

EMERGENCY MANAGEMENT AMENDMENT BILL 2016

Third Reading

MR J.M. FRANCIS (Jandakot — Minister for Emergency Services) [3.36 pm]: I move —

That the bill be now read a third time.

MS M.M. QUIRK (Girrawheen) [3.36 pm]: As we heard yesterday, the Emergency Management Amendment Bill 2016 is about harnessing resources in a timely fashion, which means being able to more expeditiously communicate that an emergency declaration has been made without the necessary technical requirements of needing, for example, the declaration to be made in writing, as is the case under the existing rules. For example, it will be possible to make that declaration via phone and subsequently follow up that declaration with evidence of that declaration in writing. The other welcome provision in the bill relates to the ability of local government to take preparatory steps prior to any formal declaration being made. As we know in this wide state, although we battle bushfires in the south west, we of course frequently battle cyclones in the north west. It is very important that local governments in the north west, the Pilbara and the Kimberley are given more power to take preliminary steps and to request that residents clear their properties of any loose material and the like well in advance of the cyclone coming. They are very welcome provisions and it is certainly why the opposition agreed to the bill. However, to put it in the vernacular, this bill is about all emergency agencies getting their ducks in a row. It means, for example, that they will be able to harness their resources in a timely fashion. Implicit in that is that more work needs to be done at an administrative level on a common resource management system.

I spoke briefly yesterday about the report prepared by Nous Group consultants, the “Major Incident Review of the Esperance district fires”. One of the recommendations in that report was about a cross-agency resource management system. This bill puts the legislative framework around what needs to be done administratively as a matter of some urgency. Recommendation 3.2 at page 64 of this report states —

There is currently not a high level of visibility across agencies of resources that are committed to incidents and resources that are available for deployment. It is difficult, even within agencies, to immediately identify potential resources for deployment. This becomes even more challenging when trying to identify potential resources across multiple agencies. As a result, it is difficult for agencies at the regional and state level to plan, manage and coordinate resource deployments effectively. The ROC and SOC —

Regional operations centre and state operations centre —

are not able to balance competing demands for resources effectively. Resource deployments may not be optimal, taking into account availability, fatigue management, skills and experience.

WebEOC is currently used to manage resource requests from the ROC to the SOC. However, in its current form it does not provide the functionality needed for a resource management system.

The report continues —

Key components:

Given the role of multiple agencies in responding to fire in WA, it is critical that any resource management system includes all key response agencies, including local government and volunteer units.

It must be able to account for different industrial arrangements, including fatigue management rules, for different agencies. To ensure it is an effective tool for coordinating resources for fire response, the specification and requirements of the resource management system must be undertaken jointly by all of the fire response agencies.

The cross-agency resource management system must include both human and physical resources, and identify the relevant certifications, skills and experience of resources. For physical resources, this may include compliance with relevant standards. For human resources, this may include AIIMS accreditations, but also other relevant skills and experience, such as experience in particular types and levels of bushfire and familiarity with different regions. It should include a local dimension, to ensure that local resources, such as contractors for machinery and appliances, are recorded in a central location that is accessible to all agencies. This will enable regions to appraise the availability of local resources to improve self-sufficiency, including identifying opportunities to increase local capacity.

It concludes —

As well as giving visibility to resources, the cross-agency resource management system must support agencies to track and manage deployments. It must contain information on current and planned deployments to enable forward planning of resourcing, taking into account fatigue management arrangements. This will support agencies to better manage the logistics for catering and accommodation

for deployed personnel and to more easily anticipate operational resource requirements at the incident, regional and state level.

As I said, this bill is about setting the framework for the very things that were recommended in the Esperance major incident review. As I said yesterday, it is not the first time that such issues have been raised and nor, I suspect, will it be the last. It is clearly the biggest priority. We need to know what resources we have in the region and what personnel and how we can deploy them. Frankly, that also goes back to escalation of the level attributed to fire, for example. We know of some examples when incidents have not been upgraded in a timely fashion. Hopefully, this is part of the bigger picture of people at an early stage being mindful of the need to galvanise the resources and to respond to the particular threat.

The Ferguson report, which came out last week, looked at the resource management system. Lesson 30 is —

Logistics and resource officers in IMTs need to collaborate and establish full awareness and control over the available resources.

Lesson 31 is —

A review of the manner in which resourcing is conducted across all agencies needs to occur with a review identifying the best manner to ensure all agencies adapt to the same process.

The response to lesson 30 is —

The Special Inquiry recommends that DFES and P&W to investigate and adopt an emergency services resource management system as a matter of priority. The system should enable the registration, tasking, tracking, management and coordination of emergency management personnel, vehicles, plant and aircraft.

The response for lesson 31 is —

The system should enable the registration, tasking, tracking, management and coordination of emergency management personnel, vehicles, plant and aircraft.

