

## Supplementary Questions – Portfolio Committee No. 5 – Emergency Services and Resilience

### SQ1

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?

**Answer:** Requests for Assistance - 25 380

- (a) Operational events - 2
- (b) Calls received - 63,955
- (c) Flood rescues - 2,077
- (d) Unanswered calls - 24,053, of which 33% (or 7216) of callers hung up within the first 100 seconds and 15% (or 3,608) hung up within 100 to 200 seconds. 11,202 calls didn't hit the platform to be answered, due to capacity.
- (e) Average wait time - 6 mins 12 sec.

### SQ2

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?

**Answer:** nbn has confirmed its Fibre Access Node site in Woodburn affected 56,000 customers. The outage was related to a power outage, as well as three separate fibre breaks that caused a loss of redundancy on the nbn fibre distribution network. Telecommunications carriers are responsible for the management of their networks, including their commercial imperative for maintaining service delivery. Under NSW emergency management arrangements, the NSW Telco Authority leads the Telecommunications Services Functional Area to coordinate support and resources for telecommunications during all stages of emergencies. nbn, Optus, Telstra and Vodafone are supporting organisations of the functional area with responsibilities under the Telecommunications Services Functional Area Supporting Plan.

The NSW Telco Authority manages the Public Safety Network, which is the radio communications network used by emergency and essential services. There were no outages across the Public Safety Network during the 2022 flood event.

The NSW Government has committed more than \$400 million to bring a faster and more reliable digital network to rural and regional NSW. This investment is additional to the \$50 million Connecting Country Communities Fund, which has invested \$39 million to deliver communications infrastructure and services to improve voice and data connectivity across regional NSW.

The Commonwealth Government has also committed \$380 million to the Mobile Black Spot Program, which invests in telecommunications infrastructure to improve mobile coverage and competition across Australia. In partnership with carriers and the Commonwealth, through the Mobile Black Spot Program, NSW Telco Authority has overseen the delivery of 139 planned mobile stations across NSW.

The Commonwealth Government has committed an additional \$37.1 million through the Strengthening Telecommunications Against Natural Disasters (STAND) package to improve the resilience of Australia's telecommunications networks in bushfire and disaster-prone areas.

For questions regarding telecommunications should be directed to the Minister for Customer Service.

### SQ3

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

**Answer:** NSW Telco Authority has advised the following:

Site/Suburb	Date reported	Date restored	Days offline
Doubtful Creek	3/03/2022 19:15	6/03/2022 21:27	3.09
Duranbah	2/03/2022 19:15	7/03/2022 21:27	5.09
Eden Creek	2/03/2022 19:15	5/03/2022 8:27	2.55
Homeleigh	1/03/2022 22:25	4/03/2022 21:43	2.97
Jiggi	28/02/2022 2:01	8/03/2022 7:49	8.24
Kingscliff	2/03/2022 22:02	8/03/2022 7:49	5.41
Koonorigan	1/03/2022 22:25	8/03/2022 7:49	6.39
Kyogle	1/03/2022 22:25	4/03/2022 21:43	2.97
Main Arm	1/03/2022 22:25	8/03/2022 7:49	6.39
Modanville	1/03/2022 22:25	11/03/2022 20:06	9.90
Mullumbimby	1/03/2022 22:25	7/03/2022 21:27	5.96
Ocean Shores	1/03/2022 22:25	8/03/2022 7:49	6.39
Pillar Valley	1/03/2022 22:25	10/03/2022 8:08	8.40
Stokers Siding	1/03/2022 22:25	8/03/2022 7:49	6.39
The Channon	28/02/2022 2:01	10/03/2022 8:08	10.25
Tucabia	2/03/2022 19:15	10/03/2022 8:08	7.54

Uki	1/03/2022 21:51	11/03/2022 20:06	9.93
Ulmarra	2/03/2022 19:15	10/03/2022 8:08	7.54
Whian Whian	3/03/2022 19:15	10/03/2022 8:08	6.54
Wooli	2/03/2022 19:15	10/03/2022 8:08	7.54

#### SQ4

How many telephony and ISDN customers are still experiencing a loss of voice and/or data service due to flooding in northern NSW?

**Answer:** NSW Telco Authority has advised that as of 26 April, 250 Telstra customers were still experiencing connectivity issues following the 2022 flood event. However less than 60 customers have reported faults.

#### SQ5

How many ADSL customers are still unable to establish an internet connection due to flooding in northern NSW?

