



Community & Public Sector Union  
Civil Service Association of WA

Community & Public Sector Union  
SPSF Group, WA Branch  
Civil Service Association of WA Inc

[www.cpsu.org](http://www.cpsu.org)

UnionLink: 1300 733 800

Email: [help@cpsu.org](mailto:help@cpsu.org)

Reception: 08 9323 3800

Fax: 08 9323 3878

Address: 445 Hay St, Perth WA 6000

Mail: PO Box X2252, Perth WA 6847

ABN: 78 678 313 448

10<sup>th</sup> March 2017

Ms Nicola Cusworth  
Chair  
Economic Regulatory Authority  
4<sup>th</sup> Floor  
Albert Facey House  
469 Wellington Street  
PERTH WA 6000

Dear Ms Cusworth

## **RE: REVIEW OF THE EMERGENCY SERVICES LEVY**

The Community and Public Sector Union/Civil Service Association (CPSU/CSA) represents staff in the Department of Fire and Emergency Services and Department of Parks and Wildlife. We also represent other agencies involved in different aspects of bushfire prevention, preparedness, response and recovery. Some of these include the Department for Child Protection and Family Support, Department of Agriculture and Food, Department of Water and Department of Planning.

In 2016, over one hundred of our members from Department of Fire and Emergency Services, Department of Parks and Wildlife and other agencies provided input to the CPSU/CSA's submissions to the Ferguson Special Inquiry into the Waroona bushfires. Our members represent over a thousand years of WA forest fire management expertise and we were acknowledged by Mr Ferguson as key stakeholders in the Special Inquiry.

The allocation and management of the Emergency Services Levy was one of the key measures raised by our members. Our submission, attached, can be summarised in two key points:

- The Office of Emergency Management should be the body charged with the management of the Emergency Services Levy. The funds should be managed and their expenditure publicly reported, not least because the levy needs to be managed at arm's length from the Department of Fire and Emergency Service, its current major beneficiary; and
- The Department of Parks and Wildlife has responsibility for bushfire preparedness, prevention and response for over 44% of the State's land mass yet is currently relying on Royalties for Regions for much of its prescribed burning program. The mechanism for allocation of the Emergency Services Levy needs to be reviewed to include essential bushfire fuel management and response from agencies such as Department of Parks and Wildlife and other key stakeholders such as Local Governments.

In drafting the response to this Emergency Services Levy Review, we have drawn on the considered input provided by members in 2016, grouped under the relevant key questions posed by the Issues paper.

We would be happy to facilitate further input or information from our members on any of the key points raised in our submission.

Yours sincerely



Toni Walkington  
Branch Secretary

## **Overview**

Managing fuel loads at the landscape scale, with a growing and complex rural-urban interface, means that bushfire risk management is complex and multi-faceted, requiring significant logistics and resources.

This includes multiple agencies and local governments, large numbers of volunteers and brigades, heavy equipment, air support and all other logistics. The creation of an Rural Fire Service does not necessarily simplify this picture, given that land management agencies, local governments, volunteers and landholders will still have significant roles to play.

The catastrophic bushfires that have been a feature of the last decade are occurring during a period when key agencies have been restructured and faced funding cuts. The Emergency Services Levy has increased at a greater rate than the consumer price index but only supports a narrow range of activities and costs associated with protecting WA communities, infrastructure and assets, including natural assets.

## **How should funding be allocated across prevention, preparedness, response and recovery activities?**

Currently the levy is managed by Department of Fire and Emergency Services and funds Department of Fire and Emergency Services fire stations as well as volunteer fire and emergency services plus marine brigades and services.

What is not funded currently, are prevention, fuel management, at the forest or landscape level and recovery in terms of community and economic recovery. Fire response will always require significant resources, but investment in prevention will help reduce the need for and cost of fire response over time.

Department of Fire and Emergency Services is the Hazard Management Authority for Fire; Department of Parks and Wildlife has no formal designation as an emergency service and therefore Emergency Services Levy funding is not available for Department of Parks and Wildlife's fire prevention, preparedness or response costs. Department of Parks and Wildlife is responsible for fire prevention and management across 44% of the State (1.16 million square kilometres) and as such is the agency with the greatest responsibility for bushfire prevention through fuel load and risk management in the State.

There are no avenues currently for Emergency Services Levy funding consideration for fuel management by Department of Parks and Wildlife, local governments or other major land managers, on the public estate. Fuel management is clearly identified as the most significant protective factor in protecting life and assets in bushfire risk areas. Additionally, there is no funding available through the Emergency Services Levy for other agencies with significant bushfire risk management roles.

It is disturbing that Department of Parks and Wildlife is reliant on Royalty for Regions finance to achieve its prescribed burning program, rather than through the agency's recurrent budget. The agency has also been hit hard by budget cuts and redundancies over the past eight years. Access to a level of funding for relevant components of Department of Parks and Wildlife's costs through an ongoing mechanism such as the Emergency Services Levy would go some way to stabilising the funding base.

It should also be noted that funding needs to be matched with the appropriate levels of personnel to achieve the outcomes sought.

We have attached our submissions from last year that detail the impact of this under-resourcing on Department of Parks and Wildlife's personnel, infrastructure and systems.

It is also noted that the various volunteer associations and their members need to be engaged in the process and the needs of the volunteer sector met as an outcome.

*CPSU/CSA Recommendation:*

That the scope of expenditure of the Emergency Services Levy is extended to include contributing to priority bushfire fuel management and mitigation in multi-tenured priority hazard reduction zones around town sites.

(Rec 7 of the CPSU/CSA response to the Ferguson Report, August 2016)

### **What emergency services expenditures should be funded by Emergency Services Levy?**

One factor that our members put forward very strongly was the need for WA to have a sound and comprehensive bushfire policy framework. This framework is currently lacking though is understood to be a key priority for the newly established State Bushfire Coordinating Committee. Such a framework needs to:

- Work with a broad stakeholder base to identify the underlying values and principles on which to base the policy framework;
- Be based on Australian and relevant international best practice in policy development processes and policy content;
- Provide effective and realistic management of risk, including a clear and unambiguous recognition that bushfire risk cannot ever be fully mitigated;
- Identify and commit the resources to implement the framework;
- Clarify bushfire fuel zoning and better defines responsibilities and resourcing, for hazard reduction in peri-urban and rural areas. This includes:
  - harmonizing this policy with other policies such as the Native Vegetation Clearing Regulations, Threatened Species and Communities Plans, other policies, State and Federal legislation and the lessons of conservation science;
  - other State agencies, local government and land managers;
- Set out a uniform interagency approach, supported by a unified plan, common definitions, interpretations and training and establishes interagency Incident Management Teams (IMTs); and
- Revise the current arrangements for Emergency Services Levy;
- Revise WESTPLAN (Fire) in line with the framework.