Under lesson 34 —

The Special Inquiry recommends that DFES and P&W to investigate and adopt an emergency services resource management system as a matter of priority. The system should enable the registration, tasking, tracking, management and coordination of emergency management personnel, vehicles, plant and aircraft.

Although the legislation in this place certainly facilitates what work needs to be done at emergency sites, it is quite clear that a lot needs to be done at the interagency level and across agencies to better tailor a response; in particular, for managing resources. As I said yesterday, I think that probably goes as far as having common tenders and more common equipment, which would improve interoperability. As I said, I think the Esperance recommendations went further. There should be more capacity to understand the skill sets of both career and volunteer firefighters and emergency personnel who are on deck. All those things will also help in the timeliness of an expeditious response to emergency threats.

The second matter in the bill that I think is important—unfortunately, we had some difficulty with the amendment yesterday—relates to the State Emergency Management Committee having oversight of recommendations of previous inquiries and major incident reviews and thereafter reporting to the minister. We wanted an amendment, which I hope will be tidied up in the other place, so that those reports to the minister will subsequently be tabled within 30 days of the minister receiving them from the SEMC. I make a point about this: in the past, reports seemed to do the rounds for many, many months even before they got to the minister. I am pretty firm on the 30-day proviso, because it may well be that the report will have already done the rounds of many agencies and many individuals before it even gets to the minister, so any further delay is simply unacceptable. For example, the report of the inquiry into the O’Sullivan and Lower Hotham fires, which were better known as the Northcliffe fires, was prepared, and it took many, many months before it surfaced. It was almost a year to the day before we saw that report. Added to those concerns, of course, is that I think there is some editing going on along the way and maybe some rephrasing of what are seen as harsh or adverse findings. I do not think that is desirable. Certainly from my experience as a minister, we used to have to cop it sweet. We were told that the report was going to be tabled the next day and we would take the consequences, but under this government there seems to be quite a different attitude—they try to fix some of the problems before the report even surfaces, and that way the blow is not quite so hard. This is why we should lead in this place by saying that a 30-day turnover from when the minister receives a report is quite adequate. Hopefully, it also gives the message to the State Emergency Management Committee that it needs to move in a somewhat more expeditious fashion. I did say yesterday that I was concerned about some of its reports and inquiries taking far too long.

In the context of the SEMC reviewing the implementation recommendations, it was firmly impressed on me in estimates that the SEMC is purely policy based; it is not an operational organisation. There are now more than 30 full-time equivalents in the SEMC, but none of them are operational. Again, I do have some doubts about the SEMC possibly having oversight of some of these recommendations and no doubt it will be getting feedback from operational personnel. I just make the point that that might not be seen as acceptable; they might be pushing particular recommendations that are impractical or not consistent with legislation or whatever. For what it is worth, I do not think the SEMC reviewing all implementation recommendations is a silver bullet, but it is probably preferable to what happened when the Premier's office took ownership of the Keelty inquiry, for example. That went on for years and to some extent was out of control.

Finally, in terms of Esperance and being able to respond to emergencies in a timely fashion, I want to talk briefly about the issue of communications. Fundamental to making timely emergency declarations is having decent communications equipment. One of the major problems in Esperance was that a Telstra tower went down. That is probably a federal issue to some extent, but I am not sure whether any remedial work has been done in that regard. I suspect the tower has been reconstructed or fixed—whatever needed to be done. I must ask the member for Eyre, but I do not know whether any additional towers have been put in or whether there has been some thought about putting in a generator or something of that nature so that when the power goes out, there are still communications. I have sought advice from Telstra, which says that it is not overly feasible.

Mr J.M. Francis: I saw media on it just a couple of weeks ago.

Ms M.M. QUIRK: Did you?

Mr J.M. Francis: New towers were put in. I think there are a range of towers —

Ms M.M. QUIRK: Yes, I think more towers will be put in and, hopefully, some will be outside the range. Is that the minister's understanding?

Mr J.M. Francis: I understand that they have addressed the issue of the battery backup so that they last longer than a couple of hours. Lead acid batteries have a limited life. I also understand that at least one extra tower and maybe more towers were put in. I think they were opened only a few weeks ago.

Ms M.M. QUIRK: I think some larger batteries could be put in but not batteries that will last indefinitely, as I gather that is somewhat impracticable. I am pleased to hear that something has been done in that regard. But, again, whatever is the weakest point of the system is what we have to look at. It is all very well to say that we need to have the declaration communicated in a more timely fashion, but if basic communication infrastructure is not there, everything else is more problematic.

With those comments I commend the bill and thank the government for graciously agreeing to what was a less-than-perfect amendment. As I said, I hope that the Legislative Council can do what it is paid to do and get it right.

