

# PORTFOLIO COMMITTEE NO. 5 - REGIONAL NSW AND STRONGER COMMUNITIES

Friday 2 September 2022

Examination of proposed expenditure for the portfolio areas

## EMERGENCY SERVICES AND RESILIENCE, FLOOD RECOVERY

**CORRECTED**

**The Committee met at 09:30.**

### MEMBERS

The Hon. Robert Borsak(Chair)

The Hon. Lou Amato  
The Hon. Scott Barrett  
The Hon. Mark Buttigieg  
Ms Sue Higginson (Deputy Chair)  
The Hon. Adam Searle

### PRESENT

**The Hon. Steph Cooke**, *Minister for Emergency Services and Resilience, and Minister for Flood Recovery*

\* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.



## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 823  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



**The CHAIR:** Welcome to this initial public hearing of the inquiry into budget estimates 2022-2023. I acknowledge the Gadigal people of the Eora nation, who are the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past, present and emerging, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal or Torres Strait Islander people joining us today. I welcome Minister Steph Cooke and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Emergency Services and Resilience, and Flood Recovery.

Before we commence, I will make some brief comments about the procedures for today's hearing. Today's hearing is being broadcast live via the Parliament's website. The proceedings are also being recorded, and a transcript will be placed on the Committee's website once it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018.

There may be some questions that a witness could answer only if they had more time or with certain documents to hand. In those circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses will be sworn prior to giving evidence. Minister Cooke, I remind you that you do not need to be sworn, as you have already sworn an oath to your office as a member of Parliament.

**Ms CARLENE YORK**, Commissioner, NSW State Emergency Service, sworn and examined

**Mr SHANE FITZSIMMONS**, Commissioner, Resilience NSW, sworn and examined

**Mr ROB ROGERS**, Commissioner, NSW Rural Fire Service, sworn and examined

**Mr PAUL BAXTER**, Commissioner, Fire and Rescue NSW, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. We are joined by the Minister for the morning session, from 9.30 a.m. to 12.15 p.m., with a 15-minute break at 11.00 a.m. In the afternoon we will hear from departmental witnesses from 2.00 p.m. to 5.15 p.m., with a 15-minute break at 3.30 p.m. During the sessions there will be questions from the Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of the morning and afternoon sessions for Government questions. Thank you for your attendance today. We'll begin with questions from the Opposition.

**The Hon. MARK BUTTIGIEG:** Thank you, Minister and commissioners, for attending. It's much appreciated. Minister, have you read the Australian Transport Safety Bureau report into the large air tanker crash that killed three American citizens on 23 January 2020?

**Ms STEPH COOKE:** I haven't had an opportunity to read the report in full.

**The Hon. MARK BUTTIGIEG:** Does that mean that you've read parts of it, or you've read an executive summary, or you've been briefed on it?

**Ms STEPH COOKE:** I have been briefed on it. I'm aware that the RFS has accepted all three recommendations directed to it. I'm also advised by the RFS that they are already working on their implementation. As Minister, I appreciate that I have the responsibility and will be overseeing and driving the implementation of these recommendations, including if they do expand beyond, in terms of implication, the area of the RFS and their operations. Mr Buttigieg, to elaborate further in relation to the implementation of these recommendations that is already underway, I will ask Commissioner Rogers to provide some further information.

**The Hon. MARK BUTTIGIEG:** Before you do, can I just take you to an extract whilst you're on those recommendations. I was going to touch on those later but, since you've brought it up—I want to quote the report because it goes to those points. It says:

While the ATSB acknowledges the commitment to undertake reviews and research, at the time of publication—

this is at the time of publication of the report, which was four or five days ago—

the New South Wales Rural Fire Service had not yet committed to adopting any safety action that would reduce the risk associated with the 3 identified safety issues to an acceptable level. As such, the ATSB has issued three safety recommendations—

which are the ones you're referring to—

to the RFS to take further action.

What they're saying is, "It's a bit ordinary that this wasn't proactively done by the time the report was out, but now we're telling you to do it." Is that a fair summary?

**Ms STEPH COOKE:** I will ask Commissioner Rogers to provide some further information.

**ROB ROGERS:** Thanks, Minister. I think it's fair to say we've been in discussions with the ATSB about the contents of their report and their intended recommendations for a period of time leading up to quite recently. I spoke with the commissioner of the ATSB only last week. Until such time as we saw the extent of the recommendations, and then, obviously, considered how we would best implement them, it was very hard for us to actually lock something in. Since that—

**The Hon. MARK BUTTIGIEG:** Commissioner, on that point, why do you think that they've been quite pointed in this report, where they say specifically that you had not committed to adopting? The implication is that you should've known that these were three issues, and they would've expected you to implement them by now rather than wait for the report to come out. That's how I read it.

**ROB ROGERS:** I respect the fact that's the way you read it but, from my point of view, it was to see the report in its final draft—or not even final draft, but as it's published—and actually then be in a position to implement things. We've already done the procedural changes that will take us through this fire season to address the recommendations. But in addressing the recommendations—it's in a manual format. I don't think, to address these recommendations, that's going to be something that will sustain us for a big fire season. We need to make sure that we look at things from a systems-based, holistic way of doing business, because the way we're going to

have to change in light of this is something that's new for firefighting—or, indeed, aviation operations for emergency management—that isn't in place anywhere in this country. It's a brand new way of doing business.

**The Hon. MARK BUTTIGIEG:** I understand all of that, and I appreciate the elaboration. We've got quite a bit to get through here, so I just have one more before my colleague asks a question as well. In the dialogue that happened between you and the authors of the report, there was no indication that these were the sorts of things you should be getting cracking on straightaway?

**ROB ROGERS:** No, I knew they were in the report as in the drafts. Absolutely, I did.

**The Hon. MARK BUTTIGIEG:** So you waited until the report came out—

**ROB ROGERS:** Correct.

**The Hon. MARK BUTTIGIEG:** —and now you're going to implement them.

**The Hon. ADAM SEARLE:** Why, then, did the report use the language that you had refused to adopt these measures? I know you said you were waiting for—

**ROB ROGERS:** I don't think they said, with respect, that we refused to adopt them. What they've said is that we haven't yet provided them—we've said that we're going to. The language to them is that we will address the recommendations. What we haven't been able to give them, up to this point, is the detail on how we're going to address the recommendations, and that's what they're looking for.

**The Hon. MARK BUTTIGIEG:** It says here "had not yet committed". The implication is that—

**The Hon. ADAM SEARLE:** They put it to you and you said no, or some intransigence or waffle, maybe—

**ROB ROGERS:** I don't accept that, I'm sorry.

**The Hon. ADAM SEARLE:** I'm just trying to tease out the language. They've said that you've declined.

**ROB ROGERS:** What it basically is, when these reports are done, we have 90 days to actually provide a response back to ATSB to say, "We're accepting the report, and this is how we're going to accept it. These are the measures we are going to put in place." We've got a project plan already done, and we've already got people identified to look at what's going on in the US, because they seem to be the most advanced in this space. We're well advanced on actually looking at these things.

**The Hon. ADAM SEARLE:** To be clear—I don't want to put words in your mouth—you told them, "Yes, absolutely, we accept this. We're going to do it." You've told them that?

**ROB ROGERS:** Absolutely.

**The Hon. ADAM SEARLE:** You just couldn't tell them how?

**ROB ROGERS:** That's right. The detail of how we're going to implement it is what we've got to write back to them within the 90 days.

**The Hon. MARK BUTTIGIEG:** When you read the report—and I've read a fair bit of it—it's quite damning. Basically, what it says is that, on the day, the incident controller, who is the person on the ground or in the field having a look at the conditions, had grounded all of the aircraft because of dangerous conditions. They have these planes called Bird Dogs, apparently, which are like recognisance flights, which go down ahead of the larger aircraft to case out the place and make an assessment on the danger of the conditions. That Bird Dog aircraft from one of the earlier despatches said, "It's too dangerous. Don't go in there." I want to know why the large air tanker was sent down to that fire when there was specific knowledge of dangerous conditions on the ground that was communicated to the control centre?

**ROB ROGERS:** On any given fire, and particularly in that fire season, you will have a range of conditions that are occurring that will affect different size aircraft. It is not an unusual occurrence that you might have in certain conditions light helicopters grounded but heavier ones will keep flying. You can't just say because one aircraft is grounded, that means—by that way, you would have an ultralight plane, if it can't fly, then a jumbo jet can't fly. There are different thresholds for different aircraft. The fact that those aircraft weren't flying doesn't mean automatically—

**The Hon. MARK BUTTIGIEG:** My understanding is it wasn't just the Bird Dogs, it was other planes as well.

**ROB ROGERS:** Correct, smaller planes, correct. All smaller planes.

**The Hon. MARK BUTTIGIEG:** But they are specifically saying, "We don't think you should go down there." I don't want to take up too much time reading extracts from the report, but I think it is very important to gauge the seriousness of the criticism:

Despite an awareness of these conditions and that all other fire-control aircraft, (including a Boeing 737 — commissioner, that's a large air tanker—

were not operating in the area at the time due to the weather conditions, the New South Wales Rural Fire Service continued with their tasking of N134CG to Adaminaby without aerial supervision—

that is, without a Bird Dog—

In addition, they relied on the pilot in command to assess the appropriateness of the tasking but did not provide them all the available information to make an informed decision on flight safety. That information for the tasking to Adaminaby should have included details about actual hazardous environmental conditions, resulting in the cessation of local aerial operations, the birddog pilot declining the tasking due to the forecast weather conditions, and a report from the Boeing 737 crew that conditions precluded them from returning to the fire-ground.

We are not talking just about light aircraft here, we are talking about a 737. That information has come back, and yet these three American pilots were sent down there. What is your response to that?

**ROB ROGERS:** My response to it is that the pilot of the aircraft, the Bomber 134, was air attack qualified to do that work without a Bird Dog. So they can bomb without them. It's not a requirement to have them there every time, and it happens routinely, and there's a particular qualification in the US Forest where they get the accreditation to do that. The fact that the bomber, the 137 you referred to—

**The Hon. MARK BUTTIGIEG:** Sorry, Commissioner, just to tease that out, you are saying these American pilots came over with a qual that allows them to do this without a Bird Dog?

**ROB ROGERS:** Correct, yes. And if you read the report, it actually calls that out. One of the criticisms is that we haven't done enough due diligence to validate that ourselves, rather than the companies relying on them to ensure that that qualification is in place. It acknowledges that in the report. The Bomber 137 you referred to, I think what's also important is, that went to Adaminaby. It viewed it as being hazardous and it wasn't prepared to bomb. There was then a conversation between 137 and 134, who explained the conditions at Adaminaby. The pilot of Bomber 134 said, "I'm going to look at it myself." He is going to check it out himself, which he did. He then said, "No, I agree, it's too dangerous. So I won't bomb that fire." The pilot actually looked at it, said, "I'm not going to bomb that fire." He was then asked, "Are you prepared to look at a different fire?" "Yes", he said, "I will". He went to the other fire, and that's the fire he crashed on.

**The Hon. MARK BUTTIGIEG:** And I have read your statements in the media to this effect, which essentially the logic is you went down to Adaminaby and you didn't have the full information but your skills of self-assessment allowed you to judge that that fire was too dangerous, so then you went to the other fire and you should have used the same skills to judge that fire wasn't dangerous—but yet the pretext of not having the information wasn't there. This is what the report is saying. Irrespective of all of that, they should have been availed of the full suite of information, and they weren't. And there must have been some sort of serious breakdown in communication or some sort of coercion on behalf of the control room back in Homebush to say "down you go".

**ROB ROGERS:** Well, I'm sorry, I think that that's completely irresponsible language and you have no evidence of that. So I refute that.

**The Hon. MARK BUTTIGIEG:** Can we just go through the 11 o'clock meeting, which is detailed in the report. I quote again:

On the day the Snowy Mountains region in NSW had a severe fire danger rating, due to high temperatures, strong winds and forecast thunderstorms. The region included the Adaminaby and Good Good fire-grounds —

that was the first one, Adaminaby, and the second one was the Good Good fireground, which you referred to—

which were both under the control of the RFS Cooma Fire Control Centre (FCC).

At about 11:00 the Cooma FCC incident controller made a phone call to the RFS State Operations Centre. A number of senior personnel from the State Operations Centre were involved in the conference call. They discussed the escalating fire at the Adaminaby fire-ground, with rural properties under threat and concern the town would be impacted if containment lines did not hold. During the call, RFS personnel stated that there were strong winds, severe fire weather conditions, and that the smaller fire-control aircraft were not operating in the area due to the winds and poor visibility. There was also discussion as to whether a birddog aircraft had already departed to assess the conditions. However, a senior RFS officer stated that they should send the Boeing 737 LAT (large aircraft tanker) irrespective, 'as it can bomb by itself if need be' and 'not wait for the birddog assessment'.

Someone in that room has said, "Don't worry about it, they can bomb without the Bird Dog", and sent them down there without the information. Can you tell me who was in that room at the time?



**ROB ROGERS:** I can't tell you who was on that call, to be honest. I would have to—

**The Hon. MARK BUTTIGIEG:** Were you in the room?

**ROB ROGERS:** I was in the room on that day, absolutely I was. I can't remember whether I was on that particular call. I possibly was.

**The Hon. MARK BUTTIGIEG:** You don't remember the chain of command that said, "Send them down there." You don't recall that discussion that happened?

**ROB ROGERS:** Well, as you probably would appreciate, there was a lot going on at that time. There were a lot of fires right across the State. I honestly cannot remember exactly who was on what call. But all of the things that you have mentioned about them going down anyway, assessing, are things that are routinely done. There is nothing that is completely out of ordinary of sending a larger aircraft down, who is initial attack qualified, to look at a fire and examine the safety.

**The Hon. MARK BUTTIGIEG:** With all respect, Commissioner—

**ROB ROGERS:** Can I just finish my answer?

**The Hon. MARK BUTTIGIEG:** With all respect, Commissioner, if someone's engaged in serial unsafe practices, it doesn't justify continuing those practices.

**ROB ROGERS:** Hang on, I'm sorry, I didn't realise that you were an expert in that part.

**The Hon. MARK BUTTIGIEG:** I don't claim to be an expert, I claim to have read the report, and the report's damning. It basically says you sent these people down there without them being availed of all the information, and now we've got three dead people. Minister, what is your response to this?

**Ms STEPH COOKE:** I will take you back to my first response in relation to this, Mr Buttigieg, which is to acknowledge that the RFS has accepted all three recommendations that have been directed to it. They are already working on the implementation and as Minister I intend to see this through whilst ever I have the honour and privilege of the portfolio. I think it's important to acknowledge that people have lost their lives in relation to this. Twenty-six people lost their lives over that Black Summer bushfire season. We lost seven firefighters through that time. Four of them were RFS volunteers. These three particular gentlemen that we are talking about through this report today, I have been down to the area concerned. In fact, I went down in January, it was one of my first events as Minister, to attend a memorial marking the second anniversary of this tragic crash. I was joined by Commissioner Rogers and Commissioner Fitzsimmons. We paid our respects at that time, and our thoughts and condolences remain with the families who have lost loved ones. We are determined—

**The Hon. MARK BUTTIGIEG:** Minister, I appreciate your sympathy—

**Ms STEPH COOKE:** I'm sorry, we are determined—

**The Hon. SCOTT BARRETT:** Point of order—

**The Hon. MARK BUTTIGIEG:** —and follow-up. I'm just trying to get to the point of the question, because I understand we're trying to soak up time here.

**Ms STEPH COOKE:** No—

**The Hon. SCOTT BARRETT:** Point of order—

**The CHAIR:** What's the point of order?

**The Hon. SCOTT BARRETT:** If we start talking over each other, it descends into a place that I think becomes uncontrollable and difficult for Hansard. If we can stamp it out now and set a precedent, I think it makes it easier for everyone.

**The Hon. MARK BUTTIGIEG:** To the point of order: I reserve my right to intervene to redirect the witness to the line of questioning that I'm pursuing, otherwise we'll be here all day listening to hour-long answers which are interesting but don't go to the line of questioning that I'm pursuing.

**The CHAIR:** I remind everyone that we have to talk to one another decently and not to intervene in relation to questions and answers—the question should be put and the answer given. But, equally, I don't think answers should be drawn out unnecessarily long. They should be to the point and relevant, immediately relevant. I uphold the point of order, with qualification.

**The Hon. MARK BUTTIGIEG:** Thank you, Chair. Minister, if I could just take you back to the essence of the line of questioning. Here today I've presented a line of facts and extracts from the report, which basically

says that there was a problem in the chain of command and there may very well have been a situation where that aircraft was unnecessarily sent down to that area knowing full well that danger was there. I'm asking you: Will you give a commitment to tell us who was in that room on the day and who made the call to do it? Now I would imagine that those commands and those conversations are all logged and recorded. I'm asking you to present the Committee with that detail, so that we can get to the bottom of this. Will you undertake to do that?

**Ms STEPH COOKE:** I will take whatever we can on notice, Mr Buttigieg, and provide the Committee with further information. At this time, I'm satisfied that the Commissioner is addressing the recommendations of the report. A series of new policies and procedures and enhanced systems are being developed with a view to implementation ahead of the upcoming fire season to make sure that we reduce as much as possible the risk to safety for firefighting crews.

**The Hon. MARK BUTTIGIEG:** I appreciate that you're following up on the report, although there's obvious concern about those three recommendations not being proactively acted on sooner than now. But just to reiterate, you will provide the Committee with the record of what happened on the day there in the control centre—because it seems to me this is a critical piece of information that the Committee should be availed of?

**Ms STEPH COOKE:** Mr Buttigieg, I'm sure you can appreciate that I wasn't in the room on that day.

**The Hon. MARK BUTTIGIEG:** No, I understand that. But I'm asking you whether or not, as Minister, you'll provide the Committee with that detail?

**Ms STEPH COOKE:** I will seek some advice on whether that is information that I can bring to the Committee—

**The Hon. MARK BUTTIGIEG:** But before you said you would?

**Ms STEPH COOKE:** I will assist the Committee as much as I possibly can with the provision of any additional information that you are asking for.

**The Hon. MARK BUTTIGIEG:** Thank you, Minister.

**Ms SUE HIGGINSON:** Good morning, Minister and commissioners. We've just received some weather warnings for the North Coast this morning of flash flooding for this weekend possibly. We're not in quite the same position as we were at the beginning of the year. But more to the point, we are all living knowing what the general forecast is and the bureau has put us all on notice that we're looking at a third La Nina. How are we heading into that? Obviously, we've just experienced the most catastrophic flooding experience in the Northern Rivers that we know of. There are people displaced everywhere. But the thought of another—are we really ready? Are we in a different position? Have we got more boats for anybody who may be left in the Lismore basin or who's returned? What are we looking at? How do you feel, Minister?

**Ms STEPH COOKE:** Thank you for the question, Ms Higginson. I'd like to just, very briefly, acknowledge your role in representing your communities and where you've come from. I too have spent a considerable amount of time in the Northern Rivers over the past six months, and I have from time to time read comments that you have made in relation to this matter. I truly appreciate the devastation and the destruction that's occurred through the Northern Rivers in particular—not the only area impacted, but there are people up there who, understandably, are very, very nervous about what we are facing. I completely acknowledge that.

We're also looking at a situation where we are looking at what we might be facing at the same time as still trying to recover and rebuild from what's already occurred, so I can understand the community's nervousness and their need for certainty. I think, in answering your question, I'd like to break it down, I guess, really into three main parts. The first one is the Government's budget—as this is budget estimates—and our investment in the emergency services space. I'll keep those remarks brief. I'd like to touch on some learnings since that event to give the community some confidence that we have learned from events that have occurred previously and that we are well positioned to respond to future events. And then I'll ask the commissioners to provide you with an operational update, so things like those additional boats et cetera can be addressed.

I'm sure you, more than most, would appreciate that it's my role as the emergency services Minister to make sure that we are as ready as possible for anything that the future holds, and that our emergency services organisations—three of which are represented here today, but also three others, Surf Life Saving, Marine Rescue and the Volunteer Rescue Association—are best resourced and best placed to respond. To that end, in relation to the 2022-23 budget, we are investing a record \$4.2 billion in our emergency services organisations. In relation to the RFS, their total budget, including recurrent and capex, is \$837.7 million. For Fire and Rescue, their recurrent budget is \$983 million with another 105 for capital expenditure. The SES, \$197 million in their recurrent expenditure and \$40 million in their capex. These are record amounts in relation to the investment in these organisations. When it comes to the SES—and I think this is probably the one you most want to hear about—we

announced \$132.7 million, which is the highest single injection of funds into this organisation since its creation following the Hunter floods in the 1950s.

**Ms SUE HIGGINSON:** Minister, would you mind if I just interrupt for a moment, please?

**Ms STEPH COOKE:** Of course.

**Ms SUE HIGGINSON:** I hear the money, and the investment is fantastic. We did hear the Premier arrive in Lismore and say we wouldn't spare a dollar, so it's good to hear that there is money. But when you're sitting on your roof, money is not really what you're thinking about. So can we just get to how are we ready, Minister? What do we say to all the people in the Northern Rivers who, as you've acknowledged, are utterly traumatised and what they want to hear—I think they know that the money is good but, really, how are we more ready than what we weren't in March this year?

**Ms STEPH COOKE:** Sure. I appreciate where you're coming from, and I'll throw to Commissioner York in just one moment. I just want to acknowledge that the money is important because if we don't provide the money, then our organisations don't have the resources, the equipment, the vehicles, the vessels—what they need to do their job. So I'm really proud of our budget in this space, understandably. But I'll now—

**Ms SUE HIGGINSON:** Have we bought more boats? Have we bought more fleet? Have we purchased those things? Are they readily available? Are they sitting on the side of the hill in Lismore? Are we ready?

**Ms STEPH COOKE:** Commissioner York?

**CARLENE YORK:** I think it's important to note that the weather conditions are quite different than what we had in the February-March floods. It's not an east coast low across the whole of the east coast of New South Wales from Victoria to Queensland and there aren't massive floods in Queensland, so the resources available to send to the Northern Rivers are quite different than we had. We were particularly stretched during the February-March floods, that we had to maintain resources in a lot of places across New South Wales. We have the boats available. There aren't any extra up there, but we're continuing to roll out our replacement program for fleet and vessels.

The really good thing that we have invested in thanks to the Government's money is six Unimogs, which are very large transport vehicles that can go into flooded waters, and there is one now based at Lismore. It was used in the July floods and, obviously, we've learned a lot of lessons from the February-March floods that were put into place in the July floods. We message much earlier. We've started messaging and communication up there in the Northern Rivers, and they're also expected to have rains on the mid North Coast as well. We can relocate fleets and vessels much easier than we could in the February-March floods. We've already started doing—

**Ms SUE HIGGINSON:** Excuse me, Commissioner, thank you. I acknowledge the weather conditions are slightly different, but we understand now that extreme weather events and bigger systems can just arrive. They can arrive very quick, and they can hang around. Are you suggesting that at the moment we're relying on not having a similar experience to what we had in February-March because of the lack of build-up that we're seeing now? Do we not accept that that could change within weeks? If that did change, and the demands were on this equipment up and down New South Wales, would we be stuck again?

**CARLENE YORK:** No, I don't agree with that. With respect, I don't agree that they're slightly different weather conditions. What we're looking at for this weekend and in the next week is substantially different weather conditions than we had in February-March.

**Ms SUE HIGGINSON:** No, sorry, I wasn't suggesting that. I suppose I'm asking what is your lead-in? Would it have to be the same as what we experienced in February to be planning for the same as what happened in February, or would we accept that we could actually arrive at the same situation from different weather circumstances—that there is no one characteristic event?

**CARLENE YORK:** No, the bureau is more confirmed within three to five days before a weather event. We're always planning; we're always risk-assessing what is going to happen. We've already started weather briefings and, particularly for this coming storm and flood season, we've got preseason briefings all booked up for next week for our partner agencies. We're even going to do one with the media so that they understand the assistance they give in relation to relaying our key messages. We have resources available to go; we're looking at the resources available across the State. We're also talking with our emergency service partners that give us the assistance, so it's not just SES that are ready. All agencies will be ready to go into those areas if the weather does start to decline. The forecast at this stage, if we look at just the weekend, is about 100 to 150 millimetres of rain—again, substantially different to what we had in those areas.

**Ms STEPH COOKE:** Ms Higginson, given you've referenced this morning people being stuck on roofs et cetera, I'd like commissioners Rogers and Baxter to provide you with a little more information because our response, especially in these major events, involves everybody. They are responsible for aerial assets and a number of other programs. Commissioner Rogers, please?

**ROB ROGERS:** Thanks, Minister. Like the other events, in support of the SES, the RFS certainly deploys rescue helicopters. There's currently one at Coffs Harbour now, and there's another one going to the mid North Coast. I'm not sure exactly where, but up there somewhere, so there'll be two helicopters available on the deck. It's important to get these assets in place ahead of those weather events coming in, because the weather then closes in and it's hard to get them in there. And like we did during the major floods up there, where I think we had 6,000 firefighters involved throughout the events, we'll provide as much support as SES requires—be it firefighters, incident management team, additional aviation assets and generally providing that support function to SES. I think we're well practised in that. Through the experiences over the last year or so, we've become very versatile at working together and making sure each agency plays to its strengths. Commissioner Baxter?

**Ms SUE HIGGINSON:** In a month, if this weekend's weather doesn't stop and we're heading to where we were at the end of last year, are you satisfied that you know exactly the trigger point and the place to mobilise the evacuation centres and mobilise those immediate responses? We know we failed last time—we failed big-time. Even this morning, I was speaking to a chap about the Woodburn situation and the absolutely dire absence of a safe place to go. Do you feel that we're in a position now that we would know exactly when to trigger things to be prepared early in terms of an immediate response?

**Ms STEPH COOKE:** Ms Higginson, the event that we saw in February and March of this year was unprecedented. There have been at least two inquiries and a number of other reviews et cetera that have taken place that have all recognised the enormous magnitude and scale of the destruction from what were floodwaters that were two metres above and beyond anything we'd previously experienced.

**Ms SUE HIGGINSON:** But, Minister, next time they may be a metre higher. We know this; we know it's possible. All I'm asking is are we planning for that properly, and are we actually ready? I think everyone recognises we're in a really tricky place. We're recovering from the worst event we've had. We're preparing, but do we have an interim plan in case we have another extreme weather event that causes another enormous flood, higher than the 14.6 metres?

**Ms STEPH COOKE:** Sure. Ms Higginson, you may recall that in June-July we experienced more flooding, this time focused in the western parts of Sydney. That flooding event was equal to, if not above in certain places, records that those communities had seen before, and our response had improved out of sight versus what we'd seen earlier in the year. We had no loss of life; we had increased messaging; we had pre-positioned resources right across the board. We had evacuation centres identified and communicated with the public days and days in advance. We held council and local member briefings in the lead-up to the event, through the event and after the event. We stood up SEOC early.

**Ms SUE HIGGINSON:** Minister, how many more volunteers and staff has the SES got now compared to 1 March this year?

**Ms STEPH COOKE:** Commissioner York, please?

**CARLENE YORK:** I'm very pleased to say that since those floods in February-March, we've received almost 3½ thousand applications for new volunteers, particularly in the Northern Rivers—approximately 425, and above 240 of those are what we call job ready and ready to go out. We're working through those, and I think that's a really heartening number. We do need more volunteers; we put the call out and the community has responded. We're working very hard to get those assets or resources ready to go as soon as we can, so there are a lot more volunteers that are available to be able to assist any community.

I support what the Minister said: We learnt some lessons from this; there's no doubt about it. I don't accept—it was nice to hear you say "we" failed, because I think there's planning decisions from decades ago, mitigation strategies from decades ago, that we are confronting. I think it will take some years to fix some of those, but we're in a much better position to be able to respond to any requests from the community for this flooding. The additional money to create a new zone which will be based at Lismore will make us more in contact and able to work with the community. But in the interim, we're looking at what incident management team we can create and send up to command and control those flood responses from the Lismore area.

**Ms SUE HIGGINSON:** Thank you. We're almost three years on from the Mount Wilson back-burn fire that took place. The New South Wales coronial inquiry into the Black Summer fires—the cause and origin of the Grose Valley fire at Mount Wilson—was held on 15 to 17 June. The RFS fire investigators, accompanied by the New South Wales police fire investigators, told the Coroner they were given a brief of evidence at the Katoomba

fire control by an RFS officer they could not name. The evidence was that the Grose Valley fire was a continuation of the Gospers Mountain fire. Can you, Minister, provide the name of the person who provided the brief of evidence to the Grose Valley fire investigation team, Darin Howell and the New South Wales police forensic fire investigator, Neil Welschinger, at the Katoomba fire control centre on 21 January?

**Ms STEPH COOKE:** I'd have to take that on notice, Ms Higginson.

**Ms SUE HIGGINSON:** Further on that, with the recommendations from the Bushfire Inquiry 2020, in particular the Neighbourhood Safer Places in remote communities, can you please provide information on when recommendation 17 will be implemented in the fire-prone communities of Bilpin, Colo and St Albans District, that were heavily impacted, in the Hawkesbury local government area.

**Ms STEPH COOKE:** Ms Higginson, just while I retrieve my notes, I may ask Commissioner Rogers to make some remarks in that respect.

**ROB ROGERS:** In relation to the Neighbourhood Safer Places, there's a body of work going on. Indeed, there's been some funding provided by Government through the Bushfire Inquiry to set up to some Neighbourhood Safer Places that are in areas where they're not—it's not easy locations. There's not an obvious oval or something like that. They're the sort of ones where they've been more problematic. So there's going to be a trial to have a Neighbourhood Safer Place attached to RFS stations to try and make sure—you might recall, during that awful fire season, we had a number of instances where people had nowhere else to go and they went to the RFS station and the RFS stayed there with them at the station and protected them there. Recognising that, in some of those remote communities, the RFS station is the only emergency service there, there's no-one else there, we're looking at doing a pilot to get a couple of those areas. One of those pilots is going to be in those areas that you're speaking about. We'll be putting those in place and just seeing if that's community acceptable. We're absolutely on it, but we haven't done the work yet.

**Ms SUE HIGGINSON:** Have you got a timetable to do that? Is that indicated and available?

**ROB ROGERS:** I will get that for you. I don't have it on me. I can't tell you the time frame, I'm sorry, but I'm happy to get that for you.

**Ms SUE HIGGINSON:** Minister, in the 2009 Victorian Government royal commission into their Black Saturday bushfires, there was a recommendation for an inspector-general for emergency management. There's been a lot of feedback about that system, that it's a very effective system. Will you recommend or will you look into or commit to the creation of an inspector-general for New South Wales emergency management?

**Ms STEPH COOKE:** Thank you for the question, Ms Higginson. Tying it to your previous questions around the Bushfire Inquiry, the Government accepted all 76 recommendations coming out of that particular inquiry, all of which are either underway or complete. We've completed 50 per cent of those recommendations, sitting here today. With a lot of work still being done, we will absolutely close out the remaining 50 per cent. Commissioner Rogers has touched on the fact that we do have certain pieces of work very much underway at the moment. We've just also had the independent Flood Inquiry handed down. Through that process, a project management office has been established within DPC to consider the recommendations of that particular inquiry. There are 28 recommendations. Six recs have been supported in full, and the remaining 22 have been supported in principle, noting that there is a lot more work to be done.

In relation to your question, I will take it on notice, noting that this is a government that takes these independent inquiries very seriously. We look to support as many recommendations as we possibly can. That is evidenced by what we've done through the Bushfire Inquiry, with 100 per cent of those recs being supported. We are well on our way to completing those. We will look to implement the recommendations out of the Flood Inquiry. If a suggestion such as the one that you have put today will aid with the implementation and improve outcomes for communities, I'm sure that the DPC through their project management office in this space would be open to looking at that. We will continue to work very closely with the project office as we look to really tease out these recommendations and look to implement them for the benefit of the community as a whole.

**The Hon. MARK BUTTIGIEG:** I might just tie up that line of questioning that we were pursuing previously. I might just go to the commissioner quickly. You did say on record before that you were in that meeting, that 11 o'clock meeting, or not?

**ROB ROGERS:** I'm sorry, Mr Buttigieg—

**The Hon. MARK BUTTIGIEG:** You remember how there was the control centre up in Homebush and there was the 11 o'clock meeting which was referred to in the report?

