

New South Wales Independent Bushfire Inquiry

Submission of
THE AUSTRALIAN WORKERS' UNION
*The Black Summer bushfires, lessons learned
and next steps*

26 March 2020

About the Australian Workers' Union

The Australian Workers' Union (the AWU) is the nation's oldest union, and also one of the largest. The AWU has wide coverage in many blue-collar industries, such as steel, aluminium, chemicals, plastics and building materials manufacturing, oil and gas extraction and processing, metal ore mining, agriculture and civil construction.

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A. Executive Summary

It is very clear to the Australian Workers' Union (the AWU), after the 2019-20 fire season in NSW, that nothing can be allowed to ever be the same again.

This does not just relate to preparing for extraordinary weather—likely climate change related—but to the abject lack of necessary planning and resources by the NSW Government devoted to reducing the fuel load to prevent and suppress wildfires across our national parks and State-owned forests.

It is clear from the evidence of AWU members and from events along the fire front line that too much was increasingly expected by too many from too few. That is a fair chronology in fact of the way the 2019-20 fire season played out.

During 2019-20, the NSW Government ignored how conditions had changed in the face of drought and climate change while assuming a business-as-usual approach (for purely budgetary purposes) which would both save money on the one hand—by avoiding budget supplementation to the NSW National Parks and Wildlife Service (NPWS)—while making money on the other—by privatising Forestry Corporation of NSW (Forestry Corp).

This proved a costly distraction in facing the wildfire emergency which consumed vast areas of the State this summer, tragically resulting in lives lost. What could have been done differently? This question is answered by the testimony of AWU firefighters at NPWS and Forestry Corp.

This submission provides first-hand testimony of what could have been different from those serving on the fire frontline. It is compelling stuff, pretty raw and a pause for reflection. That past calls for change to do more to “get ahead of the game” were not just part of a vested interest campaign by the AWU and others but an honest reflection of what we believed to be needed to address the growing threat before the onslaught encountered this summer.

AWU firefighter members paid a big price to fight off the fires which went well beyond their job description. (Some lost their own properties and possessions). The over-reliance on causal and volunteers to fight deadly fires proved costly as this paper outlines. There is an urgent need for the establishment of a professional firefighting force, year-round in NSW.

A fully funded and properly equipped NPWS and Forestry Corp are minimum requirements to ensure recovery work and fire hazard reduction are undertaken before the next fire season. There is scope to introduce new techniques for all-year-round hazard reduction by implementing more indigenous cool burning. But nothing gets done unless new, additional funding becomes available.

Inter-jurisdictional and international cooperation are important areas for a proactive firefighting work program in time for the next fire season. Meantime, there is also a huge clean-up bill. The AWU supports many more full time jobs, in preference to an even greater reliance on casualisation to facilitate year-round hazard reduction and fire suppression functions. The AWU will campaign tirelessly to achieve these changes on behalf of our members and the citizens of NSW.

B. Introduction

In the wake of the wildfire emergency in NSW which claimed 25 lives, consumed 1300 properties and burnt out over 5 million hectares, along with other environmental impacts outlined by the Department of Planning, Industry and Environment (DPIE) (see box below), the AWU is concerned about the lack of funding, coordination and planning given by relevant authorities to undertaking sufficient hazard reduction burns (HRBs) and other hazard reduction activities, especially around towns, in the lead up to the 2019-20 summer.

Snapshot: area affected by fires in New South Wales

Based on the data DPIE currently has released which considers the relative severity of fires within the fire grounds identified by the Rural Fire Service (RFS):

- 5.3 million hectares (6.7%) of NSW has been affected by the wildfires. The severity of fire within this total area varies.
- More than 37% of the national park estate has been impacted. In key bioregions, the figure is well over 40%.
- More than 80% of the World Heritage listed Greater Blue Mountains Area and 54% of the NSW components of the Gondwana Rainforests of Australia World Heritage property have been affected by fire.
- The most affected ecosystems are rainforests (35% of their state-wide extent), wet sclerophyll forests (41%) and heathlands (53%).
- More than 60 threatened fauna species have been affected by the fires, including 32 species for which 30% or more of all recorded locations occur in the burn areas.
- Many individual national parks have been seriously impacted:
 - 55 parks or reserves have had more than 99% of their area affected by fire
 - 70 parks or reserves have 75-99% of their area affected
 - 29 parks or reserves have 50-74% of their area affected.

Source: <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/fire/park-recovery-and-rehabilitation/recovering-from-2019-20-fires/understanding-the-impact-of-the-2019-20-fires>

Fire in NSW does not discriminate between national parks or crown land, nor state borders. What steps are needed to improve operational effectiveness, resourcing and coordination to restrict to the extent possible the impact of fire on loss of life and property (and ecology)? How does investment in better prevention of wildfires pay off in reducing the costs of recovery from them?

This submission reviews recent experiences and what can be learnt from the 2019-20 wildfires regarding in particular plans for the avoidance of, and the suppression of these fires. What worked and what did not?

The submission identifies areas for immediate policy reform and additional funding in order to better prepare for future fire seasons in NSW. The paper addresses the relevant terms of reference of the NSW Independent Bushfire Inquiry for submission to the inquiry.

This submission includes first-hand accounts of AWU members in both the National Parks and Wildlife Service (NPWS) and Forestry Corporation of NSW (Forestry Corp) as evidence of the arguments made. Refer to Attachments A and B for this testimony, respectively.

The “bottom line” is that NSW forest firefighters have acquitted themselves in an extraordinary way this summer in the face of unprecedented wildfires. The submission documents and recognises these efforts. And these efforts have also been made on the expectation that things change in the future. Things have to change. On behalf of our members the AWU will aim to ensure they do.

HRBs are not intended to stop or prevent fires but to reduce the intensity of the fire so that firefighters have a better chance of containing / managing it. In other words, fire has to be effectively fought wherever possible prior to its outbreak and when it occurs, suppressed as quickly as possible.

And when done effectively, prevention programs reduce the likelihood of the emergency, reactive, gap-filling Commonwealth intervention of the ADF in functions such as evacuation and land clearing and knock-on reconstruction and recovery roles and functions undertaken by the states. And the costs of these types of reactive responses are potentially avoided through an appropriately resourced, thorough and well planned preventive, hazard reduction program at a state level.

The above list of environmental impacts alone (see box) is really an admission of failure in the management of the state’s public estate by DPIE in NSW. It may be accepted that, in the words of DPIE:¹

The 2019-20 bushfires in New South Wales (NSW) have been unprecedented in their extent and intensity.

However, it is also true that the business as usual (BAU) approach by DPIE to planning and preparations for the 2019-20 summer has clearly not been anywhere near adequate in preparing the landscape for the conditions and let’s be honest, for the life and death choices which NSW landowners, residents and firefighters (both volunteer and professional) alike ultimately faced across the state in the face of the wildfires which ensued.

It is not expected that today, given the weight of the evidence in the wake of the calamitous wildfires experienced over the summer in 2019-20 (refer to DPIE’s box above) that the NPWS would be as cavalier in going into the summer fire season with 115 frontline firefighter

¹ <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/fire/park-recovery-and-rehabilitation/recovering-from-2019-20-fires/understanding-the-impact-of-the-2019-20-fires>

vacancies still unfilled despite the AWU's urgent concerns² and following cuts to fire trained positions in NPWS and related workload challenges affecting HRBs.³

This paper will outline how deficiencies in programming, funding and coordination overseen by DPIE as lead department contributed ultimately, to a higher risk environment in large areas of the state in the face of extreme weather conditions and intense fires. The lack of policy coherence is illustrated by the array of responsible agencies in related areas such as forestry management and water quality management.

The AWU recently made a submission to the NSW Parliament's *Inquiry into the health impacts of exposure to poor levels of air quality resulting from bushfires and drought*. The submission is [available here](#).⁴

The submission raised a number of safety issues for AWU firefighters at [59]-[70], which are also brought to the attention of the current Bushfire Inquiry. These matters are copied at Attachment C.

Too many players...

Two issues stand out as evidence of how too many agencies are duplicating efforts without adding to operational effectiveness or readiness, heightening rather than reducing bushfire risk and delaying recovery. The paper looks at just 2 examples: (1) agencies covering forest management (and fire related responsibilities) and; (2) the oversight of water quality and access to catchments before and after major fire events.

