REPORT ON REVIEW OF ACT EMERGENCY	SERVICES
RESPONSES TO THE 2019-20 BUSHFIRE	SEASON

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

SEPTEMBER 2020

## THE COMMITTEE

## COMMITTEE MEMBERSHIP

Mrs Giulia Jones MLA Chair from 14 December 2016 to 22 March 2018 and from

2 November 2018

Member from 13 December 2016 to 22 March 2018

Re-appointed as member, 1 November 2018

[On 21 March 2018 the Assembly discharged Mrs Giulia Jones MLA from the Committee and appointed Ms Nicole Lawder MLA in her place (for the period 22 March 2018 to 17 September 2018)]<sup>1</sup>

Ms Elizabeth Lee MLA Chair from 22 March 2018 to 1 November 2018

Member from 13 December 2016 to 1 November 2018

Ms Bec Cody MLA Deputy Chair from 14 December 2016

Member from 13 December 2016

Ms Nicole Lawder MLA Member from 22 March 2018 (for the period 22 March 2018 to

17 September 2018)

Mr Chris Steel MLA Member from 13 December 2016 to 23 August 2018

Mr Michael Pettersson MLA Member from 23 August 2018 to 23 August 2019

Mr Deepak-Raj Gupta MLA Member from 23 August 2019

## **SECRETARIAT**

Mr Andrew Snedden Secretary

Dr Frieda Scott Senior Research Officer

Mrs Michelle Atkins Administrative Assistance

Ms Lydia Chung Administrative Assistance

<sup>&</sup>lt;sup>1</sup> ACT Legislative Assembly, *Minutes of Proceedings*, No. 51, 21 March 2018, pp. 738; *Hansard*, 21 March 2018, p. 839.

## **CONTACT INFORMATION**

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#### RESOLUTION OF COMMITTEE APPOINTMENT

The Legislative Assembly for the ACT appointed the Standing Committee on Justice and Community Safety on 13 December 2016.

Specifically, the resolution of 13 December 2016 establishing the Standing Committees of the 9<sup>th</sup> Asembly, as it relates to the Justice and Community Safety Committee states:

#### That:

- (1) The following general-purpose standing committees be established, and each committee inquire into and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community:
- ... (d) a Standing Committee on Justice and Community Safety to perform a legislative scrutiny role and examine matters related to community and individual rights, consumer rights, courts, police and emergency services, corrections including a prison, administrative law, civil liberties and human rights, censorship, company law, law and order, criminal law, consumer affairs and regulatory services;
- (4) Each general-purpose committee shall consist of the following number of members, composed as follows:
- ... (d) the Standing Committee on Justice and Community Safety:
- (I) two members to be nominated by the Opposition;
- (ii) two members to be nominated by the Government; and
- (iii) the Chair shall be an Opposition member;
- (5) Each committee shall have power to consider and make use of the evidence and records of the relevant standing committee during the previous Assembly.
- (6) Each committee be provided with necessary staff, facilities and resources.
- (7) The foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.<sup>2</sup>

<sup>&</sup>lt;sup>2</sup> ACT Legislative Assembly, *Minutes of Proceedings*, No. 2, 13 December 2016, pp. 13–16.

On 20 September 2018, paragraph (4) of this resolution was omitted and the following paragraph substituted:

- (4) Each general-purpose committee shall consist of the following number of members, composed as follows:
- (d) the Standing Committee on Justice and Community Safety:
- (i) one member to be nominated by the Opposition;
- (ii) two members to be nominated by the Government; and
- (iii) the Chair shall be the Opposition member.<sup>3</sup>

<sup>&</sup>lt;sup>3</sup> ACT Legislative Assembly, *Minutes of Proceedings*, No. 73, 20 September 2018, p.1028.

## TERMS OF COMMITTEE REVIEW

## REVIEW OF ACT EMERGENCY SERVICES RESPONSES TO THE 2019-20 BUSHFIRE SEASON

#### **BACKGROUND**

The Standing Committee on Justice and Community Safety has decided to carry out a review of the responses by ACT emergency services agencies to the unprecedented 2019-20 bushfire season in the Territory.

The Committee's review will be conducted under the Committee's general powers of inquiry into issues and events affecting all aspects of community safety in the ACT which were given to the Committee by the Assembly at the commencement of the 9th Assembly in 2017.

The Committee is conducting the review so the Legislative Assembly and the ACT community can have a discussion prior to the 2020-21 bushfire season on responses during the 2019-20 bushfire season from the start of the season. These responses range from preparation, education and public communication, to actions by agencies at the height of the bushfires over summer 2019-20.

The Committee will canvass the matters arising in 2019-20 with the emergency services agencies and is also asking for community views on all factors relating to the ACT's susceptibility to fire and how the impact of bushfire was and is to be mitigated.

The Committee sees several matters as important to its review:

Planning and coordination of programs to combat all aspects of the 2019-20 bushfire season

Things done well in preparation for and mitigating the effects of the 2019-20 bushfires

How major events in 2019-20 bushfire season were dealt with as a major ACT natural disaster – and the lessons learned for next season and following years.

The Committee plans to draw information from a variety of sources, and particularly will draw on the views of experts, emergency services agencies, the Government and the community, and especially those members of the community who contribute so much to agency efforts as volunteers and bushfire season personnel.

In addition, the Committee will draw on the results of the review of Emergency Services Agency experience in 2019-20 foreshadowed at the end of the bushfire season announced at the end of March 2020.

In addition, the Committee will have regard to findings and recommendations from the Royal Commission into National Natural Disaster Arrangements established on 20 February 2020 in response to the extreme nature bushfire season of 2019-20, and the resulting loss of life, property and wildlife and environmental destruction which is to report by the end of August 2020

## ACRONYMS AND ABBREVIATIONS

ESA	ACT Emergency Services Agency <a href="https://esa.act.gov.au/">https://esa.act.gov.au/</a>
IMT	Incident Management Team
UFU	United Firefighters' Union (ACT)
UDD	Urgent Duty Driving
Royal Commission	Royal Commission on National Natural Disaster Management <a href="https://naturaldisaster.royalcommission.gov.au/search?query=ACT+Government">https://naturaldisaster.royalcommission.gov.au/search?query=ACT+Government</a>
RFS	Rural Fire Service
2020 Senate Inquiry	Senate Finance and Public Administration Committee – inquiry  Lessons to be Learned in Relation to the Australian Bushfire Season 2019-20 <a href="https://www.aph.gov.au/Parliamentary">https://www.aph.gov.au/Parliamentary</a> Business/Committees/Senate/Finance and  Public Administration
2020 NSW Inquiry	NSW Bushfire Inquiry 2020 <a href="https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry">https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry</a>

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## RECOMMENDATIONS

#### RECOMMENDATION 1

5.1 Take decisive action on rolling out updated breathing apparatus for RFS to be in line with the information which has been available since 2006 in Australia that P2 particulate filtering is not adequate for firefighters.

#### RECOMMENDATION 2

5.2 Make the data regime transparent and consistent regarding the number of RFS and Fire and Rescue personnel who are engaged; those who are active volunteers and those who are available to work – so that this data is clear, consistent and comparable from year to year.

#### RECOMMENDATION 3

5.3 Implement a consistent and continual recruitment program in ACTF&R and RFS to ensure that there is appropriate succession planning and the maintenance of a pre-determined capability, not leaving any outcome of those available in a given season to chance.

#### RECOMMENDATION 4

5.4 Work with the strategic end in mind to recruit and train not just to competency but to proficiency more IMT controllers and members than needed so that there is a full complement of these personnel when required each and every bush fire season.

#### RECOMMENDATION 5

5.5 Select AIIMS level 2 and 3 incident trainees from personnel with significant on the ground fire fighting experience, and in the case of IMT managers for bushfire, those with years of significant experience in fighting bushfires, so that decisions emanating from a bushfire IMT are realistic and in tuned with the decision making on the ground

#### RECOMMENDATION 6

5.6 Discontinue training HR personnel and any other non-experienced on the ground personnel for IMT management roles.

#### RECOMMENDATION 7

5.7 That the Bushfire Council's TOR including a requirement to annually review the RFS strategic capability framework and training plan to ensure there are sufficient trained and experience personnel to cover both IMT and operational tasks during major bushfires.

#### RECOMMENDATION 8

5.8 AIIMS incident level 2 and 3 training courses to be offered outside of business hours and/or weekends to allow RFS volunteers to be able to attend and to achieve the necessary competencies.

#### RECOMMENDATION 9

5.9 To send RFS personnel, other than PCS staff, interstate to gain appropriate not just competency but to proficiency in IMT roles including IMT controller status

#### RECOMMENDATION 10

5.10 Improve the ability for RFS feedback to be taken seriously and to be implemented wherever possible, for volunteers to be treated as the professionals which they are and to be able to be more invested in the work that they are enthusiastic for so that they reach their full potentials and so that they are afforded the appropriate respect that the community expects.

#### RECOMMENDATION 11

5.11 An accountability method to be implemented when feedback from RFS personnel is not taken into account over a number of years so that there is some recourse, via an ombudsman or a supervising body to ensure that such feedback is both taken seriously and also acted upon

#### RECOMMENDATION 12

5.12 That the current round of "reset Meetings" with the RFS captains be turned into a two way dialogue intended to resolve the genuine workplace concerns that the RFS personnel have regarding the way in which they have been treated and that the ESA acknowledge the genuine nature of their concerns.

#### RECOMMENDATION 13

7.1 That the treatment of the RFS personnel be accurately evaluated and that improvements of the treatment of the RFS be resolved before the next bushfire season

#### RECOMMENDATION 14

7.2 That as a part of such an improvement that their genuine workplace issues not be trivialised and that they be provided with an occupationally healthy and safe work environment free of subjugation to other paid staff and with a full recognition of their skills and proper role under the Emergency Services Act 2004 as the first responders to bushfire.

#### RECOMMENDATION 15

7.3 That an investigation be conducted on how appropriate UDD training can become a regular feature of the training calendar each year and be delivered at times suitable to allow volunteers to attend.

#### RECOMMENDATION 16

7.4 That the government table in the Assembly the timetable of events which explains why UDD was suspended before a risk assessment had been completed.

#### RECOMMENDATION 17

7.5 That training in general be improved to the point that a strategic objective of an RFS force ready and trained to respond on the worst day we could expect is ready and operational each and every bushfire season as is the community's expectation.

#### RECOMMENDATION 18

7.6 That proper training be implemented and proper policies and procedures implemented so that in coming seasons the communication between the IMT and the Fire front decision makers be a two way conversation, with proper and detailed information exchange both on the strategic direction during each shift in the IMT, but also full respect and listening to the views of those on the fire ground throughout any decision making process creating a smooth flow of decisions in the IMT and actions on the fire ground.