**ROB ROGERS:** The phone call, you're saying, between—

**The Hon. MARK BUTTIGIEG:** Yes.

**ROB ROGERS:** Yes. I don't recall whether I was—I would've been in the room. Absolutely, I was in the room. I just can't recall if I was actually on that call or not. I'll have to check. I'm just not sure.

**The Hon. MARK BUTTIGIEG:** You don't have any knowledge as to who gave the orders to send the aircraft down?

**ROB ROGERS:** I don't know. I don't know. I can't tell you exactly who was in that call. But I've got to say I don't believe that the actions that were taken and the response by the RFS is anything extraordinary—than we've done dozens of other times.

**The Hon. MARK BUTTIGIEG:** No, but I think the report makes it clear that there's a fundamental problem there. I just want to ask you before I go on to the Minister would those conversations be recorded in the control room?

**ROB ROGERS:** Likely. It depends on the numbers they come in on. I'm not trying to be evasive here. It just depends. If people have done the calls and they've linked them on mobiles, sometimes they're not. If they ring into the official desk phones, they're all recorded.

**The Hon. MARK BUTTIGIEG:** Minister, in the context of what we've heard and the report and the fact that three human beings are now dead, does the RFS take responsibility?

**Ms STEPH COOKE:** I'll repeat my answer to earlier questions, which I think is appropriate. The RFS has accepted all three recommendations directed to it, Mr Buttigieg. The commissioner advises me that there is already work being undertaken with respect to their implementation and—

**The Hon. MARK BUTTIGIEG:** I understand that because you've already answered that.

**Ms STEPH COOKE:** That's right.

**The Hon. MARK BUTTIGIEG:** That was with specific respect to the question about the implementation of it. What I'm asking you now is will the RFS take responsibility for deaths of those three people?

**Ms STEPH COOKE:** Mr Buttigieg, I think it's appropriate that Commissioner Rogers answer your question.

**ROB ROGERS:** Mr Buttigieg, I respect your questioning, but I would also ask you to respect the fact there's a coronial inquiry still underway, into that incident. I'm very concerned that the line of questioning and the things that you're talking about are subject to that coronial. All I'm saying is please be a little cautious. We should all respect the court.

**The Hon. MARK BUTTIGIEG:** Sure. Now I want to ask you, Minister, given that you've undertaken to implement those recommendations and they're not yet implemented, will you ground the fleet until the recommendations have been put in place?

**Ms STEPH COOKE:** No.

**The Hon. MARK BUTTIGIEG:** No? So you're prepared to have RFS assets in the field without implementing the safety recommendations of that report?

**Ms STEPH COOKE:** Your line of questioning is of an operational nature. I'll ask Commissioner Rogers to elaborate.

**The Hon. MARK BUTTIGIEG:** No. It's very straightforward.

**Ms STEPH COOKE:** I've answered your question initially.

**The Hon. MARK BUTTIGIEG:** There were three recommendations, which you've undertaken to implement, which, you admit, need to be implemented because that's what the report says. Yet you're prepared to still have aircraft in the air without those recommendations being implemented. That's what you're telling me, isn't it?

**Ms STEPH COOKE:** I don't want any more lives put at risk. On that basis I will ask Commissioner Rogers to further answer your question.

**ROB ROGERS:** If I might, Mr Buttigieg, in an earlier part of my answer I did say to you that for this upcoming fire season we will have manual systems put in place to address the recommendations. The recommendations will be addressed for this fire season. They're just not going to be addressed in a systems way that would take us through a 2019-20 fire season—because whenever you've got a manual system, the busier you

get the more prone it will be to failure. We've got to try and get some automated system that makes sure that we don't miss anything and nothing gets missed, and that's only going to be through systems. So we absolutely will be addressing the recommendations for this fire season but I'm targeting the following fire season to have that more systemic approach to it.

**The Hon. MARK BUTTIGIEG:** I understand that, but that implies that there's a potential gap or a potential risk whereby, if we had a similar situation where there were dangerous conditions subject to windshear or whatever, those three recommendations won't be in place because the fleet is still in the air. If that's the position of the Minister, that's fine, but I asked for the answer. I think I've got it. I just want to take you through now, Minister, to the issue of the Celeste Barber donations, which occurred back in 2019-20. You remember that, where Celeste Barber solicited about \$51 million in donations on an online social media campaign? Do you recall that?

**Ms STEPH COOKE:** Yes, I do, Mr Buttigieg.

**The Hon. MARK BUTTIGIEG:** Now, coming out of that, there was a parliamentary—there were all sorts of things. There was a Federal Court ruling or a High Court ruling that said that it could only go to the RFS and then we had a parliamentary inquiry. The upshot of it all was that there was a recommendation to implement a \$10 million benevolent fund. Are you aware of that?

**Ms STEPH COOKE:** Yes, I am, Mr Buttigieg.

**The Hon. MARK BUTTIGIEG:** That benevolent fund was to be allocated to the families of victims who had either died or been injured as a result of those bushfires. Can I just clarify, that's for volunteer firefighters only and their families? Correct?

**Ms STEPH COOKE:** That's correct.

**The Hon. MARK BUTTIGIEG:** Minister, do you know where that's up to? My information is that back in June 2020—this is roughly six months after the fires—the fund was approved by the trustees. So June 2020—we're now in, what, August 2022, two and a half years after the fund was approved and not a single cent has gone to those families. We're talking about the people that you referred to before, the other people who had died as a result of those fires, and I think some 832 injuries and about 46 hospitalisations, according to my figures. We had those three Americans die, who of course weren't volunteers, but then on top of that we had another three people die, I think, according to my figures. But you've touched on this before.

**SHANE FITZSIMMONS:** Four.

**The Hon. MARK BUTTIGIEG:** Four. So we have a situation here where you've got horrific—you've got death, you've got injuries, you've got a woman who has gone out of her way to raise \$51 million, \$10 million of which was hypothecated to the families and we have not one single cent gone to those families. What's going on?

**Ms STEPH COOKE:** I can confirm, Mr Buttigieg, that the approvals have been finalised in relation to the benevolent fund and there will be calls for members to join the board next week. I'd like to take this opportunity to acknowledge people and their generosity from right across Australia and indeed around the world and the efforts of Celeste Barber. It's clear that, following the terrible time that we experienced through Black Summer, people were moved and inspired by the heroic efforts of our firefighters.

**The Hon. MARK BUTTIGIEG:** Yes, they were moved and inspired, Minister, and it's laudable. In an ideal world we shouldn't have to rely on people's goodwill and charity but it's great that they've done that. But you've been Minister for, what, just over nine months now? And after all this and all this pain and suffering—I've mentioned the mental health issues, the fallout of some of the horrific stories you hear—what've you done to expedite this? We have only just got the governance in place now for this fund, have we?

**Ms STEPH COOKE:** Mr Buttigieg, we have been working on this and, as you've quite rightly identified, I've been in the role for nine months. These matters—

**The Hon. MARK BUTTIGIEG:** Did you get briefed straightaway when you came in?

**Ms STEPH COOKE:** I beg your pardon?

**The Hon. MARK BUTTIGIEG:** Did you get briefed on this issue when you came into the ministry?

**Ms STEPH COOKE:** Absolutely.

**The Hon. MARK BUTTIGIEG:** So what did you do about it?

**Ms STEPH COOKE:** We've got it resolved, Mr Buttigieg. We will continue to work on its establishment and the distribution of funds. To further elaborate and to ensure that the Committee gets the answers that it requires, I'll ask Commissioner Rob Rogers to provide some further information.

**ROB ROGERS:** It is an important fund. As you mentioned, I think one of the challenges—if I could just put into context, the benevolent fund is not being established for just those people that were injured in those fires. It's being set up as an ongoing thing that will go decades in advance to help look after injured firefighters and their families. For the people that have suffered during that particular fire season, there have been also separate measures, fundraising measures that we've provided to particularly the widows that lost, obviously, their partners during that fire season. I'm not suggesting that means they don't need anything, I'm not at all. I'm just simply saying that there's been a suite of things that've been done to support those people and we will continue—

**The Hon. MARK BUTTIGIEG:** Sorry, Commissioner, just to clarify, is that government money or just local fundraisers?

**ROB ROGERS:** No. You might remember, when firefighters Keaton and O'Dwyer were killed, different people were setting up GoFundMe pages. We became a little bit concerned that—I won't say they were not there doing it for the right purposes but it was quite fragmented. So the RFS, under Commissioner Fitzsimmons then, set up or helped establish a GoFundMe that we would make sure we got, every dollar would go to those families and that's exactly what happened. So there were separate things—

**The Hon. MARK BUTTIGIEG:** Do we have any idea of the quantum of money that was raised?

**ROB ROGERS:** There was—do you remember it, Shane?

**SHANE FITZSIMMONS:** We do. The answer is we do.

**The Hon. MARK BUTTIGIEG:** Can you tell me?

**ROB ROGERS:** It's considerable but could I just—

**The Hon. MARK BUTTIGIEG:** Sorry, I don't want to be rude, Commissioner. I appreciate you're elaborating but I just want to get to the nub of this. We've got \$10 million sitting there and it's almost three years now to pull together from the actual bushfires themselves. I appreciate there's been money raised, but you've got a lump of money here which could potentially go to alleviating the pain and suffering of people. It's taken three years and we haven't even really—Minister, you're saying that they're putting out EOIs for positions on the board. Can you tell me what the legal arrangement of the fund is? Because I'm interested to see how much longer these people have to wait.

**ROB ROGERS:** It's a company limited by guarantee so it's establishing a company. I've got to say I don't profess to be an expert in that field at all, but there's certainly been a lot of work going on. There have been approvals we've needed to get in order to establish that fund.

**The Hon. MARK BUTTIGIEG:** Will it need legislation?

**ROB ROGERS:** I don't believe so, no.

**The Hon. ADAM SEARLE:** Who are the shareholders and directors of this company?

**ROB ROGERS:** When the directors get appointed, they're all—

**The Hon. ADAM SEARLE:** Who are the shareholders?

**ROB ROGERS:** I'm not quite sure how to answer that, to be honest. I don't know how to answer.

**The Hon. ADAM SEARLE:** Minister, can you elaborate? This is pretty important. It's taken nearly three years to the stage where—

**ROB ROGERS:** It's donated money. And you may know this better than me. When I say I don't know how to answer, I don't mean I'm trying to be evasive. I'm just not—

**The Hon. ADAM SEARLE:** Well, this is money given by the community to the Government in the hope that the Government would actually get it into the hands of people who need it. How is this being done?

**ROB ROGERS:** Well, it's actually not in the Government per se. It's in the DGR. It's in a trust. It's in the DGR and the DGR has allocated \$10 million to go to the establishment—

**The Hon. ADAM SEARLE:** Out of the \$50 million that was raised?

**ROB ROGERS:** Out of that money, which was actually more than \$50 million in total, because there was—



**The Hon. ADAM SEARLE:** It still hasn't got out the door into the hands of people who need it.

**ROB ROGERS:** I'm sorry, I didn't hear you.

**The Hon. ADAM SEARLE:** The money. I'm asking about the arrangements for this fund.

**ROB ROGERS:** Yes.

**The Hon. ADAM SEARLE:** Minister, can you tell us who owns the company?

**Ms STEPH COOKE:** Mr Searle, this is a trust that is being established.

**The Hon. ADAM SEARLE:** Sure. But it works through a corporate vehicle.

**Ms STEPH COOKE:** There is an EOI next week for a board, in that respect.

**The Hon. ADAM SEARLE:** Yes, but who are the legal owners—the beneficial owners of the company shares that will actually, in effect, have legal control of this body?

**ROB ROGERS:** Maybe it's better for us to provide it on—

**The Hon. SCOTT BARRETT:** On notice.

**The Hon. ADAM SEARLE:** Well, if you don't know, of course.

**ROB ROGERS:** I know that there will be a foundation member, but how that flows into who has ultimate ownership—

**The Hon. ADAM SEARLE:** It's just a bit disturbing, Commissioner.

**ROB ROGERS:** —I don't know how that works.

**The Hon. ADAM SEARLE:** We're at the tail end of this Parliament. This happened a number of years ago. We've got the Minister here, and we've got senior officials, and I'm not able, and my friend is not able, to get answers about how this money is going to be managed or arranged or what the legal arrangements are. It seems breathtaking that no-one can answer.

**The Hon. MARK BUTTIGIEG:** Minister, the issue is, if I could put it to you directly—and I've got no doubt whatsoever that your intentions are good. I know you're a good person. I know you care about these things. But one of your KPIs as a Minister of the Crown is to cut through all this, right? You are representing a community who has been damaged and devastated as a result of volunteering themselves to fight fires, and now their families are left in the wake of it. It seems to me as though you haven't used that ministerial power to cut through all this rubbish. Now, there's governance issues. I understand that. There's shareholders, there's incorporations, whatever it requires. But the fact is we've had more than enough time and these people still haven't got one cent. Do you take responsibility for this?

**Ms STEPH COOKE:** Mr Buttigieg, I reject the premise of your question. Since I've come into this portfolio—

**The Hon. MARK BUTTIGIEG:** Nine months.

**Ms STEPH COOKE:** Nine months. I have worked tirelessly to cut through any number of issues facing the portfolio. In relation to the benevolent fund, as I have indicated to you, we have resolved the approvals that were required for its establishment. We go out to EOI next week in relation to board appointments. We will continue the path of progress, because we know how important this is to the people who have—

**The Hon. MARK BUTTIGIEG:** I put it to you that, if I'm those families, I'm not thinking that you're thinking it is important enough.

**Ms STEPH COOKE:** Please—

**The Hon. SCOTT BARRETT:** Just let her finish.

**The Hon. MARK BUTTIGIEG:** There was a famous economist called John Maynard Keynes who said, "In the long run, we're all dead." I mean, how long do these people have to wait?

**Ms STEPH COOKE:** Mr Buttigieg.

**The Hon. ADAM SEARLE:** Minister, leaving aside your tenure, the people with you have been in their roles a lot longer and have been around this space a lot longer. Can anybody here today give an explanation of why it has taken nearly three years to get to the stage where the vehicle is only being set up?

**ROB ROGERS:** I might just go back, Mr Searle. I have a little bit more clarity about the shareholder issue and the like, if that's okay.

**The Hon. ADAM SEARLE:** Sure. Because this Government has got a bit of form, you know, with the Motorway Corporation, which should have been a State-owned corporation, but it was privately owned by—

**ROB ROGERS:** It's got nothing to do with government.

**The Hon. ADAM SEARLE:** I know, but you guys are putting in place the arrangements that are going to govern—

**ROB ROGERS:** I'm not trying to be evasive. I guess all I'm saying is I'm not an expert in this field at all.

**The Hon. ADAM SEARLE:** But no-one here today can help us?

**ROB ROGERS:** But I think I can give you a little bit more info that might—with your expertise, you might be able to pick up on things a little bit more. The aim is to set up the benevolent fund very similar to Police Legacy. That's the aim. Indeed, we have engaged Police Legacy and I'm hoping to have retired police commissioner Ken Moroney actually become part of that board, helping to set it up.

**The Hon. ADAM SEARLE:** Will the board members be volunteers, or will they be paid?

**ROB ROGERS:** We will have a varied group to try and make sure we have that different skill set. But certainly, absolutely, volunteers will be key to that. We've been talking extensively with the ATO about how to set this up properly so we don't break rules and get into tax problems. The way it is being set up is a not-for-profit. There isn't shareholders per se because it's a not-for-profit. The founding member will be the Commissioner of the RFS.

**The Hon. ADAM SEARLE:** Okay.

**ROB ROGERS:** Because, obviously, we are holding the money on behalf of the DGR to put with the benevolent fund.

**The Hon. ADAM SEARLE:** Could I ask this now crucial question: Minister, or whoever can answer, at what point in time do you think you will actually start to get the money out of the fund and into the hands of victims and people who need it—the people for whom this was intended three years ago?

**Ms STEPH COOKE:** Thank you, Mr Searle. It is important that we get this fund set up correctly, right from the get-go, because, at the end of the day, the fund will distribute donated money. It's important to give confidence to people who have donated to the fund that those funds are being distributed—not just in a timely fashion, although I do accept and acknowledge that timeliness is very important, but that it is done a way that is appropriate—

**The Hon. ADAM SEARLE:** But, Minister, my very simple question is do you have a time estimate for when the money will start to flow? Yes or no?

**Ms STEPH COOKE:** We expect the full establishment of the organisation, or the fund, by the end of the year. And so, from that point forward, I would expect to see that money starting to flow to those who need it.

**The Hon. ADAM SEARLE:** Thank you.

**The Hon. MARK BUTTIGIEG:** So when we come back at the next round of estimates, we can expect that people would have started receiving funds?

**Ms STEPH COOKE:** That would be my expectation.

**The Hon. MARK BUTTIGIEG:** Okay. Thanks, Minister.

**Ms SUE HIGGINSON:** Could I go back to the Mount Wilson back-burn, going back those years. The people of Mount Tomah and Berambing were caught in a burnover event on Sunday 15 December 2019. They say that it happened when the RFS lost control of the back-burn that it had lit at Mount Wilson. They say that no RFS emergency warnings were issued before the fire front engulfed these communities. The Mount Wilson back-burn fire burnt for some 53 days, entering the Grose Valley, destroying 63,700 hectares and threatening thousands of homes in the Hawkesbury and Blue Mountains local government areas.

Those communities are still looking for some transparency, some honesty and some accountability. They are suffering and they feel, legitimately, like they would like some answers. Can the RFS please provide assurances that the cause and origin investigation of its Mount Wilson escaped back-burn fire will occur so that

the losses caused by this fire—the exact number of homes burnt down, properties lost—can be officially quantified for the community and the community can get some justice?

**ROB ROGERS:** I'm happy to give you an answer to that, and I think we've been very clear during that fire season. There was a very small number, but there was some back-burns that went wrong. More than a thousand back-burns that we had put in during that fire season—I think there was a record of four that caused problems for people, and obviously that was one of them. We've been through the coronial process. We've been talking, obviously. But we've also made a commitment to that Mount Wilson community. We're in the process of setting up a meeting. What we're going to have at that meeting is we're going to have the RFS incident controller there actually talking through what was the thinking, the rationale; what were the circumstances that she was facing when she was setting up the strategy to deal with that fire; why we got to that point that we did; and an acknowledgement that, obviously, that was not what we were planning on doing; and what was the difference in the weather that was forecasted and what actually happened.

That's not by way of trying to get out of responsibility, but simply to provide the context to the community. As you said, they're looking for openness and transparency, and I give you an assurance that we will be doing that. The best thing we can do is have the person that was making the decisions on that fire front up to that community, let the community ask them questions and let them talk through with the community what occurred. That is in the stages of being planned at the moment.

**Ms SUE HIGGINSON:** When you say "in the stages of planning", is that community plan coming up soon? In a month? This year?

**ROB ROGERS:** Absolutely. I would expect within the next two months we will have that done. It's just a matter of setting a date that works for everybody involved. But we've already made that commitment that we're going to do it.

**Ms SUE HIGGINSON:** Just on that and more broadly, do you accept that there's quite a lot of community knowledge about localised back-burns and those experiences—obviously the RFS has that knowledge too—and that the community has and can often have very particular knowledge about back-burns, particularly some of those notorious areas where back-burns have gone wrong over and over? Is the RFS working with those local communities to really understand those complex nuances around notoriously wrong, problematic back-burn areas?

**ROB ROGERS:** We do, and we normally do that through the local brigade because the local brigade are, obviously, residents of that area and are the conduit between the community and the broader RFS. So we rely on our brigade members in those areas to provide that context to us. Because it's very difficult during the middle of a fire when things are happening very quickly to be able to go out and talk to communities about what we might need to do, because sometimes it might have to happen really quickly, like within a couple of hours of a fire starting. Back-burning, whilst obviously acknowledging that sometimes they do go wrong, if we didn't do back-burning, the losses we saw during that fire season would be considerably higher.

**Ms SUE HIGGINSON:** Yes, absolutely. Commissioner, it's always difficult to say this but do you accept, though, that those local RFS members—absolutely we know how hard it is, how diligent they are and their knowledge—are not the only ones, that they don't always represent or hold all the knowledge?

**ROB ROGERS:** True.

**Ms SUE HIGGINSON:** They may change; they may have different views on experiences that have happened through back-burns. Therefore, it is really important to capture some more voices in the local community around fire experience and knowledge.

**ROB ROGERS:** I accept what you're saying. I agree there would be different views out there, and that's why I'd encourage those people to join their RFS brigade.

**Ms SUE HIGGINSON:** Yes, I get that.

**ROB ROGERS:** Be involved in it and put your voice forward.

**Ms SUE HIGGINSON:** Of course, but not everyone can join a fire brigade.

**ROB ROGERS:** We always like to say that. There is a role there for everyone. Not everybody has to hold a hose and put out fires. There's a role for everyone, and engaging with community members is a critical role that we have people who don't choose to fire-fight get involved in. But hopefully once we've had that meeting with that community, that community will have a sense of, I guess, closure and be able to move forward. I'll provide an update when that's happened, through the Minister.

**Ms SUE HIGGINSON:** That is one of the recommendations, isn't it, that the NSW RFS should undertake a community engagement session with affected residents to discuss the back-burn?

**ROB ROGERS:** Correct.

**Ms SUE HIGGINSON:** So that's what you're referring to?

**ROB ROGERS:** Correct, yes.

**Ms SUE HIGGINSON:** And that's finally happening now?

**ROB ROGERS:** Correct.

**Ms SUE HIGGINSON:** Terrific. It was reflected as "it had been completed". But this particular community contests that that hasn't happened. Now that's happening, which is great.

**ROB ROGERS:** Correct.

**Ms SUE HIGGINSON:** Minister, I think you are aware of a map that has been put together by the Hawkesbury Blue Mountains Community Bushfire Alliance. The map is of potential roadside water sites to help protect western Sydney from bushfire. Perhaps I can table that document. I think you've seen it, Minister. I just want to ask you about that. My understanding is that you've actually met twice this year with this alliance, in February and August, to discuss the permanent in-ground, bore-filled water tanks to assist these communities. Is this something you're committed to? Is this something you will commit to, in creating this system, or is there something else you think should happen?

**Ms STEPH COOKE:** Yes, I'm aware of the map that you've tabled this morning and, yes, I have met with the group that we're talking about in both February and very recently—I think August, that would make sense to me. I've given an undertaking to the group that I'm more than happy to review their suggestions and their ideas in relation to this. I've asked the RFS to assess this. From my perspective, I'm always looking to hear directly from communities and community representative groups to make sure that we have a good, strong relationship with communities.

As you've identified in some of your earlier remarks, local knowledge is absolutely critical. We've seen that even most recently in relation to various flooding events across New South Wales, not just in the Northern Rivers but in other locations. I genuinely think that we get the best outcomes for communities when governments of all levels and the community and the not-for-profit sector work closely together. So I look forward to seeing where we can take this idea or this, as a project, into the future. Whilst I can't commit solidly today that we will do it, my commitment to those communities and their representatives is that we will absolutely take very seriously their ideas and do what we can to work with them, and if it is viable and if there is a way forward around that we will look to do that.

**Ms SUE HIGGINSON:** So that is a commitment to assess that actual project, that water bore project?

**Ms STEPH COOKE:** Yes.

**Ms SUE HIGGINSON:** Commissioner Fitzsimmons, just in relation to Resilience NSW, now that we've seen the recommendations around the changes to Resilience NSW, what are you doing now to implement those changes, or what are your instructions at this point in time?

**SHANE FITZSIMMONS:** Minister, are you happy for me to—

**Ms STEPH COOKE:** Yes, I am.

**SHANE FITZSIMMONS:** I think it's important to identify that the report has identified 28 recommendations, six of which have been accepted and 22 have been accepted in principle—78 per cent to 80 per cent of them in principle—which signals a considerable amount of work to go through to unpack the intent of the recommendations and determine the most appropriate arrangements going forward. A project group has been established in the Department of Premier and Cabinet which will oversee that work across government to analyse and comprehend the report and determine the path forward. The signal at this stage is, importantly, that nothing has changed in terms of the arrangements. Obviously, there are ongoing improvements and lessons, but the reality is we need to remain focused and committed—and our teams are focused and committed—to continuing to support and assist disaster-impacted people across New South Wales. So we're quite some time away yet, in my view, before we see any discernible changes to arrangements.

**Ms SUE HIGGINSON:** Do you think they're sensible, the recommendations? Based on your absolutely unique positioning as the head and Commissioner of Resilience NSW and in light of some of your evidence that you gave to the inquiries, do you see that this is the best way forward?

**SHANE FITZSIMMONS:** I've provided the Minister and Premier and Cabinet with a range of feedback concerning my views on the inquiry content, findings and recommendations. I think it's fair to say that I don't think the path suggested is a sensible one.

**Ms SUE HIGGINSON:** So how do you reconcile that? Do you just do what you're told now? Is that what happens?

**SHANE FITZSIMMONS:** No. I'm part of the government operation. I'm part of the team being led and coordinated through Premier and Cabinet that is looking at the recommendations and determining what is the best way going forward to understand and service the intent of concerns or issues that might be identified. But we've got to do that, I think, with the benefit of informed consideration that is evidence based and best serves the people of New South Wales.

**Ms SUE HIGGINSON:** Do you think that by the end of this process, however long this is going to take—and if you've got an idea, I'd be grateful to know if you know how long that project management team has given itself to work through this. Do you have faith that by the end of that process New South Wales will be better positioned in terms of the initial project of Resilience NSW?

**The Hon. SCOTT BARRETT:** Point of order: I raise a point of order here, referring to the budget estimates guide, and suggest that public servants should not be asked to express an opinion on the merits of Government policy? I'm suggesting that this is getting dangerously close to that space, and it has been for a little while.

**The Hon. ADAM SEARLE:** To the point of order: The question went to the implementation of Government policy, which the commissioner has said that he and the senior officials are working through. She is just probing him on those details.

**The CHAIR:** I'll rule with the Opposition. The reality is that we see public servants every day of the week in these committee hearings specifically saying that they're not prepared to comment on Government policy. I'm sure the public servants in front of us here can judge for themselves, but your point is well taken.

**Ms SUE HIGGINSON:** Also, I can feel where on the edge I am, and I'm aware of that. I am aware that the Minister is here and can intervene at any time as well.

**Ms STEPH COOKE:** To that point, if I may make some comments, Ms Higginson?

**The CHAIR:** The Minister can make comments on Government policy. That's what you're here for.

**The Hon. ADAM SEARLE:** We hope so.

**Ms STEPH COOKE:** Thank you. As I indicated in answering some earlier questions, the independent Flood Inquiry has been handed to Government. We have considered the findings and the recommendations. There are 28, six of which are supported in full. The other 22 are supported in principle, noting that there is a lot more work to be done. In relation to Resilience NSW, as the agency, as Commissioner Fitzsimmons has quite rightly indicated, our focus remains very much on the people and the communities of flood-impacted communities right across New South Wales. Whilst there's always, and quite rightly so, a strong focus on the Northern Rivers region, for very good reason, we have seen multiple flooding events this year, which have impacted 90 local government areas at times.

It's really important that the great work of Resilience NSW and its staff, who are based right across New South Wales—they do a very important job. Most of them are right on the front line in terms of helping people with their individual circumstances. They're doing very good work, and this work must continue whilst, in the background, we look to ensure that all of our agencies are well positioned to respond to natural disasters into the future, particularly as we know that they're likely to increase in frequency and severity. As a government, I think it's critical that we look to see that what we're doing into the future is going to match the needs and expectations of our communities.

**Ms SUE HIGGINSON:** Minister, when are you expecting the communities of New South Wales to be able to have a high degree of satisfaction and confidence that we have an agency that is ready and fit for purpose?

**Ms STEPH COOKE:** The New South Wales Government will look at the appropriate model. That relates to our emergency services organisations and in relation to recommendation 5 of the Flood Inquiry. We will have more to say in the weeks and months ahead, as that important work progresses.

**Ms SUE HIGGINSON:** Can I just go to the housing issue at the moment and the Resilience NSW response—the temporary housing? There seems to be some problems that have arisen around the placement of some of those temporary housing projects in the Northern Rivers. There was one in particular that we were doing

an enormous amount of fill on, and it got some controversy. I think it has raised some questions about what we are doing. Do we have control over what we're doing or is it so desperate that we are doing things wrong at the moment? It was one metre-plus landfill on a site that had actually been flooded. There is real concern about if we have a plan.

**Ms STEPH COOKE:** I'm not quite sure which site you're referring to. We have a number of temporary housing villages under construction at present.

**Ms SUE HIGGINSON:** This was the Mullumbimby pod site on Prince and Station streets. That was one.

**Ms STEPH COOKE:** Just to clarify, is your question specifically relating to that particular site or is it in relation to the provision of emergency accommodation and temporary housing overall as a program, of which there are so many elements that I could probably take up the rest of budget estimates talking about that?

**Ms SUE HIGGINSON:** It's specific to these—

**Ms STEPH COOKE:** To that one site?

**Ms SUE HIGGINSON:** That one site, but are there more of those? Clearly, we have got a really constrained landscape and we're putting these temporary housing pods et cetera in locations. That one seems to be very problematic. Are others problematic?

**Ms STEPH COOKE:** I'll start at the top. As a government, on 17 April we announced \$350 million to establish temporary housing villages across the Northern Rivers region. These are to provide a safe and dry roof over people's heads while they rebuild their lives. As it currently stands, we have a dozen sites across the Northern Rivers region that are either under construction or we're in the final stages of negotiating the leasing arrangements. Every single site has had challenges of one form or another. They're not consistent across the board because each of these sites—and you're very well familiar with the landscape, and you've identified it quite rightly. Site identification, to start with, has been very challenging because we wanted to ensure that, when we set these up, they weren't going to get flooded. That was the number one criteria.

We've worked with local governments and we've worked with other New South Wales Government departments, whether it's Transport, Health or Crown Lands, to identify the most appropriate sites to place these pods and these modular homes. I'm pleased to say that we are well on our way in relation to standing up those villages. They're quite amazing. We've never done anything like this in Australia before, particularly not on this scale. We expect that they will, when entirely complete and occupied across the landscape, house hundreds and hundreds of displaced people. Those are my overarching remarks to this point. As I said, I could talk for hours and hours about this. I might ask Commissioner Fitzsimmons to speak to that particular site that you refer to.

**Ms SUE HIGGINSON:** I'm very conscious that we've got one minute until morning tea time, and I'm already into Opposition time.

**The Hon. ADAM SEARLE:** No, we're going to reset after the break.

**Ms SUE HIGGINSON:** Terrific.

**Ms STEPH COOKE:** Can we answer this question after the break?

**Ms SUE HIGGINSON:** I would be very grateful. If you wouldn't mind, is it fair to accept that perhaps we have not got the location spot-on in all circumstances?

**Ms STEPH COOKE:** No. I think the Mullumbimby site, the one that you're referring to, is in an appropriate location. Perhaps, on the other side of the break, we can explore this a little further.

**The CHAIR:** We'll now break for morning tea and come back at 11.15 a.m.

**(Short adjournment)**

**The Hon. ADAM SEARLE:** Commissioner Fitzsimmons, I think in answer to a question in a previous round you indicated that you didn't think the path being taken in relation to the Flood Inquiry report was a sensible one. Was that because of the recommendation to scrap your agency?

**SHANE FITZSIMMONS:** I don't think I said the path wasn't a sensible one, not at all actually.

**The Hon. ADAM SEARLE:** You thought the Government's response wasn't sensible?

**SHANE FITZSIMMONS:** No.

**The Hon. ADAM SEARLE:** Which wasn't sensible?

**SHANE FITZSIMMONS:** The report.

**The Hon. ADAM SEARLE:** The report itself?

**SHANE FITZSIMMONS:** What I said was the contents of the report I had concerns with. I made that very clear, and the path forward is the working group.

**The Hon. ADAM SEARLE:** You challenge that part of the report that suggests—the criticisms of your agency and the scrapping?

**SHANE FITZSIMMONS:** I provided feedback, along with many others, concerning our thoughts and views on the report.

**The Hon. ADAM SEARLE:** Did you have input into that before they made their recommendations? Did they flag with you that this was going to be a likely outcome and ask for your comment?

