



ABOUT US



WE ARE FIRE AND RESCUE NSW

We are **prepared for anything**

6787

FIREFIGHTERS

We help anyone, anytime - in **any emergency**

334

FIRE STATIONS

We are the **leading NSW agency** for urban fires, rescues and HAZMAT incidents.

4777

VOLUNTEERS

And we do **lots more.**

**Taking
Trucks
Off
Line**



1. What is TOLing and What it is not
2. What is operational risk management
3. Why is this being done
4. Overview of 18/03/22 IRC Decision
5. Synopsis and Next Steps

What is TOLing

TOLing is temporarily taking trucks off line under an operational risk management process. It can occur for reasons such as crews attending community events, crew illness, multi-agency and inter-agency training & temporary staff shortage (2008/22).

It is only done after a risk assessment and at locations when there is another truck nearby to cover emergency response within a acceptable timeframe.

FRNSW has been TOLing due to short term staff shortages safely since 2008 with agreement from the FBEU (2008/22).

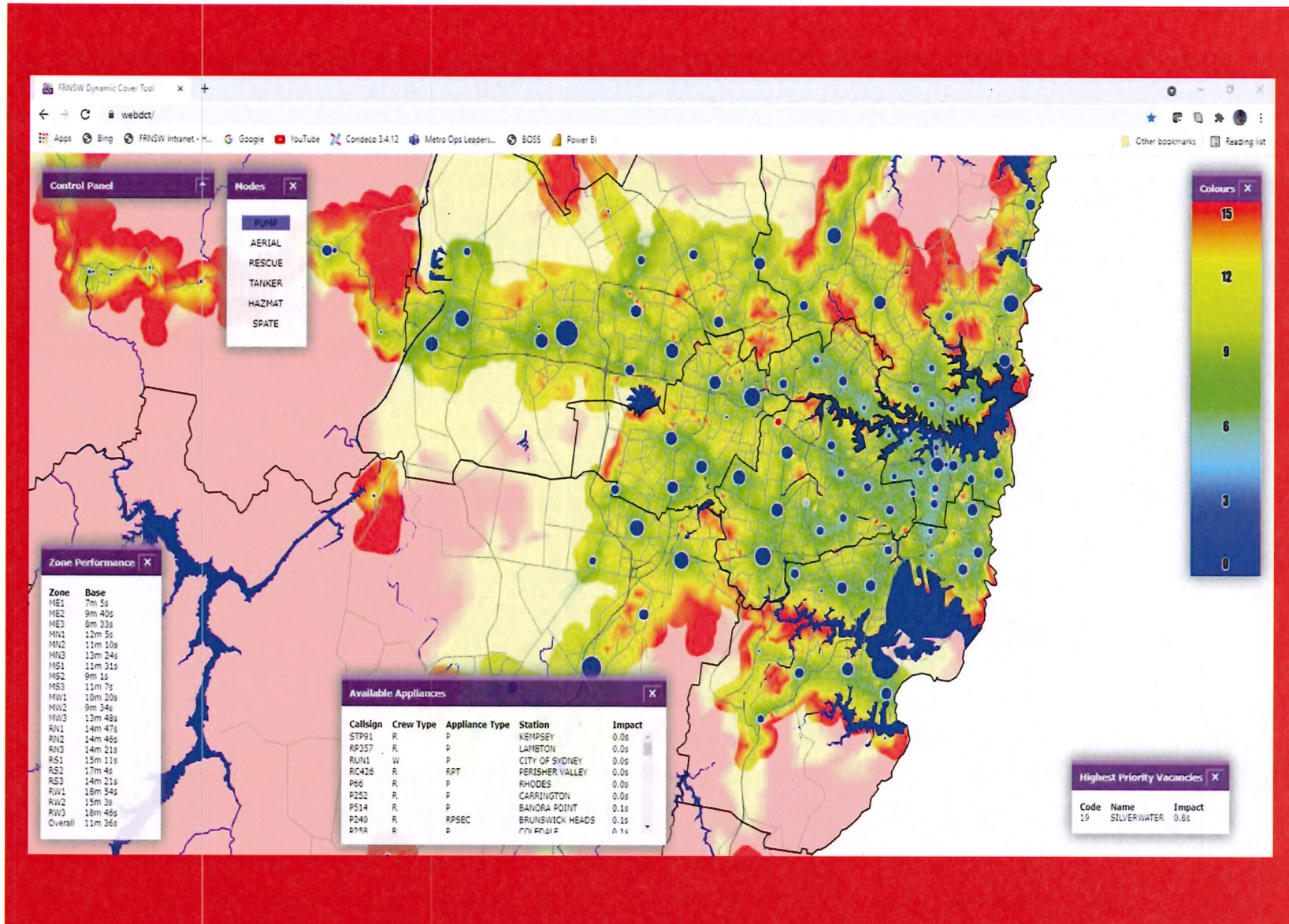


1. What TOLing is not



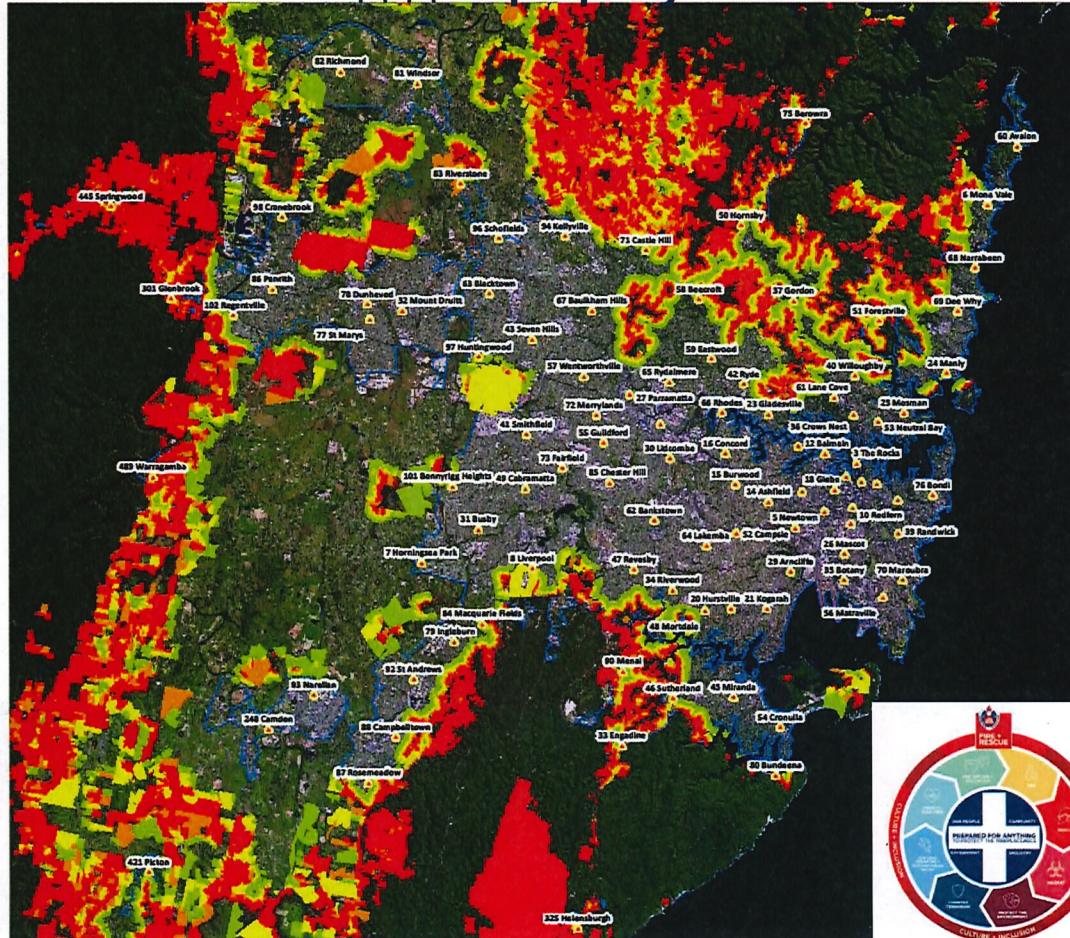
1. TOLing is not closing fire stations.
2. Each fire brigade is assigned a fire district or part of a fire district as their station area.
3. In regional areas, where there is only one fire station in a town, the boundaries of the station area are likely to be the same as the boundaries of the fire district, but in areas with fire districts containing more than one station (e.g. the Sydney Fire District), the station area is only part of the fire district.
4. In the past (before we had computer aided dispatch), a stations area could determine which crew was responded to an incident. Which incidents a crew responds to is now largely determined by the type of incident and automatic vehicle location (AVL) information in the computer aided dispatch system (ESCAD), thereby allowing all 334 FRNSW stations to operate as an interconnected network across NSW.
5. The station area concept is now administrative and used mostly in the context of prevention and preparation - the station crew is responsible for community activities, pre-incident plans, hydrant inspections, etc. in their station administrative area.
6. FRNSW works with a network of fire trucks across the state. This network is constantly moving and managed by expert emergency managers 24/7 supported by the latest technology such as; ESCAD, Dynamic Coverage Tool, AVL, Staff Availability Systems, etc


