

Submission: Tasmania Fire and Emergency Services Bill 2026 and proposed regulations and supporting processes

1. Overview

COTA supports reforms that help fire and emergency services work together, prevent harm and respond when people need help. For older Tasmanians, the key question is straightforward: will these changes make them safer?

The answer depends on what happens in practice. Can a person receive and understand a warning? Can they leave safely if they no longer drive or need help to move? Will they still have access to medication, care and suitable accommodation if they must leave home?

Advice to “prepare now” or “leave early” is useful only if people have the means and support to act on it.

Older people have widely differing circumstances. Many are active volunteers, carers and community leaders. Others may need help because of disability, poor health, low income or isolation. Some do not use digital services; others live where mobile coverage is unreliable or unavailable. Emergency plans must account for these differences.

The reforms must also protect the older volunteers who help keep communities safe. Volunteers need to know what help they will receive if they are injured, whether age or retirement affects their benefits, and how any gaps in cover will be addressed.

This submission calls for warnings people can receive and use, practical help to prepare and evacuate, fair charges and clear review rights, and adequate protection for volunteers. Each commitment needs a responsible agency, funding and a way to check that it works. These arrangements should be in place before an emergency exposes what is missing.

2. About COTA Tasmania

COTA Tasmania is the peak body representing the rights, interests and wellbeing of older Tasmanians. Our policy and advocacy work seeks to ensure that people aged 60 and over can participate in community life, exercise choice and live with dignity as they age.

Our interest in these reforms includes older people living independently, older carers and people ageing with disability, including people with dementia or other cognitive impairment.

Older Tasmanians also contribute as emergency service volunteers, neighbours, community leaders and sources of local knowledge. Effective reform must recognise both their contribution and the barriers some people face.

3. Why this matters for older Tasmanians

Emergency management arrangements must reflect the circumstances of the communities they serve. For older Tasmanians, the ability to prepare for and respond to an emergency can be affected by the interaction of health, mobility, income, housing, transport and access to information. A person may manage independently in everyday life but need assistance when familiar services, support networks or infrastructure are disrupted.

Standard preparedness advice often assumes that people can clear vegetation, maintain their property, obtain supplies, receive digital warnings and leave promptly in a private vehicle. These assumptions do not hold for everyone. An older person living alone may have no one available to help with urgent preparations. Someone who no longer drives may understand an evacuation warning but have no practical means of acting on it. A person relying on home care, medication or powered equipment may face additional risks if services or electricity are interrupted.

These difficulties can be compounded in regional and rural communities, where transport options and services may be limited and telecommunications unreliable. They also arise in towns and cities. Living close to other people does not necessarily mean that assistance is available, particularly where neighbours and family members are themselves affected by the emergency. Effective planning must identify who may need help, how they will be reached and who will provide that help.

Older Tasmanians also contribute substantially to community preparedness and response through volunteering, caring, local knowledge and informal support networks. Reform should enable that contribution through suitable roles, accessible training and adequate protection against injury and financial loss. It should also recognise the limits of unpaid support and avoid transferring responsibilities to families, neighbours or community organisations without agreement and resources.

The implications extend beyond the immediate emergency. Displacement, interrupted care and the costs of repairs or compliance can undermine a person's independence long after the initial threat has passed. Planning for an ageing population therefore requires attention to prevention, safe response and continuity of support through recovery. Getting these arrangements right will improve safety and resilience for the whole community.

4. Recommendations

COTA recommends that the Government:

1. Strengthen clauses 3 and 23 to require consideration of accessibility, differing support needs and equitable access to emergency information and assistance, with older people and people with disability involved in implementation.
2. Establish minimum requirements for accessible warnings, non-digital information, assisted evacuation and continuity of essential care. Assess a coordinated emergency assistance register involving Tasmania Police, TFES, councils and care providers, with clear responsibility for maintaining records and acting on identified needs.

