

11.1.1 Urgent Business – FCO Appointment

Applicant: N/A
File Ref. No: ADM52
Disclosure of Interest: Nil
Date: 20th August 2019
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider appointing Mr Peter Cupit as a Fire Control Officer as part of completing a Bushfire Risk Management Planning Program.

Background - Nil

Comment

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

Statutory Environment

Shire of Cuballing – Standing Orders Local Law 1999 – Section 3.10:
3.10 Urgent Business Approved By the Person Presiding or by Decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

Strategic Implications - Nil

Policy Implications

Financial Implications - Nil

Economic Implication - Nil

Environmental Considerations - Nil

Consultation - Nil

Options

Council may resolve:

1. the Officer's Recommendation;
2. to not consider the urgent business.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council consider the urgent business relating to appointing Mr Peter Cupit as a Fire Control Officer as part of completing a Bushfire Risk Management Planning Program.

11.1.2 Appointment FCO – Peter Cupit

Applicant: N/A
File Ref. No: ADM080
Disclosure of Interest: Nil
Date: 11th May 2016
Author: Gary Sherry
Attachments: Nil

Summary

Council is to consider appointing Mr Peter Cupit as a Fire Control Officer as part of completing a Bushfire Risk Management Planning Program.

Background

At the June 2016 Ordinary Meeting, Council resolved to participate in a Bushfire Risk Management Planning (BRM) Program in conjunction with the Department of Fire and Emergency Services and the Shires Narrogin and Williams.

The aim of the BRM Plan is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the Shire of Cuballing. Specifically, the objectives of the BRM Plan will:

- Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five year period;
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;
- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- Ensure there is integration between land owners and bushfire risk management programs and activities; and
- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level

The program will provide grant funding to prepare plans for local governments in our region over the next three years. The program will fund the position of Bushfire Risk Management Officer to complete these plans. The Shires of Narrogin, Cuballing and Williams are the first three local governments selected with other neighbours to complete plans with the term of program.

The program will commence in July 2019 and the Shire of Cuballing can expect to complete the plan in about six months.

Comment

Mr Peter Cupit has been appointed to complete the BRM program. Mr Cupit held his first meeting with Shire staff and volunteer CBFCCO on 30th July 2019.

As part of his inspections of fire risk on properties in the Shire of Cuballing Mr Cupit has requested to be appointed as a Fire Control Officer. In Mr Cupit's experience in preparing

BRM's, this appointment adds gravitas to his discussions with members of the public and permits access under the Bush Fire's Act. While Mr Cupit's role would be purely administrative, he does have an extensive history in bushfire response and bushfire risk management.

Strategic Implications

Shire of Cuballing Community Strategic Plan 2017-2027

SOCIAL - Our Community, Neighbourhoods, Recreation and Culture.

Goals

- A safe community where residents feel secure and comfortable at home, work and play.

	Strategy	Outcome
1.3	Encourage and support volunteers and community groups.	Active and growing volunteer and community groups.
1.7	Create and maintain a safe environment for the community.	A feeling of safety within our neighbourhoods and a sense of being looked out for.

Statutory Environment

Bush Fires Act 1954

38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

39. Special powers of bush fire control officers

- (1) Subject to the provisions of this Act a bush fire control officer appointed under this Act by a local government may, in the exercise of his functions and the performance of his duties under this Act, do all or any of the following things —
- exercise any of the appropriate powers of the FES Commissioner under the Fire Brigades Act 1942, in so far as the same may be necessary or expedient, for extinguishing a bush fire or for preventing the spread or extension of the fire; and
 - enter any land or building, whether private property or not; and
 - pull down, cut, and remove fences on land, whether private property or not, if in his opinion it is necessary or expedient so to do for the purpose of taking effective measures for extinguishing a bush fire, or for preventing the spread or extension of the fire; and
 - cause fire breaks to be ploughed or cleared on land, whether private land or not, and take such other appropriate measures on the land as he may deem necessary for the purpose of controlling or extinguishing a bush fire or for preventing the spread or extension of the fire; and
 - take and use water, other than that for use at a school or the domestic supply of an occupier contained in a tank at his dwelling house, and other fire extinguishing material from any source whatever on land, whether private property or not; and

- (f) take charge of and give directions to any bush fire brigade present at a bush fire with respect to its operations or activities in connection with the extinguishment or control of the bush fire, or the prevention of the spread or extension of the fire; and
- (g) any other thing which in his opinion is incidental to the exercise of any of the foregoing powers; and
- (h) employ a person or use the voluntary services of a person to assist him, subject to his directions in the exercise of any of the foregoing powers; and
- (i) either alone or with others under his command or direction enter a building which he believes to be on fire and take such steps as he considers necessary to extinguish the fire or prevent it from spreading, but except as arranged with or requested by an officer in charge of a fire brigade under the *Fire Brigades Act 1942*, this power shall not be exercised in a townsite in an area which has been declared a fire district under that Act or in a townsite in which there is a fire brigade or volunteer fire brigade formed under the provisions of that Act.

Policy Implications – Nil

Financial Implications

While there is no financial contribution required from the Shire of Cuballing to complete the BRM Plan, the Shire will need to provide staff resources to assist in the preparation.

Once completed there will be a requirement within the BRM Plan for Council report to DFES on the progress made towards implementation of the BRMP. With an approved BRM Plan, Council will become able to access further funding to implementation of aspects of the Plan.

Social Implications

Fire risk is significant risk and fear in the Shire of Cuballing community.

Economic Implications – Nil

Environmental Considerations – Nil

Consultation - Nil

Options

The Council can resolve:

1. the Officer's Recommendation;
2. to defer and seek further information regarding the appointment of an FCO to complete the BRM.

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION:

That Council appointment Mr Peter Cupit as a Fire Control Officer in the Shire of Cuballing.