NETWORK OF FIRE STATIONS ACROSS THE GREATER SYDNEY METROPOLITAN AREA.



What is your Risk Appetite?

➤ GSA = 96 Stations covering a population of 5.5 million + & Billions of \$\$\$\$ in property & infrastructure.





FIRE & RESCUENSW

**Bushfire Urban Interface Risk
Greater Sydney Area**



Legend


- ★ FRNSW Fire Stations
- Neg
- Low
- Moderate
- High
- Very High
- RFS Stations
- ▭ Fire Districts


State Kemptville - Senior Planner
Michael Harvey - Planning Support Officer
Fire and Rescue New South Wales
Copyright Fire & Rescue NSW
Date: 05/03/14

Disclaimer:
The information contained in this map has been provided in good faith.
While all efforts have been made to ensure the accuracy and completeness,
the State authorities have no responsibility for errors or omissions,
or damage that may result from the use of this information.

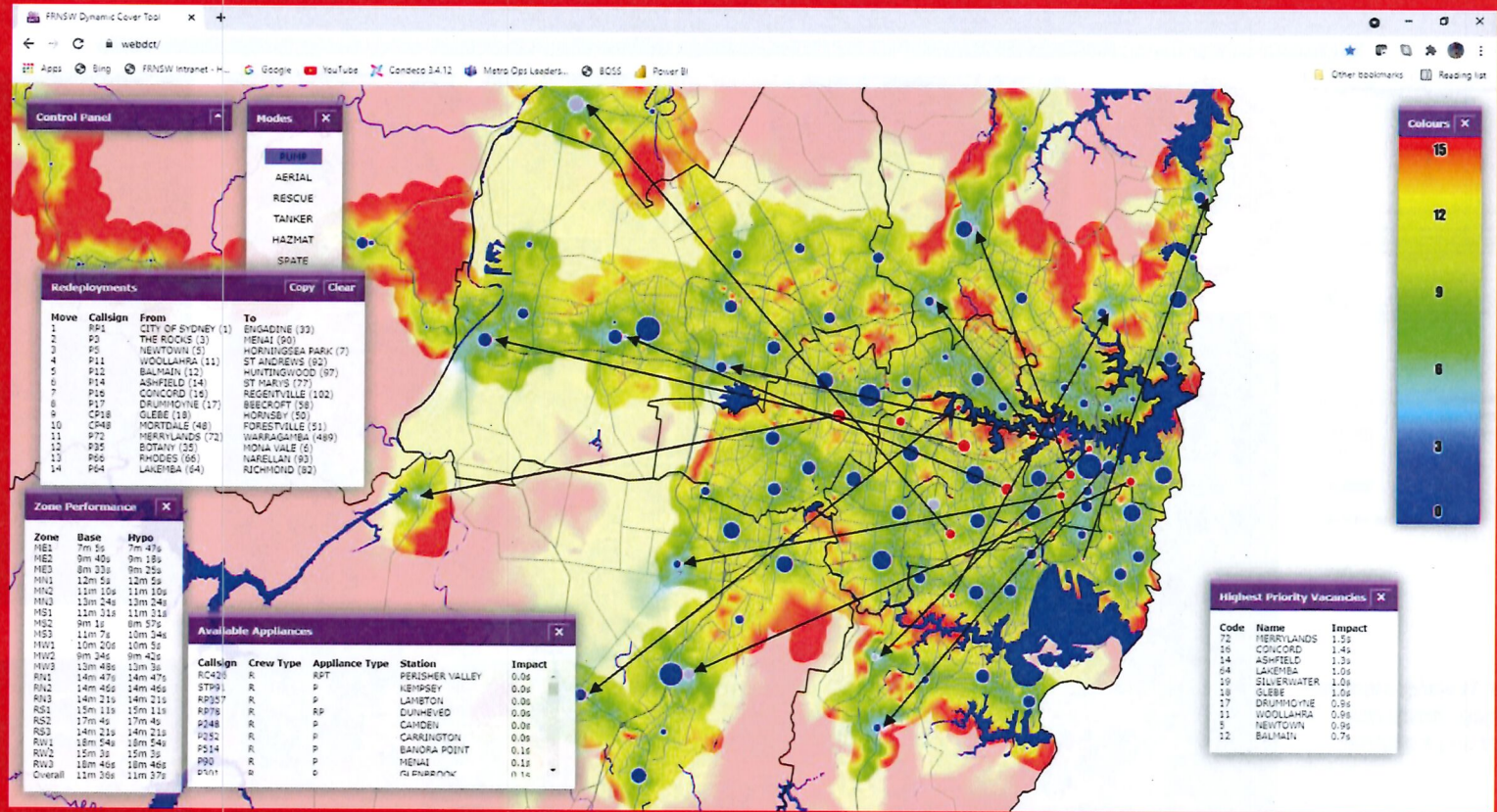
Map: L10 Operational Capability/Project/Phase/Name: Research/Map Application
F42015/01/01





NETWORK OF FIRE STATIONS ACROSS THE GREATER SYDNEY METROPOLITAN AREA.



This graphic represents locations of move ups for increased weight of attack for bush and grass fires on the urban fringe in accordance with FRNSW Major Incident Management Bushfire Sub Plan. The graphic shows the level of fire coverage because of a change in the risk environment due to predicted weather condition.



Operational Risk Management



1. Commissioner's Order 2008/22 is a process of risk managing what resources are required to be online at anyone time commensurate to risk. Which is FRNSW's Operational Readiness Network of trucks across the State.
2. The updated Commissioner's Order utilises Operational risk management skills, knowledge, professionalism and technology developed and enhanced over the last 13 years, to effectively and efficiently manage Operational Readiness.
3. FRNSW Major Incident Management Plan and Sub Plans, as well as Standard Operational Guidelines, Safety and Operational Bulletins provide guidance on effectively and efficiently managing FRNSW's service delivery commitment to the communities of NSW.
4. The primary role for FRNSW is reducing risk in the community. FRNSW supports this through responding to emergencies as well as undertaking other prevention and preparedness activities. Duty, Zone and Area Commanders, in close consultation with the State Response Coordinator, are responsible for managing the availability and movement of resources across the network, including staffing of appliances.
5. Further, in cases of limited staff availability, the Area Commander, in consultation with Duty & Zone Commanders, will also determine on a risk basis whether an appliance and crew are required to form part of the FRNSW immediate operational response network. In doing so they will consider factors such as, but not limited to:
 - The impact and/or duration of the staff shortage(s);
 - The time of day/night, such as school hours;
 - Weather forecast conditions;
 - Any current operational activities which have local risks or impact on response;
 - The availability of staff and appliances across the overall network; and
 - The necessity or otherwise of postponing activities, (for example Station Forums).