3. Fund practical household preparedness assistance and adopt consistent hardship arrangements for property directions, firebreak costs and service charges. Retain the pensioner rebate and assess its adequacy.
4. Protect good-faith requests for emergency help from inappropriate charges, and publish clear false-alarm thresholds, exemptions, review rights and safeguards for people with cognitive or other impairments.
5. Correct the appeals clause (clause 111) and provide clear, accessible review pathways for non-urgent decisions, supported by written reasons, realistic timeframes and assistance to seek review.
6. Include community accessibility and regional service experience in governance arrangements, and preserve transparent consultation obligations as detailed provisions move into regulations and policies.
7. Make the Volunteer Charter practical through clear responsibilities, accessible training, reimbursement and role-specific capability assessment. Audit and publish insurance and compensation arrangements for older volunteers, including age-related benefit limits and continuity of cover under the reforms.
8. Publish a costed implementation plan and annual outcome measures, undertake an early implementation review and strengthen the completion requirements for the statutory review.

5. Detailed comments

The following comments identify the legislative safeguards and practical arrangements needed to make the reforms effective for older Tasmanians. Some matters require clearer provisions in the Bill; others belong in regulations, operational procedures or agreements between agencies.

Across each, COTA seeks a clear allocation of responsibility, sufficient resources for delivery and evidence that the arrangements work for people who may need additional assistance.

5.1 Inclusion in planning and decision-making

The Bill's broad purposes and proportionality provisions provide a useful foundation. Clause 3(2) requires functions to be performed in a manner that is no more intrusive, restrictive or expensive than required in the circumstances. COTA recommends adding an express requirement to consider accessibility and the differing capacities of people to receive information and act on directions.

This requirement should inform planning, public information and service design, while preserving operational flexibility where immediate action is necessary to protect life. Agencies should identify and address barriers rather than assume that everyone has a vehicle, smartphone, nearby family or funds to pay for urgent work.

The proposed skills-based Commission should include, collectively, experience of community accessibility, regional service delivery and the circumstances of people who require assistance.

Formal consultation arrangements should involve older people, people with disability and relevant community organisations. Their experience should inform decisions before policies and procedures are settled.

The supporting papers describe an obligation to consult subcommittees on matters within their terms of reference. However, clause 34 of the supplied Bill does not expressly set out that obligation. The Government should make the intended requirement explicit and publish the terms of reference, consultation arrangements and responses to material recommendations.

Moving detailed requirements from primary legislation into regulations or organisational policies must not weaken community participation or accountability. The complete implementation framework should be available for meaningful consultation before the relevant provisions commence.

5.2 Accessible warnings and practical assistance

5.2.1 *Warnings people can receive and use*

Digital messaging is not a universal solution. Some older Tasmanians do not own smartphones, cannot afford data or cannot confidently use apps and websites. In parts of Tasmania, mobile or internet connectivity is unreliable or unavailable even in normal conditions. Emergencies may further disrupt power and telecommunications.

A message being sent cannot be treated as evidence that the intended recipient has received or understood it.

Regulations and operating procedures should require complementary warning channels and locally tested arrangements for people beyond reliable digital reach. These should include radio, telephone contact where available, and targeted direct contact or door-knocking where safe and practicable.

Local plans should identify coverage gaps in advance, assign responsibility for alternative warnings and test how people requiring assistance will be reached.

Information should use plain language and provide clear actions, locations and times. Large-print and audio information, captioning, Auslan and Easy Read materials should be available where appropriate. Preparedness materials should explain how to obtain assistance before an emergency. Communications should be tested with older people and people with sensory or cognitive impairments.

Planned burns also require timely and accessible notification, including advice developed with health authorities for people affected by smoke.

Emergency warnings should distinguish the immediate threat from the steps people can realistically take to reduce exposure or obtain help.

5.2.2 *Evacuation and continuity of care*

The implementation framework should identify who arranges accessible transport, how requests are received outside business hours and what happens when usual carers or service providers cannot attend. Plans should account for mobility aids, medication, powered equipment and communication support. They should cover older people living at home as well as residential settings.

Evacuation centres and temporary accommodation need accessible facilities, suitable seating, quiet spaces and arrangements that reduce distress for people with dementia. Plans should address assistance animals and practical arrangements for companion animals, because uncertainty about an animal's safety can become a barrier to leaving.

