

## **Land management factors contributing to the severity of recent bushfire damage**

- 2.1 The Committee received a large body of evidence criticising the failure of land management practices and policies to prevent severe bushfire damage across all tenures of land. Among the factors most commonly cited as contributing to the severity of recent bushfires were:
- A move in attitude in fire management from practices that mitigate the threat posed by fire to suppression of fire events.
  - High fuel loads.
  - Inadequate buffer zones protecting assets.
  - Inadequate access to fires.
- 2.2 Criticisms of land management practices and policies were received from representatives of volunteer fire brigades, individuals and organisations with experience in public and private forestry industries and land holders from bushfire affected areas. These criticisms focused primarily on national parks but included reference to state forests and private property.

## Fire suppression instead of land management

- 2.3 The Committee received repeated claims that the whole approach to the management of bushfires appears to have shifted. One experienced fire fighter told the Committee that there has been:

a gradual but radical shift in the policy of fighting bushfires in NSW over the last few years ... The change in policy I refer to is from (1) the protective stance of reducing the amount of fuel which could be a danger in the fire season as *the traditional first priority* to (2) that of the confronting stance of putting fires out when they occur as *the new first priority*.<sup>1</sup>

- 2.4 The events of January 2003 and the preceding fire seasons need to be seen in the light of this shift. This change in emphasis is not confined just to New South Wales but can be seen across the Australian community. The Institute of Foresters of Australia (IFA) commented that:

we see the community divided over fire management and the divide (especially between urban and rural communities) deepening. Familiar position-taking is occurring. On one side of the divide are some influential environmentalists and academics, supported by inner-city residents not threatened by bushfires, and not responsible for bushfire management. These people in general advocate a hands-off approach to land management, where 'natural' events like bushfires are allowed to run free. On the other side are rural people, fire fighters, foresters and land managers who are responsible for values threatened by bushfires. The latter tend to advocate an interventionist approach, where steps are taken to minimise risks before fires start, as well as having in place a well-equipped rapid-response fire fighting force.

This divide is becoming institutionalised, and reflected in policy positions adopted by different agencies and political organisations. To add to the problem, responsibility for fire management is increasingly being taken out of the hands of land managers (who are trained to minimise threats and

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1 Brian Hungerford, *Submission no. 32*, p. 1.

hazards) and placed in the hands of emergency services (people trained to respond to a disaster after it occurs).<sup>2</sup>

2.5 The IFA is clear on where they think this might lead: 'In the long run, this will ensure that wildfire disasters will continue, as the emphasis is on fire suppression, not prevention.'<sup>3</sup>

2.6 Mr Phil Cheney of the Commonwealth Scientific and Industrial Research Organisation (CSIRO), who is generally regarded as one of Australia's foremost experts on bushfire management, told the Committee that:

there has been a shift from fire management by land management agencies to emergency response agencies ... The whole business of managing fires has shifted towards a more suppression oriented approach by the amalgamation of emergency services operations rather than putting the primary response back on the land manager and having the emergency service operations coordinate that response when it is needed.<sup>4</sup>

2.7 Significant passages of evidence received by the Committee debated and suggested the appropriate agency, whether land management or fire suppression, which should be responsible for implementing land management practices, such as fuel reduction and fire trail maintenance, that will mitigate the severity of bushfires.

2.8 Many volunteer fire fighters and brigades who provided evidence called for responsibility for implementation of fire mitigation measures to be placed in the hands of fire suppression agencies. Typical of this position was the Wilberforce Rural Fire Brigade:

The National Parks and Wildlife Service manages fire for conservation purposes, whilst the RFS manages fire to protect life and property. Therefore the RFS is the most appropriate agency to manage bushfire emergencies.<sup>5</sup>

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2 Institute of Foresters of Australia, *Submission no. 295*, p. 6.

3 Institute of Foresters of Australia, *Submission no. 295*, p. 6.

4 Phil Cheney, *Transcript of Evidence*, 22 August 2003, p. 37.

5 Wilberforce Rural Fire Brigade, *Submission no. 204*, p. 1.

- 2.9 The Committee is aware that volunteers and landholders with holdings in close proximity to public lands hold concerns about the threats to life and property posed by the inadequate implementation of land management practices. These views are understandable in light of the poor track record of some land managers over the previous decades and outlined below. However, the Committee believes that responsibility for the implementation of measures for the mitigation of the threat posed by bushfire should be placed upon land managers.
- 2.10 The fact that there is a debate over which agencies should be responsible for fire management reveals serious shortcomings in the jurisdictions in which the debate has arisen. The Committee was pleased to find little evidence of this debate in Tasmania and Western Australia. In the view of the Committee, Tasmania and Western Australia provide constructive models on which to base arrangements in other jurisdictions.
- 2.11 Mr Evan Rolley, the Managing Director of Forestry Tasmania, a government business enterprise responsible for the multiple use management of 1.502 million hectares of public forest in Tasmania, stated that responsibility for the implementation of land management practices for the mitigation of bushfire damage were shared across three government agencies:

The operating managers in the Fire Service, Parks and Forestry work together seamlessly on a whole range of these projects. The big thing that has to happen in this country is that we have to separate the political decision making about land use, which is, rightfully, for politicians to decide, because it is about values that should be there. When that decision is made, the issue is how to most efficiently manage land. You do not want agencies playing war games that are about political decisions that should be made on land use.<sup>6</sup>

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6 Evan Rolley, *Transcript of Evidence*, 1 August 2003, p. 12.

2.12 An officer of the Fire and Emergency Services Authority (FESA) in Western Australia provided an example of the closeness of the working relationship between the Department of Conservation and Land Management (CALM) and FESA in preparing risk management analyses for bushfire events and referred to Commonwealth involvement in this:

CALM and FESA have joined together to undertake research on a standard wildfire threat analysis through the state so that we are both operating off the same data set and can make value judgments that are consistent throughout the state. We have sought research funds through the Department of Transport and Regional Services research grants proposal. That has only just recently been approved and that will be created over the next two years.<sup>7</sup>

2.13 The Committee takes the view that the rivalries between agencies responsible for the management of public lands and those responsible for fire suppression in some jurisdictions has severely hindered the implementation of adequate and responsible land management practices on these lands. This matter is discussed in greater detail in chapter 5.

2.14 The lack of adequate land management practices for the mitigation of the threat of bushfire goes straight to the heart of the matter raised in many of the submissions received by the Committee. The Committee notes the evidence and concludes that this change in approach from land management to fire suppression is not sustainable nor acceptable to communities in fire prone areas, particularly when the suppression effort itself is not always maximised.

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7 Ralph Smith, *Transcript of Evidence*, 6 August 2003, p. 65.

