

Submission to the Review of the Fire service Act 2018

1. Should the purpose of the legislation more accurately reflect the range of activities undertaken?

Yes, the TFS has expanded its service delivery significantly since the current act was written. Developing an act which reflects the operations of an organisation is logical.

2. How should legislation validate the delivery of the current range of non-fire services that communities and government expect TFS to deliver?

The legislation needs to detail all the response capabilities of the organisation and how that response is to occur. At present most references to non-fire related incidents are those contained in the TEMP, which doesn't carry the power of an Act and is subject to change. There are also supporting documents to the TEMP that at times contradict what is contained in it and creates ambiguity. Clearly defining the non-fire services provided to the community in the Act would remove this ambiguity.

3. Do TFS firefighters have a role in Emergency Medical Response and, if so, should that role be reflected in legislation?

Yes firefighters do have a role in Emergency Medical Response but not as a replacement for paramedics. An appropriate level of medical training would be required if firefighters are to play a permanent role in Emergency Medical Response such as, HLT51015 – Diploma of Paramedical Science. No matter what parameters are set on the response of firefighters to Emergency Medical Incidents there will always be scope creep and it is vital that firefighters are adequately equipped to provide the appropriate assistance.

4. Should the State Emergency Service be included in the new legislation and removed from the Emergency Management Act?

In the interest of simplifying legislation and reporting lines it would be advantageous to place the SES in the Act.

5. Should a statement of commitment to volunteers be included in the new legislation and, if so, who and what should it cover?

A statement of commitment would be more appropriate as a department policy, as it is a broad and dynamic subject. The Act should focus more on governance, service delivery and operations of the TFS.

6. Should the legislation provide PWS and forest officers with appropriate legislative authority to undertake fire control work and reflect contemporary Tasmanian practice in relation to Inter-Agency Incident Management?

Yes, The Act should reflect what happens in the real world and provide the necessary powers and indemnities to those working under it.

Submission to the Review of the Fire service Act 2018

7. Should the State Fire Commission remain as a Statutory Authority?

Yes, it is important that the Commission remains 'A' political and act in the best interest of the Tasmanian Community. Firefighting, in particular Wildfire is becoming increasingly more political which is having negative impacts on fire-ground operations.

8. Should the State Fire Commission have the role of a governing Board?

Yes, but it needs to be reflective of the differences the TFS has over other commissions such as income streams. It should not have to seek permission from a Department or Minister on how it utilises the funds it collects or raises. It should however have to provide transparent disclosure of where funds have been allocated.

9. Should members of the Commission be appointed as representatives of their organisation or on the basis of skills/knowledge that they possess?

The commission should be comprised of personnel who have a skill set appropriate for working on a Governing Board. The board should have open conduits of communications to representatives of the organisations capabilities or business units. The board should not be able to be influenced by any external party Government or Private.

10. What should be the State Fire Commission's role and function and should it include the strategic policy setting and administrative oversight of the State Emergency Service?

The following items should be part of the role of the Commission

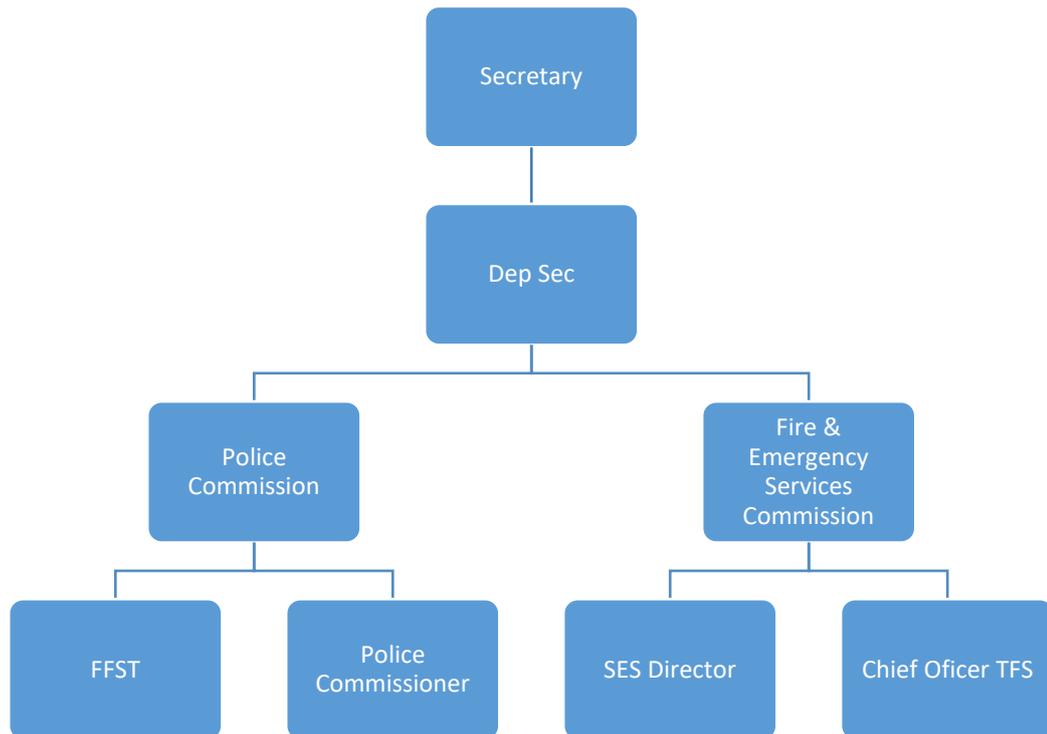
- Provide recommendations to Government,
- Manage the wants and needs of both the organisation and the Minister,
- Oversee fiscally responsible and sustainable management of TFS & SES finances
- Set strategic policy for TFS & SES through a consultation driven process
- Employ and terminate all Executive and Regional and Deputy Regional Chief positions/contracts; and the performance of the personnel under those appointments.

