- Burn against the wind.
- On a sloping block, burn from the top down.
- Have a hose or spray pack ready to dampen down fierce fires.
- Burning is prohibited on Sundays and public holidays, or days on of very high or extreme fire danger.

Extract from the Rates Brochure 2010-2011

Health Local Law

The City of Armadale Health Local Law prohibits the burning of any rubber, plastic, food scraps or green garden materials which cause the generation of smoke or odour in such quantities as to cause a nuisance to other persons.

Barbeques and incinerators

Gas and electric barbeques are permitted at any time in approved locations. Solid fuel barbeques and incinerators are prohibited on very high or extreme fire danger days.

Don't fuel fires:

- Don't have thick vegetation right up to the walls of your home.
- Clear all flammable material from around houses, sheds and fences.
- Store firewood, timber, petrol and kerosene well away from the house.
- Don't have flammable trees such as conifers near buildings.
- Clear all dead leaves out of gutters regularly.
- Remove dead trees and branches which, when burning could drop on your roof.
- Remove rubbish regularly.
- Rake up leaves, twigs, and dead material regularly.
- Burn off dry grass and vegetation at the approved times and in the approved manner.

Fireworks

Fireworks must be approved in advance by the Department of Mines and Petroleum. Contact the Chief Bush Fire Control Officer on 9399 0111.

Advice is available

For further advice on how to protect your home including when and how to burn contact your local volunteer bush fire brigade or the City of Armadale Rangers Department on 9399 0111.

Volunteer bush fire brigades

Volunteer bush fire brigades welcome individuals who are prepared to join and assist in fire prevention and fire fighting.

Extract from the Rates Brochure 2010-2011

Contact your local bush fire control officer for more information. You do not need to be an active firefighter to be involved – you could be part of the back up support crews that coordinate headquarter operations, welfare or communications.

Bushfires Act 1954

City of Armadale

**Notice to all owners and occupiers of land within
the City of Armadale**

Please read carefully

All property owners are required to have mineral earth trafficable firebreaks constructed in accordance with this notice by 30 November 2010 and maintained until 14 March 2011.

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are required on or before the 30 November 2010 or within fourteen days of you becoming the owner or occupier of land should this be after the 30 November 2010 to clear firebreaks and remove flammable materials from the land owned or occupied by you as specified and to maintain the specified land and firebreaks clear of all flammable materials up to and including the 14 March 2011.

Definitions

'Firebreak' means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or flammable material leaving clear bare mineral earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the fire break area.

'Flammable' means any bush, plant, tree, grass, mineral, vegetable, substance, object thing or material that may or is likely to catch fire and burn.

'Trafficable' means to be able to travel from one point to another in a four-wheel drive fire vehicle on a firm and stable surface, unhindered without any obstruction or getting stuck bogged or trapped.

'Vertical axis' means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak

Fire safety requirements for:

Land less than 5000 m²

Have the entire land clear of all flammable material by mowing, slashing or other means. All grasses are to be maintained below 5cm in height and all trees, bushes, shrubs are to be

Extract from the Rates Brochure 2010-2011

trimmed back over driveways and access ways to all buildings to 3m wide with a clear vertical axis over it to afford access for emergency services to all structures and points of the property

On any lot having an area of less than 5,000m², the keeping of grass on the lot at all times covered by this notice to a height less than 5cm will be accepted in lieu of clearing a firebreak.

Land over 5000 m²

Install bare mineral earth trafficable firebreaks clear of all flammable material to a minimum of 3m wide immediately inside all external boundaries of the land with all overhanging branches, trees, limbs etc. to be trimmed back to 4m wide with a clear vertical axis over the firebreak area. Install bare mineral earth trafficable firebreaks to a minimum of 3m wide immediately surrounding all buildings, sheds and haystacks or groups of buildings situated on the land, with all overhanging branches, trees, limbs etc. to be trimmed back to 3m wide with a clear vertical axis over the firebreak area. This includes driveways and access to all buildings on the land.

Installation methods may vary to suit your property environment. These may include, but are not limited to, ploughing, cultivating, scarifying, burning, grading and chemical spraying.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act*.

Mowed firebreaks are not permitted.

Hazard reduction

In addition to the provisions of this notice you may be required to carry out further works which are considered necessary by Council or an authorised officer of the City and specified by way of a separate written notice forwarded to the address as shown on the City of Armadale rates record for the relevant land.

Application to vary firebreak requirements

If it is considered impracticable for any reason whatsoever to clear firebreaks or establish other arrangements as required by this notice, you may apply in writing to the City of Armadale, or its duly Authorised Officers no later than the 1 November 2010 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly Authorised Officers you must comply with the requirements of this notice.

Extract from the Rates Brochure 2010-2011

In some instances naturally occurring features such as rocky outcrops, natural watercourses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with an Authorised Officer of the City, and approved by the Authorised Officer in writing

All firebreaks and other alternative arrangements allowed by the preceding parts of this notice must be established on or before the 30 November 2010, or within 14 days of you becoming the owner or occupier should this occur after that date, and remain clear of flammable material up to and including the 14 March 2011.

Council does not issue exemptions to the firebreak notice.

Does your property have a fire management plan?

All properties with a Fire Management Plan approved as part of subdivision consent shall comply with the plan in its entirety. Penalty for failing to do so is \$5000.

Fuel storage

On all land where fuel drum ramps are located and where fuel dumps, whether contained fuel or not, are stored, must have clear maintained firebreaks that are 3m wide with a clear vertical axis over it, around any drum, ramp or stack of drums.

