

Victorian Government's response to the Environment and Natural Resources Committee's Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria



Foreword

The Environment and Natural Resources Committee (ENRC) commenced the *Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria* in March 2007. The Inquiry was tabled in Parliament on 26 June 2008.

The Victorian Government thanks individuals, industry and other stakeholder groups for their contributions to ENRC in both written and oral submissions. State government agencies and their officers have also supported the Inquiry through submissions, providing evidence at hearings and hosting site visits for the Committee across the state.

The report makes 20 recommendations under the themes of: planned burning; bushfire suppression infrastructure; traditional land uses; and community and stakeholder engagement. The following provides the Victorian Government's response to each recommendation.

In summary, the Victorian Government supports, either fully or in principle, all 20 recommendations of ENRC's Inquiry. In responding to each of the recommendations, the Victorian Government expresses its position in the following terms:

- *Support*: indicates that the Victorian Government agrees with the committee's recommendation.
- *Support in Principle*: indicates that the Victorian Government agrees with the intent of the recommendation, but not necessarily with the method proposed by ENRC for achieving that outcome. Alternatively, the Victorian Government may believe that while there is some merit in the recommendation, further analysis is required in relation to some aspects of the proposal.

Terms of Reference

The Legislative Council under section 33 of the Parliamentary Committees Act 2003 refers Terms of Reference requiring:

That the Environment and Natural Resources Committee inquire into and report upon the impact of public land management practices on the frequency, scale and intensity of bushfires in Victoria, and in particular —

- (1) the extent, timing, resourcing and effectiveness of prescribed burning on both crown and freehold land;
- (2) the manner in which prescribed burning is conducted, including how applicable codes of practice are employed;
- (3) the impact of prescribed burning and recent wildfires on Victoria's biodiversity, wildlife and other natural assets including water quality and quantity;
- (4) the reporting process applicable to prescribed burning programs;
- (5) the legislative and regulatory arrangements for prescribed burns and bushfire management;
- (6) the effectiveness of maintaining permanent, strategically placed fire breaks and containment lines throughout public land areas;
- (7) the provision and maintenance of large water points on crown land to assist with bushfire aerial taskforce operations;
- (8) the impact of traditional land uses such as timber harvesting, grazing, four-wheel-driving, hunting, camping, mining and prospecting on the scale and intensity of bushfires and the ability of relevant agencies to respond;
- (9) the provision and maintenance of serviceable access tracks and signage to assist with recreational and emergency requirements;
- (10) the impact of climate change on bushfires and public land management practices;
- (11) whether additional measures are required to provide a mechanism for the skills, knowledge and interests of local communities, and appropriate scientific expertise, to be better represented in the management of bushfire risk on public land;
- (12) the involvement of local communities in the management of fire; and
- (13) any other matter that impacts on the scale and intensity of bushfires in Victoria.

On 18 July 2007, Legislative Council under section 33 of the Parliamentary Committees Act 2003 amended the terms of reference to include:

- (14) The consequent impact of bushfires on the June/July 2007 Gippsland flood.

The Committee is required to report to Parliament by 30 June 2008.

Recommendation 2.1

That the Department of Sustainability and Environment implement remote sensing imagery as a routine part of its pre-burn and post-burn assessment process for prescribed burning. Maps of every prescribed burn should be produced in a similar format to those used in Western Australia, indicating the boundary of each burn and the varying fire intensities achieved within the burn area. The boundaries of all Fuel Management Zones within each burn should also be indicated.

Each prescribed burn map should be made publicly available on the Department of Sustainability and Environment's website, together with a map of the same burn area which shows the pre-burn fuel hazard levels and a statement of the total area treated within each Fuel Management Zone by each prescribed burn.

Support in principle

The Victorian Government supports this recommendation in principle. The Department of Sustainability and Environment (DSE) has trialled the use of remote sensing imagery for planned burn assessment. The trial involved a range of different approaches and included a review of the Western Australian Department of Environment and Conservation's (DEC) remote sensing algorithms and techniques for application in Victoria.

Remote sensing technology has already been used for initial fire severity assessments of planned burns. Steps include conducting pre and post burn scanner flights to capture imagery, analysis and interpretation of imagery followed by field validation and ground truthing. The trial suggests that airborne multi-spectral scanning is likely to be the most effective and efficient technology available for Victoria's needs.

Recommendation 2.2

That in order to enhance the protection of community and ecological assets, the Department of Sustainability and Environment increase its annual prescribed burning target from 130,000 hectares to 385,000 hectares. This should be treated as a rolling target, with any shortfalls to be made up in subsequent years.