**SHANE FITZSIMMONS:** No.

**The Hon. ADAM SEARLE:** Is it correct, did you really learn about that through the media?

**SHANE FITZSIMMONS:** Learn about what, sorry?

**The Hon. ADAM SEARLE:** The proposal to scrap your agency.

**SHANE FITZSIMMONS:** I learnt about the contents of the report in those media headlines well before it was received by government. I learnt about that through the media.

**The Hon. ADAM SEARLE:** How did that make you feel, learning about such an important matter in that way?

**SHANE FITZSIMMONS:** As you would expect, it's really disappointing.

**The Hon. MARK BUTTIGIEG:** Just to clarify, Dominic Perrottet never picked up the phone and asked you, told you that Resilience was to be restructured?

**SHANE FITZSIMMONS:** No. Let me clarify that. As the Premier has quite rightly said some time ago, we did speak and I, back in June, I spoke to the head of the public sector, head of Premier and Cabinet and sought to have a conversation with the Premier and, to the Premier's credit, we had a conversation in early July and it's important to note that the report had not yet been received at that stage.

**The Hon. MARK BUTTIGIEG:** But he didn't tell you it was going to be restructured, in that conversation?

**SHANE FITZSIMMONS:** Without detailing all the conversation, it was signalled in that meeting that the briefings or the indications were that they would be looking to see adjustments to the arrangements in New South Wales going forward, pending the outcome of the independent report.

**The Hon. ADAM SEARLE:** Briefly on that, I think on 17 August you sent a letter to Resilience NSW staff indicating that at that stage you hadn't been contacted or provided a full copy of the report or been briefed on the Government's position concerning the recommendations, that's correct?

**SHANE FITZSIMMONS:** If that's what I said in my email, that would be correct.

**The Hon. ADAM SEARLE:** Apart from the Government's public announcement about essentially accepting the 28 recommendations, which I think happened the same day or very shortly after—

**SHANE FITZSIMMONS:** Well, I sent a number of messages to my staff, Mr Searle, over periods of time because, as you would expect, some of the media headlines—which ranged everything from the agency's gone, the CEO's terminated, those sorts of things—were really inaccurate and deflating and concerning for the teams.

**The Hon. ADAM SEARLE:** Yes.

**SHANE FITZSIMMONS:** Sending messages out to provide clarity and accuracy was really important. And one of those messages was, I think, just preceding the press conference regarding the Government's response to the inquiry. And I encouraged staff to watch the press conference if they could and that I would commit to circulating a copy of the inquiry and the Government's response once we received it.

**The Hon. ADAM SEARLE:** How many meetings or discussions have you had with the Premier regarding Resilience NSW future or your own personal future?

**SHANE FITZSIMMONS:** As I said, I had a conversation with the Premier and—

**The Hon. ADAM SEARLE:** Before the report was finalised though?

**SHANE FITZSIMMONS:** Correct.

**The Hon. ADAM SEARLE:** Subsequently?

**SHANE FITZSIMMONS:** No.

**The Hon. ADAM SEARLE:** You haven't had any discussions?

**SHANE FITZSIMMONS:** No.

**The Hon. ADAM SEARLE:** Not with Mr Coutts-Trotter from DPC?

**SHANE FITZSIMMONS:** I have had conversations with Mr Coutts-Trotter, and of course I have been speaking regularly with the Minister. But Mr Coutts-Trotter, and as was indicated, both in the Government's, in the report and in the Government's press conference, that I have been asked to stay and support with the transition of arrangements, whatever that might be.

**The Hon. ADAM SEARLE:** But, to be clear, you haven't been asked to head up the proposed new Recovery NSW?

**SHANE FITZSIMMONS:** Oh no, not at all.

**The Hon. ADAM SEARLE:** Has any redeployment to any other role been flagged with you to date?

**SHANE FITZSIMMONS:** No.

**The Hon. ADAM SEARLE:** In short, sorry to press on this, you simply don't know what the future holds for yourself. That's correct?

**SHANE FITZSIMMONS:** That's fair to say at this stage.

**The Hon. ADAM SEARLE:** Minister, the Premier had referred to Commissioner Fitzsimmons as a hero in the past. Is this how your Government treats heroes in the public service?

**Ms STEPH COOKE:** Thank you for your question. I would like to make it very clear that, as Minister in this space for nine months, it has been an absolute honour and privilege to serve alongside Commissioner Fitzsimmons. He is a hero. There is no question of that.

**The Hon. ADAM SEARLE:** Yes, but, Minister, actions speak louder than words.

**Ms STEPH COOKE:** Please let me finish. He has led this State through the terrible Black Summer fire season. He has been a loyal, dedicated, amazing public servant for a good portion of his life. From my perspective, I have an incredibly good, strong working relationship with Mr Fitzsimmons. We are just getting on with the job of the portfolio and he has my full support.

**The Hon. ADAM SEARLE:** Well, good to hear, Minister. What role did you have in preparing the Government's response? The report comes out mid-August, almost simultaneously the Premier announces, in effect, that the 28 recommendations, including scrapping the agency, are to be accepted by government. Presumably, as Minister, you had input into that decision. Is that correct? What discussions did you have leading up to the Government's announcement about the future of the agency?

**Ms STEPH COOKE:** In relation to the inquiry itself, I had a couple of meetings with the inquirers, but in no way had influence over their final recommendations.

**The Hon. ADAM SEARLE:** No, but between the final recommendations and then the Government's announcement of its position, what input did you, as Minister, have into that—or did the Premier just do it himself?

**Ms STEPH COOKE:** I want to track back just a little bit. I reject the assertion—I have now lost the word that you have used; was it "scrap", scrap the agency? I actually reject that assertion because what we as a government are committed to doing is actually streamlining our disaster response and recovery arrangements to better support communities into the future. The actual recommendation itself, it's number five, the word that is used—and I think it is an appropriate word—is "reshaping". In relation to once the report itself was received by government and in the formulation of the Government response, all of the agencies that form part of my remit provided feedback to DPC. My office was consulted through that process and, ultimately, what we have is a set of recommendations, as has been already stated, that have been either supported or supported in principle, noting a lot of other work needs to occur.

This particular recommendation will require extensive work over the coming weeks and months ahead, and I think we need to bear in mind that this work is being done against a backdrop of recovery efforts that are



occurring right across New South Wales, of which we have Resilience staff and staff from other New South Wales Government agencies, whether it be Service NSW or any other number of government agencies, working to help and support communities get back on their feet.

**The Hon. ADAM SEARLE:** Minister, you said Commissioner Fitzsimmons has your full support, you've got the highest regard for him. But you've now then also said, effectively, that you agreed with the recommendations to effectively scrap the organisation?

**Ms STEPH COOKE:** No, that's not—

**The Hon. ADAM SEARLE:** I know you used the word "reshape", but it's—

**Ms STEPH COOKE:** I reject that assertion, Mr Searle.

**The Hon. ADAM SEARLE:** A new name, different functions, scaled back, stripped right back—it's a different organisation.

**Ms STEPH COOKE:** This is an inquiry that was established by the Premier. It ultimately reported through to the Premier. I was consulted on the way through, once the report was handed down, and we were formulating that Government response.

**The Hon. ADAM SEARLE:** Well, Minister, Commissioner Fitzsimmons says no-one phoned him before the Government response was announced. If you respect him so much, why did you not put in a courtesy call to give him the heads-up?

**SHANE FITZSIMMONS:** No, I need to clarify that, Mr Searle, if I can?

**The Hon. ADAM SEARLE:** If you can, please.

**SHANE FITZSIMMONS:** I thought the question was you asked me whether the Premier—

**The Hon. ADAM SEARLE:** So did the Minister ring you?

**SHANE FITZSIMMONS:** I don't think a day goes by where I don't communicate with the Minister.

**The Hon. ADAM SEARLE:** Okay. I'll ask the Minister and then if—

**SHANE FITZSIMMONS:** Sorry. I didn't want to mislead in the previous answer.

**The Hon. ADAM SEARLE:** Okay. Minister, did you give Commissioner Fitzsimmons the heads-up that the Government was going to announce acceptance, in principle at least, of the 28 recommendations before it was announced?

**Ms STEPH COOKE:** I had conversations with Commissioner Fitzsimmons. I would have to take on notice exactly when those conversations took place, but—

**The Hon. ADAM SEARLE:** Minister, with respect, this is a pretty big announcement.

**Ms STEPH COOKE:** Yes.

**The Hon. ADAM SEARLE:** It took a lot of people by surprise.

**Ms STEPH COOKE:** Yes.

**The Hon. ADAM SEARLE:** You would remember whether, before the Premier made that announcement, you picked up the phone to Commissioner Fitzsimmons to say, "Hey, just letting you know, we're backing all of this stuff in." Now, did you do that?

**Ms STEPH COOKE:** I spoke to Commissioner Fitzsimmons and, in fact, I spoke to the commissioners of each of the agencies within my remit, the day before the report was released. My conversations with each of those commissioners was framed up in relation to what the recommendations were in relation to their particular agencies.

**The Hon. ADAM SEARLE:** Sure. So, to be clear, you told Commissioner Fitzsimmons what was coming before the Premier announced it. Is that correct?

**Ms STEPH COOKE:** In relation to recommendation 5, yes.

**The Hon. ADAM SEARLE:** Okay. And that accords with your recollection, Commissioner?

**SHANE FITZSIMMONS:** Yes. And, as the Minister said, that was an advance conversation ahead of the distribution or receipt of the report, if I remember rightly. So the conversation was the heads-up that here are

some pertinent recommendations concerning you and the agency, and then we had more fulsome discussions in the days and weeks that followed.

**The Hon. ADAM SEARLE:** So, in effect, you had been briefed on the Government's position?

**SHANE FITZSIMMONS:** We need to be really clear here. The report is received by government. It is the view of the authors, not the view of the Government.

**The Hon. ADAM SEARLE:** No, but, in terms of the Government's response, you had been briefed before the Premier announced it then, at least as to how it impacted you potentially?

**SHANE FITZSIMMONS:** No, so—and I'm not trying to be semantic with it.

**The Hon. ADAM SEARLE:** No, no. I'm just trying to understand what's actually happened here.

**SHANE FITZSIMMONS:** A number of organisations, agencies, were asked to contribute through to DPC in order for them to formulate the Government response, which goes through processes.

**The Hon. ADAM SEARLE:** Okay.

**SHANE FITZSIMMONS:** So, as per my email, on the morning of the press conference I had not seen the full report and I had not, at that stage, seen the finalised Government response.

**The Hon. ADAM SEARLE:** You hadn't seen it, but you had been told what the Government was going to do?

**SHANE FITZSIMMONS:** No, because when it was announced, the 28 recommendations, six were supported as is and 22 were supported in principle.

**The Hon. ADAM SEARLE:** Okay. But supported in principle means the Government is going to do something substantial flowing in the same direction, doesn't it?

**SHANE FITZSIMMONS:** It signals there is a lot of work to do in order to meet the objectives of the—

**The Hon. ADAM SEARLE:** Sure. But moving back to you, Minister, it does sound like the commissioner wasn't briefed about the dramatic impact the Government was going to support in relation to the organisation then, does it? It sounds like he wasn't thoroughly briefed about what the Government's position was before the Premier announced it?

**Ms STEPH COOKE:** My obligation as Minister is to ensure that I communicated the recommendations as they related to my agencies. I mean, there are some agencies where one or more recommendations will impact on them and then you have another agency where perhaps one recommendation might relate to them but not others. So what I have done in advance is spoken to each of my commissioners about the recommendations as they have been—in fact, I think I read them verbatim over the phone to each of the commissioners as they were formulated. My chief of staff has also, in addition to that, taken the time to speak to the commissioners.

**The Hon. ADAM SEARLE:** Okay. I might have missed something, but there seems to be a disconnect between your evidence here and Commissioner Fitzsimmons' evidence. I just want to be really clear about this. Commissioner Fitzsimmons has said, a couple of times now, that he was not briefed on the Government's response to the recommendations before the Premier announced the Government was accepting them in principle and otherwise. So my question to you is you didn't give him the heads-up, did you, that the Government was going to back in all of these recommendations in the way that it did?

**Ms STEPH COOKE:** I think there's actually some confusion around phone conversations and what was communicated in relation to the receipt of the report, the recommendations that were contained therein, the need to have agency input into the Government's response—

**The Hon. ADAM SEARLE:** Okay. Minister, with respect—

**Ms STEPH COOKE:** —and then what the final Government response was and—as it was released on the day that the report itself was also released.

**The Hon. ADAM SEARLE:** Minister, with respect, you're confusing matters. My question is very simple. Before the Premier announced that the Government of New South Wales was accepting all 28 of the recommendations—I know some are in principle and some are absolute, but making that big announcement, you did not speak to Commissioner Fitzsimmons to give him the heads-up about that, before that announcement was made, did you?

**Ms STEPH COOKE:** I think in order to ensure that I provide the accurate information to the Committee, Mr Searle, I would like to take that question on notice, because there is—

**The Hon. ADAM SEARLE:** I'll put to you, very clearly, where I'm—

**Ms STEPH COOKE:** I've had many phone conversations. I'd like to go back and—

**The Hon. ADAM SEARLE:** I'll tell you what I'm hearing. I'm hearing Commissioner Fitzsimmons is very clear in his recollection that he was not told what the Government was going to announce. You've tried to give us the impression that, in fact, you did give him the heads-up, but now you're taking it on notice. So it doesn't sound like you gave him the heads-up—

**Ms STEPH COOKE:** No—

**The Hon. ADAM SEARLE:** —because if you had, can I put it to you, you would have remembered that. That's the truth, isn't it? You're obfuscating, aren't you, Minister?

**Ms STEPH COOKE:** No, I am not obfuscating at all, Mr Searle.

**The Hon. ADAM SEARLE:** It sounds like it.

**Ms STEPH COOKE:** Well, I'm not. I want to make sure that the information that I provide to the Committee is accurate—

**The Hon. ADAM SEARLE:** Please do.

**Ms STEPH COOKE:** —in relation to the receipt of the report by government, the need to formulate a Government response, the communications that I had with Mr Fitzsimmons and the other commissioners in relation to the recommendations as they related to the work of their agencies and any changes that are proposed through the recommendations, the need for our agencies to work with DPC in relation to the formulation of the Government response, working through that process—

**The Hon. ADAM SEARLE:** So, what? You just can't remember where in this process you spoke to Commissioner Fitzsimmons and told him the Government was backing in a recommendation that effectively scraps his organisation? You can't remember?

**Ms STEPH COOKE:** No, as you can imagine, Mr Searle, I have many conversations with Mr Fitzsimmons—not just in relation to these matters but, as I've already tried to indicate to the Committee, against a backdrop where we are continuing to support communities right across New South Wales with their recovery efforts. You can imagine Commissioner Fitzsimmons and I have ongoing conversations about all manner of issues.

**The Hon. MARK BUTTIGIEG:** Minister, my colleague asked a very direct question: Did you brief the commissioner on the impact of the recommendations on his role and his agency? You've implied maybe recommendation 5 and taken it on notice, but the commissioner was very clear he was blindsided. Do you see the problem the Committee has here with your evidence?

**Ms STEPH COOKE:** But there's nothing in recommendation 5 that says Commissioner Fitzsimmons is out of a job.

**The Hon. MARK BUTTIGIEG:** So you're telling the Committee that he wasn't fully briefed?

**Ms STEPH COOKE:** But there's nothing in that recommendation that has scrapped his role.

**The Hon. ADAM SEARLE:** Minister—

**The Hon. SCOTT BARRETT:** One at a time.

**The Hon. ADAM SEARLE:** Minister, can we just put this to bed, then? Can you give us an assurance that Commissioner Fitzsimmons will continue in his current role or the equivalent role in Recovery NSW?

**The Hon. SCOTT BARRETT:** Half your colleagues have been trying to sack him for six months.

**The Hon. ADAM SEARLE:** What's your position, Minister?

**The CHAIR:** Interjections are disorderly at all times.

**The Hon. ADAM SEARLE:** What's your position, given your high regard for him?

**The CHAIR:** You can't have it both ways.

**Ms STEPH COOKE:** Commissioner Fitzsimmons will continue in his current role as the Commissioner of Resilience NSW. The agency will continue to do the work that it is doing.

**The Hon. ADAM SEARLE:** Until when?

**Ms STEPH COOKE:** The work that it is doing is focused on supporting communities and people impacted by flooding and other natural disasters. Its remit will carry on.

**The Hon. ADAM SEARLE:** Until when?

**Ms STEPH COOKE:** There is a recommendation—one recommendation of 22 which have been supported in principle, pending a lot of additional work to do. There is a project management office set up in DPC to look at these matters. All of the agencies in my portfolio will continue to work with and through that process in a very collaborative, consultative way.

**The Hon. ADAM SEARLE:** We'll return to this, Minister.

**SHANE FITZSIMMONS:** In the interest of full disclosure, I've just been reminded of something. The chief of staff to the Minister's office did have a conversation with me signalling that the secretary for DPC would be briefing commissioners. We did play phone tag in the morning, but I did end up speaking with the DPC secretary later in the day, after the press conference.

**The Hon. ADAM SEARLE:** Thank you.

**Ms SUE HIGGINSON:** Thank you. Minister, what have you been told about the project management team's time frame and time line?

**Ms STEPH COOKE:** We're currently in the process of establishing that particular project management office. It is based within DPC and, as it is set up, there'll be more to say. In the meantime, we'll continue doing the work that we're doing in relation to flood recovery.

**Ms SUE HIGGINSON:** Minister, what is the time frame that you're working on in relation to the project management office? What have you been told? How long is it going to exist for? What's the ambit?

**Ms STEPH COOKE:** As I've indicated, it is a project management office set up within DPC, which ultimately reports through to the Premier, so I'm not necessarily the right one to answer your question.

**Ms SUE HIGGINSON:** What has the Premier told you? Has the Premier said, "We've got this project management office, and we anticipate we'll have it for the next two weeks," or three months, or five, 10 or 15 years?

**Ms STEPH COOKE:** A lot of that work is currently being scoped out. Given the fact that we do have 28 recommendations and 22 of them have been supported in principle, we have not shied away from the fact that there is an awful lot of work to do—not just in relation to the recommendations as they relate to my portfolio but, indeed, right across Government. If I may respectfully suggest, those questions might be better directed to DPC.

**Ms SUE HIGGINSON:** Just following up on what my colleagues here were saying, has Mr Fitzsimmons been told how long it will be until the project management office has determined the next steps with the different Resilience NSW we're going to end up with?

**Ms STEPH COOKE:** Commissioner Fitzsimmons, have you been told by—can you please repeat the question? I'm not privy to that conversation.

**Ms SUE HIGGINSON:** Okay. Mr Fitzsimmons, what have you been told in terms of the time frames over which we're doing this transition, this change, this creation of the other body?

**SHANE FITZSIMMONS:** I think it's difficult to put a precise time on it. But as I said earlier, we're talking, I suspect, months away before there are any material changes. That's in recognition of the consultation and the consideration that needs to take place, when you think there's 22 out of 28 that require a lot of analysis.

**Ms SUE HIGGINSON:** Okay, thank you. Just back on the temporary housing and the sites and pods, we didn't quite finish earlier. Under the emergency planning measures, we can obviously fast-track certain procedures, but what assessment process do we go through? Is that assessment process publicly available? Is it documented? What do we do when we're assessing those sites for suitability?

**Ms STEPH COOKE:** Ms Higginson, I'll ask Commissioner Fitzsimmons to answer that; it's of an operations nature.

**Ms SUE HIGGINSON:** Thank you.

**SHANE FITZSIMMONS:** Thank you, Deputy Chair. As you signalled, there's a raft of sites and locations that have been considered and evaluated. Some are well and truly underway; some are being occupied. I think we started with about 20, through collaboration with councils and other government departments. We've signed leases for 11 of those, with various works underway across the northern region area. We work very much

through our Department of Public Works around engineering and assessment in terms of site evaluation and site works. Obviously, there's a significant procurement chain around identifying suitable pods and/or caravans in some locations which are more amenable to the site and the utilisation. Yes, it is significant, and it is challenging. To your question before the break, a parcel of land may be identified, but if it's flood-prone, it seems to be folly to put temporary housing accommodation into that site. Much of the Northern Rivers is very prone to floods, so it has been—and I don't mean to be patronising there—

**Ms SUE HIGGINSON:** No, you're absolutely right.

**SHANE FITZSIMMONS:** Yes, it's not without its challenges. Even if there is a site up out of the flood plain area, you've got topography issues and slope issues which might also be an inhibiting factor in that site—not to mention, of course, some of the community consultation. Some of the identified sites—one in particular that made the news recently in the Lismore area was ultimately rejected by the community and council. We're working with council and the community to identify alternate sites. It's a very complex area.

**Ms SUE HIGGINSON:** Is there public transparency around the leases? Are the leases and the price that we're paying for those leasing arrangements publicly available?

**SHANE FITZSIMMONS:** I'll take it on notice. I think the expenditure would be certainly public, but the details of the leases and contents therein—I would need to take some advice on that. But obviously I have no problem sharing what is available to be shared.

**Ms SUE HIGGINSON:** Thank you. Minister, how many people in the Ballina and Lismore electorates have received Back Home grants? Do you have that?

**Ms STEPH COOKE:** In the interests of brevity, I might take that on notice.

**Ms SUE HIGGINSON:** Thank you.

**Ms STEPH COOKE:** But we'll most likely be able to come back with that this afternoon, I would have thought.

**Ms SUE HIGGINSON:** I'm looking for both Lismore and Ballina electorates. How many recipients of the grant? How many have applied for it? How many are still waiting? How many have been denied?

**Ms STEPH COOKE:** Sure. Can I just ask one clarifying point?

**Ms SUE HIGGINSON:** Yes.

**Ms STEPH COOKE:** You'd like it for the State electorates of those areas or the local government areas?

**SHANE FITZSIMMONS:** We do stuff on local government areas, Minister. Don't go down that path.

**Ms STEPH COOKE:** Yes, that's why I wanted to clarify. We could provide that information to you on a local government area level for Ballina.

**SHANE FITZSIMMONS:** I know, as recently as last week, we've approved over 11,000 payments, close to \$160 million. But the breakdown by LGA, as the Minister signalled—we'll seek to try and secure that detail today, while we're here.

**Ms SUE HIGGINSON:** Thank you very much. Where have I put it? It was specific to the Aboriginal housing. There was \$70 million announced for Aboriginal housing solutions for communities such as Cabbage Tree Island. I understand that was announced in April. It was announced as further support for New South Wales flood zones. Is it the case that \$7 million of that money was taken out of the flood recovery and it was put into the more general administration of the Aboriginal housing organisation? Are you aware of that?

**Ms STEPH COOKE:** I'm not, Ms Higginson, but I'll ask Commissioner Fitzsimmons whether we either answer it or take it on notice, one way or another.

**Ms SUE HIGGINSON:** Thank you. Has any of that \$70 million actually been diverted away from the flood response housing?

**SHANE FITZSIMMONS:** I don't believe so. The distribution was done in accordance with local community groups. But we'll get the particular detail of that breakdown. Very early on, there was some misreporting about the quantum and who it went to. We had to address that misinformation because it was designed not just to be for one group but to be for a number of areas.

**Ms SUE HIGGINSON:** Thank you. If you could take it because I don't think it's been cleared up. There's still quite a bit of question out there about what happened and where is that \$70 million being allocated. As far as I understand, there hasn't been a clear answer around that and transparency.

**The Hon. ADAM SEARLE:** Minister, just to be clear, you're going to go back on notice and check your notes about what you said to Commissioner Fitzsimmons and when?

**Ms STEPH COOKE:** That's correct.

**The Hon. ADAM SEARLE:** Just so you are aware, obviously, the impression I've got is you didn't speak to him before the Premier's announcement about the Government accepting all of those recommendations. If you've got a different recollection, you can tell us on notice.

**Ms STEPH COOKE:** Thank you, Mr Searle.

**The Hon. ADAM SEARLE:** Thank you. In *Budget Paper No. 2*, page 8-18, \$1.4 billion is allocated this year to Resilience NSW and over \$2 billion over the next three years to do a range of very important things. Given the cloud of uncertainty that's now sitting over the top of Resilience NSW, at least in its current form, can you tell the Committee what's going to happen to that \$1.4 billion and those functions that are currently assigned to Resilience NSW to make sure that these things will actually get done.

**Ms STEPH COOKE:** As I've already indicated, the work of Resilience continues. There is a project management office set up within DPC to address the recommendations of the Flood Inquiry, noting that we have, as a Government, supported in principle a number of the recommendations, including those that impact on Resilience NSW.

**SHANE FITZSIMMONS:** If I can, on the budget—

**The Hon. ADAM SEARLE:** Of course.

**SHANE FITZSIMMONS:** We seem to go through this a lot, but the budget for Res in the financial year 2022-23 is just over \$2 billion, and 1.9 of that centres around grants. It's allocated money. It can't be redistributed or reused for anything else—

**The Hon. ADAM SEARLE:** That is for those functions.

**SHANE FITZSIMMONS:** We're effectively the holding account for Government and Treasury on that significant disaster expenditure. I suspect it won't be touched and it'll move to wherever it's got to be moved to.

**The Hon. ADAM SEARLE:** How many staff are in Resilience NSW? About 240? Is that right, Commissioner?

**SHANE FITZSIMMONS:** I've got an accurate figure because that varies from time to time. As we speak, at the moment, the staff in place as at the end of August are 252, which includes temporary personnel and contractors, largely in response to the ongoing disaster efforts.

**The Hon. ADAM SEARLE:** Thank you. Minister, what's the plan for those 240 staff?

**Ms STEPH COOKE:** The Resilience staff that are currently working very hard to support flood-impacted communities will continue. The staff will continue. Their work will continue. It's incredibly important work—

**The Hon. ADAM SEARLE:** But there must be a bit of anxiety about their future, which agency they're going to be in. What engagement have you or your office had with the workforce or with their unions about what their future might hold? Have you had any engagement?

**Ms STEPH COOKE:** It is my hope that all Resilience staff will stay within the New South Wales Government. They are doing tremendously important work. I've had the—

**The Hon. MARK BUTTIGIEG:** It is your hope, Minister. You can't give those people a guaranteed job?

**Ms STEPH COOKE:** Only insofar as I would love these staff to feel valued, as they should, and recognised for the really important and critical work that they're doing. To return to Mr Searle's question, I've been out and about on the ground, talking with our Resilience staff, for months now, whether that's in the Northern Rivers region, whether it's part of the recovery centres that they are a part of, whether it's the recovery access points, the—

**The Hon. ADAM SEARLE:** Sure. Minister, very clearly, post the Government's announcement that it's going to accept the recommendations, you or your office or the Government have not had any engagement with the workforce or their unions about their future, have you?

**Ms STEPH COOKE:** I continue to work with Mr Fitzsimmons, as is my job to do as Minister. But, over and above that, I'm out on the ground with our blitz teams—

**The Hon. ADAM SEARLE:** I'll take that as a no.

**Ms STEPH COOKE:** —in our recovery access points, making sure that, from my perspective, every time I encounter a Resilience NSW employee, they know from me how important the work is that they're doing—

**The Hon. MARK BUTTIGIEG:** Minister, the Premier said—this in his own words—the future agency would be leaner and nimbler. If I'm a staff member in Resilience, listening to the Premier, I'm thinking my job's under threat. You've done nothing to allay those fears. You're telling us here on evidence that you can't really guarantee their job but you value them. Is that your evidence?

**Ms STEPH COOKE:** No. I'm rejecting outright the premise of your question. The—

**The Hon. MARK BUTTIGIEG:** Very simply, the Premier said he wants a "leaner, nimbler agency". That's what the recommendation, I think, of the report was. The Government has accepted the recommendations, which sounds very much like the Government endorses the contents of that report. Commissioner Fitzsimmons is on record this morning as saying he doesn't agree with the content of the report. Are we to conclude that the Government's original plan in setting up Resilience NSW is—the Government now thinks that was a mistake. Is that right?

**Ms STEPH COOKE:** I'm really not quite sure, between yourself, Mr Searle, and Mr Buttigieg, which questions I'm answering. I'm certainly not saying—

**The Hon. MARK BUTTIGIEG:** It's very simple, Minister. Let me rephrase it so you understand. There's two hundred—

**Ms STEPH COOKE:** Am I now answering your question? Or am I answering Mr Searle's question?

**The Hon. MARK BUTTIGIEG:** Let me rephrase it—

**The Hon. ADAM SEARLE:** It doesn't sound like you're answering either question, Minister.

**The Hon. MARK BUTTIGIEG:** The questions are very similar, Minister. There's 240 staff you've identified, who would have a ton of anxiety because of the announcement and the comments that the Premier's made. You said you value them. The question was, "Have you engaged them about their job security and given them any undertaking that they will have job security into the future?" Very straight question. Yes or no?

**Ms STEPH COOKE:** Mr Buttigieg, I have indicated—no, I have said I would very much like the Resilience staff to stay. I am advocating with them and for them to stay. I'm more than happy to meet with any of their representing unions to have these conversations—

**The Hon. MARK BUTTIGIEG:** But you haven't to date.

**Ms STEPH COOKE:** I have had multiple conversations with staff. And, of course, I have multiple conversations with Commissioner Fitzsimmons in—

**The Hon. MARK BUTTIGIEG:** None with the unions?

**Ms STEPH COOKE:** To the best of my knowledge, although I'm happy to take it on notice, the union hasn't reached out to me in relation to discussing specifically the future of Resilience NSW staff. But I'm more than happy to meet with any union. I meet with unions regularly in relation to the people that they represent. DPC—I've already said it a number of times, but I'll reiterate—has a project management office that has been stood up. It is getting on with the work of looking at the recommendations. That will assist to guide where the future is for Resilience and for their staff.

**The Hon. ADAM SEARLE:** That sounds like you haven't. Can I ask this question, Minister. The Flood Inquiry report found that Resilience NSW did not perform as intended, primarily due to the size and scope of its remit, and talked about its slowness and its unresponsiveness. As Minister now, you accept those inquiry findings; correct?

**Ms STEPH COOKE:** Well, the Government has received the report and has supported either in full six or in principle 22 of the recommendations. We are now working through; there is a lot of work that needs to be done in relation to the recommendations that we have supported in principle. That's why the project management

office has been established. It is within DPC. The role and responsibility of all of the agencies now in the portfolio that I oversee is to engage with that process, engage with the project management office to ensure that the recommendations are implemented in a way that delivers the best outcomes for the communities of New South Wales.

**The Hon. ADAM SEARLE:** There are a number of criticisms of the agency in the inquiry report. I won't go through them, but they're of that flavour. The Government supports the recommendations and is committed to implementing them to some degree. Commissioner, you've indicated you don't agree with a lot of those criticisms of the agency. What do you have to say to those findings that it was slow, it was unresponsive, people were confused about what it did, it wasn't doing what it was intended to do?

**SHANE FITZSIMMONS:** Mr Searle, you made a comment earlier. My feedback of things I didn't support or agree with were around aspects of the inquiry findings, not the entirety of it. But there is no doubt in my view there was confusion, and we need to address that. There's confusion at a community level, at a local government level, even at agency level we've identified over the last couple of years. But there are just so many other aspects concerning those broad statements around slowness, presence and expectations. I don't know whose expectations or what expectations, but in any available, simple analysis of what's been delivered and what's been undertaken, I can happily demonstrate that we've never seen a more joined-up, comprehensive, expeditious pursuit to recovery interventions and recovery operations ever before in the State of New South Wales. The other finding that we'd grown to something is equally against the available evidence. If only we were asked, because we actually scaled the agency back from what we inherited when the thing was initially set up.

**The Hon. ADAM SEARLE:** Minister, going back to you about the 240-odd staff. Whether they're staying in the one agency or going to a new agency, can you give a commitment that those people will continue to do the functions they're currently fulfilling and they'll have ongoing roles in doing that?

**Ms STEPH COOKE:** It is, as I've said, my hope that the people that are working for Resilience today will stay working within government and doing the important work that they are doing. I think it's important to note that some people might or might not want to stay. That's a matter for individuals in relation to their future but the expectation of Government—

**The Hon. MARK BUTTIGIEG:** Of course, Minister. Can I just take you up on that point because—

**Ms STEPH COOKE:** No.

**The Hon. MARK BUTTIGIEG:** —it's very important. You said that some people—obviously some people can go. Just like any job, people have a voluntary view on whether they stay or go. But let's assume that the vast majority wanted to stay. They had jobs. You hope that they stay. Can I take that to believe that if DPC or the Premier make the call on this stuff, you really don't have much influence over their job security?

