

## **SURF LIFE SAVING TASMANIA'S (SLST) RESPONSE TO THE REVIEW OF THE *FIRE SERVICES ACT 1979***

**September 2018**

### **Introduction**

Surf Life Saving in Tasmania (SLST) is a volunteer based, not-for-profit, community service association and is the key agency for beach safety in Tasmania.

Our movement is a part of the history, fabric and future of this country. It represents the lifestyle, values and beliefs of the Australian culture. It protects life, it saves life, it promotes life. We create a safe environment in and around our waterways, through patrols and services on, in and around the shore and through education and training programs.

Surf Life Saving is the largest volunteer movement of its kind in Australia. We are a not-for-profit movement that exists only through community donations, fundraising and corporate sponsorship. Our activities address many community and Government policies such as safer communities, obesity, physical activity, youth development, training and education, and family.

SLST comprises a State centre, 24 Surf Life Saving clubs and services located around the coastline and over 2300 members who are all committed to saving lives and positively impacting on their local communities. For more detail of SLST's structure and operations please see SLST's last annual report at the following link:

<http://www.slst.asn.au/media/80723/surf-life-saving-tasmania-annual-report-2016-2017.pdf>

### **Submission**

In the 2015/16 year, 93 rescues, 193 first aid cases, 1,379 preventative actions were performed by our volunteers, with 32 emergency response system (13SURF) activations in support of Tasmania Police. SLST was also activated to assist during major floods in June 2016.

SLST has been progressively expanding its presence beyond the traditional lifesaving services *Between the Flags* to provide a volunteer Lifesaving Rescue Services that includes and all risk, all hazard approach to inland, inshore and offshore search and rescue. All of these services are provided by over 800 SLST active patrolling volunteers across Tasmania. In 2015/16 these volunteers contributed 18,691 recorded hours of volunteer patrol service to the Tasmanian community.

The Tasmanian Government has provided valuable financial support to SLST over many years to support the surf lifesaving clubs and rescue services (Support Operations, Jet Rescue Boats, Rescue Water Craft and Marine Rescue) across the state. Currently the State Government Funding breakdown is as follows:

- A\$150,000 p.a. + \$100,000 p.a. (4 year funding boost until June 2018) for Surf Life Saving Clubs across the state - support the provision of surf lifesaving services and the development of the sport of surf lifesaving;
- \$50,000 p.a. for 3 years - Establish a Water Safety Fund to assist local government in implementing initiatives and services to address water safety concerns in their respective municipalities; and
- \$50,000 p.a. (from 2004 commitment) + \$50,000 p.a. (4 year funding boost until June 2018) to support the ongoing operations of Volunteer Marine Rescue (VMR).

SLST and the Tasmanian Government are also investigating the inclusion of volunteer surf life savers under State Government insurance, which currently insures other volunteers such as fire, ambulance, SES and hospital workers.

In 2010, SLST was requested by Government to take over state management of the Volunteer Coastal Patrol and the Royal Volunteer Coast Guard organisations across the State (a total of 7 groups). SLST has undertaken this task and has been successful in ensuring that this service is now provided as a co-ordinated volunteer service. This has been achieved via the implementation of a functions and skills audit which highlighted the need for the development of a specifically tailored training program to ensure that VMR members are integrated into SLST's current services and have the appropriate skills and importantly that they operate in accordance with standard operational protocols (AMSA Scheme R).

These measures have resulted in an improved, coordinated VMR service that works in strategic locations across the State and which supplements SLST's 17 other surf lifesaving clubs and services around the state. SLST has continued to expand its *Beyond the Flags* rescue services to incorporate the VMR's in our holistic approach to include inland, inshore and offshore waters. This was undertaken with the support of a 4 year seed funding commitment in the 2014 Liberal Water Safety Policy.

SLST wishes to continue to develop so to enhance its professional and sustainable services deliver to further included and service its inland, inshore and offshore volunteer rescue services, address mutually agreed gaps and an interoperable flood water rescue capability. To do this SLST submits that it should be a recognized Tasmanian Emergency Service with clear roles in regard to its support roles to other Tasmanian Emergency Services. To achieve this SLST would require additional funding which would enable SLST to deliver the following services and benefits to the Tasmanian Community in association with the other emergency management entities:

- Trained members holding international best practice, industry standard qualifications
- Fit for purpose vessels and equipment that are interoperable between agencies and support an all risks, all hazards response capability
- Tasmanian Emergency Services Rescue Vessel trial which may open up other national and international market opportunities
- 365 day monitored activation service
- State wide response capability for inland, inshore and offshore search & rescue
- Grow our current 900 qualified volunteer members to further support surge capacity needs in times of all natural disasters.
- 12 month RPA trial and RPA capability available for emergency service activation around aquatic environments.

## Conclusion

SLST thanks the Tasmanian Government for the opportunity to make this submission into the Review of the *Fire Service Act 1979 (Tas)* (**FSA**). As noted above SLST is playing an increasing support role to the Tasmanian Police and we consider that SLST can play a similar and increased role with other Tasmanian emergency services including the Tasmanian Fire Service (**TFS**).