#### RECOMMENDATION 19

7.7 That catering on the fire front and where all ESA personnel be deployed is equitable and extended to the RFS and its personnel.

#### RECOMMENDATION 20

7.8 That the government improve the assistance offered to those whose fences and properties were damaged during the fires, where possible repairing fences before withdrawing plant and equipment from the fire ground.

#### RECOMMENDATION 21

7.9 That the government work to widen the fire break as Namadgi National Park regrows so as to allow for a sufficiently wide and maintained fire break be between the park and the rural land holder neighbours of the park.

#### RECOMMENDATION 22

7.10 That fences, pastures, sheds and dwellings be acknowledged by the government as assets that were lost during the fires.

#### RECOMMENDATION 23

7.11 That roadblocks intended to stop the public do not block rural land holders from returning to their properties if they have a need to return.

#### RECOMMENDATION 24

7.12 That the government consider upgrading the data terminals in RFS vehicles to allow RFS members to log in and out of their wok to allow for improved situational visibility of personnel on the fire ground and deployed every shift.

#### RECOMMENDATION 25

7.13 That the government consider a system by which Rural land holders be compensated at least to 50% the cost of replacing fencing damaged during the firefighting efforts of the summer.

#### RECOMMENDATION 26

7.14 That recruitment into the RFS as well as across the ESA be aimed at having in particular a more broadly culturally and linguistically diverse group of new recruits in the coming years, as well as representing the whole community more broadly. This will only be achieved if very specific effort

is put in to promoting this form of service and employment directly to CALD communities and other diverse groups.

## 1 CONDUCT OF THE COMMITTEE REVIEW

#### TERMS OF COMMITTEE REVIEW

1.1 The terms of the JACS Committee review of responses by ACT agencies to the 2019-20 bushfire season are the start of the report, and are on the Committee website at:

https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety/review-of-act-emergency-services-responses-to-the-2019-20-bushfire-season#tab1537116-4id

#### INVITATION FOR SUBMISSIONS

1.2 The Committee advertised for invitations from the community, and subsequently invited a number of organisations and agencies whose views were important to the review. The invitation is also at: <a href="https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety/review-of-act-emergency-services-responses-to-the-2019-20-bushfire-season</a>

## SUBMISSIONS

- 1.3 The Committee received a total of 15 submissions for its consideration provide by individuals, organisations and government. The submissions are listed at, and may be accessed through: <a href="https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety/review-of-act-emergency-services-responses-to-the-2019-20-bushfire-season#tab1537116-2id</a>
- 1.4 Submissions are also listed in **Appendix A** to this report.

### **HEARINGS**

- 1.5 The Committee held 3 hearings which were public as follows:
  - Tuesday, 28 July 2020

- Tuesday, 11 August 2020
- Tuesday, 25 August 2020
- 1.6 Details of witnesses at these hearings are in **Appendix B** to this report.
- 1.7 Details are through the Assembly transcript and video link part of the inquiry website at:

  https://www.parliament.act.gov.au/parliamentary-business/incommittees/committees/standing-committees-current-assembly/standing-committee-onjustice-and-community-safety/review-of-act-emergency-services-responses-to-the-2019-20bushfire-season#tab1537116-4id

## COMMITTEE REPORT

1.8 The Committee met on 28 September 2020 to consider its report

# 2 REVIEW OF 2019-20 BUSHFIRE SEASON – ACT GOVERNMENT

### DESCRIPTION OF REVIEW

- 2.1 On 20 August 2020, the ACT Government tabled two reports relating to the 2019-2020 Bushfire season in the Legislative Assembly of the ACT. These were the Independent Report on the ACT Emergency Services Agency (ESA) Operational Review of the Bushfire Season 2019-20 ("the Operational Review") and the Report on the Review of Whole of ACT Government Coordination and Response during the 2019-20 Bushfire Season ("the WHoG Review").4
- 2.2 The Independent Report on the ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20 analysed the ESA's effectiveness in the four phases of its activities over the 2019-20 bushfire seasons namely: preparation, planning, response and recovery.5
- 2.3 Specifically, the Operational Review aimed to achieve four outcomes as follows:
  - to identify opportunities for the enhancement or establishment of cooperative partnerships (including inter-operability) to enhance bushfire management outcomes for the community;
  - to better understand ESA's strengths and residual risks in relation to its bushfire operational response and incident management capabilities;
  - to identify bushfire risk management priorities for the Territory; and
  - to develop an evidence base that informs future bushfire planning and response capabilities.<sup>6</sup>
- 2.4 The Operational Review looked at the operations of the ESA therefore 'it did not focus on the interface between the ESA and the ACT Government or with other parties except where it was directly relevant to the conduct of emergency management.'
- 2.5 Adopting a methodology from the Operational Review Framework of Emergency Management Victoria, the review is framed as a 'State Review Team'<sup>8</sup> and analysed territory-level (ESA ECC/IMT) and multi-agency (RFS, F&R, ACTAS and SES) activity for trends and lessons.<sup>9</sup>

<sup>&</sup>lt;sup>4</sup> ACT Government, Submission 15, p. 1.

<sup>&</sup>lt;sup>5</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 7.

<sup>&</sup>lt;sup>6</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 7.

<sup>&</sup>lt;sup>7</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 7.

<sup>&</sup>lt;sup>8</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 18.

<sup>&</sup>lt;sup>9</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 18.

- 2.6 The Operational Review employed various research methods including 'meta-analysis of existing internal ESA data and informational sources; document review; primary research interviews with participants (based on standardised 'semi-structured' interview format); and media and other open source data.'<sup>10</sup>
- 2.7 Specifically, the Operational Review established and scrutinised specific Measures of Performance (MOP) for each phase of the 2019/20 Bushfire season. According to the operational review, 'establishing MOPs helped determine progress relative to ESA's mission objectives, and end states; and in shaping relevant recommendations/guidance for improvement.'<sup>11</sup>
- 2.8 Meanwhile, the second report, the Report on the Review of Whole of ACT Government Coordination and Response during the 2019-20 Bushfire Season ("the WHoG Review") considered the ACT Government's coordination, response and recovery as it relates to the 2019-20 Bushfire Season.<sup>12</sup>
- 2.9 According to the WHoG Review's Terms of Reference:

The review will consider the effectiveness of:

- the coordination of the whole of government response, including the operational alignment of, and communication between:
  - the Security and Emergency Management Senior Officers Group (SEMSOG)
  - particularly in relation to its role as the Management Executive in support of the Emergency Controller.
  - o the Emergency Controller
  - the Incident Controller
  - the Emergency Coordination Centre including the role of Public Service
     Directorates and utility providers.
  - o the Public Information Coordination Centre, and
  - o individual Emergency services
- adherence to ACT Government emergency plans, procedures and protocols
- the legislative framework for emergency management in the ACT
- measures taken to alert and inform the community of bushfire risk and the whole of government response, including use of the emergency alert system and government websites
- measures taken to inform and support ACT rural land holders during the bushfire response

<sup>&</sup>lt;sup>10</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 19.

<sup>&</sup>lt;sup>11</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 19.

ACT Government, Report to the Minister for Police and Emergency Services on ACT Government Coordination and Response during the 2019-20 Bushfire Season, appendix A: Terms of Reference.

- measures taken to provide relief and recovery to ACT residents and persons displaced by bushfires in NSW during the bushfire response, including the planning for and activation of ACT Evacuation Centres
- cooperation and coordination with local, state and Commonwealth governments and agencies
- measures taken to protect the safety and wellbeing of first responders, and
- any related matter.<sup>13</sup>
- 2.10 Further, the WHoG Review's Terms of Reference stated the following regarding the report recommendations:
- 2.11 The review may make recommendations concerning opportunities to enhance the ACT Government's:
  - operational emergency management arrangements (including bushfire operational response, incident management capabilities, communications and community recovery)
  - emergency management coordination within the ESA, on a whole of government basis and with external stakeholders
  - cooperation and partnerships with local, state and Commonwealth governments and agencies, and
  - emergency management legislative and planning framework.<sup>14</sup>
- 2.12 Commissioned by the ESA Deputy Commissioner, the WHoG Review process involved submissions by members of the Security and Emergency Management Senior Officials Group (SEMSOG), interviews with relevant stakeholders and written documents review.<sup>15</sup>

## FINDINGS AND RECOMMENDATIONS

2.13 The Operational Review findings are positive, but the review also identified areas for improvement. As the report stated:

The ACT was well placed to respond to a high level of demand for bushfire resources with skilled and motivated personnel, and the necessary equipment and resources to respond to and extinguish bushfires where this was operationally feasible. It also had the capacity to respond to significant weather and storm events. It is noteworthy that 'business as usual' emergency response remained largely unaffected throughout the

<sup>&</sup>lt;sup>13</sup> ACT Government, Report to the Minister for Police and Emergency Services on ACT Government Coordination and Response during the 2019-20 Bushfire Season, appendix A: Terms of Reference.

ACT Government, Report to the Minister for Police and Emergency Services on ACT Government Coordination and Response during the 2019-20 Bushfire Season, appendix A: Terms of Reference.

<sup>&</sup>lt;sup>15</sup> ACT Government, Report to the Minister for Police and Emergency Services on ACT Government Coordination and Response during the 2019-20 Bushfire Season, p. 3.

season. There was a requirement to draw on external support from other states and the Commonwealth to respond to extreme circumstances, but this is an accepted and well-established practice across the Commonwealth. There is, however, a requirement to improve the capacity to establish and sustain an Emergency Coordination Centre (ECC), Incident Control Centre (ICC) and Public Information Coordination Centre (PICC) across multiple incidents over a protracted season.<sup>16</sup>

2.14 The Operational Review identified a total of 31 recommendations that are grouped under six key themes: capability, collective training and exercise, preparedness, personnel, planning and incident management.<sup>17</sup> Table 1 below provides a complete list of the recommendations.