**Ms STEPH COOKE:** There are a couple of points I'd make in relation to that. The first one is that this is a process that is being worked through by DPC at the present. But I want to make it extremely clear that I'll continue to advocate for all of the staff of Resilience. The work they are doing is, quite frankly, amazing—

**The Hon. MARK BUTTIGIEG:** I'm sure you will, Minister. Because I know you're genuine—

**Ms STEPH COOKE:** Please.

**The Hon. SCOTT BARRETT:** Point of order: It's just happening too much—the talking over the response.

**Ms STEPH COOKE:** I will continue advocating on behalf of staff to DPC—

**The Hon. MARK BUTTIGIEG:** No, I understand, Minister. You've said that—

**The CHAIR:** Order!

**The Hon. MARK BUTTIGIEG:** Chair, the Minister said the same thing five times now.

**Ms STEPH COOKE:** I'm sorry, but I lost my train of thought.

**The Hon. MARK BUTTIGIEG:** My question is very, very straightforward. Ultimately—

**The CHAIR:** The Minister can answer the question any way she likes. She can say it 10 times.

**The Hon. MARK BUTTIGIEG:** Sure. Ultimately, Minister, you don't make the call, do you?

**Ms STEPH COOKE:** I think that it's important to recognise that we are at the start—this report and the Government response was released on 17 August. By my calculations, that's about 2½, or a bit over, weeks ago. We are at the start of a journey now. We have 22 recommendations that have been supported in principle. Even



the ones that have been supported in full have a considerable amount of work to be done in order to see that through. The ones that have been supported in principle have even more work to do. It's important to acknowledge that we are on the start of a process and of a journey. What we need to keep in mind at the end of the day is that we have communities that are still recovering from past events and are still very much in that recovery phase and the rebuilding in these communities will take years and years. At the same time we need to make sure that, as a Government, our agencies, our structures, our relationships, the particular roles that people have are in place for the benefit of our communities going forward and the challenges that we know we're going to face with more and more natural disasters in the future.

**The Hon. MARK BUTTIGIEG:** I just ask one final question to tie this up. You're on the record as saying that you hope that these people stay on. If you had the ability to make that happen, the hope would be manifested in reality because you could make the decision. I put it to you that your evidence suggests you don't have that remit. It's a very simple question.

**Ms STEPH COOKE:** I'm not accepting the premise of your question, Mr Buttigieg. I have said and I'll say it again: I will continue to advocate for the staff of Resilience. I believe in them. I believe in their work. Their Minister has confidence in the work that they are doing and will undoubtedly continue to do into the future. I will continue to work with DPC as required. So will all of the agencies within the portfolio that I lead and we will have more to say as that work is undertaken.

**The Hon. ADAM SEARLE:** What is your time frame for implementation of those recommendations specifically about the future of Resilience NSW?

**Ms STEPH COOKE:** As I indicated earlier, we will provide updates. This a project management office set up within DPC.

**The Hon. ADAM SEARLE:** I'll just return to the issue of the Mount Wilson strategic back-burn. I raise Bushfire Inquiry recommendation 47 (d), where I think it says that where there is significant concern regarding a back-burn, there should be a community engagement session to discuss any investigation. I think, Commissioner Fitzsimmons, you were informed on 10 January this year that the Bushfire Inquiry progress report stated that this had been done in relation to that matter. But that was an error. Can you enlighten us? Why did that happen? Because those communities haven't had such a session yet. I think Commissioner Rogers said it's happening but it hasn't happened yet. Why was it communicated that it actually had happened?

**SHANE FITZSIMMONS:** My understanding was that community forums had been held and I even spoke to Commissioner Rogers about that and there was a focus on doing further. When you're holding community forums, obviously you don't guarantee that everyone in the community goes to the same forums. At the time, when I recall, the reality was that a number of forums had been held, particularly with local volunteers and their communities as well.

**The Hon. ADAM SEARLE:** Just to be clear, are you saying that these debriefing sessions had occurred in Bilpin and Kurrajong Heights?

**SHANE FITZSIMMONS:** No. As a matter of fact, I met with members of the community up there on an unrelated matter. Some of those community members that also said they were members of the RFS had raised concern that they hadn't been involved in a community meeting, and I forwarded that information to Commissioner Rogers.

**The Hon. ADAM SEARLE:** Minister, I'm just trying to get clarity. Why have the post-event debriefing sessions with those affected communities not taken place before now?

You can defer to whomever you like, Minister.

**Ms STEPH COOKE:** Commissioner Rogers, could I please call on you to talk to this matter yet again?

**ROB ROGERS:** Sure. Thanks, Minister. As Commissioner Fitzsimmons said, a number of community engagement events had happened post the incident. I will have to take on notice the sequence of events that led to what was done and what was committed to be done. To be honest, I'm a little confused as to how the reporting ended up the way it did as well.

**The Hon. ADAM SEARLE:** Yes.

**ROB ROGERS:** I honestly don't understand.

**The Hon. ADAM SEARLE:** I'm a resident of the Blue Mountains and my understanding is there's lot of confusion about how it was reported that it had happened when it hasn't. If you could, on notice, report us?

**ROB ROGERS:** I'm more than happy to look, from an RFS point of view, and provide a response on that. Just talking to some of the people, even here, in the gallery—there's other communities, clearly, that we also need to reach out to, which I've given a commitment we will do that.

**The Hon. ADAM SEARLE:** Sure, and very specifically. For example, the RFS conducted online town halls and discussions with the community at Lake Conjola in about May 2020 and yet similar consultation about the back-burn at Mount Wilson hasn't yet occurred with those affected communities. I would like a detailed answer on notice as to why that hasn't happened to date.

**ROB ROGERS:** I understand.

**The Hon. ADAM SEARLE:** Minister, recommendation 47 (c) of the *NSW Bushfire Inquiry Report* provides:

When fire conditions are approaching Severe or above, an independent review must be undertaken at State Operations Level before strategic backburns are implemented.

Were outside experts included in the development of the RFS response in the wake of these events?

**Ms STEPH COOKE:** I'll ask Commissioner Rogers to answer your question. If he is unable to, we're more than happy to take those questions on notice.

**The Hon. ADAM SEARLE:** We'll see what Commissioner Rogers has got to say, and we'll interrogate that.

**ROB ROGERS:** Would you mind just restating the second part of that question?

**The Hon. ADAM SEARLE:** I guess the first question is, given the recommendation of the inquiry that an independent review should be taken at State operation levels before strategic back-burns are implemented, I think subsequently to that there's now an operational protocol for back-burning. I think that was released last year. Who was consulted in the making of that operational protocol?

**ROB ROGERS:** That was our incident controllers, who obviously have carriage of those things. We talked that through with them and worked out what was reasonable. There's a balance. I guess the thing that I have to balance is the need to sometimes put these things in quickly or else you lose the effect of it, but, obviously, taking note of the fact that the Bushfire Inquiry made a specific recommendation about that, that we needed to ensure that we had additional checks and balances where, as you rightly said, those are occurring in that severe fire danger period. We developed that with our incident controllers and that's now in force.

**The Hon. ADAM SEARLE:** Were any outside experts consulted about that before the back-burn was implemented?

**ROB ROGERS:** Other agencies? Absolutely. Agencies like National Parks and Wildlife Service, and I think Fire and Rescue and State forests. The combat agencies were certainly consulted.

**The Hon. ADAM SEARLE:** Okay. I might come back to that.

**The Hon. MARK BUTTIGIEG:** Just a quick follow-up on that previous line in terms of the consultation—there was a progress report that said the consultation had been completed.

**The Hon. ADAM SEARLE:** We've done that.

**The Hon. MARK BUTTIGIEG:** Done that? Sorry.

**The Hon. ADAM SEARLE:** Minister, in relation to the Mullumbimby pods—I think the Deputy Chair raised that with you—we've heard from locals that the land chosen for the placing of those pods goes under water even in a modest flood. Yet, earlier, you said you were confident that the location was a correct location. Given the local intel that that site goes under water even in modest rain, how was that site chosen? Are you confident that it is an appropriate site if, in fact, it goes under water?

**Ms STEPH COOKE:** These are fair questions, and I'll ask Commissioner Fitzsimmons to provide an operational update on the site selection et cetera.

**The Hon. ADAM SEARLE:** Of course. I should disclose that I'm a former resident of Mullumbimby, so I've got a bit of an interest.

**SHANE FITZSIMMONS:** There you go. That's all right. As signalled earlier with the Deputy Chair, identifying land in a lot of areas across the Northern Rivers has been extremely challenging and the availability of suitable sites in Mullumbimby, particularly, was extremely limited. I think it's the Station Street/Prince Street site that you're referring to?

**The Hon. ADAM SEARLE:** Yes.

**SHANE FITZSIMMONS:** It had been identified by council and the Transport Asset Holding Entity as suitable for a possible housing development—prior to the floods, even—and then it was evaluated for suitability through Planning and Environment. It was reviewed and considered in the process of putting into place the North Byron Floodplain Risk Management Plan as well. Site design and construction was then managed by the engineers and construction experts. We have had community feedback and concerns, and that continues to be addressed.

Design amendments to mitigate the flood on that site was: a reduction in the size of the number of units on the site; making sure that the building was—on areas of the site worse affected by that 1 per cent or the one in 100, ensuring that the pods were raised above that mark; and ensuring appropriate stormwater and overland flow was factored in as well. I note that things like fill are being carefully considered and based on the advice of the civil engineers as most effective construction to minimise any effects. It has been challenging, not just there, but right across the Rivers.

**The Hon. MARK BUTTIGIEG:** Minister, I want to take you to the subject of resourcing now. According to annual reports, in FY10-11 there were 3,516 full-time fire officers and 3,382 retained fire officers. That amount has subsequently only increased by a very, very small percentage in the ensuing decade. I put it to you that the figures are as follows: We had a population increase of about a million in Sydney over the last decade. It has gone up by about 13.5 per cent. In that same period, total firefighting staff has only gone up by a number of four, if you add up all the figures in the various annual reports. That represents a growth of about 0.06 per cent compared to a 13.5 per cent population growth. I put it to you that that is unacceptable, given the calamities we've seen. Even if we hadn't seen the calamities, the idea that you wouldn't have frontline staff keep up with population growth is unacceptable, isn't it?

**Ms STEPH COOKE:** Mr Buttigieg, the detail that you've provided in your question very much suggests that this is an operational matter for Fire and Rescue. I would ask Commissioner Baxter to provide you with an answer.

**The Hon. ADAM SEARLE:** I have the documents here.

**The Hon. MARK BUTTIGIEG:** My colleague has just tabled the documentation which backs in the figures I've given you. I'm happy for you to do the maths. I can assure you we haven't bodgied up the figures; they're from your reports. I'm putting it to you that over a decade the New South Wales population has increased by almost a million—13.5 per cent population growth. The firefighting force has increased by 0.06 per cent—a clear mismatch. I'm asking you to take that on face value. Do the maths if you want. Given those figures, are you comfortable, as the Minister, that that's enough to keep up with protecting the public?

**Ms STEPH COOKE:** Commissioner Baxter, I'd like you to answer the question, please.

**PAUL BAXTER:** The figures that you've provided—I'm not sure what you're referencing, but I think—

**The Hon. ADAM SEARLE:** We just handed them up.

**PAUL BAXTER:** I don't dispute them. They are what they are. They have been relatively—

**The Hon. MARK BUTTIGIEG:** We have very good staff, Commissioner, I can assure you.

**PAUL BAXTER:** Yes. They are relatively consistent with what I've got, I think. The linkage to population, whilst it is one factor, is not in and of itself the only factor that you would use to determine the necessity for increased resources, because a lot of the population increases occur within fire districts that Fire and Rescue already services. So that population increase has been able to be serviced within the current capacity of the service.

**The Hon. MARK BUTTIGIEG:** On that point, I would accept that if the figures weren't so grossly mismatched, in terms of the population growth we've seen and the amount of firefighters who have been taken on in the same period. There's got to be a lack of resources by dint of pure logic there, surely? It doesn't matter how efficiently you use the resources. Through this time, of course—we've raised it in budget estimates before—you're implementing the practice of TOLing and all the rest of it. I want to know what your view is, Minister and Commissioner, on whether or not you need more resources to keep up with population growth, or are you comfortable with it being static, which it essentially is?

**Ms STEPH COOKE:** There are just a couple of things I'd like to point out. Number one, we have a record \$4.2 billion budget in relation to Emergency Services, so we will continue to provide all of the necessary resourcing right across all of our emergency services organisations. Your question, from memory, didn't break down whether you were talking about full-time, part-time, on-call—I'm confused by some of the detail in your question.

**The Hon. ADAM SEARLE:** The documents have been provided to you, Minister.

**Ms STEPH COOKE:** We also have community fire units and, of course, we also have the RFS and their volunteers. So we have two agencies which are predominantly providing community safety in relation to fighting fires.

**The Hon. MARK BUTTIGIEG:** It comprises full-time, retained, trades and administrative staff, and executives, so it's not like we've left any cohort out. I'm putting to you, Minister, you can allocate as much money as you want to the budget and the headline figures but if it doesn't flow through to frontline resources, aren't you putting the public at risk, given those figures that I've presented to you? I'm happy to stand on those figures. Before we move on to fire stations, can you just answer whether you think that's concerning or not?

**Ms STEPH COOKE:** No.

**The Hon. MARK BUTTIGIEG:** You're not concerned?

**Ms STEPH COOKE:** I believe that we have—no, not "I believe". We have a record budget for both Fire and Rescue NSW, as an agency in their own right, and overall we have a record \$4.2 billion in Emergency Services. You've presented no evidence here today that the community actually has been put at further risk. From an operational perspective, I'm sure, Commissioner Baxter, you may want to elaborate a little further.

**PAUL BAXTER:** I'm happy to do that. This is not without prior discussions, obviously, already occurring with the Minister's predecessor and the current Minister about the pressures for Fire and Rescue. I certainly believe that we're at the stage now where we do need to address some of the demand for services. We will need to see some increases in resourcing, particularly due to the growth that's occurring in the north-west of the GSA and south-west of the GSA, and indeed the growth around the new aerotropolis area, where our modelling suggests we're going to require a number of additional fire stations.

We already have the Oran Park fire station under construction, due to be completed in December, and we have funding for the Marsden Park project once we get some certainty around flood modelling for that particular area. Just to see the consequent and compounding disasters that we've been through over the last two or three years since the 2019-20 bushfires, the way that we've been using our firefighters—particularly our professional firefighters and on-call firefighters from Fire and Rescue—has been completely different from how they've been used traditionally.

**The Hon. MARK BUTTIGIEG:** Minister, you just heard your commissioner admit there on record that there does need to be up-resourcing in frontline staff. That's not the evidence you gave. Are you going to reconcile that position now?

**Ms STEPH COOKE:** No.

**The Hon. MARK BUTTIGIEG:** No, okay, thanks. You've answered the question.

**Ms STEPH COOKE:** Don't put words in my mouth, Mr Buttigieg.

**The Hon. MARK BUTTIGIEG:** You just said no, Minister. Is it no or yes?

**Ms STEPH COOKE:** You are interrupting me and not allowing me to answer the question properly. My position is consistent with Commissioner Baxter's insofar as the following.

**The Hon. MARK BUTTIGIEG:** I don't think so.

**Ms STEPH COOKE:** We have a record budget for Fire and Rescue NSW. We have a record budget of \$4.2 billion across all of Emergency Services. I work very closely with my commissioners, as is probably evident before this Committee today and—

**The Hon. MARK BUTTIGIEG:** Minister, do dollars mean people?

**The Hon. SCOTT BARRETT:** Point of order—

**Ms STEPH COOKE:** And—

**The Hon. MARK BUTTIGIEG:** Do dollars mean frontline people?

**The CHAIR:** Order!

**Ms STEPH COOKE:** Please let me finish. I will continue to work closely with Fire and Rescue NSW and all of my commissioners and their agencies on what resourcing they need into the future. Where more is required, as Minister, I will fight tooth and nail to secure that for them.

**The Hon. MARK BUTTIGIEG:** Evidently not.

**Ms SUE HIGGINSON:** Minister, how many people are currently displaced from flooding in New South Wales?

**Ms STEPH COOKE:** Mr Fitzsimmons, could I ask you, please, to answer that? It's complicated and it changes daily.

**SHANE FITZSIMMONS:** It's a very difficult figure to—because what is the definition of "displaced"? We have got figures around people who are in emergency accommodation, but I think it's fair to say there are literally thousands of people who have been impacted, affected and displaced by floods even in this financial year. What a lot of people don't realise, whilst necessarily and understandably we've got an enormous focus on the Northern Rivers region of New South Wales, in the last financial year 2021-22 we've had 14 major disaster events across New South Wales that have resulted in 158 local government areas being declared natural disaster areas, and they are all related to floods and storms.

If I can extrapolate that over the last three years, apart from the 2019-20 bushfires where there were 50 local government areas declared natural disasters, we've had 486 local government areas declared natural disasters, with many of them being declared several times in the last three financial years. So depending on how you define "displacement"—and I'm not being funny—we literally have to accept that we're talking thousands of people who have been terribly impacted and affected by the disasters of recent times.

**Ms SUE HIGGINSON:** I totally understand the breadth, but just in terms of flood recovery specifically right now, with the Minister's responsibility and Resilience NSW, how many people are on your lists, either in your temporary housing or on the list and in need of somewhere to be over the next few years?

**Ms STEPH COOKE:** Ms Higginson, we have around about 1,200 people who are in emergency accommodation presently. The overwhelming majority of those people are in the Northern Rivers region in the aftermath of the February-March floods. But that 1,200 does include people out in the Hawkesbury-Nepean area as well—a small number—who are still requiring emergency accommodation from their experiences this year.

**Ms SUE HIGGINSON:** Of those 1,200, is the plan for them to then move from emergency to temporary? Is that the plan for those people?

**SHANE FITZSIMMONS:** It may be.

**Ms STEPH COOKE:** Potentially that is one pathway. I spoke earlier, but we ran out of time, in relation to the housing package more broadly that the New South Wales Government has stood up and rolled out progressively. There are a number of elements to that. If you take someone who is in emergency accommodation today, they may be eligible, for example, for a Back Home grant of up to \$20,000 to make repairs to their own home so that they can move back home. They could also transition out of emergency accommodation into a private rental and the New South Wales Government has the—

**SHANE FITZSIMMONS:** Rental assistance.

**Ms STEPH COOKE:** —temporary rental support package. That provides, for example, up to 16 weeks of rental accommodation in a private rental if someone is able to also locate that. They are just a couple of examples. They may transition to one of our at-home caravans under that program, which is rolling out. In fact, we announced a further expansion of that program today. So there are a number of pathways for a person from emergency accommodation into another form of accommodation. The temporary housing villages—those modular homes or pods—they form one plank of a number of options for a person.

**Ms SUE HIGGINSON:** In the Northern Rivers, of those 1,200 people, how many need to go into the temporary pods?

**SHANE FITZSIMMONS:** That's subject to very regular surveying and interaction with people. It varies; it goes up and down. We are identifying up to 2,000 people who were looking at accommodation, but the number does move because alternates are found. What we have been able to do, working closer with communities, particularly given that some of the temporary accommodation sites are limited—the idea of expanding the caravan at home program has taken some people off the desire to go into a temporary village area and they prefer to be located with their home. They've got their yard. Particularly if they've got pets, they've got somewhere to keep their pet while they're looking at fixing up their home and that sort of thing. There is, as the Minister's indicated, a range of variables to that.

We've also got an unprecedented number of what we call recovery support services, where there are local entities and organisations that are engaged to provide, effectively, case management and support services to individuals in understanding their circumstances, their back-home arrangements and their options—those sorts of things. The services that we've engaged so far, I'm confident in the figures I saw just recently. We're close to

2,000 cases being managed through those recovery support services as well. Some of that will overlap with the people that we've got in emergency accommodation, with the feedback we're getting through Service NSW and also with the recovery support service providers online and recovery support services that we're providing into the villages as well. There are housing providers that are working very closely with tenants of the villages too.

**Ms SUE HIGGINSON:** Minister, are you satisfied with the relationship between the Northern Rivers Reconstruction Corporation and Resilience NSW? I know the NRRC is answerable to the Deputy Premier, but are you satisfied that we've got the best working relationship in the recovery at the moment?

**Ms STEPH COOKE:** No issues have been brought to my attention. That's one way to put it. You are quite right, the NRRC does report through to the Deputy Premier and is certainly focused on that longer term rebuild and reconstruction of all of that devastated infrastructure, looking at land swaps, buybacks and all of that sort of thing. Resilience NSW will continue to focus on the temporary housing package as a big chunk of their work, but it's not the only thing we're doing in that space. It's important that we don't take our eye off the recovery and people's journeys as well. It's really important to note that.

**Ms SUE HIGGINSON:** On people's journeys, if I may, do you think it's okay that, yesterday or the day before, the Northern Rivers Reconstruction Corporation opened up expressions of interest for landholders who may want to have their land purchased, but people who are begging in limbo to have a land swap made available to them—do you think, in terms of people's journeys, have we got it all back to front?

**Ms STEPH COOKE:** Ms Higginson, I'd respectfully ask you to put those questions to the Deputy Premier. The NRRC does report through to him, and that program of work is under his remit.

**Ms SUE HIGGINSON:** But is it helpful to you, who is responsible for all of these people, of which there's perhaps up to 2,000 or so in there who are living in their caravans out the front of their destroyed homes, and all they want to know—all they've wanted to know since March—is what the heck are we going to do in terms of if they can ever contemplate being able to live somewhere safe where they may not have to go on their roof again. Yet we're busily working out whether somebody can get some opportunity through selling their land to the reconstruction corporation. Is that seriously helpful to your recovery program?

**Ms STEPH COOKE:** What I can confirm is that the work of the agencies under my remit and my focus, as Minister, is on ensuring that those up to 2,000 people that you talk about, and the give or take 1,200 that we've got in emergency accommodation presently—our focus is on them and providing a safe and dry roof over their heads at the moment. That's our focus.

**Ms SUE HIGGINSON:** Minister, how many of those people have told you or your agency that they want to leave the land and the home that they were rescued from or that they survived in?

**Ms STEPH COOKE:** Everyone's recovery journey is different. I've spoken to, as I know you would have, many people, and there are different views. There are some people that I've met—

**Ms SUE HIGGINSON:** How many have asked to be relocated? How many have told you that they want to relocate?

**Ms STEPH COOKE:** There are some people who have asked about that relocation but, to be honest with you, I was in Lismore over the weekend, volunteering with Resilient Lismore on their Two Rooms project, where we fixed up—it wasn't quite two rooms, but we did a good job. Speaking with that particular resident in South Lismore, she doesn't want to move. People have different views on these things.

**Ms SUE HIGGINSON:** The question is how many people have asked you, or do you know of, that want to relocate?

**Ms STEPH COOKE:** I don't know the specifics of that, Ms Higginson, in terms of an overall number. You've got something? Thank you.

**SHANE FITZSIMMONS:** Just answering some of your questions there earlier, you can be assured that Resilience NSW, with the temporary housing and the reconstruction corporation, is working very closely together. We're co-located up in the Northern Rivers. We have appointed a dedicated director up there, from our perspective, to look at housing and work very closely with Mr Witherdin's team. Mr Witherdin is a member of our State recovery committee. We meet every week, and he provides regular updates. I have just pulled up this week's report concerning the—sorry, I looked at the Flood Property Assessment Program. I'll take on notice those that have signalled a desire to relocate.

**Ms SUE HIGGINSON:** Thank you.

**The CHAIR:** Minister, on a different tack now, can you advise the Committee on the status of bullying complaints in the various services, whether it's Fire and Rescue, the State Emergency Service or the Rural Fire Service?

**Ms STEPH COOKE:** The actual status per agency, I'll ask the commissioners to provide an idea of that.

**The CHAIR:** The number of bullying complaints, the status of those complaints, a list of complainants and which cases were settled, how much for and when. I'd like to also talk in the same terms about workers' compensation as well.

**Ms STEPH COOKE:** Thank you very much, Chair. I might just make some opening remarks before—we might start with Commissioner Baxter and work our way along the table. In relation to bullying and harassment, I've made it very clear, and the commissioners—we are all on the same page. There is no room for bullying and harassment in our organisations or, indeed, in any workplace or any environment. Each agency has its own set of processes, procedures and policies around their—

**The CHAIR:** Shouldn't they be done to the same standards, if the Government's standard is high?

**Ms STEPH COOKE:** It doesn't mean that one agency has something of a higher standard than another agency, just that they have policies and procedures that are appropriate to their operations. In that spirit, Commissioner Baxter, could you please provide an update in relation to the Chair's question?

**PAUL BAXTER:** We have had reasonably consistent reports of bullying and investigations undertaken. With respect to the last financial year, there have been eight formal bullying investigations undertaken, of which three resulted in sustained findings, one not sustained and remedial action was undertaken, and four others. In the bigger picture, the statistics from our People Matter Employee Survey—of which we've had a significant increase in the amount of people participating in that survey—has given us confidence that we're making improvements in the area of bullying. Both in witnessed and experienced responses, we have seen declines. People witnessing bullying fell from 2019 at 27 per cent to 21 per cent in 2021. And employees reporting actually experiencing bullying fell from 17 per cent in 2019 to 14 per cent in 2021. I would like to think that that is in response to a huge amount of work that has been undertaken across a whole range of areas from leadership to how we deal with the more complex and serious matters.

**The CHAIR:** You mentioned in the last 12 months that there were two or three were found to have been bullied or where there was bullying. How were they resolved? What is the status of those?

**PAUL BAXTER:** There's a number of them resulted in disciplinary actions. Some of them resulted in people being removed from the organisation, and others would undertake remedial action that was specific to the actual case, appropriate to the circumstances.

**The CHAIR:** Have you got those statistics in a table—

**PAUL BAXTER:** We have, yes.

**The CHAIR:** —that you could put on notice and supply to us please?

**PAUL BAXTER:** Yes. Be happy to do that.

**The CHAIR:** Especially the comparative years, maybe going back three or four years. You mentioned that.

**PAUL BAXTER:** We go back, the data I've got in front of me now goes back to 2016.

**The CHAIR:** Mr Rogers?

**ROB ROGERS:** Mr Borsak, I don't have the statistics on bullying per se. I think it is fair to say though we have been doing considerable work within the agency about the way we deal with discipline, including bullying, sexual harassment. And I have been very public in acknowledging that we have let some people down, historically. We haven't done as well as we should have in supporting some of the members. Indeed, there are some people out there who were not comfortable that we have addressed their matter. So we set up an independent process through a law firm that people could go to to get someone else to look at what was historically done to see if RFS did the right thing or not.

**The CHAIR:** How do you know whether you are addressing all the issues and the complaints if you don't have any statistics or any—

**ROB ROGERS:** No, I just said I didn't have them here. I'm not saying we don't have statistics.

**The CHAIR:** Okay, sorry.

**ROB ROGERS:** I just don't have them here. But what we are doing—and we have gone out to our membership, we have asked for what they think about the system—we have more than 2½ thousand people participate in a survey. We have now got a new system designed. We put that out for consultation with our membership and we will have that in place by the end of this calendar year. We have engaged a number of people from outside the organisation that have had experience in dealing with those matters—for example, in the military—to try and make sure that we get a good system that works well and supports local people.

One of the big problems we have is that we have not had line of sight over what's happened in local brigades at a corporate level. It's been managed locally and we haven't had line of sight. And that clearly isn't good for us because we can't have statistics, comparison, see where areas are going wrong. So part of fixing the system will be to address those issues.

**The CHAIR:** Can you supply on notice the sort of data that I asked for from Mr Baxter please?

**ROB ROGERS:** Yes, I will do my best to supply it.

**The CHAIR:** So we can see what has actually happened, because the Rural Fire Service in past inquiries that I have chaired hasn't particularly had a good track record, as you acknowledge.

**ROB ROGERS:** Which is acknowledged.

**The CHAIR:** You are telling the Committee now that things have improved.

**ROB ROGERS:** Well, no. What I said is we are changing the system, which will be in place by the end of this year. We have acknowledged where we have had some failings and we are fixing the system to make sure it—

**The CHAIR:** But that's a bit slow, isn't it, end of this year? The problem's been around, I think I have sat on two inquiries where people have sat there and given complaints about the way they have been treated, bullied and harassed. And how many years now and you don't even have a process, until now?

**ROB ROGERS:** We have a process. I didn't say we didn't have a process. What I said was we need to update our process, and the process that we have had in place is something that has been there for some decades. To put a new system in place has involved a lot of consultation with our members to make sure the system we put in place works for them. I would rather get it right, to be honest.

**The CHAIR:** I put it to you that you haven't got a sense of urgency in this, have you? I mean, why would it take the whole of this four-year term? I know we had inquiries, not in this term but in the last term, in relation to bullying in the Rural Fire Service and still we don't have a finalised process?

**ROB ROGERS:** We're reviewing an updated process.

**The CHAIR:** I mean, Mr Fitzsimmons was the commissioner?

**ROB ROGERS:** I'm just simply saying that we've been working on this, I think, for about 18 months. We've been working on this updated system, and—

**The CHAIR:** I don't think that's good enough—but anyway. Alright, if you could give us that on notice, that'd be good.

**ROB ROGERS:** Sure.

**The CHAIR:** Ms York?

**CARLENE YORK:** Thank you. First of all, building on what the Minister has said, this is an area that I've been involved in for many, many years as a senior leader within the public service, both within the NSW Police Force and carrying on that same lack of tolerance towards this as Commissioner of the NSW SES. Some figures that you've asked for is in 2019-20 we had 19 complaints of bullying and harassment and six matters were formally investigated, 13 addressed by managerial action; 2020-21, again, 19 matters, one matter was formally investigated, 18 addressed by managerial action; and in the most recent year of 2021-22, we've had 13 matters, two matters were formally investigated and 11 addressed by managerial remedial action.

I have invested a lot of time, resources and training into our processes for staff and volunteers to build capability and awareness to deal effectively with bullying and harassment issues, such as online training courses on the NSW SES Code of Conduct and Ethics for all staff and volunteers, training for the NSW SES volunteer leadership and a rollout of what we call the ASPIRE Leadership Program. All of those programs have the message



that we will not tolerate bullying and harassment, and we have put information out to our staff and volunteers how they can easily report allegations of bullying and harassment.

In the recent People Matter Employee Survey results, in 2021, we have had some good results. Compared with the previous year, for bullying and those who have witnessed it, we have gone down 7 per cent, and sit at 23 per cent. For those who have experienced bullying, we have reduced by 2 per cent, down to 14 per cent. The only area where it has increased is sexual harassment, which was at 5 per cent—that did increase by 1 per cent. Also, as chair of the AFAC board, the emergency services are represented through the Champions of Change. We do a lot of positive, proactive work across all emergency services across Australia and New Zealand in relation to addressing these issues within fire and emergency services.

**The CHAIR:** Thank you. Could I get that data off you on notice too, please, in writing?

**CARLENE YORK:** Yes, of course.

**The CHAIR:** Thank you. Mr Fitzsimmons, in terms of Resilience NSW, that being a new organisation, did it have any issues in this area?

**SHANE FITZSIMMONS:** In the last—since our inception, we've had zero bullying.

**The CHAIR:** Since inception, none? Okay. Thank you. Minister, are you actually happy that we've got different standards across the services? I mean, the service that's always had the major problem, as far as I'm concerned, is Fire and Rescue and they're sitting here and they can't give us any stats—the other two services have. Is that satisfactory?

**Ms STEPH COOKE:** Well, with respect, Chair, we have committed today to take on notice the information that you've asked for and we will provide that back.

**The CHAIR:** No, that's not my question. I said: Is it satisfactory—yes or no? A simple yes or no?

**Ms STEPH COOKE:** To the best of my recollection, Fire and Rescue were able to provide you with statistics today and Commissioner Rogers has taken it on notice and will provide that information back to you. So from my perspective, as Minister, I absolutely expect that our organisations will continue to really put the shoulder to the wheel and address issues within their organisations, to have a constant focus on improving culture, to ensure that people, whether they're paid staff or they're volunteers, feel valued and a part of what are very, very important organisations in our State.