## High fuel loads

- 2.15 The amount, type, structure and moisture content of available fuel have a significant impact on the behaviour of bushfire. A more complete discussion of the significance of fuel management in the mitigation of bushfire damage occurs in chapter 3. Much of the evidence on the inadequacy of current land management practices in providing effective mitigation of the severity of recent bushfires cited increased fuel loads in national parks as a significant, if not the primary, contributing factor. These increased fuel loads were said to be the result of a decline in the implementation of fuel reduction programs.
- 2.16 An indication of the levels of decline in fuel reduction practices and the consequent rise in accumulated fuel loads across land tenures in many jurisdictions was provided by Forestry Tasmania: 'We are doing probably 50 per cent less [burns] than we were doing 10 years ago; that is in aggregate now between parks and forestry ...'<sup>8</sup>

## National parks

- 2.17 The report by Ron McLeod on the *Inquiry into the Operational Response to the January 2003 Bushfires in the ACT* commissioned by the Australian Capital Territory Government stated that:

It is generally accepted that fuel loads in the Brindabella Range, while variable in different parts of the hills, were very high and very dry in January 2003.<sup>9</sup>

- 2.18 An experienced bushfire Captain in Tharwa and former Chair of the ACT Bushfire Council, Mr Val Jeffery, observed that the area to the west of the Australian Capital Territory in which the fires that burnt into Canberra began:

had been previously leased to ACT Bush Fire Council for bush fire management because it was recognised as the big danger area for damage by bush fires to Canberra. Regular hazard reduction was carried out by BFC ... [The] ACT ...

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8 Evan Rolley, *Transcript of Evidence*, 1 August 2003, p. 11.

9 Ron McLeod, *Inquiry into the Operational Response to the January 2003 Bushfires in the ACT*, August 2003, p. 84.

relinquished the lease in the mid nineties and the fuel loadings were allowed to escalate dramatically.<sup>10</sup>

2.19 A landholder to the west of the Australian Capital Territory explained that the leasing arrangement between the Bushfire Council and New South Wales ceased when the Brindabella National Park was established in 1996; After six years the National Parks and Wildlife Service still have not established a bushfire management plan, only a working draft ...<sup>11</sup>

2.20 The McLeod Report stated that:

In the 2002-03 season, fuel loads in smoke areas were estimated at between 35 and 40 tonnes per hectare, described by some as the maximum available fuel load ...<sup>12</sup>

2.21 Another past member of the ACT Bushfire Council and former Captain of the Fairlight Bushfire Brigade, Mr Peter Webb, stated that:

The fires in [the ACT] local area around Christmas 2002 and to the east of the Braidwood area in 2002 demonstrated that there was a massive problem with high-fuel levels. I knew for a fact that there were high-fuel levels in the Brindabella area.<sup>13</sup>

2.22 The Captain of the Brindabella Rural Fire Brigade, Mr Peter Smith, suggested that high fuel loads when combined with particular topographies and extreme fire weather are capable of generating the type of fire storm event that burnt into Canberra on 18 January 2003:

We normally say that the only thing we can control is the fuel. I believe that to be true. You certainly cannot control the temperature or the oxygen. We normally argue that the supply of oxygen is unlimited. It is my observation – and it is certainly yet to be tested – that, when there is such an amount of fuel, the situation on steep slopes on high terrain ... mean that the intensity of the fire is such that there is not enough oxygen to actually burn everything.

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10 Val Jeffery, *Submission no. 16*, p. 2.

11 Wayne West, *Transcript of Evidence*, 14 July 2003, p. 32.

12 McLeod, *Inquiry into the Operational Response to the January 2003 Bushfires in the ACT*, August 2003, p. 89.

13 Peter Webb, *Transcript of Evidence*, 14 July 2003, p. 3.

The unburnt fuels that we are looking at are the volatile gases, the oils and, from the heating of the wood, pulverised carbon, which, in the immense turbulence which happened here – we were looking at 100 metres of turbulence – meant that there was not enough oxygen to burn all that fuel, and so it was rapidly propelled upwards by the heat energy from the fire ...

There would be many tonnes of unburnt fuel mixed up with this. It is clearly much denser than air. When it gets high into the atmosphere it cools and it then collapses back down, and you have a huge volume of gaseous fuel with particulate matter in it which descends with enormous force ...

If those large volume masses of higher density air with fuel came down with an almighty rush, you would get enormous winds created just by that alone, plus we also had strong winds that day. The observation in the field was that these fires were not burning on the ground. You will have seen on your travels that these fires travelled over kilometres of ground that was like this with the odd tree. In watching this actually happen, as it did at Brindabella, the fire was not burning on the ground; it was burning on top of the gas. Wherever that interface hit anything that was combustible, it simply literally exploded.<sup>14</sup>

2.23 Mr Smith suggested that high fuel loads in national parks and plantations may have been responsible for the intensity of the wildfire that burnt across land, which would not normally be capable of sustaining such intensities.

2.24 An experienced volunteer in the Blue Mountains fire services and member of the District Committee recounted how high fuel loads hindered a fire containment operation for which he was responsible:

Houses were at risk and some houses were damaged because the fuel levels were so high. They were so high simply because inadequate hazard reduction had been carried out.<sup>15</sup>

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14 Peter Smith, *Transcript of Evidence*, 15 July 2003, p. 12.

15 Don Nott, *Transcript of Evidence*, 9 July 2003 (Katoomba), p. 30.



- 2.25 The Kioloa Rural Fire Brigade stated that ‘lack of hazard reduction [resulting in high fuel loads] has been a major contributor to the disastrous fires of recent years.’<sup>16</sup>
- 2.26 A submission from four Group Captains of the Snowy River Rural Fire District and the Chair of the Bush Fire Management Committee cited ‘fuel build up [and] lack of hazard reduction on a regular basis’ in the Kosciuszko National Park as a major contributor to the impact and severity of the 2003 bushfires.<sup>17</sup>
- 2.27 At a public hearing in Cooma, an experienced volunteer fire fighter and Group Captain in the Snowy River Shire, stated that during fire fighting operations:
- We were sent first up onto Round Mountain [fire] trail [in Kosciuszko National Park] to burn off there to contain the fire ... The fuel loading was just too great so we just had to abandon that; we could not do it; and that was just through the lack of hazard reduction.<sup>18</sup>
- 2.28 The General Manager of Kosciusko Thredbo, the corporation responsible for managing the Thredbo resort, stated that ‘There had been very little back burning in the Thredbo Valley for the last 30 or 40 years ...’<sup>19</sup> Perhaps more disturbingly the Committee learnt that while the New South Wales National Parks and Wildlife Service (NPWS) accepted responsibility for fire management in the Thredbo area, to the knowledge of corporation managers, no plan had been forthcoming.<sup>20</sup>
- 2.29 Evidence from Victoria related a similar state of affairs. The Captain of the Dartmouth Rural Fire Brigade, Mr John Scales, stated of the 2003 Razorback fire, which burnt through the Alpine National Park between Omeo and Mitta Mitta, that: ‘The build up of fuel was the most significant additive to this fire.’<sup>21</sup>

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16 Kioloa Volunteer Rural Fire Brigade, *Submission no. 242*, p. 1.

