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Rec No	Background Information	Council Recommendation	Minister's Response
<b>Adaptation to Climate Change</b>			
1	Council is concerned that there has been relatively little progress in the climate related actions in Objective 9 of the SBMP.	<b>That the ACT Government consider using the BNHCRC 'Capability Maturity Tool' to assess capability gaps across the ACT in planning for and managing severe-to-catastrophic disasters.</b>	<p><b>Agreed-in-Principle</b></p> <p>Adopting adaptive management processes to address increasing bushfire risks, including climate change, and supporting continuous improvement based on sound research, modelling, monitoring, evaluation and lessons learned, remain ongoing priorities for the ACT Government.</p> <p>The ACT Government continues to assess and consider contemporary and emerging planning tools to meet ACT needs. Consideration of the BNHCRC 'Capability Maturity Tool' will be taken into account in the ongoing development of strategic and campaign disaster plans.</p>
<b>Resourcing and rebalancing the SBMP</b>			
2	The SBMP is currently resourced indirectly via contributions that Directorates make to the actions in each of the objectives of SBMP4. The contributions roughly follow Directorates' historical expenditure on those actions. Given the growing maturity in governance of the SBMP, and the gaps in achievement of some of the objectives, Council suggests that it is time to review the balance of effort across the SBMP.	<b>That the forthcoming review of SBMP4 consider both the balance of effort across the objectives of the plan, especially the balance between mitigation and recovery actions, and the total resourcing required to maintain the same or a reduced level of harm from bushfire as climate change increases the frequency and severity of bushfires.</b>	<p><b>Agreed-in-Principle</b></p> <p>The ACT Government remains committed to ensuring that bushfire mitigation and recovery actions are adequately resourced and will continue to do so as climate change increases bushfire frequency and severity into the future.</p> <p>The development of SBMP 5 is due to commence in 2022. In the development of this, key stakeholders, including ACT Bushfire Council will be invited to participate. This recommendation will be considered in that process.</p>
<b>An outstanding strategic issue from last year's report</b>			
3	Last year Council recommended that the management and suppression arrangements in the 2019-2020 bushfire in the ACT be reviewed by an independent, qualified expert. Government asserted that this had already been done (see Section 5) but Council cannot see the evidence in the	<b>That the ACT Government undertake a review of the management and suppression arrangements used during the 2019-20 bushfire, for the specific purpose of identifying appropriate lessons to be used in both future training activities and bushfire</b>	<p><b>Completed</b></p> <p>The Council comments regarding this matter have been noted.</p> <p>The operational response provided to our community during the 2019-20 bushfire season meant the ACT was well protected. The ACT Government committed early to reviewing the season to ensure any lessons would bolster our emergency response into the future.</p>

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	<p>reviews referred to. We repeat the recommendation in this report.</p>	<p><b>management; and that AFAC be requested to identify people with the appropriate bushfire management skills to assist.</b></p>	<p>The 2019-20 season was subject to several internal and external reviews. ACT Government officials, volunteers, and staff, all had the opportunity to make significant contributions to the Royal Commission into National Natural Disaster Arrangements; NSW Bushfire Inquiry; ACT Legislative Assembly Standing Committee on Justice and Community Safety review of ACT emergency services responses to the 2019-20 bushfire season; Review of the Whole of ACT Government Coordination and Response during the 2019-20 Bushfire Season; and Independent Report on the ACT Emergency Services Agency Operational Review of the Bushfire Season 2019-20. The reviews provide assurances and transparency to the Canberra community that our response was effective and professional. The results of these reviews, the recommendations, and lessons identified, have already commenced being incorporated into development of training and exercise activities and development and review of emergency plans. This is occurring within the Rural Fire Service, Emergency Services Agency (ESA) and across Whole of Government. A campaign approach to preparedness was implemented in 2021 in the lead up to the High-Risk Weather Season. This will continue to be reviewed to maintain best practice. The ESA and ACT Government continue to seek input and assistance from AFAC and other subject matter experts in order to maintain a contemporary approach to training and evaluation activities.</p> <p>The ACT Government has also reviewed and strengthened the Emergencies Act, implementing legislative changes that will further improve our response to emergencies that impact our community and will enable staff and volunteers to continue to keep our city safe and informed.</p> <p>This extensive work means Canberrans will be even better protected and informed during natural disasters into the future.</p>