Support in principle

The Victorian Government supports this recommendation in principle. The Victorian Government supports planned burning to improve protection, conservation and production outcomes. However, the annual area treated by planned burning needs to be determined based on science and risk management frameworks and be subject to suitable opportunities as dictated by seasonal conditions. Given this, the Government recognises that the amount of planned burning will vary to take into account these factors.

The Government supports a move away from focusing on hectare-based targets which may lead to inappropriate planned burning programs. They do

not account for differences in the effort required for small area asset protection burns (often around settlements) compared with larger scale mosaic burns in more remote areas. The latter, while not providing immediate and apparent asset protection are important for achieving multiple outcomes. A combination of both is required.

Recommendation 2.3

A comprehensive review of the effectiveness of the increased prescribed burning target in meeting ecological and bushfire suppression needs should be conducted every three years.

Support

The Victorian Government supports this recommendation. Successful land and fire management provides for an adaptive management approach which aims to use available knowledge (including research, expert and local) to inform and review fire management strategies and actions. This will involve reviewing the effectiveness of our planned burning program in meeting protection, conservation and production objectives.

The challenge is assessing how different fire regimes might provide these outcomes on a landscape scale now and into the future so that the costs and benefits of planned burning can be compared with those arising from severe bushfires. Victorian land and fire managers are working closely with the Bushfire CRC to develop the knowledge and risk management tools that will enable us to make and improve these assessments on an ongoing basis.

The Code of Practice for Fire Management on Public Land (2006) also guides a process of monitoring the effectiveness of burning. DSE and Parks Victoria are developing monitoring protocols for assessing management impacts on fuel, fire behaviour and ecological outcomes (for example flora measurement protocols have been finalised). This will provide a rigorous framework for assessing outcomes on the ground.

Recommendation 2.4

The Department of Sustainability and Environment should report its performance against the increased prescribed burning target in its annual report, which should also include the following details:

- the total area treated within each fuel management zone for each region;
- the total number of burns conducted within each fuel management zone for each region; and
- the extent to which planned ecological and fuel reduction outcomes were met for prescribed burns within each fuel management zone for each region (e.g. a summary of the results of the post-burn assessments to be conducted in accordance with recommendation 2.3 above).

Support in principle

The Victorian Government supports this recommendation in principle. The recommended performance reporting measures will be incorporated into current live reporting system on the publicly accessible DSE website at <http://www.dse.vic.gov.au>. These performance measures will also be reported in the Annual report.

Information currently available on the website includes up-to-the-minute detail on the number and area of planned burns for fuel reduction, ecological and regeneration purposes, location maps and status indicators that track a burn's progress from the planning stages through ignition and then to completion.

Recommendation 2.5

That the Department of Sustainability and Environment, Department of Primary Industries, Parks Victoria & VicForests separately cost, and report, annual expenditure on fuel reduction burning, ecological burning and regeneration burning in their Annual Reports

Support in principle

The Victorian Government supports this recommendation in principle. Each planned burn typically has multiple objectives including fuel reduction for asset protection and promotion of ecological health. The contribution to meeting each of these objectives is not separately costed. In addition to direct operational costs, expenditure on planned burns includes extensive planning processes, community engagement, ecological research and monitoring to achieve optimum outcomes.

VicForests undertakes regeneration burns in timber harvesting coupes, usually with operational assistance from DSE and other agencies. The direct expenditure on this activity is known and will be published.

Planned burns on park, forest, water catchment or private land etc, frequently draw personnel and equipment from other agencies. Each agency currently has formal arrangements in place to recover operational costs incurred through planned burning or suppression. As DSE is responsible for public land and fire management costings are currently consolidated, but can be disaggregated in a manner consistent with agency financial practices.

Recommendation 2.6

That the Victorian Government establish a five year rolling fund which allows unused prescribed burning monies to be rolled over into future financial years for the purpose of subsequent prescribed burning activities.

Support in principle

The Victorian Government supports this recommendation in principle. Fire management incurs a high level of fixed costs associated with ensuring that the right level of resourcing is available. The cost of planned burning includes extensive planning processes, community engagement, ecological research and monitoring which take place throughout the year. Burn personnel's training and accreditation also need to be updated and maintained regardless of whether weather conditions enable a substantial burning program to be undertaken.

In addition, the *Financial Management Act 1994*, does not allow departments to carry over funding for more than one financial year. Government will consider this recommendation as part of a review of the *Financial Management Act 1994* currently being conducted by the Department of Treasury and Finance.