17 Philip Reid, *Submission no. 76*, p. 2.

18 Darvall Dixon, *Transcript of Evidence*, 10 July 2003, p. 4.

19 Kim Clifford, *Transcript of Evidence*, 10 July 2003, p. 74.

20 Garry Huggett, *Transcript of Evidence*, 10 July 2003, pp. 73–74.

21 John Scales, *Submission no. 162*, p. 5.

- 2.30 The Alpine Shire reported comments at a public meeting criticising the:

Lack of fuel reduction burning by government authorities in the years leading up to the fire. This had increased the fuel load in national parks, thus exacerbating the fire risk already heightened by drought and low humidity.<sup>22</sup>

- 2.31 Submissions from Western Australia claimed that fuel loads in the national parks of the south west had increased over the recent decades. A forestry consultant with many years of employment in state government land management agencies, Mr Don Spriggins, typified concerns: 'fuels have built up to extraordinary levels in much of the south west with potential for a serious wildfire(s)'.<sup>23</sup>

## State forests

- 2.32 The Committee received evidence that some land management practices in state forests, such as clear felling, create conditions that are conducive to the accumulation of high fuel loads after logging. Evidence suggested that recent changes to land management practices have been responsible for increased loads in state forests by limiting the removal of debris.

- 2.33 The Victorian National Parks Association (VNPA) stated that:

The dense regrowth that occurs after clear felling will if anything add to fuel loads. Where these regrowth forests are thinned, extreme difficulty has been experienced in conducting fuel reduction burning within them because of the high levels of debris that results from thinning operations.<sup>24</sup>

- 2.34 Ms Susie Duncan, a woodland ecologist with the Wilderness Society expanded on the causes of increased flammability after clear felling operations:

The process of clear felling is complete felling of trees within, say, a 40 hectare coupe. That area has a post-logging burn put through it. This is to create an ash bed for seedling establishment, which occurs initially with acacias or wattles.

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22 Alpine Shire, *Submission no. 240*, p. 2.

23 Don Spriggins, *Submission no. 159*, p. 1.

24 Victorian National Parks Association, *Submission no. 176*, p. 11.

This is gradually replaced by eucalypts, which are the key species intended to regenerate for future timber utilisation purposes. At the time of both the wattle – which is highly flammable – and the eucalypt regeneration, these are very dense stands but over time will thin out naturally. They do provide a high hazard. ... a dense number of trees with very high flammable qualities, including a lot of oil in the eucalypt leaves.<sup>25</sup>

- 2.35 A resident of the Canberran suburb of Duffy, which suffered large losses of houses in the 2003 fires and lies at the interface of urban development and the Stromlo Pine Forest, stated that:

There was significant hazard all around the Forestry area on Cotter Road where Eucumbene Drive meets it. On both sides there was blackberry and there were fallen trees. It was a disaster waiting to happen and that was just beside the Forestry headquarters.<sup>26</sup>

- 2.36 Another resident stated that:

The forest behind Eucumbene Drive had been felled a year previously but the detritus from that operation had not been cleared and the grass was at least a metre high and extremely dry.<sup>27</sup>

- 2.37 The accumulation of debris in the Stromlo Pine Forest was not the sole cause but a significant factor in the damage caused to adjacent developments in two regards. First, it contributed fuel to an already ferocious fire storm that swept into suburban Canberra. Second, it provided material for the ember attacks that were largely responsible for damage to private and community assets during the fire event.

- 2.38 The Committee received evidence suggesting that state forests were subject to far more rigorous regimes of fuel management than national parks:

in 2001/2002, the NSW National Parks and Wildlife Service (NPWS) had about 5.4 million hectares under management or 6.76% of the total area of NSW, performed prescribed burns on only 31,703 hectares (0.58% of its holding) but burnt 595

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25 Susie Duncan, *Transcript of Evidence*, 25 July 2003, p.p 71–72.

26 Mark Douglas, *Transcript of Evidence*, 15 July 2003, p. 59.

27 Paul Garret, *Submission no. 8*, p. 6.

388 hectares (11.04% of its holding) in 'on park' fires. Contrast this with similar figures for NSW State Forests, where, in the same year it had 2 295 548 hectares under management, 24% of which was subject to fuel management strategies that included hazard reduction and selective grazing.<sup>28</sup>

- 2.39 Over recent years, however, changes in land management practices in state forests were reported to have increased the level of fuel loads. A retired forester with extensive employment experience in the state forests of New South Wales, Mr Graham Gray, stated that:

State Forests has a positive attitude to hazard reduction as it is seen as an essential tool to protect the valuable forest asset however the quite stringent controls external regulators have introduced ... have severely restricted burning as a tool.<sup>29</sup>

- 2.40 Forestry Tasmania stated that since the 1980s the fuel reduction programs in forests under its control have decreased:

principally, [because] the increasing complexity of fire management due to constraints on forest burning. A simplistic broad area burning regime has been replaced by more strategic fuel management, with target areas identified in Fire Management Plans, taking greater account of habitat management and biodiversity issues. Even under this regime, there has been localised community opposition to burning and the consultative and planning requirements are exhausting of both time and resources.<sup>30</sup>

## Private property

- 2.41 An experienced volunteer and senior office holder with the Berridale Brigade stated that 'We had enormous difficulty protecting houses that had absolutely no hazard reduction done around them ...'<sup>31</sup>
- 2.42 The Committee took evidence from an array of local councils in New South Wales, Victoria, and Western Australia on the removal of hazardous fuel on private property. The Councils that provided evidence exhibited a strong awareness and willingness to enforce fuel reduction requirements on private landholders.

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28 Access for All, *Submission no. 104*, p. 3

29 Graham Gray, *Submission no. 97*, p. 4.

30 Forestry Tasmania, *Submission no. 173*, p. 4.

31 John King, *Transcript of Evidence*, 10 July 2003, p. 11.

- 2.43 The Shoalhaven City Council (SCC) acknowledged the importance of fuel reduction on private land and had responded by establishing a working party:

One of the key issues is the consideration that our tree preservation orders were too tight and too prohibitive, and that the community should be given a greater opportunity to remove vegetation from their own properties. Council is now about three weeks away from adopting a policy which would free up the ability of the local community to remove vegetation from around their properties. Once that policy is adopted, it is the council's intention to put that on public exhibition. We would see a significant reduction in council intervention in approving vegetation removal from private properties through that new policy.<sup>32</sup>

- 2.44 The Blue Mountains City Council (BMCC) stated that: 'The tree preservation order does not apply to trees which are assessed as being a fire hazard or a threat to an asset.'<sup>33</sup>

- 2.45 The Deputy Chief Fire Control Officer of the Kojonup Bushfire Advisory Committee indicated the lengths to which the Council went to enforce required asset protection zones of 60 to 70 metres around buildings:

at the closing date, which is 15 December, all firebreaks have to be in place. We put an aeroplane in the air on 16 December and overfly the whole district. Anybody whose breaks do not meet the standards are fined and forced to comply with firebreak rules. We have a similar operation happening in our local town where we attempt to reduce the level of fuel hazard within the town so that, should a wildfire approach, we have our best chance of protecting the town and stopping fires escaping from the town.<sup>34</sup>

- 2.46 There appeared to be an increasing problem of enforcing fuel reduction notices on absentee landowners – particularly in areas surrounding major metropolitan areas that were used as holiday locations such as the Shoalhaven and Blue Mountains.

