



ACT BUSHFIRE COUNCIL MEETING

Meeting 3: **Wednesday 4pm to 7pm, 6 May 2020**

WEBEX Invitation

9 Amberley Avenue, FAIRBAIRN ACT 2609

Members

- Sarah Ryan – Chair, ACT Bushfire Council
- Natarsha Jakubaszek – Deputy Chair, ACT Bushfire Council
- Tony Bartlett – Member
- Steve Angus – Member
- Margaret Moreton – Member
- Cathy Parsons – Member
- Bhiamie Williamson – Member
- Marion Leiba – Member
- David Snell – Member
- Kylie Coe – Member
- Jeremy Watson – Member

Invited Guest(s):

- Neil Cooper, Senior Director, PCS, EPSDD (PCS Proxy)
- Greg Potts, Assistant Director, ACTRFS Community Bushfire Protection (Presenter)
- Guy Cassis, ACT Fire and Rescue (Presenter)

Apologies: Steve Angus

Officials

- Georgeina Whelan – ESA Commissioner
 - Rohan Scott – A/g Chief Officer, ACT Rural Fire Service
 - Chris Zeitlhofer – A/g Chief Officer, ACT Fire and Rescue
 - Justin Foley, A/g Executive Branch Manager, Parks and Conservation Service, Environment, Planning and Sustainable Development Directorate (EPSDD)
- Meeting Information
Delegated Authority under the *Emergencies Act 2004*
Call-In Number: 02 6207 7160

Secretariat:

Lynda Scanes

| Minutes | |
|--|--------------|
| Item | Presenter |
| 1. Acknowledgement of country | Chair |
| The Chair acknowledged the traditional custodians of the land that the meeting was on, the Ngunnawal people. She expressed acknowledgement and respect towards their continuing culture and the contributions they make to the life of this city and this region. She also acknowledged and welcomed other Aboriginal and Torres Strait Islander people attending the meeting. | |
| 2. Welcome (Introductions, apologies and nomination of member to monitor the performance checklist) | Chair |
| The Chair welcomed all to the WebEx meeting and apologies were noted. | |
| 3. Declarations of interest | Chair |
| No conflicts of Interest were reported by Council Members. | |
| 4. Acceptance of minutes and actions from previous meeting | Chair |
| The minutes from 4 March 2020 were accepted as a true and accurate record of the meeting, with some minor amendments required. Actions were reviewed and updated as per Appendix A. | |

20200406-04 Action: The ACTRFS Chief Officer and Secretariat to find a solution to enable BFC members access to meeting papers and presentations from previous meetings.

5. Correspondence for noting

Chair

Council Members noted they had received a letter from the Minister for Police and Emergency Services. The Chair advised that the detail in the letter would be addressed at Agenda item 7.

6. Report on activities attended on behalf of Council since the last meeting

Chair

Nil.

7. Minister's response to the ACT Bushfire Council's report into the preparedness for the 2019-20 bushfire season

Chair

The Minister's response to the recommendations in the Council's report on preparedness for the 2019-20 bushfire season was discussed. A number of issues were highlighted, and Council discussed the best approach to raising this with the Minister.

It was agreed that the Chair draft a response to the Minister on behalf of the ACT Bushfire Council seeking clarification to his response to the recommendations in Council's 2018-19 Bushfire Season Preparedness Report.

20200406-07 Action: The BFC Chair to draft a response to the Minister for Police and Emergency Service (MPES) seeking clarification to his response to the recommendations in Council's 2018-19 Bushfire Season Preparedness Report.

8. SBMP Focus Objectives

Presentation

Objective 10. Land use planning and Objective 11. Integrated bushfire protection at the urban edge

The meeting paper and flowchart of the ACT Planning process was taken as read. The paper was written by Greg Potts in consultation with ESA Risk & Planning and Strategic Policy and Planning EPSDD.

Greg Potts and Guy Cassis spoke to the paper and answered specific questions.