Key theme	Recommendations
	The ACT SBCF should be complimented by a strategic approach to
Capability	preparedness that incorporates capability planning for mutual aid,
	enhancing the capability to source, deploy and command at the sector
	level and above, and arrangements to routinely share resources across
	states and draw on commonwealth assets.
	2. 'Other Resource Capability Activities' should be integrated into this
	approach in recognition of their significant enabling and inter-service
	capability.
	3. The strategic approach to preparedness should also address developing
	the capacity to innovate around advanced capabilities and adapt them to
	firefighting in a coherent and safe manner.
	4. Continue to develop a dedicated ACTAS cadre with specific training who
	can be extracted from BAU to support fire operations. It is recommended
	that specific training occur across ESA to allow staff to be extracted from
	BAU to support fire operations.
	5. Review ESA Fairbairn facility for "fit-for-purpose" of concurrent ECC and L3
	IMT (and identification of remedial or alternate facilities if required).
	6. Enhanced training or familiarisation for ESA senior L3 and L2 qualified staff
	on specialist and emergent bushfire fighting strategies and capabilities,
	including aviation operations (air attack, air base operations, surveillance
	and transport).
	7. Review RFS capability and ability to generate strike teams for bushfires in
	ACT and interstate, with a view to have more detailed standing
	deployment options for consideration by ESA IMT/ICs during Level 3
	incidents.
	ACT Government/EC/ECC/ICC/PICC interaction be enhanced through
Collective training and	additional briefings and scenario based 'table-top' planning exercises that
exercise	are linked to and inform annual emergency response exercises.

<sup>&</sup>lt;sup>16</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, p. 4.

<sup>&</sup>lt;sup>17</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, pp. 52-53.

Key theme	Recommendations
	2. Conduct an exercise annually against predicted scenarios involving ESA and
	all agencies for L3 incident response and the IMT establishment to
	improve: all hazards response; cross agency relationships and
	interoperability; and capability and skills maintenance and development for all staff.
	3. ESA conduct at least annual L3 incident exercises testing "non-standard"
	scenarios to develop contingencies and test SOP, including contractual
	support arrangements.
	4. RFS and F&R should complete pre-season training and preparedness
	activities with ESA and other services, including combined interstate
	deployments for L3 qualified ICs.
	1. Review RFS hazard reduction task allocations (including from BOP tasks
Preparedness	from PCS) to ensure adequate opportunities for professional development
	and skills maintenance.
	1. Review fatigue management systems for ESA (including RFS), and other
Personnel	support arrangements for volunteer staff in the ACT.
	2. RFS and SES reputation in ACT community and bushfire experience should
	be used by ESA to as a platform to build a volunteer support base and to
	provide a foundation for longer-term capability development.
	1. Review SES support to ESA/RFS incidents and further enhance deliberate
Planning	preparations, planning and training for staging area development and IMT
	requirements in support of bushfires.
	2. The annual planning review cycle be enhanced through additional briefings
	and scenario based 'table-top' planning exercises that are linked to and
	inform ECC response exercises.
	3. The ESA adopt a campaign approach to future fire seasons.
	4. Develop contingency plans for SES support to fires to cover when
	additional/multiple tasks emerge in response to other hazards or
	emergencies within specific SES remit.
	5. The ESA review the planning processes of the ECC to improve the way that
	active recovery arrangements are implemented during future
	emergencies.
	Review of ESA approach to Level 3 IMT structures and internal processes
Incident management	(planning, operations, intelligence, logistics) under AIIMS for suitability for
	all-hazards and multi-agency approach.
	Review all ESA and service level awards and different roster systems
	(including full time and volunteer staff conditions) to look for potential to
	align or combine during IMT operations.
	Review the development and application of a more deliberate and
	coordinated intelligence cycle within IMT planning function under AIIMS.
	Review AIIMS qualifications among F&R staff for IMT roles.

Key theme	Recommendations
	Continued integration and employment of both RFS and PCS officers into
	ESA IMT/IC roles and expanded opportunities for collaboration and
	combined leadership training between all ESA fire services (RFS, F&R) and
	ACT directorates with fire-fighting responsibilities (PCS).
	Enhance opportunities for interagency collaboration and leadership, to
	further develop ability of senior ESA officers from non-bushfire trained
	backgrounds (F&R, SES) to support ESA IMT structures and leadership response.
	Train a specialist cadre of ACTAS personnel to support IMT on dedicated roster.
	Review where the Health function best sits in AIIMS planning and IMT
	structures for Level 3 incidents.
	Consider a standing SES Operations Desk or permanent staff officer inside IMT Operations Cell.
	Consider IMT Operations and Plans LO's forward inside the staging area to assist SES Staging Area Manager with RSOI.
	After all major emergency incidents ESA should maintain IMT oversight
	for a reasonable timeframe to ensure effective and efficient tasking of
	resources against known and anticipated requirements.
	RFS core skills and experience and knowledge of ACT firegrounds should
	continue to be used for recovery operations.

Table 1. The Operational Review Recommendations. 18

2.15 Meanwhile, the WHoG Review provided a detailed examination of the whole of Government response to the 2019-20 Bushfire Season. While highlighting best practices, the review made a total of 35 recommendations around legislative changes, operational emergency management arrangements and coordination across the ACT ESA and across the ACT Government, local, state and Commonwealth agencies. Table 2 below provides a list of the recommendations from the WHoG Review.

Recommendation #	Recommendation
1	That Justice and Community Safety Directorate (JACS) lead a working group from across relevant organisations to undertake the five year review of the <i>Emergencies Act</i> in conjunction with a wholistic review of the Emergency Plan and relevant subplans; and recommendations from this review, to the extent they are accepted by Government. Bringing together a small Taskforce of staff from across government for a set period would assist the working group in delivering the work needed to address these and other recommendations.

<sup>&</sup>lt;sup>18</sup> ACT Government, ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20, pp. 52-53.

Recommendation #	Recommendation
2	The working group should report to SEMSOG on progress.
3	That the Emergency Plan be amended to include considerations for declaring a State of Alert or Emergency (and also wind back from these) and guidance as to what actions and decisions at a minimum should be taken as a consequence of such a declaration.
4	The working group (Rec 1) should include relevant stakeholders deciding collectively what the declaration might mean for such things as sub and supporting plans and the relevant community messages and calls to action.
5	The working group (Rec 1) should include relevant stakeholders deciding collectively what the declaration might mean for such things as sub and supporting plans and the relevant community messages and calls to action.
6	In collaboration with other jurisdictions the ACT share the learnings for this bushfire event and work to officially embedded values officers and RRATs as key elements of bushfire response.
7	EPSDD and ESA work together to develop values officer training and accreditation.
8	The Emergency Plan be amended to better reflect the intent of the <i>Emergencies Act</i> in the establishment of a Management Executive, separate to SEMSOG, on the appointment of an EC. It should describe the role of SEMSOG and the Management Executive as distinct in the emergency management architecture.
9	That when determining their Management Executive, at a minimum the EC should consider appointing Director-General JACS and the PIC as standing members.
10	An opportunity to exercise and test the formation and functioning of a Management Executive through desktop and/or limited scenario-based exercises be provided.
11	The Government consider amendments to the <i>Emergencies Act</i> to include provision for a Deputy ESA Commissioner.
12	The Emergency Plan and ECC Ops Plan be amended to better articulate the delivery of emergency management vs the delivery of the emergency plan. The Plan should facilitate principles for emergency management and clear role delineations whilst allowing flexibility in how the mechanisms are structured.
13	The role, level, requirements and expectations of an ECC LO be clarified in the Emergency Plan and ECC Ops Sub-plan.
14	All organisations who have a role in the ECC should review their existing arrangements to ensure there is a sufficient cohort of staff to maintain a presence in the ECC at a level and with an imprimatur sufficient to make decisions and allocate resources and have access to senior executive levels if needed.
15	Any changes to the ECC structure and role be exercised both within ESA and across a WHoG exercise and testing program.
16	ACT Government continues to develop the concept for an ACT specific emergency app whilst also using national coordination mechanisms to support an affordable nationally standard all-hazards mobile app.
17	Continue to explore options in the short term to improve the functionality and relationship with NSW RFS 'Fires Near Me' with respect to ACT specific information before the 2020-21 bushfire season.

Recommendation #	Recommendation
18	The ESA hold bi-lateral executive level meetings with the utility providers on a regular basis in consultation with other relevant Government stakeholders.
19	Concurrent and/or non–standard emergencies such as energy supply impacts be included in future exercise programs.
20	The BFC Terms of Reference be reviewed to ensure they are contemporary and reflect learnings from this and recent bushfire seasons.
21	Efforts be increased to build trust, confidence and a common operating picture across PCS and RFS and seek mechanisms that identifies RFS and PCS as equitable partners in delivery of fire management across the territory.
22	Review, refine and implement the joint ESA/EPSDD Arrangement for Fire Management in the ACT with the previous recommendation in mind.
23	Government give consideration to investment in professional specialities such as fire behaviour analysts, airbase managers, aerial firefighting technical specialists etc for the RFS.
24	Consideration be given to developing alternate website contingency in the event of a critical failure and an assurance review across all community facing Government websites.
25	The CCIP be reviewed in conjunction with the review of the Emergency Plan and the two synchronised. A workable approach to delivering operational emergency communications and strategic WhoG communications is developed with simple and clear reporting arrangements.
26	Establish a Communications Working Group (CWG) with representatives from across key Directorates (CMTEDD, ESA, ACT Policing, Health, CHS, EPSDD for example) to review the CCIP and to further identify how the CCIP can be best implemented and utilised. The CWG should report its progress though SEMSOG and coordinate with other WG's. Bringing together a small Taskforce of staff from across government for a set period would assist the working group in delivering the work needed to address these and other recommendations.
27	The PICC be exercised in conjunction with any and all Emergency Plan exercises to test and refine strengthened arrangements.
28	The ESA Community Education and Engagement program be adapted to include an expanded role for RFS volunteers and include a wider set of stakeholders who are more vulnerable to the impact of bushfire. A plan would require wider involvement across stakeholder organisations such as Directorates who have existing relationships with vulnerable groups.
29	ACT Government undertake a detailed legislative review to ensure that information regarding vulnerable community members can be appropriately accessed, provided and used during an emergency event.
30	NDIA be engaged in regard to information sharing in emergencies as part of the above actions.
31	A Relocation and Evacuation working group be established from stakeholder organisations to consider and develop an Evacuation and Relocations Sub-Plan. The Sub-Plan should consider the lessons learned this year and address principles, lead agency, WHoG coordination, trigger points etc. This could be the same working group formed for reviewing the Emergencies Act, Plan and subplans
32	WHoG desktop exercise should be conducted to test and support relocation and evacuation planning.

Recommendation #	Recommendation
33	Emergency Plan and Recovery sub-plans should be amended to better define recovery mechanisms and responsibilities, including hand over points to recovery authorities and community engagement for the delivery of long-term recovery mechanisms.
34	Government consider an alternative funding arrangement for extraordinary costs borne by Government agencies in combating emergencies such as bushfires.
35	Government consider adopting a similar model to NSW for the management of emergency costs and reimbursements within ACT Government agencies.