**The CHAIR:** Thank you.

**The Hon. MARK BUTTIGIEG:** Thanks, Chair. Just quickly, Minister, we haven't got much time left with you, but I want to pursue this theme of mismatch of resource. On top of the minuscule growth in frontline staff I outlined before, which we've tabled, according to your own annual reports and your website, you've actually had a reduction in fire stations over that same decade of three. So 13.5 per cent population growth, 0.06 per cent growth in frontline staff, three less fire stations and then, in the same time, you've had chemical emergencies rising from 89.5 to 174.7 and non-fire rescues have gone up from 151 to 210. Obviously, the need has gone up dramatically. Your resources are actually vastly deficient for that demand. What representations have you made, specifically, for that money to go into frontline staff and stations? You said four billion, but is that going to be translated into people and stations—yes or no?

**Ms STEPH COOKE:** Thank you very much for asking me a question about fire stations, which allows me to talk, very proudly, as the first female emergency services Minister in relation to the \$50 million investment that we have for Fire and Rescue to upgrade female amenities at stations right across New South Wales. You are fully aware that we have 334 fire stations—

**The Hon. MARK BUTTIGIEG:** Minister, I didn't ask you about the amenities.

**The Hon. SCOTT BARRETT:** Point of order—

**The Hon. MARK BUTTIGIEG:** I didn't ask about the amenities.

**The Hon. SCOTT BARRETT:** Point of order: Chair, back to your earlier ruling, where you actually said that the Minister can answer the question however she likes. But then, further to that, I note the time. We're now eating into Government questions.

**The CHAIR:** Yes. I'm prepared to allow a little bit of extra time to finish this line of questioning, and I agree with your point of order.

**Ms STEPH COOKE:** Thank you.

**The Hon. ADAM SEARLE:** The floor is yours, Minister.

**Ms STEPH COOKE:** Thank you very much.

**The CHAIR:** Are you finished?

**Ms STEPH COOKE:** Thank you. I'll just say, in closing, I'm very proud of our firefighters right across New South Wales and the work that they do. I'm exceedingly excited about this future investment in our fire stations, and I look forward to seeing the results of that investment, which will be more female firefighters in Fire and Rescue NSW into the future.

**The Hon. MARK BUTTIGIEG:** Minister, I did not ask you about amenities. I asked you about the quantum of resource—frontline staff, fire stations. That money you outlined before, which you boasted is going into the service, will it translate into increased human resource, frontline firefighters, plus fire stations? Yes or no?

**Ms STEPH COOKE:** We are always looking to improve outcomes for our emergency services organisations. I have a close working relationship with all of my commissioners and will continue to advocate on their behalf to make sure that our emergency services organisations have what they need to protect our communities and to save lives into the future.

**The CHAIR:** Alright, at that point we'll draw the questioning with the Minister to a close. Thank you very much, Minister. I note you took a number of questions on notice. But before we finish I'll ask if the Government has any questions?

**The Hon. SCOTT BARRETT:** I don't think we have any further questions, thank you, Chair.

**The CHAIR:** No questions? Okay. Thanks very much for coming.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Questions from the Opposition?

**The Hon. ADAM SEARLE:** Welcome back for the afternoon session. The first question is to Fire and Rescue NSW. Is there any contractual relationship between Dr Marc Stigter and Fire and Rescue NSW?

**PAUL BAXTER:** I would need to take that on notice to see whether there is any contractual relationship that still exists, but I think that is—

**The Hon. ADAM SEARLE:** Has there been?

**PAUL BAXTER:** There has been in the past, yes. I think it's now completed.

**The Hon. ADAM SEARLE:** Can you tell us a bit about that engagement? What was it for? How long did it go? How much did it cost?

**PAUL BAXTER:** With regard to the actual dates, once again I'd have to take that on notice. But it was related to the development of strategy, particularly around culture and behaviour, and the formation of our long-term strategic plan back in—I think it commenced in around 2017 and continued on till last year some time.

**The Hon. ADAM SEARLE:** Okay, and how much did it cost?

**PAUL BAXTER:** Once again, I'd have to take that on notice to give you the actual amounts for that.

**The Hon. ADAM SEARLE:** How did Dr Stigter come to be engaged? Was he approached directly? Was there a tender process?

**PAUL BAXTER:** I brought him on originally, because I knew of his services and his capability. After that time there was a procurement process that was undertaken, and he was onboarded from there.

**The Hon. ADAM SEARLE:** Could you take on notice how much he was paid by Fire and Rescue NSW since you've been the commissioner?

**PAUL BAXTER:** Yes, certainly, and I think that that has previously been tabled in budget estimates of the past.

**The Hon. ADAM SEARLE:** You've got the advantage of me. If you've got it to hand, that's even better. Have you worked with Dr Stigter in any other role outside of Fire and Rescue NSW?

**PAUL BAXTER:** No. Sorry, let me qualify that: I had worked with him previously in the New Zealand fire service in a similar role, as a consultant on strategy.

**The Hon. ADAM SEARLE:** So you were at fire and rescue New Zealand?

**PAUL BAXTER:** Yes.

**The Hon. ADAM SEARLE:** And while you were there in that capacity, he was engaged as a consultant?

**PAUL BAXTER:** Correct, yes.

**The Hon. ADAM SEARLE:** Did you have responsibility for engaging him on that previous occasion?

**PAUL BAXTER:** Yes, absolutely—on this occasion?

**The Hon. ADAM SEARLE:** On that occasion.

**PAUL BAXTER:** As far as engaging him, yes, I did.

**The Hon. ADAM SEARLE:** Again, was that through a tender process?

**PAUL BAXTER:** Yes, it was.

**The Hon. ADAM SEARLE:** But you can't remember whether the current or the most recent engagement by Fire and Rescue NSW was via a tender process?

**PAUL BAXTER:** It was via a New South Wales procurement panel process.

**The Hon. ADAM SEARLE:** Right, so he was a pre-approved provider?

**PAUL BAXTER:** Correct, yes.

**The Hon. ADAM SEARLE:** But did you make the decision to engage him?

**PAUL BAXTER:** No, I didn't.

**The Hon. ADAM SEARLE:** Who did make that decision?

**PAUL BAXTER:** My recollection is the engagement was undertaken by the then deputy commissioner responsible for strategic capability, who's no longer with us, and the program management office.

**The Hon. ADAM SEARLE:** Did you have any input into the decision to engage him by Fire and Rescue NSW?

**PAUL BAXTER:** No, I didn't. I brought him on originally for a couple of strategy sessions that were used to bring our team together and start formulating policy, and then the team looked at the range of people that were available and made the decisions around them. I didn't have anything to do with the actual procurement panel.

**The Hon. ADAM SEARLE:** I just want to unpack "brought him on originally". What did that comprise?

**PAUL BAXTER:** Facilitating a couple of leadership and extended leadership team sessions and some wider organisational engagement with employees.

**The Hon. ADAM SEARLE:** Okay, so you made the decision to bring him on initially in that capacity?

**PAUL BAXTER:** I did, yes.

**The Hon. ADAM SEARLE:** Was that subject to any tendering process, or was it just that because it was under a certain amount, you got to engage him?

**PAUL BAXTER:** It was because it was under a certain amount at the time and was within the parameters to engage him, yes.

**The Hon. ADAM SEARLE:** I think you provided a foreword to one of Dr Stigter's books. Is that correct?

**PAUL BAXTER:** Some time ago, yes.

**The Hon. ADAM SEARLE:** Did you have to declare that connection when you made the decision to engage him?

**PAUL BAXTER:** No.

**The Hon. ADAM SEARLE:** And you didn't declare it?

**PAUL BAXTER:** No.

**The Hon. ADAM SEARLE:** The Plus Plan has been a pretty significant component within Fire and Rescue NSW during your term. What has been the cost of the program?

**PAUL BAXTER:** It would depend how you would unpack that and look at the cost, because what the Plus Plan was about was reforming the organisation's direction and capabilities and basically looking at everything the organisation was doing—so everything that has been undertaken since approximately 2018 when the Plus Plan was finalised. It was around aligning all of the expenditure the organisation undertook on strategic priority work to align to the priorities that were set out by engaging with our staff. We engaged with hundreds and hundreds of staff across the organisation to determine what they thought the priorities were. There has been a multi-year program as a result of that, including lobbying for additional funding from Government to complete and prioritise works that have been undertaken, for example in mental health services for firefighters, for improved personal protective equipment and laundry facilities for firefighters, for new equipment, for new aerial appliances, even up to and including the work through the Bushfire Inquiry and the resulting recommendations that have seen additional resources brought on from that. It would run—

**The Hon. ADAM SEARLE:** How much has been spent on the program?

**PAUL BAXTER:** Millions.

**The Hon. ADAM SEARLE:** Millions, but can you put a number on it? If you don't have the number then take it on notice, but I'd like to know the cost of the program to date.

**PAUL BAXTER:** I doubt very much whether we would be able to actually give you a completely accurate figure of what we did because, as I've said, the whole idea of a strategic plan is that you align the work that the organisation wants to do—

**The Hon. ADAM SEARLE:** Sure, but you must have some idea what that cost.

**PAUL BAXTER:** —and ensure what you are spending money on is directed towards the long-term goals of the organisation. Everything that we have been doing over the last four years has been aligned to the Plus Plan, so all that expenditure has been aligned, whether it's been for new fleet, for new rescue equipment, for drones, for personal protective clothing, for laundry systems, for prioritising the fixing up of our fire stations—it just goes on and on and on.

**The Hon. ADAM SEARLE:** Is the Plus Plan not a discrete program? Is it just part and parcel of what you do? You've just badged the re-engineering of the outfit as the Plus Plan?

**PAUL BAXTER:** No, we've prioritised what we've wanted to do. In an organisation as large as ours, there are lots of people who want to do lots of things. We engaged the organisation extensively at the start of the development of the long-term plan to work out what were the priorities—what did the people see as priorities, what did Government see as priorities, what did industry, what did the community—so that we could focus our attention on the things that were most important.

**The Hon. ADAM SEARLE:** You said you probably can't develop a completely accurate assessment of the cost. Can you give us a ballpark?

**PAUL BAXTER:** What I would undertake to give you is an extensive list of the activities and the work that has been completed as a result of the Plus Plan.

**The Hon. ADAM SEARLE:** Are there any projected future costs associated with the Plus Plan? Is it ongoing, or has it concluded?

**PAUL BAXTER:** There's a current body of work that's now been undertaken as the fifth year of work as part of the strategy, which involves improving our working conditions, engagement and support for our on-call firefighters. There is also work that is continuing to be done around our culture to continue to make improvements around the bullying and harassment, supporting leadership programs within our on-call firefighters and addressing training. Once again, I note that those are all the issues that came up from our firefighters when we developed the plan.

**The Hon. ADAM SEARLE:** How are you measuring the success of the Plus Plan? What metrics are you using to evaluate it?

**PAUL BAXTER:** There's a variety. For example, one of the hallmarks that's been enduring throughout the length of the program has been our culture and our inclusion, so the diversity of our organisation and how people are included. Once again, from the outset, when we ran staff sessions about how they wanted the

organisation to look in the future and what they wanted us to focus on, there was an overwhelming amount of feedback that came from staff about wanting the organisation essentially to behave better and to be more inclusive.

I am very proud of what the organisation has achieved in terms of our diversity numbers. We've just been able to top more than 10 per cent women participating in our permanent workforce ranks now, which is the highest performing of any like urban fire services across Australia or New Zealand. We also, year on year, have increased the amount of Aboriginal firefighters that are participating in the workplace, and we've reduced the amount of bullying and harassment that's been occurring within the organisation as well. Once again, I'm very proud of our achievements. They've been borne out through scientifically developed information in the People Matter Employee Survey, which year on year has seen improvements in our scores almost across the board with respect to confidence in senior leaders, the area of bullying and harassment, our focus on strategy and responsiveness to the community.

**The Hon. ADAM SEARLE:** Can you confirm whether Fire and Rescue NSW executive officers have accepted any Frequent Flyer points during their business trips?

**PAUL BAXTER:** I wouldn't know the answer to that question.

**The Hon. ADAM SEARLE:** Can you take that on notice and come back to us?

**PAUL BAXTER:** Sure.

**The Hon. ADAM SEARLE:** Is there a Fire and Rescue NSW policy about whether people are allowed to acquire them?

**PAUL BAXTER:** There is a New South Wales Government policy in that respect. Yes.

**The Hon. ADAM SEARLE:** You'd expect members of your organisation to be compliant with that?

**PAUL BAXTER:** Completely. Yes.

**The Hon. ADAM SEARLE:** Can you come back to us on notice about whether, as far as you're aware, all of your executive team are compliant with that policy?

**PAUL BAXTER:** Yes.

**The Hon. ADAM SEARLE:** Commissioner Baxter, is there currently an application before the IRC to refer potential contempt proceedings regarding you and Fire New South Wales to the Supreme Court of New South Wales? Is that a matter—

**PAUL BAXTER:** Yes, there is.

**The Hon. ADAM SEARLE:** Where's that matter up to?

**PAUL BAXTER:** I'm not 100 per cent sure. I think both parties are filing information in respect to that at the moment. That would be the most up-to-date information I would have on it.

**The Hon. ADAM SEARLE:** How much money has been allocated or spent so far in relation to those proceedings?

**PAUL BAXTER:** I imagine we wouldn't even have a bill in. It's a pretty fresh matter. So I wouldn't even imagine we have a bill in at this stage for that. But we have retained counsel in that respect. Yes.

**The Hon. ADAM SEARLE:** On notice, can you tell us how much has been expended, if any, and what your assessment is going forward?

**PAUL BAXTER:** Certainly.

**The Hon. ADAM SEARLE:** How did the matter come about? What's the genesis?

**PAUL BAXTER:** It relates to a staff member with a previous bunch of matters within the IRC. I think it would be inappropriate for me to delve into the details of the person's circumstances.

**The Hon. ADAM SEARLE:** That's okay. I can just ask and put up a flag. Did Deputy Commissioner Stiffler make 14 trips between Sydney and Melbourne from 22 October last year till February this year?

**PAUL BAXTER:** Yes. I understand that's correct, yes.

**The Hon. ADAM SEARLE:** For what purpose was that?

**PAUL BAXTER:** That was part of her package for relocation from Victoria to New South Wales. I'm of the view that it was completely within policy allowances for a senior staff member transferring interstate.

**The Hon. ADAM SEARLE:** So it was part of her contractual arrangements with the service and that's all fine.

**PAUL BAXTER:** Correct. Yes.

**The Hon. ADAM SEARLE:** From the weekend preceding Monday February 28 onwards, the NSW SES, I think, was pretty much overwhelmed with phone calls from flood-affected people seeking assistance. Is that correct understanding? There was a lot—

**CARLENE YORK:** I'm sorry. I just missed the date. I'm sorry.

**The Hon. ADAM SEARLE:** In February onwards there was a lot of calls to the SES about the flood.

**CARLENE YORK:** That's true. In that February—it's about eight weeks. But there was only a number of days where we were overwhelmed during that period.

**The Hon. ADAM SEARLE:** When was the decision to direct 000 calls to the SES made?

**CARLENE YORK:** I'm not aware of any decision being made. Triple Zero is run by New South Wales police. They take the calls for life-threatening requests for assistance; 132 500 takes the other calls that aren't a priority call for life-threatening incidents.

**The Hon. ADAM SEARLE:** When was the decision to have a prerecorded message answering SES calls, telling callers they could receive a call back, made? When was that implemented?

**CARLENE YORK:** I'd have to take that on notice.

**The Hon. ADAM SEARLE:** How many staff were rostered to respond to calls at any given time in that February onwards—

**CARLENE YORK:** I'd have to take that on notice, as it alters daily. We have a process where we have two contracted agencies. When I started, we had one to provide services. It does become difficult to get people to do that. So we expanded that to have two companies providing casual staff. Throughout COVID there were some difficulties. But we then switched over to being able to allow those staff to take calls remotely. It does depend on what's available and what we ask for each day. But I'll try and get as accurate figures on notice as possible for you.

**The Hon. ADAM SEARLE:** What was the name of the first company, when you only had the one?

**CARLENE YORK:** I can't remember.

**The Hon. ADAM SEARLE:** What was the name of the second company that was engaged?

**CARLENE YORK:** I'll get that for you in those figures.

**The Hon. ADAM SEARLE:** That'd be fine.

**CARLENE YORK:** I haven't been party to the contractual arrangements, but I was informed that it did expand out to two.

**The Hon. MARK BUTTIGIEG:** Is there a limit on the amount of calls that can come in before the system basically says "no more"?

**CARLENE YORK:** There is, yes.

**The Hon. MARK BUTTIGIEG:** What's that?

**CARLENE YORK:** I'll have to take that on notice as well.

**The Hon. ADAM SEARLE:** Is it about 5,000?

**CARLENE YORK:** I wouldn't like to guess; not here. But I'm happy to give that to you. We have had other experiences where it has been overwhelmed as well.

**The Hon. MARK BUTTIGIEG:** Our information is that it's 5,000. But we'll take that on notice. Does that imply that the amount of calls that can be taken—it's obviously a resource constraint by the amount of people that can take the calls. Is there a sort of a way forward in addressing that imbalance, that shortfall?

**CARLENE YORK:** We are looking at reviewing how we do that better. We also engaged towards the end of that event with Customer Service or Service NSW so that we could divert calls that weren't asking for an SES response into Service NSW so they could be an additional capacity.

**The Hon. MARK BUTTIGIEG:** Commissioner Rogers, are you able to provide us with a current list of vacancies across RFS and indicate the location of the vacancy against a current organisational chart? I'm assuming you'd have this pretty much ready to go, wouldn't you? Are you able to provide that for us before the end of the day? Is that okay?

**ROB ROGERS:** I'll give it a try. I'm not sure how quickly I can put it together, but we'll get it for you.

**The Hon. MARK BUTTIGIEG:** Do you have any ballpark figure of that vacancy rate versus the structural fill?

**ROB ROGERS:** I can give you an estimate. It's around 1,300 established positions. I think at the moment there is just over 100 vacant. A lot of those are because we've had year-by-year funding for our mitigation crews. That's made it difficult to retain staff in those areas. We've now got permanent funding, so we're putting on permanent employees that are in the market now to recruit those. We've also had some additional positions, some Aboriginal-identified positions from Government, to do work on Crown lands and their own normal work in other areas. We're in the process of recruiting those as well. There are new positions that we're also recruiting. I think it's just over 100, but I'll get the details for you.

**The Hon. MARK BUTTIGIEG:** Roughly, ballpark, 100 on 1,300 structural. Is that likely to have an effect on response for the coming fire season?

**ROB ROGERS:** The positions that we've got are identified mitigation positions, predominantly. That's predominantly the large number. They do do a lot of good support work, so I am keen to get them filled. They are going into the market. If it's not already in the market, they'd be in the market in the next week or so. I am keen to get them filled. I wouldn't be saying we don't need them, but we're moving as quickly as we can to get them filled.

**The Hon. MARK BUTTIGIEG:** I just want to continue on a thing we pursued this morning in respect of stations. Marsden Park—what year was that promised?

**PAUL BAXTER:** I think originally it goes back to, potentially, around 2014. If you just give me just a moment, I'll—

**The Hon. MARK BUTTIGIEG:** If that's ballpark accurate, then can we get an update on the status of construction?

**PAUL BAXTER:** I can certainly give you an update on the status. The program to build the station has been fully funded. Unfortunately, we've had to carry over that funding. We have acquired the land. The land parcel is out there. But, subsequent to the 2021 floods, department of planning have announced that there is more work to be done with respect to the flood modelling. So we're just waiting to see what the outcome of that is. Obviously we don't want to build a fire station in the middle of a flooded area—

**The Hon. MARK BUTTIGIEG:** No. No shovel has broken the ground yet?

**PAUL BAXTER:** No. No. We've carried over the funding at this stage.

**The Hon. MARK BUTTIGIEG:** The contractors haven't been assigned to the construction?

**PAUL BAXTER:** No.

**The Hon. MARK BUTTIGIEG:** We're talking about—let's be generous, 2015—seven years now. That's a long time, notwithstanding the flood issue. Is there any reason it's taken so long?

**PAUL BAXTER:** Originally, the project wasn't funded. I think it was announced but not funded. It was funded in—sorry. The land was purchased in 2015-16. Then the land was purchased subsequent to that. We obtained full funding for it, in the 2021-22 year, of \$5.4 million to construct the new fire station. But it was then that we became aware of the flood modelling suggesting that the residential development that was originally planned for the area that would be immediately around where the fire station is located might not go ahead. So we might be building a fire station where there wasn't going to be any urban development. We're waiting for the outcome of that to go, "Where might we be able to locate a fire station?" It may require us to move to a different piece of land.

**The Hon. MARK BUTTIGIEG:** In terms of that population growth around that fire station or what the fire station would be slated to cover in terms of population, do we have a figure on that?

**PAUL BAXTER:** Not immediately to hand, but certainly the projections were for quite dense residential areas around that whole area. Marsden Park on the other side of the road, the west side of the road—if you've been

out there recently, you will see—is hugely developed, but the area where we were going to put the fire station was on the inland or the eastern side, which has no development at all at the moment.

**The Hon. MARK BUTTIGIEG:** So we don't have an idea, ballpark, of what that fire station would cover, notwithstanding the fact that you've said the flood planning might mitigate the further development?

**PAUL BAXTER:** No. We could probably provide that information on notice through the department of planning.

**The Hon. MARK BUTTIGIEG:** Can I just clarify some of those figures. So the allocated budget set aside at the moment is for Marsden Park?

**PAUL BAXTER:** To construct is \$5.4 million on top of the original land purchase.

**The Hon. MARK BUTTIGIEG:** So \$5.4 million to construct and the land purchase was—

**PAUL BAXTER:** So \$1.7 million—

**The Hon. MARK BUTTIGIEG:** What about—

**PAUL BAXTER:** Sorry, I'll just qualify that. The initial build was \$4.4 million but there was also nearly a million dollars allocated for appliances and equipment.

**The Hon. MARK BUTTIGIEG:** Sorry—say that again, commissioner.

**PAUL BAXTER:** The total amount allocated was \$5.4 million. That was made up of \$4.4 million for the build and nearly a million for appliance and equipment.

**The Hon. MARK BUTTIGIEG:** I see. Will Fire and Rescue NSW be provided with new firefighting personnel to staff these new stations?

**PAUL BAXTER:** Yes, it's the intention. We have already proposed this to the Minister. She's well aware of the need. We expect to finish the construction of both of these stations, Marsden Park and Oran Park, for that matter. We put costings on the amount of staff that'll be required for both of those stations and they are going forward into future budget bids.

**The Hon. MARK BUTTIGIEG:** These are new appointments that will supplement—

**PAUL BAXTER:** That's the intention, yes.

**The Hon. MARK BUTTIGIEG:** So there is actually a specifically allocated budget for full-time firefighters for Marsden Park?

**PAUL BAXTER:** No, there's a proposal.

**The Hon. MARK BUTTIGIEG:** A proposal?

**PAUL BAXTER:** Yes.

**The Hon. MARK BUTTIGIEG:** And where's that at?

**PAUL BAXTER:** It sits with the Minister at this stage. Obviously the stations aren't completed yet so they're not required to be staffed.

**The Hon. MARK BUTTIGIEG:** What about Ryde? Are we still on track for a November completion this year?

**PAUL BAXTER:** As far as I know that is on track. There have been a number of hold-ups due to the hold-ups everyone's been experiencing with COVID things, but the construction is well underway, yes.

**The Hon. MARK BUTTIGIEG:** Again, this was slated to be completed in 2020. What's the story with the delay there?

**PAUL BAXTER:** The story was locating a piece of land suitable—the size of land that we require to build on—and originally some objection to local residents in the area that we had identified that we wanted to build in first. Then moved on to another piece of land and worked with Health to actually provide the size parcel that we need to build a functioning fire station.

**The Hon. MARK BUTTIGIEG:** The original allocation, I think, was—well, can you tell us how much has been spent on the project to date? This is Ryde.

**PAUL BAXTER:** If you give me a moment, I'll come back to you with that.



**The Hon. MARK BUTTIGIEG:** Yes, sure.

**PAUL BAXTER:** It is due to be completed December 2022. Sorry, if you give me a moment, I'll come back to you with that amount. I do have a figure here somewhere on that one.

**CARLENE YORK:** Would it be opportune for me just to come back to a couple of those details you wanted in relation to our telephone call system whilst Commissioner—

**The Hon. MARK BUTTIGIEG:** Yes, for sure. Thank you.

**CARLENE YORK:** The two contracted companies are Randstad and Hoban. I'm informed that, during the February 2022 floods, we took more than 40,000 calls. I can thank Commissioner Rogers also because we did utilise the bushfire call centre, called the BIFL. I don't know exactly what that stands for.

**ROB ROGERS:** Bush Fire Information Line.

**CARLENE YORK:** We had extra resources brought in there as well as Service NSW. The call-taking system has a limit of approximately 280 places in the queue. When the queue limit is exceeded, callers are directed to a recorded message. It advises that we're unable to take the call and try again but if it's life threatening please ring 000. And 000 calls are indeed passed on through what's called ICEMS, which is an inter-CAD electronic management system.

**SHANE FITZSIMMONS:** Messaging system, I think it is.

**CARLENE YORK:** Messaging system.

**SHANE FITZSIMMONS:** It moves data.

**CARLENE YORK:** It moves data through a system between the agencies, which is utilised for any emergency.

**The Hon. ADAM SEARLE:** When that threshold of calls is reached, whether it's 5,000 or whatever the number is, how is that built into the system? Is it just a function of the software or the equipment used by the contractors or is it some other threshold?

**CARLENE YORK:** It's a function of the system that we have internally with us.

**The Hon. ADAM SEARLE:** When was that system implemented?

**CARLENE YORK:** That was before I started, so I'll take that on notice.

**The Hon. ADAM SEARLE:** I'm just wanting to understand, particularly in light of the circumstances, whether consideration is now being given to have a higher threshold of calls able to be absorbed before that trigger of referral or that recorded message has been hit. Is that something that's under active consideration now?

**CARLENE YORK:** Yes. We're also trying to investigate how it could come in through electronic means such as via computer request, like an email or some other message. But we've got to be assured we can get to that message and do something about it, so we're investigating how that would be done.

**The Hon. MARK BUTTIGIEG:** I get that you can only take so many calls at a time but 280 bank-up in a major incident for a population the size—it just strikes me as a very quite small amount. To a degree that's a function, isn't it, of the amount of people that can take the calls and action?

**CARLENE YORK:** Yes, I think they're interrelated, that's exactly right. I would agree with you. In these circumstances it was deficient.

**The Hon. MARK BUTTIGIEG:** I guess one of the issues you've got to deal with is that these are sporadic events—albeit a lot more frequently than they were hitherto. Is there any sort of forward planning on dealing with this sort of mismatch? Because it is becoming more and more frequent and the idea that after 280 calls people go to a message bank—it's a way of pretty much delaying people's ability to respond to people's dangerous circumstances, isn't it? I'm not suggesting there's a conscious effort to push back against people wanting help, but it does seem to me as though there's a pretty big gap there.

**CARLENE YORK:** Yes, and also the problem is exacerbated—and I understand this as well, that people will hang up and then re-ring in. When we talk about the number of calls, there are obviously a number of repeat calls as well and there are a number of people that hang on for a long period of time. We're currently preparing something to go up to Government in relation to doing an analysis of our whole computer systems and our systems across SES to try to cover that problem.

**The Hon. MARK BUTTIGIEG:** You could have the best data collection and phone system, computer system in the world but if there are not enough people to say we need X, Y, Z person at this site then it kind of doesn't matter. I'm interested in that other side of the equation too. Have there's been representations made about that?

**CARLENE YORK:** I don't think any phone-taking system in circumstances like we've had in some of these hugely challenging environmental events could meet that demand. Obviously we want to try to make sure and increase our public education awareness program and preventing people having to—so we're working on it from a number of ways, looking at what we can do to improve the system but also what can we do to improve the need for people to be ringing us for assistance.

**The Hon. ADAM SEARLE:** Commissioner York, leaving aside the staff of those two contracted agencies, how many additional staff were rostered on to respond as the number of calls rapidly increased? Were you able to put on additional staff to deal with those increases?

**CARLENE YORK:** As in paid by and employed by the NSW State Emergency Service?

**The Hon. ADAM SEARLE:** Yes.

**CARLENE YORK:** No, I haven't put any additional staff into that area.

**The Hon. ADAM SEARLE:** I meant like during February, during that heavy demand time when the call system was overloaded—my term. In that time, were you able to expand the directly employed workforce to deal with any increased demand?

**CARLENE YORK:** Through our two contracted agencies, we do do that. And then, in this circumstance, Service NSW and the bushfire line as well.

**The Hon. ADAM SEARLE:** On notice, can you tell us how much by? How many additional bodies were put on?

**CARLENE YORK:** Of course, yes.

**The Hon. ADAM SEARLE:** These were only through contractors, not directly employed by your agency?

**CARLENE YORK:** I have some employed by us in our communication centre. I can get those numbers on notice. And with the BFIL, we have pre-trained 65 personnel to assist us as our surge capacity. Because, as you say, you can't just employ these people and keep them there when the requirement is not there.

**The Hon. ADAM SEARLE:** Of course not. Understood.

**SHANE FITZSIMMONS:** While we are doing updates, Deputy Chair, did you want an update on the couple of things that you asked me about?

**Ms SUE HIGGINSON:** Yes, thank you.

**SHANE FITZSIMMONS:** Particularly concerning the \$70 million Aboriginal Housing Office fund—the flood recovery program there was part of the phase five recovery announcement package, and it is a jointly funded package under category D of the disaster funding arrangements. It is in two broad workstreams. Workstream one is the flood recovery program, which is in the order of \$61 million, which essentially focuses on restoring and rebuilding Aboriginal community owned social housing and community-owned buildings that support social cohesion that have been affected by the event. Applicants must be a registered Aboriginal housing provider. Workstream two, which you alluded to—Aboriginal Housing Office assets, which is estimated around \$9 million, is for the new supply and construction of approximately 21 Aboriginal Housing Office owned units in disaster declared areas, with allowance for special needs.

There are some processes that are being administered through the Aboriginal Housing Office. If you need any more particular details, then Minister Franklin and his department would be able to follow that up. The other aspect you talked about was Back Home grants that had been approved in the Northern Rivers—just over \$100 million worth through just over 7,000 applications. In Lismore, particularly—\$34.25 million reflective of 2,469 applications. And then Ballina—\$11.66 million and 1,009 applications. That's as at the beginning of September.

**Ms SUE HIGGINSON:** Is Resilience able to capture the satisfaction of those Back Home grants in terms of what capacity they are filling for people in terms of repair? Are those grants being experienced by the recipients as enabling them to get back into their homes?

**SHANE FITZSIMMONS:** I think the feedback I've received—and I'll double-check on the formal feedback that we're getting through Service and what have you. There is no doubt this program has never been done before. It is a new program. It is support and assistance that has been put into place for this particular event, given the concentration and the magnitude of displacement and damage. The feedback I've received is yes, every bit is helping people get back on their feet. I think the point you raised earlier is also important: Some people may be pausing their decision on expenditure at this stage awaiting the potential—depending on who they are—for considering the land swaps or buybacks or what have you.

**Ms SUE HIGGINSON:** When Mr Witherdin was here yesterday, I think he said to the effect that hopefully that expression of interest for those land swaps would be open in maybe a month. Obviously, he wants it to be done yesterday, like everyone. I think the sooner we can get that happening—

**SHANE FITZSIMMONS:** They were the two things I had, Deputy Chair.

**Ms SUE HIGGINSON:** Thank you very much. That is very helpful. In relation to the recommendation—I think my colleague, Mr Searle, spoke of this. I don't know whether this specific thing was asked in relation to recommendation 47 (d) of the fire inquiry that the RFS should undertake a community engagement session in relation to the back-burns and those affected residents. Are you aware of other communities, other than the ones that I mentioned that we know have not had the benefit of that, and that you're now planning to do? Are there other affected communities? In particular, I refer to Conjola. Are you aware of others where we may need to now try and do that work and that consultation?