COTA recognises that the Emergency Management Act 2006 remains the overarching framework under clause 6.

These recommendations require coordinated arrangements across government, councils and service providers. TFES need not deliver every service, but responsibility for each function must be explicit and tested through exercises.

Arrangements should also provide for a clear handover to recovery services so that essential support continues after the immediate threat has passed.

5.2.3 Identifying people who may need assistance

The Government should clarify the existing arrangements for identifying and assisting people who may need help to receive warnings, evacuate or maintain essential support. This should include identifying what information is held and where (eg Tasmania Police, councils, health and community services), how it is maintained and whether authorised emergency responders can access and act on it when needed.

Where gaps remain, the Government should assess whether a coordinated emergency assistance register would improve coverage and response, with a clearly designated lead agency and without unnecessary duplication. Tasmania Police should be involved in this assessment alongside TFES, councils and relevant service providers.

Participation should be based on assessed support needs rather than age alone, ordinarily with informed consent and options for supported registration by telephone or in person. Each record should identify the assistance required, a responsible contact and an agreed response. Any register would need funded maintenance, regular checks, secure access for authorised responders and a means of using essential information during connectivity failures.

A register must not create a false assurance of rescue or make assistance conditional on registration. Plans must also provide for unregistered people, visitors and people whose needs change.

Government should test the arrangements with older people and people with disability and publish who is responsible for notification, welfare checks and evacuation assistance.

5.2.4 Community connection as prevention

Trusted local organisations and neighbourhood networks can help identify barriers, explain preparedness options and connect people to support. These relationships can be especially valuable for people who are isolated or have limited contact with formal services.

However, government should not presume that unpaid volunteers, neighbours or community organisations can absorb a new emergency welfare function without agreement, training and resources.

Government should fund this work and agree referral pathways with participating organisations.

5.3 Household preparedness and fair compliance

Clauses 39 and 43 provide for directions and hazard notices, while clause 53 provides for firebreaks and associated cost recovery. These powers can address serious risks. However, a person who lacks the physical capacity or money to undertake work may be unable to comply, even when they accept that the work is necessary.

A funded assistance pathway should help eligible households undertake practical tasks such as clearing gutters, reducing dangerous fuel accumulation and preparing an evacuation plan. Eligibility should consider income and functional need, including older renters and people who do not qualify for existing concessions. Responsibilities belonging to landlords or other property owners must not be transferred to tenants.

For non-urgent matters, notices should explain the risk, the work required, the responsible person, the deadline and review rights. Officers should check understanding and provide a contact for assistance. Timeframes should reflect the seriousness of the risk and the practical availability of contractors. Where urgent action is necessary, the work should proceed safely while hardship assistance is resolved.

Where inspections reveal hoarding, self-neglect or serious isolation, TFES should have agreed referral pathways to appropriate health, housing and community services. A coordinated response can address the underlying problem and protect responders. Repeated notices and fines alone may leave the hazard unresolved.

Clauses 88 and 89 contain reasonable-excuse provisions. Guidance and training should expressly address disability, cognitive impairment, illness, inability to understand an instruction and requests for assistance that a person cannot safely fulfil. The drafting should also be checked for consistent safeguards across the Bill's specific direction offences.

The objective should be to secure a safer outcome. Compliance arrangements should distinguish unwillingness to act from an inability to undertake the required work and provide a practical response to each.

5.4 Affordable contributions and fair charging

5.4.1 Contributions and concessions

COTA welcomes the consultation paper's stated intention to retain the pensioner rebate at 20 per cent and its statement that the reform does not require additional contributions from councils or ratepayers. These are important implementation commitments. However, an unchanged funding model does not, by itself, establish that every household's future bill will be unchanged.

The Government should retain the rebate under clause 82, assess its adequacy and make information about eligibility easy to obtain. Any later funding reform should undergo separate consultation and distributional analysis, including its effects on low-income households and regional communities.

5.4.2 Hardship and cost recovery

Clauses 53(7) and 112(5) allow charges to be waived in specified circumstances.

Published hardship criteria should make these powers consistently usable, with payment arrangements, accessible applications and reasons for refusal.

