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5 October 2012

Mr Les Tree
Chair
Independent Hazard Reduction Audit Panel
hazardreduction@mpes.nsw.gov.au

Dear Mr Tree,

Discussion Paper: Enhancing Hazard Reduction in New South Wales

The Local Government & Shires Associations of NSW (the LGSA) welcomes the Independent Hazard Reduction Audit Panel (the Panel) discussion paper *Enhancing Hazard Reduction on New South Wales*. The LGSA submission to the discussion paper is attached.

The LGSA is willing to provide further information should the Panel so request. Should you wish to discuss these matters further please contact Liz Gemes by phone (02) 9242 4063 or email liz.gemes@lgsa.org.au.

Yours sincerely,

Noel Baum
Director Policy
Local Government and Shires Associations of NSW



Enhancing Hazard Reduction in New South Wales.

LGSA Submission

DATE

5 October 2012



Submission on *Enhancing Hazard Reduction in New South Wales*

The Local Government Association of NSW and the Shires Associations of NSW (the LGSA) are the peak bodies for NSW Local Government.

Together, the LGSA represent all the 152 NSW general-purpose councils, the special-purpose county councils and the regions of the NSW Aboriginal Lands Council. The mission of the LGSA is to be credible, professional organisations representing Local Government and facilitating the development of an effective community-based system of Local Government in NSW. In pursuit of this mission, the LGSA represent the views of councils to NSW and Australian Governments; provide industrial relations and specialist services to councils and promote Local Government to the community and the media.

The LGSA thank the Independent Hazard Reduction Audit Panel (the Panel) for the invitation to make a submission to the *Discussion Paper: Enhancing Hazard Reduction in New South Wales*. The LGSA have a long standing interest in this area because of NSW Local Governments history in bushfire management and current bushfire responsibilities. The LGSA response to the questions detailed in the discussion paper is provided below.

Enhancing Hazard Reduction in NSW – Questions

1. Is it generally understood in the community that hazard reduction programmes reduce the impact of bush fires but do not prevent or eliminate bush fires?

No. Generally there is a lack of understanding in the community and interest organisations that hazard reduction activities, particularly burns, attempt to reduce the bushfire risk but do not provide 100% protection.

There needs to be greater understanding in the community that bushfire hazard reduction is a shared responsibility and multifaceted effort.

Direct targeted comprehensive education with landholders in bushfire prone areas is essential to advise of the shared responsibilities and the multiple ways to reduce bushfire hazards, including; improved building resilience, maintaining Asset Protection Zones (APZs), house and land preparation, removal of bushfire fuel (via mechanical works and burns), understanding that risk extends beyond the bushfire interface, warnings and escape options, etc.

2. Does more need to be done to engage with the community on emergency management arrangements in NSW and how hazard reduction fits within this scheme?

Yes. The emergency management arrangements in NSW are not widely known within the community, particularly the emergency management roles and responsibilities of various agencies and organisations during various emergency events. This includes knowing the respective roles and responsibilities of the different organisations that have responsibility for the various bushfire hazard reduction activities.

See also answer to question 1.

3. Is the delineation of responsibilities appropriate?

NSW assorted emergency management plans, including the allocation of responsibilities, are mostly appropriate. However, minor amendments and greater clarification would be appreciated by councils.

Improved consultation needs to occur when amending emergency management arrangements that impact on Local Government.

4. Is the delineation of responsibilities clearly understood by the community?

No. Generally the public is unaware of the complexity of the roles, responsibilities, and funding arrangements for bush fire management between the various stakeholders.

5. Do landowners understand their responsibilities?



Partially. Longer term residents generally have a better understanding and are proactive in their responsibilities; however newer residents or residents that have not experienced bushfire for sometime generally don't understand their responsibilities or have become complacent. This especially applies for houses built prior to the *Planning for Bush Fire Protection* requirements.

6. Are there any barriers impacting on landowners' ability to take practicable steps to prevent the occurrence and spread of bush fires on or from their land?

The LGSA have no comment.