The paper provided information on how ESA provides advice on development applications (DAs) under the *Planning and Development Act 2007*. ESA is considered a referral agency for the review of and input into development applications for better bush fire protection and fire safety outcomes for the ACT. ESA works closely with EPSDD and other Government agencies to provide oversight and comment on new development in the ACT.

The paper covered the agreed fire protection measures for new estates and answered questions from Council in relation to land management surrounding the Lower Molonglo Valley. The statistics of DAs that have been referred to the ESA in 2019 for comment were also included in the report.

The *National Construction Code 2019*, AS3959 was also discussed. Council members agreed to write to EPSDD seeking clarification on how the code is being incorporated into the ACT Territory Plan.

Council agreed to request EPSDD to provide a briefing on the nature of the agreements with developers on the fire protection measures for the new Molonglo Valley suburbs to the west of the ACT.

Several actions resulted from the discussion:

20200406-08 (1) Action: BFC to write to EPSDD Planning to request an update on where the Cabinet Submission is up to in relation to AS 3959:2018 being incorporated into the ACT Territory Plan and to request that a briefing be provided to Council on the agreements with developers on the fire protection measures to be applied at the final western boundaries of the suburbs of Denman Prospect and Whitlam, including the expected locations of edge roads and asset protection zones and the details of the proposed thinning of the red stringybark forest.

20200406-08 (2) Action: Secretariat to add to the June BFC Business Plan a presentation by Greg Potts and Scott Seymour on the current status of the Bushfire Management Standards (including an ACT & NSW comparison) and the review of Fire Management Zones. Greg Potts undertook to provide his paper/presentation prior to the meeting.

20200406-08 (3) Action: Neil Cooper to arrange a Phoenix model analysis of the likely impacts on Denman Prospect from a bushfire burning through the forest blocks located to its west, following discussions with Tony Bartlett and Nick Lhuede on the specific modelling requirements.

20200406-08 (4) Action: The Secretariat to send the ACT Bushfire Management Standards to Council Members.

20200406-08 (5) Action: After each BFC meeting, a short meeting between the CO ACTRFS the Council members whose focus objectives are in the Business Plan two months ahead will be held to discuss and agree on the nature of the information that BFC would like presented at that meeting.

Presentation

Objective 3. A community that is prepared for bushfires

The presentation that was circulated with the meeting papers in relation to the Orroral and Beard Fires and Storm Response Recovery Program Plan for Namadgi National Park was considered sufficient information.

Council passed on their thanks to Mr Peter Cotsell for providing the presentation.

9. Standing Item: Update Draft Regional Fire Management Plan

EPSDD

Rolled into EPSDD report.

10. Standing Item- Reports from the SBMP Governance Committee

CO ACTRFS

SBMP v4 is managed in accordance with the governance arrangements. A reporting and governance system are in place for all actions of the SBMP. In the first instance, the specific activities that address each action are defined and also how achievement of the action will be measured. Action = descriptions are completed by the staff who are responsible for the delivery of the action, for reporting progress and compiling evidence of its completion. The initial information required is summarised in an Action Description Form.

The recent bushfire response by ESA and EPSDD interrupted the phase of completing Action Description Forms. However; ACTRFS has commenced regular and ongoing consultation and engagement with the key internal and some external stakeholders.

It was noted that most effort in SBMP is focused internally in ESA in developing the Action Descriptions. To date, ACTRFS has progressed the near completion of Draft Action Description Forms by Transport Canberra and City Services Directorate and Chief Minister, Treasury and Economic Development Directorate; and these are now awaiting Directorate clearance.

The next steps are for ACTRFS to meet with EPSDD Environment and Planning to discuss how the specific actions in the SBMP that they are responsible for will be delivered.