The policy framework should also identify the full suite of funding for different aspects of Preparation Prevention, Response and Recovery (PPRR) and identify gaps, overlaps and opportunities for improvement. Any re-assessment of the Emergency Services Levy scope and distribution needs to be an integrated part of that framework, or be clearly an interim arrangement pending the development of such a framework and the final format for establishment of a Regional Fire Service.

It should also be noted that the volunteer funding through the Emergency Services Levy has dropped from originally around 10% of the Emergency Services Levy revenue to 6% over the last decade. CPSU/CSA members believe that the volunteer sector needs to be adequately resourced and that any funds allocated to agencies as an outcome of the review should not be at the expense of the volunteer sector.

***CPSU/CSA Recommendations:***

That Emergency Services Levy funding contributions to fuel management and mitigation by Department of Parks and Wildlife and other land managers in priority hazard reduction zones should be linked to outcomes and resource efficiency indicators on bushfire fuel management.

(Rec 8 of the CPSU/CSA response to the Ferguson Report, August 2016)

That the Department of Premier and Cabinet work with all stakeholders including the CPSU/CSA and its members to develop a comprehensive, costed bushfire policy framework that clearly outlines the roles and responsibilities, and funding, relating to all bushfire risk management, mitigation/prevention, planning, response and recovery.

(Rec 2 of the CPSU/CSA submission to the Ferguson Inquiry, March 2016)

**How are expenditures on emergency services likely to change in the future?**

The State Government needs to plan and resource a prescribed burning program based on the full suite of risk factors, including:

- Longer, more intense fire seasons in a drying climate
- Narrower windows of safe conditions in which to carry out burns
- Complex burn planning and approval processes
- Longer and more mosaic rural-urban interface
- Conservation of biodiversity values in a global biodiversity hotspot
- Uneven fuel management across the various tenures across the landscape and
- Community and media understanding, preparedness and expectations

All of these factors mean that the resources needed to carry out fuel reductions at a strategic scale and within the rural-urban interface will continue to grow. Given the current levels of underfunding, this gap will be ever-widening without significant commitment.

**What information should be made public about the funding and distribution of Emergency Services Levy funding? What processes should be in place to ensure accountability in the expenditure of Emergency Services Levy funding?**

The Productivity Commission reports that the WA Government was in receipt of \$289.7M in levies for Fire and State Emergency Service in 2014/2015<sup>1</sup>.

In the 2016/2017 State Budget, Department of Fire and Emergency Services reported an increase of \$18.4M in Emergency Services Levy income. The total Emergency Services Levy income was not reported in the budget papers. The budget identified that a total of \$7.133M was specifically allocated for works for volunteer brigades. There is no other reporting on Emergency Services Levy expenditure so it can be reasonably assumed that the remainder of the increase and any other monies is directed towards Department Fire and Emergency Services operational costs for both structural fires and bushfire response.

The Issues paper released by the Economic Regulation Authority notes that:

*“DFES does not provide a breakdown in its annual report on how ESL funds have been allocated to specific services, or to specific regions.”*

The Issues paper further notes:

*“DFES does not undertake activities based costing that would allow it to accurately report the amount spent on various types of activities”.*

On this basis it is not possible to know whether the Emergency Services Levy is truly meeting its purpose, or to what extent it is subject to ‘mission drift’.

It is essential that all major public levies collected for specific purposes are publicly and transparently accounted. At a minimum, the full revenue and major expenditure categories should be clearly documented in the State’s annual budget processes and in the annual report and accounts of the agency responsible for administering the Levy.

*CPSU/CSA recommendation:*

That the Emergency Services Levy full revenue and expenditure should be reported in the State’s annual budget processes, both for the agency tasked with administering the levy and those agencies in receipt of funding through the levy.

**Which agency should be tasked with distributing funding by the Emergency Services Levy?**

The Ferguson Report notes an obvious and unacceptable conflict of interest where the agency in charge of distributing the Emergency Services Levy funding is also the major recipient<sup>2</sup>.

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<sup>1</sup> Productivity Commission Report on Government Services 2016, Volume D: Emergency Management.

<sup>2</sup> Ferguson, E, 2016, Reframing Rural Fire Management: Report of the Special Inquiry into the January 2016 Waroona Fire. P 19, p54-56.

The Ferguson Report recommended the State Emergency Management Committee be independent of Department of Fire and Emergency Services. The establishment of the Office of Emergency Management in December 2016 does not currently meet the intent as although the Office of Emergency Management reports directly to the Minister, the Office of Emergency Management is a sub-department of Department of Fire and Emergency Services and Office of Emergency Management staff are employees of Department of Fire and Emergency Services.

*CPSU/CSA Recommendation:*

That the Office of Emergency Management be fully independent of Department of Fire and Emergency Services and established as an independent Statutory Authority.

That once the Office of Emergency Management is fully independent of Department of Fire and Emergency Services that it be the body for distributing and managing the Emergency Services Levy.

(Rec 6 of the CPSU/CSA response to the Ferguson Report, August 2016)



SUBMISSION

# Submission in Response to the Waroona Bushfire Special Inquiry Report

Submission prepared by:  
Community and Public Sector Union/Civil Service Association of WA  
11 August 2016

“

...members have  
responded positively  
to the opportunities  
and recommendations  
in the report...

# Executive Summary

The Ferguson Report has the potential for fundamentally changing how rural fires are managed in Western Australia.

On the whole the Community and Public Sector Union/Civil Service Association (CPSU/CSA) members have responded positively to the opportunities and recommendations in the report, though we note with disappointment that some key agencies are still to discuss the report with fire management staff and consider the implications for work in the coming fire season.

Western Australia needs a sound legislative base and a comprehensive policy framework that clearly sets out roles, responsibilities and requirements and sustainable funding mechanisms. The Ferguson Report provides an opportunity to develop this framework.

Should the State Government adopt recommendation 15 and look to establish a Rural Fire Service, there needs to be a deep conversation with all stakeholders to determine the objectives and requirements for a best practice rural fire service in a Western Australian context as the first step. The Union and its members are, and should be, stakeholders in that conversation.

Regardless of a decision to create an RFS or not, there are urgent improvements needed within the current system, not least of which are:

- Reviewing funding mechanisms for bushfire fuel management in complex multi-tenure environments, including a review of the management and distribution of the Emergency Services Levy.
- Assessing the staffing levels and fatigue management of fire management staff and preformed Incident Management Teams (IMTs), both within DPaW and interagency team members.
- This includes acknowledging the impacts of fatigue during incidents, across the fire season and the flow-on impacts across the full year
- Improved succession planning, well-designed incentives and equitable pay.
- Recognition that participation in prescribed burning plays a vital role in training and development of IMT members, including building local, regional and interagency cooperation.
- In light of which, the Union records its opposition to outsourcing of IMTs and IMT public sector roles to the private sector.

The CPSU/CSA also notes the progress towards and continuing need for building respect and cooperative relationships between agencies and all stakeholders.

# Recommendations

## Consultation

1. That as a matter of urgency DPaW and the FPC set up briefing sessions for all staff on the Report and provide opportunities for the staff to consider and respond to the opportunities and challenges identified in the report.