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32 Barry Russell, *Transcript of Evidence*, 8 July 2003, p. 9.

33 Christopher West, *Transcript of Evidence*, 9 July 2003 (Katoomba), p. 5.

34 Timothy Johnston, *Transcript of Evidence*, 5 August 2003, p. 17.

- 2.47 The Committee was informed that not all shire councils exhibited an awareness of the danger of high fuel loads. At a public hearing in Manjimup Mr Spriggins stated:

There are a lot of local authorities in the south west that are very casual about fire control of private property and other lands ... Denmark would probably be top of the list, I think, followed by places such as Margaret River and Busselton Shire. They are not anti-fire but they are not pro-fire either. When you put in an application for a building, in many cases you are only allowed to clear the building envelope. The build-up surrounding scrub and forest in some cases is absolutely horrific. You can go to places in Denmark and see probably 20 to 30 tonnes per hectare on some of the private properties where people live. I have seen chalets where there are leaves on top of the roofs that would be probably about a foot thick. It is a disaster waiting to happen.<sup>35</sup>

- 2.48 At a public hearing in Cooma Mr Gray stated:

There is a much higher incidence of absentee landowners on smaller holdings, many of whom are not from a rural environment and who are unfamiliar with the use of fire for hazard reduction and in any case are often not able to undertake the work when conditions are suitable. ... If one landholder declines to participate in a planned hazard reduction burn the work necessary to isolate that one property can make the operation impossible. Whilst there are provisions in place to overcome such behaviour, in practice there is no time and few resources to pursue non-complying landholders.<sup>36</sup>

- 2.49 A Director of the Cooma Rural Lands Protection Board indicated the potential for increased tension within rural communities because of increased absentee landowners:

Cooma Rural Land Board has approximately 2,300 ratepayers, of which only 700 have a sheep flock of more than 50. So roughly two-thirds of our ratepayers live on what we would probably call lifestyle blocks. They are rough figures – you could probably challenge them – but about two-thirds of

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35 Don Spriggins, *Transcript of Evidence*, 5 August 2003, pp. 10–11.

36 Graham Gray, *Submission no. 97*, p. 4.

our ratepayers live on lifestyle blocks. We have what you might call 1,400 absentee landholders ...<sup>37</sup>

## Fuel load monitoring

2.50 The Committee accepts that fuel loads have reached unacceptably high levels on certain public lands and some private landholdings. To attempt a simplistic finger pointing exercise of comparing the fire proneness of one tenure with others is not helpful as vegetation type, topography, local prevailing weather conditions and other contributing factors are complex. However, it is evident that information on the current level of fuel loads, rates of accumulation and strategies to maintain these loads at manageable levels is urgently required.

2.51 Agrecon, a company committed to the commercialisation of spatial information technology, specified the knowledge requirements in bushfire management information systems:

querying and modelling functionality for monitoring and rating fuel loads and moisture status throughout each season. It should enable season specific fire risk for every individual land parcel to be assessed by considering its position in the landscape, seasonal weather conditions, fuel load and condition, fire scar history, adjacent land use, flammability and relative value of structures and materials contained therein.<sup>38</sup>

2.52 The Committee notes evidence that knowledge on the flammability and bushfire risk management are being compiled in some jurisdictions. Mr Evan Rolley of Forestry Tasmania stated:

we are each year making pretty good progress, particularly with the GIS stuff, mapping past fire history, where the resources are, where the risks are and having that available now. That is getting to an online position.<sup>39</sup>

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37 Michael Green, *Transcript of Evidence*, 10 July 2003, p. 105.

38 Agrecon, *Submission no. 462*, p. 3.

39 Evan Rolley, *Transcript of Evidence*, 1 August 2003, p. 15.

- 2.53 However, a greater degree of commitment to the collection and availability of fuel load levels is required throughout Australia. The Dry Plains Rural Fire Service raised concerns that this data is not readily available in suggesting the implementation of:

An audit process ... to be developed between agencies in control of state lands and the RFS on the regularity, extent and success of hazard reduction burns.<sup>40</sup>

### **Recommendation 1**

- 2.54 **The Committee recommends that the Bushfire Cooperative Research Centre establish, as part of its program to implement a single fuel classification system, a national database that provides information on current levels and rates of accumulation of fuel loads that takes into account vegetation type and climate across all tenures of land, including private land where data is available.**

### **Recommendation 2**

- 2.55 **The Committee recommends that the Commonwealth through the Council of Australian Governments ensure that states and territories have adequate controls to ensure that local governments implement required fuel management standards on private property and land under their control.**

## **Inadequate asset protection zones**

- 2.56 The interface between different land tenures raises the question of asset protection zones. Asset protection zones refer to fuel reduced areas between bushland and assets to be protected including private and community property and areas of high environmental and cultural significance.

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40 Dry Plains Rural Fire Service, *Submission no. 106*, p. 1.



- 2.57 The issue of maintaining adequate asset protection zones particularly between public and private land has a significant bearing upon liability for loss of fencing caused by back burning operations as well as preventing the movement of fire from one tenure to another. Issues concerning liability are considered in greater detail in chapter 7.
- 2.58 Passages of evidence referred to difficulties in gaining agreement on the location of asset protection zones, that is, whether zones were appropriately located on private or public land.
- 2.59 Cr John Anderson of the SCC, appearing in a private capacity at a public hearing in Nowra, provided an example of a commonly held view of agencies responsible for the management of national parks in some jurisdictions. He related his impression of the attitude of the NPWS to asset protection zones:
- ‘why should we provide the buffer when it is private land?’  
and that the property owner should provide the buffer. That  
is why we [the Council] now require the buffer to be on  
private land ... But where the development has already taken  
place there is ... a difficulty.<sup>41</sup>
- 2.60 A resident of Huskisson for 27 years indicated the levels of ill feeling between some private land holders and national parks. Mr Thomas McManus had regularly mowed a patch of national park at the back of his property for 20 years. Mr McManus reported that after a fire consumed his house he was told by NPWS personnel that: ‘If you mow that in the future, you’ll be fined.’<sup>42</sup>
- 2.61 The situation is not always one of private developments being built in close proximity to existing national parks. According to Mr McManus the land tenure changed from well managed state forest to unmanaged national park in the mid-nineties.<sup>43</sup>
- 2.62 The Committee observed the absence of an adequate asset protection zone between Callala Street in Huskisson, the location of Mr McManus’ property, and the national park during its inspection of the Nowra region on 7 July 2003. The absence of adequate asset protection between private and public lands was also evident during

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41 John Anderson, *Transcript of Evidence*, 8 July 2003, p. 57.

