

Disaster Management and Other Legislation Amendment Bill 2024

Submission No: 10
Submitted by: Maroochy South Group of Rural Fire Brigades
Publication: Public
Attachments: See attachment
Submitter Comments:

Committee Secretary
Community Safety and Legal Affairs Committee
Parliament House
George Street
Brisbane Qld 4000
CSLAC@parliament.qld.gov.au

Nigel Kemp
Group Officer
Maroochy South Group of Rural Fire Brigades

13th March 2024

Dear Members of the Committee,

Submission in response to the '**Disaster Management and Other Legislation Amendment Bill 2024**'.

I make this submission to you in my position of Group Officer of the Maroochy South Group of Rural Fire Brigades, with the support of the First Officers of the Group. There are ten member Rural Fire Brigades in our area on the Sunshine Coast. Our Group represents approximately 460 volunteers serving in our Brigades.

I am also 1st Officer of Bli Bli Rural Fire Brigade and have been in this position for 8 years and a member of the Brigade for 25 years holding several Management and Officer roles.

1. General concerns

- Serious concerns about the undue haste in what appears to be rushing the bill through Parliament, and your committee, with very little time for reasonable consultation.
- The previous point being in contradiction to the assurances given to us by a previous Minister, outlining that the legislative process would give reasonable time for discussion and consultation, involving all interested parties. We ask for appropriate and meaningful consultation with our volunteers and other interested parties.
- The focus of the legislation, structure, operation and direct funding for the Rural Fire Service, appears to have been significantly altered from the original direction that was outlined to us at several public forums.
- Thousands of volunteer member hours have gone into the discussion of the aspects of the original proposed legislation that was outlined to us. Our volunteers offered thoughts and opinions to enable a complete renewal/ rebuild of our service and organisation. Rural Fire Brigade members are now asking whether this has been a

complete waste of their time and a disrespect of their knowledge, skills, expertise, and the value of our contribution to the people of Queensland.

- Acting leaders of the Fire Service have conducted a very hastily arranged online staged presentation for Rural Fire Service Volunteers. We now know that was the evening before the Bill was introduced to Parliament. Not many volunteers could access the event given the short notice and the event had major IT communication issues.

There has been little, if any, opportunity to discuss this proposed legislation with our volunteer members at Brigade meetings. Of course, general discussion has taken place at Brigade meetings over the last 12 months. However, the current re-organisation and key issues within the Bill are far from what has been previously presented and discussed.

Main points:

1.

**Part 4 Chief Officer
7Q Appointment**

- (2) A person is eligible for appointment as chief officer only if the person has-
- (a) rural firefighting experience; or
 - (b) rural incident control expertise; or
 - (c) rural fire prevention expertise

Page 30

It is very positive to note the clear references to rural firefighting experience, incident control expertise and rural fire prevention expertise in the eligibility for this important role. However, this eligibility should contain more detail relating to the required level of experience and expertise.

2.

**Clause 46 Replacement of s 80 (Rural fire brigade may make rules)
Section 80-**

Omit, insert-

80 Appointment of rural fire brigade members

- (1) The commissioner may appoint a person as a member of a rural fire brigade

Page 40

Currently, the Commissioner may 'approve' an appointment of a person to a rural fire brigade after that person has been nominated and accepted by each Brigade.

What is being proposed is that the commissioner would be able to appoint a member to an individual brigade with no recourse to the views of the Brigade membership. This may be new applicants or transferring members from another Brigade. Under this new clause, the views of the Brigade members are not being considered and respected. There could be situations where the commissioner could force a Brigade to receive a member into the Brigade's membership.

The Brigade members would have no power to consider or approve such Brigade memberships. This clause is both disrespectful and potentially demoralising to Brigade members. Indeed, it could lead to an unworkable situation within a Brigade following imposed membership(s).

A preferred route to Brigade membership would be to continue with the existing method of application for membership with the commissioner being able to nominate a new membership for the Brigade to consider and approve.

3.

