

REPORT OF PROCEEDINGS BEFORE

JOINT SELECT COMMITTEE ON BUSHFIRES

¾¾¾

At Sydney on Friday 3 May 2002

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The Committee met at 9.00 a.m.

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PRESENT

Mr J. C. Price (Chair)

The Hon. Rick Colless

Mr E. T. Page

Mr R. H. L. Smith

The Hon. John Tingle

Mr G. R. Torbay

CHAIR: The Committee's terms of reference are to examine:

- (a) Hazard reduction and other fire prevention measures.
- (b) The environmental impact of bushfire management and control on biodiversity and biophysical processes and the application of research, technology and management techniques to minimise the impacts.
- (c) The causes of the bushfires including an investigation of land use decisions, development planning, and the role of property owners in reducing bushfire risk and the environmental impact of bushfire management.
- (d) The adequacy of equipment and training available to Rural Fire Brigades
- (e) The adequacy or otherwise of building regulations currently in operation in New South Wales, with particular emphasis on the Australian community bushfire safety standards for houses.
- (f) The use of aircraft in firefighting
- (g) The adequacy of changes made to bushfire planning and fighting, development planning and other relevant matters since the 1994 bushfires.

JUDY ANN MESSER, Environmental Advocate, Nature Conservation Council, 362 Kent Street, Sydney, sworn and examined, and

ANDREW DAVID STANTON, Bushfire Project Officer, Nature Conservation Council, 362 Kent Street, Sydney, affirmed and examined:

CHAIR: Dr Messer and Mr Stanton, I am advised that you have you been issued with a copy of the terms of reference for this inquiry and also a copy of the Legislative Assembly standing orders 332, 333 and 334, which relate to the examination of witnesses. Is that correct?

Dr MESSER: Yes.

Mr STANTON: Yes.

CHAIR: Dr Messer, in what capacity do you appear before the Committee?

Dr MESSER: I am appearing as the Vice-Chairperson of the Nature Conservation Council and convener of the council's bushfire management program.

CHAIR: Did you receive a summons issued under my hand to attend before this Committee?

Dr MESSER: I did.

CHAIR: Mr Stanton, in what capacity do you appear before the Committee?

Mr STANTON: I am appearing before the Committee in my capacity as the Nature Conservation Council's bushfire project officer.

CHAIR: Did you receive a summons issued under my hand to attend before the Committee?

Mr STANTON: I did.

CHAIR: Dr Messer, would you care to make an opening statement?

Dr MESSER: Yes. With your leave, Mr Chairman, we had planned between us to address the key points in the submission, but we note that we are supposed to take only five minutes. We had planned to take a bit more time, and then have questions. I would seek your advice as to whether you want us to restrict ourselves to five minutes.

CHAIR: If you restrict yourselves to five minutes, you will be the only witnesses who have been before the Committee who have done that!

Dr MESSER: We have planned to leave plenty of time for questions, and we thought this was the most efficient way to proceed. We will be dealing with just the key points in each part of the submission. I would start by establishing the credibility of the Nature Conservation Council to appear at this inquiry. Formed in 1955, we have 130-plus member societies throughout New South Wales, and all our policies are formulated at annual conferences by the delegates. So we are very representative of the wider community and a very democratic organisation.

The underlying ethos of our submission is that all publicly owned bushland should be maintained in such a way that the ecological processes and biodiversity values are not threatened over time. The Nature Conservation Council in general thinks there has been a great improvement in bushfire management since the 1994 fires, which produced radical changes in terms of resourcing the bushfire brigades and culminated in the 1997 Rural Fires Act, which, in addition to everything else, brought the principles of ecologically sustainable development to the forefront. So managing for ecological sustainability is embedded in the Act, and we would be happy to take questions associated with that later on.

The Nature Conservation Council was actively involved in the 1994 Cabinet inquiry. It was omitted from our submission, but we were also very active in the coronial inquiry and, I believe, had an influential input to that inquiry. We have had a statutory right to nominate representatives to bushfire management committees since 1987. So that is a correction to the text of our submission. We currently have about 80 around New South Wales.

The program receives some funding for core responsibilities from the Department of Emergency Services, for carrying out public education and awareness primarily, and the Nature Conservation Council itself, it should be noted, provides substantial infrastructure to support that in terms of website, e-mail contacts and the resources of other staff who support the program. So it is a very substantial input by the council itself. I should also note that none of the representatives receive sitting fees for attending the bushfire management committees and for the very large amount of work that they put into it. I would reiterate that the principles of ecologically sustainable development are at the core of the Nature Conservation Council's bushfire program.