**Answer:** Please refer to response to Supplementary Question 4.

#### SQ6

Since Budget Estimates, has the Minister been allocated any additional staff in relation to her new portfolio 'Flood Recovery'?

**Answer:** Minister Cooke's staffing budget allocation has not changed since she was appointed Minister for Emergency Services and Resilience in December.

#### SQ7

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

**Answer:** All ongoing non-executive staff were retained and transitioned from the former Office of Emergency Management to roles in the Resilience NSW structure. Two senior executives from the former Office of Emergency Management received redundancy payments.

#### SQ8

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?

**Answer:** The IRT has been deployed 42 times over the past year, 18 of which were during the recent flooding events within the Northern Zone.  
(a) The IRT is funded through the overall Wellbeing Services & Support budget allocation, and currently does not appear as an individual budget line item.  
(b) The IRT was established in 2019 and has been maintaining response data since 2021. Since then, the IRT has been deployed 42 times. The number of responses to incidents is relatively consistent each week, however, they significantly escalate during disaster events.

**SQ9**

What is the total budget for state mitigation services provided by the RFS?

**Answer:** Since 2019-20, the NSW Rural Fire Service has received \$42.9 million over three years to enhance its mitigation crew program to support mitigation work, including employing 100 temporary regional mitigation crew members and trialling new trucks and vegetation clearing equipment. Mitigation work is performed by multiple areas of the NSW RFS across the State, including brigades who perform the work, Area Commands who coordinate work plans, and staff who develop Fire Access and Fire Trail Plans and Bush Fire Risk Management Plans.

**SQ10**

How many persons including contractors are engaged/employed to perform state mitigation services?

**Answer:** 276.

**SQ11**

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?

**Answer:** \$2,181.

**SQ12**

What is the total budget for wages and salaries to persons including contractors engaged to provide state mitigation services that are non-administrative?

**Answer:** The FY2021/22 LEC funding allocated for Mitigation Crew is \$20.16 million.

**SQ13**

Can you confirm whether state mitigation falls under Resilience NSW?

**Answer:** No, it does not.

**SQ14**

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?

**Answer:** All fleet acquisitions were replacements for trucks or light fleet that have met or exceeded their target replacement age. The total fleet replacement spend for 2020/21 was \$20,834,144.

**SQ15**

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?

**Answer:** The cost of a single BR9 helmet and visor is \$189 per unit. As at February 2022, close to \$7.5 million has been expended, with the helmet roll-out still under way. The NSW Rural Fire Service and Fire and Rescue NSW are going to market for structural and multipurpose helmets in May 2022. The joint specifications with FRNSW include integrated communications. The NSW RFS will carry out a full evaluation of the helmets and their suitability for its various roles.

**SQ16**

How many FRNSW appliances are over 20 years old?

**Answer:** Fire and Rescue NSW has 78 appliances over 20 years of age, only 10 of these vehicles are in stations. Of the remaining, 62 appliances are service exchange vehicles and 6 are training vehicles.

**SQ17**

How many Automatic Vehicle Locators (AVL) have been fitted to RFS trucks since the Keelty review?

- (a) For those appliances that have not been fitted – how are you tracking these vehicles?

**Answer:** All NSW Rural Fire Service operational fleet have been outfitted with AVL enabled radio terminals. AVL enabled radios will only work in areas covered by the Public Safety Network.

**SQ18**

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?

**Answer:**

- (a) June 2023
- (b) November 2022

**SQ19**

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?

**Answer:** Surf Life Saving NSW has provided Resilience NSW with the following breakdown of expenditure:

Milestone/Work Plan	Expenditure (at 31/12/21)
Staff enhancements to increase capacity and capability, improve program delivery, and support operations and Branch staff and volunteers.	\$2,502,598.01

Emergency response vehicles and accredited RWCs purchased for the 11 SLSNSW Branches, and ongoing operational expenses to support enhanced rescue capabilities.	\$1,391,925	
Review Project Blueprint 1.0 and Recommendations, and undertaking Project Blueprint 2.0 to provide current and up to date information and analysis on coastal risk of the NSW coastline to various agencies and bodies.	\$683,108.33	
Advanced Training and Outfitting of State Duty Officers. SLSNSW members to support NSW SES in Flood Rescue and Power Craft Officers.	\$182,568.57	
Community Education Development to broaden, engage & develop new partnerships, collaborations, networks and programs during the 4-year Agreement.	\$1,181,874.35	
Emergency Response Beacons: Design, supply, install and monitor 6 ERBs per annum (total of 18) at Black Spot locations.	\$156,962.04	
Beach Wi-Fi installation and dissemination of Beach Safety & Conditions Information.	\$65,591	
Far North Coast Digital Mobile Radio (DRM) Upgrade.	\$1,309,172	
State Operation Centre Refurbishment & Operations.	\$1,701,916	
Grants to clubs through the Lifesaving Equipment Fund (LEG).	\$902,647.31	
Core administration expenses, and salary and on-costs for Head Office and Branch staff.	\$4,250,000	
<b>TOTAL</b>	\$14,328,362.61	

#### SQ20

Does the Department keep a register of the number of rescues on NSW beaches?

