

Submission Number: NND.001.00753

Submission Of: Michael Scholz

Your Details

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What is your submission based on? I am making this submission based on my personal situation

What was your personal situation in relation to the 2019-20 Bushfires?

Where do you live? Hawkesbury (C)

Your Submission

In your experience, what areas of the bushfire emergency response worked well?

1. Fires Near Me app - NSW Rural Fire Service (RFS)
2. Emergency warning text messages from NSW RFS
3. Modern Wildfire Personal Protective Equipment
4. Modern RFS fire tankers
5. Interagency Incident Management Teams

In your experience, what areas of the bushfire emergency response didn't work well?

1. Poor access and maintenance of fire trails in National Parks, Crown Land - Reserves, Council Lands, State Forests, Aboriginal Lands and private lands.
2. Insufficient trained plant managers in Incident Management Teams to manage heavy plant.
3. Inadequate plant supervisors on the ground to assist with supervision of heavy plant.
4. Heavy reliance on volunteers with no experience to manage heavy plant on the fire ground
5. Excessive expenditure on aircraft for fire suppression during bushfires
6. Over reliance on helicopters to suppress secondary bushfires after main bushfire has passed e.g using helicopters to put out logs on the fireground
7. Poor arrangements between the Commonwealth and State to deploy the Australian Defence Force
8. Poor State responses to the recovery of communities after the bush-fires
9. Lack of engagement of the private sector in bushfire response and recovery
10. Poor environmental recovery after the bushfires e.g. restoration of fire breaks and fire trails
11. Poor integration and interoperability of the NSW Rural Fire Service and NSW Fire and Rescue
12. Poor management and slow release of donated monies from charities and the NSWRFs after the bushfire emergency

In your experience, what needs to change to improve arrangements for preparation, mitigation, response and recovery coordination for national natural disaster arrangements in Australia?

Bushfire Prevention

Forest Fuel Loads

a) One of main causes of the recent bushfires in NSW (2019 – 2020 fire season) and their devastating impact across the eastern seaboard in NSW was the lack of hazard reduction burning resulting in high forest fuel loads across landscape. The factors that influence a fire are Fuel, Oxygen and Heat. It is well recognised that we can't control the Heat and Oxygen, but we can control the Fuel. High forest fuel loads influence (increase) fire intensity under extreme fire conditions as evidenced during the recent bushfire season. For e.g. a bushfire burning (under extreme fire conditions) in 30T per hectare of forest fuel can result in 5200Kw per metre of fire front,

b) Science has demonstrated that bushfires burning in high fuel loads can produce a high fire intensity. Under extreme fire conditions following ignition, bushfires can spread rapidly and are impossible to control. It is recognised that a forest with reduced fuel loads won't stop a bushfire, but it will slow it down, making it easier to control.

c) The failure of NSW land management agencies to undertake enough hazard reduction by burning to reduce forest fuel levels on bushfire prone land. For e.g. The Crown Lands Division of the NSW Department of Planning, Industry and Environment is a state-wide significant land manager. As a snapshot, it is responsible for 44,186Ha of Crown Land in the Sydney Metropolitan Area. The majority of this being bushfire prone land. Between 2012 and 2019 an average of 1.05% of the Crown Land was hazard reduced by fire (per year) over the past 7 years in the Sydney Metropolitan Area.

d) Long term drought in NSW contributed to the extensive drying of the landscape making it more fire prone.

e) An extended period of hot dry weather across NSW that contributed to dangerous fire conditions.

Recommendation

a) That the NSW government fund and commit to implementing a long-term program of hazard reduction burning to reduce forest fuel loads on bushfire prone lands, based on an average rolling target of 5% minimum of all state-owned bushfire prone public land based on the recommendation of the 2009 BLACK SATURDAY ROYAL COMMISSION INTO BUSH FIRES. Land Management agencies include NSW National Parks and Wildlife Service, NSW Forestry Corporation, NSW Department of Planning, Industry and Environment (Crown Lands), Water NSW, Hunter Water.

b) That the Commonwealth government fund and commit to implementing a long-term program of hazard reduction burning to reduce forest

fuel loads on bushfire prone Commonwealth Lands in NSW such as Defence bases, based on an average rolling target of 5% minimum of all public land based on the recommendation of the 2009 BLACK SATURDAY ROYAL COMMISSION INTO BUSH FIRES.