Clause 49 Insertion of new s 83A

*After section 83-
insert-*

83A Appointment of person in charge of operations

- (1) The commissioner may appoint a person as the person in charge of operations for controlling and extinguishing a fire, or for controlling another incident, if the commissioner considered it appropriate and necessary in the circumstances.
- (2) However, the commissioner may appoint a person as the person in charge of operations for controlling and extinguishing a fire under the subsection (1) in an area for which a rural fire brigade is in charge of firefighting and fire prevention under section 138 (2) only if there is no first officer for the rural fire brigade, within the meaning of section 140 (4), who was available for the controlling or assisting with the fire

Page 43

It is difficult to understand the addition of Clause 49 as being anything other than the commissioner deciding that another agency could take control of a fire operation or incident, such as an Urban Fire Service Appointee, even if appropriately qualified and experienced Rural Fire Service personnel are available. The reason for this assumption is that the existing Fire and Emergency Services Act 1990 (F&ES Act) clearly states in 83 (1), (2), (4) (page 60), the powers of the First Officer in the controlling and extinguishing a fire and the appointment of other person, for example other Brigade Officers, in

carrying out this responsibility. Also, the F&ES Act already has reference to the power of, and direction from, the commissioner 83 (5) (page 61).

Clause 49 is repeating existing legislation within 83 (F&ES Act) and has created great disquiet, suspicion and mistrust amongst Rural Fire Service Volunteers. We, respectfully, ask that it be removed.

4.

Part 2 RFSQ advisory committee

130 Establishment and membership of RFSQ advisory committee

- (1) The RFSQ advisory committee is established.
- (2) The Minister must appoint the members of the RFSQ advisory committee in consultation with the chief officer.
- (3) The RFSQ advisory committee has the function of advising the chief officer on matters relating to the performance of the functions of RFSQ, including the administration and management of rural fire brigades.
- (4) A member of the RFSQ advisory committee holds the member's appointment on the conditions decided by the Minister.
- (5) To remove any doubt, it is declared that the RFSQ advisory committee is not a decision-making body.

Page 52

It is pleasing to note the establishment of an RFSQ advisory committee. However, it is of concern that there is no obvious mention of a requirement for the committee to have members with Rural Fire experience or expertise. We suggest that the committee should consist of members who have a rural fire service background, the majority of whom should be currently serving RFS Volunteers. Consideration should also be given to including constituent(s) from rural communities in Queensland.

It is our opinion that there is an extreme influence being pushed from outside the Rural Fire Service but within the organisation of QFES. Such influence, that certain aspects of the RFS are either changed entirely or diminished to lessen our capabilities and ability to make decisions and serve our unique and varied local communities.

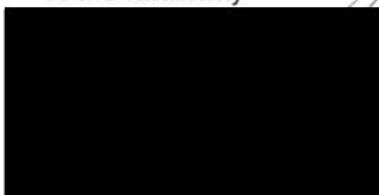
We were given the impression that we would have a higher degree of autonomy as a separate service, with much needed targeted investment that we could advise on, manage, and deliver. This changing legislative landscape, has resulted in a growing mistrust from Rural Fire Service Brigade members towards the QFES Leaders and the high level decision makers. This will continue to fuel low level engagement from RFS Brigade Members (under 5% RFS Volunteer survey return over the last 4 years) and poor rates of volunteer retention.

In conclusion, we feel that, under the proposals, the Rural Fire Service remain the poorer part of the services available to protect the communities of Queensland. The original proposals for the re-structuring of emergency services indicated that we would be recognised, valued, invested in, and trusted in this care and protection of the communities of Queensland.

I request that your committee

1. reconsiders the timeline and recommend further time for consultation on a more 'fit for purpose' legislation, service structure and delivery for the Rural Fire Service.
2. revisit the issue of recognising the autonomy requested of the Rural Fire Service to enable it to carry out the responsibility it carries out.

Yours faithfully



Nigel Kemp

Group Officer

Maroochy South Group of Rural Fire Brigades

(Bli Bli, Eudlo, Ilkley, Kiel Mountain, Kureelipa, Mapleton, Montville, Obi Obi, Palmwoods, West Woombye)

1st Officer

Bli Bli Rural Fire Brigade