Recommendation 2.7

That the Victorian Government provide recurring funding for a significant increase in regionally-based, permanent, or long-tenured, fire management personnel dedicated to the prescribed burning program. The increase in personnel should be consistent with the level required to achieve an annual prescribed burning target of 385,000 hectares.

The pool of available personnel should be suitably diverse and possess a wide variety of disciplines and skill sets, including practical skills. The Department of Sustainability and Environment and its partner agencies should also increase the proportion of personnel with specialist tertiary qualifications, including fire behaviour specialists, forest scientists, landscape ecologists and conservation biologists.

The Department of Environment and Sustainability and its partner agencies should also prioritise the development of programs to reduce the level of staff turnover and the problem of the ageing workforce, through more effective succession planning.

Support in principle

The Victorian Government supports this recommendation in principle. Government recognises the need for Victoria's fire management agencies to maintain adequate fit, skilled and experienced personnel across the state.

Government is identifying opportunities for:

- extending seasonal contracts and additional regional firefighters for both response and an increased program of planned burning;
- succession planning, including accelerated training and learning opportunities to fill current and projected gaps in operational experiences and bush skills;
- improved firefighter health, wellbeing, safety and fatigue management;
- the skills and capacity to undertake the requisite community engagement;
- volunteer training and support; and
- research and monitoring including specialist tertiary qualified personnel in fire behaviour, forest science, biology, ecology and fire management planning.

Recommendation 4.1

That the Victorian Government replace or compensate for water taken from domestic, stock and irrigation dams, or water needed for essential use, in the event of a fire, regardless of where the bushfire starts.

Support in principle

The Victorian Government supports this recommendation in principle. Current policy is that, during extended dry periods, a reasonable and sufficient volume of water for essential use is replaced to sustain:

- The health of affected residences and pets
- The health and productivity of their stock

In most cases water is replaced within 48 hours when requested.

The current policy was developed during the 2006/07 season in response to the severe drought affecting landholders, at a time when extensive bushfires also created a major impact. This policy was well received and in response to the extended drought, updated for the 2007/08 season including clarifying the criteria of essential use and the roles of government agencies. Government will continue to review and improve the policy in relation to ongoing applicability, equity, eligibility criteria and defined periods of operation.

Land and fire management agencies will work with local government and other agencies towards seamless integration and support for recovery from bushfires and planned burning.

Recommendation 5.1

That the Department of Sustainability and Environment and its partner agencies conduct or commission research, and a possible trial study, to determine the potential of thinning and other silvicultural practices – whether alone or in combination with prescribed burning – as a means of reducing fuel loads and as a bushfire management strategy in Victoria's forests.

Support

The Victorian Government supports this recommendation. DSE has supported a significantly expanded thinning program by VicForests in recent years in production forests. Thinning is one of a range of approaches that can be used to manage fire risk. A Thinning Policy and Strategy have been developed to support this program acknowledging that thinning is a silvicultural technique that may alter fuel loads and availability and promote

other forest values such as ecological health, water harvesting and fire wood production.

DSE has previously conducted fire and thinnings research in East Gippsland with CSIRO. DSE currently funds thinning and related research at the Melbourne University School of Forest and Ecosystem Science, the Arthur Rylah Institute and the Bushfire CRC which would be complemented by the recommended research.

Recommendation 5.2

That the Victorian Government expedite the implementation of its 2006 election commitment to provide four wheel drive clubs with access to management vehicle only tracks.

Support

The Victorian Government supports this recommendation. Four wheel drive clubs play an important role in maintaining the network of tracks on public land, including clearing and maintenance work.

Management vehicle only tracks are generally established in national or other parks as a means of achieving particular recreation or conservation objectives, with access managed by Parks Victoria. DSE and Parks Victoria have an existing memorandum of cooperation with Four Wheel Drive Victoria. Through this forum an agreed process for selection of tracks for authorised club trips is currently being finalised. Access is proposed to be available for agreed tracks from early 2009.

To gain access four wheel drive users will need to be members of an affiliated club. Membership of four wheel drive clubs involves training in driver behaviour and environmental responsibility.

Recommendation 5.3

That the Victorian Government consider all available means, consistent with conservation values, for substantially increasing the access of apiarists to the public land estate.

Support in principle

The Victorian Government supports this recommendation in principle. The importance of public land beekeeping to the State's economy, for honey products and the pollination of agricultural and horticultural crops, is well understood.

Apiculture is currently allowed on all public land tenures except wilderness, reference areas or near visitor sites. Site numbers and location in a given national or state park is generally established in park management plans consistent with conservation values and broader public use objectives.

Approximately 3,300 of the State's estimated 4,500 bee sites are on public land.