## Policy and Legislation

2. That the Department of Premier and Cabinet work with all stakeholders to develop a comprehensive costed bushfire legislative and policy framework that clearly outlines the roles and responsibilities relating to all bushfire risk management, mitigation/prevention, planning, response and recovery.

## Structural Changes

3. That the State Government adopts and implements Ferguson Recommendation 1 (regarding the independence of the State Emergency Management Committee (SEMC) and the Office of Bushfire Risk Management (OBRM) and the inclusion of an inspectorate function for OBRM).
4. That, if the State Government adopts Ferguson Recommendation 15 and seeks to establish a Rural Fire Service (RFS), all relevant stakeholders including the CPSU/CSA and its members are engaged in the decision-making through a well-designed consultation process including identifying the values, principles, objectives and broad parameters for an RFS.

## Fuel Management and Bushfire Mitigation Resources

5. That Recommendation 5 of the Ferguson Report, which recommends simplified prescription processes for planned burns, is implemented.
6. That an independent SEMC be the body for distributing and managing the Emergency Services Levy.
7. That the scope of expenditure of the ESL is extended to include contributing to priority bushfire fuel management and mitigation in multi-tenured priority hazard reduction zones around town sites.
8. That there are specific and adequate budget appropriations for bushfire fuel management on public lands so that land managers, including local governments, DPaW and other agencies with land management responsibilities in rural areas have the resources necessary to meet fuel management targets. This should be linked to outcomes and efficiency indicators on bushfire fuel management.



### Improving Current Systems

9. That the Ferguson Report Opportunity for Agency Improvement 19 be extended to include the FPC in relation to their staff on interagency IMTs implemented and that DPaW and the FPC, their relevant staff and the relevant unions including the CPSU/CSA conduct a workload analysis with a view to identifying and implementing measures to reduce workloads to safe working levels.
10. That DPaW's Health and Safety Section, with support and input from the agency's OSH Committees, takes steps to review and improve its safety culture. This should include a greater role in monitoring fatigue issues and allocation of tasks, including review of IMT team rosters to ensure optimal alignment of skills and roles and to identify key training needs (class and field-based).
11. That:
  - a) The State Government clarify and confirm immunity from prosecution or litigation public sector workers operating in good faith in senior roles in IMTs from litigation or prosecution.
  - b) The Department of Parks and Wildlife more effectively communicate this to staff and interagency IMT members in preseason briefings, IMT training and post incident review.
12. That DPaW work collaboratively with its staff and the relevant Unions, including the CPSU/CSA, to develop an effective incentives program that rewards engagement and experience in IMTs and actively discourages overwork and fatigue.
13. That DPaW does not use contractors to replace IMT public sector roles or to replace IMTs.
14. That the State Government investigates options and allocates funding in the 2017/2018 budget for the introduction of Infra-Red Linescan capability for the start of the 2017/2018 fire season.
15. That in developing a policy framework for bushfire risk management the State Government identifies options for improved resourcing of rural arson investigation.

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# Introductory Comments

The Waroona Bushfire Special Inquiry report, referred to here as the “Ferguson Report”, examines complex issues for which there are no quick answers.

In proposing a new RFS the report opens a conversation and proposes substantial structural change to a system that has been resistant to change.

The Union has drafted this response as our opening comments in the conversation through working closely with members in the Department of Parks and Wildlife (DPaW), Department of Fire and Emergency Services (DFES) and the Forest Products Commission (FPC) as well as members who are volunteer firefighters.

This submission focuses on those recommendations and opportunities for improvement that our members have identified to date as most relevant to them.

Due to the short timeframe for preparing this response, the Union will continue to work with its members towards developing a position on the development of a regional fire service. This submission sets out the early stages in that conversation.

## 1.1 Engagement and involvement

Mr Ferguson states that good decisions come from wisdom, knowledge and experience.<sup>1</sup>

To that end, it is noted that DPaW has not circulated the report and its recommendations to their staff and that even highly experienced officers have had no briefing or engagement on the report. The report’s recommendations and opportunities for improvement have clear and implications for

## Recommendation 1

That as a matter of urgency DPaW and the FPC set up briefing sessions for all staff on the Report and its findings and provide opportunities for the staff to consider and respond to the opportunities and challenges identified in the report.

1. Reframing Rural Fire Management, report of the Waroona Fire Special Inquiry p.12

## 1.2 Change of submission date without notification

Firstly, we note that the timeframe for response to the report has changed. At the report's release on 23 June, the Premier declared the report would be open for comment for a period of three months, after which the State Government would develop its own response.

The Union discovered only on 12 July that this timeframe had been brought forward without notification to close on 12 August.

Given the shortened timeframe, we have consulted with the members most directly affected but notes that this has been challenging as many of our members involved in bushfire planning, mitigation, management, response and recovery use this limited window to take annual leave.

# Legislation and Policy

## 2.1 Legislation

The State Government has four Bills before Parliament that it acknowledges are unlikely to pass before the State election<sup>2</sup>. Other than the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016, the other three Bills should be held back until a thorough consultation process on a Rural Fire Service (RFS) is complete and a decision is made to establish a RFS or not. Whatever decision is made, the State requires contemporary legislation that reflects Australian and global best practice.

## 2.2 Policy

Bushfire risk management needs a sound and comprehensive policy framework that:

- Works with a broad stakeholder base to identify the underlying values and principles on which to base the policy framework;
- Is based on Australian and relevant international best practice in policy development processes and policy content;
- Provides a clear, comprehensive and agreed framework of the roles and responsibilities relating to all bushfire risk management, mitigation/prevention, planning, response and recovery;
- Provides effective and realistic management of risk, including a clear and unambiguous recognition that bushfire risk cannot ever be fully mitigated.
- Identifies and commits the resources to implement it;

- Clarifies bushfire fuel zoning and better defines responsibilities and resourcing, for hazard reduction in peri-urban and rural areas. This includes:
  - » harmonizing this policy with other policies such as the Native Vegetation Clearing Regulations, Threatened Species and Communities Plans, other policies, State and Federal legislation and the lessons of conservation science;
  - » other State agencies, local government and land managers;
- Sets out a uniform interagency approach, supported by a unified plan, common definitions, interpretations and training and establishes interagency IMTs; and
- Revises the current arrangements for ESL;
- Revises WESTPLAN (Fire) in line with the framework.

Stakeholders are taken to mean including but not confined to:

- All fire agencies and their staff
- The relevant Unions, including the CPSU/CSA
- Other agencies with land management responsibilities, such as (for example) the Departments of Planning and Water
- Regional local governments and their representative body (WALGA)
- Forest-based industries (eg, forestry, bee-keeping)
- Bushfire and emergency volunteers
- Traditional owners and their representative bodies
- The broader regional community
- Those communities who have been impacted by significant fire events in recent years should be particularly engaged in this process
- Key conservation groups and peak bodies.