c) That Local Councils with bushfire prone lands, fund and commit to implementing a long-term program of hazard reduction burning based on an average rolling target of 5% minimum of all public land based on the recommendation of the 2009 BLACK SATURDAY ROYAL COMMISSION INTO BUSH FIRES.

d) The Auditor General of NSW be given legal authority to audit the performance of NSW land management agencies and local councils to meet hazard reduction burning targets. That a similar commonwealth agency be given powers to audit the performance of Federal agencies such as the military to meet hazard reduction burning targets in NSW.

e) That the Department of Planning, Industry and Environment (Crown Lands), Water NSW, Hunter Water and Local Councils with bushfire fire prone land in NSW build capacity to undertake hazard reduction burning on lands under their care control and management. This means that they establish paid fire mitigation teams with fire tankers to undertake hazard reduction burns in a collaborative effort with other land management and fire agencies in NSW.

f) That the NSW government make representation to the Commonwealth government urging the Commonwealth to build capacity to undertake hazard reduction burning on bushfire prone lands under their care control and management. This means that they establish paid fire mitigation teams with fire tankers to undertake hazard reduction burns in a collaborative effort with other land management and fire agencies in NSW.

g) That the NSW government and the Commonwealth government amend relevant legislation to require all public land managers to meet mandatory hazard reduction burning targets.

Conduct of Hazard Reduction Burning in NSW

a) There are 4 recognised firefighting agencies in NSW, For e.g. NSW Rural Fire Service, Fire and Rescue NSW, National Parks and Wildlife Service and the Forestry Corporation NSW.

These agencies have the authority and capability to conduct hazard reduction burning on land under their care, control and management. It is noted that Department of Planning, Industry and Environment (Crown Lands) and many local Councils with bushfire prone lands have no fire mitigation capability to undertake hazard reduction burning on land under their care control and management and predominantly rely on RFS volunteers to undertake this work.

Of note is that the NSW Rural Fire Service is primarily a volunteer-based organisation and relies heavily on volunteer brigades to undertake hazard reduction burning on public land.

As a long-standing volunteer fire fighter, I am noticing that volunteers in my brigade are less available now than they were 10 years ago to participate in hazard reduction burning on public lands. In particular, many volunteers are not available during midweek to participate in hazard reduction burns due to work commitments and have limited availability on weekends.

There are several reasons for this such as an aging volunteer workforce in regional NSW, work, family, sporting and other commitments, high mortgages etc. This would vary across the state, however, if my brigade is a snapshot, I am sure this is an issue. Moreover, there is only a small number of days that hazard reduction burning can occur each year due to weather and environmental factors, which further limits the amount of hazard reduction burning on public lands. We are also starting to see a drier landscape in Autumn, Winter and Spring which is also hampering efforts to undertake hazard reduction burns.

b) Green tape and legislation restrict the ability of land management agencies, fire authorities and private landowners to conduct hazard reduction burning. The environmental assessment process for hazard reduction burning is complicated and time consuming and can take many years before approval can be obtained to undertake a hazard reduction burn.

c) Bushfire hazard reduction is currently monopolised by government agencies such as NSW Rural Fire Service, Fire and Rescue NSW, National Parks and Wildlife Service and the Forestry Corporation NSW. At present, there is little scope for private fire companies to provide bushfire mitigation services such as hazard reduction burning on public or private lands.

Recommendations

a) Refer to recommendations in item 1 above. In addition: -

b) It is recommended that the NSW Rural Fires Act 1997 is amended to create a category known as a "bushfire hazard reduction authority" to give other public land managers the powers to conduct hazard reduction burning on land under their care control and management. For e.g. NSW Department of Planning, Industry and Environment (Crown Lands), Water NSW, Hunter Water and Local Government Councils. The objective here is for these agencies to support and assist and work together (pool resources) with other land management and fire agencies to conduct hazard reduction burning to reduce forest fuel loads on public lands across NSW.

