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STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
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Submission Cover Sheet

Inquiry into ACT environment's Bushfire preparedness

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Our ref: 23/891

Committee Secretary

Standing Committee on Environment, Climate Change and Biodiversity

ACT Legislative Assembly

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Dear Committee Secretary

I am pleased to make this submission on behalf of the ACT Government to the Standing Committee on Environment, Climate Change and Biodiversity (Committee) inquiry into the ACT environment's bushfire preparedness.

The effects of climate change and the potential for more frequent and severe bushfires will require an ongoing and significant focus by the government, business and community on bushfire prevention and preparedness. These activities will however need to be carefully balanced against the conservation objectives and functions of the ACT's Parks and Conservation Service.

The ACT Government looks forward to the deliberations and report from the Committee in due course.

Yours sincerely

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ACT Government Submission to the Legislative Assembly Standing Committee on Environment, Climate Change and Biodiversity Inquiry into the ACT's Environment's Bushfire Preparedness

1. Background

In the ACT, bushfire preparedness in an environmental context is primarily the responsibility of the Environment, Planning and Sustainable Development Directorate (EPSDD), particularly the ACT Parks and Conservation Service (PCS) as the land custodian for most of the ACT.

This Submission provides an overview of the role of PCS in managing bushfire risk across public land. It provides an overview of the statutory and policy context, the planning framework, operational delivery and review. Given the timeframes provided for responding to the Inquiry, the Submission is intended to provide clarity of role and function to support the deliberations of the Committee as opposed to a full response to the Terms of Reference. EPSDD welcomes the opportunity to support the Inquiry through hearings and a formal response to the final report.

2. Overview of PCS

PCS is the primary land management agency in the ACT with accountability for over 67% of the area of the ACT. Much of this estate is remote from access infrastructure and forms some of the most rugged and bushfire-prone country in south-eastern Australia.

Within the EPSDD Environment, Heritage and Water (EHW) Division, PCS has responsibility for management of Namadgi National Park, Canberra Nature Park, water catchments, nature reserves and commercial pine forests. PCS protects and conserves the natural and cultural resources of the ACT, promotes appropriate recreational, educational and scientific use of our parks and reserves, and maintains the aesthetic environmental backdrop to Canberra. PCS manages a commercial forestry estate on behalf of the ACT Government providing a broad recreation facility, carbon capture and economic return for the ACT community.

The management of bushfire risk is a core function of PCS. The historical record shows that significant fires that have impacted life, property and critical environment and cultural values have ignited in and/or travelled across PCS managed lands. In addition to the bushfire risk management function, PCS utilises fire to achieve ecological outcomes and is working with the Ngunnawal community to reinvigorate cultural practice in the ACT.

3. Climate and weather context

It is critical to acknowledge that PCS' delivery of fire management programs is, and always has been, entirely dependent on the weather and seasonal conditions. This is true both in terms of working within the windows of weather available to deliver activities and programs and managing the impact of fires and storms on assets and infrastructure. Climate change is now driving weather patterns, increasing both the frequency and the intensity of events, as well as making weather events and seasonal patterns more difficult to predict. Unfortunately, all indications are that severe weather

events will be more frequent and intense and the pressure on our infrastructure will increase. PCS is expected to plan for and deliver fire management programs in an increasingly volatile and uncertain future.

Maintenance trails in Namadgi National Park provide a case study. The Orroral Valley fire in early 2020 reduced the vegetation cover and the landscape's capacity to absorb water. Three years of rain supercharged the stream and creek crossings, overwhelming drainage structures at crossings, damaging trail pavements and causing significant sediment movement. The scale of repair has been significant. PCS experienced challenges in bringing road repair machinery into the higher elevations like the Cotter Hut area until October 2023. Whilst the repair work is well underway, the impact of climate change is real and PCS is planning for a future that is significantly more unpredictable and characterised by more extreme events.

4. Statutory Context

The McLeod Inquiry

It is important to recognise that the role and function of PCS in managing bushfire risk emerged from the findings of the Inquiry into the Operational Response to the January 2003 Bushfires (McLeod Inquiry) established by the then Chief Minister to investigate and make recommendations on the adequacy of preparation for and operational response to the January 2003 bushfires.

The recommendations from the McLeod Inquiry have informed the statutory, policy and operational arrangements now in place in the ACT for the management of bushfire risk on public land. The inquiry acknowledged the critical importance of fuel management in managing bushfire risk and the need to provide the correct level of resourcing in land management agencies to ensure the ability to manage fuel, provide critical access infrastructure and provide a suppression capability when bushfires occur.