² <https://www.illawarramercury.com.au/story/6511263/near-misses-union-claims-vacancies-put-npws-firefighters-at-risk/>

³ <https://coastcommunitynews.com.au/central-coast/news/2019/12/35-cut-to-fire-trained-positions-in-national-parks/>

⁴ https://www.awu.net.au/wp-content/docs/nsw/AWU%20Submission%20to%20NSW%20Air%20Quality%20Inquiry.pdf?_t=1584090856

Forest Management Framework
(delivering Ecologically Sustainable Forest Management)

NSW Government agencies involved in aspects of public and private forest management, and their respective areas of responsibilities are outlined below (as at November 2018).⁵

Table: Key NSW agencies involved in forest management

Agency	Legislation	Responsibilities for forest management
Department of Primary Industries	<i>Forestry Act 2012</i> <i>Plantations and Reafforestation Act 1999</i> <i>Fisheries Management Act 1994</i>	<input type="checkbox"/> Regulation of plantations <input type="checkbox"/> Compliance of Crown forestry with licence under FM Act <input type="checkbox"/> Forest industry policy and forest science
Department of Industry	<i>Crown Land Management Act 2016</i> <i>Aboriginal Land Rights Act 1983</i>	<input type="checkbox"/> Manages Crown reserves <input type="checkbox"/> Assesses Aboriginal land claims
Local Land Services	<i>Local Land Services Act 2013</i>	<input type="checkbox"/> Approvals and advice for private native forestry <input type="checkbox"/> Advice to private landholders on land management options
Forestry Corporation of NSW	<i>Forestry Act 2012</i> Forestry Regulation 2012	<input type="checkbox"/> Land manager of Crown-timber land, including State forest, timber reserves and flora reserves <input type="checkbox"/> Forestry operations on Crown-timber land in compliance with IFOAs <input type="checkbox"/> Selling wood <input type="checkbox"/> Establishing and maintaining plantations
Environment Protection Authority	<i>Forestry Act 2012</i> <i>Local Land Services Act 2013</i> <i>Protection of the Environment Operations Act 1997</i>	<input type="checkbox"/> Primary environmental regulator <input type="checkbox"/> Compliance of Crown forestry with IFOAs <input type="checkbox"/> Compliance of private native forestry with PNF Code <input type="checkbox"/> Develops environment protection policy and statutory instruments
National Parks and Wildlife Service	<i>National Parks and Wildlife Act 1974</i> <i>Wilderness Act 1987</i>	<input type="checkbox"/> Manages the National Park estate <input type="checkbox"/> Produces plans of management for parks <input type="checkbox"/> Jointly manages 8 parks with local Aboriginal people <input type="checkbox"/> Investigation, protection and management of wilderness
Office of Environment and Heritage	<i>Biodiversity Conservation Act 2016</i> <i>Heritage Act 1977</i>	<input type="checkbox"/> Conservation of environment and heritage <input type="checkbox"/> Aboriginal and non-Aboriginal heritage

⁵ https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0005/833792/Overview-of-the-NSW-Forest-Management-Framework.pdf

	<i>Part 5A Local Land Services Act 2013</i>	<input type="checkbox"/> Protection of threatened species and communities <input type="checkbox"/> Native vegetation mapping and compliance
Biodiversity Conservation Trust	<i>Biodiversity Conservation Act 2016</i>	<input type="checkbox"/> Manages private land conservation program
Department of Planning and Environment	<i>Environmental Planning and Assessment Act 1979</i>	<input type="checkbox"/> Environmental protection <input type="checkbox"/> Responsible for State environmental planning policies (SEPPs) and related regulatory requirements

Despite the machinery of government changes announced in July 2019 which created the existing Department of Planning, Industry, and Environment (DPIE),⁶ out of the former Departments of Planning and Environment, and Industry, respectively, responsibilities for the environment and natural resource management continue to be scattered among a range of responsible agencies (see table above) which inhibits coordination, planning and budget support for fire related functions aimed at hazard reduction and risk mitigation.

Very little attention is given to hazard reduction and fire suppression in the current Forest Management Framework.⁷ There is no explicit focus on fire prevention or hazard reduction as a main responsibility of the department's forest management activities. These roles appear to have been lost among the portfolio's 6 ministers and 38 state outcomes.⁸ The Forest Management Framework (published in November 2018) has now been overtaken by events.

The most recent reshuffling of portfolio responsibilities has simply not worked. A full review of current machinery of government arrangements should be undertaken with a clear view on the primary objective of reducing fire risk and improving fire suppression capabilities and not just as residual activities but as core departmental business. Where those responsibilities are clear, the strategy can (and has proved it can) work, where it does not, it simply won't.

The situation at NSW National Parks and Wildlife Service (NPWS) is a matter of particular concern to the AWU. The issues which the submission investigates are outlined further below. The situation at NPWS is also contrasted with the effectiveness of the Forestry Corporation of NSW (Forestry Corp) in part because of the clearer focus and immediate responsibilities there. Forestry Corp is considered a better model for the state to build on in implementing a more effective forest management and bushfire policy across the State.

⁶ The Department of Planning, Industry and Environment brings together specialists in urban and regional planning, natural resources, industry, environment, heritage, Aboriginal and social housing, and regional New South Wales.

<https://www.dpie.nsw.gov.au/about-us>

⁷ https://www.dpi.nsw.gov.au/data/assets/pdf_file/0005/833792/Overview-of-the-NSW-Forest-Management-Framework.pdf

⁸ <https://www.dpie.nsw.gov.au/about-us>

AWU SUBMISSION:

The Black Summer Bushfires, lessons learned and next steps



The Productivity Commission (PC) in its latest annual Report on Government Services⁹ has noted the number of primary fire service organisations devoted to land management in NSW has by the far the highest number of agencies focused on land management of any Australian jurisdiction:¹⁰

NSW Department of Environment, Climate Change and Water (now under the Department of Environment, Energy and Science, currently focused on rehabilitation of fire zones)¹¹

- NSW National Parks and Wildlife Service
- Forests NSW
- NSW Lands Department
- NSW Water Authorities

This compares to just one primary land management fire service organisation in Victoria (Department of Environment, Land, Water and Planning) and two in Queensland (Department of Natural Resources, Mines and Energy and Department of Environment and Science).

⁹ Productivity Commission: Report on Government Services, The Annual Report on Government Services (RoGS) provides information on the equity, effectiveness and efficiency of government services in Australia.
<https://www.pc.gov.au/research/ongoing/report-on-government-services>

¹⁰ Delivery and scope of activity of primary fire service organisations, Table 9A.2

¹¹ <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/fire/park-recovery-and-rehabilitation/recovering-from-2019-20-fires>

C. NSW National Parks and Wildlife Service (NPWS)

NPWS is subsumed under the Environment, Energy and Science (EES) Group (including the former Office of Environment and Heritage) inside the DPIE portfolio.¹²

National Parks employs over a thousand firefighters. The AWU represents around 700 Field Staff, all who are firefighters. It has a crucial role to play in fire preparedness in national parks. Yet, we see its jurisdiction under the EES Group within the department under mixed and conflicted aims and objectives. This lack of clarity in roles, purpose and functions has taken the priority away from these vital fire risk reduction functions at the very time they have been most needed in NSW prior to the 2019-20 summer fire season. It has been a failure of government in strategy, planning, leadership and administration.

Those in the business, bushfire firefighters etc. for example, have for many years known that the retiring members of the National Parks and Wildlife Service have not been replaced. They were the old hands that understood fuel loads and how to reduce them. The rising ranks were a deeper shade of Green pressured by the Greens Party which followed with far less burns resulting in massive loads whereupon virtually no burns were conducted for fear, correctly so, of a breakaway disaster, which we have now witnessed.

*Almost 50 jobs within the National Parks and Wildlife Service remain unfilled since the organisation underwent a restructure two years ago, with the Australian Workers Union claiming some of those roles are crucial to fire management. Australia's fires have now killed at least 29 people, torched more than 15.6 million acres, and destroyed more than 1,400 homes since September." Linda Silmalis, The Sunday Telegraph.*¹³

¹² The EES Group includes the majority of the former Office of Environment and Heritage (OEH), the NSW Environment Protection Authority (EPA), the Energy team from the former Energy, Water and Portfolio Strategy Division in Department of Planning and Environment, and the Resources Regulator. The Heritage functions of OEH have moved to the Department of Premier and Cabinet. <https://www.environment.nsw.gov.au/whoweare/>

¹³ <https://morningmail.org/national-parks-and-wildlife-service-jobs-remain-unfilled/>

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This submission makes the point that a lack of clarity around fire services related land management responsibilities inhibits a singular focus on FRBs, track and trail maintenance and fire break construction, and related manpower and equipment support to undertake these activities as NPWS core business.