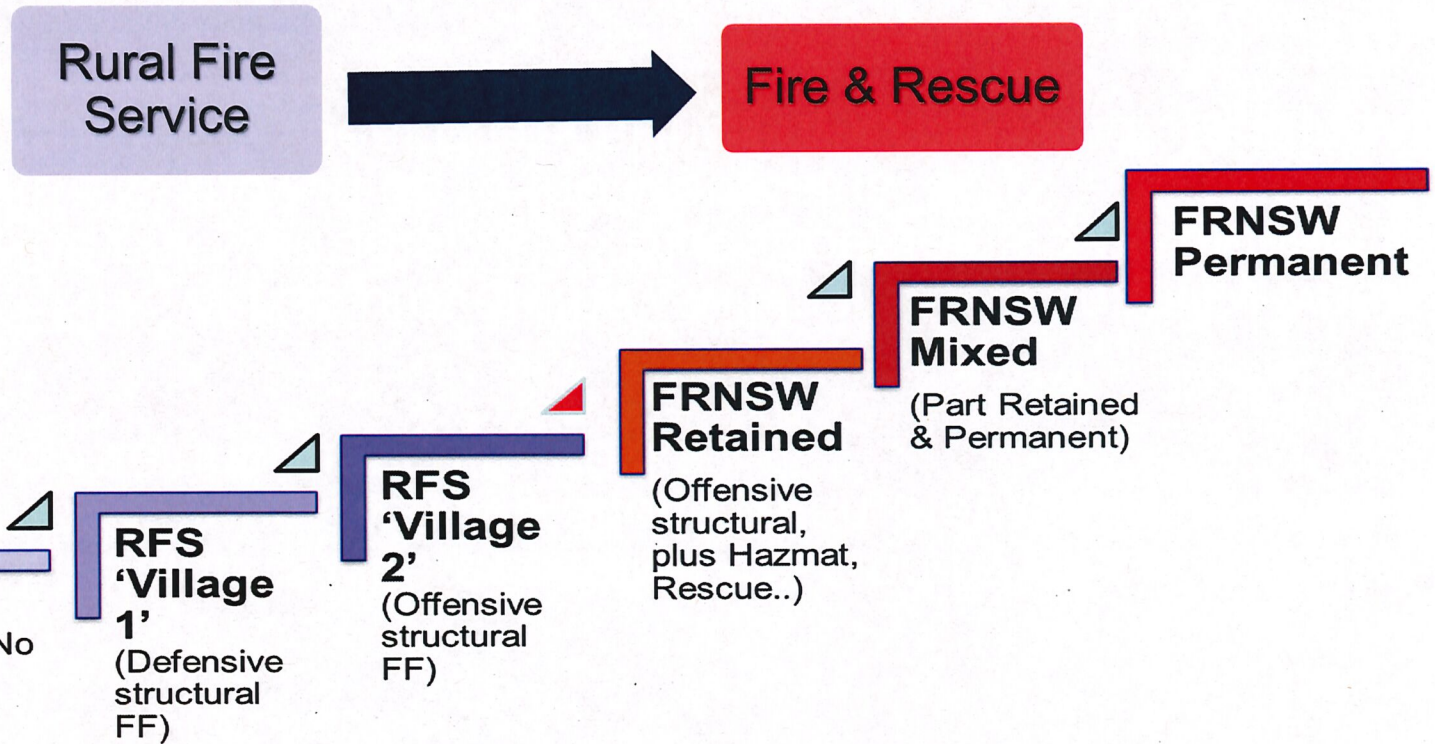
Operational Risk Management - challenges



1. Fire and Rescue NSW Operational Readiness results in FRNSW being at 100% readiness 100% of the time, not a sustainable initiative.
2. Maintaining a standard commensurate to risk that is sustainable.
3. On Call Retained Recruitment, Retention and Availability processes are being improved to ensure greater diversity in staff and their availability.
4. Improved support to Captains and their station management team in being able to manage a high performing team.
5. FRNSW stations are just one part of a multi-agency team of first responders supporting the communities of NSW. Short term shortages can be covered by other stations utilising our network of resources in partnership with other agencies.