Table 2. The WHoG Review Recommendations. 19

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Adapted from ACT Government, Report to the Minister for Police and Emergency Services on ACT Government Coordination and Response during the 2019-20 Bushfire Season, pp. 5-33.

# 3 OTHER REVIEWS OF 2019-20 BUSHFIRE SEASON

## COMMONWEALTH - ROYAL COMMISSION INTO NATIONAL NATURAL DISASTERS ARRANGEMENTS

- 3.1 The Royal Commission into National Natural Disasters Arrangements (RCNNDA) was established on 20 February 2020 in response to the extreme 2019-20 bushfire season. <sup>20</sup> Sometimes referred to as the "Bushfire Royal Commission", this Commission consists of three Royal Commissioners: Air Chief Marshal Mark Binskin AC (Retd) (Chair of the Commission), the Honourable Dr Annabelle Bennett AC SC and Professor Andrew Macintosh.
- 3.2 The Commonwealth Letters Patent for the Royal Commission, the official documents used to establish the Royal Commission and appoint the Commissioners, outlines the terms of reference for the Royal Commission.<sup>21</sup>
- 3.3 As stated in the Letters Patent, the scope of the Royal Commission's inquiry and issues to consider are as follows:
  - a. the responsibilities of, and coordination between, the Commonwealth and State,
     Territory and local Governments relating to preparedness for, response to, resilience to,
     and recovery from, natural disasters, and what should be done to improve these
     arrangements, including with respect to resource sharing;
  - b. Australia's arrangements for improving resilience and adapting to changing climatic conditions, what actions should be taken to mitigate the impacts of natural disasters, and whether accountability for natural disaster risk management, preparedness, resilience and recovery should be enhanced, including through a nationally consistent accountability and reporting framework and national standards;
  - c. whether changes are needed to Australia's legal framework for the involvement of the Commonwealth in responding to national emergencies, including in relation to the following:

<sup>&</sup>lt;sup>20</sup> Royal Commission into National Natural Disaster Arrangements, *Terms of Reference*, <a href="https://naturaldisaster.royalcommission.gov.au/about/terms-reference">https://naturaldisaster.royalcommission.gov.au/about/terms-reference</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>21</sup> Royal Commission into National Natural Disaster Arrangements, *Terms of Reference*, <u>https://naturaldisaster.royalcommission.gov.au/about/terms-reference</u>, accessed 14 September 2020.

- thresholds for, and any obstacles to, State or Territory requests for Commonwealth assistance;
- ii. whether the Commonwealth Government should have the power to declare a state of national emergency;
- iii. how any such national declaration would interact with State and Territory emergency management frameworks;
- iv. whether, in the circumstances of such a national declaration, the Commonwealth Government should have clearer authority to take action (including, but without limitation, through the deployment of the Australian Defence Force) in the national interest;
- d. any relevant matter reasonably incidental to a matter referred to in paragraphs (a) to (c).

AND We direct you to make any recommendations arising out of your inquiry that you consider appropriate, including recommendations about any policy, legislative, administrative or structural reforms.

AND We direct you, for the purposes of your inquiry and recommendations, to have regard to the following matters:

- e. the findings and recommendations (including any assessment of the adequacy and extent of their implementation) of other reports and inquiries that you consider relevant, including any available State or Territory inquiries relating to the 2019-2020 bushfire season, to avoid duplication wherever possible;
- f. ways in which Australia could achieve greater national coordination and accountability
   through common national standards, rulemaking, reporting and data-sharing with respect to key preparedness and resilience responsibilities, including for the following:
  - i. land management, including hazard reduction measures;
  - ii. wildlife management and species conservation, including biodiversity, habitat protection and restoration;
  - iii. land-use planning, zoning and development approval (including building standards),
     urban safety, construction of public infrastructure, and the incorporation of natural
     disaster considerations;

g. any ways in which the traditional land and fire management practices of Indigenous Australians could improve Australia's resilience to natural disasters.

AND We further declare that you are not required by these Our Letters Patent to inquire, or to continue to inquire, into a particular matter to the extent that you are satisfied that the matter has been, is being, or will be, sufficiently and appropriately dealt with by another inquiry or investigation, or a criminal or civil proceeding.

AND, without limiting the scope of your inquiry or the scope of any recommendations arising out of your inquiry that you may consider appropriate, We direct you, for the purposes of your inquiry and recommendations, to consider the following matters, and We authorise you, as you consider appropriate, having regard to the date by which you are required to submit your final report, to take (or refrain from taking) any action arising out of your consideration:

- h. the need to establish mechanisms to facilitate the timely communication of information, or the furnishing of evidence, documents or things, in accordance with section 6P of the Royal Commissions Act 1902 or any other relevant law, including, for example, for the purpose of enabling the timely investigation and prosecution of offences:
- i. the need to establish appropriate arrangements for information-sharing in relation to any other inquiries or reviews, in order to support concurrent inquiries or reviews as well as your own, in ways consistent with relevant obligations, and in ways that avoid unnecessary duplication, improve efficiency and avoid unnecessary trauma to witnesses.<sup>22</sup>
- 3.4 Initially the Royal Commission reporting date was 31 August 2020, but in July 2020 the Letters Patent was amended to extend the reporting date to 28 October 2020.<sup>23</sup>
- 3.5 As at mid-September 2020, the Royal Commission has conducted three hearing blocks electronically with the fourth hearing block to start in the week of 21 September.<sup>24</sup>
- 3.6 The Bushfire Royal Commission received a total of 1,772 submissions since 20 March 2020.<sup>25</sup> Out of the total number of submissions, 1,339 of them were from individuals.<sup>26</sup> Appendix C

<sup>25</sup> Royal Commission into National Natural Disaster Arrangements, *Summary of Submissions*, https://naturaldisaster.royalcommission.gov.au/submissions/summary-submissions, accessed 14 September 2020.

Royal Commission into National Natural Disaster Arrangements, Commonwealth Letters Patent – 20 February 2020, <a href="https://naturaldisaster.royalcommission.gov.au/publications/commonwealth-letters-patent-20-february-2020">https://naturaldisaster.royalcommission.gov.au/publications/commonwealth-letters-patent-20-february-2020</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>23</sup> Royal Commission into National Natural Disaster Arrangements, *Terms of Reference*, <a href="https://naturaldisaster.royalcommission.gov.au/about/terms-reference">https://naturaldisaster.royalcommission.gov.au/about/terms-reference</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>24</sup> Royal Commission into National Natural Disaster Arrangements, *Hearings*, https://naturaldisaster.royalcommission.gov.au/hearings, accessed 14 September 2020.

<sup>&</sup>lt;sup>26</sup> Royal Commission into National Natural Disaster Arrangements, Summary of Submissions, <a href="https://naturaldisaster.royalcommission.gov.au/submissions/summary-submissions">https://naturaldisaster.royalcommission.gov.au/submissions/summary-submissions</a>, accessed 14 September 2020.

provides a list of submissions that are sourced from the ACT. The list includes submissions from the ACT Government, the ACT Policing and the ACT Climate Change Council.

## SENATE COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION 2020

- 3.7 The inquiry into lessons to be learned in relation to the preparation and planning for, response to and recovery efforts following the 2019-20 Australian bushfire season is an inquiry by the Senate's Finance and Public Administration References Committee that started on 5 February 2020.<sup>27</sup>
- 3.8 This inquiry's Terms of Reference stated:
- 3.9 That the following matter be referred to the Finance and Public Administration References Committee for inquiry and report by the last sitting day in 2021:
- 3.10 Lessons to be learned in relation to the preparation and planning for, response to and recovery efforts following the 2019-20 Australian bushfire season, with particular reference to:
  - a) advice provided to the Federal Government, prior to the bushfires, about the level of bushfire risk this fire season, how and why those risks differed from historical norms, and measures that should be taken to reduce that risk in the future:
  - b) the respective roles and responsibilities of different levels of government, and agencies within government, in relation to bushfire planning, mitigation, response, and recovery;
  - the Federal Government's response to recommendations from previous bushfire Royal Commissions and inquiries;
  - d) the adequacy of the Federal Government's existing measures and policies to reduce future bushfire risk, including in relation to assessing, mitigating and adapting to expected climate change impacts, land use planning and management, hazard reduction, Indigenous fire practices, support for firefighters and other disaster mitigation measures;
  - e) best practice funding models and policy measures to reduce future bushfire risk, both within Australia and internationally;
  - existing structures, measures and policies implemented by the Federal Government, charities and others to assist communities to recover from the 2019-20 bushfires, including the performance of the National Bushfire Recovery Agency;
  - g) the role and process of advising Government and the federal Parliament of scientific advice;

<sup>&</sup>lt;sup>27</sup> Parliament of Australia, Lessons to be learned in relation to the Australian bushfire season 2019-20, https://www.aph.gov.au/Parliamentary\_Business/Committees/Senate/Finance\_and\_Public\_Administration/Bushfirerecovery, accessed 14 September 2020.

- h) an examination of the physical and mental health impacts of bushfires on the population, and the Federal Government's response to those impacts; and
- i) any related matters.<sup>28</sup>
- 3.11 The inquiry received a total of 144 submissions and as at mid-September there were five public hearings conducted for this inquiry.<sup>29</sup> Appendix C provides a list of submissions from the ACT.
- 3.12 As stated in the above Terms of Reference, the reporting date for the inquiry is the last sitting day in 2021.

## **NSW Bushfire Inquiry 2020**

- 3.13 On 30 January 2020, the NSW Government commissioned an independent expert inquiry into the 2019-20 bushfire season. The six-month inquiry was led by Dave Owens APM, former Deputy Commissioner of NSW Police, and Professor Mary O'Kane AC, Independent Planning Commission Chair and former NSW Chief Scientist and Engineer. They reviewed the causes of, preparation for and response to the 2019-20 bushfires.<sup>30</sup>
- 3.14 The Terms of Reference for the Inquiry were as follows:
- 3.15 The Inquiry is to consider, and report to the Premier on, the following matters.
  - 1. The causes of, and factors contributing to, the frequency, intensity, timing and location of, bushfires in NSW in the 2019-20 bushfire season, including consideration of any role of weather, drought, climate change, fuel loads and human activity.
  - 2. The preparation and planning by agencies, government, other entities and the community for bushfires in NSW, including current laws, practices and strategies, and building standards and their application and effect.
  - 3. Responses to bushfires, particularly measures to control the spread of the fires and to protect life, property and the environment, including:
    - immediate management, including the issuing of public warnings
    - resourcing, coordination and deployment

<sup>&</sup>lt;sup>28</sup> Parliament of Australia, *Terms of Reference*, https://www.aph.gov.au/Parliamentary Business/Committees/Senate/Finance and Public Administration/Bushfirereco very/Terms of Reference, accessed 14 September 2020.

