

Chapter 2 – Previous bushfire inquiries

2.1 The substantial number of previous inquiries into bushfires in Australia was noted on many occasions in evidence to this committee inquiry. This chapter briefly considers the findings of major recent bushfire inquiries and explores the frustrations many in the community feel about apparent political inaction in response.

2.2 Since 1939, there have been at least 18 major bushfire inquiries in Australia, including state and federal parliamentary committee inquiries, COAG reports, coronial inquiries and Royal Commissions. They are listed as follows:

- 1939 (Victoria): Report of the Royal Commission to inquire into the causes of and measures taken to prevent the bush fires of January, 1939. L.E.B. Stretton.
- 1961 (Western Australia): Report of the Royal Commission appointed to enquire into and report upon the bush fires of December 1960 and January, February and March 1961, Western Australia. G.J. Rodger.
- 1967 (Tasmania): The bush fire disaster of 7th February, 1967: report and summary of evidence. D.M. Chambers and C.G. Brettingham-Moore.
- 1977 (Victoria): Report of the Board of Inquiry into the occurrence of bush and grass fires in Victoria. E. Barber.
- 1984 (Victoria): Report of the Bushfire Review Committee on bushfire preparedness in Victoria, Australia, following the Ash Wednesday fires 16 February 1983. S.I. Miller et. al.
- 1984 (national): 'Bushfires and the Australian environment', Report by the House of Representatives Standing Committee on Environment and Conservation. P. Milton, Chair.
- 1994 (NSW): Report of the Select Committee on Bushfires, Parliament of New South Wales, Legislative Assembly.
- 1996 (NSW): Recommendations from the New South Wales Inquiry into 1993/94 Fires, NSW State Coroner's Office. J.W. Hiatt.
- 2001 (NSW): Recommendations from the Inquiry into the Fire at Mt Kuring-Gai Chase National Park, NSW State Coroner's Office. J. Stevenson.
- 2002 (Victoria): Report of the Investigation and Inquests into a Wildfire and the Deaths of Five Firefighters at Linton on 2 December 1998. State Coroner's Office, Victoria. G. Johnstone.

- 2002 (NSW): Report on the Inquiry into the 2001/2002 Bushfires, Joint Select Committee on Bushfires, Parliament of New South Wales, Legislative Assembly. J. Price, Chair.
- 2003 (ACT): Inquiry into the Operational Response to the January 2003 Bushfires in the ACT. R.N. McLeod.
- 2003 (Victoria): Report of the Inquiry into the 2002–2003 Victorian Bushfires. B. Esplin et al.
- 2003 (national): 'A Nation Charred: Inquiry into the Recent Australian Bushfires', House of Representatives Select Committee on the Recent Australian Bushfires. G. Nairn, Chair.
- 2004 (national): Council of Australian Governments National Inquiry into Bushfire Mitigation and Management. S. Ellis et al.
- 2006 (ACT): Inquests and Inquiry into Four Deaths and Four Fires between 8 and 18 January 2003. M. Doogan, ACT Coroner.
- 2008 (Victoria) 'Report on the Impact of Public Land Management Practices on Bushfires in Victoria', Victorian Parliamentary Environment and Natural Resources Committee. J. Pandazopoulos, Chair.
- 2009 (Victoria): 2009 Victorian Bushfires Royal Commission Interim Report. B. Teague et al.
- 2009 (Victoria): 2009 Victorian Bushfires Royal Commission Interim Report 2: Priorities for building in bushfire prone areas. B. Teague et al.
- 2010 (Victoria): Victorian Bushfires Royal Commission Final Report. B. Teague et al.

2.3 In Appendix 5 the committee reproduces the recommendations of these reports, from the 2003 House of Representatives report onwards. The committee has included government responses where available, as well as a brief comment on the extent to which recommendations from those inquiries have been implemented.

2.4 Nearly all of these inquiries have been established in response to major bushfire events in the south-eastern parts of Australia. As the Bushfire CRC notes in its submission, these areas are more greatly affected by such events:

In northern Australia, few years pass without large areas being burnt. These fires generally have a comparatively low economic impact due to the limited population density and the dispersed nature of built assets. ...

In southern Australia however, large fires often have significant economic and social impacts. The 2002-03 and 2006-07 fire seasons in south-eastern Australia, and most particularly the 2008/09 season were bad, with very

significant areas of forest burnt during the summers, major asset losses occurring, very high suppression costs being borne and complex incident management arrangements being required.¹

2.5 The submission also recognised the differences in the types of fires that occur in the northern and southern parts of Australia:

Northern Australian fires tend to occur in savannah woodlands and in hummock grasslands. The amount of fuel in these environments is generally limited and the weather conditions in the dry season are generally stable. Maximum fire intensities in these situations rarely exceed 20,000 kilowatts per metre. During bushfires in the mountain forests of southern Australia maximum intensities can reach up to 100,000 kW/m.²

2.6 The notable exception is the 1961 Royal Commission into Western Australian bushfires that devastated the Dwellingup area. That inquiry found that a build-up of undergrowth had contributed to the intensity of the fires and a substantial prescribed burning regime was introduced in WA.³ The claimed success of the response to the WA inquiry is discussed further at 3.125.

