



**Australian Government**  
**Department of Home Affairs**

Mr Michael Harris  
Chair  
Fire Service Act Review  
GPO Box 1526  
HOBART TAS 7001

Dear Mr Harris,

I refer to your letter dated 29 May 2018 to Sarah Chidgey in the Attorney-General's Department, where you sought the Australian Government's views on Tasmania's *Fire Service Act 1979 (the Act)*. As a result of machinery of government changes in December 2017, responsibility for emergency management now rests with the Department of Home Affairs.

Thank you for the opportunity to comment on the legislation underpinning Tasmania's fire and emergency services. The Department offers the following comments, as a formal submission, in the spirit of supporting the Tasmanian Government to deliver the best practice in emergency management.

Rather than commenting on the fine details of the legislation, we have sought to offer high level, principles-based observations. Tasmania faces considerable challenges from changes in demographics, land-use, and the impact of climate change. I note that the Bureau of Meteorology and CSIRO's State of the Climate 2016 Report found there has been an increase in extreme fire weather, and a longer fire season, across large parts of Australia since the 1970s. It is also projected that the number of days with weather conducive to fire in southern and eastern Australia is projected to increase. As such, Tasmania's emergency services legislation should establish the conditions whereby the Government of Tasmania is able to address the state's challenges effectively, without the need to revisit legislation prematurely.

In relation to the legislation, our view is that the Act should not be overly prescriptive. Rather, its purpose should be to deliver an authorising and enabling environment for the full range of emergency management functions. Legislation in this area should provide clarity around roles, responsibilities and accountabilities for service heads. Lastly, we believe that legislation should recognise the intrinsic role volunteers play in Tasmania's emergency service architecture.

In relation to the structures created by the legislation, in which authorities and powers are exercised, the Department encourages Tasmania to consider developing a single integrated structure for all emergency services. A single integrated structure can efficiently enable and coordinate all emergency management functions across the state. It also allows Tasmania to address challenges from a function, or outcomes-based approach rather than an organisation or service-based approach.

The benefits of single integrated structure includes:

- a separation of legislative, policy and review functions from the operational services
- the opportunity to accommodate the complete cycle of hazard management, specifically: prevention, preparedness, response and recovery in one organisation
- achieving a balance between the requirements for locally grown capabilities versus partnering with other jurisdictions on joint ventures.

It is clear that with the increasing frequency and intensity of natural hazards, the challenges faced by Tasmania will evolve to be more complex. Therefore Tasmania's fire and emergency services governance structures need to be flexible. We therefore encourage Tasmania to develop a single, unified governance model for all fire and emergency services which provides clarity around roles and responsibilities for service heads in times of complex crises. Governance structures should be able to cope with severe and catastrophic disasters including being ready to accept and integrate assistance from the rest of Australia, and even from international counterparts. Part of this readiness includes adopting an industry-accepted, standards-based approach to capabilities, particularly regarding incident controllers, rather than legislated qualifications or appointments which have the potential to become a hindrance as structures evolve.

In a jurisdiction such as Tasmania with a finite number of suitably experienced and qualified personnel, it makes sense that incident controllers should be able to be sourced from any part of the state's senior emergency management cadre. This ability to allow for incident controllers to come from various agencies may become critical in severe to catastrophic incidents, when responses may endure for weeks or months, or be so large in the first instance that one service does not have enough experienced controllers.

Thank you for seeking our views as part of this review. I trust that our observations may support the continuation of the good work already done by Tasmania's fire and emergency services. The Department of Home Affairs is open to further involvement if needed, and my contact officer for this matter is Mr Robert Cameron, Director General, Emergency Management Australia who can be reached on +61 2 5127 7028, or via [robert.cameron@homeaffairs.gov.au](mailto:robert.cameron@homeaffairs.gov.au).

Yours sincerely



**Paul Grigson**

Deputy Secretary

Infrastructure, Transport Security and Customs

23 September 2018