11. Officials' reports for noting:

Officials

11. 1 EPSDD Report

EPSDD

The report was taken as read. A verbal briefing highlighted work on the Bushfire Operational Plan (BOP) within the constraints COVID-19 social distancing rules. The ability to deliver prescribed burns remaining in the 2019-20 BOP is being re-assessed, due to COVID-19 and the recent rain. A new tanker with Ngunnawal artwork will be ready for service as soon as the artwork is in place on the vehicle.

Work continues with the ESA on Asset Protection Zones (APZs). ESA will lead public consultation once the zones are finalised. The aim is to have the APZs finalised by the end of the year so that the RFMP can be used

to develop the PCS 2021-22 BOP.

The Orroral Valley fire recovery operations continue to consume all the available Fire Unit time. BOP crews have transferred from delivery of the BOP to assisting in the opening of the tracks and trails in Namadgi National Park. Adam Leavesley is researching the impact that prescribed burning had on the severity and rates of spread of the Orroral Valley Fire.

11.2 Commissioner's Report

Commissioner

The report was taken as read. A verbal briefing was provided highlighting the National Royal Commission into National Natural Disaster Arrangements, the ACT Legislative Assembly Committee Inquiry into the 2019-2020 Bushfire Season and the Status of the ESA After Action Review (AAR).

The Commissioner noted the additional pressure that has been placed on ESA due to the length of the bushfire season that is still being felt by those who gave their time responding to bushfires in the ACT and interstate. Additional pressure is being placed on ACT Government officials in dealing with the COVID-19 pandemic. At the same time there are substantial requirements to respond to requests from the Royal Commission into National Natural Disaster Arrangements.

ESA also requires time to review and learn from the 2019-20 bushfire season AAR, in order to allow ESA to be even better prepared for the 2020-21 bushfire season.

11.3 Chief Officer, ACT Rural Fire Service Report

CO ACTRFS

The report was taken as read. A verbal briefing was provided highlighting the work being undertaken by Abby Rees with the RFS Team to reflect on and reset expectations around interpersonal communication between the Brigades and RFS HQ. An update was provided in relation to the Bushfire Season Preparedness Project Fire Danger Rating (FDR) Sign Replacement program, staff movements and current recruitment activities.

The COVID 19 restrictions have impacted on regular work in the Brigades, but online training and meetings have been instituted and this has opened a wider information dissemination platform for ACTRFS members. The uptake for online activities has been very positive and a boost for morale within the brigades.

12. Standing item – ACT Bushfire Council Business Plan

Chair

20200406- 12 Action: The Secretariat to update the BFC Business Plan to reflect requests for information arising from the May meeting and to add Nick Lhuede as a Council member who will focus on objectives 3, 7, 8 11 of the SBMP version 4.

13. Paper on the recollections about the work of the ACT Bushfire Council since 2000 by Dr Tony Bartlett

Chair

The paper was taken as read. A verbal briefing was provided highlighting the work of the ACT Bushfire Council over the past 20 years. The report provided an overview of the work of the Bushfire Council before and in the aftermath of the 2003 bushfire, and its contributions to new directions following the passage of the *Emergencies Act 2004*. The work of Council in monitoring the lessons from 2003 between 2010-2014 and the strategic nature of Bushfire Council's work during 2015-2019 was also mentioned.

Council thanked Dr Bartlett for the very informative paper.

20200406-13 Action: The CO ACTRFS to seek further advice in relation to making BFC reports into the level of bushfire preparedness (each bushfire season) that are provided to the Minister for Police and Emergency Services be publicly available on the ESA website; including any restrictions on reports from recent years.

14. Any other business**Chair****A message of condolence Vale Mr Anthony (Tony) Fearnside OAM**

Council Members conveyed their deepest sympathy at the loss of Mr Anthony (Tony) Fearnside OAM, who passed away on 18 April 2020. Mr Fearnside was a member of the ACT Bush Fire Council from 2006 to 2012. Over his career he worked for the Forestry Office and during this time he was the Chief Fire Control Officer with the ACT Bush Fire Council. Rest in Peace.