Emergencies Act 2004

The ACT Government response to the McLeod Inquiry also led to the establishment of the *Emergencies Act 2004* and the strategic bushfire management planning framework with associated Bushfire Management Standards for bushfire risk management on land managed by the ACT Government. From a land management perspective these bushfire protection standards apply primarily to the establishment and management of Asset Protection Zones (APZ's) and access standards for fire trails. PCS also assists the ACT Rural Fire Service (RFS) with suppressing fires across the ACT.

Consistent with legislative requirements, the primary fire management objective of PCS is to protect life, property and the environment from the adverse impacts of bushfire both starting on and emanating from PCS lands, and through fire management operations by:

- Managing the land it is responsible for in accordance with the Strategic Bushfire Management Plan (SBMP)
- Working cooperatively with the Emergency Services Agency (ESA) to plan for and suppress bushfires
- Managing fire within the land it is responsible for to protect and conserve natural and cultural heritage values

- Developing and implementing cooperative and coordinated fire management arrangements with neighbours and the community.

Nature Conservation Act 2014

PCS balances bushfire risk management with its obligations under the *Nature Conservation Act 2014* to protect, conserve and enhance the biodiversity of the ACT. While the two objectives are not uniformly in conflict, it is important to note that the bushfire risk planning and approvals framework within EPSDD provides for expert ecological and cultural input at multiple stages in the fire management cycle including strategic planning, operational planning, implementation of bushfire mitigation activities and in evaluation of outcomes.

EPSDD has built the capacity to incorporate critical ecological and cultural values known to the agency into real-time operations through the incident management team framework. The directorate recently developed and formalised the function of 'Environmental Values Officer' within the nationally recognised Australasian Inter-Service Incident Management System (AIIMS). This effectively provides a formal role for ecological input into both incident management of unplanned fires and the on-ground planning and delivery of prescribed burns.

Strategic Bushfire Management Plan

Section 72 of the *Emergencies Act 2004* requires the ACT Government to prepare a Strategic Bushfire Management Plan (SBMP) to provide a basis for bushfire hazard assessment and risk analysis, bushfire prevention, including hazard reduction and agency and community preparation and response in relation to bushfires.

Under section 77(2)a of the Act, PCS must, as far as practicable, ensure the area it is responsible for is managed in accordance with the SBMP.

As a manager of unleased territory land, PCS is required to prepare and have approved by the Commissioner of ESA a Bushfire Operations Plan (BOP) specifying how it will manage the land it is responsible for in accordance with the SBMP (section 78).

Regional Fire Management Plan and Bushfire Operations Plan

Although the *Emergencies Act 2004* prescribes only two tiers of fire management planning (SBMP and BOP), it was difficult for stakeholders to understand the connection between the standards specified in the SBMP and the activities specified to achieve those standards in subsequent BOPs. To aid this understanding, PCS developed Regional Fire Management Plans (RFMPs). RFMPs identify the activities planned to be undertaken on PCS managed areas over a 5-to-10-year period to achieve the standards specified in the SBMP. The RFMP is taken (in conjunction with the SBMP) into an extensive and collaborative public and stakeholder consultation process every five years.

Thus, the relationship between the three levels of planning may be described as:

- Strategic Bushfire Management Plan: Sets the overarching fire management policy standards across the ACT on a 5-year basis.
- Regional Fire Management Plans: Identifies activities planned to be implemented by EPSDD to achieve SBMP standards over a 5-year period with a 10 year outlook.

- Bushfire Operations Plans: Lists the activities actually planned for implementation in a two (or one) year period to achieve SBMP standards (Figure 1).

