



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2021-2022 Supplementary Questions**

**Portfolio Committee No. 5 – Legal Affairs**

**EMERGENCY SERVICES AND RESILIENCE**

**Hearing: 6 April 2022**

**Answers due by: 10 May 2022**

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## Questions from the Hon Mark Buttigieg MLC (on behalf of the Opposition)

### Response to 2022 Flooding

1. Between 21 February 2022 and 14 March 2022 how many incidents were logged with the SES during the recent flood events?
  - (a) How many operational events?
  - (b) How many calls were received requesting assistance?
  - (c) How many flood rescues were performed?
  - (d) How many calls went unanswered?
  - (e) How long was the average wait time for a response?
  
2. Is it correct that a single point of failure at a facility at Woodburn was responsible for a significant part of the communications breakdown in the flooding?
  - (a) Is it true that the Woodburn Fibre Access Node affected 56,500 services?
  - (b) Prior to these floods, what assessment had been made by Resilience NSW or any government agency on the resilience of our communication networks from flooding?
  - (c) What investment has been made since the 2017 floods to identify and remove weaknesses in the network to ensure there is backup?
  
3. When did the following communities first lose communications and when were they re-connected?
  - (a) Ulmarra
  - (b) Tucabia
  - (c) Pillar Valley
  - (d) Wooli
  - (e) Kingscliff
  - (f) Duranbah
  - (g) Stokers Siding
  - (h) Uki
  - (i) Main Arm
  - (j) Mullumbimby
  - (k) Ocean Shores

- (l) Homeleigh
  - (m) Whian Whian
  - (n) The Channon
  - (o) Modanville
  - (p) Jiggi
  - (q) Kyogle
  - (r) Koonorigan
  - (s) Doubtful Creek
  - (t) Eden Creek
4. How many telephony and ISDN customers are still experiencing a loss of voice and/or data service due to flooding in northern NSW?
  5. How many ADSL customers are still unable to establish an internet connection due to flooding in northern NSW?
  6. Since Budget Estimates, has the Minister been allocated any additional staff in relation to her new portfolio 'Flood Recovery'?

#### **OEM Staff Transition**

7. How many staff from the Office of Emergency Management were not retained by Resilience NSW, when establishing the new structure?

#### **SES**

8. Has the SES mental health Incident Response Team (IRT) been deployed in the past year?
  - (a) What funding is allocated to the IRT?
  - (b) How many times has the IRT been deployed since its establishment?

#### **State Mitigation**

9. What is the total budget for state mitigation services provided by the RFS?
10. How many persons including contractors are engaged/employed to perform state mitigation services?
11. What is the budget, per person, to supply Personal Protective Equipment/Personal Protective Clothing to persons including contractors who are engaged to provide state mitigation services that are non-administrative?
12. What is the total budget for wages and salaries to persons including contractors engaged to provide state mitigation services that are non-administrative?
13. Can you confirm whether state mitigation falls under Resilience NSW?

## **Equipment**

14. The FRNSW Annual Report refers to a new fleet for 2020-21 that includes 14 pumpers, 5 aerial appliances, 180 Community Fire Unit trailers and 30 minor fleet vehicles. How many of these acquisitions are replacements of retired appliances as opposed to additional acquisitions for the existing fleet?
  - (a) How much was spent to acquire this new fleet?
15. What was the individual cost of the newly supplied BR9 Helmets?
  - (a) What was the total cost of purchasing the BR9 Helmets?
  - (b) Does the RFS have any plans to move to a helmet similar to the ones used by FRNSW with integrated communications?
  - (c) Will every helmet come with a radio for communications?
16. How many FRNSW appliances are over 20 years old?
17. How many Automatic Vehicle Locators (AVL) have been fitted to RFS trucks since the Keely review?
  - (a) For those appliances that have not been fitted – how are you tracking these vehicles?

## **Fire Stations**

18. Of land that was acquired for new fire stations in 2020-21:
  - (a) What is the expected date of completion for the Busby fire station?
  - (b) What is the expected date of completion for the Ryde fire station?

## **Surf Life Saving**

19. Of the \$21.8 million allocated to Surf Life Saving NSW over four years, from 2019, to support their provision of lifesaving and rescue support services how much of this has been spent?
  - (a) What is the breakdown of how this amount has been spent?
  - (b) What level of oversight does the Department have on the allocation of this funding?
20. Does the Department keep a register of the number of rescues on NSW beaches?

## **Marine & Rescue**

21. Regarding the parcel of land in Stockton proposed to become the new home of Marine Rescue NSW what will happen to the existing site?

## **Closure of Blue Mountains Aboriginal Culture and Resource Centre**

22. What role does the Department play in the assessment of bushfire risk posed to government fixtures?

23. Is the Minister or Department aware of the eviction of the Blue Mountains Aboriginal Culture and Resource Centre from its Department of Communities and Justice premises in Katoomba because of a lack of Department provided maintenance including bushfire risk preparation on the property?
24. Has the Minister engaged the Aboriginal cultural land management experts from that same centre in dealing with the bushfire risks that were detailed in a report on that property commissioned by the Department in 2020?

