

Submission to the Economic Regulation Authority in response to the draft report:

“Review of the Emergency Services Levy.”

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Summary

I am retired after over 40 years of employment in the public service with the Forests Department, CALM, FESA and DFES and been deployed for bushfire management roles to bushfires in NSW, Victoria and Canada. I have seen many changes in Western Australia over that time. I have seen the centralisation of forest offices scattered throughout the south-west and the loss of staff and employee resources and autonomy. I have also seen the increased involvement of bushfire volunteers assisting with the suppression of bushfires on State Government lands and ESL 1 areas. I have also seen the movement to a metropolitan-centric response Department influencing all bushfire management operations and responsibilities. There has been a steady reduction in local people whether State Government employees or local bushfire brigade volunteers in determining matters affecting the local community bushfire and environmental assets.

The Department of Fire and Emergency Services (DFES) has seen an exponential growth in senior staff and associated increase in the Emergency Services Levy since its creation. I use the appointment of senior staff to demonstrate that growth. The following uniformed staff list provides an indicative example from anecdotal information:

Position	FESA	DFES
CEO / Commissioner	1	1
Deputy Commissioner / Chief Operations Officer (COO)	1	2
Ass Commissioner / Ass COO	3	6
Chief Superintendent	0	6
Superintendent	7	32
Office of Bushfire Risk Management	0	9*

The number of staff within OBRM on the DFES website differs from the ERA figures of 7 staff.

During this same period there has been significant increases in senior (level 7 or above) public service staff positions.

During this period the State has suffered more bushfire-related deaths and damaged or destroyed towns and houses since the bushfires in the 1960s.

The lessons learnt post the Royal Commission into the bushfires in the 1960s, the many inquiries into State and national bushfire management, and post bushfire inquiries and reviews, appear to have been disregarded by the movement to a metropolitan-centric response-based bushfire related agency. Virtually every inquiry has recommended reducing the bushfire fuel load as a key component, yet this does not appear to have happened since the creation of DFES.

I would recommend that what is required is a technically competent, qualified bushfire management department such as the mooted Rural Fire Service that is service orientated by trained and experienced bushfire staff—not a top heavy metropolitan centric administrative structure with very limited bushfire experience,

but rather one with the technical skills and knowledge to get the mitigation, prevention and response work completed on the ground.

The level of prescribed burning across all lands (government and private) has dropped significantly since the creation of DFES. Whether this is a result of the introduction of DFES or simply an unfortunate unrelated reduction should be formally determined.

The number of non-technical senior staff supervising technical areas appears to have grown significantly since the creation of DFES. The protocols where uniformed staff are not supervised by public servants, yet uniformed staff can supervise technical areas is a significant flaw. A similar flaw is where an applicant for a position must have attained the rank of District Officer before they can apply for an Assistant Commissioner position. This precludes lateral entry by experienced non-Fire and Rescue trained staff into the Assistant Commissioner level, which I believe is detrimental to the introduction of new thinking, new skills and new processes. This is compounded if one of the Deputy Commissioners is not from a bushfire or even a structural fire background, yet has a significant say in the roles and functions within DFES.

As an example, I question how many of these senior DFES staff have the skills and knowledge to undertake the development of a prescribed burn prescription and then undertake the burn. Yet it is these same officers who are developing the overarching policies, and endorsing the procedures and guidelines that are to be implemented.

I urge you to critically review the number of DFES senior staff and the structure that has been created by the current Commissioner. I believe it to be very top heavy, metropolitan-centric with a large number of non-technical staff both within the uniformed and corporate sections.

Introduction

The structure and responsibilities of the State Government departments and local government authorities involved with bushfire management has changed significantly over recent years. The structure and responsibilities have become more Perth-centric with staff and lines of control and command being based in Perth or dependent of Perth authorisation. This means that autonomous authority has not been devolved to the staff in the country.

It can be argued that the Perth-centric approach has occurred at the same time that the State Government has become less mitigation and prevention motivated, and adopted a more response-based approach. There is significant research and experience that clearly demonstrates that a bushfire running under extreme weather conditions and with excessive available bushfire fuels will run significant distances consuming all within its path. These bushfires require a specific suppression strategy that works the flanks from the tail fire, as the head fire is too intense with flame lengths too dangerous to work directly on the head fire.

The only component of the bushfire fireline intensity equation that humans can influence is the amount of available fuel. There have been numerous enquiries, including Royal Commissions that have identified that managing the bushfire fuels through zoning the landscape and undertaking prescribed burning is the only way that these very destructive bushfires, including mega-fires, can be prevented or at least reduced in magnitude from occurring.