<p><b>Evaluating the effectiveness of bushfire community engagement activities</b></p>			
<p>4</p>	<p>Council supports the diverse approach to raising awareness and actions in the ACT community in relation to bushfires. However, as recommended in almost every report to the Minister</p>	<p><b>That ESA arrange for an external evaluation of the effectiveness of bushfire community engagement activities to ensure a targeted and effective public education</b></p>	<p><b>Ongoing</b></p> <p>The ESA continues to keep our community well informed through a number of platforms, including social media, radio, television and print media.</p>

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	<p>over the past 10 years, Council advocates for external evaluation of the effectiveness of bushfire community engagement activities to ensure a targeted and effective public education program for future seasons.</p>	<p><b>program for future seasons and to measure any community behaviour change in relation to bushfire awareness and preparedness.</b></p>	<p>Funding has been allocated within the 2021-22 ESA Public Information &amp; Engagement budget to undertake a community benchmark survey in 2022. This will assess social behaviour in relation to preparing for and responding to emergencies within the ACT. A similar survey was undertaken in 2015, which will allow for a comparison of data.</p> <p>The ESA proudly works with some of Canberra’s best creative agencies to co-design preparedness and education campaigns. Working with creative agencies ensures industry expertise in marketing and communications, as well as the latest tools and technology, are the foundation of any engagement or education campaign.</p>
<b>Council’s role in providing advice on Bushfire Operational Plans</b>			
5	<p>Council recognises the role of the Commissioner in approving Bushfire Operational Plans (BOPs), however there is no mechanism for Council to provide advice to the Commissioner as part of the Commissioner’s functions if the Commissioner does not request it in accordance with the Emergencies Act.</p>	<p><b>That the Terms of Reference for Bushfire Council include a strategic role for Council in all Bushfire Operational Plans, including providing comments on draft BOPs and monitoring their implementation.</b></p>	<p><b>Agreed-in-Principle</b></p> <p>The ACT Government will continue to work with the ACT Bushfire Council on the identification of matters for the Council to provide advice on. The updated Terms of Reference will provide the opportunity for Council to give advice on relevant matters relating to planning, preparedness, response and recovery in an all Hazard threat (natural disaster) environment.</p>
<b>Establishing a legislative basis for the Regional Fire Management Plan</b>			
6	<p>Council recognises that the concept of a Regional Fire Management Plan was developed after the introduction of the <i>Emergencies Act, 2004</i>, and that it is described as a long-term operational plan in SBMP4. However, given its strategic importance and links to both the SBMP and shorter-term BOPs, Council considers that there should be appropriate legislative provisions establishing the RFMP.</p>	<p><b>That the <i>Emergencies Act, 2004</i> be amended to require the manager of public land to prepare a Regional Fire Management Plan every 5 years, in consultation with the Bushfire Council and other stakeholders, including a period of public consultation.</b></p>	<p><b>Not Agreed</b></p> <p>The Regional Fire Management Plan (RFMP) is long-established. There is agreement within government on the process for development, including community input and consultation. There is no legal requirement or rationale for incorporating the Regional Fire Management Plan into the <i>Emergencies Act 2004</i>. Doing so would also be contrary to ongoing ACT Government efforts to remove unnecessary legislative provisions to improve flexibility and responsiveness.</p> <p>The RFMP is an EPSDD-specific working document outlining proposed scheduling of fire and fuel mitigation activities on EPSDD-managed lands over a 5-year period, with a 10-year outlook. It effectively sits between the ESA-managed SBMP and the annual EPSDD BOP development, both of which are legislatively mandated under the</p>