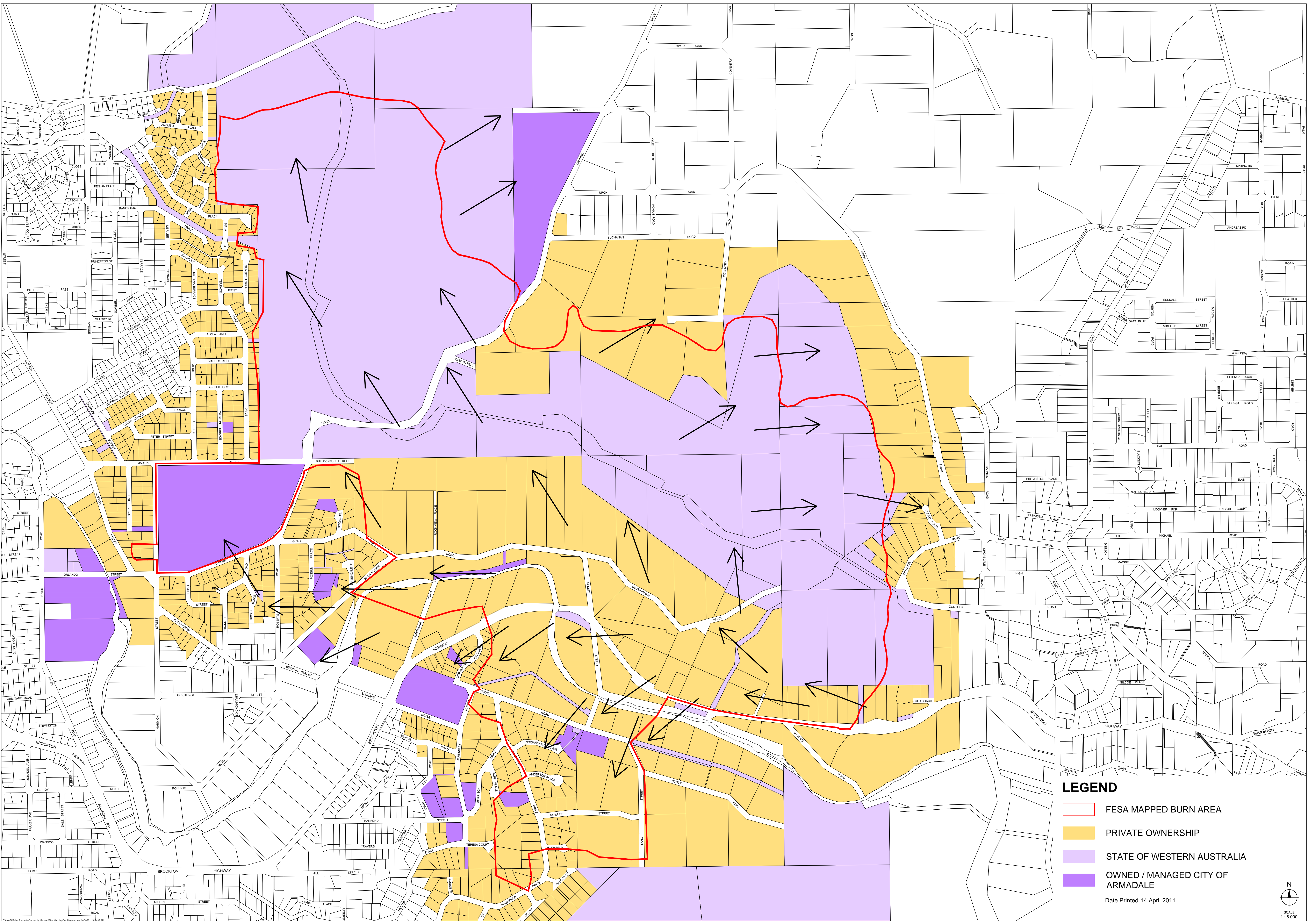
No burning on Sundays or public holidays

Except when specifically authorised to do so for purpose of fuel reduction by a Bush Fire Control Officer (BFCO) appointed by Council under the provisions of the Bush Fires Act 1954, an owner or occupier of land shall not set fire to, or cause or allow to be set on fire, any bush, rubbish or refuse whatsoever on a Sunday or a day that is a Public Holiday.

Penalties

The penalty for failing to comply with this notice is a maximum fine of \$5,000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

**By order of the Council.
R S Tame – Chief Executive Officer**



LEGEND

- FESA MAPPED BURN AREA
- PRIVATE OWNERSHIP
- STATE OF WESTERN AUSTRALIA
- OWNED / MANAGED CITY OF ARMADALE

Date Printed 14 April 2011



SCALE
1:6 000

**Submission to the
Perth Hills Bushfire February 2011 Review**

Submissions should be submitted electronically (preferred) to:

[Redacted]

or posted to:

Perth Hills Bushfire February 2011 Review
Locked Bag 10, Cloisters Square
PERTH WA 6850

Note: All submissions received will be made available on the Inquiry's website. People wishing to make a confidential submission should make this clear at the time of lodgement and the Inquiry will not publish those submissions. However, people should be aware that whilst every endeavour will be made to ensure confidentiality, there is a possibility that such submissions might be released in accordance with the *Freedom of Information Act 1992*.

Contact Details

Name:	Assistant Commissioner Duane Bell
Address:	
Email address:	
Telephone number:	

Organisation Details (Where Applicable)

Is this submission presented on behalf of an organisation:	Yes
If yes, name of organisation:	WA Police
Position in organisation:	Assistant Commissioner, Counter Terrorism & State Protection

Response to Terms of Reference

You must address at least one of the Terms of Reference.