In terms of how things have improved since 1994, the program is generally more accountable, co-ordinated and consultative. The principles of ecologically sustainable development and community consultation are the two key reforms that have taken place since 1997. The bushfire risk management plans are a huge step forward. We would note that one of the problems we have identified from our workshops is not the planning process, which was difficult because it was a world first, but it is now the implementation phase and there does seem to be a need for additional resources for things such as geographic information systems [GIS] and the facilitation of shared resources at a regional level to make it cost effective. We can come back to that.

The key areas of concern to us are community education and awareness, building and development controls, tactical operations, strategic hazard reduction and post-fire restoration and rehabilitation. We would note that there are three areas that we were not able to address in the submission due to lack of time, and we would like to foreshadow a supplementary submission containing some specific comments about fire management in protected areas and issues relating to research priorities. Also, we are formally calling for an amendment to the State Emergency and Rescue Management Act to try to reduce the level of inappropriate activities during suppression where significant ecological or environmental damage is caused, particularly in relation to water quality and water catchment areas and the very high cost of restoration. So we would like that matter addressed.

I move on specifically to community education and awareness. Our program has had 28 workshops and three conferences since 1994. Workshops attract very diverse representation from the

community, and we have held them all over the State. There is an appendix giving details of that. The current education program, the Government's program, is based on community fire units and Community Fire Guard. Both programs are approved by the Nature Conservation Council, but we are concerned that not enough resources are being allocated and that they are dependent on volunteer labour.

With your permission, Mr Chairman, we would like to suggest that the joint select committee might consider visiting on site one of these community fireguard groups, community groups, and have them show you how they have benefited from being so prepared. I believe that a group in the Langco Valley, which was affected by the 1994 fires and then again by the recent fires, were on television saying how well prepared they were and how much they benefited from this. That is something that might be noted by the Committee.

We are strongly supportive of the planning for bushfire protection, and we are able to make this document available if any additional copies are needed by the Committee. The reason we are distributing this is that we feel it is not getting enough exposure to ordinary property owners and members of the community. We are concerned that the current education programs are not environmentally sensitive and sometimes they contravene the principles of ecological sustainable development. We feel that educating people about the ecological effects of bushfire is an important need that has to be addressed.

In conclusion, in regard to education and awareness, we are recommending a considerable increase in finances and resources to be allocated to achieve community preparedness for bushfire-prone areas. We are most concerned, and can give examples, of the way in which the lack of preparedness led to property damage, threatened the lives of firefighters and other services and property owners and, as we know, has been a huge financial cost of the community.

The second matter I wish to deal with is the importance of significantly strengthening building and development controls. We believe in the whole of the coastal area and urban areas elsewhere there has been significant neglect by all levels of government of the planning process to ensure that risk is reduced or avoided. The knowledge of how to do it is there and we are calling for a significant strengthening of the controls. The failure of local government is drawn attention to in our submission but we think at the same time that local government, not so much in the Sydney region but in other areas where we have held workshops, is lacking in adequate resources to employ people with the right skills to carry out the assessment in such a way that the right answer will be achieved.

In our workshops and on our field trips we have visited places that have been cases in the Land and Environment Court where the development has been knocked back and in other cases where it has gone ahead, and they are quite extraordinarily high bushfire-prone areas. A helicopter flight over Western Sydney would be a revelation to members of the Committee, in seeing houses literally buried in bushland, in areas of steep slope, with difficult accessibility to firefighting services. Over all, the existing framework has failed to prevent inappropriate development in fire-prone areas. We support the proposed State environmental planning policy for bushfires.

The other thing we would like to reiterate is that bushfire is inevitable. Sometimes in some places, because of the climatic conditions, fire will take place, so we have to live with that reality. It is also reality that we have to conserve our natural resources for future generations. Society has a duty to do that so we have a duty to plan and build in an appropriate fashion in relation to fire-prone areas. I would now like to hand over to Andrew Stanton to continue.