That these agencies stop relying on RFS volunteers (free labour) to conduct hazard reduction on land under their care control and management and employ staff in a paid capacity to assist with the hazard reduction burning across NSW at anytime suitable for burning such as the midweek and after hours through the night.

c) That the NSW government commit to a review of all NSW legislation to streamline the environmental approval process for bushfire hazard reduction including burning by fire and other methods.

d) That the NSW government open bushfire mitigation services such as hazard reduction burning to the private sector.

Bushfire Funding

In NSW, the majority of bushfire disaster related expenditure goes towards 'response' rather than bushfire recovery or prevention. A whole of government cost benefit analysis must be undertaken by the Federal Government in collaboration with the States and Territories on bushfire expenditure to identify opportunities for redirecting scarce national funding towards more strategic bushfire prevention to ensure consistency with the Federal Government's National Disaster Risk Reduction Framework.

National Disaster Plan

Australia requires a coordinated national disaster plan to address bushfires and other major disasters such as cyclones and floods that exceed the capacity of states and territories to manage.

The national disaster plan must provide a strategic direction and streamline arrangements for the activation and deployment of Commonwealth resources including the ADF during a national disaster.

Whilst existing plans allow for assistance across state borders, and between states and the federal government, there is no national disaster legislation defining the Commonwealth's role, or assigning responsibility for responding to a national disaster.

Federal legislation should be enacted that provides a legal framework for the Federal Government to invoke the National Disaster Plan and provide better resource-sharing between the States and with the federal government. This would include improving interoperability between interstate emergency services to ensure they work better together.

In terms of bushfire risk management, the National Disaster Plan should prescribe annual bushfire risk reduction targets and key performance indicators for bushfire prevention across all Australian States and territories. The States and Territories must be compelled to report annually to the Federal Government on compliance with the National Disaster Plan.

The National Disaster Plan should also include arrangements for the engagement of International assistance during large scale bushfires and other disasters. The plan should also capture the provision of civilian Australian assistance to other countries suffering disasters including forward planning and coordination with all levels of government in Australia.

Private Sector Participation in Bushfire Management

The USA has a history of engaging the private sector e.g. non-government organizations and private fire companies during the planning, prevention, response and recovery phases of major forest fire disasters.

State governments have exclusive monopolies on bushfire disaster prevention and management in Australia which is anti-competitive and should be opened up to the private sector to play a more central role.

For example, the NSW Rural Fires Act 1997 prohibits / restricts the participation of private fire companies in prescribed hazard reduction burning and bushfire response. This not in the spirit of the Federal Government's national competition policy.

Federal Government competition policy and legislation must be reviewed to remove the exemption enabling State Governments to monopolize disaster management. State government legislation should be amended to enable the participation of the private sector in bushfire management and mitigation in collaboration with government agencies.

I wish to thank the Bushfire Royal Commission for the opportunity to provide this submission and trust that the information is beneficial to the inquiry. Should the opportunity arise, I would consider it a privilege to attend a public hearing in support of this submission.

Is there anything else you would like to tell the Royal Commission?

Adoption of Recommendations of previous Inquires into Bushfires by the States and Territories.

There have been many recommendations made by previous Royal Commissions and State Inquiries on bushfires (eg Coronial inquires) that have not been adopted by the States and Territories.

Recommendation

That a review and an audit is completed of all the recommendations of previous Bushfire Inquires by the Commonwealth to establish the level of implementation by the States and Territories and that a report is published and made public.

State Emergency Fire Levy.

In NSW, the NSW RFS is currently funded by predominately by insurance companies, and to a lesser extent by local government and state government. This is unfair as landowners that are not insured are receiving a service that is funded by others. All landowners in bushfire prone areas should contribute financially to emergency services.

Recommendation

1. That the NSW government introduce an emergency services levy requiring all landowners in bushfire prone areas to contribute financially to emergency services.

Water Availability for Fire Fighting During the Droughts

The recent drought highlighted that water can be a scarce commodity for hazard reduction burning and firefighting in NSW. It would make good sense to increase the number of dams and water tanks in NSW for hazard reduction burning and firefighting. I contend that adequate water storage is essential for quick turn around by firefighting appliances during hazard reduction burning and bushfire suppression.