<sup>&</sup>lt;sup>29</sup> Parliament of Australia, Public Hearings, https://www.aph.gov.au/Parliamentary Business/Committees/Senate/Finance\_and\_Public\_Administration/Bushfirerecovery/Public\_Hearings, accessed 14 September 2020.

<sup>&</sup>lt;sup>30</sup> NSW Government, NSW Bushfire Inquiry, <a href="https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry">https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry</a>, accessed 14 September 2020.

- equipment and communication systems.
- 4. Any other matters that the inquiry deems appropriate in relation to bushfires.

AND to make recommendations arising from the Inquiry as considered appropriate, including on:

- 5. Preparation and planning for future bushfire threats and risks.
- 6. Land use planning and management and building standards, including appropriate clearing and other hazard reduction, zoning, and any appropriate use of indigenous practices.
- 7. Appropriate action to adapt to future bushfire risks to communities and ecosystems.
- 8. Emergency responses to bushfires, including overall human and capital resourcing.
- 9. Coordination and collaboration by the NSW Government with the Australian Government, other state and territory governments and local governments.
- 10. Safety of first responders.
- 11. Public communication and advice systems and strategies.<sup>31</sup>
- 3.16 The NSW Bushfire Inquiry received a total of 1,967 submissions. However, it only published 909 submissions.<sup>32</sup> According to the Inquiry website, while the Inquiry considers all submissions, it decides not to publish submissions that 'have not provided express consent to publish and contain statements that may be defamatory to another party, or are likely to offend, insult, humiliate or intimidate'.<sup>33</sup> For a list of submissions to the inquiry from the ACT, please see Appendix C.
- 3.17 The Inquiry process also included a total of 16 community meetings.<sup>34</sup>
- 3.18 The Final Report of the NSW Bushfire Inquiry was released on 31 July 2020. The comprehensive report made 76 recommendations.<sup>35</sup>

<sup>&</sup>lt;sup>31</sup> Dave Owens APM and Mary O'Kane, *Final Report of the NSW Bushfire Inquiry 2019-20*, p. 1, <a href="https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf">https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>32</sup> NSW Government, *NSW Bushfire Inquiry*, <a href="https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry">https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>33</sup> NSW Government, *NSW Bushfire Inquiry*, <a href="https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry">https://www.nsw.gov.au/nsw-government/projects-and-initiatives/nsw-bushfire-inquiry</a>, accessed 14 September 2020.

<sup>&</sup>lt;sup>34</sup> Dave Owens APM and Mary O'Kane, Final Report of the NSW Bushfire Inquiry 2019-20, p. xxi, https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf, accessed 14 September 2020.

Dave Owens APM and Mary O'Kane, Final Report of the NSW Bushfire Inquiry 2019-20, pp. vii-xx, <a href="https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf">https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/NSW-Bushfire-Inquiry-1630/Final-Report-of-the-NSW-Bushfire-Inquiry.pdf</a>, accessed 14 September 2020.

## **4** COMMITTEE REVIEW

## A BRIEF HISTORY

- 4.1 The ACT and its residents have a heightened concern about bushfire threats and preparedness. There is a responsibility on the ACT Government, who has custodianship of the control, recruitment, training and resourcing of our firefighting personnel and equipment, to know and learn lesson from the past and improve for the future. The community rightly has high expectations that decisions about bushfire threats and preparedness will always be in the best interests of the community's lives, properties and environment.
- 4.2 Until the 2019-20 bushfire season, the 2003 bushfires were the ACT's most recent and devasting fires, causing widespread impact on our city and its people. There were a number of failings during this period resulting in lessons learnt and recommendations for future improvements, many of which are detailed in the follow reports:
  - McLeod Report 2003;
  - Maria Doogan Coronial Inquiry Report; etc.
- 4.3 The immediate aftermath of these fires saw changes to our bushfire preparedness, and the ACT has enjoyed a period of relative calm since 2003.

## 2019-20 BUSHFIRE SEASON

- 4.4 The 2019-20 bushfire season was the first major city-wide impacting bushfire season for the ACT since 2003 and saw other significant weather occurrences across the season.
- 4.5 The preparation for the season each year can be broken down into four broad categories:
  - 1. **Community** public education and communications to build community awareness in how to respond and prepare to the possible threats during the bushfire season
  - ACT Community Fire Units (CFU) and ACT State Emergency Service (SES) broad community trained volunteers
  - 3. ACT Rural Fire Service (RFS) both to fight fires and lead bushfire responses
  - 4. **ACT Emergency Services Agency's (ESA)** the Agency's readiness and preparation for a whole of agency or whole of government response
- 4.6 The feedback which the committee has received from various sectors of the community, in the form of submissions and conversations both formal and informal lead to the conclusion that for a variety of reasons some of these areas were better ready and better coordinated than others.

- 4.7 The community feedback and evidence that the committee has received suggests that from the list above points 1 and 2 were well prepared and that points 3 and 4 could be improved.
- 4.8 Given the vastly different experiences of those with internal experiences (such as working with the ESA or on the ground fighting fires) versus the experience of the public without these experiences, the committee will focus on the public communications and the internal operational responses separately.

#### PUBLIC COMMUNICATION - ACT AGENCIES

- 4.9 The genuine feedback which has clearly come through from the public is that those community members who were interested in being informed across the season were very grateful for the constant and reassuring public statements and updates by the Government and ESA Commissioner. Those connected to the ESA social media accounts were kept well informed and provided with up to date detailed information. Those connected through local news, such as 666 ABC Radio and ABC News24 television, were given proactive and informative updates. Despite a disruptive and concerning outage of the ESA website for serval hours, the information available on the website was generally consistent and informative.
- 4.10 The committee notes that this is in contrast to the lack of information available to the public during the 2003 fires.
- 4.11 The Commissioner and her staff are to be congratulated for the tireless work around the clock to keep the community informed through these means. It is considered a marked difference in this emergency as opposed to others before. There has also been a heightened community awareness of the ESA's social media and website presence as a source of true and correct information. That is a genuinely strong and positive outcome of the season.
- 4.12 Assistance for people evacuating from the coast over the Christmas and new year period:
- 4.13 The committee naturally did not receive a great deal of feedback on the operation of the recovery centres during the mass evacuation from the coast after the Christmas and new year period, however all committee members who visited and observed these facilities in operation were most impressed by the attendance of all sorts of organisations. As well as the capacity for pets to be minded and people to be networked into various accommodation options. The committee commends all in government and the community sector who made these facilities function and truly helpful for travellers in a difficult situation.
- 4.14 The committee also commends the work of the Facebook groups rallying support during this season, engaging the community in spontaneous and direct assistance to people of the coastal regions most impacted by the same fires. and including encouraging and volunteering and who also swung into action connecting generous members of the public with those seeking shelter,

or a stopover or a chat and refreshments. No doubt these spontaneous community outpourings of generosity will have assisted many people to get through a very difficult time.

#### INTERNAL OPERATIONS - ACT AGENCIES

#### ROLE AND FUTURE OF THE RFS:

- 4.15 There is a concern amongst RFS personnel that their role is being slowly undermined and there may not be a future for the RFS in the ACT. In evidence received by the Committee there seems to be a number of issues to be resolved to show the Government's commitment to the RFS ACT.
- 4.16 In particular, what role does the Minister and the ESA Commissioner see for the RFS ACT in the future?

Mr Mayo: I thank the committee for the opportunity. The overall question at the heart of my submission is: did we deliver the best possible outcome for Canberra and the nearby New South Wales communities that were impacted? I did want to state at the start, in the strongest possible terms, that my submission, my comments and my questions are not about trying to attribute blame. Individually we all need to step back from defending our actions and let others independently review and evaluate the fire response so that collectively we can better be prepared when the next big fire starts. We do not know when that next big fire will be but there are some things that we can reasonably expect to occur.<sup>36</sup>

4.17 The Emergencies Act suggests that the role is:

Part 4.3 The rural fire service

- 51 Establishment of rural fire service The ACT Rural Fire Service is established.
- 52 Functions of rural fire service
- (1) The main function of the rural fire service is to protect and preserve life, property and the environment from fire in rural areas.
- (2) In exercising the function, the rural fire service is responsible for—

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<sup>&</sup>lt;sup>36</sup> Mr Garry Mayo, Transcript of Evidence, 28 July 2020, p1.

- (a) operational planning for fire response in rural areas, including fire preparedness; and
  - (b) fire response in rural areas, other than for a fire that is in a building and at which a member of the fire and rescue service is present.
- 4.18 The Committee heard further evidence that some members of the RFS found it confusing that ACT Parks and Conservation are categorised as a brigade of the RFS ACT under the Act. The confusion arises because, ACT legislation indicates that the RFS including Parks and Conservation, are our first responders to bushfires. Volunteers felt they were not at the forefront of the operational and IMT tasks and decision making
- 4.19 This summer, based on evidence heard by the Committee the RFS ACT, apart from the ACT parks and Conservation, were not at the fore front of operational tasks nor IMT decision making seemingly making their perception valid.
- 4.20 In evidence provided to the Committee, some members of the RFS ACT commented they felt their decision making and deployment on tasks were disregarded, disagreed with or simply ignored. They felt they were then deployed on seemingly meaningless and time-wasting tasks according to their experience and training.
- 4.21 There are a number of experiences in which the RFS personnel were made very aware that decisions were not theirs to make and they were considered to be subservient to and inferior to other services, even though the Emergencies ACT is very clear that the RFS is our preeminent bushfire fighting force.
- 4.22 Further, RFS ACT teams who were deployed into NSW and other jurisdictions appeared to be given a lot more autonomy and responsibility which many members felt were in contrast to their service in the ACT.

#### COMMITEE COMMENT

- 4.23 The Committee is of the view that there needs to be more work within the ESA to ensure that morale is improved. This matter needs to be resolved, honestly and openly with the RFS and the broader community.
- 4.24 The Committee received consistent evidence from RFS personnel that they felt they were already being treated in this way. They felt they were not being provided with enough support from the ESA to ensure that training was up to date and that each summer the RFS was trained and ready for the role they play in protecting the ACT from bushfire.

#### TREATMENT OF VOLUNTEERS:

4.25 Flowing on from the above point regarding the role and responsibility of the RFS, is the matter of clear and consistent treatment which includes meeting the expectations of RFS volunteers in both tasking and general treatment by other ESA members and management this past bushfire season.

It is a huge commitment by volunteers and one that is valuable to the community both logistically and in the salary savings that accrue from volunteering. Yet volunteer members have, over the last few years, seen a lack of support at higher levels.