- 1. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**

- 2. The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.**
- 3. The actions that can and should be taken by landowners, residents and tenants in relation to bushfire risk management including undertaking vegetation clearance, operation of evaporative air-conditioners and storage and/or removal of hazardous inflammable material surrounding their dwellings and buildings. This should include consideration of associated enforcement regimes and penalties.**

The first three terms of reference are interpreted as primarily concerned with the roles of fire agencies, local governments and residents in bushfire prevention and mitigation. Western Australia (WA) Police also has a role to play in this area with regard to deliberately lit fires, whether by deliberate arson or reckless indifference, and in the enforcement of compliance to certain measures to limit these events established in legislation. To this aim, we have a Bushfire Intervention Strategy, comprising a Priority Prolific Arson Offender Program, tactical bushfire tracking, and patrol operations on high-end fire risk days. Whilst this strategy has clear links bushfire prevention and mitigation, it is not considered that the terms of reference are framed towards this and we have therefore restricted our submission to the last 2, relating to information and communication campaigns and co-ordination of activities across levels of government. We have focused on strategic issues arising within either (or both) the Red Hill and Roleystone fire.

- 4. The adequacy and effectiveness of information and communication campaigns and mechanisms, including systems for alerting residents in relation to the fire or potential fires.**

Table 1 captures the key observations relating to this aspect of the review from the WA Police internal Roleystone and Red Hill fire debriefs. These observations reflect the role of WA Police as a Combat Agency in these fire events supporting the Hazard Management Agency (HMA), i.e. Fire & Emergency Services Agency (FESA), in particular assisting with the tasks of traffic management and evacuation. (Interestingly, in undertaking these tasks under the Bush Fires Act, WA Police officers at the scene are themselves acting as a communications mechanism for directions from FESA to the public.)

In addition, there have been a number of new initiatives relating to emergency warnings and evacuation arising from a local and/or district level. Whilst these 'bottom up' initiatives may only offer additional tools in the toolbox in an emergency, it has been problematic identifying a mechanism for a multi-agency (all hazards) approach to evaluating them, despite their potential for enhancing public safety.

For example, in 2009 a concept was put forward by the Great Southern District Emergency Coordinator (WA Police's District Superintendent for the Great Southern) and District Emergency Management Committee relating to the challenge of evacuating the Shire of Denmark, the second highest rated bushfire prone area to the Perth Hills at the time. This involved the potential benefits of voluntary flagging of evacuated properties by residents to speed up and reduce resources needed for an urgent directed evacuation.

An exploration of this concept was included in an exercise in October 2010 in Denmark, conducted as part of a wider project by WA Police to quantify the resources required for door to door delivery of an evacuation message to residents. The exercise provided rich data for enhancing WA Police capability in an evacuation (for any hazard), such as assisting with decisions for prioritising police resources, as well as identifying a high level of support for flagging as an option for further consideration.

The SW Development Commission is also currently supporting the development/trial of a Sentinel Alert messaging system which uses a combination of GPS, satellite and radio technology to provide messages to residents independent of the telephony system, which might have been advantageous for the Perth Hills area. There are also a range of other initiatives and programs throughout Western Australia.

Following representations to them, Emergency Management WA (EMWA) have recently brought forward an evaluation of evacuation arising from the recommendations of the Victorian Bushfire Royal Commission, and, subsequent to the Perth Hills fires, have appointed a consultant to examine the flagging concept in evacuations. This reprioritisation is greatly welcomed. As a related issue however, there are shared concerns that there is a perception, at the least, that due to EMWA being part of FESA their ability to provide an independent whole of government view could prove difficult. Accordingly, WA Police strongly believe that EMWA ought not be resident within any HMA, rather be moved to into another (non-HMA) agency.

5. Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups.

Table 2 sets out captures the key observations relating to this aspect of the review from the WA Police Roleystone and Red Hill fire debriefs.

As stated under item 4, for a fire emergency, WA Police are a Combat Agency supporting FESA, the HMA for fire. This applies to all hazards other than the seven for which the Commissioner of Police is prescribed as the HMA in the Emergency Management Regulations 2006. A further role set out in the Emergency Management Act 2005 for the Commissioner is that of State Emergency Coordinator, with subsequent appointments by him of District and Local Emergency Coordinators within WA Police. It is apparent, however, that there are differing views across agencies and, in particular, between WA Police and FESA of what this Coordination function is, and the roles of these Emergency Coordinators operationally.

Again, as stated under item 4, from our perspective, there is a perceived conflict of interest for EMWA in facilitating resolution of such differences of opinion due to their siting within FESA as a Division of that agency. Further work is clearly needed with defining coordination, including clarity about what level and when Emergency Coordinators should be engaged and to what effect.

Similarly, there is a lack of common definition for determining the level of an incident and inconsistencies in the perceived need to communicate this rating across agencies. This features within the observations in Table 2 and is also expanded on in the Annex.

TABLE 1: The adequacy and effectiveness of information and communication campaigns and mechanisms, including systems for alerting residents in relation to the fire or potential fires (TOR 4)