The impact of feral honeybees on the environment is not well understood. Consequently apiculture on public land is managed with careful consideration of the potential impact on native flora and fauna, including threatened species, and consistency with *Flora and Fauna Guarantee Act*, Action Statements and accepted Victorian Environmental Assessment Council recommendations.

Engagement with this industry is via the Apiculture on Public Land Liaison Group, which are assessing projects to identify previously used sites that are no longer available. This may lead to the reinstatement of a number of sites.

Recommendation 6.1

That in relation to Fire Operations Plans, the Department Sustainability and Environment extends the number of community meetings during the public consultation period to a minimum of one meeting for each Fire District, with the possibility of repeat visits to particular areas.

Support in principle

The Victorian Government supports this recommendation in principle. A community meeting will be held in each district as part of a broader community engagement program. Public meetings work well in some communities while in others they may be poorly attended. Successful engagement with the community will employ a range of tools designed to meet local needs.

Fire operations planning is a twelve month rolling process commencing in October with review and development extending to April, formal consultation from April to August and approval processes in September. Planned burning is undertaken when conditions are suitable – generally in spring and particularly in autumn including advertising and regular notification of the program. Community input is invited at any time.

Recommendation 6.2

That finalised Fire Operations Plans be made publicly available in their entirety (with the exception of any private information) on the Department of Sustainability and Environment's website and in hard-copy, and that this requirement be clearly stated in future Codes of Practice. This should include the "district burns list", or its future equivalents, and a map which shows the corresponding burns for each Fire District. Each map should be provided in a format which can be downloaded directly from the Department's website without the need for further data manipulation by the user. An identical hardcopy version of the map for each Fire District should be also be available to members of the public on request and free of charge.

Support

The Victorian Government supports this recommendation. Maps of planned burns are currently accessible through an interactive facility on DSE's website. This facility allows for hardcopy maps to be accessed for any Fire District.

Final Fire Operations Plans for each planning area will be made available on the website and in hardcopy at local DSE offices (including variations, amendments, lists of postponements and carry forwards).

Recommendation 6.3

That the details of any variation or amendment of a Fire Operations Plan, including: the carrying forward or postponement of burns within the three-year period covered by a Fire Operations Plan; the carry over, removal or rescheduling of burns between past, present and future Fire Operations Plans; and the alteration of burn boundaries (including alterations of less than 25 per cent); should appear on the Department of Sustainability and Environment's website at the time of the change and be included in the Fire Operations Plan for the following year.

Support

The Victorian Government supports this recommendation. See response to Recommendation 6.2.

Recommendation 6.4

That all information pertaining to current and planned prescribed burns be published more prominently on the Department of Sustainability and Environment's website, with a single prominent link to this material on the website homepage.

Support

The Victorian Government supports this recommendation. The front page of DSE's website currently has a direct link *Fire and other emergencies* where information on planned burns is located.

See also response to Recommendation 6.2.

Recommendation 6.5

That a process of year round community engagement in the preparation of Fire Operations Plans be established. In addition a record of year round community engagement, as contained in the Gippsland Fire Operations Plan, should be a requirement of all Fire Operations Plans.

Support in principle

The Victorian Government supports this recommendation in principle. See response to recommendation 6.1.

Recommendation 6.6

That the Integrated Fire Management Planning framework establish zones in the interface between public and private land in which bushfire risk management is the shared responsibility of the Victorian Government and private landholders.

Support in principle

The Victorian Government supports this recommendation in principle. A core principle of the Integrated Fire Management Planning (IFMP) framework is shared responsibility for managing fire risk between private land and public land managers.

Victoria is one of the most fire prone parts of the world. In this environment adequate levels of bushfire risk reduction can only be achieved through shared responsibility between the Government and the public - risk mitigation is not the responsibility of Government or private landowners alone.

Given the widespread nature of bushfire risk, and the need for all Victorians to play their part in its reduction, shared responsibility is imperative. The focus is on:

- fire management planning carried out with a common understanding of risk and clarifying agencies' and individuals' roles in mitigating these risks; and
- community education and engagement about living with fire..
- land use planning to enable the concept of shared responsibility to be factored into new developments.

