
The Parliament of the Commonwealth of Australia

A Nation Charred: Report on the inquiry into bushfires

House of Representatives
Select Committee into the recent Australian bushfires

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Canberra

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Foreword

In the areas west of the ACT the forests will ... conservatively ... take more than 200 years to return to anything like their original condition ... Phil Cheney, CSIRO Scientist, *Transcript of Evidence*, 22 August 2003, p. 38.

During the Summer of 2003, a total of almost four million hectares in the Australian Capital Territory and across five Australian states, were severely burned from wildfire.

The devastating loss of stock and property, the heart-breaking loss of bushland and wildlife, together with the tragic loss of confidence suffered by those directly affected by the bushfires, left a nation charred to its physical and spiritual core.

The overwhelming view of the more than five hundred people who presented written and / or oral submissions to the *Inquiry on the Recent Australian Bushfires* was that proper land management, proper fire prevention principles and proper fire suppression strategies could have greatly limited the risk of these high intensity wildfires.

The Committee heard a consistent message right around Australia:-

- there has been grossly inadequate hazard reduction burning on public lands for far too long;
- local knowledge and experience is being ignored by an increasingly top heavy bureaucracy;
- when accessing the source of fires, volunteers are fed up with having their lives put at risk by fire trails that are blocked and left without maintenance;
- there is a reluctance by state agencies to aggressively attack bushfires when they first start, thus enabling the fires to build in intensity and making them harder to control; and

- better communications between and within relevant agencies is long overdue.

Most of the evidence presented came from citizens who rolled up their sleeves and physically fought the fires. The volunteer fire fighters. The landholders. People at the fire front. We also heard from many retired people who had years of fire-fighting experience with various state agencies behind them. And we heard from the scientists. The people who lost their homes and their livelihood also told their stories. In addition, the Committee undertook extensive site inspections to fire devastated areas.

The Committee's conclusions and recommendations are based on the evidence and deliberations from a very exhaustive process and reflect very much the views of those people with the generations of experience and knowledge of managing our land. The report is one that should be owned by those people.

I recognise and thank the many people who contributed to this inquiry. The five hundred plus people and organisations who provided submissions. Those who appeared at public hearings are particularly acknowledged. In many cases, it was personally very difficult for them and I admired their courage.

Thanks go also to my Committee colleagues and to staff of the Committee secretariat, all of whom were presented with a substantial workload and tight timeframe throughout the inquiry. The level of commitment to the inquiry was exemplary.

Given the devastation of the Summer 2003 wildfires in New South Wales, Victoria and the Australian Capital Territory, it is regrettable that we did not hear from the agencies with responsibilities for land management, fire prevention and fire suppression in those states and territory. Their respective political leaderships chose not to contribute to the inquiry, claiming a lack of resources.

It was noted however, by Committee members and witnesses to the inquiry, that resources were available from many of those agencies to attend and take notes at much of the public hearings.

One can only hope that those notes accurately captured and recorded the anger, frustration and sense of betrayal felt by so many people in affected communities.

And of course, if those very same notes are not considered and acted upon by the policy makers and decision takers of the various non-participating state agencies, that would indeed be the greatest tragedy of all.

The devastation to property, wildlife and ecology that occurred over such a large part of our country in the Summer of 2003 can only be described as a national disaster.

It is my view that there must be serious and sincere recognition of the need to change the culture and practices within many of our public land managers and fire fighting agencies.

For never again can we afford to be *A Nation Charred*.

I commend this report to you.

Mr Gary Nairn MP
Chair



Membership of the Committee

Chair Mr Gary Nairn MP

Deputy Chair Hon Dick Adams MP

Members Mr Kerry Bartlett MP
 Hon Ian Causley MP
 Ms Annette Ellis MP
 Mrs Joanna Gash MP
 Mr Steve Gibbons MP
 Mr David Hawker MP

Mr Stewart McArthur MP
Mr Frank Mossfield MP
Mr Gavan O'Connor MP
Mr Michael Organ MP
Ms Sophie Panopoulos MP
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Terms of reference

The House of Representatives has appointed a Select Committee on the Recent Australian Bushfires to identify measures that can be implemented by governments, industry and the community to minimise the incidence of, and impact of bushfires on, life, property and the environment.