People should be told about these options when a charge is proposed or issued. Access to hardship consideration should not depend on a person knowing that a discretionary waiver exists or being able to navigate an online application.

The protection in clause 113(2), which allows a court to decline recovery in certain circumstances, should be complemented by administrative review before a person faces court proceedings. Early consideration of reasonable efforts to comply, financial hardship and functional limitations could resolve matters without unnecessary expense or distress.

5.4.3 False alarms and good-faith calls

Clause 114 distinguishes automatic system activation from requests for attendance where there is no reasonable suspicion of an emergency. This charging power needs clear limits. A resident who genuinely fears a fire should not be deterred from seeking help because they cannot confidently assess the danger or they fear receiving a bill.

The fact sheet describes a move to charging for the second and subsequent false alarms within 90 days. That threshold does not appear expressly in clause 114 of the supplied Bill. The Government should identify where it will be prescribed and ensure that the final Bill, regulations and public explanation are consistent.

The charging framework should expressly protect reasonable, good-faith requests for help. It should provide appropriate waivers and tailored responses where cognitive impairment or disability contributes to repeated alarms.

Where a faulty building system is responsible, rectification obligations and any charge should fall on the responsible party, with safeguards against inappropriate transfer to residents.

Repeated activations should prompt a practical safety assessment. Charging should never encourage residents or operators to disable essential equipment. Published guidance should explain the difference between a service charge, a compliance direction and a penalty.

5.5 Clear powers and accessible review rights

Emergency services require powers that allow them to act promptly to protect life. Those powers should be accompanied by clear safeguards, particularly where decisions concern routine inspections, non-urgent compliance work or financial obligations.

Entry powers under clause 37 warrant procedures that distinguish emergency entry from routine compliance work.

Routine visits should require identification, an explanation of purpose and reasonable support for a person who has difficulty understanding or communicating, consistent with the statutory powers. Non-urgent hazard classifications, compliance requirements and charges should carry written reasons and information about review.

The legislation should clearly identify reviewable decisions, who may apply, the appropriate decision-maker and applicable time limits.

Assistance should be available by telephone and in person, with accessible forms and scope for a support person or authorised representative.

Clause 111 appears to contain a drafting error: both paragraphs refer to decisions determined by the Commission, while paragraph (b) refers to itself. It does not clearly explain the intended sequence of internal review and review by the Tasmanian Civil and Administrative Tribunal (TASCAT). This should be corrected before introduction.

Review arrangements must preserve immediate action necessary to protect life. For non-urgent matters, the framework should address when enforcement or payment can be paused pending review so that review remains useful. People should not have to infer their rights from a broad regulation-making power.

5.6 Older volunteers and protection from injury

Older Tasmanians contribute skills, experience and local knowledge to fire and emergency services.

Many rural brigades rely on volunteers aged over 65. Their continued involvement is important to the safety of their communities. They deserve clear information about the protection available if they are injured, and confidence that this protection meets their needs.

Volunteers need to know which activities are covered, what help they can receive after an injury, how long that help will last, and whether their age or retirement status affects their claim.

A statement that volunteers are “covered” is not enough.

The Volunteer Charter should require clear information about injury protection, notice of changes and practical help with claims. Decisions about the roles a volunteer can undertake should be based on their skills, health and ability to perform the task safely.

The distinction between protection from legal liability and protection against personal injury must also be clear. Protection from being sued for actions taken in good faith does not, by itself, pay for a volunteer’s treatment, care or other needs if they are hurt.

Age and retirement must be addressed directly. Our concern is whether older volunteers will receive adequate help after an injury, and whether the rules are clear to the people who rely on them.

COTA is not suggesting that all cover stops at age 65. The existing workers’ compensation arrangements include protection for volunteer firefighters, but also contain age-related rules for weekly payments.

Retirement does not remove the costs of an injury. A retired volunteer may need treatment, rehabilitation, transport, help at home or personal care. They may also be unable to care for a partner or another family member. These needs can be substantial, even when the person has no paid job or wages to lose.