Source: <https://www.illawarramercury.com.au/story/6511263/near-misses-union-claims-vacancies-put-npws-firefighters-at-risk/>



AREA BURNT BY TENURE NSW

General Tenure Type	Tenure Ha UnBurnt	Tenure Ha Burnt	Total Ha	Tenure % Burnt
National Park	3,364,772	2,042,265	5,407,037	37.8
Private Property	34,026,066	1,655,115	35,681,181	4.6
State Forest	1,307,005	845,710	2,152,715	39.3
Other Public Lands	623,208	148,779	771,987	19.3
Nature Reserve	877,552	93,863	971,415	9.7
Vacant and Reserved Crown Land	991,796	63,816	1,055,612	6.0
Leasehold Crown Land	903,563	36,268	939,831	3.9
Profit à Prendre	176,378	14,802	191,180	7.7
State Forest OEH Flora Reserve	20,327	13,893	34,220	40.6
Other Lands under NPWS control	59,640	3,737	63,377	5.9
Timber Reserve	183,997	1,016	185,013	0.5
Vacant Crown Land	1,780	103	1,883	5.5
Western lands Lease	38,415,968	12	38,415,980	3.1E-5
Crown Leasehold Land	311,675		311,675	
Reserved Crown Timber Land	3,476		3,476	
Total	81,267,203	4,919,379	86,186,582	5.7

Source: Forestry Corporation 2019/20 Fires, February 2020 (slide presentation)

Major staffing concerns before the 2019/20 fire season

In 2015, NPWS commissioned a new bushfire strategy to help it deal with fires within the areas it operates. That strategy, *‘Living with Fire in NSW National Parks: a strategy for managing bushfires in national parks and reserves 2012-2021’*, identified the need to increase the number of staff within NPWS who were qualified to fight fires.¹⁴ Specifically, the strategy identified the need to recruit:

[A] well-trained, fit, accredited to national competency standards, and highly mobile firefighting force of around 1350 staff who are equipped to undertake various firefighting roles, including rapid response and remote area firefighting, and staff who specialize in incident management

However, during the 2019 Bushfire Season, NPWS found itself with only 1044 firefighting qualified staff.

The Minister for Energy and Environment, Matt Kean MP, the relevant Minister for the Department, in August 2019 was asked in New South Wales Parliament, about the number of qualified staff to fight fires in NPWS:

¹⁴ <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Fire/living-with-fire-in-nsw-national-parks-strategy-2012-2021-120690.pdf>.

How many National Parks and Wildlife Service staff are qualified for firefighting (fire ground duties) as of:

a) 1 July 2019, b) 1 July 2018, c) 1 July 2017?

Answer –

a) 1044.

b) Data is not available for 1 July 2018 as the former Department of Planning and Environment human resources information system was in a period of transition.

c) 1060.

The 1044 staff qualified to fight fires in July 2019 is significantly less than what was planned in the NPWS 2020-2021 strategy to address the increasing fire risk: “1350 staff who are equipped to undertake various firefighting roles, including rapid response and remote area firefighting, and staff who specialise in incident management.” In fact, the number of NPWS qualified firefighters in July 2019 was less than the qualified in July 2017.

When the bushfire season began, NPWS found itself 306 qualified firefighting staff short. In order to fill the skills/capability gap, created by its own lack of recruitment and proper workforce planning, it was forced to engage contract labour as temporary ‘Field Officers’, while existing experienced ‘Field Officers’ were required to fight the fires.

Had NPWS followed its own strategy document, it would have found itself with a far better equipped permanent firefighting force to face the unprecedented challenges of the 2019/20 fire season.

NSW Government response

The NSW Government has acknowledged that recent bushfires have had a devastating effect on many NSW communities. The Government has announced the following support measures, including:

- \$48.2 million in joint funding with the Commonwealth to provide recovery grants of up to \$15,000 each to farmers and small businesses, improve access to mental health services, and support community organisations and local governments in providing bushfire recovery services.
- \$25.0 million allocated to facilitate the clean-up of homes and properties damaged and destroyed by recent fires.
- \$1.4 million for volunteer-based organisation BlazeAid, to assist with repairing fencing damaged by bushfires.
- The NSW Rural Fire Service will be receiving a record \$541 million in 2019-20.¹⁵

¹⁵ <https://www.budget.nsw.gov.au/half-yearly-review>.

However, what is lacking from these announcements is further supplementation to either the work of NPWS or Forestry Corp which would be of direct benefit to hazard reduction and future bushfire mitigation.

On the one hand, the government is keen to promote its fiscal credentials in looking to achieve average budget surpluses of \$1.9 billion over the four years to 2022-23; maintaining the State's triple-A credit rating; while boasting the NSW Generations Fund has outperformed expectations with a June 2019 balance of \$10.9 billion.¹⁶ However, the Fund was also established to deliver for communities today.¹⁷

Therefore, the AWU finds it hard to accept that at a time of desperate need and when funds are clearly available, that the NPWS has recently announced further budget cuts in communications with staff.

Recent post-fire announcements by NSW National Parks and Wildlife Service

Less backfilling – when a staff member leaves their position, we will only recruit to replace them when there is a critical need to do so. If a position is not backfilled, you will not be required to take on additional work beyond the scope of your existing duties. Managers have also been advised that team members are not expected to pick up any overflow work. If you have any concerns, please speak to your manager in the first instance...

Cutting back further on consultants and contractors – beyond the cutbacks we've already made on our use of contractors and consultants (by bringing roles in-house and using our existing people wherever possible), many more contractors have recently not had their contracts extended.

This message from the Secretary of DPIE on 21 February is part of the implementation of multimillion dollar cuts to fire related services in the immediate wake of the 2020 summer fires. It seems extraordinary that no exception or allowance has yet been made for NPWS. Senior management need to stand up for the Service.

As one member has said, *"Who makes these calls? We are down several positions and by the look of it we won't be getting them filled anytime soon. And the point about not doing any extra That rubbish. It's not the way we work. Because if it's not getting done it reflects on the people who are meant to be looking after it. So it gets done by doing extra but this is not acknowledged by management."*

¹⁶ The NSW Generations Fund (NGF), continues to grow. Seeded with an initial investment of \$10 billion in late 2018, the NGF was valued at \$10.9 billion at 30 June 2019, and is projected to grow to more than \$30 billion over the next decade. This initiative will help lower the debt burden for future generations. Since the 2019-20 Budget, the Government has directed nearly \$300 million extra into the NGF. <https://www.budget.nsw.gov.au/budget-detail/nsw-generations-fund>

¹⁷ The NGF is a world-first sovereign wealth fund to guard against intergenerational budgetary pressures and keep debt sustainable in the long term, while also delivering for communities today.

<https://www.budget.nsw.gov.au/sites/default/files/2018-06/Perrottet%20-%20Generations%20fund.pdf>

Water quality and access to catchments

A related issue and cost—which is not exclusively under the responsibility of DPIE but directly related to its activities—is water quality. It is a good example of the type of coordination and funding challenges which can get lost in the mix of essential post-fire recovery activities overseen by DPIE.

Water quality can change significantly after a fire.¹⁸ Loss of vegetation near waterways, soil erosion, falling ash and changes to the water flows can all have an impact. One of the biggest concerns for water quality after a fire is heavy rain. After a fire, it is likely that there will be increased water run-off which can lead to erosion and flooding. The run-off carries soil and other debris with it into waterways, impacting water quality.

DPIE is monitoring seven catchments that are at very high risk for water quality impacts:

- Wonboyn River
- Khappinghat Creek
- Tuross River
- Conjola Lake
- Durras Lake
- Termeil Lake
- Meroo Lake

DPIE has indicated it is working closely with local councils and other water management authorities to assist the recovery of these catchments, and providing advice, expertise and information on management strategies.

The fires have also exposed deficiencies in the accountabilities for issues such as water quality which is shared between four separate agencies in addition to DPIE including the NSW Water Authorities, WaterNSW, the Environmental Protection Agency (EPA) and the former Office of Environment and Heritage (now under the Environment, Energy and Science Group in DPIE).¹⁹

Lack of clarity concerning access to and the type of forestry and hazard reduction activities permissible in water catchments is one consequence of shared responsibilities among several agencies.

¹⁸ <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/fire/park-recovery-and-rehabilitation/recovering-from-2019-20-fires/understanding-the-impact-of-the-2019-20-fires>

¹⁹ https://www.waternsw.com.au/data/assets/pdf_file/0020/133940/Water-Roles-and-Responsibilities.pdf

D. Forestry Corporation of NSW (Forestry Corp)

The lack of clarity concerning roles, responsibilities and accountabilities at NPWS is contrasted with a much clearer mission at Forestry Corp managing environmental sustainability, tourism and renewable timber production in NSW's State-owned commercial native and plantation State forests (for more than a century).²⁰ Forestry Corporation of NSW is a State Owned Corporation with its own independent board constituted under the *Forestry Act 2012*.

The Board is responsible to the NSW Treasurer and the Minister for Finance for financial performance and compliance with all regulations. They are also responsible for overseeing the Corporation's operations under the forestry policies administered by the Minister for Primary Industries.



Source: <https://www.forestrycorporation.com.au/visit>

Forestry Corporation produces around 14% of the timber produced in Australia annually and is a major player in the Australian wood products industry, which employs 22,000 people in NSW and adds \$2.4 billion a year to the economy.