Acknowledgement is often passing and ephemeral. Volunteers' views are rarely sought and, when they are offered, largely ignored. At one stage, our previous commissioner suggested that the volunteer role should be based around a limited number of remote area firefighting teams while the majority of volunteers would work exclusively in community liaison. <sup>37</sup>

- 4.26 In evidence given by RFS volunteers they outlined they felt treated like an inconvenience by ESA management, some of the occurrences which were provided to the Committee in evidence and submissions have been spelled out to the committee making it clear that in order to reset the relationship with the RFS, there will need to be an honest admission of the inappropriate manner in which personnel perceived they were treated.
- 4.27 Being tasked and turned away, being asked to present for duty at 7am to wait at the depot for 1.5 hours before they were tasked, which seemed to them being treated as though they were not trusted, incapable and unreliable.

I detailed in my submission the example which I was involved in, which means that, on a single day, our strike team that was headed down to the southern sector of the fire never got to that fire and was called by the incident management team and told that they were no longer to be going to the fire, that parks and services crews were going in our place. The fire—and I have been through the details—was not an outraging fire on the day. The predicted weather was not extreme, and it is a routine thing that we do.

I wrote to the commissioner about that and got a reasonable reply from her that that was because those crews were on the ground there the day before and had better local knowledge. This is something that we do routinely. At every shift we change and at every one

25

<sup>&</sup>lt;sup>37</sup> Mr Garry Mayo, *Transcript of Evidence*, 28 July 2020, p2

- of those shifts there is a process of briefing people through formal incident action plans, as well as a verbal briefing on what the conditions are on the ground. It is nothing new to us.<sup>38</sup>
- 4.28 It is no wonder that the committee has heard many and consistent stories of damage being done to the relationship and workplace which these volunteers enter when they put on their uniform and for no remuneration at all go to work on behalf of the people of our city. These are failings in the operation of the IMT and highlight the importance of having an effective forward staging/command post where crews commence shift and get properly tasked and briefed by a senior member of the IMT which should usually be a Deputy IC or Deputy Operations Officer.

#### RESPONSIBILITY LINES - ACT AGENCIES

- 4.29 The ACT Government and the ESA needs to accept responsibility for this poor treatment and resolve to not let it occur again. The RFS personnel believe that they are excluded from decision making and that while in an operational sense there are times when this may occur it should not be the day to day norm in the relationship. The Emergency Services commissioner in appearing before the committee said that there were currently "reset conversations" being had with the captains of the RFS brigades.
- 4.30 There was no information given about how these conversations are being conducted, what is their content or how they are different from the "reset" that the commissioner announced at the Senior operations group meeting in August 2019. It would be worth the government outlining the key performance indicators for this new round of "reset meetings" and offer a timeline of when they will be completed. At the very least improving workplace culture takes mutual respect in operation and clearly the RFS have a case that they are not being treated appropriately. The feedback that committee members have received is that the reset conversations involve the acting RFS head telling volunteers that their behaviour is the problem; this is not a promising start.

#### PREPARATIONS FOR AND MANAGEMENT OF THE SEASON

- 4.31 While the community had no visibility of how the decision making process was managed or to the detailed response to the fires on the ground, the committee has focused on several areas of the response which were raised most frequently and concerningly by submitters and in broader discussions with the committee and its members.
  - 1. Several deficiencies in the lead up to the season
  - 2. Issues encountered during the firefighting effort
  - 3. Matters concerning the immediate aftermath

<sup>38</sup> Mr Gary Mayo, Transcript of Evidence, 28 July 2020, p3

4. Changes which must be pursued to be in a better position for the next such disaster

SECTION 1: DEFICIENCIES IN THE LEAD UP TO THE SEASON

- 4.32 The deficiencies in the lead up to the season come under 4 areas
  - 1. Matters of equipment and training were not resolved despite the ESA having knowledge or correspondence about them over several years. The ESA and the minister tell members of the RFS who raise concerns that their concerns are not valid. This is another issue which fractures the relationship between the RFS and the ESA.
    - a. An August 2006 report by the Bushfire Research Council for the Western Australian Government was in the hands of the ESA since at least 2019 or before. The Report describes testing different filters with bushfire smoke and describes results that the particulate filter P2, which is what the ACT Government gives firefighters here, is ineffective as it only removed particulates, but not other compounds like formaldehyde (a human carcinogen). Instead, the preferred filter (at least in 2006) was a combination particulate / organic vapour / formaldehyde filter. This is now a matter that is well understood after the masks exposure that has been a part of life this calendar year.

In a 2016 letter from Minister Gentleman to an RFS member, the Minister states that the ESA has known about concerns with masks since 2012, but that believes that the masks issued to RFS volunteers are adequate. The ACT Government should have acted sooner on this issue and in the future will need to respond more appropriately as information and concerns come to light.

The concern is that any burden of disease will be an issue that the government will be considered to have some work health and safety responsibility for because they both have known for some time and should have acted before now.

- b. Frustrations with access to training have also been raised time and time again to no avail. For example, an email was sent to the Minister's office in November 2016 and the response from the minister's office in December 2016 claims that training is going to improve, which it evidently did not.
- 2. Despite some strategic planning, for example the ACT Bushfire Strategic Capability Framework, there are clearly problems with accurate data on the numbers of firefighting personnel of all kinds.
  - a. In its submission, the United Firefighters Union made clear that the ESA has not consistently known accurate numbers of how many personnel are employed by ACT Fire & Rescue and available to work as well as the number of volunteers, active and inactive, they have across the RFS.

b. Community Fire Units are counted in total number of firefighters, which should not occur because they are not fully trained firefighters. CFU members are trained to clear drains, maintain a small trailer with a hose and to undertake supporting roles such as door knocking. The UFU make it abundantly clear that the definition of a firefighter for the number of firefighters across the ACT should not include CFU members when being reported for interstate comparisons of firefighting personnel because they do not fit the definition of a deployable firefighter.

#### 3. General skills development pathways were lacking

- a. It is reflected both in the RFS members various submissions as well as the UFU's submission that there is a general lack of pathways for skills development. It is not clear that workforce preparations and planning have occurred to a sufficient level to determine how many fire fighters of certain levels are needed and to then work strategically towards that requirement. The UFU in particular made it clear that there is going to be an issue with maintaining senior officers over the next several seasons because such planning and strategic vision has not been a part of the methodology behind a recruitment strategy. The new EBA that has been signed off may go some way to resolving this issue for ACTF&R but will not change the general culture regarding strategic planning in the ESA. This will affect the RFS until a new manner of operating is adopted which works with the strategic end in mind.
- b. In their appearance to the committee, the UFU also clarified that our emergency services should operate on a capability model not a usage model. We need to be prepared for the worst day of the worst season, and in the same way the same method should be applied to encouraging the RFS to recruit and provide via the ESA adequate training opportunities to RFS personnel to achieve a capability which has been pre-determined is our need on our worst day. Not just, as it seems to be the case, train who whoever comes along, if we can, when we can, model. This is not a responsible way to operate for the threat of bushfire which the people of the ACT have a right to expect governments to be better prepared for given that it is an annual risk with significant proven history of severe harm to lives and property as well as to our natural environment.
- 4. Selection of the right personnel for AIIMS training and preparation for level 2 and 3 events in which an IMT is established including having sufficient RFS and other personnel trained for taking on the responsibilities for each season so as to afford the commissioner a range of personnel to call on to form up IMTs for the season.
  - a. It was clear via various submissions and conversations that have been raised with the committee that there is a lack of trained level 2 and 3 IMT members and, in particular, IMT controllers for level 2 and 3 incidents Especially with significant bushfire experience.

Parks and Conservation seems to be the main source of a regularly trained and experienced IMT controllers.

Parks and Conservation staff are part of the RFS for fire suppression purposes, they are a listed RFS Brigade under the administrative arrangements governed by Emergencies Act. One of the important recommendations from the 2003 Coronial inquiry was that those in charge of forest bushfires should have experience in this type of bushfire and to that end that the ACT government land managers be given the power to suppress fires on their land.

In the case of bushfires, given the expertise and the legislative framework puts the responsibility for such fires with the RFS, it is essential that a number of highly experienced RFS personnel, not only those in the Parks and Conservation brigade, are given the opportunity to train for these roles.

It is also unacceptable that RFS personnel are not proactively and dedicatedly prepared for these roles well ahead of every bushfire season given the legislative framework that the ACT operates under puts the onus for bushfire fighting on these personnel.

Given that the commitment to be a member of an IMT is a season long commitment there also has to be considerable thought and preparation given to this by the RFS volunteers in conjunction with the ESA so that there are sufficient trained personnel to be available for the roles when required.

it is not clear that RFS has annual training plans and a planned approach to increasing the skills of RFS officers including experienced volunteers. However, Parks and Conservation as a paid force, may be easier to send them on training courses, and then are possibly preferred for roles in an IMT.

The people with the greatest bush firefighting experience, as distinct from the land management and cool burns experience, must also be trained and prepared for the roles required each summer.

The Terms of reference for the Bushfire Council could be a more effective manner of overseeing the preparation of these personnel for each season. This would mean there would be a method other than a disallowable instrument to identify and maintain a register of personnel trainees, competent and proficient in the skills and accreditations required to be available to an IMT or in an Incident Management role.

#### 5 RECOMMENDATIONS

#### Recommendation 1

5.1 Take decisive action on rolling out updated breathing apparatus for RFS to be in line with the information which has been available since 2006 in Australia that P2 particulate filtering is not adequate for firefighters.

#### Recommendation 2

5.2 Make the data regime transparent and consistent regarding the number of RFS and Fire and Rescue personnel who are engaged; those who are active volunteers and those who are available to work – so that this data is clear, consistent and comparable from year to year.

#### Recommendation 3

5.3 Implement a consistent and continual recruitment program in ACTF&R and RFS to ensure that there is appropriate succession planning and the maintenance of a pre-determined capability, not leaving any outcome of those available in a given season to chance.

#### Recommendation 4

5.4 Work with the strategic end in mind to recruit and train not just to competency but to proficiency more IMT controllers and members than needed so that there is a full complement of these personnel when required each and every bush fire season.

#### Recommendation 5

5.5 Select AIIMS level 2 and 3 incident trainees from personnel with significant on the ground fire fighting experience, and in the case of IMT managers for bushfire, those with years of significant experience in fighting bushfires, so that decisions emanating from a bushfire IMT are realistic and in tuned with the decision making on the ground

#### Recommendation 6

5.6 Discontinue training HR personnel and any other non-experienced on the ground personnel for IMT management roles.

#### Recommendation 7

5.7 That the Bushfire Council's TOR including a requirement to annually review the RFS strategic capability framework and training plan to ensure there are sufficient trained and experience personnel to cover both IMT and operational tasks during major bushfires.