**ROB ROGERS:** I believe there has already been a number of community interactions, such as Conjola. I think Balmoral—that was another community fairly hard hit. I think there has been work in there, meeting with those communities. I think there has been a number of community interactions. I'm not aware, apart from the ones we spoke about and that I've given those commitments—I'm not aware of any others. Certainly, if there is other communities that the Committee becomes aware of that feel they would like that opportunity, then I'm happy to give it to them. If people feel that would help them, then that's our obligation to do that.

**Ms SUE HIGGINSON:** Great. Thank you. Can I go back to the terrible thought of another catastrophic event, whichever type of event it is. In terms of our evacuation centres and our readiness for those, is it within Resilience's scope? We do need the evacuation centres to be better prepared, better readied, on standby, stocked with facilities, particularly in key locations where we know are the more vulnerable or susceptible—like Lismore, say. Is that something we're looking at? I still kind of had that concept that if it was to happen—and I appreciate, Commissioner, your input that we get advanced warning to some degree of these events. But I also know we kind of don't. We don't get as much as we would like to get in terms of warning. Are we ready? The reason I bring this up is I still have so many voices in my head about that experience of how awful it really was, and there was nowhere to go. Or, sorry, the place to go felt like a place they didn't want to be.

**SHANE FITZSIMMONS:** I think that's a fair point, and I don't think we can lose sight of the unprecedented and unparalleled nature of the events that unfolded in February and March. Each local emergency management committee, which is local council led, in its local planning, is to identify the preferred evacuation centres and have those arrangements in place—so working with the local agencies for potential evacuation centres and then activating those. As we signalled at the previous forums around this table, the activation and management of those centres is around DCJ, the lead combat agency and the local police. Where those evacuation centres do or are expected to breach what is the guiding level of X number of people presenting and all those sorts of things, then the police have responsibility for establishing and managing what we call major evacuation centres, which may or may not be the same facility or they may be another facility.

In early March I engaged an independent review into the activation and management of evacuation centres. That report has been received and been factored into the consideration of the independent inquiry, and we'll be working through that as well. We did do some supplements around evacuation centres with DCJ around COVID management and other things. But there are clearly some learnings coming out of evacuation centre identification, activation and management beyond what would be the more routine disaster events. Invariably, most of the evacuation centres activated in disasters don't have high patronage. It's only in those extraordinary events where the facilities or the amenities get quite overwhelmed, as they did in the Northern Rivers.

**Ms SUE HIGGINSON:** With that work, Commissioner, I'm hearing that you would like to get to a point of satisfaction where we are more ready and we can respond better.

**SHANE FITZSIMMONS:** Absolutely, and that's a continuum of my entire career. That's the whole lens through which disaster and emergency management operates. It's a continuous cycle of learning lessons; of, importantly, capturing the things that worked well, understanding why they worked well and seeking to emulate and grow them into the future; and, where there are limitations, understanding what caused those limitations and

how we can do better into the future. There is no doubt, whether it's the evacuation centre, management activation response or any other element of the emergency management framework, absolutely we will continue to optimise and improve that.

**The Hon. MARK BUTTIGIEG:** I might just go back to Commissioner Rogers on a previous answer with regard to the vacancies against FTEs. Those mitigation crews that you identified, are they going to fill existing mitigation vacancies or will they be used to respond to incidents as well?

**ROB ROGERS:** Their prime work is mitigation work. They also do air base support, they help with base camps and a whole heap of other things. Particularly during the weekdays when they're working, if there are crew shortages they can also be deployed to respond to incidents.

**The Hon. MARK BUTTIGIEG:** The current 100 vacancies that you identified, the job roles will be the same?

**ROB ROGERS:** Correct. I just might add, Mr Buttigieg, some of them are to fill existing vacancies and some of them are new positions that we were given by government, which are those Aboriginal positions particularly.

**The Hon. MARK BUTTIGIEG:** Commissioner, how did we go with that cost?

**PAUL BAXTER:** The total budgeted cost at this stage is \$9.1 million, with an estimated completion time of March 2023.

**The Hon. MARK BUTTIGIEG:** I think the original completion was 2020, so there's a three-year delay. Is that right?

**PAUL BAXTER:** That would sound about right, yes.

**The Hon. MARK BUTTIGIEG:** What was the reason for those delays?

**PAUL BAXTER:** Because the first piece of land that we've identified for the project—

**The Hon. MARK BUTTIGIEG:** That's right; you had residents—

**PAUL BAXTER:** Yes, there were residents who objected to that. It was near a school. Whilst it suited our purposes, there was too much community objection. So we found an alternate site, which took some time.

**The Hon. MARK BUTTIGIEG:** Obviously I'm not slating blame to anyone in particular here, other than a general theme that seems to emanate from this Government: constant delays. That's almost a doubling of the budget from \$5.3 million to \$9.1 million. Were there any particular reasons for such a big blowout?

**PAUL BAXTER:** I think that the first amount was the increase in the land costs originally and then the significant additional costs that we're now seeing in construction—around 20 per cent or more in some circumstances.

**The Hon. MARK BUTTIGIEG:** In terms of the site selection, is there any risk of response times being slowed by school traffic, given the proximity to Ryde East Public School?

**PAUL BAXTER:** No, the modelling certainly doesn't show that. Overall, the modelling and the response times should be positively affected. Obviously, it's for response in the immediate area but also across the network. So the close proximity to Ryde Road and the M1 and M7 motorways is going to be a really good resource.

**The Hon. MARK BUTTIGIEG:** Notwithstanding the public school traffic there?

**PAUL BAXTER:** No, it is a normal obstacle—

**The Hon. MARK BUTTIGIEG:** That's been modelled in?

**PAUL BAXTER:** —that response drivers have to encounter, yes.

**The Hon. MARK BUTTIGIEG:** Again, in terms of firefighters, is there a new allocation of firefighters for that station?

**PAUL BAXTER:** No, there's a transfer of staff from the old Ryde station. They will transfer down to the new one.

**The Hon. MARK BUTTIGIEG:** So the old Ryde's going?

**PAUL BAXTER:** That's right.

**The Hon. MARK BUTTIGIEG:** This is just a one for one?

**PAUL BAXTER:** Yes.

**The Hon. MARK BUTTIGIEG:** Regarding Oran Park, which you touched on before, at last estimates we had Acting Commissioner Stiffler indicating that the station would be completed by December this year. Is that still on track?

**PAUL BAXTER:** That is still on track, yes.

**The Hon. MARK BUTTIGIEG:** How much has been allocated in the 2022-23 budget?

**PAUL BAXTER:** For the completion of the station? The total is a \$6.2 million project: station construction, \$4.5 million; for appliance and equipment, \$994,000; and then an additional hazmat vehicle is \$750,000—a total of \$6.2 million.<sup>1</sup>

**The Hon. MARK BUTTIGIEG:** Do we have a figure for this year's budget.

**PAUL BAXTER:** I could come back to you on notice with that in terms of the allocation across the financial years.

**The Hon. MARK BUTTIGIEG:** Would I be correct in saying that there's no budget to staff Oran Park with full-time firefighters?

**PAUL BAXTER:** No budget, at this stage, has been allocated. However, we have discussed this extensively with the Minister in terms of the requirements and the estimated completion date when we'll need to be staffed.

**The Hon. MARK BUTTIGIEG:** Again, that is another area with huge population growth. We're talking about December this year, so we're only a few months away. If you don't get the allocation, what are you going to do—deplete firefighters from other stations?

**PAUL BAXTER:** There is no current provision for it, so we'll continue to discuss that with the Minister. I would expect to see a future bid going up to ensure that that is staffed.

**The Hon. MARK BUTTIGIEG:** But at the moment there is no budget allocation?

**PAUL BAXTER:** There is no budget allocated currently.

**The Hon. MARK BUTTIGIEG:** Thank you, Commissioner. Just on this theme of resource and response, with respect to TOLing—the practice of taking stations offline—we've been assured there's an adequate process of risk management. We went over this extensively in the last round of estimates. If we're no longer reporting response times, how can we make an objective assessment on the efficacy of TOLing?

**PAUL BAXTER:** We do report on response times. We do track those across both the fiftieth and the ninetieth percentiles to look at overall performance. But also, in conjunction with response times, we look at all of the other metrics which are important to note as well, which are the total amount of incidents we attend; the total amount of structure fires; the fatality rates and the injury rates; and the amount of containment within the structure. They are all measures that we use to look at the overall effectiveness of the system. The response times are reported every year in the Report on Government Services—or the RoGS, as it's known.

**The Hon. MARK BUTTIGIEG:** I think we touched on this last time as well. In neighbouring States you've got the community expecting response times—this is based on "room of origin" and "weight of fire attack" research. These are targets—Victorian arrival-at-incident targets: structure fires, 7.7 minutes; medical response, 9.2 minutes; fires in medium-density areas, 8 minutes; fires in low-density areas, 10 minutes; and fires in rural areas, 20 minutes. In Queensland, they've got 50 per cent of first-arriving appliance at a fire in 7.8 minutes and 90 per cent of first-arriving appliance at a fire in 14 minutes. We don't have those targets in New South Wales anymore, do we?

**PAUL BAXTER:** As far as targets go, no. But certainly we monitor the effectiveness and the performance through our response times just as actively as any of the other States do.

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<sup>1</sup> In [correspondence](#) to the committee received 30 September 2022, Commissioner Paul Baxter, Fire and Rescue NSW, clarified the evidence given.

**The Hon. MARK BUTTIGIEG:** What I'm struggling to understand is that if you don't have targets to meet—sure, you're reporting what's going on, but with the process of TOLing there's no incentive there to make sure it works, is there? If there are no targets to meet, then it doesn't really matter if things blow out.

**PAUL BAXTER:** There are probably two really quite different things there. Looking at the effectiveness of the system, as I was trying to describe earlier, obviously it's about the outcome of each and every incident. Where we look at the performance, if you look at it from a comprehensive point of view, we should be measuring the effectiveness of our fire responses based on injuries to people and loss of property. We do measure all of those things, working at the front end with education and prevention to stop incidents from occurring and then the actions that people will take when a fire occurs—so being alerted to a fire with a smoke alarm. Being able to get out of the house will result in less lives being lost, less injuries being incurred and also less damage to the property overall.

When we look at that whole system year on year on year, we have continued to track down in terms of the amount of residential fires occurring, the amount of fatalities occurring and the amount of significant injuries occurring. We've also increased the amount of restriction of spread within a structure to one room. The system itself, when you look at it in its entirety, is performing very well. We look carefully at those response times when we're trying to determine where we might like to put a new fire station, so that overall we can improve the response times. Response times are still an important factor. Ask anyone who has got a fire. When they call us, they want us there really smartly, and that makes a lot of sense. We do still look at that very carefully, and we measure that across what we call both the fiftieth and ninetieth percentile—how many incidents we get to in that period of time and measure the time output from there.

It's fair to say that we have seen a slight increase—and we do measure it across both the Rural Fire Service and Fire and Rescue NSW—for the whole State's responses, which at the moment we're contributing primarily to congestion on roads, which is very difficult for us to deal with. There are some initiatives underway to improve that, with green-light corridors—the ability to switch green lights in congested urban cities to allow emergency services to move freely—and also some other technology that's coming along that will better alert drivers to the presence of fire appliances. It's fair to say that we manage this very actively. In a year where we've seen a record amount of fire fatalities, unfortunately, across the winter period—

**The Hon. MARK BUTTIGIEG:** On that point, Commissioner, can I ask you how many fatalities this year compared to last year?

**PAUL BAXTER:** Regrettably, we've had 16 in this winter period—the three months of winter—which has been a complete blowout as far as the loss of life, which has been very unfortunate. If I can clarify that, we measure what we call preventable residential fires. The majority of people who die in fires die in their own home. At this stage, those figures are still preliminary because the full outcomes in terms of police investigations, our own investigations and Coroner's inquests obviously hasn't been completed for all of those incidents as yet.

**The Hon. MARK BUTTIGIEG:** What I'm seeing here, and correct me if I'm wrong, is that there's a fundamentally different approach—the New South Wales approach versus the exemplars I've used of Victoria and Queensland—where they are using targets that they guarantee to the public to enforce a discipline, and then the resource requirement is shaped and engineered around that. Whereas, in New South Wales, what we seem to be doing is saying—and this is in the context of what you've just told me on the record that fatalities have gone up—“We're reporting everything, but we'll manage it as we see fit.”

I put it to you that it's a fundamentally different approach and that the interstate model enforces a greater discipline. Given that is how they're operating, has there been any research in New South Wales in terms of going down the same path? Is there any discussion of going down the same path?

**PAUL BAXTER:** Not that I'm aware of. I think what you'd find is that the previous practice of putting times on attendances is actually a historic measure. Fire and Rescue NSW, for its own reasons, some years ago removed that and moved to the fiftieth and ninetieth percentile measurement to track performance year on year. I'm not saying that's right or wrong, but it does give us the measure. The other important thing that I've tried to communicate is the performance of the system with respect to fatalities, injuries and loss of property, which gives you a complete picture of how effective the system is, not just based on response times alone.

**The Hon. MARK BUTTIGIEG:** In terms of the containment of structure fires to room of origin, how do you monitor that?

**PAUL BAXTER:** That's done through the reporting system that the fire officers make when they attend an incident—in the fire incident reporting system. That's simply a measure of what they see. They start with the object of origin that's caused it, and then the room of origin and the structure of origin, so that we can see how effective, once again, the whole measure is.

**The Hon. MARK BUTTIGIEG:** So they fill out a report, Commissioner, do they?

**PAUL BAXTER:** They do, yes.

**The Hon. MARK BUTTIGIEG:** How does it track against previous years?

**PAUL BAXTER:** In terms of restriction to room of origin, it is improving year on year.

**The Hon. MARK BUTTIGIEG:** It is improving year on year.

**PAUL BAXTER:** Improving year on year. It's important that you look across the long term—I'm talking about 10 to 15 years—when you look at anything to do with fatalities or injuries or these rates. But, year on year, those are showing improvements. It is probably cold comfort that, whilst we've seen a huge loss of life in this last winter period, year on year we are seeing a reduction in fatalities overall. I certainly hope that this year's performance is an aberration. We are looking really carefully at what we need to do to ensure that remains the way it is.

**The Hon. MARK BUTTIGIEG:** I know I touched on this before, but I just want to get it on the record. There are no plans to reinstate targets for response times?

**PAUL BAXTER:** No. The other thing to note here is that comparing with, say, Victoria is a very apples and oranges comparison. FRV is predominantly a solely urban-based fire and rescue service, with the majority of their services confined to the metropolitan area of Victoria, whereas we are providing services across all of the regional and rural towns and villages as well, in conjunction with the Rural Fire Service, which also provides some of those services. It's interesting to make a comparison, but it's not a direct comparison.

**The Hon. MARK BUTTIGIEG:** I just want to move into the spectre of the merging of the back-of-house functions between the SES and the RFS and, in particular, recommendation 12 of the O'Kane-Fuller inquiry, which recommended that. The Government's position on that is to support it. Is that right?

**ROB ROGERS:** Are you asking me?

**SHANE FITZSIMMONS:** Support it in principle.

**CARLENE YORK:** Support it in principle.

**The Hon. MARK BUTTIGIEG:** In the report, the RFS was characterised as a full-time organisation and "seasoned campaigners". By setting up that comparison, is the insinuation that the SES is neither of those things?

**CARLENE YORK:** I'll answer that. That's the way I read the report, which I don't accept.

**The Hon. MARK BUTTIGIEG:** When it says "back-of-house operations", what does that actually mean? Presumably, there's some sort of vague concept of a cohort of admin and clerical people who don't add as much value and, therefore, we can just smash them together and save a lot of money. Is it that kind of a concept?

**CARLENE YORK:** It's probably a good question for the authors of the report. That may be why it has been accepted in principle, so that we can work with DPC, through the working party, and both Commissioner Rogers and I can have a look at what's meant in the report. Certainly, the normal definition of "back of house" is administrative processes, but there is a reference also to planning and intelligence, which I would have to say is difficult to remove out of operations when we've got some of those positions spread across the State.

**The Hon. MARK BUTTIGIEG:** How did they come to this conclusion, unless they did a qualitative analysis of the functions of those back-of-house operations? My information is that these people, to a degree, are trained up to help during a disaster and take calls and—

**CARLENE YORK:** Yes. Because of the size of our—sorry, I didn't mean to interrupt you. Because of the size of our organisation, a lot of our what we would normally call corporate staff—whether it's finance, HR and other areas—would tip over into operational roles and would go into the operations centre or be targeted with some roles in relation to responding to significant events. In the hour and a half I had with the interviewers, I did make it clear that I could see that the SES needs more planners. We have—

**The Hon. MARK BUTTIGIEG:** Sorry, Commissioner, you had an hour-and-a-half interview. Was that the extent of the consultation with the SES on the implications of this?

**CARLENE YORK:** We provided multiple documents that were asked for by the inquiry. In relation to sitting down and talking with the review team, it was an hour and a half, where I did say that we needed more planners. That has been reduced over the years. I also, based on coming from the Police Force, have identified a gap, I suppose, in relation to any intelligence cell across the organisation to get in information and transfer, sorry,

to get data in and transfer it into information. In principle, I am supportive of enlarging that capacity within the SES, but I have had no discussion about any at group analysis at all.

**The Hon. MARK BUTTIGIEG:** Can I ask how many staff does the RFS have back of house?

**ROB ROGERS:** I would have to take that on notice, I'm sorry Mr Buttigieg, I don't actually—to be honest, I probably want to understand exactly what we mean by "back of house". I think Commissioner York mentioned, if I am correct—

**The Hon. MARK BUTTIGIEG:** Did the report identify numbers?

**ROB ROGERS:** Not that I saw it. But the report said corporate and back of house, which goes a little bit probably to where you are questioning—what does that actually mean?

**The Hon. MARK BUTTIGIEG:** It seems bizarre that they are going to have all these efficiency—unfortunate turn of phrase but one that comes to mind—dividends by smashing these two groups together without identifying the quantum, what they do, how they are going to get these efficiencies, the impact on the service—bizarre.

**ROB ROGERS:** I think though, just following on from what Commissioner York was saying, that is why the Government said accept in principle, and there needs to be work carried out between RFS and SES about—and I don't think we have ever done the comparison between what we do, whether it is the same sort of structured, I don't think that has been done. Not to my knowledge anyway.

**The Hon. MARK BUTTIGIEG:** I'm not going to put words in your mouth because I don't want to put you in that situation, but it sounds more like a media plan than a thorough analysis based on improving the service, to me. But I know my time's up.

**Ms SUE HIGGINSON:** You can keep going.

**The Hon. MARK BUTTIGIEG:** In these disaster situations, do we have any feel for the quantum of those? I know we don't even know what the number is and what they do but, in terms of a percentage, how many do you reckon we would use in a disaster situation in terms of all hands on deck? They basically switch, if I could characterise it crudely. They might be doing admin-clerical one day and then, what, taking calls the next? In terms of the shift in resource percentage of the workforce, do we have a rough idea?

**CARLENE YORK:** I have a rough idea. First of all, they are trained to shift. It's not like we are just picking someone up who's untrained. We make sure that they have the skills and capability to do the jobs that we are asking them to do during an event. We have approximately 330 full-time staff within the SES and we make sure during an operation the payroll gets done first and always.

**The Hon. MARK BUTTIGIEG:** That's always wise.

**CARLENE YORK:** Always wise, keeps them coming back. But they do it for many other reasons, obviously. At any time many of those 330 could be utilised in the operation, particularly when you look at the February, March when it is over such an extended period of time and it's 24/7.

**The Hon. MARK BUTTIGIEG:** The Government and the public are getting pretty good value from these people; they are flexible, multitasking. In terms of—

**CARLENE YORK:** Sorry, could I just add also, most of the positions when we advertise them, we do notify the applicants that they will be required to assist. But I would have to say, and I don't know the number, there are some where we haven't expected that they go into operations.

**The Hon. MARK BUTTIGIEG:** Roughly 330. Do we have an idea of what the staffing levels were a decade ago, say?

**CARLENE YORK:** I could take that on notice for you.

**The Hon. MARK BUTTIGIEG:** If you could that would be good. Our initial research indicates that it dropped from about 430.

**CARLENE YORK:** I would say we have less now than we did, but I can't give you the number.

**The Hon. MARK BUTTIGIEG:** Sorry, Commissioner, how long have you been around?

**CARLENE YORK:** Almost three years, and it has been record floods every year since I have been there.



**The Hon. MARK BUTTIGIEG:** Has anyone done an analysis on how many jobs could be potentially lost from both the RFS and the SES as a result of a merger?

**CARLENE YORK:** No.

**The Hon. MARK BUTTIGIEG:** Who's going to conduct that analysis?

**CARLENE YORK:** If that is something, it will be done under the Department of Premier and Cabinet working party.

**The Hon. MARK BUTTIGIEG:** Can I ask about any potential plans to relocate the Wollongong headquarters of the SES to Homebush?

**CARLENE YORK:** That was another recommendation that was accepted in principle and to be done under the DPC working party.

**SHANE FITZSIMMONS:** I think it was just the operational component.

**CARLENE YORK:** It wasn't closing down headquarters at all.

**ROB ROGERS:** If I may, my recollection of that report was that the operational function of SES would potentially move to Homebush and corresponding, I don't know what they classify, corporate jobs—something like that; I can't remember the language—would then move, I think that's what it said, down to Wollongong. It did say something like that.

**CARLENE YORK:** Yes, it did say—

**SHANE FITZSIMMONS:** I don't think it ever made it to the recommendation; I think it was a finding.

**ROB ROGERS:** No, it wasn't a recommendation. That's it. I think it was in like a finding that led to the recommendation.

**The Hon. MARK BUTTIGIEG:** You wouldn't necessarily get rid of Wollongong and just have everything at Homebush. The idea was to move the operational part of it. Does that mean that, in theory, there shouldn't be any job losses as a result of that proposal?

**ROB ROGERS:** I think the way that was written that was the intention, but I haven't—we've read the report, just like you have, so probably don't necessarily understand.

**CARLENE YORK:** I haven't been consulted on the recommendation or what evidence was provided to the inquirers why that would be a positive move, and it will be done under the DPC working party. But, again—we mentioned a lot about it this morning—I have had to go out to staff. I have had them very upset. I have had people in tears.

**The Hon. MARK BUTTIGIEG:** I bet.

**CARLENE YORK:** I have had people packing up their bags and thinking they didn't have a job and trying to look at alternatives for their home situation. It is something that we are very conscious about, both Commissioner Rogers and I. The DPC is looking at what that means for our staff and I try and make sure that they feel, again, appreciated but that they will be part of any change management process if it has to happen, and that will happen through the working party. They do a great job down there and, as we say, a lot of those staff are in my administration and corporate areas. It would need to be closely looked at.

**The Hon. MARK BUTTIGIEG:** Apparently there is a 12-year lease of the current Wollongong-based headquarters, which was signed in 2015. That would have taken us into, what, 2027? Has there been any plan to break that lease, do you know?

**CARLENE YORK:** No. And I agree with what Commissioner Rogers says. I don't think the report went as far as we have to close down Wollongong at all. It talked about functions. It didn't talk about positions. We need to work on that.

**The Hon. MARK BUTTIGIEG:** Prior to 2017, the SES was divided into—New South Wales of course—17 regions for operational purposes. Then there was a 2017 organisational transformation—I remember this word coming up regularly in my previous life as an organiser for Ausgrid—which cut 17 regions into five zones, which now means one zone services some 60 to 70 units. How has that created efficiency in servicing communities across New South Wales?

**CARLENE YORK:** I think it was promised to provide efficiencies. I don't see the evidence of that. I am very thankful to the Government in the \$132.7 million that they have given us that I can create now two further zones, and that is one is obviously splitting northern zone and splitting a very large geographical zone of western

with additional staff. There are 70 staff in that financial budget enhancement as well and 70 per cent of those will be out to regional areas. Because, obviously, one of the comments within the inquiry is we need to be in touch with the locals, have local volunteers, local management structures that understand the uniqueness of individual areas. We will go back to seven but it is nowhere near the 17.

**The Hon. MARK BUTTIGIEG:** So we've still got a massive issue in terms of what the original divvy up was compared to sort of tracking back to where we were?

**CARLENE YORK:** Yes.

**The Hon. MARK BUTTIGIEG:** Going back to that back office merge project, is there a working party that's been formed to look at that?

**CARLENE YORK:** Only the Department of Premier and Cabinet working party. We'll have that as one of the lines of work to have a look at.

**The Hon. MARK BUTTIGIEG:** So DPC have formed a working party and there's no permanent buy-in from any of the agencies—the RFS or the SES? Is it just "tell us what you think, but we're going to call the shots"?

**CARLENE YORK:** From my indications, we will be consulted and there is to be a permanent team established. One of the considerations is whether we can second someone in from our agencies, where we feel it necessary, into that working party.

**ROB ROGERS:** Yes, I agree with Commissioner York. That was the offer and I think it is—to be fair, it's in its infancy, the working group.

**The Hon. MARK BUTTIGIEG:** So, commissioner, there was an offer from DPC for permanent seats?

**ROB ROGERS:** We could second officers into there, where it's relevant, and particularly the RFS, SES. That's clearly going to be something SES and RFS will want to put people in there to make sure that our agency views are represented. So I would expect that we'd both be putting people in there.

**The Hon. ADAM SEARLE:** Commissioner Fitzsimmons, during the 2020 Bushfire Community Recovery and Resilience Fund second round, administered by Resilience NSW, obviously, it funded some things and didn't fund others. I have a couple of a pages of a GIPAA, which I can provide to you. I'll just tell you what it seems to say. It lists a number of meritorious projects not able to be funded through Stream 2 of the funding. One of those was \$300,000 to Hawkesbury City Council for a collaborative community-led social enterprise partner to deliver dancing lessons for bushfire-affected areas in that part of the world. It was rejected as not being able to be funded. And yet, in March, Senator Marise Payne and the member for Hawkesbury, Ms Preston, announced that Peppercorn Inc. was to be given the \$300,000 for dance lessons and it had been funded under Stream 2. My question to you is: How did this dancing lessons grant go from being rejected to being funded under that stream? Was there a subsequent re-evaluation for some reason?

**SHANE FITZSIMMONS:** We have ventilated this previously, at estimates, from memory. I think it's really disingenuous to characterise it as a dance lesson project. Okay?

**The Hon. ADAM SEARLE:** Okay.

**SHANE FITZSIMMONS:** We just need to be really careful about that. We had the BCRRF administered by Resilience and the Bushfire Local Economic Recovery Fund administered by Regional. They were funds designed to provide support for different aspects of bushfire recovery. The BCRRF was designed to support community recovery, promoting wellbeing, connectedness and social recovery, and future disaster resilience, whereas the Bushfire Local Economic Recovery Fund was more around those economic drivers. The program that you refer to applied for funding through the BCRRF to provide community-led social engagement opportunities for rural communities of Hawkesbury, with a focus on building connections through gathering—yes, that included some dancing—and access to psychological support. The BCRRF assessment process determined the project had merit, as it would help foster connections, support local recovery, improve access to mental health support and build resilience for people impacted by the bushfires.

**The Hon. ADAM SEARLE:** How did it go from being not able to be funded in that round to being funded?

**SHANE FITZSIMMONS:** I'll take that, specifically, on notice.

**The Hon. ADAM SEARLE:** Thank you.

**SHANE FITZSIMMONS:** I think you'll find it was funding envelopes at the time, and then there was a range of a significant number of meritorious projects, I think, that got picked up in the next round. But I'll validate that on notice.

**The Hon. ADAM SEARLE:** Yes, if you could. I'd like to know—

**SHANE FITZSIMMONS:** I'm pretty sure I provided that previously, but I'll double check it.

**The Hon. ADAM SEARLE:** You probably did, and I probably wasn't here.

**SHANE FITZSIMMONS:** Yes. No, you're probably right.

**The Hon. ADAM SEARLE:** If we're going over old ground, I do apologise. My understanding is that seven Black Summer bushfire survivors from Bilpin did contact Resilience NSW wanting some details about the approval, and also wanting to discuss getting funding for permanent roadside water for bushfire fighting. Are you aware of that and did anyone from Resilience NSW meet with them to discuss that issue?

**SHANE FITZSIMMONS:** I'm assuming we're talking about the same group, but my team did meet with lots of people. I also met with a group from up in that area as well about a project that was unsuccessful in BCRRF, which was about water and a car park and building or something like that. From memory, there was a mixed bag of stuff in that project and, as a matter of fact, I pointed them in the direction of an alternate grant funding mechanism, which I understood was successful.

**The Hon. ADAM SEARLE:** If you could just confirm that on notice, that would be very good.

**SHANE FITZSIMMONS:** In the first instance that application was deemed ineligible because it didn't have sufficient documentation and all that sort of stuff in its original application through the Bushfire Local Economic Recovery Fund, and it wasn't included. But then there was a separate Commonwealth fund that I spoke to the team about and spoke to the Commonwealth about, and I understood that that project was then successful in that grant program.

**The Hon. ADAM SEARLE:** Okay. Well if, on reflection, there is anything further on that you wanted to let us know, obviously feel free to do so.

**SHANE FITZSIMMONS:** Yes, sure.

**The Hon. MARK BUTTIGIEG:** I know, Commissioner Rogers, we touched on this last time—that was back in March 2021. This goes to the whole issue of respiratory protection for volunteers.

**ROB ROGERS:** Yes.

**The Hon. MARK BUTTIGIEG:** Last time you were asked about a review that the RFS was conducting into PPE that specifically related to respiratory protection. Can you tell us where that's up to?

**ROB ROGERS:** Certainly. We selected a product. We provided two appliances. I can't remember now the numbers, four or five on each truck, and they've been now—they are in the process of being distributed. We've signed it off, they're out. I think they might be all done, but I'd have to confirm that. But in parallel we've still got the work that we've commissioned with the University of Wollongong on a broader respiratory protection issue. And there's quite a lot of research going on because there isn't a lot of research into this spot—and that is completed, sorry. I just confirm, we have now distributed them to all trucks.

**The Hon. MARK BUTTIGIEG:** So, commissioner, these are the screw-in cannisters?

**ROB ROGERS:** Correct.

**The Hon. MARK BUTTIGIEG:** The Mickey Mouse, good stuff, yes?

**ROB ROGERS:** Correct. They've been provided to trucks. But it's fair to say that they may not ultimately be the final solution for it because there are issues. When people are working in really hot temperatures, away from trucks, in really steep terrain, there is a metabolic heat build-up issue, which is what the university is also looking at. There are some different products in the US that they're looking at that are, for want of a better word, a more positive-pressure fan—like, they have fans in them to try and help keep firefighters cool. So they're looking at things like that. We're trying to look at something that balances protecting their airways but also making sure that we don't cause more problems with heat stroke, heat exhaustion.

**The Hon. MARK BUTTIGIEG:** That heat mitigation feature, do the professionals have that?

**ROB ROGERS:** No.

**The Hon. MARK BUTTIGIEG:** No?

**ROB ROGERS:** No, it's not here. It's not in place.

**The Hon. MARK BUTTIGIEG:** So this is looking at an overall potential upgrade for everyone?

**ROB ROGERS:** Correct. The only thing where you have the positive pressure at the moment in that is in breathing apparatus, and that's not something that you can wear in an eight-hour or 12-hour shift in the bush. It is just not feasible. So it is something new. I, personally, haven't seen them but I know they are there in the US. That's the sort of thing we're looking at. I'm really happy we have a New South Wales university working on this and working with our firefighters to carry out a whole lot of trials under different heat loads, trying to make sure we understand the impact on them. Because it's easy just to say "Here's a mask" but you've got to, obviously, also look at what's that follow-up and making sure you're not creating more problems. I'm certainly happy that we've got those additional masks out to all new trucks—all our truck fleet now.

**The Hon. MARK BUTTIGIEG:** Yes, that's good news. Commissioner Baxter, I understand that there are Fire and Rescue NSW stations staffed by firefighters who've undergone treatment for cancer, and requests have been made for adequate diesel extraction systems. Are you in a position to give us an update on the status of those requests?

**PAUL BAXTER:** Sorry, what specific requests do you mean, Mr Buttigieg?

**The Hon. MARK BUTTIGIEG:** The information I have is that presumably there's some sort of link between diesel particulates and this contraction of cancer, and they've requested diesel extraction systems. I'm not sure if you're aware of that, but that's the information I've been given. Those requests have been put in.