A sound policy framework for bushfire risk management, response and recovery is needed regardless of the decision to establish an RFS or not.

## Recommendation 2

***That the Department of Premier and Cabinet work with all stakeholders including the CPSU/CSA and its members to develop a comprehensive, costed bushfire policy framework that clearly outlines the roles and responsibilities relating to all bushfire risk management, mitigation/prevention, planning, response and recovery***



# Structural Changes

## 3.1 State Emergency Management Committee & Office of Bushfire Risk Management

Reference: Ferguson Report Recommendation 1

Overall the Union and its members support the review and streamlining of the OBRM's functions, simpler prescribed burning planning processes, and the structuring of OBRM as part of a secretariat for the SEMC independent of DFES.

The extension of the OBRM's role to include a clearly defined inspectorate function is supported subject to a review to ensure that the Office is meeting its current scope adequately, is suitably resourced for its roles and functions and is able to maintain focus.

## 3.2 Proposed Regional Fire Service

Reference: Ferguson Report Recommendation 15

The Ferguson Report firmly bases the recommendation regarding a rural fire service in the need to reframe rural fire management in WA; the report provides a sound opening to that conversation, posing two alternatives for its creation.

The Union has surveyed members in DPaW, DFES and the FPC on the issue of a Rural Fire Service and is continuing to work with members to define its position. Our comments and recommendations here point towards that dialogue and reflect the member feedback to date.

## 3.3 Alternative Structures Proposed by Ferguson

Reference: Ferguson Report Recommendation 15

The Ferguson Report recommends consideration of two alternatives; with an implied third alternative should the State Government choose not to adopt Recommendation 15. These are:

1. An RFS as a separate entity from DFES;
2. An RFS as a sub-department of DFES; or, by default,
3. Business as usual

In assessing the suitability of these models as a basis for an RFS, the likely mid to longer term outcomes of the models could be considered in terms of how they address the current shortcoming identified not only in the Ferguson 2016 report, but in the various Major Incident Reviews and inquiries held over the past 7-8 years.

## Recommendation 3

That the State Government adopts and implements Ferguson Recommendation 1 (regarding the independence of the State Emergency Management Committee (SEMC) and the Office of Bushfire Risk Management (OBRM) and the inclusion of an inspectorate function for OBRM).

## Recommendation 4

That if the State Government adopts Ferguson Recommendation 15 and seeks to establish a Rural Fire Service, all relevant stakeholders are engaged in the decision-making through a well-designed consultation process including identifying the values, principles, objectives and broad parameters for an RFS.

The proposed changes in structure require more than a slick political promise in response to partisan voices but will need to involve all stakeholders in its development.

A business as usual case would, by its nature, likely see a continuation of the current issues:

- Lack of a shared resource management system
- Sub-optimal interagency cooperation and operability
- Continuing cultural clashes between key agencies in the interpretation and implementation of WESTPLAN (Fire)
- Continued loss of volunteers, both in terms of numbers and the physical challenges due to the rising average age of bushfire volunteers, and
- Potentially, the continued under-resourcing of preformed IMTs.

An RFS model based on a sub-department of DFES that took over the fire resources and functions of DPaW, as proposed by DFES, would:

- Face challenges as the majority of IMT team members and expertise are drawn from personnel across all DPaW's work groups therefore most are not simply positions that can be transferred between agencies.
- DPaW staff in substantive bushfire management positions relocated to DFES as part of an RFS would need equitable pay and conditions to career firefighters, including access to training and career progression opportunities.
- DPaW staff in existing IMT teams and roles as covered in the current Fire Agreement would be adversely affected if these functions and roles are transferred to DFES, which in some cases for senior, highly experienced team members may reduce pay by up to 60-70%
- Face significant costs for bushfire training among DFES career firefighters whose main training and expertise is in responding to structural fires
- Require years of operation to build major scale bushfire experience to the levels currently held by DPaW interagency IMTs, and the potential adverse fire outcomes until this experience is built
- Face significant hurdles in building effective interagency/intersector teams, communications and decision-making due to the strong DFES cultural embedding of a 'disciplined, rank based chain of command' that ignores, discounts or excludes expertise, knowledge and ways of working
- A severing of the direct link to the depth and breadth of landscape management knowledge and research based at DPaW, and loss of the experience held by DPaW IMT members. This would be particularly critical where conservation assets and values need to be considered.
- Separating the agency that bears the risk (DPaW) from the agency that has the resources to mitigate those risks (DFES), would go against the principles the Ferguson Report proposes as it would push the focus from mitigation to response.
- Likely accelerated loss of volunteer firefighters, based on the position taken by the AVBFB and the situation in other States.

An independent RFS based on the DPaW model, which received positive consideration in the Ferguson Report,<sup>3</sup> would:

- Incur costs in establishment, though this could be reduced through co-location with local governments or regional natural resource management bodies
- The additional costs associated with establishing an RFS could impact on the resources available for mitigation in the short to medium term
- Have a decentralised basis to maximize local and regional integration
- Host interagency IMTs with fewer cultural impacts from pre-existing command and control structures and culture
- Provide a coordination and support role for Incident Controllers in line with a revised WESTPLAN (Fire)
- Work closely with volunteers, their association and local governments on the support, training and renewal of volunteers and
- Progress talks toward hosting a common fire agreement for all public sector workers, firefighters, operational and logistics staff, negotiated and agreed with all relevant unions. This would harmonise the situation at major incidents and reduce the complexity that creates an additional burden for incident controllers.

The union is continuing to work with its members to develop a position on these alternatives.

### 3.3.1 Success Criteria for a Rural Fire Service

It is deemed unlikely that an RFS established under the current local environment would replace or exclude any of the current fire response bodies, including agencies and volunteers. Each of these players contributes significant expertise and resources, whether structural, landscape or local, and of course, numerically. The key would be to establish an RFS in such a way that the repeated recommendations from recent fire inquiries and major incident reviews (MIR) that have been unfulfilled can at last be effectively addressed.

The objectives could include:

- Coordinate resources across agencies and regions to reduce bushfire risk at the landscape scale and around settlements
- Optimise the many working parts involved in fire response to minimize, or prevent where possible, losses of life, private and public assets and biodiversity values.
- Although the number of fire volunteers remains high in Western Australia, the numbers are declining as they are elsewhere in Australia<sup>4</sup>. An RFS would need to work with volunteer associations on strategies to attract and retain volunteers.

Feedback from members, as well as review of the Ferguson Report and key submissions to the Inquiry have provided a range of success criteria that could be used to evaluate the alternative models. These include:

- Locate it within a clear policy and legislative framework and based on best practice and developed through consultation, as discussed.
- Have a decentralised structure. It is noted that the Natural Resource Management catchment-based regional structure, as outlined in the DAFWA submission, provides an effective model already in place in regional WA.<sup>5</sup>
- Seek to develop a seamless operational fit with fire response agencies
- Be staffed primarily with experienced bushfire specialists with the culture and ability to work cooperatively with other players.