**Answer:** Resilience NSW does not maintain a register of rescues undertaken on NSW beaches. This information is collected by Surf Life Saving NSW.

#### SQ21

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

**Answer:** Marine Rescue NSW is a non-government organisation. Information regarding property owned or leased by Marine Rescue NSW should be directed to that organisation.

#### SQ22

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

**Answer:** This question should be referred to the Minister for Families and Communities and Minister for Disability Services.

#### SQ23

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?

**Answer:** This question should be referred to the Minister for Families and Communities and Minister for Disability Services.

**SQ24**

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?

**Answer:** This question should be referred to the Minister for Families and Communities and Minister for Disability Services.

**SQ25**

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?

**Answer:** The NSW Rural Fire Service's September 2016 Operational Brief was issued following the District Court judgment in R v Wells on 17 August 2016. The commentary within that judgment had operational implications for the NSW RFS and indicated that there were substantial legal and operational matters to consider. Because of the District Court judgment, the Operational Brief was issued to ensure protection for NSW RFS members, while the legal and operational issues around the use of U-turn bays and cross-over points by NSW RFS vehicles were examined.

**SQ26**

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?

**Answer:** The NSW Rural Fire Service advises:

- (a) Following the District Court judgment in R v Wells on 17 August 2016, the NSW RFS requested legal advice on 2 September 2016.
- (b) The Crown Solicitor's Office was engaged to provide the advice.
- (c) The advice was received on 23 September 2016.
- (d) The advice did not directly consider the question of whether the direction not to use cross-over points or emergency U-turn bays on motorways and highways should be maintained.

**SQ27**

What further information has been provided by the RFS to members on this matter since the September 2016 Operational Brief?

**Answer:** The NSW RFS has provided two additional Operational Briefs to update members on the issue. These were issued in December 2016 and September 2018. Updates have been communicated by the NSW RFS Commissioner within NSW RFS Connect sessions, which are monthly video broadcasts available to all NSW RFS members. The NSW RFS Commissioner has also been in regular dialogue with the NSW Rural Fire Service Association (RFSA) on this matter.

### SQ28

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?

**Answer:** The NSW Rural Fire Service has advised:

(a) In March 2017, The State Emergency Management Committee (SEMC) established the Emergency Response – Australian Road Rules Working Group. The Working Group consisted of representatives from agencies impacted by the judgment, including the NSW RFS, Fire and Rescue NSW, NSW State Emergency Service, NSW Police Force, the former Roads and Maritime Services (RMS) and Transport for NSW (TfNSW). The Working Group was tasked with facilitating a multi-agency review to determine the classification of cross-over facilities and U-turn bays, and the circumstances in which they could be used by emergency services vehicles.

The SEMC unanimously endorsed the recommendations of the Working Group and agreed that further work would be undertaken to implement these recommendations, including risk assessments and new signage by TfNSW for all U-turn bays on major motorways/roadways indicating those suitable for use by emergency service vehicles. Following this decision, the NSW RFS sought legal advice.

(b) The advice was sought from the Crown Solicitor's Office.

(c) The advice was received by the NSW RFS on 6 October 2017.

(d) The advice did not directly consider the question of whether the direction not to use cross-over points or emergency U-turn bays on motorways and highways should be maintained.

### SQ29

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?

**Answer:** The NSW Rural Fire Service considers the commentary within the Wells case, and the definitions of "emergency vehicle" and "emergency worker" within the Road Rules (which impact on the emergency vehicle exemption under r 306), create significant uncertainty around the use of cross-over points and U-turn bays on motorways and highways by NSW RFS vehicles. The State Emergency Management Committee has been working to examine all potential options to ensure the safety of emergency services drivers and road users when using U-Turn Bays.