**PAUL BAXTER:** Okay, I do understand what you're talking about. We've had a multi-year program—and I referred to this earlier—done under the Plus Plan Strategy program to address firefighters' exposure to carcinogens across the board, in its entirety. Obviously, the most risky exposure firefighters are contracted to is in internal structure fire attack, so we've focused our efforts and attentions on the most dangerous areas where firefighters are likely to be subjected to contamination from carcinogens. That's resulted in new protective clothing. It's resulted in a new, world-first laundry system for the laundering of equipment. It's resulted in new procedures for what we refer to as our Clean Firefighter program, which is bagging and tagging equipment on scene. It's removing that to the laundry and provision of clean equipment back on stations, and clean and dirty areas on fire stations.

**The Hon. MARK BUTTIGIEG:** Can you just clarify for my purpose, Commissioner, because I don't pretend to be across the fine detail. But what I'm implying from this request is that if it's diesel extraction, it's probably related to the trucks, isn't it?

**PAUL BAXTER:** Yes, it is, and that's what I was just getting to.

**The Hon. MARK BUTTIGIEG:** Yes, sorry.

**PAUL BAXTER:** We've taken a risk-based approach. We've addressed the majority of the issues that put firefighters most at risk. I'm aware now that, because we've done so much work in those other areas, the issue of diesel contamination on fire stations is back on the agenda. We've got a lot of work going on across our stock of fire stations now to reassess that risk and look at what other measures need to be taken to manage that risk.

**The Hon. MARK BUTTIGIEG:** So the requests haven't been knocked back? They're under active consideration?

**PAUL BAXTER:** We're reassessing all of our fire stations at the moment with respect to both carcinogens and privacy provisions for our workforce.

**The Hon. MARK BUTTIGIEG:** Has there been any capital expenditure submission made to address—

**PAUL BAXTER:** Not that I'm aware of, as such, and that would all need to be part of that process. It's important to note there are a number of different ways that clean fire stations can be achieved through the design of stations. On new stations, where door openings and mechanical ventilation can achieve that requirement, it can be done that way. Also, for fire stations that have got the newer fire appliances in them, they don't emit the sort of diesel that was seen in the older fleet of fire trucks. All of those things need to be taken into consideration in assessing the risk, but I'm certainly not opposed to us addressing those things. I've been a strong advocate for better management of carcinogens and contamination for firefighters. I've lost colleagues and friends of my own in the business in my time in the job—close friends—and I want us to be able to do all we can to provide the best workplaces that we can for the firefighters.

**The Hon. MARK BUTTIGIEG:** But at the moment it's just something that's under active consideration, presumably, but no dollars against it?

**PAUL BAXTER:** Not that I'm aware of, no.

**The Hon. ADAM SEARLE:** Regarding the flood recovery Back Home grant, which I think opened in April, more than 9,000 of the nearly 23,000 applications received were deemed ineligible. I think the eligibility for the grant changed at least once due to criteria not capturing permanent villages. What efforts were made to ensure that all applicants who needed support were not rejected?

**SHANE FITZSIMMONS:** As I signalled just a moment ago, in the Northern Rivers alone, I think there were over 11,000 grants. I think it's fair to say, like was mentioned this morning, not one of the support packages—and there were more than 30 across nearly \$4 billion worth of announcements—was off the shelf. They were all modified, adjusted and nuanced in an attempt to actually tailor what was needed and prioritise for those impacted and displaced. The Government was very open about their commitment to adjust that along the way. Indeed, we did in a range of programs, in consultation with local feedback—the State Government and the Commonwealth agreeing to adjust criteria as we went. Just give me a moment and I'll see if there's anything of note in here concerning the Back Home grant. I know we made a number of amendments.

**The Hon. ADAM SEARLE:** Just while you're looking at that, I understand around 29 per cent of declined applications were because evidence that was required in support was not supplied. Was that because a lot of the requisite evidence had been destroyed?

**SHANE FITZSIMMONS:** That's a fair comment across the board. What we call the grants blitz program was actually about getting out and providing grants administrators, experts from Resilience, from Service NSW, from Regional NSW, from LLS—all those different bodies—into locations together, advertising and promoting it. People could make bookings and come in. Yes, a lot of that was around people that had challenges with evidence, people that had challenges with connectivity and use of tools and technology—all manner of things. Those forums, including some that were only just run recently—the feedback I had, again, was overwhelmingly positive about the number of people that were able to come in and have grants matters worked through and resolved.

**The Hon. ADAM SEARLE:** For example, I think there were 93 deemed ineligible for the Flood Recovery Rental Support payment. I think 45 per cent of declined applications were because required evidence wasn't supplied. For the Flood Disaster Recovery Small Business Grant, I think 63 per cent of declined applications were because of requisite information. Is it the same problem?

**SHANE FITZSIMMONS:** I'll accept your figures, and I think the principle is the same. What we also did in concert with the blitz sessions, the grants blitz forums, was we actually started doorknocking a lot of streets in the high-impacted areas—just under 6½ thousand properties. What we found through that doorknocking exercise, as well—where people were home, about 15 per cent of them had not yet sought to access the support and assistance because of where they were at physically, emotionally and psychologically. Even though we had 95 recovery centres—unparalleled in any other event—putting those facilities in place with the grants blitzes provided enormous support.

As I said before, I got Resilience, Service, Revenue—all manner of people deployed in to assist. For example, in just six days in Evans Head, the blitz was able to approve 200 applications for locals, worth millions of dollars. That was extended to the direct telephone line services. Even those call services, the customer support services—the last figures I've got here is we're up close to 185,000 calls, which is also helping and supporting people with that stuff.

**The Hon. ADAM SEARLE:** Yes, that's pretty staggering.

**SHANE FITZSIMMONS:** It's staggering, alright, when you consider for the bushfires it was 47,000, and for the floods in March of last year it was 40,000. This is up to 184,000.

**The Hon. ADAM SEARLE:** Yes, it's a very significant body of work. But in relation to the people who haven't been able to access those different support packages because they don't have documentation, what is being done to see if—

**SHANE FITZSIMMONS:** If anyone is out there that is in that circumstance, we need to hear from them, and we can help them through.

**The Hon. ADAM SEARLE:** So there's still a capacity for them to come forward?

**SHANE FITZSIMMONS:** Absolutely.

**The Hon. ADAM SEARLE:** Even if they've been declined, they can come back and say, "Well, look, actually—"?

**SHANE FITZSIMMONS:** Yes, if they've been declined because they didn't have the information at the time. I know you appreciate this, so I'm not saying it in a condescending way, but it's that really fine line and the balance between expeditiously rolling out support—

**The Hon. ADAM SEARLE:** For who you can.

**SHANE FITZSIMMONS:** —as effectively as you can, as quickly as you can, as painlessly as you can, against those that are seeking to thwart the system.

**The CHAIR:** You've got one minute before we have afternoon tea.

**The Hon. ADAM SEARLE:** I think the Acting Premier told question time at the end of March that the Government had announced over \$2½ billion to support communities impacted by floods. I don't expect you to have the number at your fingertips, but can you tell us how much of that \$2.5 billion has actually gone out the door?

**SHANE FITZSIMMONS:** No. I can't off the top of my head.

**The Hon. ADAM SEARLE:** But you can on notice?

**SHANE FITZSIMMONS:** I might have it before we close out in terms of running a total. I can assure you that close to \$4 billion now alone for the February-March floods has been allocated, and is all allocated and assigned and dedicated to different programs. As you would expect, there's a fair bit of that that is tied to significant building and infrastructure programs, which will take some time to roll out. But there is also a number of others that are tailored directly to individuals and businesses and family units. If I can get a figure on the total, I will let you know. But we're talking—many hundreds of millions have already been spent across programs.

**The Hon. ADAM SEARLE:** Thank you. I think we've hit afternoon teatime.

**The CHAIR:** We'll have a break for 15 minutes and then come back.

**(Short adjournment)**

**The CHAIR:** Questions from the Opposition?

**The Hon. ADAM SEARLE:** Mr Chair, just before I resumed questioning, I've shown the witnesses four pages of documents. There's two pages that refer to firefighter numbers. I'd like to table those. The second document is the two pages from a GIPAA relating to the \$300,000 grant to Hawkesbury City Council. I'd also like to table those for the secretariat. We can deliberate whether or not to publish them subsequently.

**Documents tabled.**

**SHANE FITZSIMMONS:** Sorry, Mr Searle. Before you start, can I give you some updates?

**The Hon. ADAM SEARLE:** Please do.

**SHANE FITZSIMMONS:** I can confirm that, concerning the Bilpin group and funding rounds, yes, it was round one, where there wasn't money. It was oversubscribed. Others were deemed higher priority in that category at that time. When more funding was available, it was successful in that second round. Then the other group, if we're on the same page, the Bilpin recovery and resilience project, concerning the Kurrajong bowling club—I understand they received over \$800,000 from the Black Summer Bushfire Recovery fund that was run by the Commonwealth. Then to your other question, just a moment ago, the reconciling of nearly \$3.5 billion announced already—we're just under \$800 million that's actually been spent. That's on top of what I understand to be, for the flood events of February, March, a further \$1.35 billion of the Commonwealth disaster payment that's gone out to individuals and what have you.

**The Hon. ADAM SEARLE:** I thank you for that update. I know it's relatively early in the financial year. Is there an appreciation of how much of the additionally committed funds you'll be able to get out the door in the balance of this financial year?

**SHANE FITZSIMMONS:** We do have projections, but they're fairly fluid because some of these are very much demand driven. You might have a pattern of demand at point A and point B. That doesn't necessarily mean it's going to extend right through in the ensuing months. We do know, working with all the agencies and partner organisations, there are a number of programs where they're expecting to see expenditure over this financial year and forward years as well, particularly around some of the infrastructure and other programs. We've also got wraparound services like recovery support services and support to community organisations, which are rolling on for periods of time over projection years.

**The Hon. ADAM SEARLE:** Of the \$285 million announced in temporary housing support, can you tell us how much of that money has been allocated and how many applications have been received for that to date?

**SHANE FITZSIMMONS:** One moment. Temporary housing support was across a number of—are you talking about the rental assistance package? We did go across a number of different—

**The Hon. ADAM SEARLE:** I understood there was a Temporary Housing Support fund and there was a separate fund for rent relief. But maybe I don't have that right.

**SHANE FITZSIMMONS:** Just bear with me one second, I have got it in this myriad of documents here. Rental support and the payment scheme towards the end of August. The 285 temporary housing package included 240 for rental support—248. Towards the end of August, 13,648 applications were received, valuing \$128 million: 2,850 have been approved, at \$25 million; 9,500 were deemed ineligible; 1,100 are under fraud review; and 24 applications are currently being assessed, with a value of 240-odd thousand dollars.

**The Hon. ADAM SEARLE:** Are they all in the Northern Rivers area?

**SHANE FITZSIMMONS:** Yes.

**The Hon. ADAM SEARLE:** In relation to the ones deemed ineligible, is there a particular theme of reasons for the ineligibility that has emerged?

**SHANE FITZSIMMONS:** I haven't got that detail with me.

**The Hon. ADAM SEARLE:** Again, I wouldn't expect you to. But, if you could take on notice as to whether or not the unavailability of crucial documentation has essentially rendered those applications ineligible, that would be useful to understand.

**SHANE FITZSIMMONS:** That was pretty low doc and modified. I'll double-check what the reasons might be.

**The Hon. ADAM SEARLE:** Thank you very much.

**SHANE FITZSIMMONS:** Obviously, 1,100 are under fraud review. There's others that—

**The Hon. ADAM SEARLE:** That's very important. No cavilling with—got to make sure that the money's actually going to people who are actually in need and not gaming the system.

**SHANE FITZSIMMONS:** I think the primary ineligibility, from memory, was not being in the area.

**The Hon. ADAM SEARLE:** That would be a pretty clear area. That's good.

**SHANE FITZSIMMONS:** It's funny if it wasn't so serious, but it happens.

**The Hon. ADAM SEARLE:** I get it. The Owens review, the independent review of the NSW SES operational response to the Northern Rivers floods in March 2017—the SES gave a response to the recommendations. Recommendation 2 concerns suitable premises for the Murwillumbah SES unit. Damage to the premises had occurred because of a landslip, I think, a decade ago. Is there any progress on suitable premises for the Murwillumbah SES unit?

**CARLENE YORK:** We're in discussions in with the council still in relation to that. We've spoken about it today, trying to identify suitable land for us to have new premises on. The legislation outlines that councils are responsible for providing reasonable premises for the NSW SES. So we've had ongoing discussion with the council, but nothing has been identified at this stage.

**The Hon. ADAM SEARLE:** Over what period of time have you been trying to resolve this with the council?

**CARLENE YORK:** I think it's been pretty well on and off since 2017. Obviously, it hasn't been continuous. There have been a number of sites identified by the council but rejected by us because of the location. A number of our premises are in flood-prone areas—not all of them but, I think, about 30 per cent. So we're very conscious of making sure that we don't get flooded out when we've got to respond to the communities' needs.

**The Hon. ADAM SEARLE:** I can appreciate that. I reflect on the earlier comments about the constraints of the terrain, particularly at the current time. I know this is a difficult question: Do you expect to resolve this any time soon? Or is this going to be a continuing problem?

**CARLENE YORK:** One of my deputies is planning to go up there and speak personally because we have our business managers having the conversations and our zone commanders. But we're going to go up and see what the problem is and see if we can identify, with the council, how it can be resolved.

**The Hon. ADAM SEARLE:** Or indeed, possibly, identify sites yourself.

**CARLENE YORK:** Yes. But we work very closely with the councils and we appreciate their difficulties as well. But, certainly, it is one of our priorities to identify a location.

**The Hon. ADAM SEARLE:** I think recommendation 3 was for an availability app to streamline out-of-area deployments. At the time of the most recent floods, I don't think, an app had been produced. Is that now going to be halted in favour of a consolidated disaster app as recommended in the Fuller-O'Kane report?

**CARLENE YORK:** No. They're two different things. The availability app is more our understanding who's—because we have volunteers, it's more like an online rostering system, understanding what their capabilities are, when they're available and being able to deploy but also, importantly, link in with our existing systems. I have some excellent news. The Expenditure Review Committee just—I have received an email today. It has formally been approved to provide us \$4.9 million to go ahead. We've already been out and identified who can provide and build that app for us. So I've already told the deputy commissioner to start going ahead on that project.

**The Hon. ADAM SEARLE:** How much money has been spent on that project to date? Or has nothing been spent and now you've got the money?

**CARLENE YORK:** I'll have to get back to you on notice. It could be a couple of hundred thousand, just to identify and go out to an expression of interest out into the field. But I'll take that on notice. Internally we identified that as a priority, redirected some funds to that, set up a project team, heavily consulted with our volunteers, obviously, looking at our corporate management systems for information that I felt was lacking. I'm constantly asked, "How many volunteers have been out at this event?", "How many hours have they done?" We look at whether or not they're within the realms of getting medals for different events. It is a hugely manual process. This will assist us in moving us ahead to more of a technology result.

**The Hon. ADAM SEARLE:** Thank you. If you'll come back to us on notice as to how much has been expended on the project to date, that'd be really good.

**CARLENE YORK:** I will. Sorry. Can I say I think there have been, on and off, projects over the time. If you would allow, I'll come back with what I'm aware of that we've done to proactive push this forward.

**The Hon. ADAM SEARLE:** That'd be very good. The Lismore Citizens Flood Review Group completed a review and issued its recommendations in, I think, August 2017. The SES responded to those recommendations. What is the status of that input from the citizens flood review group?

**CARLENE YORK:** I'll have to take on that notice. I know that some of my staff have met over the last 12, 18 months with that group in relation to their concerns. I'll get the information about the recommendations from their review.

**The Hon. ADAM SEARLE:** That would be very useful. I think the SES accepted that the 2017 Lismore flood didn't go "according to plan", so I'm interested to know what you took on board since that time and what lessons were learnt in time for these floods and whether there were learnings that were able to be put in place in time or whether they weren't and so we now have some more things to factor in.

**CARLENE YORK:** Yes, I'm pretty confident that we're well advanced on those recommendations but I will take that on notice and get back to you.

**The Hon. ADAM SEARLE:** In answers to supplementary questions in March, Commissioner, you distinguished between out-of-date flood management plans and flood management plans that had simply passed their review date. How many flood management plans have passed their review date?

**CARLENE YORK:** The whole State—those areas of risk of flooding—is relevant to that question. I'll have to take that on notice.

**The Hon. ADAM SEARLE:** When you answer, can you indicate which local government areas those plans cover?

**CARLENE YORK:** Yes.

**The Hon. ADAM SEARLE:** Is that how they're measured? They're measured in local government areas?

**CARLENE YORK:** Yes.

**The Hon. ADAM SEARLE:** Is it correct that the Ballina plan was drafted in 2013 and had a review to be completed by 2018? Are you aware of that?



**CARLENE YORK:** I'd have to take that on notice as well.

**The Hon. ADAM SEARLE:** My question is: Was the review completed by 2018? Same question for the Byron plan—I think it was drafted in 2013 and had a review to be completed in 2018. Again, my question is: Is that information correct and did the review take place?

**CARLENE YORK:** I'll take that on notice. It has been an issue for us to update some of those plans. I don't know of those ones specifically, but I have redirected some additional resources for the northern zone to make that a priority to get those matters up to date.

**The Hon. ADAM SEARLE:** I have the same question for Kyogle.

**CARLENE YORK:** I can tell you; I have the answers here. The Lismore city local flood plan was endorsed last in March 2018 and due for review by March 2023. Ballina, I think, was one of the ones you asked.

**The Hon. ADAM SEARLE:** It was.

**CARLENE YORK:** That was endorsed in July 2013. Significant work has been undertaken, with updating and reviewing of that throughout 2021. The draft has been prepared; however, consultation with the LEMC had been delayed due to the flood event. So that's ready to go for consultation. And the next one?

**The Hon. ADAM SEARLE:** Byron and Kyogle?

**CARLENE YORK:** Byron—last version was endorsed in July 2013. Significant work has been undertaken with updating and reviewing. Similarly, the draft has been prepared and consultation with the LEMC commenced at end of 2021. So we're awaiting that finalisation. And Kyogle—similarly, a draft has been prepared in consultation with the LEMC, commenced at end of 2021. So significant progress on all of them—

**The Hon. ADAM SEARLE:** How many flood management plans are there apart from the ones I've specifically asked for? Are there ones covering the whole State, individually or through—is each flood-affected local government area supposed to have one?

**CARLENE YORK:** Yes, each flood-affected local government area should have one.

**The Hon. ADAM SEARLE:** Could you provide on notice the same information you've provided for these for each of the other flood plans?

**CARLENE YORK:** Yes. I don't know how much work is involved in that, but we will certainly seek to—

**The Hon. ADAM SEARLE:** If it's an unreasonable diversion, obviously you can come back to the secretariat and maybe I can narrow my request.

**CARLENE YORK:** Yes, certainly.

**The Hon. ADAM SEARLE:** How many flood emergency sub-plans are out of date? Are there sub-plans?

**CARLENE YORK:** Yes. I'll have to take that on notice as well.

**The Hon. ADAM SEARLE:** Happy for you to do so. The Black Summer coronial inquiry recommendations—recommendation 55 (b), the operational communications strategy. The former Minister previously advised that a road map for the interoperability with Victorian counterparts was due for completion by quarter two 2024. Are you able to give us an update on how that is progressing? Who's responsible for the coronial inquiry, the Black Summer bushfire inquiry recommendations?

**SHANE FITZSIMMONS:** It's ongoing.

**The Hon. ADAM SEARLE:** It's ongoing?

**ROB ROGERS:** I guess it depends on what it's about.

**The Hon. ADAM SEARLE:** Recommendation 55 (b)—where's that up to? That's the one about the operational communications strategy and the interoperability with Victoria.

**ROB ROGERS:** Yes, there have been multiple cross-border committees with Victoria. There was, I think, one last year in the Snowy Mountains that was held. It brought together people from all different agencies, and there have been comms plans developed as a result of that cross-border work. The Cross-Border Commissioner has been involved in it as well. So they are there. I can get you details on notice if that's okay. I don't have the details exactly of what's been—

**The Hon. ADAM SEARLE:** I think it was due to be completed by quarter two 2024, which is still some way off. I just wanted a progress report.

**SHANE FITZSIMMONS:** Quarter two 2025.

**The Hon. ADAM SEARLE:** Sorry, I stand corrected.

**SHANE FITZSIMMONS:** But I do believe there's been work underway.

**The Hon. ADAM SEARLE:** If you could tell us what has been done—just an update as to where things are at.

**SHANE FITZSIMMONS:** Certainly.

**The Hon. ADAM SEARLE:** I think there's \$28 million directed to research and development of new technologies to tackle future bushfires. I think \$7 million in the 2020-21 financial year was allocated and spent. I further understand that the NSW Chief Scientist & Engineer is administering the Bushfire Response R&D Mission. Do any of you have visibility about that work?

**SHANE FITZSIMMONS:** Yes, we do. I'm happy to give you more details, but we are coordinating in the order of \$78 million—I think it is \$70 million to \$80 million worth of research activity, including contributions to the natural hazards research centre. There is \$69.8 million over four years for the establishment of the natural hazards and technology program, the Bushfire Response R&D Mission to accelerate research and development. Funding includes \$16 million over four years for an early stage bushfire commercialisation fund to enable small and medium enterprises to develop and commercialise products, related technologies. That's open for applications in July of this year. My understanding is that's currently going through the evaluation process of vendors submitting and working with Resilience. Investment will be administering that over the forward years and we're working extremely closely with the State's chief scientist in that regard.

**The Hon. ADAM SEARLE:** What research and development has already been produced from that funding stream? How are you making sure that that is—I don't like the term—weaponised, actually properly deployed to assist?

**SHANE FITZSIMMONS:** I'll take that on notice and give you a response, but I think it's fair to say that what we've been able to do is consolidate our jurisdictional contributions to the national programs and then tailor a nuanced engagement with other entities domestically in New South Wales and build this centre of excellence process with the chief scientist. As I say, that's currently in the market at the moment and undergoing evaluation but I'll see what I can provide you.

**The Hon. ADAM SEARLE:** How is that money being dispersed? Is it through Resilience NSW? Is it a grant application? Is it going through—

**SHANE FITZSIMMONS:** We've gone to market for interest. In terms of the national centre, we simply pay an annual contribution to the collaborative research initiative. Yes, it's administered through those budget processes.

**The Hon. ADAM SEARLE:** Do you have a total or itemised cost for the suppression costs for the 2019-20 Black Summer fires? Do we know what it cost to battle?

**ROB ROGERS:** I think the problem is that there are so many different areas. I could provide on notice, for example, the direct firefighting costs—

**The Hon. ADAM SEARLE:** That would be useful.

**ROB ROGERS:** —that we have claimed. But I'd also have to talk to Commissioner Baxter, National Parks, State forests and make sure we can give you a fulsome answer.

**The Hon. ADAM SEARLE:** If you could give us a coordinated best estimate—

**SHANE FITZSIMMONS:** We can demonstrate expenditure that's been claimed and sought through disaster response arrangements. We can do that.

**The Hon. ADAM SEARLE:** That's the Federal—

**SHANE FITZSIMMONS:** It does ultimately tie to the Feds, but we shouldn't be thinking that the Feds are funding it, because the State's got to meet all sorts of thresholds before it claims percentages back from the Commonwealth. But we can identify what that expenditure claim is.

**The Hon. ADAM SEARLE:** What I'm trying to understand is: What does it cost New South Wales? What was reimbursed from that Commonwealth funding arrangement? If I can get those two figures—

**SHANE FITZSIMMONS:** That might take us a while but we'll be able to get that.

**The Hon. ADAM SEARLE:** That's okay. I appreciate this might be difficult, but if it is broken down into areas of expenditure, that would be also very useful.

**ROB ROGERS:** I think it's broken down into—you've got aviation and direct firefighting, earthmoving, things like that. There are broad categories of it.

**The Hon. ADAM SEARLE:** If you could provide whatever is available to you, we can absorb that. Do we have an assessment for the total value of the impacts of the Black Summer fires on property, including private property, public property and infrastructure?

**SHANE FITZSIMMONS:** A dollar cost? I don't—

**The Hon. ADAM SEARLE:** I guess the insurance industry would have an idea, too.

**SHANE FITZSIMMONS:** There's an insurance cost and then we also have indicative infrastructure implications, but that may or may not capture all of the private and government-related partner infrastructure.

**The Hon. ADAM SEARLE:** If, on notice, you could provide us with whatever information you collectively have, that would be useful.

**SHANE FITZSIMMONS:** Because you've got roads and you've got bridges and you've got all sorts of things.

**The Hon. ADAM SEARLE:** Yes. Presumably the State Government has developed some kind of at least rough assessment of the total costs?

**SHANE FITZSIMMONS:** Yes, they do. That's what I'm saying. But it depends on how it is. You've got council infrastructure and assets, community infrastructure, you've got State, you've got the domestic market, you've got insurance, you've got Federal—so, yes, it depends on how that is compiled. I will see what we can provide you.

**The Hon. ADAM SEARLE:** Regarding recommendation 1 in the Bushfire Inquiry progress report, what outcomes have been achieved in promoting the continuous improvement in the emergency management sector? Are you able to address that, or do you want to take that on notice?

**SHANE FITZSIMMONS:** I'm happy to take it on notice.

**The Hon. ADAM SEARLE:** Regarding recommendation 28 and the Rural Boundary Clearing Code, are you able to tell us about the uptake and any benefits and impacts of the code, and how that's being assessed?

**SHANE FITZSIMMONS:** Sorry, Mr Searle, I'm just looking back at your other—yes. It says:

... ensure recommendations accepted by the Government ... establish a central accountability mechanism to track implementation ...

Is that what you're referring to? Recommendation 1?

**The Hon. ADAM SEARLE:** Yes.

**SHANE FITZSIMMONS:** The Government made some amendments to legislation to ensure that the SEMC have explicit function for promoting the continuous improvement and lessons learned. We've actually put together work, through the State Emergency Management Committee, which was the lessons learnt framework, which was endorsed in 2018, and, as I say, some legislation making explicit for a statutory function of the SEMC in the tail end of 2020—November 2020. In 2020 we led the State lessons analysis process of behalf of the SEMC—State-level lessons. In the 2021 report: coordination of donations received, the process of donated goods, finding informed governments partnerships. We identified things around donations of goods and materials. Finance was very challenging, so we've got arrangements in place to better deal with that.

We've also got emerging lessons across organisations in six broad areas: procurement and finance, interagency communication, data information intelligence, interoperability, incident and operational command, evacuation and vulnerable people. The 2020 State lessons report made 11 recommendations: increasing capabilities around situational intelligence, information sharing and probability, operations management and coordination, community engagement planning, capacity and resilience, and community information alerts and warnings. The SEMC endorsed the report in March 2021 and, as at 30 May 2022, all the 11 recommendations are completed or in progress. The SEMC is continuing to monitor the implementation of those recommendations.

**The Hon. ADAM SEARLE:** Okay. What about recommendation 28, the Rural Boundary Clearing Code?

**SHANE FITZSIMMONS:** Mr Rogers might talk about that one.

**ROB ROGERS:** Certainly. That's in place and in force, Mr Searle.

**The Hon. ADAM SEARLE:** How are the uptake and benefits and impacts of the code being assessed now that it is in place?

**ROB ROGERS:** Considering once it's in force in an area, it's a self—there's no permits or anything given.

**The Hon. ADAM SEARLE:** So you're not involved?

**ROB ROGERS:** No. I mean, it's up to individuals. They're entitled to the code. If they follow the rules and they're not on land that is excluded—like a koala habitat, things like that—then they're entitled to use it. If they fail to do that or they misrepresent their eligibility, then they will face the law as it was if the code wasn't there.

**The Hon. ADAM SEARLE:** Regarding recommendation 48, the progress report for January to March 2021 said the final report by the University of Wollongong on back-burning was due in November 2021. Has that been completed?

**ROB ROGERS:** It's still—

**The Hon. ADAM SEARLE:** It's still extant?

**ROB ROGERS:** Yes, it's still underway.

**The Hon. ADAM SEARLE:** Do we have a time frame when it might be expected?

**ROB ROGERS:** I will have to get that on notice for you. I'm sorry; I don't know.

**The Hon. ADAM SEARLE:** That's okay.

**ROB ROGERS:** But it is a current body of work.

**The Hon. ADAM SEARLE:** Sure. When you answer on notice, could you also indicate what has caused the delay in its completion? That would be useful.

**The Hon. MARK BUTTIGIEG:** This is probably a question to all of you in the context of the various agencies that you head up. Any plans to sell any physical premises that you know of across any of the agencies?

**SHANE FITZSIMMONS:** I don't own any, so that's no for me.

**CARLENE YORK:** I don't own any either.

**ROB ROGERS:** Ours are vested in local government.

**The Hon. MARK BUTTIGIEG:** We might touch on that later. Commissioner Baxter?

**PAUL BAXTER:** I'm not immediately aware, but I would check that on notice for you, Mr Buttigieg.

**The Hon. MARK BUTTIGIEG:** Thank you. What about outsourcing elements of emergency service to private operators? Any discussions, plans, papers, briefings?

**SHANE FITZSIMMONS:** What do you mean by that?

**The Hon. MARK BUTTIGIEG:** Outsourcing emergency functions to a private operator. It is fully in house now and controlled by the State Government and your agencies. Is there any plan to outsource call centres, response—anything like that?

**ROB ROGERS:** The only thing I could suggest that we do have private operators carrying out functions is contracted aircraft. That would be a private operator, technically, doing it. And some things like retardant loading—we have a mixture of our own people and contractors do that, but that's always been the case as well. Certainly, from our point of view, there's no intention to outsource or any direction to us to outsource anything further.

**The Hon. MARK BUTTIGIEG:** Whilst we're on that topic you touched on, Commissioner Rogers, in terms of RFS assets, you would be aware that there was an Auditor-General report that said it's about time local councils—some of them, hitherto, had been accounting for them anyway, but it's about time local councils started accounting for these assets on their books, which has created quite a bit of consternation in terms of the burden on councils' books in terms of depreciation. The argument is councils don't control the assets. They don't purchase

them; they can't sell them. Why do they have to put them on their books and accrue that financial burden? What's the logic behind all of this?

**ROB ROGERS:** It's always been that way, for one. The RFS has always been a partnership between State Government and councils. You might remember, the councils had more of a role in RFS activities back in the 1990s, and progressively that's been moved to the State. But the Act says—

**The Hon. MARK BUTTIGIEG:** Commissioner, this is an important point because there seems to be a historical evolution, obviously, where control and ownership has transferred to the State. Historically, because of local council control, that financial reflection hasn't been updated—if you see what I'm getting at. Would that be a fair sort of comment?

**ROB ROGERS:** I could understand someone saying that. I think it's still a partnership, though, between councils and the RFS. Councils are still very involved in the local RFS and running it. We have various liaison committees, so there's constant involvement. To be honest, I would hate to lose that connection with local government, because I actually think they're a key partner for us in emergencies as well.

**The Hon. ADAM SEARLE:** Commissioner, I was on my local council—

**ROB ROGERS:** Keeping them involved in the RFS, I think, actually works very well. But, at the end of the day, obviously, from an RFS point of view, I'm a mere public official here to carry out government policy. The government policy and the Act actually state that it sits with local government, and obviously that's been supported by the Department of Local Government, Treasury and the Audit Office itself.

**The Hon. MARK BUTTIGIEG:** Have you been involved in any discussions, though, as to why all of a sudden—obviously, the Auditor-General has put out this report. But have you been privy to any discussions about why there's now this big push to shift this onto councils?

**ROB ROGERS:** It has been an issue for years, and there has been that requirement for councils to take account for the purposes of depreciation and the like for many years. I think because audits have focused on it—that's what I believe is what's brought it to a head now.

**The Hon. ADAM SEARLE:** Commissioner, I served for many years on my local council. I'm appreciative of the partnership, and I think it's a good thing. But I think councils only fund 11 per cent of those services. Much more is funded by the State Government. I don't think the State Government is required to account for these assets. Council doesn't control these assets. It doesn't decide when to purchase them; it can't sell them. It doesn't have that kind of leverage. Isn't this just another example of cost shifting to council that puts a fairly unfair burden on them, given their fairly limited financial resources?