Mr STANTON: I will be talking on the three remaining aspects of our submission, which include tactical operations, hazard reduction and post-fire rehabilitation and restoration. Beginning with tactical operations, we consider that one of the biggest challenges with regard to successful and strategic operations is the provision of detailed information to the fire ground, that is the incident controller, via the fire control officer, but with the aim of informing the firefighting operation of the most detailed information about the geographic area affected by the fire and any other area that might be of strategic value to the firefighting operation.

I will be outlining how this information is currently being provided to some extent within the current framework and through geographic information system software. Firstly, I may need to

outline, possibly, the contribution that bushfire management committees make to risk management and fire suppression respectively. As Committee members would know, bushfire management committees produce bushfire risk management plans, which are documents that pertain to risk management, and bushfire operational plans, which are documents that pertain to firefighting operations.

We consider that bushfire risk management plans by and large contain detailed information regarding the distribution and location of vegetation communities, threatened species, cultural sites and other areas that are consistent with the application of the principles of ecological sustainable development as per the 1997 Rural Fires Act. However, bushfire operational plans generally do not contain this detailed information. Therefore, firefighting operations are by and large not informed by that detailed information collected and distilled within the bushfire risk management plans. As a result, cultural and environmental assets are not easily identified during firefighting operations for protection and are often damaged unnecessarily by the firefighting operations themselves, as we saw in various parts of the State during the recent fire events, in particular the Blue Mountains area, where land care sites and other sites of conservation significance were heavily impacted by the establishment of containment lines and which could have been avoided if that knowledge had been available to the firefighters at the time.

Therefore, we consider that the fire ground should be provided with the most up-to-date information on the peculiarities of the geographic area affected by the fires and any other information of strategic value. This may include not just threatened species and other areas of conservation significance but also areas of strategic value, like cliff lines, creek lines, trails, tracks, any feature in the landscape that would be of strategic value to the firefighting operation. I am sure Committee members would appreciate the value of that information in firefighting.

We consider this information would be best provided by geographic information software, which most agencies are already using to some extent. However not all agencies use the same software, it is not all compatible and the data contained within the agencies is not centralised, so it exists in different places. We consider that all this data should be centralised across the agencies and be made accessible to fire control centres via geographic information system software, to be readily overlaid on fire incident information for use during the firefighting operation. We are aware that systems such as these have been developed and implemented in other parts of the country, for example in Tasmania. We refer specifically to the document we have provided as an appendix to our submission, the Tasmanian tactical operations plan. It should be available to the Committee. We are also aware that similar systems are being developed at a local level in certain parts of New South Wales. This includes Myall Lakes in particular.

We point out in our submission that hazard reduction includes a broad range of activities. It is not just limited to prescribed burning. Mechanical and hand removal of fuel, slashing and clearing and other activities are also understood to be hazard-reduction activities and have been implemented in strategic areas around the State increasingly in recent times. We also consider that hazard reduction is of limited effectiveness, especially in extreme conditions such as the ones we experienced over summer. That was apparent on a number of occasions. We cite the example of Warragamba Dam in our submission. We also consider that hazard-reduction burning as opposed to clearing or mechanical removal is not always effective in reducing fuel loads and in many cases can increase fuel loads. That is usually through the practice of implementing burns in the off-season, which are relatively cooler than burns in summer, for reasons that we can appreciate. The result of that is that not all the fuel within a site is consumed through a cool burn and a lot of living vegetation can be killed during the cool burns but not fully consumed. Therefore, after the fire there can be an increased fuel load. That is a serious problem that needs to be addressed through scientific research.

There are other ways that fuel loads and the propensity for fire can be increased in an area through the implementation of frequent burning. We identify the other way in our submission as the encouragement of fire-tolerant vegetation from the application of frequent burns. That is of concern. We also consider that hazard reduction burns can be dangerous to the people who will have the responsibility of implementing those, largely volunteers. We also remember that high frequency fires are identified as a key threatening process in the Threatened Species Act and threaten not just rare and endangered plant and animals but also common plants and animals.

As I said, and as several agencies and people have argued, no amount of hazard reduction would have prevented the disaster of the recent fires. Therefore, we consider the criticism of National Parks in particular is largely unfounded. It is not the amount of hazard reduction that is of importance but rather the location of the hazard-reduction burn. It needs to be highly strategic, focused on the bushland urban interface where protection is warranted. We also consider that future developments in fire-prone areas need to demonstrate—and this came out also in our planning and development presentation—some level of their own protection and that it should not be acceptable any longer to defer responsibility for the protection of private property onto public lands and public land management agencies. It is costly and it is taxpayers' money in general that funds those activities. Therefore, we consider that protection must still be provided to properties that exist, obviously, but that hazard reduction must be implemented using the best available scientific knowledge. It should be limited in area and, once again, focused on the bushland urban interface.