In investigating these matters the Committee will have specific regard to:

- (a) the extent and impact of the bushfires on the environment, private and public assets and local communities;
- (b) the causes of and risk factors contributing to the impact and severity of the bushfires, including land management practices and policies in national parks, state forests, other Crown land and private property;
- (c) the adequacy and economic and environmental impact of hazard reduction and other strategies for bushfire prevention, suppression and control;
- (d) appropriate land management policies and practices to mitigate the damage caused by bushfires to the environment, property, community facilities and infrastructure and the potential environmental impact of such policies and practices;
- (e) any alternative or developmental bushfire mitigation and prevention approaches, and the appropriate direction of research into bushfire mitigation;
- (f) the appropriateness of existing planning and building codes, particularly with respect to urban design and land use planning, in protecting life and property from bushfires;
- (g) the adequacy of current response arrangements for firefighting;
- (h) the adequacy of deployment of firefighting resources, including an examination of the efficiency and effectiveness of resource sharing between agencies and jurisdictions;

- (i) liability, insurance coverage and related matters; and
- (j) the roles and contributions of volunteers, including current management practices and future trends, taking into account changing social and economic factors.



List of abbreviations

AAAA	Aerial Agricultural Association of Australia
AAVFBA	Australasian Assembly of Volunteer Fire Brigades Association
ABCB	Australian Building Codes Board
ACA	Australian Communications Authority
AFAC	Australasian Fire Authorities Council
AIIMS	Australian Inter-agency Incident Management System
AS	Australian Standards
ASIBA	Australian Spatial Information Business Association
BCA	Building Code of Australia
BMCC	Blue Mountains City Council
CALM	Department of Conservation and Land Management
BMCS	Blue Mountains Conservation Society
CCWA	Conservation Council of Western Australia
CFA	Country Fire Authority
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DCP	Development Control Plan
DoTARS	Department of Transport and Regional Services
DSE	Department of Sustainability and Environment

EMA	Emergency Management Australia
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
FESA	Fire and Emergency Services Authority
FOC	Forest Owners Conference
GST	Goods and Services Tax
HVP	Hancock Victorian Plantations
IAG	Insurance Australia Group
ICA	Insurance Council of Australia
IFA	Institute of Foresters of Australia
ICC	Incident Control Centre
IDRO	Insurance Disaster Response Organisation
IEC	Insurance Enquiries and Complaints Ltd
IPA	Inner Protection Area
MCAV	Mountain Cattlemen's Association of Victoria
NAFI	National Association of Forest Industries
NAS	National Air Support
NHT	National Heritage Trust
NPWS	National Parks and Wildlife Service
NRDA	National Disaster Relief Arrangements
OPA	Outer Protection Area
REF	Review of Environmental Factors
RFS	Rural Fire Service
RFSA	Rural Fire Service Association
SCC	Shoalhaven City Council

TCA	Timber Communities Australia
VAFI	Victorian Association of Forest Industries
VFBV	The Volunteer Fire Brigades Victoria
VFF	Victorian Farmers Federation
VNPA	Victorian National Parks Association



List of recommendations

2 Land management factors contributing to the severity of recent bushfire damage

Recommendation 1

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

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.

Recommendation 3

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

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.

Recommendation 5

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.

Recommendation 6

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

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.

Recommendation 8

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

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.

Recommendation 10

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.

Recommendation 11

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.

3 Fuel reduction and fire management

Recommendation 12

The Committee recommends that the Commonwealth through the National Heritage Trust, offer assistance to the states and the Australian Capital Territory to develop specific prescribed burning guides, at least to the quality of Western Australia, for national parks and state forests through out the mainland of south eastern Australia.