3. Ferguson Report p.12

4. WA has 1,121 emergency/fire volunteers/100k people, 145 higher than the Australian average. But this has declined markedly since 2005/06 when there were 1,324 volunteers/100k head of population in WA, according to the Productivity Commission's Report on Government Services 2016 Volume D: Emergency Services.

5. DAFWA submission to the Inquiry

- Have entry and mid-level roles for up-and-coming specialists to grow their skills and capacity to progress to senior roles.
- Have the power to create a common joint agreement for major bushfire incidents, negotiated with all relevant Unions and covering public sector IMT team members regardless of their employing agency. This needs to cover both L2 and L3 incidents as incidents can escalate rapidly. Industrial agreements need to remain consistent through the transitions, including to the recovery phase.
- Have a rigorous monitoring and evaluation framework.

In relation to some of the resource management issues that have been perennial 'wicked issues' in improving responses to major bushfire incidents over the last half a decade, any proposal to establish an RFS, would need to clearly demonstrate that it would be a factor in resolving this issue, rather than just adding further complexity and further sub-dividing limited financial resources.

### 3.3.2 Cultural differences

The different engagement models used by DFES and DPaW can be summed up as:

DFES has a centralised and top-down approach based on smaller, centrally managed IMTs, while DPaW has a decentralised, bottom up approach involving larger, more independent IMTs supported and coordinated regionally or centrally as needed. These differing approaches, interpretations and applications of AIIMS, coordination of roles and processes, different meeting rhythms and limited joint training and exercising, mean that the structures and arrangements are not optimally integrated.<sup>6</sup>

The Ferguson Report documents the positive feedback from other stakeholder that the DPaW IMT structure, which is open to including local knowledge and the respect for all stakeholders as active and valued contributors to the joint response<sup>7</sup>. It is also noted that multiple stakeholders report the current DFES model of a disciplined, rank-based chain of command based on seniority rather than experience as contributing to poor outcomes<sup>8</sup>.

An effective RFS has to be able to build strong, respectful and functional partnerships with other stakeholder to achieve its objectives.

### 3.3.3 Shared Resource Management System

Reference: Ferguson Recommendation 10

The lack of a shared resource management system with electronic tagging of all personnel, vehicles, plant and equipment has been identified as a priority issue in every major review and inquiry of the last eight years. Resource management is complex task and underpins many of the other IMT functions. It is particularly difficult in multi-agency joint responses. The issue remains in the 'too hard' basket and yet is vital to successfully managing incidents.

The potential for an RFS could be an opportunity to jointly identify, develop and implement a shared system if that intent is factored in from the beginning. If not, this could simply be a further complication.

Senior DPaW IMT senior officers, including Resource Unit Leaders, and DFES officers need to be involved in the assessment and evaluation of potential systems. Volunteer representatives also need to be consulted.

6. DPaW submission p.14

7. Ferguson Report p.12

8. Submissions by Forest Industries Federation WA, AVBFB, individual volunteer brigades and the CPSU/CSA

# Fuel Management and Fire Mitigation

## 4.1 Fuel Management and Mitigation Reference: Ferguson Report Recommendation 3 and 5

DPaW (and its predecessors) deals on average with around 1000 prescribed burns and bushfire incidents each year. In doing this DPaW draws on its 60+ years of research into the ecological role/impacts of fire and fire behaviour in WA. Despite some of the views put forward to the Inquiry, it is anticipated that DPaW will continue to have a significant role in fire management in terms of the conservation estate, State Forest and other lands under its management.

It is also realistic to anticipate that the complex mix of fuels and fuel ages on road reserves, other State and local reserves and private land will continue under the current inadequate system for at least the upcoming fire season. However, the anticipated conversation about an RFS and its role in fuel management is a suitable forum for examining this issue in its totality and a comprehensive and achievable pathway forward found. Some of the complexities and barriers identified by members are outlined in the following sections.

Resourcing bushfire fuel mitigation is key to managing risk across the landscape in a drying climate. This increases pressure on all fire responders: DPaW, DFES, FPC, local government staff and volunteers and feeds into issues with fatigue reported by fire responders.

DPaW secured additional funds of \$20M over four years through the Royalties for Regions program in 2015/2016 to meet additional overtime costs, acquisition & hire of plant & machinery, and additional 'seasonal personnel'<sup>9</sup> or 'contractors to assist with preparation and implementation of prescribed burns'<sup>10</sup>. The Ferguson Report states that DPaW has indicated that these resources will enable it to achieve the stated

## Recommendation 5

That Recommendation 5 of the Ferguson Report, which recommends simplified prescription processes for planned burns, is implemented.

9. DPaW submission to the Ferguson Inquiry p.16

10. DPaW submission to the Ferguson Inquiry p.17

strategic objective of maintaining a fuel age of less than 6 years across 45% of the landscape on DPaW managed forest areas of southwestern WA by the 2020/2021 fire season and thereafter be able to achieve the appropriate level of prescribed burning to maintain this level of fuel management.

The levels of fatigue and under-resourcing reported by CPSU/CSA members seriously challenge the Department's ability to achieve the target or maintain it based on the current numbers of staff.

## 4.2 Realistic Prescribed Burning Targets

Reference: Ferguson Report Recommendations 3 and 5

### 4.2.1 Targets

In DPaW's annual budget it states that more prescribed burns are planned than can actually be achieved to provide flexibility under the prevailing weather and fuel conditions. This framing deepens the perspective that the prescribed burning program falls further and further behind each year.

The department needs to give consideration to a meaningful measure that both accurately reports on progress towards the goal of 45% of its estate having a fuel age of 6 years or less and also avoids the potentially misleading perception that if not all planned burns are achieved, that this necessarily indicates a shortfall or backlog.

It is also noted that the level of risk reduction from prescribed burns cannot always simply be measured as hectares, or cost per hectare (as is currently reported) because of the high cost, high resource, low acreage burns around town-sites may be the highest priority. Complexities around protecting conservation resources may also impact.

### 4.2.2 Sufficient and available IMT members

The State is the major land manager in Western Australia. Yet there is no more than token allocation of resources to bushfire fuel management and mitigation.

As noted in our original submission<sup>11</sup>, rejected in other submissions<sup>12</sup> and in the Ferguson Report<sup>13</sup>, there are simply not enough individual DPaW or FPC staff available to fill all roles within the five preformed IMTs. This is the result of sustained under-resourcing of these functions over many years.

A short-term allocation of resources to DPaW without sufficient staff to fill the five preformed IMTs, and with inadequate intakes of staff to replace the current generational loss, is simply unacceptable and puts lives and communities at risk.

One solution proposed in the Ferguson Report is to establish a network of public sector workers who are enabled to take roles in IMTs.

To some extent this is already occurring with Forest Products Commission (FPC). On the other hand, the loss of IMT members with the separation of the former Department of Environment and Conservation to DPaW and the Department of Environmental Regulation (DER), and the barriers to DER staff continuing in IMT roles, demonstrate that this requires addressing in the overarching whole of government policy framework.