<i>Observation</i>	<i>Underlying issue</i>	<i>Options for resolution</i>
<p>A Community confusion re what they are ‘allowed’ to do within the current framework, especially re level of choice (‘stay’/ ‘stay and defend’ or ‘go’/‘leave for a safer place’), especially if they want to stay and defend but need to exit affected area for supplies or are outside the affected area and want to return home to defend</p>	<p>Adequacy of pre-season education to the public in areas at risk of bushfires, particularly re:</p> <ul style="list-style-type: none"> • different ‘levels’ of emergency messaging; • issue of personal choice at each level, and • lack of discretion permitted to police with regard to communicating a direction from the incident controller 	<p>Examination of how community education is carried out and level of detail afforded to the issues identified</p> <p>May need more directive stance from the controlling agency during early stages of incidents</p> <p>Possible re-examination of status of police under current legislation used for bushfires by HMA as mere ‘messengers’ rather than with any independent powers</p>
<p>B Differences in information to public perceived or interpreted across different methods of communication throughout incident, including fire personnel on scene, police at vehicle control points acting as communication ‘conduits’ and ABC/State Alert</p>	<p>Consistency of messages across methods of delivery throughout an incident, including consistency of updating requirements across methods as levels of warning change</p>	<p>Attention to consistency of messages via all methods of communication during an event (across all relevant agencies)</p> <p>Consideration of messages already provided to residents by controlling agency at time of issuing/updating directions to police involved in these tasks</p>
<p>C Coordination of public information – e.g. announcement at public meeting that an area had been re-opened but this was not communicated to the police at the location.</p>	<p>Need for better coordination of communication within and across agencies – this may have been a spontaneous announcement or a lack of awareness for time needed for dissemination of a recent decision</p>	<p>Notification of police at vehicle control points, via the Police Commander, that areas have or are to be re-opened to the public, including timing. If this cannot be guaranteed, then use of more appropriate language in the announcement, e.g. ‘x area will shortly be re-opened...)</p>

- | | | |
|--|--|---|
| D Media management issues - need for better staging area and consideration of needs of all agencies involved, plus what information is made public and when. | Controlling agency responsible for media management but very hazard focused, leaving other agencies exposed to unmanaged media attention
Consideration of implications of information provided to different audiences to have broader focus
Management of miscommunication of 'looting' activity (which did not occur) | More broad focus for media management to include consultation for media releases to include whole of incident issues
Agreed media standard operating procedures
Inclusion of information accuracy checks with relevant agencies (e.g. re circumstances for issues at vehicle control points and challenging reporting re 'looting') |
|--|--|---|

Table 2: Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups (TOR 5)

<i>Observation</i>	<i>Underlying issue</i>	<i>Options for resolution</i>
<p>A Clarity of role of emergency coordinators - Missed opportunities missed to save the incident controller's time and energy and smooth whole-of-incident progression</p>	<p>Lack of/inconsistent engagement with WA Police by controlling agency in whole of government emergency coordination function.</p> <p>Also hazard-specific focus of the controlling agency hampering recognition and hence timely of effective management of issues arising not directly related to fire suppression</p>	<p>Supports groups for an incident to be structured sooner to include more liaison officers from agencies relevant to wider issues (e.g. Western Power to facilitate agreed timelines for resupply to reduce duration of traffic disruption)</p> <p>Greater definition of role of Emergency Coordinators in response phase of an incident</p> <p>Similarly, State Emergency Coordinator and function of emergency coordination to be more emphasised in structure/location/activity of State Emergency Coordination Group</p>
<p>B Legal issues (1) – relates to powers for police acting in support of controlling agency re evacuation and traffic management.</p>	<p>Ambiguous legislation, insufficient detail in communicating identity of and direction from controlling agency re tasks required, offences and action to be taken for breaches</p> <p>The situation for police under the Bush Fires Act is complex, with police only a conduit for relaying information from the controlling agency exercising its powers, leading to issues regarding the specific wording (auditable) of directions from the Authorised Person (usually the incident controller) to police and of police relaying this information to the public, as well as</p>	<p>Improved education and tasking procedure for communicating directions to police from controlling agency (and onwards repetition of appropriate information from police relaying this information to the public attending a vehicle control point etc).</p> <p>Revisiting need for police to have independent powers under legislation of choice of controlling agency</p>

enforcement options - only available under general police powers

The use of the Emergency Management Act would simplify things for police, particularly in a fast moving emergency, but there is strong resistance to this from the HMA

- C Legal issues (2) - WA Police were initially misinformed that the CEO of FESA had declared an emergency situation under the Emergency Management Act, later found to be incorrect and that it was only a declared affected area under Bush Fires Act.
- Confusion within controlling agency about different legislation which may be being used and the importance of correct terminology and sufficient detail when communicating this to WA Police
- Significant implications re ensuring WA Police are acting with lawful authority in carrying out the activities requested as they have no powers under the Bush Fires Act and therefore have to use different strategies for carrying out/enforcing the activities
- Education within agencies re all the applicable legislation, what can be carried out under each and by whom (and what can't)
- This includes an understanding of the implications for WA Police for activities requested in support of the controlling agency and the importance of communicating this fully at the time of the initial request and any subsequent changes
- Possible prosecution of offences to have transparency of process and documented audit trail for evidentiary purposes
- D Ambiguity about classification of level of incident - impact on operational response protocols and operational support structures.
- Focus on hazard as 'business as usual' for controlling agency without attention to implications for other agencies (e.g. response and operational support structures, triggers for higher resourcing plans, major incident room protocols and role of Cadre of Commanders and Duty Patrol Commanders)
- Possible implications for multiple level 2 incidents requiring review of and escalation to level 3 sooner
- Compliance with agreed multi-agency incident ratings and escalation protocols and need to ensure effective communication of level of incident to other agencies
- Consideration of similar agreement to level 3 escalation for multiple level 2 incidents
- Perhaps also review relationship with levels of incident to classification for 'natural disasters' **See Annex for supporting documentation**