Recommendation 13

The Committee recommends that the Commonwealth seek to ensure that the Council of Australian Governments seek agreement from the states and territories on the optimisation and implementation of prescribed burning targets and programs to a degree that is recognised as adequate for the protection of life, property and the environment. The prescribed burning programs should include strategic evaluation of fuel management at the regional level and the results of annual fuel management in each state should be publicly reported and audited.

Recommendation 14

The Committee recommends that, as part of its study into improving the effectiveness of prescribed burning, the Bushfire Cooperative Research Centre establish a national database that includes areas targeted for fuel reduction, the area of fuel reduction achieved based on a specified standard of on ground verification and the season in which the reduction was achieved. The Committee also recommends that in developing this database the Cooperative Research Centre develop a national standard of fire mapping, which accurately maps the extent, intensity, spread and overall pattern of prescribed and wildfires in Australia.

Recommendation 15

The Committee acknowledges community concerns about smoke pollution as a result of prescribed burning and recommends that the Bushfire Cooperative Research Centre pursue its proposed study into smoke modelling.

Recommendation 16

The Committee recommends that the Bushfire Cooperative Research Centre monitor the effect of grazing on mitigating the return of woody weeds to recently fire effected areas across various landscapes including alpine and subalpine.

Recommendation 17

The Committee recommends that the Bushfire Cooperative Research Centre conduct further research into the long term effects and effectiveness of grazing as a fire mitigation practice.

Recommendation 18

The Committee recommends that the Bushfire Cooperative Research Centre conduct further research on the impact of weeds on the flammability of land and the most economically and environmentally appropriate way to remove weeds after fire events.

Recommendation 19

The Committee recommends that the Commonwealth seeks to ensure that the Council of Australian Governments develop a mechanism that ensures that appropriate measures are taken by public and private land managers for the eradication of weeds following a bushfire event.

4 The approach to the 2003 fires - delays and caution**Recommendation 20**

The Committee recommends that the Commonwealth work with the states and territories through the proposed Council of Australian Governments to review the response to bushfires to ensure that principles of fire prevention and rapid and effective initial attack are adopted and implemented by all rural fire authorities and public land managers

Recommendation 21

The Committee recommends that the Commonwealth seeks to ensure that the proposed Council of Australian Governments review of the bushfire management initiate with the states, as a priority, a review of the responsibilities and potential liabilities of fire controllers with a view to developing principles of indemnification for reasonable, responsible and informed decision making. This review should extend to defining responsibility for occupational health and safety requirements in a way which allows practicable compliance where a reasonable degree of risk taking is urgently required to prevent the loss of life, property and environmental amenity from wildfire

Recommendation 22

The Committee recommends that the Commonwealth Attorney-General engage the Commonwealth, states and territories in a review of occupational health and safety legislation as it affects the proper and effective functioning of bush fire services.

5 Management and coordination of fire suppression**Recommendation 23**

The Committee recommends that the Commonwealth, through the Council of Australian Governments and the Australasian Fire Authorities Council, initiate an overhaul of the incident management systems used by bush fire agencies in Australia to better incorporate local knowledge and expertise and better understanding of the needs and circumstances of local rural communities in the management of major fire events.

The Committee also recommends that this overhaul should aim to:

- refine the system to facilitate setting up simple command and control structures, closer to the fire ground, in tune with the ever changing local fire ground conditions and needs of local communities;
- include training of incident management personnel on how to engage and involve local people in planning and management of fires.
- establish national models for community fire planning and provide for the integration of community fire plans into incident management; and
- include national reporting of the success of incident management of fires as a means of auditing the cost effectiveness of incident operations.

Recommendation 24

The Committee recommends that the state and territory bushfire agencies ensure that, on a district basis, communications are addressed within the district operations plans and that the plans are capable of easy adoption to incident action plans.