Submission to the Review of the Fire service Act 2018

11. What structural arrangements would best allow the Commission and TFS to achieve their objectives while operating in a departmental environment?

For any Service to operate fairly and effectively, the department cannot have bias to one Service. The Secretary or Deputy Secretary must not be able to hold a position within a Service and within the Department simultaneously. It should also be specified that wherever possible the Secretary and Deputy Secretary come from differing services or an external agency of the Department.

Suggested Structure:



12. How should the Chief Officer be appointed and to whom is he responsible?

The Chief Officer should be appointed by a selection panel consisting of elected members from each of the following groups

- State Fire Commission
- TFS Career Fire-fighters
- TFS Volunteer Fire-fighters
- TFS Community Fire Safety including The Fuel Reduction Unit
- An independent CEO from a sister agency

Submission to the Review of the Fire service Act 2018

13. Should it still be specified that the Chief Officer is to have expertise and experience in fire service administration and in the management of fire-fighting operations?

Yes, it is vitally important that the head of agency has a back ground in fire service administration and in the management of fire-fighting operations. They will be the figure head during a major disaster and it must be someone that both the personnel of the Service and the Tasmanian Community knows has background and expertise in the field.

14. How should potential tensions between the roles and accountabilities of the Chief Officer TFS, the Director SES and the State Controller be best resolved?

The SES Director should report to the State Fire & Emergency Services Commission on all items.

15. What is the appropriate role and function of the SFMC and what should the relationship be with the State Fire Commission/TFS?

The SFMC should remain as an advisory body to the Commission and the Chief Officer regarding the administration of the Act and the development of strategically managed fuel reduction programs. The SFMC and the Commission should provide support and advice to the Chief Officer and State Fire Controller during an emergency incident but not give directives. That responsibility should remain with the Chief Officer and State Fire Controller.

16. What is the appropriate membership of the SFMC and should the membership be prescribed in legislation?

Yes it should be prescribed in legislation and the current membership is sufficient.

17. Should the State Fire Management Council have the power to appoint permit officers?

No, it should remain an advisory and planning entity that can suggest suitable permit officers who can be appointed by the Chief Officer

18. Are the Fire Management Areas and the composition of the Fire Management Area Committees still appropriate?

Yes

19. What opportunities exist to streamline Fire Management Area Committees with Emergency Management Committees?

Opportunities would exist in respect to community preparedness i.e. evac plans, community refuges etc., but fuel management is a very specific field that is better off being managed by a separate body.

Submission to the Review of the Fire service Act 2018

20. Should fire and emergency services be funded through a single mechanism? If so, what is the appropriate model?

A fire and emergency services land title levy (TFS & SES) should be applied as a flat rate across all titles and tenure and should not delineate between the different types of brigade coverage, as it does not correlate to the expense an individual property places on the Service. The levy should continue to be collected by councils and be indexed to CPI annually.

The funding mechanism should also have a trigger built in that automatically establishes career stations by number of properties that incur the '*fire and emergency services land title levy*' in a given municipality. Examples would be those municipalities such as Sorrel, Kingborough, and the Central Coast. This would future proof the service and ensure that the appropriate funding would exist in order to establish those stations and remove political influence or the need for submissions in order to secure funding for new stations.