2.7 In evidence to the committee COAG inquiry panellist Professor Peter Kanowski described the common themes to have emerged from the inquiries into Australian bushfires. They include:

- the importance of prevention and mitigation activities before fires occur: including protective burning/fuel reduction (both in the landscape and around assets), improving community education and awareness, and improving track access for fire fighters;
- the need for adequate resources: including resources for fire agencies and land management agencies, using local knowledge more effectively, and recognising the value of volunteers; and
- other issues relating to communications infrastructure, local government responsibilities and the role of the insurance industry.⁴

2.8 The foreword of the Nairn Committee's report on the 2002-03 fires reported that evidence to the inquiry was overwhelmingly of the view that:

1 Bushfire CRC, *Submission 7*, p. 3

2 Bushfire CRC, *Submission 7*, p. 5

3 Emergency Management Australia, *EMA Disasters Database*, accessed on 5 May 2010 at <http://www.ema.gov.au/ema/emadisasters.nsf/c85916e930b93d50ca256d050020cb1f/7fd5650f149a2674ca256d330005802f?OpenDocument>

4 Professor Peter Kanowski, *Committee Hansard*, Canberra, 12 March 2010, p. 31

... 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.⁵

2.9 These broad themes reflected many of the committee's recommendations, which are included in full at Appendix 5.

2.10 In its submission to the inquiry, the Bushfire CRC also outlined the tasks identified by previous inquiries as needing to be resolved at the national level. These mostly fell into the categories of effective fuel reduction, better national co-ordination and the recruitment and retention of volunteer personnel. Specific hazard reduction tasks included:

- the establishment of a 'single, fuel classification system';
- the development of private property based fuel management monitoring systems for use by local government;
- the establishment of an auditing system for the management of fuel loads on both publically and privately-owned land; and
- the establishment and maintenance of a national data base for key fire related parameters including fuel conditions and the level of fuel management, areas burnt by all forms of fire and agreed measures of intensity/severity (to these could be added the monitoring and reporting of the annual greenhouse impacts of fire regimes).

2.11 Within the scope of national co-ordination:

5 House of Representatives Select Committee on the Recent Australian Bushfires, *A Nation Charred: Inquiry into the Recent Australian Bushfires*, October 2003, p. ix-x

- developing a national approach to the interface between the legal system and the responsibilities of Incident Controllers, and in relation to the impact of occupational health and safety legislation and the performance of fire agencies;
- the standardisation of cross State boundary support arrangements, and mutual support arrangements generally;
- further national coordination and resourcing of fire management related aircraft services;
- a greater involvement of fire and land management agencies in the national mapping program;
- the development and implementation of a 'national strategic radio system', improved mobile data services and related enhancements to improve safety on the fireline; and
- a greater nationally co-ordinated approach to land-use planning, building and maintenance standards in fire-prone areas.

2.12 Tasks relating to volunteers were:

- reviewing the financial impacts borne by volunteers and their employers and exploring taxation related and other ways of reducing these impacts; and
- developing a national approach to the insurance arrangements applying to volunteer fire fighters.⁶

2.13 Most of the themes and issues identified from previous bushfire inquiries were again raised with this committee and form the basis for the remainder of the report. The committee recognises the frustration many people feel about raising well established concerns over bushfire management to yet another inquiry, when previous inquiry processes have not resolved the issues that have been so consistently brought to the attention of governments.

2.14 Professor Kanowski described the bushfire 'cycle of response' that needs to be broken to improve the way Australia manages bushfires:

The COAG Inquiry ... found a repeated cycle of response by governments and the community to major fire events: first, suppression and recovery processes are always accompanied by assertions, accusations and allocations of blame, even while the fires are still burning; second, inquiries are established and report; third, recommendations are acted upon, to varying degrees; fourth, the passage of time sees growing complacency and reduced levels of preparedness... and the cycle begins again with the next major bushfire event.