The Softwood Plantations Division manages Australia's largest softwood plantation estate, responsible for more than 230,000 hectares of pine plantations in the central west, south and north of NSW. The Hardwood Forest Division manages around 40,000 hectares of hardwood

²⁰ <https://www.forestrycorporation.com.au/about/who-we-are>

timber plantations and had stewardship of two million hectares of coastal native forests, cypress forests and red gum forests.

Hazard management including HRBs is core business for Forestry Corp aimed at reducing the severity of wildfires and maximising the returns from forest related activities including timber harvesting, and tourism related activities.²¹ Forestry Corp will have a major role to play in recovery from the most recent bushfires including salvaging burnt timber from softwood plantations impacted by recent fires. For example it is expected that local production will increase fourfold over the next year in Northern NSW.²² Fire management programs and firefighting capabilities (subject to proper funding) are well developed.²³

Announcement in August 2019 of a scoping study on the merits of privatising the Corporation or its profitable softwood division (valued at up to \$1 billion) will have implications for its on-going effectiveness.²⁴ At the same time, approximately half of the state's softwood timber resource has been destroyed by the summer fires, reducing the value Forestry Corporation's soft timber assets. Clarity will be sought from the NSW Government on its privatisation plans going forward. The AWU opposes privatisation.²⁵

Subsequent to the summer fires, the NSW Government has announced it's not going ahead with the privatisation of state forests.²⁶ NSW Deputy Premier John Barilaro said the government's priority was to help the forestry industry get back on its feet.

The Deputy Premier said in a statement that "Regrowing our forests, getting new trees in the ground, and strengthening the industry so its long-term future is secure is where we are focusing our energy."²⁷

²¹ Forestry Corporation has trained firefighters on staff who are available for deployments across the state. Staff are trained to national competencies to fulfil a variety of firefighting roles including field based firefighters as well as office based incident management team members. Staff also fill a number of specialist fire roles such as heavy plant supervisors, chainsaw operators and fire behaviour analysts.

²² <https://www.forestrycorporation.com.au/about/releases/2020/bushfire-recovery-sees-a-busy-year-ahead-for-northern-nsw-forestry-industry>

²³ <https://www.forestrycorporation.com.au/operations/fire-management>

²⁴ Forestry Corporation of NSW manages 2.2 million hectares of land which is primarily state forests with small areas of freehold and private land managed through joint-investment partnerships. The scoping study will focus on Forestry Corporation's profitable softwood division, which consists of about 230,000 hectares of radiata pine forests, primarily producing timber for use in house construction. The plantations - which are located in the central west, south and north of the state - employ about 190 staff. <https://www.afr.com/companies/agriculture/nsw-could-reap-1b-from-forests-sell-off-20190828-p52lo6>

²⁵ This is a profitable, state-owned asset enjoyed by millions of Australian who hunt, walk and fish through these vast lands, and is home to an array of endangered wildlife including koalas. It also employs 500 staff, who undertake an array of fire management duties. We have no confidence that privatised owners will allow access, care for our wildlife or understand the importance of fire management. <https://www.awu.net.au/national/news/2020/02/9010/2019-a-tough-year-for-awu-firefighters/>

²⁶ <https://www.theguardian.com/environment/2020/feb/20/nsw-government-drops-forestry-privatisation-plan-after-bushfires-devastate-plantation>

²⁷ As above

Forestry Corp debrief on the fire season

In the end Forestry Corp had an enormous fire season to manage. Its total resource commitment was 268,285 hours up to 2 February for the organisation.²⁸

Situation

Severe Drought –no soil moisture

+ Low Humidity's

+ Regular Lightening

+ Arson

+ Strong Gusting Winds

= unprecedented number and extent of fires across the NSW Landscape.

Strategy

→Direct limited resources to protect high value assets –pine and hardwood plantation, high quality hardwood forests

→Fast detection, fast response –keep fires small

→Contain, Mop up, Patrol –keeping fires out

→Take opportunity to rest our locals when we can

→Bring in out of area crews to assist with complex fires –Tumut, Bathurst, South Coast, Hunter and Wauchope/Taree, Coffs and Grafton strike teams on almost constant rotations as fire weather moved south.

Execution

Fast local response to new fires in the landscape:

→Direct attack when possible

→Back to hard lines as weather deteriorates

→Property Protection during extreme conditions

Taking lead Incident Management Team (IMT) positions on complex fires:

›Liaison; Operations; Planning; Heavy Plant; and Resourcing

Hardwood S44 Fires, From 6th September:

→14000 individual firefighting shifts

→2500 individual IMT and Duty Officer Shifts

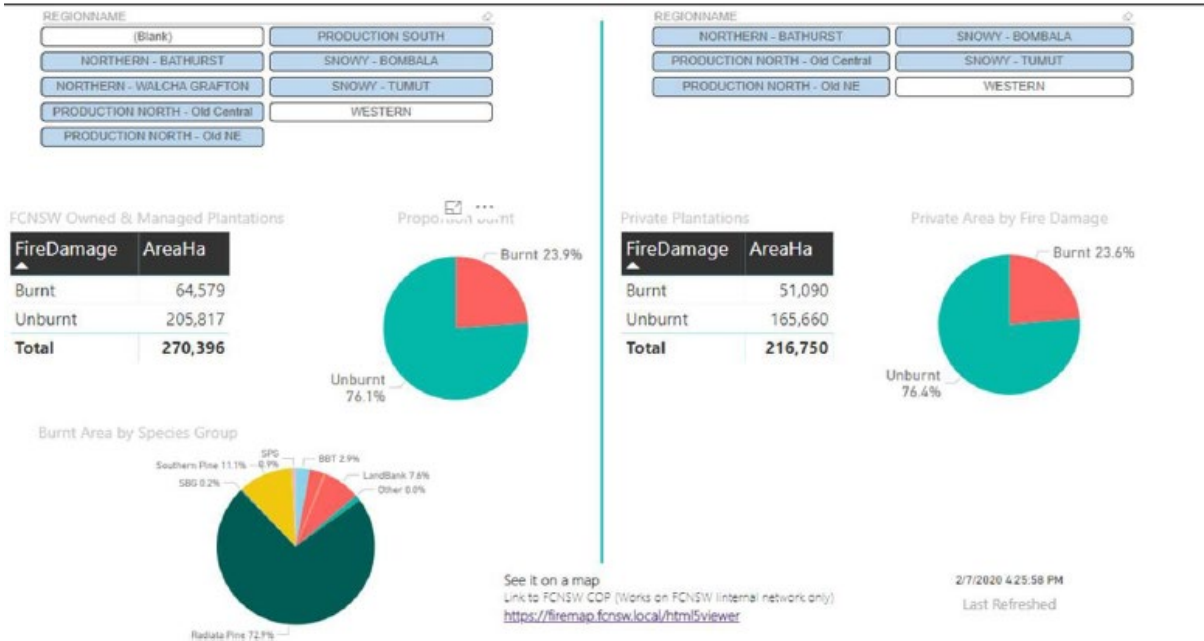
→December around 120 staff on fires per day

→January around 180 staff per day

²⁸ Forestry Corporation 2019/2020 Fires, February 2020 (slide presentation)



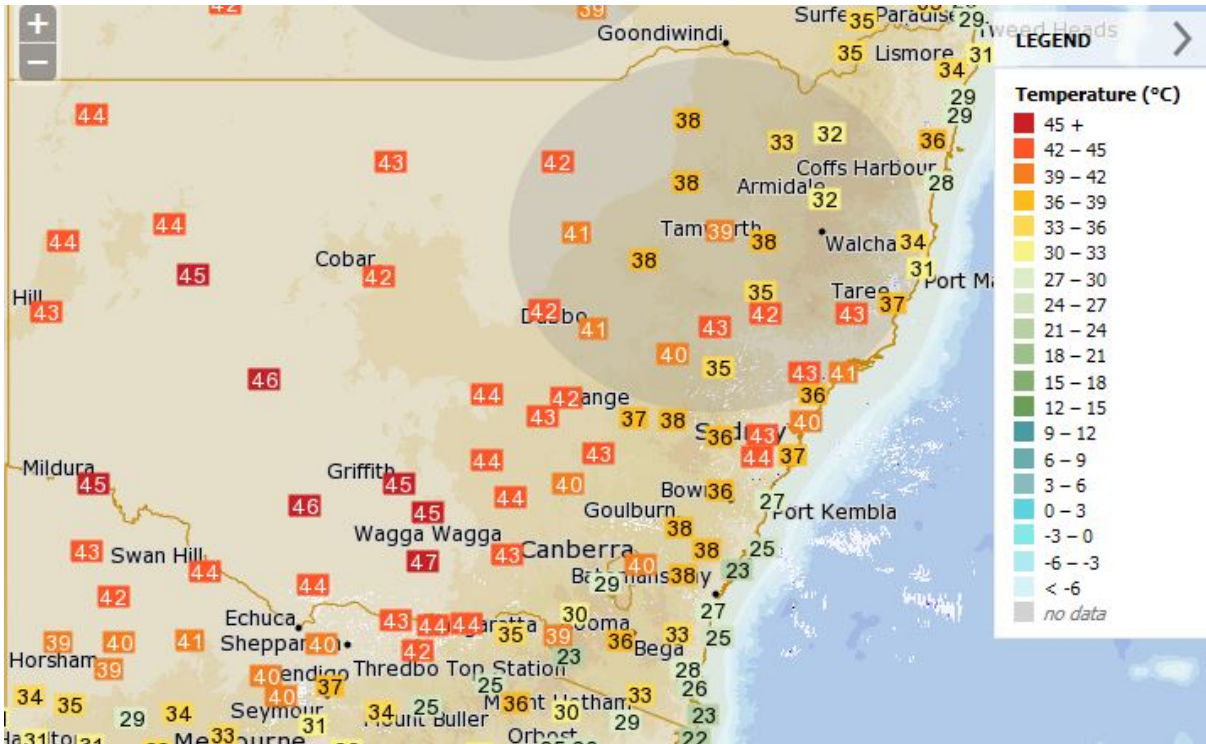
PLANTATION AREA BURNT NSW



Source: Forestry Corporation 2019/20 Fires, February 2020 (slide presentation)

