

Submission Number: NND.001.00965

Submission Of:

Your Details

Email address:

Phone:

Preferred means of contact: Email

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? I was part of the emergency response as a heavy plant contractor

Where do you live? Towong (S)

Your Submission

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

My submission is based on our experience as a heavy plant contractor engaged by both the NSW Rural Fire Brigade and the Victorian DELWP on the Green Valley and Upper Murray fires. I am sure many will reiterate that a fire that is burning on both sides of a border, where rapid cooperation and centralised coordination did not exist, hampered the control of this fire. Very little worked well, however.

At Cudgewa, a local resident had set up an "information hub" from day one. This was invaluable in the quest to find residents and locations and in the absence of phone communications, to leave messages for residents- eg. If you see farmer xyz could you tell them that we can be at their farm tomorrow to bury dead stock. [REDACTED] who set up this volunteer information hub and manned it from it seemed 24 hours a day for several weeks should be commended for her efforts but also what she did should be seen as a model of how things should be done (rather than left to chance). Walwa for example did not have something similar. Jingellic had a hub, but there didn't appear to be a single information person/role for the use of authorities/contractors and residents alike such as there was in Cudgewa.

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

My submission is based on our experience as a heavy plant contractor engaged by both the NSW Rural Fire Brigade and the Victorian DELWP on the Green Valley and Upper Murray fires. I am sure many will reiterate that a fire that is burning on both sides of a border, where rapid cooperation and centralised coordination did not exist, hampered the control of this fire.

1. We were engaged by NSW RFS to assist in containment of the fire which started at Green Valley from the 29th of December when lightning started the blaze. We had an excavator and support vehicle working on the 30th of December, our role being to push over burning trees on the fire perimeter to allow fire crews to put them out. In the morning there was little wind and the fire seemed contained. What struck us was that there appeared to be very little activity on the part of fire crews to actually extinguish any of the burning trees on the fire side of the 3m wide tracks or fire breaks. Indeed, the atmosphere amongst crews seemed to be more of a social event, with long periods spent at the dam (which was the source of water) catching up on local gossip. We formed the view that the policy must have been that if a fallen tree was actively burning on the burnt side of the road, no further action was required on behalf of the fire crews. It occurred to us that if our 12000L water cart had been engaged (it wasn't) we could have driven the tracks with our side sprayers on and put out or considerably dampened the burning edge, extending the fire break from being only 3 m wide to up to 6m. Fire trucks do not have this type of capacity.
2. While we were at the Green Valley fire on the 30th of December, a standing tree has started to burn at an area where we had not yet been asked to work on. When the radio call came through for our excavator to attend to that area, time was lost as the directions on where to go were not clear and we ended up going down a wrong track and had to retrace our movements. Excavators only move at a few km an hour, so perhaps 25minutes were lost in not knowing where we were being sent to. I am not sure what the solution is, as the track we were asked to go down was a newly formed fire break, but even an old fashioned paper map or mud-map and a compass issued on arrival would have helped (Contractors are not required or expected to have them).
3. When the wind picked up later in the day and the burning tree (which we still hadn't reached or couldn't reach due to no track yet) lit up like a candle and the dozer (not ours) that was quite a small capacity couldn't successfully surround it with a break (not that it would have mattered due to the now strong wind) and the water bombers were no where to be seen (refuelling I think we were told), the fire broke containment lines and was in inaccessible terrain. It was some time before the order to retreat was given. When we returned to the "safe" parking area and asked the incident controller where our equipment should next be deployed the response was along the lines of "don't worry about it, it has crossed the river, it is Victoria's problem now".
4. The following day 31st of December, we were engaged by DELWP to supply a water cart (along with other equipment) to the Walwa area. By this time, phone communications had failed. When I arrived at Walwa, there was no one at the fire shed and no visible command centre. I queried passing fire trucks (being from several different districts) who was in charge and what frequency they were communicating from. It took quite a few queries (many didn't know) to get a name and a frequency, but later I couldn't raise anyone on this frequency- possibly due to the distances. I was deployed to a road out of town "to provide refill water for farmers and local residents with their own fire fighting equipment". It became apparent during that day that each district fire fighters seemed to be operating on their own frequencies and there was no common knowledge on what the command frequency might have been. When I witnessed a new spot fire start in the paddock behind me while sitting at my location, I had no way to communicate this but to get out of my truck and flag down the farmers who had just filled and were in the process of driving away. I don't believe a common communication frequency had been established (or if it had, it hadn't been shared with contractors and private firefighting units). A sign at the fire shed is all that would have been needed.
5. As I sat in the water truck, a grass fire with an approx.. 500m long front was burning in front of me at a manageable speed (the wind was still reasonably low) in a flat farm paddock. Approximately 6 private fire units were trying to put the front out with their hoses. As per point 1, it occurred to me that I could have driven the water truck with my side sprayers on and put out the entire front in a few minutes. However, a) contractors are not expected/allowed? to engage themselves in direct firefighting activities without instructions b) I had not heard of any water trucks ever being engaged by NSW RFS or DELWP to put out fronts and I wasn't sure if there was a reason or if they have just never thought of it and c) I had no way to communicate with the private units already working on the front or command that I was willing and able to do that.