#### Recommendation 8

5.8 AIIMS incident level 2 and 3 training courses to be offered outside of business hours and/or weekends to allow RFS volunteers to be able to attend and to achieve the necessary competencies.

#### Recommendation 9

5.9 To send RFS personnel, other than PCS staff, interstate to gain appropriate not just competency but to proficiency in IMT roles including IMT controller status

#### Recommendation 10

5.10 Improve the ability for RFS feedback to be taken seriously and to be implemented wherever possible, for volunteers to be treated as the professionals which they are and to be able to be more invested in the work that they are enthusiastic for so that they reach their full potentials and so that they are afforded the appropriate respect that the community expects.

#### Recommendation 11

5.11 An accountability method to be implemented when feedback from RFS personnel is not taken into account over a number of years so that there is some recourse, via an ombudsman or a supervising body to ensure that such feedback is both taken seriously and also acted upon

#### Recommendation 12

5.12 That the current round of "reset Meetings" with the RFS captains be turned into a two way dialogue intended to resolve the genuine workplace concerns that the RFS personnel have regarding the way in which they have been treated and that the ESA acknowledge the genuine nature of their concerns.

## 6 ISSUES ENCOUNTERED DURING THE SEASON FIREFIGHTING EFFORT AND IN THE IMMEDIATE AFTERMATH

6.1 Issues encountered during the firefighting effort can be categorised under the following 7 areas.

#### TREATMENT OF RFS PERSONNEL ON THE FIRE GROUND

- 6.2 It is clear from both the submissions to the enquiry as well as various public statements and leaked documents from the ESA's own reviews of the summer bushfire season of 2019-20 that there was a serious problem with the treatment of volunteers. As outlined earlier in the report the experiences were significant and from all levels involved in the fire management both in the IMT and on the fire ground. It is wrong to trivialise their genuine workplace issue and it has had such a profound impact on those members on the receiving end that some are questioning their future volunteering, and many are not convinced that it will ever change. Therefore, the ESA must instigate appropriate workplace cultural change that these personnel are treated properly when in uniform on the job. Engaging in an 'accuse to excuse' pattern of behaviour by Rohan Scott, who when RFS personnel were so concerned that they raised these issues publicly, stating that some RFS volunteers had bullied others is not an appropriate manner in which to resolve the treatment of volunteers during the fire season. (June 3, 2020 Canberra Times article "Leaked Letter from ESA management condemns RFS members seeking to 'damage good reputation').
- 6.3 A symptom of the relationship between the RFS and the ESA is the matter of catering. RFS are expected to bring food for entire shifts with them at their own cost while paid staff receive catering. The Commissioner did say that there was effort put into improving this during the season, but it remains a concern that the RFS are again in a situation where they are treated as lesser than the other forces.
- 6.4 Recruitment into the RFS as well as Fire and Rescue was raised by committee members at various times during the review process and it is broadly agreed that pursuing a more culturally diverse group of recruits as well as all other attributes of the broader ACT community be considered.

#### UDD and the explanations regarding training in this area

- 6.5 The RFS Chief Officer suspended Urgent Duty Driving on 20 August 2019. This was prior to the completion of the "Risk Assessment of Urgent Duty Driving Act Rural Fire Service 2019". It is not clear why UDD was suspended prior to the completion of the Risk assessment.
- At the time of the "Risk Assessment of Urgent Duty Driving Act Rural Fire Service 2019",

  Despite the minister stating in a hearing for this report that "we have no deficiencies in training", refresher training for Urgent Duty Driving was not delivered from March 2014 until well after the season we are reviewing. This lack of refresher training for a key competency is yet another unacceptable outcome of the current system.
- 6.7 The outcome of UDD being suspended is that in the trip for units to attend the Beard Fire on January 23 2020 RFS units were stuck trying to get through the heavy traffic in the area as members of the public did not know they were driving urgently to a fire ground. Ultimately the ESA did grant permission for the use of "lights and sirens at road speed to manage traffic". This whole situation was confusing and stressful for personnel who were told on one hand that Urgent Duty Driving was not allowed, and then that it was. There was an exemption also granted to RFS units travelling to the Orroral Valley fire on 28 January 2020.
- 6.8 This was an unfortunate turn of events, putting personnel trying to do their jobs in the unenviable position of not having the full use of their equipment due to a lack of training, and then having that decision reversed in the midst of an emergency temporarily. This situation is another unsatisfactory outcome of the summer's fire season.

#### DECISION MAKING IN THE IMT VS ON THE FIRE GROUND

- 6.9 It is well covered in evidence received by the committee that there were decisions made in the IMT which personnel on the fire ground disagreed with and there was some kind of breakdown of smooth communication between the IMT and the Fire line.
- 6.10 It is very difficult from where the committee sits to unpick every one of such decisions, however it is worth noting that various highly experienced personnel have indicated to the committee that two-way decision making is a very important part of the AIIMS system. The IMT sets the overall strategy, for example to build a containment line, the tactic will be for example direct attack or back burning but the operational decisions such as how far or how fast to burn need to be made on the fire line. The IMT sets the strategy at the end of each shift for the following shift and unless something unforeseen occurs the next shift implements it and sets the strategy for the following shift. In general, they need to be in contact on the fire lines AIIMS operations section/AIIMS in the incident manager section manual for AIIMS incident controller approves the incident management plan, in the operations section it talks about the role of divisional commanders and will specify.

6.11 Generally, the accepted practice is the IMT makes the strategy for the next shift, that is then the go for the whole shift. But before they make their decision they will talk to the key divisional commanders. In the 2019/20 summer fires the IMT were not necessarily always checking things with the field, and in the same way those on the fire line are not meant to act unilaterally and the committee has not received any information to suggest that occurred. Those on the fire line are to check back up the line of command. Therefore, the correct method according to the AIIMS handbook is to have a consistent and regular two-way conversation between the "IMT and the fire line".

#### RURAL LAND HOLDERS' EXPERIENCE

- 6.12 Rural land holders have presented several suggestions for the committee in how the ACT government can constructively improve the shared responsibility with the rural land holders for better outcomes of future fire seasons. Their suggestions include a proper maintenance and possible widening of the fire break between the edge of Namadgi National Park and land holders to enable better firefighting and risk mitigation.
- 6.13 Nine properties were affected by the fires with loss of pastures, fences, sheds and one dwelling. This is important to note as the public messaging that no dwellings or assets had been lost was not accurate and was distressing to those whose properties were affected.
- 6.14 The acknowledgement that fences being damaged during firefighting operations, while it may be inevitable, could at least be repaired where possible and again a 50% share in the repair bill be considered given that fences are very hard to insure and very easy for government to leave the landholder with a significant bill to repair them.
- 6.15 The Rural Land Holders were very affirming of the RFS community liaison officer during the fires and that that individual did a great job of keeping in touch with the various property managers.
- 6.16 Another issue raised by the various land holders includes communication regarding roadblocks.

#### DATA TERMINALS USAGE/UPGRADE

- 6.17 It has been suggested to the committee that the data terminals in RFS vehicles, if upgraded, could be used to have personnel tap on and off shift to locate where each member is during the fire. The committee considers this to be worth considering as it is clear that knowing exactly who was deployed and where was a complex and sometimes impossible logistical exercise.
- 6.18 In the immediate aftermath of the fires there are several matters which the committee has been made aware of that could have been better managed. Rural landholders were disappointed that the Minister announced funding for the rebuilding of fences, from the

federal government, in the announcement it is stated that these funds would help farmers. However, these funds seem to have been used only for the fences which were between landholders and Namadgi National park and while that is helpful it has not scratched the surface of the damage done to those properties' fences in other areas.

6.19 Rural land holders need a single point of contact because recovery is handled by EPSDD and they had contact with a number of different parks and conservation staff.

#### 7 RECOMMENDATIONS

#### Recommendation 13

7.1 That the treatment of the RFS personnel be accurately evaluated and that improvements of the treatment of the RFS be resolved before the next bushfire season

#### Recommendation 14

7.2 That as a part of such an improvement that their genuine workplace issues not be trivialised and that they be provided with an occupationally healthy and safe work environment free of subjugation to other paid staff and with a full recognition of their skills and proper role under the Emergency Services Act 2004 as the first responders to bushfire.

#### Recommendation 15

7.3 That an investigation be conducted on how appropriate UDD training can become a regular feature of the training calendar each year and be delivered at times suitable to allow volunteers to attend.

#### Recommendation 16

7.4 That the government table in the Assembly the timetable of events which explains why UDD was suspended before a risk assessment had been completed.

#### Recommendation 17

7.5 That training in general be improved to the point that a strategic objective of an RFS force ready and trained to respond on the worst day we could expect is ready and operational each and every bushfire season as is the community's expectation.

#### Recommendation 18

7.6 That proper training be implemented and proper policies and procedures implemented so that in coming seasons the communication between the IMT and the Fire front decision makers be a two way conversation, with proper and detailed information exchange both on the strategic direction during each shift in the IMT, but also full respect and listening to the views of those on the fire ground throughout any decision making process creating a smooth flow of decisions in the IMT and actions on the fire ground.

#### **Recommendation 19**

7.7 That catering on the fire front and where all ESA personnel be deployed is equitable and extended to the RFS and its personnel.

#### Recommendation 20

7.8 That the government improve the assistance offered to those whose fences and properties were damaged during the fires, where possible repairing fences before withdrawing plant and equipment from the fire ground.

#### Recommendation 21

7.9 That the government work to widen the fire break as Namadgi National Park regrows so as to allow for a sufficiently wide and maintained fire break be between the park and the rural land holder neighbours of the park.

#### **Recommendation 22**

7.10 That fences, pastures, sheds and dwellings be acknowledged by the government as assets that were lost during the fires.

#### Recommendation 23

7.11 That roadblocks intended to stop the public do not block rural land holders from returning to their properties if they have a need to return.

#### **Recommendation 24**

7.12 That the government consider upgrading the data terminals in RFS vehicles to allow RFS members to log in and out of their wok to allow for improved situational visibility of personnel on the fire ground and deployed every shift.

#### **Recommendation 25**

7.13 That the government consider a system by which Rural land holders be compensated at least to 50% the cost of replacing fencing damaged during the firefighting efforts of the summer.

#### **Recommendation 26**

7.14 That recruitment into the RFS as well as across the ESA be aimed at having in particular a more broadly culturally and linguistically diverse group of new recruits in the coming years, as well as representing the whole community more broadly. This will only be achieved if very

specific effort is put in to promoting this form of service and employment directly to CALD communities and other diverse groups.