HRBs in the era of climate change

Arguments about increasing evidence of the impacts of climate change has militated against a commitment to a significant increase in the HRBs in the wake of a hotter and dryer climate.



Source: <https://www.theguardian.com/australia-news/live/2017/feb/10/australia-weather-heat-power-outage-blackout-fire-danger-nsw-live?page=with:block-589d5023e4b01b5caf3ce94e>

However, it could also be argued as a consequence, fuel loads are far too great currently and thresholds for reducing these loads far too low. While steps to increase the commitment to reduce climate change are welcome, they will not substitute for a well-resourced and smart hazard reduction program to the immediate threat of wildfire.²⁹

Somehow the beneficial impact of HRBs has been lost in the perennial argument about the impacts of and the ways to best address climate change. This has led to a questioning of the effectiveness of orthodox prescribed burning programs undertaken by land management agencies on reducing both the likelihood and the impact of wildfire.

To some extent, it is a convenient argument for politicians to engage in because it covers neatly for a lack of appropriate funding and planning to improve the effectiveness of HRBs and wildfire prevention.³⁰

²⁹ <https://climatechange.environment.nsw.gov.au/About-climate-change-in-NSW/NSW-Government-action-on-climate-change>

³⁰ Professor Ross Bradstock, the director of Wollongong University's Centre for Environmental Risk Management of Bushfires, has noted that research showed funding for hazard reduction burns in NSW needs to increase five-fold to manage the increasing bushfire threat.

It also adds to the list of excuses for not undertaking sufficient HRBs throughout the year.³¹

Avoidable costs should include intervention by the ADF (whose primary function is defence of the nation's borders and national interests abroad) and the post fire recovery costs. The opportunity costs associated with the diversion of these (scarce) resources also needs to be included in the assessment of future investment in fire prevention programs.

There still remains the need for more full-time forest firefighters and improved utilisation of manpower. For example, it makes little sense that at the best time of year to do HRBs, rehabilitation, track maintenance and related activities, there are fewer rather than additional employees on duty. This occurs as a consequence of casual firefighters having completed their seasonal firefighting duties with many staff either on leave, let go, or recuperating after the summer. So it makes sense to plan for additional full time forest firefighters ready to fill these gaps beyond the contracted 5 months (discussed further below and in the attached testimony).

Complementary strategies – cultural burning

Indigenous land management insights have an important role to play and where necessary the need for further research into the impact of HRBs and indigenous burns to develop potential new strategies if appropriate. While NSW agencies have included some cultural burning practices, it is currently still at a relatively low level and will require more manpower and resources to increase its state-wide coverage and impact.³²

Traditional HRB techniques and indigenous cultural strategies are not to be viewed as either a complete panacea or as competing strategies for mitigating fire risks. There is no “either, or” type proposition in adding indigenous cultural burning to the suite of current hazard reduction activities but rather to investigate ways to maximise the overall fire prevention impact of implementing a potentially more integrated approach.

There is potential to exploit indigenous land management practices - especially its application all-year-round - to complement the current strategies of career firefighters to reduce the fuel load, in the lead up to the summer fire season.

³¹ Such as blaming the Greens, arsonists and conservationists, when it is the objection of local residents and farmers to the incidence of smoke and possible property damage in addition to cost which has more sway with decision makers on the scale of HRBs.

³² Forestry Corporation: Our Aboriginal Partnerships <https://www.forestrycorporation.com.au/operations/aboriginal-partnerships>



Source: <http://www.kooricountryfiresticks.com.au/what-is-cultural-burning.html>

In this respect, indigenous land management practices can be viewed as representing a more holistic approach to managing the environment (inclusive of fauna and flora preservation and protection of cultural sites in addition to living in the bush) rather than a purely asset protection based model. These techniques could usefully complement HRBs strategies over a longer time frame particularly around townships and address concerns regarding the impact of HRBs including smoke impact and asset destruction fears which have “pushed back” against a more proactive HRB program in recent years.

Taken collectively a new model of land management may begin to emerge. The combination of approaches to mitigating fire risk and suppression may be very effective and economical.

Frequent, low intensity burns and patch burning has the potential to lessen both the likelihood and impact of wildfires drawing on the build-up of fuel in parks, reserves and public estate lands. There is potential for the application of frequent mild (cool) burning as both an ecological and cultural tool to manage the landscape, fertilise soils and sustain or stimulate species regeneration. These practices would complement the (fully funded) HRB work program including trail maintenance, firebreak construction, and rehabilitation etc. on a 365 day hazard reduction cycle.

Examples of successful avoidance of property damage following application of traditional indigenous techniques prior to the Gospers Mountain wildfire is noted.³³

The work of the Bushfire and Natural Hazards CRC³⁴, the Nature Conservancy³⁵ in addition to the practical experience of the Koori Country Firesticks group³⁶ noted above will be useful.

Responding to calls to stop logging of native forests

In the wake of the bushfire crisis, there have been calls recently (in an open letter) by a group of forestry and climate scientists for logging of native forests to cease to aid in prevention of bushfires and global warming.³⁷ However, such a knee-jerk response would be devastating to the industry and members and takes the focus away on what is required today as a more effective response to rebuild forests and prevent future bushfires, including:

- Pest control
- Replanting Forests and native plantation
- Bushfire Mitigation;
- Rebuilding roads and bridges.

Prof Rod Keenan, the University of Melbourne's chair of forest and ecosystem science, told Guardian Australia he did not agree that all native forest logging should cease:

"The letter proposes a simplistic solution to a complex problem. Current timber harvesting is not the problem," he said.

Native forest logging had declined over the last 20 years and was heavily regulated to protect habitats, he said, "so the environmental benefits of such a ban are unclear".

He argued a ban would have "significant social and economic impacts for local communities" that had already been hit hard by fires.

He said: "The suggestion we can supply all our wood requirements from plantations is also incorrect. We have a large trade deficit in wood products, there is no immediate replacement for native timbers to industry and the plantation estate has taken a significant hit from recent fires.

³³ <https://www.smh.com.au/national/nsw/it-s-miraculous-owners-say-cultural-burning-saved-their-property-20200103-p530kc.html>

³⁴ <https://www.bnhcrc.com.au/>

³⁵ <https://www.nature.org/en-us/what-we-do/our-priorities/protect-water-and-land/land-and-water-stories/why-we-work-with-fire/>

³⁶ <http://www.kooricountryfiresticks.com.au/home.html>

³⁷ Call to end logging of "protective" native forests in wake of bushfire crisis, Graham Readfearn, Guardian Australian 25 February 2020, <https://www.theguardian.com/environment/2020/feb/26/call-to-end-logging-of-protective-native-forests-in-wake-of-bushfire-crisis>

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“The industry will need to adjust to recent fire impacts and adapt to a changing climate. New types of silviculture, including timber harvesting, can be part of the solution in reducing the impacts of future fires.

“Rather than knee-jerk decisions, we need to keep all options on the table as we work through the best responses to these catastrophic fires.”

Prof Peter Kanowski, an international forest governance expert at the Australian National University’s Fenner School of Environment and Society, said he also could not support a ban on native forest logging:

“We need to protect populations of plants and animals post-fire, and we need to organise any timber harvesting cognisant of that,” he said. “But beyond that, we have to think differently about a much more adaptive and integrated approach to how we manage forested landscapes in the future under climate change.”

He said that banning native forest logging would “be precluding options that we should not be precluding”.

E. Recommendations

The following section outlines the key recommendations drawn to the attention of the inquiry based on the first-hand experience and knowledge of professional firefighters at both NPWS and Forestry Corp who had to confront the summer fires. The experiences and reflections of career forest firefighters in NPWS and Forestry Corp are attached at Attachment A and B, respectively.