6. We continued to work for DELWP over the coming days in the Walwa/Cudgewa/Tintalra regions and NSW RFS near Jingellic. The lack of available maps (and no phone service for google maps) continued to be an issue. The complex and detailed maps held by firefighters were no use in simply finding our way from road to road in the district. When asking locals where such and such a road was, even they didn't seem to know as locations were colloquially referred to in terms of who lived where (e.g. You will find the Adams next door to the Jones) which was useless if you weren't a local. In the end, I managed to get a tourist map from a local resident which was ideal. As a suggestion, simple locality maps with just roads on it available at information hubs/fire sheds would be handy and save a lot of time.

7. We have been on the contractor list for NSW RFS for many years. Each year we submit a list of available plant and our pricing. During the fires we were regularly called to supply plant which we no longer owned. Each time we would say "we haven't had a bulldozer for over 5 years" and the response would be "well it is still on the list". Obviously, NSW RFS do not have an effective method to maintain accurate plant lists and didn't even delete items as we informed them during the fires, thus resulting in numerous calls from different people over many days. How much time was NSW RFS plant coordinators wasting chasing non-existent plant? They also didn't seem to know where plant was on any given day. We would be called to supply a grader for example (which might already be engaged in Victoria say) and we would say to them "did you know there has been a grader belonging to contractor xyz that has been sitting at the Lankey's Creek fire shed doing nothing for the past few days?" "No" they would say "we will give them a call". PS that grader is getting paid on standby yet NSW RFS don't even know where it is, many contractors don't want to point out that they are not actively engaged as they are getting paid to supply plant to the staging points whether or not it is used. Because contractors set the rates in NSW (compare with Victoria), it can be quite lucrative to stay under the radar knowing that in the confusion of a major, multi-day fire that it is unlikely that they will be discovered as underutilised.

8. NSW RFS and DELWP have very different models for remunerating contractors. The NSW model requires contractors to tender their rates each year. This means that plant could be working side by side while being paid very different rates. The NSW model also stipulates that contractors cannot charge for many activities that they incur, thus requiring the plant rate to be loaded to cover the cost of those activities, e.g. paying employees to get to and from the fire front to home, overtime, the cost of floats after the plant disembarks, support 4WD vehicles which are (to us and to DELWP) a compulsory safety feature (theoretically you can negotiate to have them paid for, but they always resist or forget to include them on PO so you have to fight later to be reimbursed for them). DELWP on the other hand sets the rates that apply to all contractors, those rates ensure the contractor does not have to absorb costs like those mentioned for NSW. My point being, when you are a contractor located in a border region, when a fire is burning on both sides and requests are being received from both authorities, we make the decision about which side of the border to work on based on which authority is best to work for. (DELWP wins hands down). Obviously, this decision may or may not be consistent with the most effective way to fight what is essentially one fire. Although I don't know this for a fact, were air-based fighting equipment also dealing with cross border issues? Were full planes flying over the river, but not dumping water on active burns because they were not engaged by that state?

9. Another difference between Victoria and NSW are standards of plant. Victoria is quite strict on safety measures (eg. Extra window guarding) required on plant and annual verification inspections of plant are required. In NSW they do not set standards and never check plant. Some pretty dodgy items of plant can be engaged. At the other end of the spectrum, the standards required by Victoria have been raised yet again. For example for excavators, full external cabin crush cages must be installed from now on- these are common in the forestry industry but not for dam builders like us. Because the cost of these is not inconsiderable and there is no guarantee that there will be a call to a fire in any given year, many of the current contractors like us will make a decision to not outlay the added expense. That will mean, in these mega blazes there will likely be not enough available plant. Perhaps the government should consider paying all or some of the expense of getting plant to fire-fighting specification where that specification is higher than what they need for their day to day operations.

10. My final point is not first hand but what I heard from a resident at a forum after the fires. She had a property and home on the NSW side of the river, but it could only be accessed from a road coming from Victoria. She said that because the NSW fire crews were told they were not to enter Victoria and the Vic crews were told not to enter NSW, her home was left completely undefended. I believe I have only just touched on the cross-border issues. Hopefully this Federal commission can see that fighting a fire with some imaginary line through the middle with no effective central control endangers lives.

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

The differences between NSW and Victoria authorities in relation to heavy plant contractors has implications for effectively fighting fires. Most are mentioned above. NSW management and policies in relation to heavy plant contractors are so far from best practice it is frightening. The system was designed for single point, single incident, single day type scenarios and has not been updated for many years. This is not a criticism of any individual within the service, as most we dealt with are doing their best.

If, as we hope there are, system improvements made, we can only hope and pray that there is cooperation between the states to establish a one best practice model.

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

There should be an investigation into the [REDACTED] building demolition contract with the Victorian government. It has hampered recovery efforts by introducing a bottleneck which is [REDACTED], [REDACTED] are not communicating with fire victims or contractors, in our case zero communication despite repeated attempts to introduce ourselves as potential local contractors. Customers of ours resorted to the yellow pages to find a class A asbestos contractor who responded immediately. If there IS asbestos in the burnt houses, not enough effort is being put into a timely response. If there ISN'T asbestos in the houses (post 2000 builds for example) time is being wasted treating them as if they do have asbestos in them. The value of the contract also seems exorbitant. It would have made more sense to let homeowners use the insurance system to get their homes demolished and then get a rebate from the government, or if uninsured use a [REDACTED] like contractor.

Another state issue, a house in Victoria demolished with asbestos is not being taken to the nearest asbestos accredited landfill if that landfill is on the other side of the border.

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