#### 8 CONCLUSIONS

- 8.1 The Committee has conducted its Review of ACT agency responses during bushfire season 2019-20 in accordance with its Terms of Reference and having regard to the discussions and other material presented to it.
- 8.2 The Committee has made 26 recommendations in relation to its Review. The Committee would like to thank the Minister for Police and Emergency Services, the senior officers of the ESA and other agency personnel for their assistance during the review.
- 8.3 The Committee also thanks all other participants in the Review including other agencies, firefighting organisations and individuals who provided their thoughts and recommendations for the Committee's consideration. The Committee recognises these contributions to a review of a very difficult and challenging bushfire period.

Mrs Giulia Jones MLA

Chair

28 September 2020

#### APPENDIX A - SUBMISSIONS

Submission Number	Submitter	
1.	ACT Rural Landholders' Association	
2.	Menzies Research Centre	
3.	Name withheld	
4.	G Mayo	
5.	S Bennetts	
6.	Confidential	
7.	Confidential	
8.	A Samara	
9.	K Brown	
10.	Ginninderra Falls Association	
11.	UFU (ACT Branch)	
12.	C Jenkins	
13.	I McArthur	
14.	ACT Volunteer Brigades Association (VBA)	
15.	ACT Government	

#### APPENDIX B - WITNESSES

#### 28 JULY 2020

#### Mrs Giulia Jones (Chair), Ms Bec Cody (Deputy Chair), Mr D Deepak-Raj Gupta

- Mr Tom Allen, Member, ACT Rural Landholders Association
- Mr Steve Angus, Committee member, ACT Rural Landholders Association
- Dr Doug Finlayson, Treasurer, Ginninderra Falls Association
- Mr Garry Mayo, senior firefighter, Guises Creek Brigade, Rural Fire Service
- Mr Anura Samara, volunteer firefighter, Rural Fire Service

#### 11 AUGUST 2020

#### Mrs Giulia Jones (Chair), Ms Bec Cody (Deputy Chair), Mr D Deepak-Raj Gupta

- Mr Michael Cochrane, Senior Officer Representative, United Firefighters Union of Australia, ACT branch
- MR Greg McConville, Secretary, United Firefighters Union of Australia, ACT branch
- Mr John-Paul Romano, ACT Volunteer Brigades Association

#### 25 AUGUST 2020

#### Mrs Giulia Jones (Chair), Ms Bec Cody (Deputy Chair), Mr D Deepak-Raj Gupta

- Mr Justin Foley, Acting Executive Branch Manager, Parks and Conservation Service,
   Environment, Planning and Sustainable Development Directorate
- Mr Mick Gentleman MLA, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal
- Mr Mark Gunning
- Mr Rohan Scott, Acting Chief Officer, ACT Rural Fire Service, Emergency Services Agency
- Ms Georgeina Whelan, Commissioner, Emergency Services Agency

## APPENDIX C - OTHER REVIEWS OF 2019-20 BUSHFIRE SEASON - ACT SOURCED SUBMISSIONS

### SUBMISSIONS TO THE ROYAL COMMISSION INTO NATIONAL NATURAL DISASTER ARRANGEMENTS FROM THE ACT

No	Category	Submitter	Submission number
1	Individual	Alastair Falconer	NND.600.0345
2	Individual	Albert Caton	NND.001.00372
3	Individual	Alison Russel-French OAM	NND.001.01120
4	Individual	Anonymous	NND.600.00307
5	Individual	Anonymous	NND.600.00125
6	Individual	Anonymous	NND.600.00215
7	Individual	Anonymous	NND.600.00183
8	Individual	Anonymous	NND.001.01330
9	Individual	Assoc Prof Stephen Robson	NND.001.01365
10	Individual	Dr David Falvey	NND.001.01128
11	Individual	Dr Hanna Jaireth	NND.001.00874
12	Individual	Dr Robert Glasser	NND.600.00341
13	Individual	Dr Steven Lade	NND.001.00288
14	Individual	Dr Tony Bartlett	NND.600.00083
15	Individual	Drs Weir Williamson Markham	NND.001.00969
16	Individual	Ian McArthur	NND.001.00208
17	Individual	Prof David Lindenmayer	NND.001.00076
18	Individual	Prof J Sharples	NND.001.00945
19	Individual	Profs Zylstra, Hopper, Bradshaw, Dixon, Lindenmayer	NND.001.00262
20	Organisation	ACT Policing	NND.600.00317
21	Organisation	ABC Friends National	NND.001.00587
22	Organisation	Academy of the Social Sciences in Australia	NND.001.01086
23	Organisation	ACT Climate Change Council	NND.001.01063
24	Organisation	ACT Government	NND.600.00152
25	Organisation	Aerial Application Association of Australia	NND.001.00217
26	Organisation	Aged and Community Services Australia	NND.001.01190
27	Organisation	Australian Museums and Galleries Association	NND.001.010.30
28	Organisation	The Australian National University	NND.001.01376
29	Organisation	Australian Parents for Climate Action (incl. Canberran parents' stories)	NND.001.01070
30	Organisation	Australian Academy of Health and Medical Sciences	NND.001.00284
31	Organisation	Australian Academy of the Humanities	NND.001.01167

No	Category	Submitter	Submission number
		Australian Child & Adolescent Trauma, Loss & Grief	
32	Organisation	Network, ANU	NND.001.00349
			NND.001.01192
33	Organisation	Australian Forest Products Association	and
			NND.600.00041
34	Organisation	Australian Healthcare and Hospital Association	NND.600.00090
		Australian Institute for the Conservation of Cultural	
35	Organisation	Material	NND.001.01271
36	Organisation	Australian Institute of Architects	NND.600.00285
37	Organisation	Australian Institute of Landscape Architects	NND.600.00284
38	Organisation	Australian Library and Information Association	NND.001.00690
39	Organisation	Australian Local Government Association	NND.001.01178
		Australian Small Business and Family Enterprise	
40	Organisation	Ombudsman	NND.600.00117
41	Organisation	Blue Shield Australia	NND.001.01147
42	Overspiestien	Communications Alliance and the Australian Mobile	NND C00 0010
42	Organisation	Telecommunications Association	NND.600.0018
43	Organisation	Emergency Leaders for Climate Action (incl. ACT-based)	NND.600.00269
44	Organisation	Galleries, Libraries, Archives, Museums (GLAM) Peak	NND.001.01038
45	Organisation	Law Council of Australia	NND.600.00202
46	Organisation	National Landcare Network (incl ACT)	NND.001.01134
47	Organisation	National Rural Health Alliance	NND.001.00585
48	Organisation	Police Federation of Australia	NND.001.01010
49	Organisation	RAND Australia	NND.001.00407
50	Organisation	Rural Doctors Association of Australia	NND.001.01135
51	Organisation	The Pharmacy Guild of Australia	NND.001.01205
52	Organisation	Volunteering Australia	NND.001.01366
53	Organisation	YLess4U	NND.001.00812
54	Organisation	Australian Federal Police	NND.600.00434

# SUBMISSIONS TO THE SENATE STANDING COMMITTEE ON FINANCE AND PUBLIC ADMINISTRATION: LESSONS TO BE LEARNED IN RELATION TO THE AUSTRALIAN BUSHFIRE SEASON 2019-20 FROM THE ACT AND SOUTH COAST EMERGENCY SERVICES, FIRE AGENCIES AND COMMUNITY ORGANISATIONS

No	Submitter	Submission number
1	United Firefighters Union	104
2	NSW Rural Fire Service's Response to Submission 144 (Kangaroo Valley Community Bushfire Committee)	response to sub 144
3	NSW Rural Fire Service's Response to Submission 140 (Dr Keely Boom)	response to sub 140
4	NSW Rural Fire Service's Response to Submission 142 (Mr Michael Gorman)	response to sub 142
5	NSW Rural Fire Service's Response to Submission 139 (Dr Tony Bartlett)	response to sub 139
6	Australasian Fire and Emergency Service Authorities Council	50
7	Eurobodalla Shire Council	23
8	Durras Community Association	29
9	Maloneys Beach Residents Association	51
10	Bega Valley Greens	129
11	Ginninderra Falls Association	67
12	Dr Sophie Lewis	1
13	My Rohan Byrnes	7
14	Ms Lesley Hodges	25
15	Australian Child & Adolescent Trauma, Loss & Grief Network and Emerging Minds	37
16	National Rural Health Alliance	45
17	St Vincent de Paul Society	47
18	Department of Industry, Science, Energy and Resources	52
19	Australian Red Cross	55
20	Department of Foreign Affairs and Trade	59
21	The Salvation Army	60
22	Volunteering Australia	71
23	Rural Doctors Association of Australia	76
24	ACT Council of Social Service	78
25	Geoscience Australia	93
26	Science and Technology Australia	103
27	Australian Academy of the Humanities	11
28	Dr Tony Bartlett	139
29	Department of Defence	42
30	Department of Home Affairs	68
31	Department of Prime Minister and Cabinet	70
32	Climate Council of Australia	40
33	Australian Communications Consumer Action Network	84
34	Australian National University	97
35	Australian Nuclear Science and Technology Organisation	107

No	Submitter	Submission number
36	Department of Health	126
37	Austrade	127
38	Australian Academy of Science	122
39	National Legal Aid	119
40	Public Health Association of Australia	115
41	Bureau of Meteorology	114
42	Australian Council of Social Service	108

## SUBMISSIONS TO THE NSW BUSHFIRE INQUIRY FROM THE ACT AND SOUTH COAST EMERGENCY SERVICES, FIRE AGENCIES AND COMMUNITY ORGANISATIONS

No	Submitter	Submission number
1	NSW Rural Fire Service Association	115
2	Woodford Rural Fire Brigade	804
3	The Bushfire Alliance	913
4	Australasian Fire and Emergency Services Authorities Council	102
5	Coastwatchers Association	234
6	Eden Community Access Centre (ECAC)	336
7	Eurobodalla Shire Council	352
8	Ginninderra Falls Association	392
9	National Parks Association of NSW	596
10	Queanbeyan-Palerang Regional Council	618
11	Shoalhaven City Council	685
12	Unions NSW	877
13	The Southern Villages Group	917
14	Public Service Association NSW/CPSU NSW	919
15	Anonymous	81
16	Australian Workers Union	106
17	Department of Defence	105
18	Greater Hume Council	113
19	NSW Aboriginal Land Council	116
20	Tilba District Chamber of Commerce	120
21	Bermagui Community Forum	170
22	Bingie Residents Association	178