7. Are there any legislative barriers to conducting hazard reduction in NSW?

The LGSA have no comment.

8. Should the Bush Fire Environmental Assessment Code be amended to further streamline the environmental assessment process? If so, how should this be done? Can you provide examples of when the Code has worked well and when it has not?

This matter should be referred to the Bush Fire Environmental Assessment Code Review Working Group.

The purpose of the Bush Fire Environmental Assessment Code review is to identify, analyse, and where possible, resolve implementation issues that may have arisen during the Codes operation over the past 5 years. The Working Group is discussing and considering any recommendations for improvement to the Code.

9. What steps could be taken to dispel the perception that environmental issues prevent hazard reduction?

The principles of the Hotspots program could be more widely used to educate the mutual benefits and balance of bushfire hazard reduction and environmental/biodiversity protection.

10. Is the Bush Fire Coordinating Committee's bush fire planning appropriate?

Yes.

11. Are there additional planning strategies the Bush Fire Coordinating Committee should consider?

The LGSA have no comment.

12. Are Bush Fire Management Committees performing their role well?

Mostly yes. In some cases a Bush Fire Management Committee (BFMC) may be under resourced or experience personality conflicts that hinder productivity. Under performing BFMCs could benefit from additional assistance and guidance to meet BFCC targets and policies.

13. Are Bush Fire Management Committees accessible to the community?

The community is represented on Bush Fire Management committees through representative organizations; NSW Farmers Association, Nature Care Conservation, Catchment Management Authorities, Local Government, etc. Bush Fire Risk Management plans are open to community consultation prior to finalisation.

14. Does the work of some Bush Fire Management Committees stand out as best practice? If so which ones?

The LGSA have no comment.

15. Is there a need for best practice models to be developed based on the practices of well performing Bush Fire Management Committees?



Clearer and detailed best practice guidance with accompanying training could further assist BFMC's to fulfill their responsibilities. However, consideration of resources and flexibility is required, see answer to question 12.

16. Are Bush Fire Risk Management Plans useful? Do they meet their purpose?

Bush Fire Risk Management Plans are useful for the management of NSW bush fire hazards. However improvements could be made by greater linkages to other plans (emergency management plans & land use plans) and systems (data compatibility with GIS systems use by other organisations).

17. Is community input into Bush Fire Risk Management Plans appropriate and adequate?

Community consultation is a requirement for the development and approval of Bush Fire Risk Management Plans (BFRMP). The guidelines for BFRMP are lacking detail on the range and processes for community consultation activities, and role and responsibilities of BFMC members.

Good examples: Hornsby and Ku-ring-gai areas have been proactive and innovative with targeted and engaging community consultation for their BFRMP.

18. Are Bush Fire Risk Management Plans comprehensive or are there additional key elements that should be included?

Critical infrastructure, utilities, environmental assets, neighbourhood safer places, significant historical and cultural sites (e.g. Aboriginal sites) should be investigated for inclusion in BFRMP.

19. Should the current reporting model for public authorities be extended to include assets other than residential assets?

The current reporting system issues should be resolved before adding additional requirements.

Also, see answer to question 18.

20. Should private land owners be required to report hazard reduction works carried out to the NSW Rural Fire Service?

Prior to private land owners conducting HR burns notification should be provided to the RFS in case the burn becomes out of control in order to assist RFS response.

Given the recent significantly increased state targets for bushfire hazard reduction, reporting of HR on private land would assist in meeting these targets and assist in assessing bushfire risk in a bushfire event.

However, while HR conducted by burns could be encapsulated via prior burn notification, reporting mechanical HR works may pose an administrative burden to the landowner and may not be widely supported.

21. Are there other knowledge gaps that impact the effectiveness of the hazard reduction programme?

There is a gap in the knowledge of the cost-benefits for the HR funding allocated. Funding should be allocated by priorities for improved protection of life, property, and other social, economic and environmental assets.

22. How can this knowledge gap be filled?

See answer to question 21.

23. Would a web page on the NSW hazard reduction programme be a useful source of information for the community?

Yes. Centralised and comprehensive information (including the methodology of the programmes) available to the community could be beneficial. Transparency in the decision making process and having the reasoning included in the webpage could be also beneficial.