Chair asked all members to share their experience on how this meeting was conducted on WebEx.

Council requested the WebEx meeting invitation and information be sent out to all Members and Officials.

20200406-14 (1) Action: Secretariat to ensure the WebEx meeting invite and details is sent out to all Council Member and Officials.

Mr Bartlett asked about the requirement in the *Emergencies Act 2004* that after the Minister approves the SBMP, the Commissioner has to assess available resources and capabilities for bushfire prevention and preparedness to implement the SBMP and report this to the Minister and Council.

The Commissioner stated that this process would now be done for the upcoming ACT budget process, in October 2020.

Council agreed that the Chair, David Snell and Mr Bartlett would review (out of session) what the legislative requirement is and provide advice to Council.

20200406-14 (2) Action: The Chair, David Snell and Tony Bartlett to review the section in the BFC Terms of Reference that requires that after a new SBMP is made the Commissioner must conduct an assessment of the adequacy of the resources to deliver the Plan and must give that assessment to the BFC and the Minister; and then provide a recommendation from BFC to the Commissioner and the CO ACTRFS.

Chris Zeitlhofer stated his support for Council, CO ACTRFS and the wider ESA in his role the A/g Chief Officer, ACT Fire and Rescue.

15. Review and adoption of action items from this meeting – out of session.**Chair**

16. In camera meeting if required - No**Chair**

17. Council's performance checklist - completed**Chair**

18. Close**Chair**

The meeting concluded at 7:15

Next meeting: 4pm, 3 June 2020

Appendix A

ACTION ITEMS – ACT BUSHFIRE COUNCIL

| Action Items (OPEN) | | | at 6 May 2020 | |
|---------------------|---|--------------|---------------------------|--|
| Ref | ACTION | DUE | ACTION OFFICER | STATUS UPDATE |
| 20191002-2 | Documents from June to December 2018 to be put on SharePoint 20200406-04 Action: The ACTRFS Chief Officer and Secretariat to find a solution to enable BFC members access to meeting papers and presentations from previous meetings. | June 19 | CO ACTRFS and Secretariat | New process to be tested with affected Council members |
| 20191204-9 | ESA to advise Council if they provided comment on the Canberra Nature Park Draft Reserve Management Plan, and if so, provide a copy of those comments to Council. | June 2020 | CO ACTRFS | In progress. CORFS and EBM PCS collaborating on this matter. |
| | | | | |
| 200304-10 | EPSDD PCS to provide the Secretariat with an electronic version of the BOP Quarterly Report to be circulated to Council members out of session. | 1 April 2020 | EPSDD | Tony Scherl to distribute via secretariat |
| 200304-13 | ESA to provide formal advice on public comment conflict of interest for Council members. | 1 April 2020 | ESA | In progress |
| 20200406-04 | The ACTRFS Chief Officer and Secretariat to find a solution to enable BFC members access to meeting papers and presentations from previous meetings. | 3 June 2020 | Secretariat and CO ACTRFS | |

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| 20200406-07 | The BFC Chair to draft a response to the Minister for Police and Emergency Service (MPES) seeking clarification to his response to the recommendations in Council's 2018-19 Bushfire Season Preparedness Report. | 3 June 2020 | Chair | |
| 20200406-08 (1) | The BFC Chair to write to EPSDD Planning to request an update on where the Cabinet Submission is up to in relation to AS 3959:2018 being incorporated into the ACT Territory Plan and to request that a briefing be provided to Council on the agreements with developers on the fire protection measures to be applied at the final western boundaries of the suburbs of Denman Prospect and Whitlam, including the expected locations of edge roads and asset protection zones and the details of the proposed thinning of the red stringybark forest. | 3 June 2020 | Chair | |
| 20200406-08 (2) | Secretariat to add to the June BFC Business Plan a presentation by Greg Potts and Scott Seymour on the current status of the Bushfire Management Standards (including an ACT & NSW comparison) and the review of Fire Management Zones. Greg Potts undertook to provide his paper/presentation prior to the meeting. | 3 June 2020 | Secretariat | |
| 20200406-08 (3) | Neil Cooper to arrange a Phoenix model analysis of the likely impacts on Denman Prospect from a bushfire burning through the forest blocks located to its west, following discussions with Tony Bartlett and Nick Lhuede on the specific modelling requirements. | 3 June 2020 | Neil Cooper | |
| 20200406-08 (4) | Secretariat to send the ACT Bushfire Management Standards to Council Members. | 8 May 2020 | Secretariat | Completed |