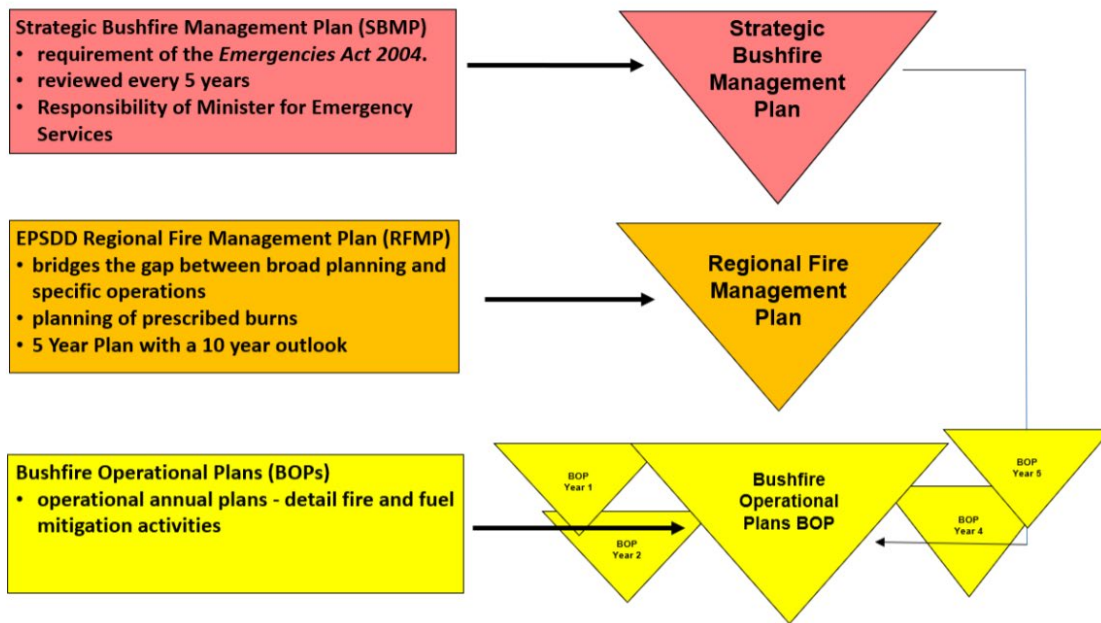


Figure 1 Bushfire Planning Framework for EPSDD/PCS

Strategies are developed based on a synthesis of the best available information on rates of bushfire fuel accumulation, the effectiveness and longevity of different fuel management treatments, the environmental and cultural values present, the effects of different treatments on environmental and cultural values and the practical limitations to implementing different treatments.

RFMPs identify the location, proposed scheduling and type and frequency of fuel management treatments including prescribed burning, slashing and mowing, grazing and physical and chemical treatment of fuels. They also identify fire access activities including maintenance, upgrades and new trails and any other planned fire infrastructure.

The five-year review of the 2024-2029 RFMP is currently underway in conjunction with the review of the ESA managed SBMP, with expected completion towards the end of 2024. There are some key changes proposed in the next version of the SBMP and RFMP that aim to further develop fire management policy and practices, such as the application of 'tenure-blind' risk modelling and treatment, and further incorporation of ecological considerations and climate change adaptation into the planning and operation context.

Revisions of the RFMP coincides with the corresponding SBMP updates to streamline consultation and to provide a reasonable line of sight on proposed strategies for key delivery partners, expert advisory and interest groups including the Multi Hazards Advisory Council, the Conservation Council and the community. The RFMP documents are consulted within EPSDD and with the relevant Minister's offices and the final version is available online.

The SBMP and RFMP remain the key mechanisms to address bushfire risk management over the PCS managed estate, with opportunities to revise the intent and content with the proposed review of the *Emergencies Act* scheduled for 2026.

The link to the current RFMP is:

<https://storymaps.arcgis.com/stories/550220a9bd8343de8ba15d56fadbf526>

5. Implementation of management actions

Bushfire Operations Plans

In accordance with the *Emergencies Act 2004*, PCS prepares a BOP on behalf of EPSDD at least once every two years. In practice the EPSDD BOP has been prepared annually, identifying the specific activities planned to be implemented to achieve the objectives and standards specified in the SBMP. While the activities included in the BOP will primarily be drawn from information in the RFMPs, the BOP is also responsive to emerging issues. The response required to manage the impact of the 2019 Orroral Valley fire, COVID restrictions and 3 extremely wet years is an example of this. Although not required by the *Emergencies Act 2004*, the BOP also includes activities planned to be undertaken in Googong Foreshores in NSW, as the area is managed by PCS.

The BOP also incorporates activities to be undertaken on TCCS managed land. As the range and complexity of BOP works in these urban locations is comparatively less extensive and of less complexity it makes sense to leverage the expertise in EPSDD to combine both Directorate's operational response into the same document. Additionally, there are clear benefits in considering the ACT's two largest land managers' bushfire fuel management response with a tenure blind approach.

The BOP includes detailed information on activities that will occur within that financial year across fuel, access infrastructure management and maintenance management, fire training, equipment and well as planning, research and monitoring, seasonal plant and equipment and standby and overtime.

The BOP is an operational document and does not have the same public consultation requirements as the RFMP (although it is made publicly available). It is developed as an EPSDD operational plan and consultation occurs with internal delivery partners, ESA and the Multi Hazard Advisory Council. It is approved by the ESA Commissioner before the start of each fire season.

The link to the current 2023-24 EPSDD BOP (including related links to tables and maps) is:

https://www.environment.act.gov.au/ACT-parks-conservation/bushfire_management/fire-management-policies-and-plans

Evaluation of the BOP

The EPSDD BOP is subject to two forms of evaluation. A performance reporting framework is used to ensure PCS measures its delivery of approved activities. PCS reports to ESA through the RFS on its performance at the end of each year and also provides interim quarterly reports. ESA utilises the performance report to evaluate delivery of the BOP focusing primarily on fuel management in asset protection zones. Along with the measure of performance against activity, PCS provides an overview of the delivery highlighting areas of achievement and shortfalls where they occur. This report is also shared with the Multi Hazards Advisory Council.