A fire and emergency services motor vehicle levy should apply as road crash rescue and motor vehicle accident incidents are frequent and there are vehicle drivers who would not have to pay the aforementioned '*fire and emergency services land title levy*'. The MAIB payments should be repealed but the '*fire and emergency services motor vehicle levy*' increased accordingly to account for the repeal.

TasFire Training and TasFire Equipment should not be considered revenue streams and their sole purpose should be to provide services to remote and isolated areas or communities who otherwise would not be able to receive these services. They should also act as a financially beneficial means of purchasing equipment for the operations of the TFS i.e. act as a distributor selling direct to the TFS. The TFS should be able to claim losses on these business services from Treasury.

The insurance levy could be scraped if the cost reduction is passed on by the insurers, this should be mandated by government. The removal of this income stream will mean the others mentioned above will need to absorb the cost difference.

21. Should SES centrally manage and fund its volunteer unit facilities, its fleet and its operational expenses?

Yes in order to provide continuity and the ability to more accurately and confidently manage the services finances.

Submission to the Review of the Fire service Act 2018

23. How should response, command and control arrangements be handled in new legislation?

Ideally all fire management and response should be housed under one agency contracted back to land managers as and when required. This would simplify response, command & control, resourcing, logistics and financing. Aside from this suggestion the IC should always be an officer of the TFS however the operations officer a representative of the agency whose tenure the fire is on. The reasoning behind this is that fire is tenure blind and won't stay on only one type, and that the TFS is best equipped to fulfil the role of IC when looking at tenures grouped.

24. Should the Chain of Command be included in legislation with accountabilities included?

No, while a chain of command is useful it is a restrictive tool that doesn't appropriately meet the needs of a contemporary service. For example there are members of the TFS who are not ranked officers who have expertise beyond those who are. These personnel should also be able to direct and manage ranked personnel based on their professional ability in a given field for example; the FRU.

25. Should endorsement of Incident Controllers be legislated? Making it clear that all emergency responders present at an incident are in all respects subject to the Incident Controller's direction or should Incident Controllers be endorsed through policy?

Yes as it will remove ambiguity and streamline operations particularly when agencies that aren't fire related are involved in an incident.

26. Are the provisions relating to the establishment and composition of brigades still appropriate?

No, there is little strategic thought or science around the establishment of brigades or their boundaries. For example Clarence career crew will not respond into Cambridge volunteer area automatically, even though the boundary is less than 1.5km from the Clarence station. The boundaries need to be based on logistic and resourcing parameters such as a travel time radius from a station. The national standard for career station boundaries is 7min, the Tasmania Fire Service does not follow a standard in regards to placement of career stations.

27. Should Industry Brigades be recognised in legislation and have the ability to assist in emergency response outside the industry boundaries?

There would need to be joint training and exercising in order for this to work well. There are a number of considerations such as SOPs, equipment compatibility and training that would need to be addressed.

Submission to the Review of the Fire service Act 2018

28. Should the Act be amended to specify these activities are exempt from the provisions of the LUPAA?

Yes, the fuel reduction program is drowning in bureaucracy, simplifying the process is a necessity. Most works that are undertaken are of a temporary nature such as bulldozing a fire break, this is not the establishment of a permanent fire trail or road rather a temporary measure to achieve the strategic outcomes of the burn. The LUPAA seems to be geared towards development which is not an appropriate Act to be bound by if development is not the undertaking.

28. Are the provisions relating to the declaration of Total Fire Bans still appropriate?

No, fire and machinery use should be addressed under separate sections of the act as they differ greatly and as highlighted the economic impact can be significant.

29. Should Community Education be an explicit function of SFC/TFS and should it include the SES?

If it removes duplication and there is a benefit to be had, yes.

30. Is it still appropriate that TFS issues permits to install, maintain or repair fire protection equipment?

It would seem an appropriate function of the TFS, however the GFRs need to keep abreast with changes in the BCA so there aren't conflicts in requirements.

31. Should there be a whole of government Emergency Evacuation System that deals with all threats, not just fire risks, in the built environment?

They should dovetail with the fire evacuation plan however these buildings carry significant infrastructure to deal specifically with fire i.e. sprinklers, automatic fire doors, deluge systems, extraction fans and EWIS which is permitted by the TFS. The solution here would seem to be resource building fire safety appropriately to deal with the workload and include other risk consultants in the process.