MR J.M. FRANCIS (Jandakot — Minister for Emergency Services) [3.54 pm] — in reply: I thank the shadow minister, the member for Girrawheen, for her support of the Emergency Management Amendment Bill 2016. This is important legislation. It is one of those bills containing provisions, such as the declaration of emergency situation powers, are the kinds of issues and enablers that one hopes never to have to use. Unfortunately, we live in an uncertain world, which is why this legislation specifically almost futureproofs for unforeseen situations, emergencies and events. As I said yesterday, we do not need to go back too far in time for examples of these. In fact, we need think back only 48 hours about what happened in Istanbul. We live in an uncertain world. It is important that emergency services, whatever the response agency is, have the ability to take whatever action is required if something happens that is not covered by the current wording. This bill will give them the ability to take whatever action may be required.

I acknowledge the amendment moved by the shadow minister, the member for Girrawheen. I am not a lawyer; I am a fitter and turner. I certainly do not know what happened with the drafting of the wording—I am not looking at the clerical staff in the chamber, either!—but we share the same desire for that outcome. It will be appropriate that our colleagues in the other place actually do something worthwhile with their time and maybe correct our slight mistakes from last night, but the intent is very clear. Of course it is important that whoever is in government and whoever the minister might be does not sit on reports that will provide lessons that need to be learnt in a timely manner. I made this point yesterday when I was at the table during consideration in detail in response to some ongoing issue of the member for Bassendean. Whatever it is, I am not in the business of keeping secrets. I am not in the business of hiding anything from the public, members of Parliament or anyone else for that matter; if it is not something that, for whatever reason, is secretive or as a matter of security, needs to be withheld, I am more than willing to expedite disclosure of that information. I think that is the right thing to do and I think that is what the community expects.

I want to take this opportunity to acknowledge the contribution that volunteers make to emergency services across the entire country, particularly in Western Australia. I do not have the exact number of people in the volunteer workforce because they do not all belong to government agencies. There are somewhere between 20 000 and 22 000 bush fire brigade volunteers across Western Australia. That is the one I cannot gauge an exact number on because I do not have the numbers in each brigade. With only a few exceptions, those brigades are the domain of local councils; they are managed predominantly by local government but obviously with significant support through the Department of Fire and Emergency Services. As far as volunteer fire and rescue services are concerned, they are managed by DFES. We know that there are a few thousand of those volunteers. There are marine sea rescue volunteers. There are others outside the DFES umbrella. I do not want to forget the State Emergency Service, because there are quite a lot of SES volunteers spread all over the state. Different units do different things, just like in the volunteer fire and rescue service. Some do road crash rescues, which, as we all know, are very confronting, particularly in country towns when the first responders, who are predominantly volunteers, respond to incidents at which they sometimes know the victims. That is exceptionally difficult and exceptionally confronting and one of the toughest jobs that a volunteer can do. I again place on the record my support and appreciation of the sacrifice and contribution those volunteers make to saving lives. It is not within my domain, but volunteer ambos, paramedics and helpers should also be acknowledged. If, during the Waroona–Harvey fires, members went down there, they would have seen those volunteers at the showground, set up with the ambos, doing whatever needed to be done on a volunteer basis, such as providing first aid. It is such a small world; one of the young girls who was a volunteer medic down there recognised me—when I was a sublieutenant she was a midshipman on a ship, probably 12 years ago. She said, “I know you from somewhere!” It is amazing how people move around in our community and contribute in different ways after leaving the Australian Defence Force, for example.

It is worthy of note that a declaration of an emergency situation, apart from providing response from certain authorities, including the police, gives some form of income and employment protection to volunteers. We are not talking about particular cases that may or may not have been in the media recently, but it is something that is very worthwhile. When volunteers are out for whatever reason on the fireground or responding to whatever the emergency situation may be, when it escalates to that level because we know it is going to increase in size and duration of incident, as many fires do, we know that some volunteers will work time on, time off the fireground and will not get back to their jobs; it is just not going to happen. Their priority is the protection of human life and the community. I know the member for Girrawheen shares my appreciation of what they do because it is so very important. This is definitely something that is supported across the chamber and it is very important that they have some kind of protection and are not punished by loss of income or employment. This is meant with all sincerity; it is a very important part of what we do here with these kinds of acts of Parliament—to provide employment protection and to ensure they are looked after.

There are a couple of other key points in this legislation that I think are worth noting and should not go unmentioned. One is the issue around the Hazard Management Agency for cyclones. The 2.5 million square kilometres of the state of Western Australia can effectively be divided into many different regions, but when we talk about the northern and southern halves, while we in the southern half suffer disastrous fires during our summer, the northern half has different seasons and the fire season never ends, which is why we have a high season fleet of firefighting vehicles that spend our winter up north. In fact, there were some big fires up there recently. In the last few weeks of our summer they come down here, so we move them back and forth to optimise the use of resources. On top of that, there is a cyclone season that predominantly hits the northern half of the state over what we refer to as the summer months. It is very important that we are able to establish a head of power for the Hazard Management Agency for cyclones, and this legislation contains an amendment to undertake that particular requirement.

Having said all that, this is short but important legislation and it will make a difference. It is, hopefully, one of those things we will never need to use and once again, I place on record my appreciation to the opposition for its support. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.