EPSDD has an annual Accountability Indicator that measures the level of 'Residual Risk' to life and property following implementation of prescribed burning treatments in the landscape. The indicator was developed utilising the nationally recognised Phoenix Rapidfire fire behaviour simulation modelling and techniques currently used in other jurisdictions including Victoria, NSW and Tasmania. EPSDD has responsibility for maintaining risk levels and has determined the appropriate range to be between 35 and 45 percent over the current 5-year RFMP period.

The ecological impact of fuel management activities, particularly prescribed burning, are evaluated internally by the EPSDD Nature Conservation team. This process drives improvements in burn planning and implementation.

Despite challenging conditions, the 2022-23 BOP achieved 84% of its planned work program. This result was anticipated with the shortfall in completion coming from prescribed burning and access management. Despite the shortfall in the total number of burns achieved, PCS utilised the small burn window that opened up in April 2023 to deliver significant burns to the south and west of Canberra. This led to a favourable residual risk reduction result at the end of the 2022-23 year of 37%. If no burns were conducted in 2023-24 the residual risk would have risen to 44%.

Managing the impacts of fire and storm events

PCS is working through a significant body of fire trail repair and maintenance work and has applied additional resources in 2023-24 to support this. There has been significant progress as catchments have dried out in the late winter and spring months of 2023 noting a slowing of work as a result of recent rainfall in the summer of 2023-24. Work initially focussed on areas at the urban fringe most at risk of grass fire and has moved up into the lower Cotter and then the Upper Cotter within Namadgi as conditions improved.

PCS is working systematically to address impacts in the upper Cotter and Naas Valley with significant structural work underway at each site. Detailed planning is underway for work at Left Hand Creek and Clear Range Fire Trail. In the event of a fire, each trail will be made accessible by the first attack dozer.

Organisation capability

PCS has built a significant capability in fire behaviour analyses, fire ecology and operational expertise necessary to discharge its responsibility as a land manager. PCS is well placed to play a strong role in support of the RFS in fire suppression and has stand-alone capability to run a prescribed burn program and fuel management program on land under its management. PCS is continuing to build its environmental burning program and is breaking new ground in supporting the reinvigoration of Ngunnawal burning practice in the Canberra region.

6. Cooperative arrangements

PCS works closely with the ESA and the ACT Rural Fire Service both in the strategic planning of bushfire management across the ACT, in the day in the day-to-day coordination of preparation activity and in the collaboration across incident management and on ground firefighting during a bushfire suppression. PCS also works closely with ESA and the ACT Rural Fire Service across our

cooperative partnerships both regional, national and in the case of deployments such as the recent Canadian bushfires, internationally.

PCS has cooperative fire management arrangements which have been ratified through multi-agency policies and Memorandums of Understanding (MOU). PCS fire management is integrated with fire management at national and international level via cooperative fire management arrangements with several agencies including:

- The Australasian Fire and Emergency Service Authorities Council (AFAC), this is a national body. PCS is represented on the AFAC Council and several AFAC subcommittees that provide access to national intelligence and partnership across areas such as Predictive services, land management, fleet, protective equipment.
- Forest Fire Management Group (FFMG) who report to the Forestry and Forest Products Committee and provides a forum for discussion and a centre of expertise on forest fire management and control and facilitates interstate and international liaison and consultation between fire controllers and managers.
- Natural Hazards Research Australia (NHRA) undertakes national research into aspects of fire management, operational response and innovation, ecological and cultural benefits and impacts of prescribed burning and asset and infrastructure planning and management.
- PCS and the ACTRFS sit on the adjoining NSW regional Bushfire Management Committees (BFMC). Through this cross-border partnership, fuel management activities conducted in each jurisdiction are designed and delivered to optimise the safety of the community across the Canberra region.

7. Conclusion

The intent of this submission is to provide an overview of the statutory, policy, planning and operations framework that governs bushfire management on public lands managed by PCS and its delivery partners within the Environment, Heritage and Water Division of EPSDD. The framework established following the 2003 fires can reasonably be considered best practice as the combination of clear accountability for suppression, recognition of the fundamental role of land manager in ongoing fuel management, clear asset protection zones and standards and accountability measures attest.

PCS welcomes the opportunity to support the work of the Committee and its Inquiry, including further requests for information to satisfy lines of inquiry out of session, appearance at hearings or in a formal response to Inquiry outcomes.