<p>E Police safety:</p> <ul style="list-style-type: none"> • used as escorts by HMA • remaining in an evacuated area to manage public choosing to stay and defend 	<p>Historical carryover for fire agency personnel directing police to undertake police escorts of members of the public through a fire affected area and continuing to task police in this way.</p> <p>However, police are not equipped to provide any protection to the public or themselves when there is a threat of fire. WA Police have a 'no escort' policy arising as a result of the Boorabbin inquiry.</p> <p>Clear Occupational Safety and Health (OSH) issue for police officers remaining in an 'evacuated' area when people choose to stay.</p>	<p>Education of all agency personnel (including volunteers), need to define OSH boundaries and /or forced evacuation options</p>
<p>F Public safety:</p> <ul style="list-style-type: none"> • where escorted by police • where choosing to stay and defend in an 'evacuated' area • People needing assistance – within affected area and people needing to enter to help get children/elderly out 	<p>Although police are not equipped to provide any protection from fire, the provision of a police escort can create a false sense of security for the public</p> <p>However, there are public expectations for support/protection when remaining on their property and an undeniable police ethos / common law obligation re protection of life</p> <p>Insufficient detail in directions to police re 'keeping people out' to allow flexibility</p>	<p>Compliance with the no escort policy by police and referral of need for fire fighting protection should a need be identified for a member of the public to access the area at risk of fire</p> <p>Better education about risk of remaining at the property and about preparing how to get out in an emergency</p> <p>Clear guidelines for mandatory/forced evacuation, with consideration for managing non-compliance (legislation, timing, resources)</p> <p>Directions to police to include possible exceptions for access and fast/effective process to seek permission from Incident Controller</p>

<p>G Information sharing – e.g. aerial of fireground, provision of maps by FESA for entry into incident management system (WebEOC) to assist with response</p>	<p>For part of the time, the controlling agency's website went down and important information was not available. Whilst workarounds would have assisted (e.g. emailing information to be uploaded onto WebEOC at the major incident room), it has identified that the reliance on a single system and another agency for critical information is an issue</p> <p>There can also be issues with current methods of information sharing in that critical information such as current fire ground area can be delayed in provision or be illegible once received</p>	<p>Use of methods of information sharing independent of a single agency's website</p> <p>Preferable to have direct access (e.g. through consistent use of WebEOC) with shared access screens, rather than be dependent something to be sent from another agency where their attention may be diverted or priorities differ</p>
<p>H Compliance issues at vehicle control points – most relevant where some distance from current location of fire (as part of traffic management plan, for public welfare reasons or area of possible future risk with fast moving, unpredictable fire)</p>	<p>Possible inconsistencies in messages to the public (ABC radio and State Alert presenting public choice, but evacuation task given to WA Police to 'tell people to get out' not give them the choice)</p> <p>Clarity of direction to police re what is to be allowed and what they need to tell the public (i.e. especially where under the Bush Fires Act and police acting as a conduit to give effect to the controlling agency's Authorised Person's powers of movement of people).</p>	<p>Directions to WA Police under Bush Fires Act need more structure, i.e. to include name of authorised person, the bounds of the affected area (wide enough to define offences yet narrow enough to enable use of move on notices as option to enforce), the specifics of the task/what to tell public (i.e. not 'close the road' but 'keep everyone out of x area' for e.g.) for how long, how to deal with non-compliance, process to report issues and revise task if necessary, etc. Alternatively, use Emergency Management Act to enable police to access part 6 powers directly.</p>
<p>I Other vehicle control points/evacuation issues, i.e. prioritising who is/should be allowed into or return back into an area/through vehicle control points</p>	<p>Current legislative framework does not allow police discretion</p> <p>Lack of transparency for prioritising who is allowed through and when (e.g. insurance companies and media were</p>	<p>Public and across agency (including volunteers) education re police lack of discretion in legislation (or consider review of this, whether by legislation or by strict guidelines signed off by all controlling</p>

	and process for re-opening of roads (including instructions to Main Roads WA contractors)	allowed in before residents – is this a standard protocol? Identification of certain emergency responders, particularly in unmarked vehicles	agencies/Hazard Management Agencies (HMAs) Clear direction from the controlling agency's incident controller to the vehicle control points via the Police Commander Consideration of standardised protocols for controlling agency decisions for prioritising access, including underlying and transparent rationale Improved identification (e.g. vehicle signage) for those requiring and authorised for access
J	Communication for handovers between Incident Controller and Police Commander – controlling agency requested that WA Police move a vehicle control point to a different location, but it was set up already at the location they were requesting	Inconsistencies with awareness of locations of vehicle control points across agencies	More detailed, documented handover process, perhaps better use of WebEOC or similar as platform to share this level of detail (maps).
K	Communication for handovers (general) - relieving Incident Controller caused confusion by re-naming divisions for incident until complaints from divisional commanders and changed back	Renaming of divisions possible indication of insufficient handover with changeover of personnel in Incident Management Team and/or insufficient documentation of aspects of incident management	Standard approach to naming of divisions and maintaining of naming letters for divisions/areas Enhanced documentation or use of shared incident management system
L	Traffic management and contractors - Some confusion re tasking of Main Roads WA contractors and instructions for changes in tasks during an incident (police or controlling agency?)	Need for clarity of responsibilities and process for tasking of other agencies	Education across agencies (including volunteers) re responsibilities of controlling agency/HMA, along with other aspects of the SEMP Traffic Management policy and supporting Guidelines for Traffic Management document

Annex: TOR 5 Observation D - Background information

“Ambiguity about classification of level of incident - impact on operational response protocols and operational support structures”

Summary provided by Cmdr Paul Zanetti

1) Overview:

I was duty exec officer. I headed in to FESA around 6.30 pm for the SECG. I told Supt John Lindley to meet me in there as we were told there was an OAM operating there and as per the Level 3 structure that we previously agreed with FESA following the storms, we wanted a Superintendent there as police commander. During the SECG the structure was not discussed (in my SECG debrief I recommended this be a standard agenda item). After the SECG I sought out the OAM who was Lindsay Cuneo. He advised that he wasn't exercising any command and control functions (e.g as Gary Gifford had done in the storms) only high level coordination of the fire resources. he said that each incident controller was operating CCC at each site as level 2 incidents. Hence there was nowhere for John Lindley to 'plug in'. We therefore left Greg Knott there as an agency liaison and John and I returned to the police MIR at Midland. I then put an entry on WebEOC outlining the EM arrangements in place and ensured they were communicated to the police commanders at each incident.