It is noted that this also applies within non-fire related roles within DFES, where CPSU/CSA members have indicated a willingness to support colleagues in roles, for example, in communications centres during fire incidents to provide shift relief.

11. CPSU/CSA submission to the Waroona Inquiry p.8 and p/13

12. FPC, DAFWA, Forest Industry Association, AWU and WALGA submissions and others.

13. Ferguson Report Rec 7 see also p.20 and p.132

These issues need to be addressed rather than remaining subject to piecemeal and ad hoc decisions by individual agencies with land management responsibilities. The Ferguson Report proposed the opportunity to create a network of public sector workers across a range of agencies. This issue is also linked to issues of fatigue and overwork in current IMT members, which is addressed in section 5.1.

#### 4.3 Emergency Services Levy

Reference: Ferguson Recommendation 17

It is further recommended that the current arrangements for the distribution and management of the Emergency Services Levy (ESL) be reviewed. Currently the levy is managed by DFES and funds DFES fire stations as well as volunteer fire, emergency services and marine brigades and services.

In the 2016/2017 State Budget, DFES reports an increase of \$18.4M in ESL income. The total ESL income is not reported. The budget also identifies that a total of \$7.133M that is specifically allocated for works for volunteer brigades. There is no other reporting on ESL expenditure so it can be reasonably assumed that the remainder of the increase and any other monies is directed towards DFES operational costs for both structural fires and bushfire response. The Productivity Commission reports that the WA Government was in receipt of \$289.7M in levies for Fire and SES in 2014/2015<sup>14</sup>. It is recognized that this total needs to encompass the entirety of the fire and emergency services in WA, but given the regular and increasing impact of rural fires, the current situation is in urgent need of review.

The Ferguson Report notes an obvious and unacceptable conflict of interest where the agency in charge of distributing the ESL funding is also the major recipient. There are no avenues current for ESL funding consideration for fuel management, which is clearly identified as the most significant protective factor in protecting life and assets in bushfire risk areas.

#### Recommendations

6. That an independent SEMC be the body for distributing and managing the Emergency Services Levy.

7. That the scope of expenditure of the ESL is extended to include contributing to priority bushfire fuel management and mitigation in multi-tenured priority hazard reduction zones around town-sites.

8. That there are specific and adequate budget appropriations for bushfire fuel management on public lands so that land managers, including local governments, DPaW and other agencies with land management responsibilities in rural areas have the resources necessary to meet fuel management targets. This should be linked to outcomes and efficiency indicators on bushfire fuel management.

14. Productivity Commission Report on Government Services 2016, Volume D: Emergency Management

#### 4.4 Resourcing a Rural Fire Service

The Ferguson Report recommends a review of a new RFS at the end of the second year.

The CPSU/CSA and its members believe that, should a decision be made to establish an RFS, it will take up to 10 years to fully establish the service and build robust, reliable ways of working.

Should an RFS be established, it should be supported by new positions specifically defined to meet the needs. The creation of an RFS should not simply deplete the existing agencies.

An RFS would face redeveloping a complex and to some extent dysfunctional system in a fragile environment and with a changing climate. The forest landscape is dominated by long-unburnt areas carrying heavy fuel loads and is bordered by an increasingly fragmented and expanding peri-urban front. It is also noted that mining activities can also add complexity to fire management, as it did in the Waroona fire, due to the large areas of jarrah forest between Collie and Jarrahdale that have been highly fragmented and the fine scale topography changed by mining operations.

At the two-year mark, a review should focus on progress towards having the systems and relationships in place to build a robust and functional service. It is too early to measure the outcomes, or to reasonably expect any reduction in the impact of major bushfire incidents.

To be effective, an RFS would require a 5-10 year time frame, with a monitoring and evaluation program that sets benchmarks appropriate to each stage and is assessed with an adaptive management approach that would be reviewed annually with major triennial reviews. This would make a significant contribution to the RFS's success.



# Improving Current Systems

Regardless of whether the State Government accepts or rejects the notion of a regional fire service, there are a number of issues with the current system that will need to be improved.

## 5.1 Fatigue, Overwork and Succession Planning Ferguson Report Opportunities for Agency Improvement 1, 2 and 19

Fire seasons in the southern half of WA extend from September to May. The safe windows for prescribed burns have narrowed. DPaW also conducts prescribed burning and suppression operations in the Kimberley, Pilbara and Goldfields during the northern dry season. Resources are also expected to be highly mobile across regions to achieve prescribed burning and manage bushfires.

At the same time, unions including the CPSU/CSA have raised concerns and provided evidence of significant fatigue and over-work issues across the fire season as a whole and in relation to long, complex major fire incidents.

Exhaustion impairs decision-making, both on the fire ground and in the aftermath. People are not permitted to work in a high risk environment while drunk and yet the current system results in workers undertaking critically important roles while suffering the same level of impairment.

In some instances over the 2014/2015 fire season, key officers in the Perth Hills/Swan Coastal Plain District individually worked or were on call for the equivalent of 57-88 weeks FTE during the 31 week fire season. In the Wellington District, some staff worked or were on call for the equivalent of 64 weeks during the same period<sup>15</sup>. These same staff then undertook additional fire duties during the remainder of the year through the prescribed burning program. It is understood that DPaW has fatigue management policies in place, however these are clearly in need of reconsideration.

A key reason for this level of overwork is that there are unfilled positions on all DPaW IMTs as exemplified by the fact that three of its most experienced, critically important fire personnel (including two ICs) have recently retired. The agency no longer has sufficient staff to fill the IMT roles. There are unfilled positions on all DPaW IMTs, leading to an increased burden on too few staff. This has arisen from the loss of positions from budget cuts, redundancies, retirements and the recently lifted recruitment freeze.

This follows a trend first established in the amalgamation of Districts approximately 15 years ago, which significantly reduced the number of staff while increasing the areas those staff were responsible for managing.

15.CPSU/CSA Supplementary submission to the Ferguson Inquiry

90% of DPaW and FPC members surveyed by the CPSU/CSA identified fatigue and overwork as a significant issue for IMT staff. This included, specifically:

- Understaffing (despite the addition of some additional fire-focused staff in the last two years).
- Intense workloads impacting on health and family life
- Flow on impacts on other duties as time is taken from people's primary role to respond to fire incidents
- The need for improved measures for tracking and managing fatigue during fire incidents (and more complex prescribed burns).

It is also noted that there have been significant impacts from job losses in DPaW's other Divisions including Science and Conservation, and Forest and Ecosystem Management and there is no evidence of effective succession planning in many areas, but particularly in this instance, fire sciences.

Further investment in building interagency IMTs may be part of the solution.