42 Thomas McManus, *Transcript of Evidence*, 8 July 2003, p. 58.

43 Thomas McManus, *Transcript of Evidence*, 8 July 2003, pp. 59–60.

the Committee's inspection of the southern suburbs of Canberra and the northern suburbs of Hobart on 11 July and 31 July respectively.

- 2.63 Of particular concern to the Committee are cases where buildings are already established: 'on steep slopes you need a protection zone, which is not possible inside a small block of land.'<sup>44</sup>
- 2.64 Representatives of Access for All, an organisation of over 450 members suggested that private land holders neighbouring national parks had become increasingly reluctant to establish fuel reduced asset protection zones by burning because of the threat of litigation from public land managers.<sup>45</sup>
- 2.65 The Captain of the Mitta Country Fire Authority (CFA), Mr John Cardwell, whose property at Granite Flat shares a 10 kilometre boundary with crown land commented on the higher quality of protection provided by fuel reduction burning as opposed to mineral earth fire breaks and on his frustration at implementing the superior regime:

I like to see [the interface] burnt every few years for protection against bushfires. In recent years I have been increasingly frustrated [the Department of Natural Resources and Environment] in doing this ...

I saw first hand the folly of having a mineral earth break next to tree trunks ... as trees were continually falling across the ... break and consequently the fire was able to breach the control line<sup>46</sup>

- 2.66 Residents of Uriarra confirmed for the public record the Committee's observations during its inspections of the Canberra region on 11 July 2003 that the Territory pine plantation had been planted to within an unsafe distance of the school and houses.<sup>47</sup>

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44 Kevin Browne, *Transcript of Evidence*, 9 July 2003 (Katoomba), p. 31.

45 Terrence Hart, *Transcript of Evidence*, 10 July 2003, pp. 44–45.

46 John Cardwell, *Submission no. 178*, p. 1.

47 Bill Bates, *Transcript of Evidence*, 15 July 2003, p. 46. The Committee also heard that the community at the Uriarra forestry settlement was under-equipped to fight the fire. Issues of inadequate resources are considered in greater detail in chapter 4.

### **Recommendation 3**

- 2.67 **The Committee recommends that the Bushfire Cooperative Research Centre establish, as part of its program to implement a single fuel classification system, standards which take into account local conditions including topography and vegetation type, for determining appropriate dimensions for asset protection zones.**

### **Recommendation 4**

- 2.68 **The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments resolve when asset protection zones will be located on private land and when on public land and gain assurances that adequate maintenance of zones will be enforced.**

## **Access**

- 2.69 Maintaining an effective fire trail network is an important factor in determining the:
- Safety of fire fighting personnel involved in a fire suppression effort.
  - Rapidity with which fire suppression agencies are able to access a fire.
  - Type of resources that can safely be made available to a fire suppression effort.

- 2.70 The Committee received evidence that agencies responsible for the management of national parks in New South Wales and Victoria had either through neglect or deliberate acts had compromised the effectiveness of existing fire trail networks. The CSIRO stated that:

Changes in land management policy (particularly to establish wilderness areas), for at least some parts of the land area burnt, have resulted in reduced accessibility [and a] reduced response time ...<sup>48</sup>

- 2.71 The Committee witnessed the poor state of fire trails in the Kosciuszko National Park where it inspected a section of the Grey Mare fire trail on 21 May 2003 in the company of Rural Fire Service (RFS) Group Captains, the Fire Control Officer and his Deputy from the region. During this inspection the Committee experienced the great difficulty of travelling over deep channels, or 'tank traps' as they are known locally, that were deliberately built into the trails after the fires to discourage access.

### **Inadequate maintenance of fire trails**

- 2.72 The Committee received evidence where the poor or uncertain state of fire trails had caused them not to be used because of the threat it might pose to the life of fire fighters. A Group Captain in the Snowy River Shire, stated that:

Major time was lost on the reconstruction ... and ... reopening of old fire trails ... Fire fighting strategies had to be changed because the existing fire trails were not suitable for back burning.<sup>49</sup>

- 2.73 The Captain of the Rocky Plain Brigade indicated the level of work required to bring tracks into working condition:

Nine days were spent on the Grey Mare trail alone in getting that to a state where we could get along it. We could not even drive along it to look at fires. That was time spent when we had benign weather and when it was critical to control fires in their early stages. Both these trails lacked turning bays and refuges.<sup>50</sup>

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48 CSIRO, *Submission no. 434*, p. 6.

49 Peter Bottom, *Transcript of Evidence*, 10 July 2003, p. 6.

50 David Fletcher, *Transcript of Evidence*, 10 July 2003, p. 7.

- 2.74 The McLeod report observed that 'track access in Namadgi National Park has not been managed with fire access in mind.'<sup>51</sup>
- 2.75 The Captain of the Wilberforce Brigade stated that in the Hawkesbury:
- some trails are managed quite well and others are managed quite poorly. There are no clear standards to which trails must be maintained at present ...<sup>52</sup>
- 2.76 A representative of the Central East Regional Conference of the Rural Fire Service Association (RFSA) and Captain of the Round Corner Bushfire Brigade in Baulkham Hills, Mr Ross Jones, stated that:
- I have personally refused to go down trails because I believed them to be unsafe ... especially with regard to the fire behaviour that could be expected to impact on us.<sup>53</sup>
- 2.77 A representative of the Alpine Shire Council stated that Council is 'aware of a number of fire trails which were not properly maintained.'<sup>54</sup> The Captain of the Dederang Fire Brigade specified the shortcomings: 'The fire access tracks are only a third of the width and are overgrown if they are open at all.'<sup>55</sup>
- 2.78 The Director of the Victorian Association of Forest Industries (VAFI) explained the significance of maintaining fire trails to adequate specifications:
- the difference between one bulldozer width and three ... [is] that ... (1) you cannot turn a fire truck around as easily, (2) you are still going to have the overstorey touching and the fire can move across there and (3) you cannot start a back-burning operation safely.<sup>56</sup>

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51 Ron McLeod, *Inquiry into the Operational Response to the January 2003 Bushfires in the ACT*, August 2003, p. 95.

52 Michael Scholz, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 11.

53 Ross Jones, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 32.

54 Ian Nicholls, *Transcript of Evidence*, 24 July 2003, p. 51.

55 Jack Hicks, *Transcript of Evidence*, 24 July 2003, p. 73.

56 Patrick Wilson, *Transcript of Evidence*, 30 July 2003, p. 6.

- 2.79 The Dederang Fire Brigade Management Team reported the poor condition of other equally important features of an effective fire trail network:

The access bridge across House Creek ... has not been maintained and our tanker was forced to turn around and travel 20km ... in order to gain access to the Mount Jack fire.<sup>57</sup>

- 2.80 National parks was not the only class of land tenure on which the Committee heard evidence of inadequate access. The Captain of the Mitta CFA stated that:

The Government ... several years ago bought a private property and planted it to pines, only leaving a very narrow corridor for the main road into several properties including mine. During the fires ... CFA tankers refused to drive through this pine plantation as they felt it too dangerous because of the narrow cleared area.<sup>58</sup>

## Blocking of fire trails

- 2.81 The Committee received evidence to indicate that the practice of land management agencies deliberately blocked or applied a low standard of maintenance to trails. This might be done for a variety of reasons such as preventing arson, the dumping of rubbish, restricting access to vehicles that would damage access trails or the protection of sensitive areas. However, the practice of restricting access also contributes to delays in bringing suppression efforts to fires and the uncertain safety of fire trails.