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			<p><i>Emergencies Act 2004.</i> The RFMP effectively provides a public consultation mechanism for proposed fuel management works, which would otherwise be required every year with each BOP development. The RFMP consultation process is usually conducted collaboratively and in association with the public consultation on the SBMP every 5 years, and the RFMP development is also referenced in the SBMP. This provides a solid basis for the ongoing development and production of RFMP's in the future without a specific legislative requirement.</p> <p>Legislatively mandating the RFMP will require other ACT Government agencies to develop 5-10 year plans to link with their individual BOPs, which are not currently taken to public consultation. This would introduce unnecessary administrative and legislative management contrary to ongoing Government efforts to improve flexibility and responsiveness as indicated earlier.</p> <p>The biggest land manager in the ACT already has a commitment to produce an RFMP to cover EPSDD and TCCS land. It has the flexibility to adapt the nature of the Plan to align with best practice of the time. It is unlikely that smaller land managers, in being obligated to produce an RFMP, will add an appreciable measure of risk mitigation or planning advantage beyond what they already achieve.</p>
<p><b>Achieving a balanced mosaic of fuel ages across the forest landscape</b></p>			
7	<p>Council emphasises the importance of developing a balanced mosaic of fuel ages across the forest landscape and is concerned at factors that delay prescribed burning to the extent that effective risk reduction across the broader landscape is compromised.</p>	<p><b>That the Minister commission an independent review of the effectiveness of prescribed burning on land managed by the Parks and Conservation Service, taking account of the lessons and impacts from the Orroral bushfire, with a view to recommending a balanced future program of hazard reduction and ecological burns to limit the undesirable impacts from severe bushfires on built assets, water catchments and ecological values.</b></p>	<p><b>Not agreed</b></p> <p>Prescribed burning in the ACT is primarily undertaken by ACT Parks and Conservation Service as part of its legal responsibility for bushfire preparedness across EPSDD and TCCS managed land. PCS constantly monitors conditions and identifies appropriate opportunities as they arise. Planned burning is only undertaken when conditions meet the prescriptions identified in the burn plan to ensure the burn meets its objectives safely and effectively.</p> <p>The ACT Government is committed to ensuring that all government mechanisms that contribute to difficulty in meeting planned burning targets are reviewed and streamlined.</p>

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<p><b>Down turn in levels of prescribed burning achieved</b></p>			
8	<p>Council is concerned that the area of prescribed burning achieved in the last five years (14,440 ha) was less than half of that achieved in the previous five years (30,261 ha), and less than half of the area planned (31,349 hectares). The reasons are not clear but the trend is strong and suggests systemic factors may be involved. Continuation of this situation, in the face of a warming climate, will materially increase the risk of severe bushfire damage to the ACT.</p>	<p><b>That the ACT Government reconsiders the decision to cut the Parks and Conservation Service fire management budget by 13% and conducts an independent review of the budget and other constraints that impact on the ability of the Parks and Conservation Service to achieve the level of prescribed burns and other important fire management strategies approved under Bushfire Operational Plans within a 5-year period, taking account of cost increases and the additional bushfire risks associated with both an expanding urban footprint and climate change.</b></p>	<p><b>Not agreed</b></p> <p>The ACT Government continues to adequately resource PCS to conduct fire management activities, including prescribed burning and other activities under the Bushfire Operational Plan. The 2021/22 BOP includes an allocation of \$10.48 million.</p> <p>The key determinant in the delivery of fire management activities including fuel reduction burns is <b>weather</b> not available resources. Wet weather in 2021/22 has reduced the ability to undertaken burning, slashing and prevented heavy vehicles accessing areas to deliver maintenance activities. The 2017 to 2019 drought significantly impacted the ability to undertaken prescribed burning. The changing climate is resulting in a reduced operational window. Finding the right conditions to achieve desired objectives is increasingly challenging. That is why the ACT Government has shifted its approach to using residual risk modelling to target areas for fuel management that represent the greatest risk to life, property and the environment. However, should conditions improve in coming months, PCS is putting place measures to deliver as many activities as possible to reduce risk, noting that access to the Treasurer’s advance is available if additional funding is required.</p>