#### Recommendation 9

***That the Ferguson Report Opportunity for Agency Improvement 19 be extended to include the FPC in relation to their staff on interagency IMTs implemented and that DPaW and the FPC, their relevant staff and the relevant unions including the CPSU/CSA conduct a workload analysis with a view to identifying and implementing measures to reduce workloads to safe working levels.***



### 5.1.1 Staffing Levels

Recently, three of DPaW's most experienced, critically important fire personnel retired, including two who were L3 Incident Controllers on the preformed IMTs.

DPaW continues to struggle to fill the required roles in its fire IMTs, as discussed in our submission to the Ferguson Inquiry<sup>16</sup> and elsewhere in this submission.

### 5.1.2 Fatigue, Overwork and Related Issues

Ferguson Report Agency Opportunity for Improvement 19

The CPSU/CSA fully supports this opportunity, which identifies the need for DPaW, in consultation with its workforce and the relevant Unions to carry out a workforce workload analysis, with a particular emphasis workload and fatigue on employees involved in the fire program. This analysis should also include interagency IMT members, including FPC staff and DFES general services staff.

It is noted that the analysis should be bi-directional; it should assess the workload for current staff and IMT members and also include an analysis of the IMT strength needed to meet the prescribed burning targets.

The 90% of DPaW, DFES and FPC members who saw overwork and fatigue as a significant issue in related this to three scales:

- Acute fatigue and overwork during a fire incident
- Chronic fatigue over a fire season
- Chronic fatigue across the rest of the year.

Effective solutions require more than better rostering or more resources; it needs more permanent staff, consideration of fire capability in recruitment processes, sound succession planning and effective incentive and support programs.

Continued lack of attention to this issue will result those critical staff in the IMTs choosing to leave the industry or withdraw their service simply to conserve their own health and relationships.

### 5.1.3 Fire Incidents

It is acknowledged that the first shift responding to a major fire incident will need to work an extended shift, however, the IMTs need to be at full strength so that at least by the third day of a fire and beyond, that shifts are being properly rested and that shorter shift lengths are achievable. Low staffing levels means that staff listed as 'on call' are still being called to fire. This means that fatigued staff must remain ready to be called out, despite the cost to their own health and to their ability to function at the necessary level. The review of fire-related workload will need to address this issue in considering any subsequent negotiation in industrial agreements.

These issues affect all members of interagency teams, regardless of whether they are DPaW, FPC, DFES or other agency/sector or volunteers.

Also see comments under establishment of an RFS for additional relevant comments on harmonizing fire agreements and developing interagency IMTs.

16. CPSU/CSA submission p.5-6, 8-9 and 13

## Recommendation 10

That DPaW's Health and Safety Section, with support and input from the agency's OSH Committees, takes steps to review and improve its safety culture. This should include a greater role in monitoring fatigue issues and allocation of tasks, including review of IMT team rosters to ensure optimal alignment of skills and roles and to identify key training needs (class and field-based).

### 5.1.4 Fire Season

As previously noted the time spent at work, on overtime responding to fires or on call during the 31 week fire season can equate to the equivalent of a whole year of work/on-call commitment, or even significantly more.

With the loss of staff positions core duties and day to day work that is set aside by staff responding to fire incidents are not picked up by other staff. Post-incident many staff face significant workloads to catch up on their return to the office, exacerbating fatigue.

Without additional permanent staff, and better internal attraction and retention of IMT members, IMT members have few options to manage fatigue and overwork, particularly as seasonal and school holidays can add further pressures.

### 5.1.5 Whole of year impact

Prescribed burn planning, scheduling and implementation, workload backlogs and leave place pressure on the remaining 21 weeks of the year outside of the fire season.

The Ferguson Report notes that the Department believes that through the additional four years of Royalties for Regions funding, that the department can achieve highly ambitious prescribed burning targets by 2020/2021.

The fatigue and overwork issues make it clear that this is unachievable without a significant increase in the staff available to undertake the work.

## 5.2 Attraction and Retention

### 5.2.1 Protection from Litigation

Participation in IMTs, particularly in Incident Controller roles, brings enormous pressure to bear. Level 3 Incident Controllers work under extreme and extremely stressful conditions, making the best decisions and judgments they can in a highly dynamic, uncertain and dangerous situation.

Uncertainty about protection from litigation or prosecution for staff in senior roles continues to deter excellent candidates from taking on these roles. This is particularly pertinent with the retirement of two of the five Level 3 Incident Controllers in recent months. The uncertainty is further exacerbated by the growing trend for class actions for the recovery of uninsured losses in the wake of major fires.

This issue was raised in the recommendations arising from both the Boorabin and Margaret River fires and DPaW did initially respond by building specific advice to staff in pre-season briefings. This appears to have been discontinued.

### 5.2.2 DPAW Relocation to Bunbury

Any analysis of workload needs to consider the proposed relocation of DPaW's primary headquarters to Bunbury and the opportunities and impacts of the relocation on the staffing and response capabilities of the IMTs. This should include consideration of the potential unintended depletion of the agency's regional workforce in other towns, such as Manjimup.

### 5.2.3 Incentive Program

Following recommendations in the Keelty Report on the Margaret River Fire, an incentives program was established by DPaW, but abandoned after a year as unsuccessful without the department clarifying why it was deemed unsuccessful.

Since then there has been a further decline in staff engaging in IMT duties.

An incentives program needs to encourage staff to seek to broaden their skills to take on higher responsibilities but structured so that it actively discourages overwork and fatigue.

Consideration is also needed for an equitable pay structure across fire response agencies that reflects the risks and imposts of these roles. An incentives program would be part of this structure.

## Recommendation 11

That:

- a) The State Government clarify and confirm immunity from prosecution or litigation public sector workers operating in good faith in senior roles in IMTs from litigation or prosecution.
- b) The Department of Parks and Wildlife more effectively communicate this to staff and interagency IMT members in preseason briefings, IMT training and post incident review.

## Recommendation 12

That DPaW work collaboratively with its staff and the relevant Unions, including the CPSU/CSA, to develop an effective incentives program that rewards engagement and experience in IMTs and actively discourages overwork and fatigue.

### 5.3 Training: Technical Knowledge and Skills

Reference: Ferguson Report Opportunity for Improvement 14

There are clear and substantial differences between the strategies, tactics, skill set and equipment, including vehicle safety features and PPE needed for bushfires and those needed for structural firefighting. There are also substantial differences between bushfire firefighting in and around the metropolitan area and complex landscape scale bushfires in rural and regional areas.

The Ferguson Report recommended improvements to DFES training, but did not address the need for all agencies and volunteers involved in fire response to have access to appropriate training.

The commonality is that effective management of either bushfires or structural fires is built in part through well-grounded, best practice training and in large part through on-ground experience in mitigation works and mentoring. Both sets of skills also need to be able build respect and to speak a common language to allow for seamless integration.

The Ferguson report and many of the submissions to it recognized the importance of this need and the current gap.