It appears that since the creation of DFES there has been a marked increase in the use of aircraft for fire suppression in Western Australia. This is a significant response cost, and with high intensity bushfires has limited success. These aircraft are a significant and valuable tool in fire suppression, but their current use frequently appears to be outside of their effective capability.

There also appears to be very limited career bushfire suppression fire appliances available within the metropolitan area. I understand that there are only a limited number (5) of large four-wheel drive bushfire suppression vehicles allocated to the career fire and rescue service in the metropolitan area. I also understand that there is very limited earth moving machinery called out, even though there is a list of earth moving contractors available. There are social and physical impacts from the use of the earth moving machinery, particularly in the metropolitan and outer metropolitan area, but the alternative is to have a bushfire run greater distances and impact more properties.

The role of the State Government and its land management departments has also changed with the Department of Biodiversity, Conservation and Attractions (DBCA) now not even featuring land management in its title and with a significant reduction in permanent staff and employee numbers, and a movement to more seasonal-based employment. I understand that this is the first year in many years that DBCA has achieved its prescribed burning target for the south-west. I understand that this occurred with a financial contribution from the Royalty for Regions monies. Does this not show that DBCA requires more money to undertake this critical role and ensure that bushfire fuels are maintained at the appropriate level for community protection and biodiversity and conservation requirements?

The departments responsible for the unallocated crown land and unmanaged reserves and other lands which I understand make up 93% of the State and under the control of trading enterprises such as the Bush Forever, powerline easements, water reserves and Class B & C reserves do not appear to have been covered in the ERA draft report.

I also understand that the State Government has reduced the financial contribution to the emergency services levy (ESL) as the contribution by the metropolitan property owners has increased. I believe that the people in the ESL level 5 pay around \$75 regardless of the size of the land holding. I am paying \$351 for my contribution to the ESL. This ESL contribution increased this year by 3.2%. The consequences of these changes are to increase the state-wide contribution for bushfire response with funding sourced from the metropolitan area. Whilst equalisation of resources and the support of the metropolitan to the country is a necessity, I question whether that support should come from consolidated revenue, or royalty for regions, rather than the ESL.

The requirement to link the development of the prescribed burning process and prescription development to ISO 31000 appears to be significantly flawed. As I understand the situation, prescribed burning prescriptions have grown to be over 20 pages in length within DFES, and possibly up to 60 pages in DBCA. This is clearly a disincentive to getting prescribed burning completed on the ground and demonstrates that the internal approval processes within the two Departments is bureaucratic and not very practical. The role of OBRM should be reviewed as they seem to have contributed significantly to the bureaucratic process of increasing the length and complexity of the written burn prescriptions but not improving the onground process to achieve the desired outcomes.

It appears that the State is losing the technically competent personnel to undertake prescribed burning. The aging of the employees and large turn-over of staff within DBCA, and the age of the bushfire volunteers is resulting in loss of technically competent bushfire personnel. When this is added to the general reduction in prescribed burning across the State over the last five years the long-term problems are exacerbated.

In response to the draft report recommendations

Where there is no comment the recommendation is supported without comment.

1. The basic structure of the ESL system should be modified so that the State, through the consolidated revenue funds, reasonably contributes to the mitigation, prevention and response to bushfire. There should be a review of which departments, organisations and parts of departments and organisations are funded by the ESL. As an example, the administrative section of DFES should be funded through the State Government's consolidated revenue, not the ESL. The marine safety section should be funded through other means. The State Emergency Services (SES) should be funded through the State Government's consolidated revenue. The response, mitigation and prevention components, including research should be funded through the ESL. Why has the ESL developed as it has? I believe that the insurance industry previously imposed a levy on those insured to fund a portion of the Fire and Rescue Service (FRS), and the local government could utilise a set portion of their budget for bushfire management through the Bush Fires Act. The Bush Fires Board was funded through the State Government's consolidated revenue. As a comparison the State Government funds the Police Department and most other government departments. Why is the ESL used to fund DFES administration? There appears to be a lack of consistency between the funding for DFES, volunteer bushfire brigades and other State Government departments.
3. This is questioned on the basis of how much experience is contained within the Office of Emergency Management (OEM) on bushfire management and bushfire prevention and response requirements. A feature of DFES is that there appears to be very limited bushfire experience in the upper echelons,

and yet senior staff numbers have dramatically increased. Community losses have also increased dramatically as the cost of the DFES service has increased dramatically. All of this has occurred without substantial increases in bushfire management experience, which has created a less than desirable outcome being achieved.