- 2.82 The Rocky Plains Brigade operating in the Kosciuszko National Park reported that the NPWS decommissioned existing fire trails in national parks and removed tactical fire trails (constructed during a fire event).<sup>59</sup>

- 2.83 A retired Captain of the Nimmitabel Brigade stated that:

Because [fire fighters] are locked out of the national park, in a lot of cases we had no idea of the terrain until a bulldozer made a track. If we cannot get in there and have a look before a fire occurs it is more dangerous during a fire.<sup>60</sup>

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57 Dederang Fire Brigade Management Team, *Submission no. 152*, p. 2.

58 John Cardwell, *Submission no. 178*, p. 3.

59 Rocky Plains Brigade, *Submission no. 94*, p. 4.

60 Richard Blyton, *Transcript of Evidence*, 10 July 2003, p. 19.

- 2.84 In 2001 Mr Ian Haynes, a bush walker with extensive experience of the Kosciuszko National Park, observed and photographed 'large logs across the Leura Gap fire trail as there had been for many years.' He also reported the blocking over an extensive period of the Grey Mare, Mosquito Creek and Murray's Gap trails in the park.<sup>61</sup>
- 2.85 Mr Kevin Browne, who has been involved in matters relating to fire fighting in the Blue Mountains for over 50 years, estimated the magnitude of trail closures in the area:
- Five hundred kilometres of fire trails were put in on the Blue Mountains, and National Parks have closed probably a third of them.<sup>62</sup>
- 2.86 Mr Jones indicated the degree of enthusiasm with which the NPWS implemented its policy of blocking fire trails: 'Trails have been rehabilitated whilst the emergency was still on and without reference to the District or Rural Fire Service manager.'<sup>63</sup>
- 2.87 Another experienced volunteer fire fighter from the area stated:
- National Parks hired a friend of mine, who is a bulldozer driver, to make [a fire trail on the eastern side of Mountain Lagoon] impossible to use ... When the fire was in operation, because the Mountain Lagoon Fire Brigade had the authority they hired my mate with the bulldozer to clean [the trail] up. Before he had even moved away again, National Parks hired the same man to go back and rip it all up again.<sup>64</sup>
- 2.88 A former member of the Advisory Committee of Kosciuszko National Park and experienced RFS volunteer stated: 'there is another fire trail in our area – at Colo – which has been opened in every fire that we have had there and then been closed again.'<sup>65</sup>

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61 Ian Haynes, *Transcript of Evidence*, 14 July 2003, p. 60.

62 Kevin Browne, *Transcript of Evidence*, 9 July 2003 (Katoomba), pp. 35–36.

63 Brian McKinlay, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 32.

64 Brian Hungerford, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 46.

65 Kurt Lance, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 49.

- 2.89 A forester with experience in management of state forests in New South Wales, Mr Vic Jurskis, stated that:

There are roads and fire trails that were maintained on state forests that have been deliberately ripped up and blocked off in some of the state forest areas that have been transferred [to national parks] ... insufficient access is maintained in areas that have gone over to enable quick response and effective suppression when bad conditions are approaching.<sup>66</sup>

- 2.90 In the recently declared Chiltern Box-Ironbark National Park:

the entrance at one end of [a] track was deep ripped and a huge tree pushed over it ... a few hundred metres from the entrance ...<sup>67</sup>

### **The necessity of adequate access**

- 2.91 A fire trail network that is to a standard that allows a reasonable level of safety in conveying personnel and equipment to and from a fire, particularly in extreme fire weather conditions when fires are at their most unpredictable, is a vital plank in land management practices that aim to mitigate the effects of bushfires.
- 2.92 The Committee was appalled at the obvious threat to the lives of fire fighters because of the inadequately maintained and uncertain state of fire trails. The Committee believes that the local knowledge of volunteers in the placement and determination of a minimum required standard of trails must be taken into account to reduce this threat.
- 2.93 The Committee acknowledges that in large scale fires where out of area resources are necessary a maximum level of certainty about the location and condition of fire trails must be afforded personnel who do not have knowledge of the area. To this end it acknowledges and encourages the initiatives and efforts of the Snowy River District Bushfire Committee in attempting to standardise among other things the classification and signage on fire trails.<sup>68</sup>

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66 Vic Jurskis, *Transcript of Evidence*, 10 July 2003, p. 63.

67 Win Morgan, *Submission no. 261*, pp. 3–4.

68 Peter Bottom, *Transcript of Evidence*, 10 July 2003, pp. 6.



2.94 The Committee received evidence that standards of land management practices for fire management not only differed significantly across jurisdictions, but within jurisdictions. Hancock Victorian Plantations (HVP), a company responsible for the management of 230,000 hectares across Victoria stated that:

In Victoria, all land managers have varying responsibility to ensure appropriate planning and management of their estate will result in effective and rapid fire suppression. This may involve the provision of appropriate access track, firebreaks and water supplies [as] well as the management of fuel ...<sup>69</sup>

2.95 The Committee acknowledges that different land tenures, such as national parks, state forests and private plantations have qualitatively different assets that require different fire management strategies. However, in the interests of good neighbourliness and avoiding the potential for costly litigation all land managers must be responsible for fire mitigation measures to a minimum standard – particularly in areas where properties interface.

2.96 The Committee is of the view that accurate maps showing the location and condition of fire trails are urgently needed. This is something that should be carried through at all three levels of government as it will depend on the particular circumstances as to what scale of mapping is being used. The issue of maps is considered in greater detail in chapter 6 where the Committee’s deliberations, conclusions and recommendation on mapping scale, which is a Commonwealth responsibility, are provided.

## Recommendation 5

2.97 **The Committee recommends that the Bushfire Cooperative Research Centre determine a minimum national standard, taking into account topography and vegetation type, for adequate access to all public lands including wilderness areas of national parks for the purpose of effective fire prevention and suppression.**

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69 Hancock Victorian Plantations Pty Ltd, *Submission no. 358*, p. 5.

**Recommendation 6**

- 2.98 **The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments implements to a minimum national standard adequate access to all public lands including wilderness areas of national parks.**

**Recommendation 7**

- 2.99 **The Committee recommends that the Commonwealth through the National Heritage Trust assist the states and territories in the construction, maintenance and signage of fire trail networks.**

**Restricted access to water**

- 2.100 A Deputy Captain of the Wagra Rural Fire Brigade who fought fires around Wee Jasper stated that the practice of taking water from private dams over a number of days, from which most of the water was taken, scared stock away and that 'the one water point available within the state forest area was in a position of severe risk to fire fighters ...'.<sup>70</sup>
- 2.101 Besides concerns about inadequate access to fires, the Committee heard claims that water access points in Kosciuszko National Park in New South Wales and the Towong Shire in Victoria had been deliberately filled in and decommissioned.<sup>71</sup> The Towong Shire Council stated that the lack of access to water 'lead to significant delays ... due to long haul distances and difficult terrain.'<sup>72</sup>

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70 Ken Drane, *Submission no. 3*, p. 2.