National Parks and Wildlife Service

Recommendation One

Given that Senior Management in a major restructure leading up to the worst bushfire season, presided over the loss of 25% of the most experienced firefighters, and failed to fill the vacancies of over 50 Field Officer/Firefighter positions, they should be removed from office. They put both fellow firefighters and the State at great risk through their negligent actions.

Recommendation Two

The 50 Field Officer/Firefighter positions which remain vacant must be filled as a matter of urgency.

Recommendation Three

Serious breaches of Health and Safety were identified and urgent action needs to be taken to:

- ensure all fire vehicle are fitted with defibrillators;
- paramedics are trained in winching; and
- ambulances are located near fire crews.

Recommendation Four

With new lower-paid Field Officers not having a career path, and recognising that it can take around 5 years to be fully competent in firefighting, turnover in this employee group is of great concern for the future. We therefore recommend that it is of critical importance that career paths are structured for these Field Officers to ensure our firefighting capacity is not diminished in the future.

Recommendation Five

With the destruction of so much wildlife and the need to put urgent strategies in place, we call for the employment of 40 Pest Control Field Officers.

Recommendation Six

NPWS need to upgrade their current firefighting plant, particularly bulldozers. Field Staff need to be properly consulted on slip-ons (Cat 9) as they need a more robust version (The current Cat 9s are simply not fit for purpose, as noted in Attachment A).

Forestry Corporation

Recommendation Seven

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With the massive destruction of FCNSW assets, an investment of \$200 million is needed in the plantation of new forests, both for future harvesting as well as natural habitat. We call for the employment of 50 Field Officers responsible for this work. These Field Officers will also be trained firefighters.

Recommendation Eight

Employ 20 Pest Control Field Officers, 10 for the Northern Region and 10 for the Southern Region.

Recommendation Nine

Forestry Corp needs to employ two Fire Mitigation Teams consisting of 10 Field Officers, one in the Northern Region and one in the Southern Region. Both would share responsibility for the Western Region. These Field Officers would need to be trained in heavy plant and chainsaws, and would need to be flexible. In addition, Forestry Corp needs to purchase two D4 Bulldozers.

Recommendation Ten

An additional \$15 million in funding should be provided to Forestry Corp to conduct hazard reduction burns.

Recommendation Eleven

The Government categorically rule out any future privatisation of State forests.

F. Conclusion

A number of obvious reforms, such as improved federal-state coordination, international cooperation and increased funding are evident from the experiences in the NSW 2019-20 fire season.

However, a number of additional conclusions are vital at a state level. NSW is well behind in many aspects in improving its appreciation of the risk and cost of calamitous fire on the public estate. Whether in national parks, in state forests or in between country, towns and cities, the approach to hazard reduction and fire management must change or even more lives and property risk being lost in future fire seasons. It will require the conscious commitment by the NSW Government to avoid (and limit to the extent which is practicable) the costs of future, more frequent wildfires.

Enhanced funding for manpower and resources, and improved strategies and coordination of relevant agencies focused solely on hazard reduction and fire suppression in national parks and public land is urgently required. Declaration of s 44 under RFS jurisdiction is problematic and had mixed results, especially regarding backburning. Machinery of government changes could fast-track the establishment of a dedicated fire management agency in NSW.

The testimony of AWU members in the thick of the 2019-20 fire season is compelling. It offers an insight into the challenges faced by knowledgeable firefighters who, drawing on years of accumulated experience in undertaking effective HRBs and fire suppression, were stretched beyond what could be reasonably expected in protecting the public estate, private property and human life.

The situation facing our members in the NPWS is particularly acute. There is a lack of clarity on the priority attached to fire and land management functions, which suffer from a mix of shared responsibilities and blurred accountabilities limiting the priority given in budget and resources to NPWS's fire-related functions. This must change.

Forestry Corp has in many respects a clearer 'line of sight' on its core responsibilities (promotion and protection of the state's reserve forestry and timber assets, tourism), yet AWU firefighters (including the mix of hired seasonal casuals) found themselves on private property and protecting lives during the fire season at the same time as the government was totally consumed by privatisation planning.

AWU firefighter members are the first to assist in emergencies. However, when this is as a consequence of a lack of planning, coordination and funding by the Government, it is unacceptable to expect so few members (and their families) spread across the state to shoulder such a large burden, so far away from decision-makers in Macquarie Street.

The AWU has provided a number of recommendations in this submission for the urgent attention of this Inquiry and the NSW Government. The AWU will continue to campaign throughout 2020 for a considered and appropriate response by the NSW Government to the issues raised in this submission following the 2019-20 fires—in time for the 2020-21 fire season, commensurate with the effort and sacrifice our members have made. To this end, the

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AWU stands ready to cooperate with the Independent Inquiry and in further discussions with the Government.

Attachment A — The experiences and reflections of career forest firefighters (NPWS)

- 1) “Despite drought conditions the department were warned by the union that we were due for a big season & ignored”.
 - Experienced career firefighters identified a build-up in fuel (from lack of previous HRBs) and the record drought as prime ingredients for a potentially destructive 2019-20 summer fire season.
 - However, a consequence of departmental restructuring (see above) 25 per cent of the most experienced front-line forest firefighters took voluntary redundancy (VR) offered to them.
 - Currently, there are still 50 positions still to be filled. See 3) below.
 - Not just warned by the Union but by retired fire chiefs. Meeting on the cusp of the summer fire season the chiefs warned of the consequences of inaction by governments.³⁸
- 2) “ Many years leading into the restructure the department was advised constantly our fire trails were not being maintained & plant was sitting idle”
 - Fire trails have not been maintained
 - Also affected by the VR program
 - Numerous near misses has changed the cultures in Parks and Wildlife where there is today a lack of faith in management that “they have our back” after constant approaches to management in good faith on what is really required on the ground and being let down.
- 3) “25% of our most experienced firefighters were shown the door”.
 - Despite looking to keep senior experienced staff, “they let us go to save money”
 - Experienced career firefighters hold responsible positions along the chain of command when firefighting: field supervisor to division commander. There were 30 positions covering the state. VR has seen these positions go and with it firefighting knowledge and leadership.
- 4) “Inexperienced firefighters being placed in dangerous situations. Often on the fire ground there was no one there with local knowledge”.
 - “Just as the more experienced firefighters were taking VR, (lower paid level 1 and 2) relatively inexperienced members who clearly needed training were being recruited in what was a critical time in the lead up to summer”.

³⁸ <https://www.theguardian.com/australia-news/2019/nov/14/former-australian-fire-chiefs-say-coalition-doesnt-like-talking-about-climate-change>

- Also 8) see below.
- 5) “Lack of resources meant that staff were spread thinly & could not properly control or “mop out” due to redeployment”.
- A real worry for the career firefighters. Before fires had been fully suppressed they were being pulled off jobs too early to fight other fires. The Wattle Fire is a good example but far from the only one.
- 6) “Inexperienced RAFT teams could not jump on ignitions as quickly as in the past”.
- Remote Area Fire Teams (RAFTs) are critical in suppression fires in difficult to access terrain especially immediately after lighting-strike. Experienced fire-fighters have in the past been successful in suppressing such fires within metres of the initial lighting strike. However, that ability has been absent in the current fire season as a result of the loss of experienced crews;
 - Add OHS related issues affecting Emergency Services including paramedics not being winch trained, and lack of functional equipment including radios and absence of defibrillators. The lack of emergency services training inhibited the fire fight and rapid response.
 - It should be noted that NSW RAFT teams are held in the highest regard by other countries and often share personnel and knowhow, e.g. the Californian and Canadian fire services.
- 7) Lack
of resources placed staff in danger on the fire ground with lack of maps, communication & poor logistics
- Crews were going out without maps; despite findings from the 2000 fires which led to the deaths of 6 firefighters that maps were inadequate. In the current fire season, they have often been absent altogether.
 - Logistics of supporting the fire fight have been poor. Even down to a lack of food being supplied. Firefighters were being told to “refuel” at the local McDonalds!).
- 8) Lack of resources met people were fatigued & felt pressured to respond continuously
- A key issue for the inquiry to consider in terms of the ability of firefighters to engage fires safely and effectively. The department had encouraged firefighters to move from a 3 days on; 3 off, roster to either:
 - 3 on / 1 off (home) and then 3 on /1 off (to be spent near the fire zone); or
 - 3 on / 2 at home etc.
 - Each new option has led to a breakdown in family routine and arrangements and the support of firefighters and their families.