2) Excerpts from WebEOC:

This entry from Greg Knott shows a discussion earlier where police believe (or assume) it is being dealt with as a Level 3 event. That is why John Lindley and I went in, so that one or other of us would become the Police Commander to link in at the OAM level, per the agreed Level 3 Structure drafted up with FESA after the storms (which we had to do considering they wont do Unified Command, although they teach it to us).

12151	06/02/2011 15:03:53	PD06602	PFCP Command Support	Offsite Interaction	Request for Emergency Declaration	1448 - Received request from Police MIR for Emergency Declaration by HMA FESA. 1457 - Inspector Knott met with FESA Deputy Commissioner Cuneo. Raised request for HMA to make an emergency declaration. Advised Section 13 Bushfires Act will suffice according to their legal advice. Suggested an Emergency Declaration would be preferable as Police have differing legal advice and as the incident is a Level 3 fire event again requested however declined. Response conveyed to MIR - Supt Lindley
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After the SECG when I had spoken to Lindsay Cuneo (as per my email yesterday), I sought out Deputy Dawson in FESA house and relayed the conversation with Lindsay Cuneo to him, John Lindley and Greg Knott. In particular, it focussed on Lindsay's clarification that all decision making was occurring at each incident with each Incident Controller having full EM powers under Section 13 Bush Fires Act as multiple Level 2 incidents and as OAM he was planning and coordinating fire fighting resources at a state level. Some aspects of a Level 3 Structure may have been in place, for instance, Lindsay was using the title OAM, and there were several OASG meetings attended by liaison officers, but from my briefing it wasn't operating in accordance with my understanding of the Level 3 Model we agreed after the storms, particularly not having 'decision makers' from combat agencies at the right level as opposed to liaison officers, and in my view not in accordance with the intent of SEMC 4.1 in terms of strategic management across combat agencies. If it was Level 3, it was a FESA-only Level 3, but not for other agencies and hence we couldn't plug in at that level. To me it was a hybrid between a Level 2 and Level 3 response.

12265	06/02/2011 19:47:55	PD07993	FESA House Liaison	Incident Briefing	Roles of functions at Police IMT and MIR level	Discussion between Insp KNOTT and A/Assistant Commissioner ZANETTI and Supt LINDLEY, Deputy Commissioner DAWSON re role of functions at MIR and IMTs. A/A/C ZANETTI to attend with Supt LINDLEY at MIR to clarify roles.
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This is the WebEOC entry which I submitted to clarify roles.

12285	06/02/2011 20:17:38	PD06597	PFCP Command Support	Briefing Note	Command Control and Coordination	FESA OAM confirms that Roleystone fire and other fire incidents occurring at this time are being run as separate incidents under the respective IMT and IC on scene has full EM powers (Sect 13 BFA). FESA OAM is operating for statewide planning and resource coordination only. SECG confirms this arrangement. Police Commander at each IMT is to plan and identify police resources required to continue to meet ICs emergency plan, traffic, cordon and evac plans etc. as incident progresses. Resource requirements to be passed on to MIR at POC who will assist with support and coordination of resources across various incidents. Supt Lindley in coordination at MIR.
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This is John Lindley's entry after advising Supt Gaunt the police commander at Roleystone of the above.

12290	06/02/2011 20:57:58	PD06225	PFCP Operations	Briefing Note	Command, Control and Co- ordination	Supt Lindley contacted Supt Gaunt at 2030 hours and advised him of the OAG Decision that each incident will be run separately by FESA. Therefore he will need to ensure that his command post is adequately resourced providing logistical, operational and planning support to facilitate the police response in assisting the Incident Controller. Supt Gaunt aware and will contact the MIR of he requires extra resources unable to be provided at district level.
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3) Excerpts from SECG debrief:

Question	Response	Comment
Was the agenda for the meeting appropriate?	Partly	This depends on whether the SECG is expected to have an oversight role, or if it is simply a support mechanism for the HMA. If the latter, the agenda was appropriate per SEMC 4.1 Section 17.4, which essentially refers to HMA and other agency reports. If the former, perhaps a risk management approach would assist to extract discussion and examination of the pertinent issues, more or less asking 'where could we fail the community in our current plans and responses', much of which could be standardised/generic considerations based on lessons from other emergencies. In other words, more inquisitorial. Further, the agenda could do more to trigger closer examination of

		coordination issues and overall SECG responsibilities as outlined in 4.1 and EMA.
<p>Did the SECG deliver appropriate outcomes?:</p> <ul style="list-style-type: none"> o Planning o Decision making o Timeliness and adequacy of advice provided o Liaison between agencies 	Some	<p>Some additional outcomes could have been achieved by a different format. I would have liked to see an examination Command, Control and Coordination structure, etc. I found I had to track down the OAM after the SECG to find out exactly how FESA was managing the emergency in terms of control and coordination as HMA, and where other agencies were plugging in at various levels. Each agency at the SECG should know this to satisfy themselves that they are plugged in with the right people at the right levels, both to discharge their own responsibilities, and to ensure they are properly supporting the HMA and ICs.</p>
<p>Recommendations for improvement/observations.</p>	As above	<ol style="list-style-type: none"> 1. Adopt a Risk Management approach rather than just information exchange/status reporting 2. Consideration of the appropriateness of the Command, Control and Coordination arrangements and people in place should be standard 3. Agenda should trigger appropriate consideration of all of SECG responsibilities, not just agency reporting per SEMC 4.1 item 17.4 4. Premier/Minister may be open to a briefing from SEC and HMA after SECG.