Recommendation

1. That strategically located dams and water tanks (preferably concrete) of a large volume be constructed - installed on public lands in high risk bushfire zones in NSW.

Volunteer Recruitment and Retention

The NSW Rural Fire Service (NSWRFS) currently boasts a volunteer membership of 70,000 members made up of active fire fighters, communication, catering personnel, aviation and other support roles.

There has been much debate recently within political circles and the media as to the exact numbers of trained (active) volunteer fire fighters available to attend fires within NSW with figures quoted, ranging from 28,000 to 70,000 active fire fighters. At the present time, the exact figures of trained volunteer fire fighters available to fight bushfires is unknown.

Nonetheless, there is a significant portion of active fire fighters of the baby boomer generation who will reach retirement age over the next 10 years. This situation coupled with drought, shifting demographics (with many young people leaving rural areas and moving to the city pursuing

further education and employment) may potentially diminish the number of active fire fighters in the NSWRFs who are available to fight fires in the future.

I therefore support the introduction of a range of "incentives" to encourage young people to join the NSWRFs as active fire fighters as well as retain experienced fire fighters to lead and mentor the next generation of active fire fighters. This is imperative if we are to maintain a strong viable Rural Fire Service into the future.

I am an advocate of incentives that could attract and retain volunteer fire fighters and support them in the performance of their duties. However, this does not extend to direct financial compensation which could be deemed a form of payment for services, or any other matter which conflicts with the ethos of volunteerism in Australia today.

Incentives that could be considered to recruit and retain active fire fighters could include: -

Tax relief for PAYE and self-employed volunteers of the NSWRFs,

Reimbursement for out of pocket expenses associated with the maintenance of existing fire fighting equipment and the purchase of new fire fighting equipment,

Reimbursement for costs incurred while travelling to and from meetings, training and incidents,

Reimbursement of telephone costs associated with fire fighting,

Rebate on driver's licence fees, e-tag fees, private health insurance fees, TAFE and university fees, council rates, electricity and water bills, public transport costs, car and home insurance policies.

The establishment by the commonwealth government of a volunteer support fund to assist volunteer fire fighters who may suffer financial hardship as a result of being away from their normal employment fighting a bushfire during a protracted bushfire emergency that exceeds 14 days. For example, a self-employed volunteer fire fighter and other fire fighters whose employer is unable or unwilling to support their absence from work.

Recommendation

1. That the Commonwealth and NSW Government consider the introduction of a range of incentives to attract young people to join the NSWRFs as well as retain the services of experienced active fire fighters to lead and mentor the next generation of active fire fighters.
2. Such incentives could include tax relief, reimbursement of expenses incurred while participating in fire services activities and the establishment of a volunteer support fund to assist volunteer fire fighters who may suffer financial hardship as a result of being away from their normal employment fighting a bushfire during a protracted bushfire emergency that exceeds 7 days. For example, self employed volunteers.

Volunteer Welfare

Please see attachment 1, Proposal for a Welfare/ Relief Fund for Volunteer Fire Fighters.

Recommendation

1. Please see attachment 1, Proposal for a Welfare/ Relief Fund for Volunteer Fire Fighters.

Provision of Land and Funding for New Rural Fire Stations

During my 20 year tenure as Captain of the Wilberforce Rural Fire Brigade from 1996 to 2016, I applied and communicated to the RFS and Hawkesbury Council on numerous occasions to secure a block of public land (Council or Crown Land) to build a new fire station to meet the needs of a growing village 2 rural fire brigade. Unfortunately, after much hard work by myself, lack of support from the local authorities, lack of available and suitable land and aboriginal land claims on potential sites, a new fire station was never realised for the Brigade during my tenure as Captain. At Wilberforce, we are responsible for over 1300 homes, 2 major roads, a public school, childcare facilities, caravan parks, a shopping centre and an industrial area. Our Brigade is equipped with breathing apparatus (BA) for this purpose and several of our fighters are trained in BA operations and advanced structural firefighting.

At present, our fire station is a simple building with 4 walls and 2 bays with roller doors. We have no internal toilet (we share one with the fire control centre 30m away from the fire station). There is no office, kitchen (no hot water), storage, training or meeting facilities available to members.