Recommendation 25

The Committee recommends that the Commonwealth seek to ensure that the Council of Australian Governments seek the adoption by all states and territories of multi-agency protocols and agreements for fire management, similar to those in force in Tasmania.

Recommendation 26

The Committee recommends that Emergency Management Australia initiate a process involving Australasian Fire Authorities Council and the Australian Assembly of Volunteer Fire Brigades Association to review the coordination of cross border fire fighting arrangements and inter-state deployment of fire fighting resources. The review should specifically consider training on the full range of equipment and procedures likely to be encountered, standardisation of equipment and procedures, communication and the provision of information about local characteristics such as access to water.

6 Fire fighting resources and technology**Recommendation 27**

The Committee recommends that

- the Commonwealth implement a program similar to the Army Reservist Employer Support Program for the re-imbursment of costs incurred by employers of volunteer fire fighters when attending bush fires for a period exceeding five days in any month; and
- the Commonwealth consult with the states and territories through Council of Australian Governments to develop a range of measures related to local government rates, state government charges and insurance costs to provide rebates for registered volunteer fire fighters.
- the Commonwealth consider the feasibility of taxation relief on costs incurred by registered fire fighting volunteers in the line of duty.

Recommendation 28

The Committee recommends that the Commonwealth Government work with Australasian Fire Authorities Council to review the insurance cover provided to volunteer fire fighters in all states and territories and ensure that cover is adequate for loss of life or injury and related loss of income and property lost in the line of duty.

Recommendation 29

The Committee recommends that the Commonwealth should commit funding for aerial fire fighting beyond the 2003–04 season on the proviso that the Australasian Fire Authorities Council and the state and territory governments make a commitment to:

- Rapid initial attack of all wildfires during the bush fire season regardless of tenure.
- Deployment on long term contracts of a mix of aircraft, including fixed wing.
- Deployment of aircraft on a nationally coordinated risk analysis basis to be updated as each fire season unfolds.
- Provision of nationally coordinated full ground support.
- Development of training arrangements for air crews, ground support crews, incident management teams and fire fighters to a national standard.
- Development of systems of effective aerial control of fire bombing operations.

Recommendation 30

The Committee recommends that in changing the incident management systems as proposed in recommendation 23 above all bush fire agencies review concerns about difficulties in communicating operational information from the fire front to air operations.

Recommendation 31

The Committee recommends that Geoscience Australia take responsibility, in conjunction with Emergency Management Australia, for developing a national spatial data policy to coordinate the development of data systems, the collection of data and the sharing of data between all the emergency response agencies across Australia, and that both agencies participate in the development and delivery of spatial information systems as part of a national approach to emergency planning and management data. The first priority in policy development and of systems should be related to bushfire hazards.

Recommendation 32

The Committee recommends that Emergency Management Australia be required to participate in the development and delivery of spatial information systems as part of a national approach to emergency planning and management data. The first priority in policy development and of systems should be related to bushfire hazards.

Recommendation 33

The Committee recommends that the 1:100,000 national mapping program be accelerated to achieve an average life of no greater than 10 years with priority given to those areas most susceptible to national disasters.

Recommendation 34

The Committee recommends that Emergency Management Australia and the Australian Communications Authority jointly with the Australasian Fire Authorities Council:

- Initiate an urgent review on a district basis, of the suitability of the current allocated radio spectrum to ensure that as far as possible, fire fighter safety is not being compromised through inadequate communications.
- Commit to the development, in conjunction with representative bodies of all emergency services, to a National Strategic Radio System.
- That the coordination of the deliberations be assigned to Emergency Management Australia.

Recommendation 35

The Committee recommends that:

- As a short term objective, the use of '40' channel UHF CB equipment be adopted for coordination and interoperability of communications at fire ground level.
- As a longer term objective a national communications plan be developed and incorporate the provision of low powered VHF channel allocations for the purpose of ensuring compatible fire ground communications between all agencies on a national basis.
- That the use of UHF CB between units on the fire ground be included in communications planning for intra-state and interstate deployments.