4) Contemporaneous email communication between Cmdr Paul Zanetti and Deputy Commissioner Chris Dawson:

From: ZANETTI Paul [PD06597]
Sent: Sunday, 6 February 2011 17:58
To: DAWSON Chris [PD05715]; BROWN Steve [PD06661]; BUDGE Gary [PD05712]; DAS Executive
Cc: O'CALLAGHAN Karl [PD05339]; STANBURY Neil [PD85046]
Subject: RE: Fires - State Disaster Council meeting

Mr Dawson

1. An entry re SDC meeting has been placed on WEBEoc

2.1 Three incidents have been run by FESA until recently through Incident Controllers on site. A police commander/liason officer at Commissioned rank is at each. I will bring a wiring diagram with me and give it to you prior to the SECG/SDC. They are either tasking their troops directly or via POC MIR which is appropriate. An ISG will be run at the Kelmscott/Armadale incident at 1930, which Supt Gaunt will attend. We have just been advised an OASG will occur at 1900. Supt John Lindley will attend as District Emergency Coordinator on behalf of all districts and assist with whole of govt coordination. He will be available to take direction from the SECG/SDC. Scott Higgins will relieve John at 2300 as DEC. I will attend in at FESA house with John shortly and if more appropriate I will do the OASG role.

2.2 There are 24 vehicles at the Roleystone/Kelmscott/Armadale fires (48 officers); Gidgigannup at its height has 18 vehicles, but currently 8 vehicles, 16 staff; Ferndale - 8 cars assigned Chittering - one vehicle only. There are about 10 officers and staff at POC.

2.3 WAPOL does not maintain emergency plans for fire. FESA OAM will do the state level plan, and the Incident Controller at each scene will have an Emergency Plan. Police Commander at would be doing their Evac Plans and Traffic Management Plans at request of FESA. POC are mere receiving tasks and assisting police commanders to task police at their incident to carry out Traffic Management and Evac. POC are also providing requested numbers of Police to each incident. POC are currently getting some extra personnel to Ferndale but are not getting requests for extra police resources from any Incident Controller. They are canvassing each as I type to ensure this has not changed.

2.4 No confirmed casualties. Information re a missing girl at one house is being investigated. Unconfirmed report that she has been found. Still confirming.

2.5 POC has received information from FESA that 35 houses confirmed destroyed or damaged, and possibly up to 60. Many remain under threat. A bridge on Brookton highway and other infrastructure has been damaged, power is affected.

2.6 State alert has gone out re evac from area. POC sent out a MASS message advising of fires regarding traffic management. Police Media coordinating with FESA. Police messages dont seem to be going out regarding what police would like (power lines, bridges down etc.). Neil Stanbury has been asked to go to SECG or raise concerns with Deputy Commissioner Dawson.

2.7 Critical issues: Consolidation of Command and Coordination structure.

I will attend FESA house at 1830. John Butcher tells me it will be an SECG not a SDC.

Regards

Paul Zanetti
Duty Exec Officer

From: DAWSON Chris [PD05715]
Sent: Sunday, 6 February 2011 17:15
To: BROWN Steve [PD06661]; BUDGE Gary [PD05712]; DAS Executive; ZANETTI Paul [PD06597]
Cc: O'CALLAGHAN Karl [PD05339]; DAWSON Chris [PD05715]; STANBURY Neil [PD85046]
Subject: Fires - State Disaster Council meeting

ALL

Following discussions this afternoon atbetween the Commissioner of Police and the CEO FESA, a State Disaster Council meeting is scheduled at 1830 hours today at FESA House. Meeting to be attended by Commissioner O'Callaghan and Deputy Commissioner Dawson.

Assistant Commissioner Budge - Please cause the following;

1. DAS entry regarding this scheduled meeting
2. Sitrep (per email) to be provided to Commissioner, DC Dawson and A/DC Brown from WAPOL perspective on all 3 fires indicating;
 - 2.1. WAPOL EM response command structure
 - 2.2. WAPOL resources/assets deployed to date and planned deployments
 - 2.3. WAPOL EM response plan
 - 2.4. Known casualties
 - 2.5. Known property damage
 - 2.6. Communication message or actions from WAPOL
 - 2.7. Critical issues

Chris DAWSON APM | Deputy Commissioner | Western Australia Police

From:
To:
Cc:
Subject: submission
Date: Sunday, 17 April 2011 8:15:09 AM

Hello

I realise the date for submissions is past (I only received the email from our fire captain this morning, 17th April) but thought this piece of info was worth putting in to the review - please note that although I have mentioned it to our captain I haven't put it in writing to him, this is my opinion only, and I think that of my fellow crew member as well.

I am a firefighter with the West Gidgegannup brigade (and have been for about 10 years) and was called out to the Gidgegannup/Brigadoon fire on the Sunday, Monday and Friday of the week in which it was burning. On the Sunday morning, at approximately 11.30, my fellow crew member and I were in a light tanker when a helicopter flew low over a section of the fire on which we and several other crews (in light tankers and one 2.4) were working on. The section in question was a corner of bushland, fronting up to a paddock (where we were). The bushland was mostly unburnt but the fire was travelling very fast across it.