Service Spectrum



Operational Risk Management



1. Not doing this will result in waste of resources for very low risk areas.
2. Overtime bill for On Call Retained shortages last FY was \$8.5 M dollars.
3. Firefighters were recalled to stand by on OT rates to cover very low risk stations when they could be covered by neighbouring fire trucks.
4. FRNSW has proven they will increase capability when the risk warrants, 2013 Blue Mountains 52 regional fire trucks moved up to the Mountains, 2019 – 20 bushfires millions \$ spent on recalling firefighters and standing up tankers to cover areas of risk.

Industrial Relations Court

Oct 2019 to March 2022

Overview



- ❑ On October 9th 2019 after extensive consultation with the FBEU a more modern version of 2008/22 was published by the FRNSW Commissioner.
- ❑ That same day the FBEU lodged a dispute in the IRC claiming the changes – “will result in multiple organisational changes and will detrimentally impact the work of firefighters. It will compromise their safety and the safety of the community”.
- ❑ The updated version differs from In Order 2008/22 in three areas.
 1. The list of stations at which a pumper may be taken off line would increase from 34 to 56. The additional 22 fire appliances represents 4.35% of the entire operational fleet.
 2. The Proposed In Order adds a step in the crew supplementation process by allowing a permanent appliance and crew to be moved up to cover a retained station with a staff shortage, prior to the recall of off-duty permanent firefighters.
 3. Where a retained appliance has been taken off line due to a staff shortage, a crew of two can respond to an incident with the appliance, provided that they engage only in defensive firefighting until sufficient number of firefighters have arrived to allow for a change in firefighting strategy. In Order 2008/22 provided that those who were available could not take the appliance; they could only attend an incident in their own vehicles to offer assistance to other firefighters who may have responded.

Station List 2008/22 compared to Proposed List



| | | | | | |
|--------------------------------|---------------------|--------------------------------|---------------------|--------------------|--------------|
| <u>2008/22 Statewide</u> | Thirroul | <u>2022/ ?? Statewide</u> | Teralba | Lawson * | Tamworth |
| All Bravo pumpers | <u>Lower Hunter</u> | All Bravo pumpers | The Entrance | Lithgow | Werris Creek |
| Station Pumpers | Abermain * | All Water Tankers | Wyong | Lithgow West | Wagga Wagga |
| <u>Sydney</u> | Bellbird | Station Pumpers | <u>Illawarra</u> | Mount Victoria * | |
| Mortdale | Kearsley | <u>Sydney</u> | Balgownie | Portland | |
| Ingleburn | Kurri Kurri * | Bundeena * | Coledale | Wentworth Falls * | |
| Rhodes | Morpeth | Camden * | Corrimal | <u>Other areas</u> | |
| Merrylands | Telarah | Mortdale | Helensburgh * | Albury Civic | |
| Riverstone | Weston * | Rhodes | Scarborough | Albury North | |
| <u>Newcastle/Central Coast</u> | <u>Other areas</u> | Merrylands | Thirroul | Banora Point | |
| Boolaroo | Leura | Picton * | <u>Lower Hunter</u> | Berrigan | |
| Carrington | Tweed River | Richmond * | Abermain # | Broken Hill South | |
| Lambton | Delroy | Riverstone | Bellbird # | Delroy | |
| Merewether | Albury North | Warragamba * | Kearsley # | Finley | |
| New Lambton | Albury Civic | Windsor * | Maitland | Goonellabah | |
| Wallsend | Wagga Wagga | <u>Newcastle/Central Coast</u> | Morpeth | Grafton | |
| The Entrance | Broken Hill South | <u>Coast</u> | Paxton # | Kelso | |
| <u>Illawarra</u> | West Tamworth | Budgewoi | <u>Blue Mts</u> | Nowra | |
| Balgownie | Kelso | Carrington # | Blackheath * | Quirindi | |
| Coledale | South Grafton | Merewether # | Glenbrook * | Sawtell | |
| Corrimal | Lithgow West | Minmi # | Leura | South Grafton | |
| | | Swansea | | | |

IRC Decision 18th March 2022 Decision



- ❑ The matter was before IRC Commissioner Sloan with the parties providing evidence and undertaking extensive consultation and mediation for over 2 years before Commissioner Sloan made the following conclusions.
 1. I find that the introduction of the Proposed In Order would not expose firefighters to increased safety risks or to industrial injustice such as to warrant the Commission's intervention. The FBEU has not presented a sufficient basis on which the Commission would interfere with the exercise by the Commissioner of FRNSW of the powers conferred on him by the Fire and Rescue NSW Act.
 2. Further, I reject the FBEU's arguments that the introduction of the Proposed In Order would be in breach of the Permanent Award and the Retained Award.
 3. For these reasons, there is no basis for the Commission to grant the relief sought by the FBEU, or any relief.