Older volunteers should not have to work through legislation and insurance terms to find out where they stand. Nor should they first discover a gap in their protection after they have been injured.

Before the new arrangements commence, the Department should review injury protection for older volunteers and publish a clear explanation of:

- which activities are covered, including emergency response, training, brigade duties and travel;
- what payments and services are available after an injury, including treatment, rehabilitation and help with daily living;
- whether age affects eligibility, payment amounts or the length of time benefits are paid;
- how the rules apply to people who are retired, self-employed or providing unpaid care; and
- how volunteers can make a claim, get help and seek review of a decision.

The review should involve older volunteers and their representatives. It should identify any gaps and set out how they will be addressed, by whom and by when.

Where age-related rules leave older volunteers without adequate protection, the Government should amend those rules or provide additional cover.

The Government must ensure that the older people on whom emergency services rely are properly protected when they serve their communities.

5.7 Implementation and public accountability

Implementation should be costed, with responsible agencies and milestones identified. Minimum service standards must be matched with resources, especially where councils retain responsibilities for SES units.

Community education and practical assistance should have identifiable funding rather than depend on whatever remains after structural changes.

The corporate planning and annual reporting framework under clauses 28 to 31 should connect commitments with measurable results. Reporting should show whether warnings and exercises were accessible, requests for evacuation assistance were met, household safety assistance was delivered and identified problems were corrected. It should also report on the use of hardship waivers, complaints and review outcomes.

Results should be examined by region and relevant support needs, using privacy safeguards and avoiding unnecessary personal data collection. Measures should assess whether people received effective assistance, rather than relying solely on the number of messages issued, materials distributed or activities undertaken.

COTA recommends a public implementation assessment within two years, informed by older people, volunteers, councils and relevant service providers. This should identify gaps between the intended arrangements and their operation in practice, with a published response assigning responsibility and timeframes for corrective action.

Clause 128 provides for a review before the fifth anniversary of that clause's commencement, but exempts this requirement where a parliamentary review has merely started. A completed, published review within a defined period will assist in monitoring implementation of changes and assessing impact in a timely manner. Commencing a review should not remove the obligation to demonstrate whether the legislation is achieving its purposes.

6. Conclusion

COTA supports the aim of better coordinated fire and emergency services.

The success of these reforms will be measured by whether people are safer and can get the help they need before, during and after an emergency.

Planning must reflect how people actually live. A warning has limited value if it cannot be received or understood. An instruction to leave does not solve a lack of transport. A direction to clear a property does not give someone the physical ability or money to do the work. These are foreseeable barriers that require practical responses, with clear responsibility for providing help.

Older Tasmanians must also be recognised as contributors to emergency services and community safety. Those who volunteer should have suitable roles, the support to carry them out safely and adequate protection if they are injured. They should know what that protection provides before they need to rely on it. Any gaps affecting older or retired volunteers must be identified and addressed as part of the reforms.

The Government should use this opportunity to settle responsibilities across emergency services, councils, health and care providers, and fund the work each is expected to do. Families, neighbours and community organisations have valuable roles, but their goodwill cannot substitute for properly resourced arrangements.

COTA urges the Government to incorporate the safeguards in this submission into the legislation and supporting arrangements, involve older people in their design and testing, and report publicly on the results. Older Tasmanians should be able to trust that their needs and contributions have been considered, and that the promised help will be available when it matters.

Source Documents

Tasmania Fire and Emergency Services Bill 2026, consultation draft dated 15 April 2026; TFES Consultation Bill 2026 Fact Sheet; Consultation Paper - TFES Regulations and Supporting Processes, especially pp. 5–14 and 15–21. All supplied for this consultation. Recommendations concern the draft framework and do not assume that proposed regulations are already in force.

- [1] Workers Rehabilitation and Compensation Act 1988, sections 5 and 87, current online version accessed 26 September 2026. <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1988-004>
- [2] Department of Treasury and Finance, Tasmanian Risk Management Fund, Personal Accident – Cover, accessed 6 October 2026. <https://www.treasury.tas.gov.au/tasmanian-risk-management-fund/incident-management/personal-injury/personal-accident-incident-management/personal-accident-cover>