**ROB ROGERS:** I would say, with respect, I don't think it's cost shifting because it's always been there. It's not something that was—

**The Hon. ADAM SEARLE:** But if they're all going to be required to account for it absolutely in their balance sheet, it's going to change what looks like the operational outcome for many councils. It's going to deteriorate their financial position, at least in an official way, even though in reality nothing much has changed. It's going to make them look bad. It's going to affect their rating. It's going to affect their credit worthiness. It's going to have all of these potentially negative impacts for no public outcome.

**ROB ROGERS:** I've got to say, I do get a bit—I'm just trying to think of the right language here—it does bamboozle me a little bit that we're not talking about real money here.

**The Hon. ADAM SEARLE:** No.

**ROB ROGERS:** It's not real money at all.

**The Hon. ADAM SEARLE:** It's just a depreciation schedule.

**ROB ROGERS:** Yes, correct.

**The Hon. ADAM SEARLE:** It's a cost.

**ROB ROGERS:** It's not even real dollar depreciation that they have to put down. So I get a frustration with it, and I understand it. But I'm not an accountant, so it doesn't make sense to me, but that is the accountancy standard. But I do know the Minister has been pursuing this issue on behalf of local government to try to get some level of resolution. I haven't been privy to all the meetings that the Minister has been at with them, so I can't tell you exactly where that's at. But certainly the Audit Office has written to councils and, I think, threatened to qualify them if they're not accounting.

**The Hon. MARK BUTTIGIEG:** That's been one of the major points of concern, obviously. Just to elaborate on my colleague's proportions, 74 per cent is funded by insurance levies, 15 per cent by the State Government and 11 per cent by council. If I was a council, I guess the question I would ask is, does my 11 per cent contribution include the depreciation and the cost burden of those assets?

**The Hon. ADAM SEARLE:** Of the whole amount.

**The Hon. MARK BUTTIGIEG:** Has there been anything you've seen that has that analysis in it? The Government may counter-argue and say, "Yes, the original funding model hypothecated depreciation and other expenses for councils to have these assets on their books and, yes, the 11 per cent caters for that."

**ROB ROGERS:** If you go back to the early nineties, it was a 25 per cent contribution that local government had to put in, and I think as things have—

**The Hon. MARK BUTTIGIEG:** Back in the eighties?

**ROB ROGERS:** Early nineties, I think it was. I think it was the early nineties when that changed. Then it became 12.5 per cent, and then over different times when things have changed it's reduced a little bit more. So I think there has been accommodation by the State, through various governments, to try to minimise the burden on local government. So I think to have a good look at that and analyse the whole end position, you'd have to take it back a little bit further, I would suggest.

**The Hon. MARK BUTTIGIEG:** It's not really something that you have responsibility for, I understand. But your sense would be that the Government's response would be, "You've got a good deal over all these years and you're actually being looked after in terms of your contribution having declined. Therefore, this is a just a bit of pullback."

**ROB ROGERS:** I don't know, to be honest. I'm not sure. I'm just trying to provide some background information to the Committee.

**The Hon. MARK BUTTIGIEG:** No, that's helpful. I appreciate that. Just onto recruitment and infrastructure, I know we've touched on some specific examples in terms of Marsden Park, Ryde and Oran Park. But in terms of new stations planned for new and growing suburbs in outer Sydney, Commissioner, do we have any information on that?

**PAUL BAXTER:** Obviously, Oran Park is underway. Marsden Park, we hope to be able to make a decision on as soon as we get some certainty around the flood planning information. We have done a lot of modelling work around the demands that we expect to be present as a result of the construction of the Western Sydney Airport and the accompanying residential, industrial and commercial that is already starting to take shape around there. We expect around four to five stations may be required around that area over the full course of the development of that area.

**The Hon. MARK BUTTIGIEG:** Commissioner, on that point, aside from these sorts of emblematic and I stress historical examples that we touched on earlier, there are no specific plans for stations? One of the issues we see coming out of all this is there's all this growth and there's all this publicity around this growth and what the Government's doing, but we see a huge lag in the resource and infrastructure necessary to support those populations. I'm sure new fire stations are part of that. Is there any light you can shed on more targeted planning for specific stations, given the growth we're seeing in those areas?

**PAUL BAXTER:** It's hard to answer your question exactly.

**The Hon. MARK BUTTIGIEG:** If the answer is no, I'm not going to blame you. But it's just good to know how mature that planning is.

**PAUL BAXTER:** The growth areas—we do the modelling of the expectations of the growth and where we think we'll reach those thresholds. We talk very closely with the Rural Fire Service because, obviously, a lot of the areas where this growth is occurring are currently covered by rural fire district areas. So there is a need to look at the services that RFS can provide vis-a-vis when the attributes of the area become more of an urban fire district. As I said, that's population, it's industrial activity, it's commercial activity, which comes with its share of risks that mean it requires a corresponding fire service capability in the area.

The majority of the areas around all of New South Wales already have fire stations in place. So what then becomes more necessary is to look at how the staffing model in each of those areas works because we have a number of different models that exist: our full-time, permanent firefighters—they work across 24/7 shifts—and then also our on-call firefighters who are our part-time firefighters, and when they may need to move from an on-call model to a permanent model, either a daytime staffing when the demand is there and then a 24/7 staffing model when the demand is there. But what we also do as well is look at where that growth is. For example, outside

of Queanbeyan, we've land banked. We purchase land, knowing that the development is trucking along and that we're likely to need a fire station there in the future. So we've purchased land in that location and are ready to move when the risk builds to that level.

**The Hon. MARK BUTTIGIEG:** Commissioner, just talk me through the mechanics of the input data into that. You have a principal planning officer, don't you?

**PAUL BAXTER:** We do, yes.

**The Hon. MARK BUTTIGIEG:** Where do they get their intel from in terms of growth? Do they get it from the planning department?

**PAUL BAXTER:** From many areas: obviously the planning of where future plans are for where the development might occur, looking right across the whole State, but also census data and then also demand data. So what's driving our responses, whether it's fire calls or hazardous materials incidents and all of those other incidents, starts to drive what capacity we might need in any particular area. All of that is blended in and used in a computer tool. At the moment, we're having some validation work potentially done by an external company to validate our approach to make sure that it's on song. That will show where we've got gaps in the service delivery model.

**The Hon. MARK BUTTIGIEG:** Presumably, these models are reasonably sophisticated. We've been doing this modelling for a long time now, and they get better and better over time. I imagine your predictive ability is fairly good in terms of how far ahead you can predict with any certainty that these suburbs are going to spring up. Is there a mismatch between the ability of government to react with dollars and these predictive tools?

**PAUL BAXTER:** I think there's probably more of an ability for us to communicate that with Government. And we've done that, across the current Minister and the Minister's predecessor, to make them aware. For example, with the Western Sydney Airport development, we've signalled that we see, over the full development of that area of land, how many fire stations that we expect to need there. We continue to monitor that and then, at the right time, acquire the land and bring those proposals forward. We've got an ongoing capital budget, so we propose any land banking that we might want to do in our budget papers, and they are either endorsed or not supported by the Government.

**The Hon. MARK BUTTIGIEG:** From what I picked up in that answer, Commissioner, you're feeding your data back to the Government with those predictive tools, and it's a little bit hard to communicate the urgency of the infrastructure required. It's not hard to communicate; you're communicating it quite clearly. But the feedback is, "Yes, we understand what you're saying. Leave it with us." Is that a rough way of putting it?

**PAUL BAXTER:** Not really. Both of the Ministers that have been in the seat for the last couple of years have acknowledged, particularly with the stuff around the aerotropolis, what we've needed there and have asked us to bring forward those proposals at the right time, which we've been continuing to do, as well as engaging with the Rural Fire Service, because—

**The Hon. MARK BUTTIGIEG:** As a result of that advocacy for extra funds based on that predictive growth, has the Minister gone cap in hand to Treasury and said, "I need this"? Is that how it works?

**PAUL BAXTER:** That's how it should work. But also, there are other means for us—through the department of planning, for example—to look at allocation of land from a developer's cost to provide parcels of land for us for community services, which, obviously, a fire station is one.

**The Hon. MARK BUTTIGIEG:** Is there any requirement on developers to take these sorts of things, like fire protection infrastructure and fire appliance access, into consideration when planning the development? A developer comes in and says "Righto, I'm going to subdivide so many acres." Is there anything in the planning instruments or government requirements to say, "You need to take these things into consideration because there's not adequate emergency services there yet"? Or do they just let it rip, and then you guys play catch-up?

**PAUL BAXTER:** No, we try for that not to be the case. There are whole-of-government working groups that look at those fixed developments, particularly through the department of planning. We sit on those groups so that we make sure that we've got our needs taken care of and taken into account with any of the developers that are proposing those large-scale developments.

**The Hon. MARK BUTTIGIEG:** How does that work? If I'm a developer, I've got all of this land and I'm going to subdivide it. Can I go ahead without there necessarily being the emergency services in place?

**PAUL BAXTER:** DPE would make sure that the developer knows that they need to provide those lands. That includes things like areas for schools, play areas, ambulance stations and fire stations—all of the public

services. That's how, in a pure sense, the process is supposed to work. We're at the table all the time advocating on behalf of the Fire and Rescue service for those developers.

**The Hon. MARK BUTTIGIEG:** I know in the analogous example of schools, for example—and I've spoken to residents in Gregory Hills and places like that where you get the developers coming in a decade ago and saying, "You're going to get a school here." But 10 years later, suburbs have sprung up and there is still no infrastructure. It does seem to me as though there's something systemically wrong in the ability of government—not so much to plan, because it's quite straightforward to plan population growth and predict it, but the funds flowing to provide that infrastructure. Would that be a fair comment?

**PAUL BAXTER:** I think so. Obviously, government has had to dip into its pocket to fund both Oran Park and Marsden Park—Marsden Park being a classic example of how the urban development hasn't proceeded to meet what the projections were, for whatever reasons, whether it's COVID or construction problems or the floodplain development areas. We're left in this position where we may have land where we don't actually need a fire station, dependent on the outcome of that flood modelling.

**The Hon. MARK BUTTIGIEG:** Can I ask, on that principal planning officer, how often would you get updated statistics on population growth in New South Wales?

**PAUL BAXTER:** It's census data-driven. It's subject to when the data is available to feed into that system through the census, predominantly. That's my understanding. I could perhaps provide some more information on how that works.

**The Hon. MARK BUTTIGIEG:** Does that mean that it's only as often as the census comes out that you get updates?

**PAUL BAXTER:** Yes, as far as I know—other than the predictions. Where there are developments planned, they can work out how many house blocks and those sorts of things. They would be factored in as well, but the census data gives you actual—and then, obviously, our incident data gives us the demand on our services.

**The Hon. MARK BUTTIGIEG:** In terms of this planning, does it factor in fire trucks being able to respond and arrive in a timely fashion? This goes to that earlier thing we were pursuing about there being no targets in place. Do you still say, "We need to respond in X amount of time; therefore, resources have to go into this particular area"?

**PAUL BAXTER:** Yes, completely, it does. And it takes into account current travel times. It's also able to factor in planned roading and predictions around the planned roading—arterial routes or motorways and what that might do. When we put a new station in, for example, Oran Park, that affects all of the stations around it because they are used in a contingent way across the network. You've got to factor in the impact it will have on our total resources, not just that particular station area.

**The Hon. MARK BUTTIGIEG:** This goes to the earlier point. If there are no mandates on response times, what time do you put on it typically? Let's take Oran Park as an example. What would be the response time you would expect to justify putting a station in there? What's the threshold where you go, "We can still respond by sending a truck from Camden, for example; therefore, we don't need the station there"? What would be the threshold that you think would be a key time?

**PAUL BAXTER:** It's driven by the incident type. Predominantly, the most serious incident that we're looking at is residential structure fires because that's where life is at risk. Once again, if you're looking at it across the fiftieth to the ninetieth percentile, you're talking about times—in fact, for Oran Park, in 2021-22, the average response time was 11 minutes and 23 seconds, as opposed to 2020-21, where it was 10 minutes and 30 seconds. That's not outside what we might see in a number of our other areas.

**The Hon. MARK BUTTIGIEG:** What did I say the Victorian one was? Seven minutes, I think, wasn't it?

**PAUL BAXTER:** Yes, I think so. It's really interesting when you look at the Victorian one because of the matters I raised earlier about—

**The Hon. MARK BUTTIGIEG:** Urban density.

**PAUL BAXTER:** —it being a different model, which it is. But also, if you look at it comprehensively across the whole system of what are we here for? We're here to save lives, we're here to save property and to protect the environment. Our performance as a State in terms of lives lost and injury rate is actually better than those other States. That is why I say the direct comparison on just one metric doesn't give you the whole story.



**The Hon. MARK BUTTIGIEG:** In terms of planned urban release, and you touched on this before, if there is development in train you know about it. Are there any areas you know of that Fire and Rescue has decided not to put a station in?

**PAUL BAXTER:** No, not that I am aware of.

**The Hon. MARK BUTTIGIEG:** What's the percentage of the New South Wales population that Fire and Rescue NSW stations cover?

**PAUL BAXTER:** I will come back to you on notice with that, but I think percentage-wise it is around 90 per cent.

**The Hon. MARK BUTTIGIEG:** That implies, Commissioner Rogers, that the RFS covers the remaining, what, 10?

**ROB ROGERS:** Whatever the remaining is and we have the broader land mass. Whereas obviously Fire and Rescue are very much concentrated in those—

**PAUL BAXTER:** Population areas.

**ROB ROGERS:** —population centres. Our biggest challenge is the vast distances that we are responsible for that have a lower population base.

**The Hon. MARK BUTTIGIEG:** Yes, less economies of scale because of the sparse—in terms of the allocation of Fire and Rescue NSW budget that is spent on areas outside Greater Sydney, do we have a sense of that proportion, Commissioner Baxter?

**PAUL BAXTER:** No, we don't. We would be able to aggregate that data to regional versus metropolitan areas without too much difficulty. But important to note that the resourcing and staffing model in the majority of the regional and rural areas is quite different than the metropolitan areas. Where the metropolitan areas have our firefighters rostered on duty 24/7, a lot of our regional and rural locations are on-call firefighters, who are therefore paid when they train or when they attend incidents. The actual personnel costs are quite different.

**The Hon. MARK BUTTIGIEG:** Could we get that on notice: the proportion of the budget spend outside Greater Sydney?

**PAUL BAXTER:** We will have a look at that.

**The Hon. MARK BUTTIGIEG:** I want to touch on some frontline responder welfare issues. Commissioner Baxter, are you familiar with Beyond Blue's 2018 national survey *Answering the call*?

**PAUL BAXTER:** Yes, I am.

**The Hon. MARK BUTTIGIEG:** It was a national mental health and wellbeing study of police and emergency services. What percentage of your workers compensation injuries are post-traumatic stress disorder or mental health issues? Do we have an idea of that?

**PAUL BAXTER:** I am not sure in terms of percentage versus physical injury. We can simply provide that on notice for you as well. I can give you the data on the costs and the severity. I can't break it down by percentage but I can give you information on average costs of claims et cetera and total amount of claims. Happy to follow up on notice.

**The Hon. MARK BUTTIGIEG:** That would be good. The proportion would be good. The national survey showed that police and emergency services personnel apply for workers compensation at a rate 10 times higher than in the Australian workforce overall, and that those exposed to the workers compensation system overall find it unhelpful—no surprise to us after what we have seen in other areas—or detrimental to their recovery. Most concerningly, 61 per cent of employees reported that the process of claiming workers compensation had a negative impact on their recovery. This is not something that is just anecdotal. I have had this feedback from many of my colleagues right across industry.

But if it is 10 times higher, then it is obviously chronic in this particular area. What has been done to ensure that claiming workers compensation does not worsen injuries suffered by emergency service personnel? You have this situation where someone's been through a trauma as a result of their occupation and then the process of getting compensated for it adds to the trauma instead of ameliorating it. This wouldn't be news to you I wouldn't imagine.

**PAUL BAXTER:** No, completely. I think the Beyond Blue research was quite ground breaking. There were no revelations in it. I think we all knew that people who work in emergency services and police were more likely to suffer mental health issues as a response to the trauma that they see every day in the workplace. That has

been well acknowledged, I think. At Fire and Rescue NSW we have been able to significantly improve our outcomes for those people that are seeking assistance with issues with response to mental health. Previously, we only had one—when I started I only had one FTE, one full-time person, who was responsible for supporting the whole workforce. Through the bushfire funding interestingly, because that was another impact on all of our staff across all of our agencies, we have been able to attach funding for five full-time psychologists, as well as a wellbeing support officer and four wellbeing support officers.

These are peer officers, firefighters who work in the front line working directly with firefighters that might need assistance, as well as better support to our peer support team, which is firefighters assisting firefighters. We have a whole range of programs in place to assist. I have met with some of the clinical supervisors of our program who have said they think we have got some of the best systems across Australia in place. We have seen an increase in the amount of mental health cases, which I think is actually a good statistic because it's an indication that the stigma of actually asking for assistance is being reduced.

What we are seeing as well, which is still an early indication of success in our programs, is that the quantum of the workers compensation claims payable is reducing over time. It would indicate that we are dealing with them better and more quickly. I know that our team that deal with the people that are requiring help are a very motivated and dedicated group of people. In the last couple of weeks we announced a new program that we have with the sports codes, which we trialled initially with the Rabbitohs to work with their recovery people, physiologists and resilience trainers, which has been hugely successful. We are now extending that across some of the other codes so that we are able to provide that support to our firefighters more broadly across other areas of New South Wales.

**The Hon. MARK BUTTIGIEG:** This is 2018 that 61 per cent were reporting that the process worsened their injury. In the ensuing four years do you think if you took the survey again that number would drop?

**PAUL BAXTER:** Yes, I think so.

**The Hon. MARK BUTTIGIEG:** Given those initiatives?

**PAUL BAXTER:** I think so. If we were to specifically delve into people that have had mental health issues, anecdotally I get told all the time how great our support mechanisms are. And I know, again I can't sing highly enough our praises for our people inside the organisation that work day to day with us. They are very motivated to support our firefighters and there have been some very, very good outcomes. It is accepted widely across the organisation that it is an issue and we have moved a huge lot away from the "just suck it up, cupcake" approach to actually acknowledging that it is a problem and it is okay to ask for assistance. As we have seen in the media in the last couple of weeks, the worst possible outcomes for some high-profile individuals we just do not want to see.

We have completely rewired our approach to our staffing. Firstly, in our recruitment processes, looking for firefighters that already have those inherent resilience factors around mental resilience, but also reinforcing that. I do that myself with new recruits, I talk to them about accessing assistance and supporting their workers. But also in leadership positions, so that our leaders in the various positions throughout the organisation also know it is the responsibility of them to support their people that may need assistance in those areas as well.

**The Hon. MARK BUTTIGIEG:** The Beyond Blue report stresses early intervention here in terms of services and supports. Is that what has happened in reality?

**PAUL BAXTER:** I think so. I think that has been evidenced by the fact that we have seen an increase in the amount of cases because people have felt it's okay to ask for help.

**The Hon. MARK BUTTIGIEG:** Is that an agency sort of initiative on the ground, or is it something the Government formally responded to?

**PAUL BAXTER:** The Government formally responded to it in the Bushfire Inquiry. All of the agencies received some funding and the board of commissioners had previously been looking at this up until that point. The Government responded with a significant amount of money, as well as money into the communities.

**SHANE FITZSIMMONS:** I think it's important, Mr Buttigieg, you might remember, the first big strategy we had across the emergency service agencies in New South Wales was back in 2016, developed by and in partnership with the Mental Health Commission. We had the parliamentary inquiry back in 2018 into emergency service agencies and they made 10 sector-wide and 17 agency-specific recommendations. As Mr Baxter indicated, following the fires, \$36 million worth of investment was put into mental health for the agencies. We're talking about 200,000 emergency service volunteers and employees. So we're all joined up through the board of commissioners on strategies, but there's a lot of tailored work that's going on across the agencies.

The latest strategy, which will see us project out between 2022 through to 2026, is looking at 10 actions across six priority areas. The six priority areas are improving quality and accessibility of mental health and wellbeing services, boost support for preventive interventions and mental health resources, strengthen research and knowledge management, build best practice, frameworks for data management governance, champion capability development for senior executives and leaders, and drive cross-agency and selective collaboration. So it's with the agencies you see here, but we're also working closely with our colleagues in ambulance and elsewhere.

**The Hon. MARK BUTTIGIEG:** Just a quick follow-up on that, before I hand over to my colleague. Fire and Rescue NSW, there was a mental health framework 2020-2023 published. I think part of the problem here is the workers compensation system is historically designed to deal with physical injury, and there seems to be a lag or a gap in dealing with mental health and trauma. Does that framework include handling the workers compensation claim process in a trauma-informed way?

**SHANE FITZSIMMONS:** It's improved—sorry, I don't know about Fire and Rescue's. The joined-up strategy is looking at how we better manage and administer accessibility and utilisation of those services and supports. I might also add, Carlene represents the board of commissioners at the national committee, where we're seeking to leverage as much as we can from our national partners and arrangements as well.

**The Hon. MARK BUTTIGIEG:** So in terms of the process, then, I'm a firie—a volunteer, a professional, whatever—I've had an incident, I'm traumatised. When I go and put my workers comp claim in and I have this as part of the claim, where does my employer leave off and the claim start, if you know what I mean? Like, what's the interface that fills that gap of what I identified, which is that I think there is an inherent overhang of this is really about physical injuries—you know, mental trauma is a bit nebulous, a bit hard to prove?

**PAUL BAXTER:** Certainly, for Fire and Rescue, we now try to deal with that in the same way. In fact, what we've found in the past is if physical injuries aren't dealt with effectively and actively, then they often become mental health issues as well because people are out of the workplace for too long. So our wellbeing support team deal with each and every case individually, on its own merits and needs, based on the person. I imagine there's always an exception to the rule, but for the most part our people are dealt with very closely and actively through that process, and I think that's why we've seen the reduction in the size of the claims. We've been able to return people to work more quickly and in a positive way before—because the longer they're out of the workplace, the evidence shows the more likely they are not to return to the workplace and the more severe the injury becomes. So dealing with it more actively at the outset, right at the beginning, is giving us really good results.

**ROB ROGERS:** I think it's also, Mr Buttigieg, if I might just say, you saw—and this is not just RFS but across all the firefighting agencies—a huge spike in mental health issues following those fires, the Black Summer fires. There was a lot of multiagency work with Phoenix Australia, Fortem, the Black Dog Institute, to try and get that immediate help, because that was before we got the support package from government that Commissioner Fitzsimmons mentioned. And now we're very much in line with what Paul was saying about trying to be more proactive and reach out to people ahead of them being a problem as well, not just waiting for them to stick their hand up and say, "I've got a problem"—you know, actually just reaching out and just having a conversation, just trying to make sure that those people feel supported. We try and nip some things earlier in the bud, because that's obviously the key to it as well. You don't want to always wait until they get to a point where, you know, it becomes that bad for them.

**CARLENE YORK:** Can I just add from an SES perspective, because we've been part of this program as well and got \$1.2 million from the Bushfire Inquiry which allowed us to employ seven ongoing staff—which are three senior psychologists—and expand a number of services, because we're very conscious about the effects of the work that SES do. But also, not restricted to just incidents and trauma from incidents, there are a lot of other things that affect in the workplace, whether it be complaint handling. So there is a whole area that we are looking to make sure that people feel valued in the organisation, feel engaged and feel part of the decisions around them so they have some control in relation to their decisions as well. So it's a really important whole-of-person strategy.

**The Hon. ADAM SEARLE:** Thank you. Touching on the Black Summer bushfires, compared to that period of time, what is our firefighting capability compared to what it was back then? What have we done since then to improve our preparedness, if I could put it that way?

**ROB ROGERS:** There has been a huge body of work. I will just give you some highlights. But if you indulge me, I will give you something in writing, so I will give you a fulsome answer.

**The Hon. ADAM SEARLE:** Of course.

**ROB ROGERS:** We've got, obviously, more aircraft. There has been more aircraft—or investment in that. We've produced more than 400 tankers, replacement tankers, that are safer, have the protection sprays for the crews. So a huge amount of things like that. We've got new PPE. We've got the respiratory systems that I spoke

to Mr Buttigieg about. We've also got new helmets for our firefighters. There has been absolutely record investment into—

**SHANE FITZSIMMONS:** Members.

**ROB ROGERS:** Sorry?

**SHANE FITZSIMMONS:** New members.

**ROB ROGERS:** Yes, we've had more than 8,000 people join the RFS since those fires, which is good. But, in saying that, sometimes they're not necessarily in the areas you want them—you know, in those rural areas, those remote areas that are in a bit of a decline. I think all the services are struggling in some of those areas. But there has been an enormous amount of work, and the thing that I've emphasised to our organisation is that we need to be ready to fight that same fire season or worse again, and everything we do needs to be about getting us to that place. There is another system that we're looking at that starts coming in in October, the Athena system, which will look at artificial intelligence about predicting where fires will be, what resources potentially could be used for them, what are the highest risk fires. So there is a huge amount of work that we're doing to try and make sure that we provide a better service going forward.

**SHANE FITZSIMMONS:** And the ratings.

**ROB ROGERS:** Yes, you might have seen a new fire danger rating system got launched this week. And you know very well the fire danger—you have enough meters up in your area.

**The Hon. ADAM SEARLE:** I'm quite acquainted with it.

**ROB ROGERS:** There is new technology there. And you know what's incredibly good is that New South Wales led the country on that and we supported the whole of the country to get to that point. So there is some really good work that's been done, I think across all the agencies, to make sure that we're ready to do an even better job next time.

**The Hon. ADAM SEARLE:** Some of the most damaging fires were lightning strikes in remote bushland that were hard to access. In terms of that capability, is that something that we've collectively improved upon?

**ROB ROGERS:** Yes. Absolutely. We've got a target of keeping more than 80 per cent of fires under 10 hectares across the State, and that very much is about accessing those fires in an early—when they're in their infancy, when lightning strikes happen. So there's detection and we've got a couple of extra planes that can map these fires, fly after lightning strikes. We're exploring satellites to try and get better detection methods. We've got more aircraft that we can winch our firefighters into to try and make sure we're on top of them. We've even bought some very light, remote-controlled, clearing sort of machinery that we're looking at actually flying in by helicopter to those remote areas where we've got small fires to try and, again, stop them when they're small so they don't become big problem fires. There are other things, even in the planning sense. We're highlighting those areas that have been subject to frequent ignitions, be it lightning strikes or even arson, where you can—

**The Hon. ADAM SEARLE:** That's very problematic.

**ROB ROGERS:** Yes, it is, and you can nominate those areas. Local areas can say they become an ignition management zone, and so we keep those areas at a lower fuel load than we otherwise would have.

**The Hon. ADAM SEARLE:** It happened in my street not long ago, an act of arson.

**ROB ROGERS:** Yes, there's a lot of work going on in that space, in recognition that we can't just keep doing the same thing we did before that. I think Government has been very proactive with RFS particularly, giving us more powers to ensure that land managers, public or private, are carrying out their obligations under the Rural Fires Act. If we become aware of government land or private land that is not doing what they're supposed to do then we'll go in and issue an order on them. If they fail to do that, we'll carry out the work and charge them for it.

**The Hon. ADAM SEARLE:** Fair enough. What is New South Wales' bushfire-suppression strategy? Do we have an official strategy document that deals with how we tackle that, at least at a high level?

**ROB ROGERS:** There's a bushfire plan—the State Bush Fire Plan, which is under the SERM and the State Emergency Management Committee. There's a yearly outlook that the RFS puts out and gives to the Minister each year that then gets tabled in Parliament, which says, "This is what we're looking at; this is where we're at; this is what's changed over the last 12 months." So there's quite a complex strategy. You'd also be well aware that there's the Bush Fire Coordinating Committee and local bushfire management committees.

**The Hon. ADAM SEARLE:** Does the Bush Fire Coordinating Committee have input into that plan?

**ROB ROGERS:** Correct, yes, so it's a very strong collaborative arrangement. Whilst the RFS is the lead agency, we're certainly by no means the only agency. I think that's the strength of the system we have in New South Wales that's served us so well for so many decades.

**The Hon. MARK BUTTIGIEG:** I want to cover one thing while it's still fresh in terms of the workers comp stuff. There's the multiple agency issue, where the nature of the work is that emergency services people often serve across multiple agencies. You've got this apportioned psychological injury, which presumably requires collaboration between the agencies in order to make sure that the victim is adequately catered for in the workers compensation system. What measures do you have in place to deal with that?

**ROB ROGERS:** I'll be honest; I couldn't tell you off the top of my head. There are also restrictions on what we can do between agencies about sharing information about an individual. I'm not quite sure that there are any procedures in place, but I'm happy to check—unless any of my colleagues have anything?

**SHANE FITZSIMMONS:** The only other thing to add is, invariably, a lot of incidents are multi-agency incidents. Things like counselling and support services that get deployed to the field are neutral in terms of the agency or the organisation that they're coming from, so they do support each other. That field and that peer support is really important. I think you'll find through some of that research—and I think you might have mentioned it just a minute ago, Mr Buttigieg—that it's not so much the operational incidents that members are attending that cause them lots of challenges; it's other workplace-related matters that cause psychological injuries and challenges.

**The Hon. MARK BUTTIGIEG:** Yes, but it would be good to get this, because specifically for someone who has worked across multiple agencies—let's call it 20 per cent RFS, 40 per cent Fire and Rescue and the balance SES, to use a crude example—and sustained psychological trauma as a result. I can imagine them getting caught up in the workers comp system and the agencies saying, "It's not our responsibility; it's their responsibility." I think it is an issue that needs to be dealt with.

**CARLENE YORK:** I think we would rely on the treating doctor, regardless of whether there's a workers comp claim, in relation to reducing the risk and putting in alternatives for duties. It may come up in a case conference that we have with the member and the doctor in relation to the complexity of the case, but I agree with Commissioner Rogers—it's the privacy of the member that is paramount in any health assistance.

**ROB ROGERS:** And obviously if there is a formal claim, at that point icare would be able to flag that there's potentially a claim from the same person from different organisations. But even then, there would have to be permission by the individual to share with the other agencies. Even though they're volunteers—or even if they're staff members, and we're technically the employer for the purpose of looking after them—they still have to give permission for their data to be shared back to us from icare, which obviously is their right. I think some of that privacy—I understand exactly where you're coming from.

**The Hon. MARK BUTTIGIEG:** It's just that in my experience in a different industry, having been a union organiser that dealt with a lot of this—certainly not on the scale, I imagine, of the emergency services—it was hard enough to get the poor people treated fairly within a single employer, let alone multiple agencies.

**SHANE FITZSIMMONS:** I think also, Mr Buttigieg, as Commissioner Baxter was mentioning earlier, the destigmatising has been a massive investment, and it needs to continue to be. What I mean by that is there are so many examples where we are now seeing members actually accessing and utilising the in-house or external professional services. You've only got to go back a few years ago, and even following the major fires, people were getting benefit from that service. But what they would say to me is, "Don't tell anyone I'm getting that service at the moment, because I don't want people to think that I'm not coping, that I'm not strong". Most importantly, they didn't want people to think that they couldn't come back to work, because working with that support and that assistance and the peer programs and those sorts of thing—being at work and being part of the solution and working through things with their colleagues is a really important part of the healing process. It's the destigmatising—and the access and utilisation of services and assistance, and normalising that dialogue—which hopefully negates the need to launch into workers compensation matters as a last resort, or something like that.

**The Hon. ADAM SEARLE:** I think we've come to the end of the Opposition questions.

**The CHAIR:** You've come to the end of the line, have you?

**CARLENE YORK:** I wonder if I could just clarify one of the questions I took on notice for Mr Searle.

**The Hon. ADAM SEARLE:** Of course.

**CARLENE YORK:** That was in relation to the availability app—which I must say was the first thing raised with me when I was a commissioner, and I think every unit I go to, it's raised again. We've spent approximately \$100,000 so far.

**The Hon. ADAM SEARLE:** Thank you very much, commissioner.

**The CHAIR:** Government questions?

**The Hon. SCOTT BARRETT:** No questions from the Government, Chair.

**The Hon. MARK BUTTIGIEG:** They continually disappoint us.

**The Hon. ADAM SEARLE:** But not on that basis.

**The CHAIR:** Thank you very much for coming today and working with us. I note that you've all taken questions on notice, and you have 28 days to respond.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**