The helicopter (it was not a news one or a helitac) flew so low over the fire that it quickly flared up (and became quite frightening for the crews at the fire front, with huge amounts of smoke - at the time my fellow crew member and I did not have smoke masks, although we did have goggles on) and started off in another direction in the unburnt bushland. Subsequently control of the fire in that part of the bush was lost, it is my opinion and that of my fellow crew member that it was the actions of the helicopter at that particular time, flying very low over a part of the fire adjacent to unburnt bushland, which subsequently lead to us losing control over that part of the fire. The bushland/paddock in question were off Burgess Road in Gidgegannup, and the fire then headed off across paddocks towards Brigadoon, fanned by the extremely strong easterly winds that were blowing that weekend.

Regards
Jan Pittman

**Submission to the
Perth Hills Bushfire February 2011 Review**

Submissions should be submitted electronically (preferred) to:

or posted to:

Perth Hills Bushfire February 2011 Review
Locked Bag 10, Cloisters Square
PERTH WA 6850

Note: All submissions received will be made available on the Inquiry's website. People wishing to make a confidential submission should make this clear at the time of lodgement and the Inquiry will not publish those submissions. However, people should be aware that whilst every endeavour will be made to ensure confidentiality, there is a possibility that such submissions might be released in accordance with the *Freedom of Information Act 1992*.

Contact Details

Name:	Susan Bolsenbroek
Address:	
Email address:	
Telephone number:	

Organisation Details (Where Applicable)

Is this submission presented on behalf of an organisation:	Yes / No No
If yes, name of organisation:	
Position in organisation:	

Response to Terms of Reference

You must address at least one of the Terms of Reference.

My first comment must be an expression of thanks to all the bushfire brigades and all volunteers who responded to our need. Their work, in very difficult terrain, was very much appreciated and will long be remembered. They are amazing in their commitment to the community.

- 1. The adequacy of current preventative measures, specifically prescribed burning and other bushfire mitigation activities.**

Presently preventative measures are not adequate with many blocks totally overgrown and the major cause of the fire getting out of hand.

I am not sure that prescribed burning is always effective because it frequently promotes rapid regrowth.

Visible action by the council of slashing, verge spraying, tree lopping, mowing and clearing does not seem as frequent of late but is a good reminder to the community to get their act in order.

- 2. The impact of land use, environmental and building laws, practices and policies in the affected areas, affecting bushfire prevention, mitigation and response and what, if any, changes may be required.**

Land use – I think we should do what we can to encourage working orchards to continue to exist and make special provision in the rating system for them. They provide an excellent barrier in fire prone areas. In Victoria it was found that houses with European trees surrounding them had frequently survived the fire onslaught.

In the case of vacant blocks the requirement should be for firebreaks to be installed earlier and if not done the council should notify owner and make arrangement for a private contractor to do it and add the cost to the rates of the property. In some cases the whole block may need to be burnt off.

- 3. The actions that can and should be taken by landowners, residents and tenants in relation to bushfire risk management including undertaking vegetation clearance, operation of evaporative air-conditioners and storage and/or removal of hazardous inflammable material surrounding their dwellings and buildings. This should include consideration of associated enforcement regimes and penalties.**

Land and householders new to the area should be notified of their bushfire prevention responsibilities at the time of purchase and should actually sign that they have received such notice and agree to comply with local requirements. This would endorse the importance of their responsibilities not only to their own property but to the safety of neighbours and their property.

This could be a part of Settlement to be signed and forwarded by the agent to the Council at time of purchase (in the same way that compliance is required to infill old septic tanks when deep sewerage is installed).

The notice could draw attention to the danger of evaporative air conditioners without ember barriers – maybe the provision of such a barrier should be a requirement on selling a house in the way that RCDs are now required.

The notice could also indicate how to get on the bushfire warning notification list.

The meaning of “total fire ban” and other expressions should be full explained – even the use of a mower is not to be condoned on a total fire ban day.

Sometimes on properly secure blocks small flocks of sheep could be useful to graze and the Council could be a contact for owners and landholders through their notice board or database or website which could also list contractors for slashing etc.

Backyard burning of small quantities of material should not require permits in wintertime.

Education is more important than penalties. If penalties are to be applied, all relative parties, including the Council, have to take responsibility for their actions or lack of action.

- 4. The adequacy and effectiveness of information and communication campaigns and mechanisms, including systems for alerting residents in relation to the fire or potential fires.**

At the time of the recent fires I was not on the warning list but I am now that I have heard about it.

The quarter-hourly notice put out by ABC720 was very useful and reassuring but not updated sufficiently. Other stations should use an hourly siren to indicate there is a problem in a particular area and where their listeners can turn to for more information.

- 5. Improvements that can be made in relation to the coordination of activities across all levels of government, including with volunteer groups.**

Education, education! The rates notification is a good source of material which could be expanded with a specific fire control booklet containing all relevant information.

The Armadale Waste Services calendar could have a manned “report bushfire phone no.” printed on it and the local MP’s calendars could include the same number. It is difficult to judge whether a wisp of smoke in the distance is life threatening and a call to the main fire brigade is warranted.

There should be a feeling of working together as a community. Ratepayers should be able to seek help in putting their block in order i.e. put in contact with those who could help them take responsibility – volunteers, fire brigade, contractors for firebreaks, weed spraying etc. There are many older residents in Roleystone and Kelmscott who have contributed a great deal over the years through their rates and community service and it should not be all about penalties: some residents are very isolated both socially and in location.

The government should encourage manufacturers of evaporative air conditioners to include a “bushfire” setting on their new models which would allow water on the matting while not drawing in air. Many modern digital models do not have this possibility. Manufacturers should be encouraged to use only fire retardant matting and make ember barriers readily available – and indeed promote them.

There should be at least one more roadside collection each year of both green waste and general rubbish.