Currently, we clean our breathing apparatus equipment on a table above a concrete floor which is generally covered in dust and other material from the wheels of the Brigade vehicles. This does not comply with workplace health and safety standards for cleaning of BA equipment and the station does not comply with contemporary standards for Village 2 RFS fire stations.

I am aware of other RFS stations across NSW don't even have power or a concrete floor.

A suitable and modern fire station is important for volunteer fire fighters. For many, it's a place to meet, socialise and train, maintain equipment and reflect after an incident. For others, it's a second home and offers sanctuary from the pressure of day to day life. Moreover, a modern fire station serves as a community resource during an emergency and as a beacon to the community for recruitment.

A modern rural fire station is so important for the health and well-being of fire fighters and builds resilience in the community, making the community better prepared for the likely hood of more frequent and intense bushfires emanating from a drying climate in the future.

Recommendation

1. That NSW Rural Fire Service establish an internal infrastructure directorate with sufficient staff to specially assist rural fire brigades across NSW to acquire a block of land and construct a new modern fire station or upgrade existing stations suitable to the classification of that brigade.
2. That the infrastructure directorate conduct an audit of rural fire stations across NSW and prepare a 4, 8 and 12 year plan to rejuvenate and construct new fire stations where applicable. That the directorate be suitably funded to achieve this objective.

Do you agree to your submission being published? Yes I agree to my submission being published in my name

Supporting material provided:

Volunteer Relief Fund Proposal 2020 (Michael Scholz).pdf

Attachment 1

PROPOSAL - WELFARE / RELIEF FUND FOR VOLUNTEER FIREFIGHTERS

Article Prepared by Michael Scholz
Former Captain Wilberforce Rural Fire Brigade 1996 - 2016

THE PROBLEM/BACKGROUND

Over the past 25 years, many parts of NSW have experienced a significant increase in major bushfire situations resulting in the declaration of numerous section 44 bushfire emergencies. The most notable fire seasons were 1994, 1997, 1998, 2001, 2002, 2003, 2009, 2019 and 2020.

These fires season were particularly onerous and required considerable resources and effort by fire services and land managers before the fires were brought under control and normality restored to affected communities. A significant portion of the fire fighting effort during these years was undertaken by the volunteer firefighters of the NSW Rural Fire Service.

Due to the size and progress of these fires, the potential threat to life and property and the resources required to suppress the fires, many volunteer firefighters had little choice but to avail themselves to fire fighting or other fire related tasks for a considerable period. In most instances, when they were not fighting the fires they were resting. Whilst there is no direct evidence to support this claim, there is much anecdotal evidence that many volunteer fire fighters suffered financial hardship during these fires as a result of not receiving an income whilst on duty with the RFS.

Since its inception, the Rural Fire Service (formerly Bushfire Brigade) prided itself on its ability to muster volunteers to fight fires in our local communities, usually for no more than few days at a time.

However, much change has occurred in the past 25 years and one of those changes has seen Brigades traveling further a field for extended periods to assist in the suppression of bushfires with many of these fires continuing well beyond a few days to over a month. An example is the recent Bushfires of 2019 - 2020 where NSW volunteer firefighters along with interstate colleagues were stretched to the limit and worked for several months to control the fires.

Additionally, the RFS is increasingly assisting other emergency services such as the SES at other significant and protracted natural disasters such as the Sydney hail storm of 1999 and the Newcastle floods 2007.

Whilst change has occurred within the RFS, notable changes have also occurred on the employment front, with workplace contracts, greater demands on employees and many self employed working longer hours to make ends meet.

In the end, the volunteer firefighter has to decide between their work and the protection of home, family and the community. This is an unsatisfactory outcome for the volunteer firefighter and the local community in times of emergencies and one that should be addressed as a matter of urgency with the evolution of our service.

In this context, bushfires and other emergencies must be seen as a whole of community problem and associated costs must be borne by the community, business and government alike, otherwise volunteer services such as the RFS may not be sustainable in the future.

I therefore propose that a mechanism be established by the Commonwealth or NSW Government to provide some form of “safety net” to cover the financial burden of volunteer firefighters and their families during protracted section 44 bushfires and other emergencies.