Transport for NSW (TfNSW), in collaboration with the NSW RFS and Fire and Rescue NSW (FRNSW), completed risk assessments on 62 U-Turn Bays between Wahrenonga and Beresfield, which found that 17 of these could be used safely by long wheel-based vehicles (such as NSW RFS Category 1 firefighting appliances). The working group is working with its respective legal and safety policy teams relating to the interaction between road rule 317 (traffic control signage exemptions) and rule 306 (emergency vehicle exemptions), to determine the final form of signage, and to clarify terminology with a view to resolve any ambiguity (if required), in the NSW Road Rules.



**SQ30**

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?

**Answer:** Please refer to the answer provided in response to question 29.

**SQ31**

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?

**Answer:** Please refer to the answer provided in response to question 29.

**SQ32**

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.

**Answer:** The NSW Rural Fire Services advises that the documents sought are subject to legal professional privilege and will not be produced on that basis.

**SQ33**

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?

**Answer:** No specific legal advice was sought by NSW State Emergency Service. However, NSW SES was part of an interagency working group to review and formulate a formal response to the Minister in 2021.

**SQ34**

What changes were made to SES operating procedures, driver training, or otherwise in response to the decision in R v Wells?

**Answer:** Operational Bulletin 05/1617 *Use of U-Turn and Cross-Overs Facilities on Motorways and Highways* was issued on 7 November, 2016. The Bulletin provided direction to all members about the restricted use of cross-over points or emergency U-turn bays by SES emergency vehicles.

**SQ35**

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?

**Answer:** Yes. Operational Bulletin 05/1617 *Use of U-Turn and Cross-Overs Facilities on Motorways and Highways*, and the NSW SES Safe Driver Policy outline safe and legal driving procedures for SES members.

**SQ36**

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.

**Answer:** No legal advice was sought by NSW SES.

**SQ37**

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?

**Answer:** Fire and Rescue NSW maintains legal professional privilege over this advice.

**SQ38**

What changes were made to FRNSW operating procedures, driver training, or otherwise in response to the decision in R v Wells?

**Answer:** The decision has not resulted in changes to Fire and Rescue NSW operating procedures as standing orders already exist for safe driving. An intensive training video on response driving was issued.

**SQ39**

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?

**Answer:** The NSW Road Rules 2014 contain the relevant exemptions for the drivers of emergency service vehicles.

**SQ40**

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.

**Answer:** Fire and Rescue NSW maintains legal professional privilege over this advice.

**SQ41**

On how many occasions in the 2020-2021 financial year did FRNSW appliances respond into Rural Fire Service Districts?

**Answer:** During 2020/21, Fire and Rescue NSW responded on 12,099 occasions into NSW RFS districts. This accounted for 5.57% of all FRNSW’s 217,006 responses for that period.

**SQ42**

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?

**Answer:** Yes. Fire and Rescue NSW constantly monitors areas of urban growth. The Principal Planning Officer works with planning agencies, including the Department of Planning and Environment, Greater Cities Commission and local councils, to identify potential service needs. This information is incorporated into the broader service planning process with operational commands. This monitoring has resulted in a focus on the expanding fringe of the metropolitan area, major identified growth centres and the future Western Sydney Aerotropolis precinct.

**SQ43**

How many staff members are in FRNSW's Industrial/Employee Relations team?

**Answer:** There are seven staff members in Fire and Rescue NSW's Workforce Relations team.

**SQ44**

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?

**Answer:** Fire and Rescue NSW (FRNSW) was a party to 33 matters in the Industrial Relations Commission during 2020-21.

(a) 21 of these matters were resolved in favour of FRNSW during 2020-21.

(b) \$39,248 was spent by FRNSW on legal fees in relation to industrial relations matters in 2020-21.

(c) \$34,715 was spent on back pay to firefighters during 2020-21 and \$174,245 from 2021-22.

**SQ45**

How many SEV Tankers are in the FRNSW fleet?

**Answer:** Fire and Rescue NSW has 34 SEV Tankers.

**SQ46**

How many SEV Pumpers are in the FRNSW fleet?

**Answer:** Fire and Rescue NSW has 61 SEV Pumpers.

**SQ47**

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?

**Answer:** Fire and Rescue NSW (FRNSW) records the number of primary operational incidents attended each financial year; being an occurrence of an event or situation that FRNSW has responded resources to.

- (a) The number of primary incidents is published in the FRNSW Annual Report.
- (b) No. Metrics on FRNSW workload are different to metrics primary incidents and include non-response based metrics including community safety activities.
- (c) Metrics are published in the FRNSW Annual Report.