71 James Litchfield, *Transcript of Evidence*, 10 July 2003, p. 93 and Victorian Farmers Federation, *Submission no. 423*, p. 7.

72 Towong Shire Council, *Submission no. 457*, p. 1.

- 2.102 At a public hearing in Wodonga a representative of the Towong Shire Council referred to the difficulty of providing water access points at locations outside national parks:

The problem we have with dams is that it is one thing having one and it is another thing being able to put something in it. From the legislation that is going through, it looks like we would have to buy the water to put in the dams. That is probably of more concern than the dam itself.<sup>73</sup>

- 2.103 The Wilberforce Brigade referred to the need to map all strategic water supplies for their fire fighting capabilities.<sup>74</sup> An example of the detail that can be achieved in mapping of fire suppression resources can be found in the report by Mr Nic Gellie, a consultant commissioned by the Committee. The report outlines the results of a mapping exercise conducted by Mr Gellie, when he was a fire management officer with the NPWS, with the Mount Tomah and Kurrajong Heights brigades and can be found at appendix E.<sup>75</sup>

### Recommendation 8

- 2.104 **The Committee recommends that the Bushfire Cooperative Research Centre establish a minimum national standard that is common across all tenures of land for water access and availability for bushfire fighting.**

### Recommendation 9

- 2.105 **The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments resolve to increase water access points for bushfire fighting on public land to the minimum national standard.**

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73 Peter Lenaghan, *Transcript of Evidence*, 24 July 2003, p. 44.

74 Wilberforce Rural Fire Brigade, *Submission no. 204*, p. 5.

75 Nic Gellie, *Report on: Causal Factors, Fuel Management including Grazing and the Application of the Australian Incident Management System*, p. 33

## Restricted access for heavy equipment in national parks

- 2.106 Access problems through the uncertain and poor physical condition of the trails were exacerbated by restrictions imposed upon the entry of equipment into national parks by land management agencies.
- 2.107 The Dederang Fire Brigade Management Team stated that:
- A request was put in for the bulldozer at the Mt Jack fire to be sent to the Gluepot fire (only 10km away) but the request was refused as the bulldozer had to be washed and decontaminated. In our opinion and under the circumstances this was completely unnecessary as tankers are sent into fires from different locations and are not decontaminated between emergency fire events.<sup>76</sup>
- 2.108 A Group Captain with the Snowy River Shire stated:
- National Parks were reluctant to put large earthmoving machinery onto construction of the trails during the fires.<sup>77</sup>
- 2.109 A farmer from Callaghan's Creek related an incident where a bulldozer operator's offer of services and equipment was refused because of inappropriate blade width.<sup>78</sup>

### Recommendation 10

- 2.110 **The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments initiate consideration of the relaxation of restrictions on the movement of fire fighting equipment during declared emergencies.**

## Inadequate access and the environment

- 2.111 Besides concerns about blocked and poorly maintained fire trails endangering the lives of fire fighters and hindering fire suppression efforts, the Committee heard evidence that significant environmental damage is caused by the reopening and urgent upgrading of fire trails in emergency situations.

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76 Dederang Fire Brigade Management Team, *Submission no. 152*, p. 2.

77 Peter Bottom, *Transcript of Evidence*, 10 July 2003, p. 6.

78 Simon Paton, *Transcript of Evidence*, 25 July 2003, pp. 45–46.

- 2.112 A representative of the Blue Mountains Conservation Society (BMCS) who also represents the Nature Conservation Council of New South Wales on the District Bushfire Management Committee in the Blue Mountains and is Deputy Captain of a brigade in the area stated that after the Mount Hall fire:

It was heartbreaking ... to see that residents' property – their land, not their buildings – had been damaged by bulldozers driving down very steep gullies and causing masses of erosion. Those things would not have happened if it [interface control line] had been planned in advance ...<sup>79</sup>

- 2.113 In 1985 a buffer zone was made around a property that abuts the Chiltern Box-Ironbark National Park. The fire trail/asset protection zone was not maintained and had to be re-cleared in 2003:

If fire tracks were kept open and maintained specifically around properties ... unnecessary environmental impact would be eliminated.<sup>80</sup>

- 2.114 A Group Captain from the Snowy River District stated that the amount of time lost because of the poor quality of access meant that:

new trails had to be moved further away from major fire fronts to allow construction time. This ... meant that when we did back burns, huge areas of the park had to be burned because of that distance.<sup>81</sup>

## Factors underlying inadequate land management practices

- 2.115 Reasons offered for the inadequate implementation of land management practices that would provide effective mitigation of bushfire damage coalesced under three broad areas:

- Inadequacy of resources available to agencies responsible for the management of public lands, particularly national parks.

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79 Hugh Paterson, *Transcript of Evidence*, 9 July 2003 (Katoomba), p. 25.

80 Win Morgan, *Submission no. 261*, p. 3.

81 Peter Bottom, *Transcript of Evidence*, 10 July 2003, p. 6.

- Increased legislative and administrative requirements in implementing fuel reduction on public and private land.
- A cultural change in agencies responsible for management of public lands from an emphasis on fire mitigation and prevention to fire suppression and asset protection.

2.116 Evidence concerning the inadequacy of resources available to agencies responsible for the management of public lands will be considered in detail in chapter 6.

### **Increased legislative and administrative requirements**

2.117 The Committee received evidence that increased legislative and administrative requirements particularly in the implementation of fuel reduction burns has been responsible for the build up of fuel on both public and private lands.

### **Public land**

2.118 A common perception of the manner in which volunteer fire fighters have been excluded from a partnership with public land managers has been through increased legislative and administrative requirements.

2.119 A Group Captain in the Snowy River Shire inquired:

How do you set a date for a burn next year in July this year?  
If the date is set to do a burn on a particular day and it is raining that day, it is off for another 12 months. We have been trying to do a burn in the Denison area at Adaminaby since 1981 ...<sup>82</sup>

2.120 A senior officer with the Carboor Brigade, Mr Robin Box, referred to difficulties in obtaining permits to reduce fuel:

it tends to be listed to be done in a one-year, two year or three-year time frame. You get very narrow windows of opportunity for that to be done, and it does not always occur in the year in which it was listed to be done, so it goes off the agenda until you lobby again. I attended a meeting with them yesterday and it is still on the agenda. But this has been going on for nearly 10 years.<sup>83</sup>

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82 Darvall Dixon, *Transcript of Evidence*, 10 July 2003, p. 4.

