Mrs Giulia Jones MLA

Chair

Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

ACT Legislative Assembly

GPO Box 1020

CANBERRA ACT 2601

Dear Mrs Jones

I write in response to Scrutiny Report 36 dated 15 October 2019, where the Scrutiny Committee provided comments on Disallowable Instrument DI2019-206, being the Emergencies (Strategic Bushfire Management) Plan 2019.

The Commissioner of the ACT Emergency Services Agency (ESA) advises that the consultation requirement of section 72 (2) of the *Emergencies Act 2004* (the Act) have been complied with in the preparation of the Strategic Bushfire Management Plan (SBMP) version 4. Sub-section (3) of this section only enlivens where the Conservator raises a matter.

I am advised that the Conservator did not formally raise any matters in writing during the development and consultation process for SBMP version 4. As such a response from the ESA Commissioner was not required. Further, any such report from the Conservator would have been presented to the ACT Legislative Assembly with the SBMP as required by section 72 (6).

In relation to paragraph 72 (2) (c), the ESA Commissioner confirms that consideration was given to the impact of the SBMP on land management agreements, land managers, and public land management plans under the *Planning and Development Act 2007*. This is reflected throughout SBMP version 4, particularly under Land-Use Planning objectives 10 (Land-use policy and planning that reduces bushfire risk) and 11 (Integrated bushfire protection at the urban edge). Detailed information on Land-Use Planning objectives 10 and 11 is available from page 59 onwards of SBMP version 4.

Lastly, in preparing my response to the Committee, I assumed the reference to section 73 (3) on page 13 of the report was intended to refer to section 72 (3), as section 73 (3) relates to the discretion provided to the ESA Commissioner to form a committee and does not relate to the consultations or responses to the Conservator.

I thank the Committee for its report and careful consideration of the Disallowable Instrument, and I trust this response addresses the Committee’s comments.

Yours sincerely

Mick Gentleman MLA

Minister for Police and Emergency Services