Specific comments from members in relation to training include:

- Training for prescribed burning must be based on National Standards (an AFAC course is available but not currently used in WA). This would facilitate easier integration between agencies and with interstate firefighters
- In the absence of a nationally accredited training course, training must still be delivered and accessible, including to regionally based staff and to volunteers in a format that is meaningful.
- Competence in fire response for key support roles, whether prescribed burn or wildfire, only builds through experience and not training alone. Competence also needs to be maintained by regular working on fires.
- The level of skill and experience needed cannot be met through short-term contract employees or roles that were not filled following redundancies. This has seen the growing number of vacancies in IMTs classified as “to be filled as required”. The staff allocated to these roles during fire incidents have less experience either in total or in different landscapes and often struggle in these roles. For example, Wheatbelt-based IMT members need to build their experience with canopy fires to be effective contributors to forest-fire response. The agency needs to build its pool of permanent employees to fill its IMT roles.

### 5.4 Contracting of Firefighting

It is noted that in recent years that DPaW has engaged private firefighting contractors both for prescribed burning activities and during incidents<sup>17</sup>. The Union does not support this. Key factors against outsourcing of firefighting are:

- It is vitally important that senior fire management staff, regardless of agency, have the skills, knowledge and experience that can only be developed through extensive on-ground roles in both prescribed burns and in wildfires.
- Practical experience through lower risk prescribed burning operations is the key mechanism for DPaW to build and maintain its staff proficiency in bushfire management. Outsourcing to contractors reduces the in-field training opportunities for the next generation of fire managers.
- There is no accreditation program for contractors. Their skills and training, standards for PPE or equipment are all unknown. There is not the same level of oversight and therefore higher potential for corners to be cut, raising the risk of adverse outcomes.

17. Contracting arrangements are necessary and accepted for equipment such as water bombers, dozers and logistical needs such as catering. Forestry industry units also play a valuable role in fire response.

- The cost factor for bush firefighting contractors is prohibitively high. It reportedly cost \$100,000 to have one contract bush firefighting team and equipment on standby during the Waroona bush fire and their use has no net benefit for the agency.
- It is understood that appropriate indemnity insurance is not available in Australia and is an inhibitive cost that makes such contractors more expensive than public services.
- There are at least two examples where young people who wished to gain employment through Parks and Wildlife to develop a career in bush fire management have turned to other employment. Situations like this undermine the pool for succession planning.

It is noted that one contractor that has had various contracts with DPaW for 2000 hours of prescribed burning and over 1000 hours of bush fire response October 2014 and September 2015, is associated with an international bush fire management company.

In June 2016, the international company contracted to provide 300 South African bush firefighters to Alberta, Canada, to help control a major wild bush fire. The Canadian Government immediately terminated the arrangement when it realized that the bush firefighters were paid wages of \$200/month, plus a \$15/day allowance for their work in Canada with a further \$35/day to be paid on their return to South Africa. The Canadian Government took action to compel the company to pay all of its bush firefighters in line with Canadian labour laws<sup>18</sup>.

#### 5.5 Other agencies, Local Governments and community Reference: Ferguson Report Recommendation 3

The often-stated mantra is “if you own the land, you own the bush fire fuels’. Yet there are many barriers in the way of effective tenure-blind bush fire fuel management. These include:

- Complexity of tenure, fuel age and topography
- Lack of resources needed to plan and manage bush fire fuels at the landscape scale
- Lack of knowledge, understanding and experience by land managers, including private, commercial and public.
- Complexity of the planning process, especially for volunteer groups
- Average age of volunteer bush firefighters increasing and the number of active and able volunteers is declining in many areas.
- Lack of clear policy/guidelines on risk sharing
- Lack of resources for local governments to take on the expanding role expected of them

#### Recommendation 13

The Union does not support the use of contractors to replace IMT public sector roles or to replace IMTs.

18. <http://www.theglobalandmail.com/news/national/south-african-bush-firefighters-in-alberta-to-be-demobilized-over-pay-dispute/article30363833/>

This is a key issue to be addressed in the development of a comprehensive policy framework. These issues and their solutions need to be addressed at the landscape-scale, rather than asset-based, in recognition that no amount of fuel management will create a scorched earth ring of confidence that will completely mitigate bushfire risk.

Some solutions for consideration include:

- Development of adequately resourced, tenure-blind, landscape scale fuel management plans that have a legislative basis and integrated into the policy framework.
- Costed, resourced, community engagement programs based on successful models that have worked in comparable situations elsewhere in Australia and abroad and that use sound behaviour change principles to engage landholders to build knowledge, skills and confidence to act. This could also tap into existing networks such as landcare but MUST provide the resources needed.
- Recognition that the State is the majority land manager in many regional areas, regardless of the specific agency the land is vested in and therefore the State has a role in identifying and implementing a whole of government solution.
- Possible role for an RFS (should a decision be made to establish one) as a hub, working collaboratively with local governments, land managers and volunteers and expanding the scope for ESL funding to include fuel management in high risk zones
- Access to sufficient resources, personnel and expertise to carry out prescribed burns or other forms of fuel management (such as thinning for forestry plantations).
- Meaningful measures of bushfire risk and fuel management in rural, rural residential and peri-urban areas where the risk is highest and where positive outcomes cannot be measured by a simple yardstick such as percentage burned or average fuel age.
- A well-resourced program through State, Local and Association partners to recruit new volunteer firefighters and improve retention and activity rates. This should also look at identifying and addressing barriers to recruitment and retention, such as improving conditions, training and support available.

These issues give further weight to recommendation four of this submission on the essential need for a well-designed consultation process in relation to a RFS.

## 5.6 Aerial Reconnaissance

Reference: Ferguson Opportunity for Improvement 5

The Union fully supports the introduction of Infra-Red Linescan capability to the agency's aerial fleet, and the timely provision of the resulting images and data in a timely manner for planning and decision-making.

### Recommendation 14

That the State Government investigate options and allocates funding in the 2017/2018 budget for the introduction of Infra-Red Linescan capability for the start of the 2017/2018 fire season.

## 5.7 Arson in Rural Areas

The Ferguson Report notes that as well as the lightning that caused the Waroona-Yarloop fires, rural fires may also occur through either deliberate or accidental ignitions or other causes. In fact, deliberate ignitions were the cause of 50% of fires on DPaW land during the period 2012 – 2015 .

It is understood that currently, the WA Police Arson Squad's remit is the Perth Metropolitan Area, that local police stations in regional areas do not generally investigate arson in bushland areas. It is also understood that DFES' Fire Investigation and Analysis Unit does not have the resources to address suspicious fires in rural/regional areas. DPaW also has limited commitment or resources to investigate suspected arson on lands under its management.

Given the drying climate and current high fuel loads in vulnerable areas, there is a need for a rural arson investigation role with the appropriate powers to investigate and for a behaviour change program aimed at reducing fire-lighting behaviour in known individuals and in risk groups. Based on the principle of investing in prevention, consideration should also be given to extending programs such as the Juvenile and Family Fire Awareness (JAFFA) to regional areas.

### Recommendation 15

*That in developing a policy framework for bushfire risk management the State Government identifies options for improved resourcing of rural arson investigation.*



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