4. This recommendation is supported in principle, in that a body should replace DFES from the oversight functions on ESL, but I question whether the OEM should also be reviewed for its relevance and staffing levels and expertise. An alternative body may be more appropriate to undertake that oversight role.
6. Not supported. This recommendation assumes that the OEM has the skilled staff to be able to undertake the role of ESL fund allocation to stakeholders. As per my point under section 4 (above) I question whether the expertise to conduct this role is within OEM.
7. The OEM should not be the body of appeal for ESL-related issues. The OEM has limited bushfire experience and possibly limited funding experience at the macro-level. This should be a role for the Department of Treasury with support from specialists in the field.
8. This is strongly supported. The Department of Treasury review should be expanded to include an analysis of the impact of the recent reviews into bushfire losses and whether they have been successful in achieving beneficial long-term changes or simply added to the bureaucratic processes and costs with no substantial benefits.
13. The ESL should be used to fund the mitigation, prevention and response capabilities, but not the administrative functions of DFES. DFES is a State Government Department and should therefore be treated as such for its funding and staffing levels. Which other State Government Department is funded on a fee-for-service basis which is what the ESL has created? This is not fair or ethical use of substantial contributions by citizens through the levy. The ESL should be reduced and become transparent in how it is distributed.
14. The ESL should be used to fund staff directly employed in bushfire prevention, mitigation and response within the local governments. The ESL should also support prevention activities within the local government area undertaken by volunteers and within the priority zones. The State should be zoned as recommended by the COAG enquiry of 2005. The State should be required to update the Bush Fire Threat Analysis (a joint FESA and CALM project) and make the analysis available to local governments.
15. The State should compensate local government, not the OEM, as this is presumptuous that the OEM is capable of undertaking the role and whether it will be given that role and responsibility.
16. The ESL should be used to fund parts a and b, but part c (the administrative costs) should be funded through consolidated revenue.

24. The application of ISO 31000 being implemented across DFES business activities should be considered but only on the proviso that it is practical in its process and application. The history of the methodology that DFES appears to have been applying to other enquiry reviews reveals that in virtually every case there has been an increase in staff numbers and increased costs, but not improved outcomes.
25. This should not be supported. The DFES Capability Framework should be critically reviewed and analysed as to the appropriateness of the Framework within the potential changes with the introduction of the Rural Fire Service. There have been significant increases in staffing and associated costs within the DFES Capability Command. These changes and proposed future changes should be reviewed.
34. The State Government should prepare annual estimates of the funding required for DBCA, Department of Lands, other State Government lands and Department of Planning (for Bush Forever Sites) to conduct (or to have) prevention activities on their estate. These estimates should be published in the annual report of each agency and whether the prevention activities were undertaken. These estimates should be reviewed against the long-term average cost of each component or task.
36. The Office of Bushfire Risk Management (OBRM) should be reviewed and a cost-benefit analysis undertaken to ascertain if OBRM should be retained or disbanded.

Summary

The ESL has become a significant financial cost to all metropolitan land holders, and it has grown at a faster rate than the consumer price index. DFES is a metropolitan-centric Department with very limited resources in the country regions. There are very few senior staff within the top echelon within DFES that have served in the country, understand landscape bushfires, vegetation (particularly the interaction with bushfires) or who have undertaken prescribed burning.

Reviewing the DFES staff levels, structure and roles will provide the opportunity to ascertain whether DFES has been functioning effectively in its role. The significant community losses to bushfire in recent years would indicate that it is not functioning effectively.

The need for suitable qualified staff and fire suppression vehicles (including earth moving machinery) to undertake prescribed burning and fire response are critical to the successful protection of the community from the adverse impact of significant bushfires.

Whilst the ERA draft report has concentrated on DFES, with some commentary on DPaW, the other lands under the management of the State Government have not been considered. There must also be appropriate prevention, mitigation and

response undertaken on the other State Government lands and financed appropriately. The State Government should also zone the State, into priority prevention, mitigation and response zones and provide guidance to the appropriate bushfire fuel levels.

Bushfire prevention, mitigation and response are technical roles that require qualified and competent personal. The skills required to undertake these roles effectively is a mid-term commitment and cannot be obtained in a short-time frame.

Reducing the staff levels (numbers and public service levels) and funding within DFES allocating the ESL funds more appropriately will provide the opportunity to fund a Rural Fire Service.

The role of the bushfire volunteers currently under the local government needs to be carefully considered. These must link to the Rural Fire Service and be a component of the State's fire management resources. The mechanism to achieve that linkage and maintain a local resource is an issue that must be resolved.