- There has been a lack of awareness of importance of being able to be engaged in family life as a mutually supportive role for both firefighters and their families after time at the firefront. This lack of awareness and flexibility is again presumably linked with budget and resource savings.
- 9) Due to the lack of experienced staff inexperienced staff were tasked to supervise / coordinate heavy plant operations.
- At the same time as losing experienced level 3 and 4 personnel, Parks and Wildlife was recruiting lower paid but inexperienced level 1 and 2 recruits.
 - In the past, new recruits could rely on the experience of existing staff to assist in learning the safe operation of heavy equipment such as bulldozers. This however was absent this fire season for the simple reason, that not enough experienced firefighters had been encouraged to remain to act as trainers / mentors.
- 10) Due to lack of experienced staff inexperienced staff were scared / anxious with many near misses.
- See 9) above. Also note that “near misses” were not worse simply because remaining experienced career firefighters being prepared to do more than should have been required in a properly resourced and trained firefighting service. “We didn’t want to see kids kill themselves”. “They were scared and fair enough. It wasn’t their fault”.
- 11) Staff felt scared to report incidents & near misses (WSO) as they feel they will be targeted by management. Lack of trust.
- DPIE’s Work Healthy Safety Unit which oversees an on-line Worksafe reporting framework was seen more as a management compliance tool rather than safety tool. Incidents would go unreported for fear of reprisal.
 - This was especially related to the use or lack of safe use of heavy equipment.
- 12) The communications radio network fails staff.
- Faulty radios, winches, lack of operating manuals, led to growing lack of confidence on the fire grounds as the season wore on that fires could be fought effectively without firefighters having one hand tied behind their back... that their own safety was going to be expected to be put at risk through faulty equipment or lack of equipment altogether (e.g., masks to combat heavy smoke) simply to do the job.
- 13) PPE / Safety suggestions from the union over the years have been ignored i.e. adequate masks, defibrillators, paramedics that can winch.
- See 12) and note the lack of training of paramedics to be able to be winched to assist firefighters as a major limitation along the fire front.
- 14) New Cat 9s were seen as cheap & nasty.
- Converted land cruisers were not up to the task. Where NPWS undertook consultations, the views of Field Staff on necessary requirements were ignored. “They just appeared.”

15) Vacant frontline positions were missed

- With up to 50 staff short following restructure and VRs, the front line fire crews still remain understaffed exposing vulnerability to future fires.

Main messages from consultations with the AWU's regional delegates

- 1) Too many of the most experienced officers have been lost at the 3 and 4 level. This has led to an over-reliance on less experienced levels 1 and 2 to fill roles.
- 2) Task Based Assessment is a redundant test to measure fitness in fighting fires. Benchmarks of walking 4.8 kms with a 20.4 kg pack in 45 minutes; or 3.5 kms with a 15.7 kg pack in 35 minutes is arbitrary and essentially meaningless in terms of measuring preparedness and capacity to fight a bushfire which is not kilometres away but metres.
- 3) Competency of decision makers in planning for the firefight.
- 4) Insufficient staff to allocate fire hazard reduction and firefighting roles: from 715 field staff in 2010 to 570 in 2020. This also reflects the flawed restructure (see analysis above)
- 5) Level 1 and 2 are capable of undertaking general duties as Field Officers, however without sufficient experience to fill command roles along the forefront. Commander roles really requires 5-6 years in firefighting.
- 6) The National Parks and Wildlife Service and more broadly the NSW Government needs to be clear on what the object is: a) to protect the environment; b) the national parks; c) the flora and fauna? Or none of these? Because the current approach simply hasn't worked in achieving any of these.
- 7) The State lost the most experienced staff at the worst possible time given the unprecedented fires. This resulted in situations such as 8 crew with 2 senior leaders expected to contain a 2000 hectare fire around Glen Innes, Grafton and Armidale with 2 Cat 9 vehicles.
- 8) Loss of general division taskforce leaders was costly.
- 9) Calls for more hazard reduction is cutting into firefighting capabilities. The State needs more of both. In the end, 90 per cent of the effort of state firefighters was aimed at preserving life and property (on private land).
- 10) There is a need for a professional firefighting service.
- 11) The restructure of the NPWS has been very damaging. Voluntary redundancy (as a budget saving measure) has resulted in significant loss of experience. This resulted in the inevitable outcome of fewer trying to do more. On the fire-front, this resulted in regular instances of experienced members covering for less experienced colleagues simply to avoid injury and loss of life. Effectiveness takes time to build up, but quick to tear down.
- 12) Rapid Response was badly effected in terms of operational effectiveness: equipment, IT and leadership must come together.

- 13) Management of the fire response requires the right judgment on how best to respond and coordination of crews and support services.
- 14) The lack of the network of support including medical support and equipment like defibrillators, proper masks and other fit-for-purpose equipment. Note this issue has been raised by the Australian Institute of Hygienists on the long term impact of exposure to smoke and have called for the issue to be raised at the Council of Australian Governments (COAG) meeting:
- “That a full investigation be undertaken on the effects of bushfire smoke & a review of a best practice masks including our Schedule 1 fire equipment.”
- 15) If it had been a normal year the impacts of organisational restructure and funding cuts would have not been as severe. However, staff were totally unprepared, with a lack of even basic skills.
- 16) A key reform would be to abandon the “line” policy that allows a level 1 or 2 employee to jump a grade after 12 months to a level 3 or 4 position. A compromise would be to take longer to get to level 3 and 4 (after 4 years rather than 2 years). This would allow for the accumulation of experience and for natural attrition of 58-64 year employees.
- 17) Don't put casuals on the fire front which puts themselves and others in harm's way. Match-ups need to be better planned and implemented between levels 1 and 2s with more experienced levels 3's and 4's.
- 18) Training of basic skills is needed.

Other points raised by region

Nowra

- One dozer was burnt in the Currowan fire no dozer support improved after that but was close.
- Ambulance scat team where at helipads during raft work but could not winch or hover exit.
- Communications between parks, fire and rescue and RFS is only through fire ground radio missed emergency calls for weather.
- Loss of experience along with job losses.
- One cat 9 down Nowra through cost saving 3 now instead of 4
- Seasonal casual pool is now through private company rather than people who know the service
- Old RFS trucks were deployed for out of area crews - no first aid kits, no blankets, no chainsaw or general equipment.
- Training needs to be improved for NPWS on property protection.

South Coast

- Since the reduction in regional clerical staff there is no longer staff to input to the system the need for training requirements for staff before crew members end up in crew leader role. This included no heliwinching training having to be winched again along the firefront. The lack of staff to do these essential jobs which are now meant to be done at an area level but by whom?
- The John Deere tractor has been broken down for approximately 4years so there has been no fire trail slashing done and with no money to replace it.
- Hazard reductions have been reduced because senior rangers and area management are new and have no fire experience. Field officers were pushing them to do more but to no effect.

Northern

- In particular the task force I was involved in at Armidale....almost a 2 hour drive to and from the fireground and doing swingshift....knocking off sometimes at 3 am and driving back to Armidaleall of us dead tired and some taking no doze just to try and get home safe. In terms of safety and fatigue management it was terrible.
- Also I would like to raise the pathetic response times involved if there is a medical emergency on the fireground ...2 hours to respond is unacceptable....in our case the nearest road ambulance was at Walcha and already doing another job.....by the time the Westpac came and went it was 2/3 hours....which is a joke in life threatening situations. Also on another fireground near Wyndham on the far south coast, a parks employee was involved in a tree fall accident and it also took far too long for emergency personnel to get to the patient.
- Also at Armidale there were plant operators tasked to the fireground with no support vehicles and as a result one operator on the stockyard who had a flat tyre lost a dozer to fire and barely escaped with his life. Again unacceptable and protocols thrown to the wind.”

Southern

- I just also thought it was relevant that no one at National Parks or RFS were quelling rumours and misinformation directed at our staff by the public and seen as an opportunity to vent their anger and frustration at our staff. The public need to be made aware that ALL tactical decisions made on s44 fires are under RFS jurisdiction....not Parks, and we are not the responsible agency when the crap hits the fan. (Also see points below on the same issue made by Forestry Corp staff). Staff were subject to verbal abuse due to poor or dated information provided by the RFS. We have felt that there is no one batting for us, and our own organisation gives mere lip service in the form of an email now and then. We don't want glory but would appreciate some recognition for the role we play along with many other paid and volunteer agencies, and for our media liaison {if we have one?} to be proactive in supporting us by quashing untruths and educating the public on the fire-fighting roles we are involved in.”

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- “The AWU has been raising the issues of proper masks to be provided to our firefighters.
- Please see compelling video link below, the AWU wants this to be placed on the agenda of future meetings of the NPWS JCC and ERCS.” <https://youtu.be/DaUkBZ26hFA>

South-east

- Reiterating contract plant operators on many occasions not wearing appropriate PPE.
- Base camp at Glenn Innis. Food was shocking with unsustaining lunch packs as well. Working with Fire and Rescue was interesting and at times frustrating. They were working to their own SOPs and Strict shift hours ,one occasion at the end of their shift they drove off midway through a backburn without any consultation ,leaving the NPWS crews to fix the mess they created! At times they demonstrated a lack of bush fire situational awareness, backburn lighting up skills and strategies. [Basically running their own race].
- On a positive note. Very proud of attitude, professionalism and hard work [often unrecognised by media and RFS updates to public] of NPWS fire staff. There were many cases of NPWS fire crews taking lead-roles in situations and actually mentoring other agencies, such as we did with the Queensland CFA strike teams on the Muck Creek Fire.