Recommendation 36

The Committee recommends that Emergency Management Australia and the Australian Communications Authority work with state and territory bush fire authorities to ensure that that district communication plans have regard for the amount of radio traffic that may be generated under the most severe conditions.

Recommendation 37

The Committee recommends that Emergency Management Australia work through the Australasian Fire Authorities Council to ensure that:

- A greater emphasis be placed on pre-incident and incident preparation of communication plans as a means of ensuring effective interoperability between agencies at command and tactical levels.
- That the speed of transfer of operational information between agencies at command level be regularly monitored to ensure that operational objectives are not being compromised.

Recommendation 38

The Committee recommends that Emergency Management Australia and the Australian Communications Authority, in conjunction with the respective state and territory governments, ensure the survivability of essential communication installations during fire incidents by strategic fuel management around the assets.

Recommendation 39

The Committee recommends that the Commonwealth investigate, and where necessary, require the urgent enhancement of the provision of emergency power and telecommunications services for the purpose of restoring essential services expeditiously in areas affected by fire or other natural disaster and where necessary to place licence requirements on telecommunication providers to do so.

Recommendation 40

The Committee recommends that, for the purpose of communications for the police, ambulance and fire brigades, any rental costs associated with the use of radio sites under the care, control or management of the Commonwealth, state, territory or local government be waived, other than for the ongoing cost associated with the use of power at the site.

Recommendation 41

The Committee recommends that Emergency Management Australia request the Australasian Fire Authorities Council to:

- Determine protocols and standards on a national basis for the adoption and implementation of mobile data services by all fire fighting agencies with a view to ensuring national compatibility.
- Consider the development of a ‘closed user group’, utilising satellite telephony, as an interim measure for achieving interoperability between member agencies on a national level.

7 Fire protection**Recommendation 42**

The Committee strongly recommends that the New South Wales, Victorian and Tasmanian Governments abolish the Fire Levy tax they impose on home and business insurance premiums (wherever applicable), making it payable through household rates instead.

Any cost savings gained by the insurance industry through relief from collecting Fire Levies should be passed on to policyholders through reduced premiums. At the same time the Committee urges the Insurance Council of Australia to run ongoing education campaigns to increase public awareness on bushfire preparedness, including the need for insurance.

Recommendation 43

The Committee recommends that taxes on insurance premiums be calculated only on the premium in order to eliminate the current cascading cost.

Recommendation 44

The Committee suggests that registered volunteer fire fighters be exempt from paying Fire Levy tax to help offset some of the expense they incur during active duty. The exemption could be for a period of 12 months following each bushfire season in which they are proven to have fought fires.

Recommendation 45

The Committee recommends that the Insurance Council of Australia coordinates a public education campaign aimed at illustrating the importance of asset protection and how this can be achieved (that is, insurance products).

Recommendation 46

The Committee recommends that insurance companies ensure that potential and existing policyholders are aware of the need to regularly review their insurance policies to prevent undervaluing. This could be done through renewal notices and quarterly reminders. This should include a list of bushfire risk reduction measures that policyholders can implement to decrease the cost of their premium.

Recommendation 47

The Committee recommends that Standards Australia incorporate building maintenance into AS3959–1999: Construction of buildings in Bushfire Prone Areas, perhaps renaming it as AS3959–1999: Construction and maintenance of buildings in Bushfire Prone Areas.

Recommendation 48

The Committee recommends that state and territory governments be required to regularly performs risk assessments to the land within their jurisdictions to ensure that bushfire prone areas are accurately identified and can be appropriately managed. This should include possibly prohibiting, or at least limiting, reticulated development in these areas. If building is effectively prohibited on land previously zoned for residential or commercial building, state and territory governments, in conjunction with local councils, should adequately compensate the affected landholders.