Recommendation 6.7

That the Victorian Government establish a clear and consistent Bushfire Fencing Policy for damage caused by all future bushfires and prescribed burns. The Bushfire Fencing Policy should include the following provisions:

- the Government contribute half the cost of replacing or repairing for fencing on the boundary between public and private land that is destroyed or damaged by a fire which has emerged from public land, but only where the cost of replacement or repair was not otherwise recoverable;
- the Government pay a contribution, of up to 100 per cent, of the cost of restoring fences or other assets destroyed or damaged by backburning conducted during fire suppression operations;
- the Government will pay the full cost of fences or other assets destroyed or damaged if prescribed burns on public land escape onto private land;
- the Government will pay the full cost of rehabilitation of fire control lines on private property established by the Country Fire Authority or the Department of Sustainability and Environment during wildfire suppression activity for fire originating on public land ; and
- the Government will pay the full cost of repairing or replacing fences on private land that are damaged or destroyed by machinery used in controlling bushfires that originate on public land.

Support in principle

The Victorian Government supports this recommendation in principle. Current policy aims to assist landholders with their recovery after fire, while ensuring that disincentives are not created to under insure assets against bushfire or other damage. A number of assistance measures, including repair or replacement or reimbursement of costs, are currently available on request for landholders impacted by fire.

- *by bushfire that emerges from public land*: the cost of this damage is recoverable with government reimbursing reasonable insurance excess up to a maximum of \$400 for boundary fences destroyed or damaged by bushfire emerging from public land or contributing \$400 towards cost of repair /replacement. This approach is consistent with the recommendations of the Victorian Bushfire Inquiry (2003). In limited cases, when insurance is not available to a landholder for fencing, (i.e. on a flood plain) government considers the individual circumstances on a case-by case basis.
- *backburning conducted during fire suppression operations*: is considered to be damage by the bushfire and therefore insurable and recoverable under S93 of *Country Fire Authority Act* (1958). No further reimbursement is made.
- *planned burns on public land that escape onto private land*: landholders are reimbursed for the full cost of fencing and other assets destroyed or damaged by planned burns that escape.
- *rehabilitation of fire control lines*: where fire originates from public land and control lines are constructed on private land, DSE rehabilitates or reimburses the land-holder the full cost. The CFA has a duty under section 20 of the *Country Fire Authority Act 1958* to take all necessary steps for the prevention and suppression of fires and for the protection of life and property in the case of fire in the country area of Victoria. The country area of Victoria means any part of Victoria outside the metropolitan fire district including more than 980,000 homes, and covers all of rural Victoria including provincial cities and towns, except for State Forests, National Parks or protected public land. Control lines in areas of CFA responsibility are considered to be damage by fire under S93 of *Country Fire Authority Act* (1958) and coverable by the land-holder's insurance, though where practicable work is done to rehabilitate control lines while equipment is still available at a fire.
- *fences damaged or destroyed by machinery*: where fire originates from public land and damage to fencing is caused by machinery during suppression activities, these fences are replaced or repaired by DSE, or the full cost of repair or replacement is reimbursed to the land-holder. Fires entirely on private land are the responsibility of CFA and damage to fencing by CFA is considered to be damage by fire under S93 of *Country Fire Authority Act* (1958) and covered by the landholders insurance.

Government will work with landholders, the community and the insurance and agricultural industries to develop a consistent and equitable ongoing policy. Government policy will continue to emphasise shared responsibility and encourage landholders to assess and manage their risks with regard to fire taking up adequate insurance where available.

Recommendation 6.8

That the Victorian Government and responsible agencies expedite the implementation of the Integrated Fire Management Planning framework.

That the Integrated Fire Management Planning framework integrate, as far as possible, fire management planning at the municipal level with both Fire Protection Plans (or their future equivalents) and Fire Operations Plans.

Support in principle

The Victorian Government supports this recommendation in principle. Integrated Fire Management Planning (IFMP) is a framework developed in response to the Victorian Bushfire Inquiry (2003) to facilitate multi agency and community involvement to improve the consistency of bushfire management planning across land tenures. At the highest level this involves agencies and communities coming together to better understand risks, and then agreeing on priorities, responsibilities and actions under a framework of shared responsibility.

IFMP is led by the Country Fire Authority (CFA) which has established a governance structure, regional committees and public communications material to initiate the project.

Recommendation 6.9

That the Department of Sustainability and Environment and its partner agencies continue to develop a proactive approach to engagement with the local and wider media to achieve continuous improvement in the standard of community information and education.

Support

The Victorian Government supports this recommendation. Government agencies have built a valuable relationship with ABC radio as the Emergency Services Broadcaster greatly improving delivery of bushfire information to communities.

Chief Officers and Regional Managers of DSE and CFA hold pre and post season briefings with key media agencies, in addition to briefings on major events. The Information Unit within the Integrated Emergency Coordination Centre includes a media liaison officer to respond to requests for interviews, photos and vision. Regional and local media are notified of all planned burns and invited to attend, facilitating coverage.