In addition to its frontline beach and aquatic safety and education functions and services SLST sees itself as a Support Service to the other Tasmanian Emergency Services and as per recent discussions with the Police Commissioner and Fire Chief, SLST would like to formalise these relationships with SLST becoming a formal member of the Security and Emergency Management Group (SEMAG) and other Tasmanian Emergency Service Committees.

Under current Tasmanian Emergency Services Arrangements SLST is simply listed at a Support Agency for some incidents. It is not particularly clear what support role(s)/function(s) SLST may provide as such a Support Agency within inland, inshore and offshore rescue/support. In addition to being formally recognised as an emergency service our support agency role can be clarified, and SLST submits, broadened.

The key areas identified by SLST in which it considers can assist are in inshore search-and-rescue (**SaR**), offshore SaR, inland swift/flood water rescue, support with large scale natural disasters for surge capacity and the provision of search resources including use of Side by Side vehicles.

SLST would like to be considered as an emergency service as the FSA is broadened to ultimately become the Fire and Emergency Services Act.

SLST is available to meet and discuss its submission and the review generally. SLST is also happy to provide more information if required. SLST reserves its right to provide further submissions and information. SLST again thanks the Government for the opportunity and looks forward to liaising with it as the review continues.

## Specific Response to Review Questions

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

SLST submits that the FSA and its purposes should be broadened to become part of a new co-ordinated whole of State Emergency Services and Emergency Management. Yes.

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

The new legislation raised in 1 above should identify the relevant emergency services and then clearly define their roles as separate entities and then vis-à-vis the other services. The legislation needs to identify and recognise the particular emergency services and their roles and functions and the protect and indemnify the persons who deliver the services on the ground. A practical and efficient delivery of emergency services must be the fundamental rationale for the legislation.

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 this role. This should be clearly identified in the legislation along with other emergency medical responders.

4. *Should the State Emergency Service be included in the new legislation and removed from the Emergency Management Act in order to support personnel in emergency management?*

There should only be one entity governing State Emergency Services under one piece of legislation. It should comprise and have input from all relevant services.

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

Yes the legislation should categorically commit to emergency services volunteers. It should cover all properly trained and recognised volunteers who are properly part of a Tasmanian emergency service. SLST submits that this would include its volunteer lifesavers and VMR volunteers. Such volunteers should be indemnified from actions against them personally and they should also be insured under the State insurance scheme.

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 but again this should be captured and clearly defined in the roles and functions of the various services which make up the Tasmanian Emergency Services. "Demarcation" disputes must be avoided or at least minimised (a) by clear definition of roles in the legislation and (b) clear communication and reporting lines.*

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

Yes but this may vary depending upon how the State Emergency Service is structured.

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

If it is to remain as a separate entity it should have a governing board otherwise it would be represented on the governing board of the State Emergency Service.

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

Members of the governing body must ONLY be appointed on the basis of skills/knowledge that they possess but in the context of the objects of the legislation and the strategic objectives of the service.

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 State Fire Commission (or successor) should be responsible for strategic policy setting and administrative oversight of State Fire Service as PART OF THE State Emergency Services strategic plan. It should have responsibility for strategy of the Fire

Service as part of the overall State Service strategy

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

SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

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 an appropriately skilled person should be appointed to this role.

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?*

Through clear identification of roles and responsibilities and through clear governance, communication and reporting structures being implemented and followed.

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

Other than to say that the number of “governing” entities should be minimised SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

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

Could be addressed, clarified and clearly defined in new legislation.

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

Other than to say a single funding mechanism would be ideal but SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

22. *Should any new legislation bind the Crown?*

Yes.

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

The legislation should recognise and clearly define and designate the roles and responsibilities of the various emergency services. The key issue in regard to response, command and control is to ensure transparency, flexibility and clear communication and reporting lines.

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

Not in detail no but the various services roles and responsibilities should be clearly set out.

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?*

Most likely policy.

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

SLST makes no submission in response to this question at this time.

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

SLST makes no submission in response to this question at this time.

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

Yes.

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

SLST makes no submission in response to this question at this time.

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

Community education should be a statutory objective of the legislation and all emergency services have a role to play in community education.

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

SLST makes no submission in response to this question at this time.

32. *Should there be a whole of government Emergency Evacuation System that deals with all threats, not just fire risks, in the built environment? Should prescribed buildings be categorised by risk potential?*

Yes.

33. *Are the current levels and structure of penalties appropriate?*

SLST makes no submission in response to this question at this time.

34. *Are there other offences that should be considered for inclusion in new legislation?*

SLST makes no submission in response to this question at this time

35. *Are the current protection from liability provisions appropriate?*

The liability of protection provisions must be drafted to capture the full breadth of emergency services activities carried out by emergency services or support services under new legislation. This may include education or mitigation but they should be protected.