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			<p>The 2020 Orroral Fire burnt out a large percentage of Namadgi National Park and Tidbinbilla Nature Reserve which negated the need for any prescribed burning in that area in 2021/22..</p> <p>The apparent reduction in prescribed burn area achievements can be attributed to a different method of reporting areas treated. Previously the entire potential prescribed burn polygon area was reported as either incomplete or fully complete. Since that time, PCS have improved their fire severity and patch mapping and post-burn assessment, which has reduced the improved reported treated areas compared to the generic planned areas by about 50per cent</p>
<b>Designed adaptation to climate change</b>			
9	<p>Council is concerned about the slow progress of actions in the SBMP that address adaptation to climate change. Studying climate change and its impacts is a necessary starting step but doesn't return any value until work is put into identifying options for modifying risk through adaptation. Especially for risk mitigation measures that have long life spans, such as the location and design of new suburbs and their buildings, actions must be taken now to mitigate the expected risk well past 2050.</p>	<p><b>That a pilot project on adaptation be developed collaboratively between ESA and EPSDD based on a likely climate scenario in 2050 and focussing on one of the major mitigation options of fuel management, fire suppression or estate and building design.</b></p>	<p><b>Ongoing</b></p> <ul style="list-style-type: none"> <li>The ACT Government is developing a portfolio of research proposals to effectively adapt fire management strategies and tactics to the changing conditions predicted under climate change. These include: partnering with ANU to develop new bushfire detection strategies;partnering with UNSW to investigate methods of managing ember attack on the urban area; partnering with CSIRO to develop a new National Bushfire Intelligence Capability; developing a proposal to investigate methods for adapting the prescribed burning program to better address temporal changes in landscape bushfire risk; partnering with University of Melbourne and experts at Jacobs Engineering Group to improve management of post-fire hydrological risk; and partnering with a range of experts to better map landscape flammability to improve prescribed burning outcomes.</li> </ul>
<b>The Aboriginal Fire Management Zone</b>			
10	<p>Council notes and supports the ongoing development of cultural burning activities and the designation of an Aboriginal Fire Management Zone. As a new initiative, Council suggests there would be value in</p>	<p><b>That EPSDD develops and implements a monitoring and evaluation system covering the ecological and cultural outcomes for the Aboriginal Fire Management Zone.</b></p>	<p><b>Ongoing</b></p> <p>The PCS cultural burning program is a partnership between Ngunnawal Traditional Custodians and PCS. As such, PCS is responsive to the views and aspirations of Ngunnawal people in delivery and designing a monitoring and evaluation program that meets the community's needs.</p>

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	<p>evaluating the ecological and cultural outcomes of the program.</p>		<p>All PCS burns are monitored and evaluated for cultural and ecological values, and an additional program is being developed for cultural burns in consultation with Dhawura Ngunnawal Committee.</p> <p>Monitoring and evaluation of the cultural burning program varies according to the location and aims of each burn. Burns conducted at Jerrabomberra Wetlands are closely monitored for impacts on desirable species including native plants and migratory shorebirds.</p> <p>Cultural burns in threatened grassland ecosystems are closely monitored for threatened grassland species by Conservation Research and Evaluation. Cultural sites identified by PCS as vulnerable to fire are regularly monitored by the PCS Aboriginal Fire Officer so that appropriate mitigation, including burning can be implemented.</p>
<p><b>Updating the 'Planning for Bushfire Risk Mitigation General Code'</b></p>			