However, the information should not be presented in a way that wouldn't commit the land manager to conduct the HR works in a given year. There are a number of mitigating circumstances that may delay HR works and the webpage may create inappropriate community angst against the land manager.

24. Is the information currently available to the community in a form that is easily understood?

Residents in a bush fire prone area may understand components of bush fire protection, but few would have a complete understanding. Targeted comprehensive education would be more effective to influence behavioral change rather than state wide advertising on specific elements.

25. Are there other suitable methods of community engagement that should be explored?

Local Government is the closest level of Government to the community and has a good understanding of the community needs and requirements. Consultations or partnerships between the RFS and councils could improve the community engagement process.

26. Is there support in the community for increased hazard reduction in Land Management Zones?

The LGSA have no comment.

27. Is the current decision making framework flexible enough to conduct hazard reduction works when the conditions are favourable?

Funding for hazard reduction activities is essential to land managers and greatly assists in conducting hazard reduction works.

However, the current funding arrangements have restrictions that inhibit efficient hazard reduction activities, including; timing of funding announcements, short time to complete works, extensive and unclear reporting requirements, weather delay considerations etc.

28. What aspects of the current hazard reduction programme are working well/not working well? Are there any areas that are performing better than others?

See answers to questions 21 and 27.

A review of State Mitigation Support Services should be conducted to identify their effectiveness, cost benefit, and possible future improvements of the support provided.

29. Are land managers able to meet their responsibilities under existing funding arrangements?

No. Local Government manages 16% of NSW bush fire prone land and with the restriction of rate capping relies on grant funding/RFS assistance to complete hazard reduction works. Councils already struggle to meet current hazard reduction targets and are concerned that without additional funding or support will not be able to complete the new higher targets.

Also, see answer to question 27.

30. Does the community understand the impact of weather conditions on the ability to carry out hazard reduction work?

Generally no, however the media conducted this year has assisted better understanding.

31. Do private land owners understand bush fire risk and what they can do to mitigate the risk?

See answers to questions 1 & 2.

32. Are cross tenure hazard reduction works being managed effectively?

The LGSA have no comment.

33. Are there any barriers to conduct cross tenure hazard reduction works efficiently?



Funding, collaboration, and differing systems and priorities sometimes pose difficulties in conducting cross tenure activities. Possible resolution could be a lead agency manages the works with support of the other land managers.

34. Are there any areas of green tape or red tape that prevent landowners from carrying out hazard reduction works?

The LGSA have no comment.

35. Is there support in the community to carry out more ridge top burning?

The LGSA have no comment.

36. Are communities aware of their right to make a bush fire hazard complaint about land in their vicinity?

Yes. In the discussion paper it stated that 3,091 hazard complaints had been received. Greater understanding is need by the community of the level of risk the hazard poses and the cost to complete hazard reduction works.

37. Is the complaint system a useful mechanism to identify and remedy bush fire hazards?

There are issues with the investigations of complaints, where many s66 notices are issued on land managers for low risk areas. As medium and low risk hazards are not included in BFRMP there is no avenue for funding works, this has a significant cost burden on land managers.

There is the need for a minimum risk threshold for issuing s66 notices; if the area is of notable risk then it should be included in BFRMP to allow the avenue for funding. Greater time should be allowed to complete works of low risk to allow for funding/budgeting.

Additionally if the area that received a complaint is found to be of low risk this should be conveyed back to the complainant.

38. Should enforcement of ongoing compliance with construction standards and Asset Protection Zone requirements be regulated?

There would be improved community safety benefits from ongoing compliance activities.

However, who the responsible authority for conducting the compliance activity should be has been debated for many years. There is argument on whether it should be RFS or a council role. If compliance inspections were incorporated into a system there would need to have a cost recovery component (similar to swimming pool fence inspections).

Further discussions should occur between RFS and Local Government regarding the possible inclusion of APZ requirements on s149 certificates and/or including APZ data into BRIMS.