- ❑ **Order**

In the circumstances, the appropriate order is that the proceedings be dismissed. I so order. (Damian Sloan – Commissioner)

IRC Decision 18th March 2022 Synopsis



❑ The Public Interest

- ❑ Consideration of the public interest is not confined to an assessment of the shortcomings in the Proposed In Order asserted by the FBEU. The public interest requires acknowledgement of, and due regard being given to, the mandate conferred on the Commissioner of FRNSW by the legislature under the Fire and Rescue NSW Act and the Fire Brigades Regulation (para 42).

❑ Risk Management

- ❑ This evidence demonstrates that the FRNSW system is already being treated as a network capability. The question appears to be whether in this context a permanent appliance ought to be capable of being moved up to address staffing shortages at a retained station. I make two observations (para 68).

1. I consider that a restrictive, prescriptive and inflexible approach to the taking off line of appliances or stations due to staff shortages is inconsistent with a modern approach to risk management. Such an approach would be out of step with the manner in which the network capability is deployed by FRNSW for other operational reasons (para 69).
2. The decision to take an appliance off line is not irreversible. The evidence demonstrated that if the staffing shortage at a retained station is resolved, the appliance will be restored to online status (para 70).

“I find that the adoption of the Proposed In Order, underpinned by the Resource Index, the RAM and the DCT, is more reflective of a contemporary approach to incident and risk management than the perpetuation of the more rigid approach mandated by In Order 2008/22 (para 71).” (Damian Sloan – Commissioner)

IRC Decision 18th March 2022

Synopsis



❑ Safety Considerations – Firefighters & the Public

- ❑ The FBEU further opposed the Proposed In Order on the basis that it would result in adverse safety outcomes for both the public and firefighters. This formed a significant feature of the case advanced by the FBEU (para 82).
- ❑ It is difficult to see on the evidence adduced by the FBEU how any additional delays would be significantly more likely to result in loss of life or property (para 94).
- ❑ It was also reasonably common ground that where a permanent station moves up to a retained station, the local area will be better protected as the permanent crew will be able to respond more quickly to an incident than a retained one (para 95).
- ❑ FRNSW submitted that since 2008 it has been taking retained stations off line as a result of staff shortages, as anticipated by In Order 2008/22. There is no evidence before the Commission that this has resulted in adverse safety outcomes to persons or property (para 97).
- ❑ Any increase in response times would not impose unfair or unreasonable demands on firefighters warranting the Commission's intervention (para 101).

IRC Decision

Synopsis & Next Steps



❑ Firefighter Award Implications

- ❑ I do not accept the FBEU's contention that the introduction of the Proposed In Order would be an extra claim in breach of the Permanent Award and the Retained Award (para 118).
- ❑ The move up of permanent appliances to cover a retained station in the event of a staff shortage is similarly not a change to the manner in which work is performed. As already observed, permanent appliances are constantly moved around the network for a variety of operational reasons. Rather than constituting a change to the manner in which work is performed, it is more a change to the circumstances in which that work might be performed (para 124).
- ❑ As to the reduction in available overtime, it suffices to say that there is nothing in the Permanent Award which confers on permanent firefighters an entitlement to a particular amount of overtime. It follows that permanent firefighters are not being required to "relinquish or reduce any existing entitlements (para 125).

❑ Next Steps

- ✓ Engagement with Local MPs and Councils – Completed early Aug
- ✓ Engagement with firefighters – ongoing
- ✓ Updated Commissioners Order Publish date scheduled for August 2022