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|--------------------|--|-------------|-------------------------|-----------|
| 20200406-08 (5) | After each BFC meeting, a short meeting between the CO ACTRFS the Council members whose focus objectives are in the Business Plan two months ahead will be held to discuss and agree on the nature of the information that BFC would like presented at that meeting. | Monthly | Chair | |
| 20200406- 12 | Secretariat to update the BFC Business Plan to reflect requests for information arising from the May meeting and to add Nick Lhuede as a Council member who will focus on objectives 3, 7, 8 11 of the SBMP version 4. | 3 June 2020 | Secretariat | Completed |
| 20200406-13 | The CO ACTRFS to seek further advice in relation to making BFC reports into the level of bushfire preparedness (each bushfire season) that are provided to the Minister for Police and Emergency Services be publicly available on the ESA website; including any restrictions on reports from recent years. | 3 June 2020 | CO ACTRFS | |
| 20200406-14 (1) | Secretariat to ensure the WebEx meeting invite and details is sent out to all Council Member and Officials. | 3 June 2020 | Secretariat | |
| 20200406-14 (2) | The Chair, David Snell and Tony Bartlett to review the section in the BFC Terms of Reference that requires that after a new SBMP is made the Commissioner must conduct an assessment of the adequacy of the resources to deliver the Plan and must give that assessment to the BFC and the Minister; and then provide a recommendation from BFC to the Commissioner and the CO ACTRFS. | | Elected Council Members | |

Action Items (CLOSED)

at 6 May 2020

| Ref | |
|-------------|--|
| 2018 | Find a replacement for the vacant Bushfire Council Member- Nick Lhuede was appointment as 25 March 2020. |
| 20191204-8 | Executive Branch Manager, Parks and Conservation Service to liaise with the Assistant Director, ACTRFS Community Bushfire Protection to review the 2019-20 BOP and follow up the proposed treatment for Block 403 Denman Prospect and provide a response to Council as soon as possible. |
| 20191204-10 | Executive Branch Manager, Parks and Conservation Service to provide an update on the trail upgrade and maintenance program at the February 2020 BFC Meeting. |
| 20200304-06 | Tony Bartlett to provide Council Members with a copy of his speech. |
| 200304-07 | Council members to provide ESA with a consolidated report, highlighting the key points in relation to the recent fire operations. |
| 200304-08 | Chief Officer ACTRFS and Chair to meet out of session to review the Business Plan and circulate to the Council members. |
| 200304-9.2 | Secretariat to circulate the Fire Management Zone Review report out of session. |
| 200304-12 | Secretariat to include a presentation at the August Council Meeting from Mr Adam Leavesley regarding his work on fire severity and prescribed burns. |
| 200304-15.1 | EPSDD to present the Fire Recovery Plan at the April BFC meeting. |
| 200401-1 | Peter Cotsell to send presentation and meeting paper to Secretariat for distribution for next meeting. |
| 200401-2 | Refined the Business plan BOP annual report to August as Tony Scherl suggest move it a month to be flexible |
| 200401-3 | Margaret Moreton to provide Chair with Peter Dunn's details on lessons learnt on recovery presentation for August. |
| 200401-4 | Chair and Rohan Scott schedule in phone hook-up next week. |