Recommendation 49

The Committee recommends that Standards Australia review the clarity of AS3959–1999: Construction of buildings in Bushfire Prone Areas to ensure that all relevant stakeholders can interpret and apply the Standard in the way it is intended.

Recommendation 50

The Committee recommends that Program D of the Commonwealth Bushfire Cooperative Research Centre examines the (pending) outcome of the ABCB's review of the existing Building Code of Australia bushfire provisions (including Standard AS3959–1999) to determine their adequacy and the ways in which compliance can be better managed. This should include extending its scope to cover existing buildings and those that are not in areas declared as bushfire prone, yet still on the urban-rural interface and therefore, potentially at risk.

Recommendation 51

The Committee recommends that (under Programs C and E) the Bushfire Cooperative Research Centre considers the following items as part of a national education program.

- Introducing bushfire skills training to schools and libraries.
- Training various categories of emergency services personnel on their specific role in the event of a bushfire.
- Ensuring that those in the fields of building, engineering, urban planning, forestry and science have a clear understanding of bushfire risk management including current related regulatory codes and legislation.
- Counselling prospective land developers in bushfire prone areas on the risks and necessary protective planning.
- Running adult education courses on protective planning (including insurance, building design and maintenance and defence techniques) in the context of bushfires.
- Broadcasting protective planning issues through the media, television, Internet, radio and publications.
- Structuring the community into groups and providing them with guidelines for launching an initial attack on a bushfire.
- Enclosing brochures about bushfire protection with rates notices.

- Having a Bushfire Awareness and Preparedness Day (similar to Clean Up Australia Day) where the community is encouraged to undertake risk reduction with local governments coordinating the disposal of hazardous material.

Recommendation 52

The Committee recommends that the Australasian Fire Authorities Council's suggested evacuation protocol be adopted by all of the Australian States and Territories.

Recommendation 53

The Committee recommends that the Commonwealth Bushfire Cooperative Research Centre's research and recommend property protection products and programs under Program D.

Recommendation 54

Further to recommendation 21 in chapter 4, the Committee recommends that the Commonwealth seeks to ensure that the proposed Council of Australian Governments review of the bushfire management, initiate with the states and territories, as a priority, a review of the duty of care of public and private landowners and their potential liability. This should be done with a view to developing clear and consistent principles that cover (but are not limited to) the following:

- Timely replacement/ repair of loss / damage (including to fences) resulting from fire fighting operations, suppression activities or wildfires.
- The liability of councils that imprudently approve the sale of land.
- The responsibilities and potential liabilities of fire controllers with a view to developing principles of indemnification for reasonable, responsible and informed decision making (including occupational health and safety).

8 Future directions for the Commonwealth: toward a national bushfire policy

Recommendation 55

The Committee recommends that the functions and administration of Emergency Management Australia be reviewed to develop an organisation that is proactive and involved in the development and implementation of national policy on emergency response.

Recommendation 56

The Committee recommends in acknowledgement of the expertise that the Commonwealth can bring to the Australasian Fire Authorities Council and of funding already supplied to the Council for the development of a National Aerial Firefighting Strategy, that the current status of Emergency Management Australia on AFAC as an associate member be upgraded to full membership and that full membership also be extended to the Department of Defence.

Recommendation 57

The Committee recommends that the Department of Transport and Regional Services review its record keeping practices to show the type of emergency for which assistance is provided through the Natural Disaster Relief Arrangements.

Recommendation 58

The Committee recommends that the Commonwealth require state and territory governments to have in place comprehensive bush fire management plans as a pre-requisite for accessing funding from the National Heritage Trust and like programs.

Recommendation 59

The Committee recommends that Program E of the Bushfire Cooperative Centre, which is tasked with the development of the next generation of fire researchers and dissemination of the Centre's work, be tasked further to collect and respond to feedback, particularly from the on ground volunteer levels of fire brigades, on the practicality of its outputs and their future requirements.

The fires in south east Australia – January 2003