Attachment B — Main messages from AWU delegates and organisers at Forestry Corp

- 1) Urgent need for additional dozers and crews to form professional work teams, depending on the size and need of various Forestry Corp regions. So much land to be cleared and timber to be harvested post fires.
- 2) Reconstruction including, bridges, water pipes (made from plastic) demand a full time permanent work force 3 times greater than currently in the field.
- 3) The process of hiring casuals for the duration of the fire season only is flawed. There is a significant work program which needs to be undertaken year-round. This includes trail clearing and maintenance work, spanning much longer than the 5 month fire season contract for casuals.
- 4) The large seasonal workforce should be retained for 9 months of the year on contract not just over the fire season (A mix of firefighting and HRB activities). This would assist in retention of personnel, skills and local knowledge. Currently, around 50 per cent of capability is lost at the end of the fire season (this month) when there is much more work to be done in clean up and preparations for next season.
- 5) There is a real opportunity to keep casuals on for more of the year and to retain their on-the-ground experience (especially this season) if there is more work to offer them by extending contracts and converting these into permanent positions.
- 6) The ratio of permanent employees to casuals is unbalanced, and with a lack of clarity of roles. Casuals were unaware of their entitlements (e.g. incidental allowance). Professionals had to also watch out for the casuals: “we didn’t want to see them get burnt”.
- 7) Hiring twice as many contractors as permanents through the WOF with uniforms and in forestry vehicles – They were taken for regular professional firefighters which they were not. Why would Forestry Corp employ WOF with its short term casuals instead of investing in permanent professional firefighters other than to save money?
- 8) WOF teams were also hired at the wrong time especially as restructuring within the Corporation had already reduced retained experience and local knowledge with fewer full time firefighters.
- 9) RFS are not professional firefighters. There needs to be a distinct uniform for firefighters which identified professional firefighters.
- 10) The camping allowance was inadequate to avoid (despite the best efforts of the RFS) to put together camps but which resulted in 70 men competing to use 2 showers and fighting for the use of a toilet! Also cases of food poisoning and hospitalisation which reduced the fighting force even further.
- 11) Paperwork for hazard reduction burning is too onerous. (E.g. bound by the Endangered Species Act etc.). Lack of resources hindered fire suppression elsewhere. Fires were contained but not put out and then reignited. One near Tenterfield had been contained but had still been burning since August.

- 12) How much command is given to volunteers as divisional commanders in management? Cases of fire ignition including onto private property (covered under section 44, state of emergency (nil tenure)). Made possible back burning as a fire suppression tactic. Back burning by the RFS made fires worse. "A lot of houses were lost that way".
- 13) Leadership had to be filled by professionals: they don't need to be in Parks, Forestry or the RFS. This identifies the importance of a professional firefighting service.
- 14) Both international and national resource sharing is an important addition to the firefighting effort, especially between New Zealand, The United States and Canada. Shared leadership positions within a combined field management exercise from each jurisdiction would be an important step...
- 15) First aid training is required at a much higher level, especially among first responders. All these issues have been looked at by the Australian Fire and Emergency Services Council, including heat and smoke related exposures. Too many of both during the fire season. . .
- 16) Better coordination between jurisdictions to enable HRBs on the border, (including between Vic Forestry and NSW Forestry Corp).
- 17) The goals of asset protection through hazard reduction and fire suppression have been overwhelmed by the drive for lower costs and reduced budget allocation. Short sighted as the state benefits from the Corp's financial dividend every year.
- 18) There has to be an improved career structure which matches the significance of the financial contribution made by Forestry Corp. This includes a priority work program including responsible bridge building and repair (250 lost across the state), tracks and trail maintenance, replanting (10 tonnes of seed will be required) and responsible harvesting. It will require a coordinated interagency effort and commitment by the NSW Government on behalf of the NSW population.

Attachment C — AWU Submission to NSW Parliament's Air Quality Inquiry

*Extract: AWU Submission to the Inquiry into the health impacts of exposure to poor levels of air quality resulting from bushfires and drought (Legislative Council Portfolio Committee No 2 – Health).*³⁹

Safety Issues for Rural Firefighters: NPWS and Forestry Corporation

Differences in PPE provided to rural and metropolitan firefighters

59. The AWU represents firefighters employed by the National Parks and Wildlife Service (NPWS) and Forestry Corporation (FCNSW).
60. During the bushfire crisis, these field officers fought alongside firefighters from the Rural Fire Service (RFS) and Fire and Rescue NSW (FRNSW). Unfortunately, it is likely they were exposed to greater risk than their FRNSW colleagues due to stark differences in the quality of personal protective equipment (PPE) provided by their respective agencies.
61. The NSW Government owes special obligations to these workers, as employees in the service of the Crown engaged to protect life and property during bushfire emergencies. Most NPWS and FCNSW field officers are not solely employed as firefighters: they are multi-skilled operators who also perform a number of other critical tasks in the management of the national parks estate and state-owned forest tracts.
62. While FRNSW firefighters are equipped with P3 respirators (which screen out 99.95% of airborne particles), NPWS field officers are issued P2 masks, the same devices used for domestic renovations or painting a house (which screen out only 94% of airborne particles).⁴⁰
63. In the context of back-to-back 12-hour shifts in catastrophic air quality, the greater health risks of P2 masks (and exposure to nearly 6% more airborne particles) are self-evident. Significant media publicity arose during the crisis when RFS brigades began 'crowdfunding' to purchase P3 respirators to replace their issued P2 masks.⁴¹ In other states, rural volunteer firefighters have raised concerns about use of P2 masks in previous Parliamentary inquiries.⁴²

³⁹ <https://www.awu.net.au/wp-content/docs/nsw/AWU%20Submission%20to%20NSW%20Air%20Quality%20Inquiry.pdf?t=1584090856>.

⁴⁰ Burton et al., Respiratory Protection - Are our Standards Protecting Worker Health or Providing a False Sense of Security (2016, University of Wollongong, Final Report for Coal Services CSHST Grant 20634, accessed at: https://www.coalservices.com.au/wp-content/uploads/2017/03/Project-20634_CSHST-GrantFinal-Report-Submitted.pdf), p 15 and Table 2.3.

⁴¹ See, e.g., NSW firefighters crowdfunding upgraded face masks amid claims RFS gear insufficient (ABC News, 11 December 2019, accessed at: <https://www.abc.net.au/news/2019-12-11/nsw-bushfiresfirefighters-raise-money-to-buy-face-masks/11790096>).

⁴² See Submission of the Samford Rural Fire Brigade to the Queensland Parliament's Finance and Administration Committee Inquiry into the Workers' Compensation and Rehabilitation (Protecting Firefighters) Amendment Bill 2015 (Q), extracted in the final report at p 30. Accessible at: <https://www.parliament.qld.gov.au/documents/committees/FAC/2015/B7WorkCompandRehabProtectFirefighters/rpt-009-08Sept2015.pdf>.

64. The AWU on behalf of its members at NPWS have requested a review of masks on several occasions. The disparity in equipment between firefighters in different services requires urgent attention from the NSW Government. The higher FRNSW standards for PPE should be applied to all firefighters working by or on behalf of the State of New South Wales.

Inadequacies in training of rural firefighters—structural fires

65. In addition to the equipment disparities, there is a significant training gap between FRNSW and other agency personnel when it comes to structural (building) fires. NPWS field officers are not trained to fight structural fires, yet they are required to perform property protection duties as part of their emergency response function.

66. The air quality issues associated with structural fires differ from those associated with natural fires. Many older structures contain asbestos and other harmful substances.

67. We are aware of cases where NPWS field officers have fought a structural fire alongside FRNSW personnel. The NPWS field officers were wearing their usual P2 respirators, while the FRNSW officers had full breathing apparatus with attached oxygen.

68. Certain firefighters should not be exposed to greater risk of health problems than others simply because of the agency they work for. Legislation now recognises firefighters' greater risk of cancer through their exposure to smoke, yet readily available PPE control measures have not been adopted by all agencies to protect their employees' health.⁴³

Screening for smoke-related illnesses

69. Firefighters have a heightened risk of developing respiratory illnesses and certain cancers. Despite this known issue, our members have informed us that NPWS and FCNSW field officers are not provided with adequate health screening by their respective agencies.

70. Better policies and procedures must be developed to ensure proper screening for smoke related illnesses, to maximise the prospects of improved prognosis through early intervention. The NSW Government must ensure sufficient funding to properly roll-out these policies and procedures.

⁴³ See *Workers Compensation Legislation Amendment (Firefighters) Act 2018* (NSW).