### **U-Turn Bays**

25. To the Commissioner of the RFS - in September 2016 the RFS issued an Operational Brief (“USE OF U-TURN FACILITIES AND CROSS-OVERS”) directing members not to use cross-over points or emergency U-Turn bays on motorways and highways due to “uncertainty about emergency vehicles legally using these facilities.” What legal or other advice, whether internal or external, was relied upon in issuing this direction?
26. The Operational Brief noted that “The NSW RFS is seeking urgent legal advice on this matter to ensure clarity for our members.” In relation to the “urgent legal advice” referred to in the Operational Brief:
  - (a) When was the advice requested by the RFS?
  - (b) Who was engaged/requested to provide the advice?
  - (c) When was the advice received by the RFS?
  - (d) Did the advice recommend the direction not to use cross-over points or emergency U-Turn bays on motorways and highways be maintained?
27. What further information has been provided by the RFS to members on this matter since the September 2016 Operational Brief?
28. Has the RFS sought any further legal advice since the “urgent legal advice” referred to in the Operational Brief? If yes:
  - (a) When was the advice/s requested by the RFS?
  - (b) Who was sought to provide the advice/s?
  - (c) When was the advice/s received by the RFS?
  - (d) Did the advice/s recommend the direction not to use cross-over points or emergency U-Turn bays on motorways and highways be maintained?
29. What legal impediments (if any) currently prevent the use of cross-over points and emergency U-Turn bays on motorways and highways by RFS vehicles?
30. What other impediments (if any) currently prevent the use of cross-over points and emergency U-Turn bays on motorways and highways by RFS vehicles?

31. What changes would be necessary, whether within the RFS or elsewhere, to allow RFS vehicles to legally use cross-over points and emergency U-Turn bays on motorways and highways when responding to emergencies?
32. Please provide a copy of all advice received since October 2012 regarding the legality of emergency vehicles in general, and/or RFS vehicles in particular, using cross-over points and emergency U-Turn bays on motorways and highways.
33. To the Commissioner of the NSW SES – in September 2016, following the decision of the District Court in *R v Wells*, the RFS directed members not to use cross-over points or emergency U-Turn bays on motorways and highways due to “uncertainty about emergency vehicles legally using these facilities.” What legal or other advice, whether internal or external, was sought by the SES following the court’s decision?
34. What changes were made to SES operating procedures, driver training, or otherwise in response to the decision in *R v Wells*?
35. Are you confident that SES members are not exposed to any legal risk when using cross-over points or emergency U-Turn bays on motorways and highways?
36. Please provide a copy of all advice received since October 2012 regarding the legality of emergency vehicles in general, and/or SES vehicles in particular, using cross-over points and emergency U-Turn bays on motorways and highways.
37. To the Commissioner of FRNSW – in September 2016, following the decision of the District Court in *R v Wells*, the RFS directed members not to use cross-over points or emergency U-Turn bays on motorways and highways due to “uncertainty about emergency vehicles legally using these facilities.” What legal or other advice, whether internal or external, was sought by FRNSW following the court’s decision?
38. What changes were made to FRNSW operating procedures, driver training, or otherwise in response to the decision in *R v Wells*?
39. Are you confident that FRNSW members are not exposed to any legal risk when using cross-over points or emergency U-Turn bays on motorways and highways?
40. Please provide a copy of all advice received since October 2012 regarding the legality of emergency vehicles in general, and/or FRNSW vehicles in particular, using cross-over points and emergency U-Turn bays on motorways and highways.

### **Population Coverage**

41. On how many occasions in the 2020-2021 financial year did FRNSW appliances respond into Rural Fire Service Districts?
42. Are there any areas within NSW that FRNSW’s principal planning officer has recommended FRNSW stations be constructed?
  - (a) If yes, where?
  - (b) If no, does someone else make those recommendations?

### **Industrial Relations**

43. How many staff members are in FRNSW's Industrial/Employee Relations team?
44. How many matters in 2020-21 have FRNSW been a party to in the Industrial Relations Commission?
  - (a) Of these matters, how many have been resolved in favour of FRNSW?
  - (b) How much money has been spent by FRNSW on legal fees?
  - (c) What is the total value of back pay that has been provided to firefighters where a claim has been made since 2019?

**SEV appliances**

45. How many SEV Tankers are in the FRNSW fleet?
46. How many SEV Pumpers are in the FRNSW fleet?

**Call rates**

47. How does FRNSW measure the amount of calls it receives per financial year as reported in the annual report?
  - (a) Do you report this information publicly anywhere?
  - (b) Is this the main metric to assess FRNSW's workload?
  - (c) What other metrics are used?