RECOMMENDATION

- That the Commonwealth government investigate the feasibility of providing financial support to volunteer firefighters during a protracted section 44 bushfire emergency and other emergencies where the service has an involvement.
- The proposed model is an emergency welfare/relief fund, set up by the Commonwealth or NSW Government and coordinated by the Department of Community Services (DOCs) or Centrelink at a local office. An ex gratia weekly cash payment would be provided to volunteer firefighters under the following circumstances;
 - **Where a volunteer fire fighter participates continuously for a period of no less than 14 days in fire fighting or other related tasks during a declared section 44 bushfire emergency or other emergency and, is self-employed or where an employer cannot financially support their absence during a section 44 bushfire emergency or other emergency,**
- Following the first payment, further payment would be made at intervals not less than 7 days apart for the duration of the section 44 bushfire emergency or other emergencies and shall only be issued on the production of a recognized certificate to DOCs or Centrelink that has been certified by the Fire Control Officer,
- Such payment would only be provided to cover basic living and out of pocket expenses for the duration of the section 44 bushfire emergency or other emergency. The cash payment could take the form of a flat fee based on average weekly earnings determined by the Commonwealth Government.

WHY THIS PROPOSAL SHOULD BE SUPPORTED

This proposal should be supported to: -

- ⇒ ensure that volunteer firefighters have an income sufficient to cover basic living expenses to support themselves and their families during protracted section 44 bushfire emergencies and other emergencies,
- ⇒ ensure that the RFS can deliver, support and maintain its core services to the community during protracted section 44 bushfire emergencies and other emergencies,
- ⇒ ensure a strong, healthy and viable membership of the RFS,
- ⇒ ensure the welfare and well being of the volunteer firefighters of the RFS.

CONSEQUENCES OF THIS COURSE OF ACTION

The consequences of doing nothing may result in: -

- ◆ low recruitment and loss of experienced volunteer fire fighters in the RFS,

- ◆ increased morale problems in the RFS,
- ◆ loss of potential new members to the RFS,
- ◆ the incapacity of the RFS to provide an ongoing and sustained commitment to protracted section 44 bushfire emergencies and other emergencies due to lack of trained volunteer firefighters,
- ◆ a heightened concern in the community due to the diminished role of the RFS,
- ◆ the need to establish more permanent fire services to compensate for the loss of volunteer services.

The consequences of implementing the above proposal will

- * as per section 3 above including;
- * ensure that the RFS meets its community obligations and delivers its core business functions in a most timely effective and efficient manner during protracted section 44 bushfire emergencies and other emergencies.
- * ensure a continued high level of membership and morale in the RFS.
- * ensure the readiness and preparedness of the RFS to rapidly respond as and when required to bushfire emergencies and other emergencies.

ALTERNATIVES

One alternative that could be considered is the introduction of a system of tax relief for the self employed and small business who employ volunteer firefighters. Such a system would need to be a national system administered by the Commonwealth Government. A system of tax relief may be a viable alternative but would require rigid criteria and a strong commitment by all stakeholders including volunteer fire fighters to ensure its success and prevent potential abuses.

Another alternative is the introduction of a paid retainer for volunteer firefighters during protracted section 44 bushfire emergencies. This system would need to be supported by the Commonwealth Government and could be based on a similar system in place for members of the Australian Army Reserve when on duty with the Australian Army.

In conclusion, given Australia's aging population, the decline in rural areas and membership of the RFS and the spectra of workplace contracts along with the likelihood of climate change and more frequent devastating bushfires as forecast by eminent scientists in the future - the need for a highly trained and rapidly mobilised volunteer rural fire service to protect life, property and the environment cannot be underestimated.

CONCLUSION

To this end, it is paramount that consideration be given by the RFS and the Government to introduce measures to enhance and improve the welfare of volunteer fire fighters that aim to minimize the risk of financial hardship suffered by volunteer fire fighters during protracted section 44 bushfire emergencies. It must be borne in mind that this is not a form of employment or payment, rather a short-term scheme to support volunteer firefighters and their

families if needed. This action along with other measures would undoubtedly foster the recruitment of new volunteer firefighters as well as the retention of experienced volunteer fire fighters and is worthy of further investigation by the RFS and the Government.