6 Bushfire CRC, *Submission 7*, pp 10-11

The COAG Inquiry concluded that breaking of this cycle, collectively and individually, was perhaps the greatest challenge we face in learning from the impacts of each bushfire on life and property, and applying our learning in time for the next bushfire event.⁷

2.15 Bushfire CRC noted that:

The period 1998-2009 has seen an unprecedented level of scrutiny of the management of bush (wild) fires in Australia. Yet despite all the reports and recommendations, many fundamental issues appear to remain unaddressed. As an example, over two and a half million hectares or over one-third of Victoria's public land has been burnt by wildfire since late 2002.⁸

2.16 Victorian Association of Forest Industries (VAFI) lamented the frequent bushfire inquiries followed by inaction:

It is quite unfortunate, from my brief experience with this industry, that we continue to have inquiry after inquiry and we continue to have the same recommendations made time and time again. The reason that that occurs is because it is common sense. The recommendations cannot change. However, the attitudes do not change either—that is, the implementation of those recommendations, unfortunately, fails to see the light of day in respect of many of them.⁹

2.17 The Institute of Foresters of Australia also expressed their frustration:

The Institute of Foresters of Australia has previously contributed to a wide range of Federal and State Parliamentary Inquiries including the 2004 COAG Inquiry and the current Victorian Royal Commission into Bushfires.

Institute members are concerned with the lack of implementation of recommendations arising out of the various Inquiries/Commissions and the Institute wishes to register its strong opinion that any further inquiries into Australian bushfire management are futile until recommended actions arising out of previous inquiries are resolved.¹⁰

2.18 They recommended:

The IFA calls on the Federal Government to set up a peak body to co-ordinate implementation of the key issues that have arisen out of at least 18 major inquiries dating back to 1939.

2.19 One Bushfire Front Inc representative related his experience contributing to the 2008 Victorian parliamentary committee inquiry, noting that the committee's report is 'gathering cobwebs':

7 Professor Peter Kanowski, *Committee Hansard*, Canberra, 12 March 2010, p. 31

8 Bushfire CRC, *Submission 7*, p. 6

9 VAFI, *Committee Hansard*, Melbourne, 25 March 2010, p. 51

10 Institute of Foresters of Australia, *Submission 6*, p. 1

The committee came to Perth and I met with them for almost a whole morning. I was impressed by the committee. They were enthusiastic and interested. They went away and in the end published a report, a copy of which was sent to me, and I thought it was one of the best reports that I had seen come out of a parliamentary group for many, many years. I understand that report was submitted to the Victorian parliament and to the Victorian government and it was noted. I understand that is about all that happened to it.¹¹

2.20 The Ministerial Council for Police and Emergency Management indicated in its November 2009 communiqué that:

The Council acknowledged the significant role that these reports have played in shaping the reform of Australia's emergency management arrangements over recent years. The Council has conducted an audit of the implementation of these recommendations, which found that most recommendations have been addressed.

The Council agreed that further work in regard to risk assessment and modification, land use planning, development and building control regimes will now be undertaken as part of the national disaster resilience agenda.¹²

Committee view

2.21 The committee realises that not every recommendation from parliamentary committee, coronial or Royal Commission inquiries can or should be implemented by the governments and their agencies to whom they are directed. It is also understood that following a natural disaster many of those affected will seek to identify contributing policy failures that can and should have been rectified by government action, rather than attributing the devastation to the grim reality of natural forces alone.

2.22 However, the committee is of the view that the consistency of recommended action over a number of years indicates that some states have not adequately addressed deficiencies in bushfire management. The clearest example of this is the apparent lack of political will in some jurisdictions to comprehensively plan, fund and implement fuel hazard reduction strategies on fire prone public land, despite consistent advice from fire fighters and other bushfire experts to do so.

2.23 The committee understands that improving bushfire management practices is not a straightforward task, nor is there universal agreement about the best way to do it. But the committee makes the observation that governments at all levels are obliged to take all reasonable measures to avoid the catastrophic loss of life that occurred in

11 The Bushfire Front Inc, *Committee Hansard*, Perth, 29 April 2010, p. 21

12 Ministerial Council for Police and Emergency Management, Communiqué, Perth, 20 November 2009, accessed on 28 May 2010 at [http://www.ema.gov.au/www/emaweb/rwpattach.nsf/VAP/\(8AB0BDE05570AAD0EF9C283A48F533E3\)~Communique_Perth+20th+Nov09.pdf/\\$file/Communique_Perth+20th+Nov09.pdf](http://www.ema.gov.au/www/emaweb/rwpattach.nsf/VAP/(8AB0BDE05570AAD0EF9C283A48F533E3)~Communique_Perth+20th+Nov09.pdf/$file/Communique_Perth+20th+Nov09.pdf)

Victoria in February 2009. The committee therefore suggests that governments and their agencies re-consider inquiry recommendations they have previously rejected, and hasten the implementation of those they have accepted, bearing in mind the real possibility that a similar disaster could occur again.

2.24 The committee also proposes that the Commonwealth Government take the necessary measures to assist the states carry out their responsibilities as effectively as possible, and makes a number of recommendations to this effect in the remainder of the report.