83 Robin Box, *Transcript of Evidence*, 24 July 2003, p. 65.

- 2.121 The Wilberforce Brigade stated that the primary reason for the lack of fuel reduction burning:

is the result of a complex approval process and the plethora of environmental legislation, planning instruments, policies and plans that serve to inhibit hazard reduction by Rural Fire Brigades in NSW on public and private lands.<sup>84</sup>

- 2.122 The Kurrajong Heights Rural Fire Brigade stated that:

A proposal for a strategy can take up to six years to get through the bureaucracy (as has been the experience of our brigade). The approval procedures are expensive to implement.<sup>85</sup>

- 2.123 The Colo Heights Rural Fire Brigade stated that:

Recent problems associated with obtaining Environmental Impact Statements prior to hazard reduction activities have ... reduced the hazard reduction undertaken by rural fire brigades.<sup>86</sup>

- 2.124 Review of Environmental Factors (REFs) requirements were identified as particularly prohibitive requirements in gaining permission to conduct fuel reduction:

it gets down to the REF, when we are in the hands of the land manager. We cannot proceed until we get the REF ... All sorts of excuses can be used, such as restraints on money. REFs are extremely expensive to prepare and they have a budget to work to.<sup>87</sup>

- 2.125 The prohibitive costs of preparing an REF were detailed:

The REF that I did for that last fire control cost me \$1,600. After I gave him a flora and fauna report, which I paid \$21,000 for, he used that to do this and I paid \$1,600 for it.<sup>88</sup>

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84 Wilberforce Rural Fire Brigade, *Submission no. 204*, p. 2.

85 Kurrajong Heights Rural Fire Brigade, *Submission no. 158*, p. 9.

86 Colo Heights Rural Fire Brigade, *Submission no. 154*, pp. 1–2.

87 Brian Williams, *Transcript of Evidence*, 9 July 2003 (Richmond), pp. 24–25.

88 Kurt Lance, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 47.

- 2.126 Contributing to the high costs of REFs was the unnecessary unwieldiness of a one size fits all approach:

There is a recent one here done by ... people at Comleroy for a current hazard reduction. Tabled at the back you have a list: 'Schedule 1, Threatened species listed under the Environment Protection Biodiversity Conservation Act within a 10 kilometre radius of the proposed burn area'. That is Comleroy Road. When you look at that you have got sea birds, whales and everything under the bloody sun listed in here, and that cost an arm and a leg to get. So the whole thing is a joke. Mr Williams pointed out to you that there were two REFs done on the same area by mistake and they differed. Here you have got this sort of thing – whales, grey nurse sharks, and all sorts of other things. This is at Comleroy, 150 miles from the sea, and that is what people pay money for.<sup>89</sup>

### Private land

- 2.127 High fuel loads on private property were attributed to increased administrative and legislative prohibitions on fuel reduction activities. For instance, the Kurrajong Heights Brigade stated that tighter legislative requirements hindered the removal of fuel on private property:

Under the 1949 Act residents were allowed to remove small piles of refuse by fire between the hours of 7pm and 7am without seeking approval of the relevant bush fire brigade, during the bush fire season

Currently under the 1997 Rural Fires Act and during the bush fire season, landowners have to obtain a permit 24 hours a day prior to removal by burning. Also under the Environmental Protection Act they have to obtain permission from Council 24 hours a day for the entire year.<sup>90</sup>

- 2.128 The Captain of the Brindabella Brigade contrasted the situation confronting persons authorised to issue permits to burn off:

a whole wad of environmental legislation was passed that actually became part of the permit issuing procedure and it made the issuing of permits quite difficult. There is now a raft

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89 Kurt Lance, *Transcript of Evidence*, 9 July 2003 (Richmond), pp. 47–48.

90 Kurrajong Heights Rural Fire Brigade, *Submission no. 158*, p. 17.



... of orders coming out ... I used to be able to issue a permit to someone in my area if I thought it was okay for them to do a particular burn. It was fairly simple: they could ring me up; I could write a permit. I know the country. If there was a problem, I would pass it on. I cannot do that any more.<sup>91</sup>

- 2.129 The Committee acknowledges that the Commonwealth is not in a position to determine the legislative or administrative requirements on land management issues and thus leaves this issue to the parliaments and assemblies of the states and territories. It notes, however, that one way of achieving these goals is to set in place arrangements that facilitate rather than inhibit the participation of individuals who wish to take responsible action on fuel loads to do so.

### Increasing centralisation of land management

- 2.130 The Committee received evidence that one of the changes in the administrative culture that has impeded the implementation of land management practices for the mitigation of bushfire was increased centralisation.
- 2.131 Mr Smith demonstrated the problems of centralisation in the inappropriate micromanaging of day to day functions such as the issue of permits to burn off:

We are now in a position in the Yarrowlumla Shire where all hazard reductions have to be approved by the fire control officer or the deputy fire control officer [in Queanbeyan] ... We are back to doing it from 50 kilometres away. How could that person know what the conditions are like out there?

I cannot write a permit any more. Under the new regulations, an environmental impact statement would be required each year for a land-holder, whereas we know that the window of opportunity to burn off some bracken, a bit of tea-tree, some cuttings or to clear some stubble is on a daily or an hourly basis. You cannot predict when to do that.<sup>92</sup>

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91 Peter Smith, *Transcript of Evidence*, 15 July 2003, p. 18.

92 Peter Smith, *Transcript of Evidence*, 15 July 2003, p. 18.

- 2.132 Appearing in a private capacity at a public hearing in Cooma the Chair of the Snowy River Bush Fire Management Committee, Mr David Glasson, suggested that the centralisation of policy making may be responsible for oversight and inappropriate allocation of resources. In the case of inadequate funding for fire trails in the Kosciuszko National Park:

This is partly a result of New South Wales coordinating committee Policy 2-01: Fire Mitigation Works Funding. This coordinating committee seems to be out of touch with many issues relating to fire suppression and mitigation in this area. Basically, a lot of the policies they bring down are for the whole state of New South Wales and, as you can appreciate, there are major differences from the sandstone escarpments around Sydney to the alpine areas that we have. I might add that the coordinating committee were invited down to Jindabyne after the fires to inspect the area and to see the problems with fire trails and solve the funding problems. They declined, due to their funding being granted at the discretion of the commissioner. That is really an intolerable situation.<sup>93</sup>

- 2.133 The Captain of the Kurrajong Heights Brigade suggested a further disadvantageous effect of the encroachment of a centralised bureaucratic process was its inability to utilise local knowledge and a resulting irresponsibility in land management decisions:

The problem for National Parks is that seven or eight years is a long time for a district manager to stay in one area. They do not see the long term consequences of what happens [with the build up of fuel loads].<sup>94</sup>

## Recommendation 11

- 2.134 **The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments implements arrangements in which greater flexibility is devolved to local brigade captains in the issuing of permits to burn for fuel reduction and other purposes in the context of local fire management plans.**

93 David Glasson, *Transcript of Evidence*, 10 July 2003, p. 24.

94 Brian Williams, *Transcript of Evidence*, 9 July 2003 (Richmond), p. 23.