<p>11</p>	<p>Under the Planning for Bushfire Risk Minimisation Code adopted in March 2008, a bushfire risk assessment is required at the structure planning or concept planning stage for any land development mapped as being "bushfire prone". It is now well over ten years since this Code was adopted. Council is concerned that it may not reflect current procedures and standards and that it should be reviewed and updated.</p>	<p><b>That the "Planning for Bushfire Risk Mitigation General Code 2008" be updated as a matter of urgency to reflect current procedures and standards.</b></p>	<p><b>Agreed</b></p> <p>The ACT Planning Strategy (2018) that guides how Canberra will grow and change into the future has a number of strategic directions and actions to deliver on its vision – <i>"to be a sustainable, competitive and equitable city that respects Canberra as a city in the landscape and the national capital, while being responsive to the future and resilient to change."</i></p> <p>The following specific action is directly relevant to the Bushfire Council's recommendation:</p> <p>Action No. 3.2.1 - Review planning policy and statutory mechanisms to incorporate climate change adaptation considerations and resilience criteria into urban planning and design processes, including objectives to:</p> <ul style="list-style-type: none"> <li>• implement bushfire prone area declarations within parts of the urban area of Canberra to reduce the risk from bushfires; this includes reviewing the Territory Plan's Bushfire Mitigation General Code for bushfire risk exposed parts of Canberra</li> </ul> <p>Through the ACT Planning System Review and Reform Project, EPSDD is in the process of evaluating policies to be incorporated in the new Territory Plan. This process will identify agreed government policy that</p>

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			<p>relates to the Territory Plan, determine the desired outcome(s) that policy is trying to achieve, and inform the drafting of development controls making sure that they align with existing, approved government policy. This process will include evaluating and reviewing the <i>Planning for Bushfire Risk Mitigation General Code</i> to make sure that when drafting the new Territory Plan planning and development controls reflect current policy and standards for bushfire mitigation.</p> <p>EPSDD will be working with the ESA over the coming months to achieve this outcome and will continue to update Council on progress.</p>
<b>Applying bushfire-related construction requirements in bushfire prone areas</b>			
12	<p>Currently, clause 44 of the ACT Building Regulation states that the Building Code in bushfire prone areas only applies to land that is non-urban. This should be amended to include all land that has been mapped as being bushfire prone, so that it captures land within the existing urban landscape as well as new release land developments that, once zoned urban, are currently not required to comply with AS3959.</p>	<p><b>That the Building Regulation 2008 be amended as a matter of priority to give effect to the Government's decision in December 2018 to apply bushfire-related construction requirements to all new and substantially altered residential dwellings in both new and existing urban areas. This includes identification of Bushfire Prone Areas across all urban areas with a high level of bushfire risk.</b></p>	<p><b>Ongoing</b></p> <p>See response to recommendation 11.</p>
<b>Bushfire risks in the Western Edge Investigation area of potential urban development</b>			
13	<p>Council is concerned about the quality of the assessment of bushfire risk carried out in the initial investigation of the suitability of land in the western edge for urban development. In particular, the assessment did not appear to recognise the increase in fire risk with a warming climate, nor did it draw on the expertise in ACT bushfire modelling within the Directorate.</p>	<p><b>That the technical report assessing bushfire risk in the Western Edge Investigation be reviewed by the fire group in PCS and if appropriate, their fire modelling skills be used to strengthen the technical findings and that these be taken into account in future decisions about urban development in the Western Edge.</b></p>	<p><b>Ongoing</b></p> <p>The consideration of urban development within the Western Edge of the ACT is currently at an initial stage with preliminary investigations being undertaken. The initial bushfire risk assessment was completed looking at the broader environment and risks presented. In 2021/22, a land use land capability and suitability investigation will be undertaken to better define potential development and conservation areas taking into consideration a range of matters including bushfire risk. Further and more detailed bushfire risk assessments will be undertaken as the project progresses over the coming years.</p>



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			The Council's concerns regarding the preliminary bushfire risk assessment are noted and EPSDD will continue to engage with the Parks and Conservation Service as the project progresses.
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