We also consider that certain reforms need to take place in regards to hazard reduction policy that would include streamlining the environmental approval process and we support that recommendation of the interdepartmental committee report. We also consider that 12-month permits for burning would be a strategic way forward for hazard reduction.

Moving on to the final aspect of our submission on rehabilitation and restoration, we consider that large and intensive wildfires, but also the firefighting operations, can be highly damaging to community and environmental assets, as I outlined previously. Damage from machinery such as when clearing firebreaks and containment lines cause extreme environmental damage in the form of soil and land instability which facilitates erosion, water pollution and sedimentation. They also cause loss of biodiversity as well as a suite of other environmental problems which can be quite serious, long term and costly to repair. In certain lands that are managed for different reasons, such as catchments for town drinking water, these are indeed serious problems. Furthermore, non-rehabilitated containment lines attract motor bikes and four-wheel drives which compound the above problem. They can also facilitate the invasion of feral animals, such as cats, dogs and foxes which have been shown to devastate native biodiversity. Therefore we need to undertake detailed research into the effects of firefighting operations and the effects of wildfires and, at the other end, undertake research into rehabilitation strategies for addressing these.

We will be writing to the Australia-Ocean Fire Authorities Council in support of the establishment of the national bushfire CRC and advocating that this be one of their research priorities. Apart from the research we also consider there needs to be a massive increase of funding for rehabilitative works. Currently we consider that there are not even enough funds to maintain fire trails which are obviously of extreme importance to firefighting operations. We also consider that well maintained fire trails would potentially reduce the need for emergency firebreaks and containment lines. Therefore, the provision of funding to the maintenance of fire trails would have multiple benefits and would be one way to address this. Therefore, post-fire rehabilitation strategies need to be researched, resourced and implemented with the aim to protect community and environmental assets from long-term damage.

In conclusion, we urge the Committee to address the issues that Dr Messer and I have talked about this morning and have contained in our submission. The aim of the principles of ecologically sustainable development is to ensure the conservation of biodiversity and ecological integrity for the benefit of present but also future generations. Within New South Wales the increasing frequency of human-induced bushfire events, including accidental, intentional, natural and arson-based fires, are presenting an increasing threat to natural ecosystems which are recognised around the world for their natural, economic and biodiversity values. This unfortunate state of affairs has been reflected in various legislation in recent times. In summary, we consider that: a rigorous review of the planning laws in relation to developments in fire-prone areas be undertaken; increased resourcing for expanded education, training and community preparedness be undertaken and that the current material be reviewed for its consistency with the principles of ecologically sustainable development; increased allocation of resources for post-fire rehabilitation processes be investigated; and generally a greater investment in co-ordinated, focussed research into fire behaviour and post-fire restoration. We are glad that Parliament has seen fit to have this inquiry and we are very pleased to be able to submit these issues to you.

Mr TORBAY: You indicated that you support strategic hazard reduction. I think you said that some of the criticisms of the National Parks and Wildlife Service were unfounded. Do you believe there is enough hazard reduction going on? Are there enough resources finding enough strategic locations?

Mr STANTON: We consider that there are not enough resources—human as well as technical—available to conduct hazard reductions. In regards to the amount of hazard reduction being done and whether that is enough, we need to make sure that hazard reduction is implemented in the most strategic areas. If we have limited resources then they need to be applied to the most effective and strategic areas. Therefore, the amount of hazard reduction in total in terms of hectares is largely meaningless but rather where that hazard reduction is implemented is what is important.

Mr D. L. PAGE: If there are limited funds you would be in favour of broadacre hazard reduction?

Mr STANTON: Not at all.

Dr MESSER: Not at all. First of all we only support hazard reduction that derives from the bushfire risk management plan which were all recently okayed by the co-ordinating committee, but prior to that there was a problem. They all now exist but we have found that in some areas, due to lack of local government resources, there is not enough scientific information available because they do not have an integrated database that allows, as Andrew said, the transfer of information. But we also know of areas where all the agencies have got together on a regional basis, have integrated their resources and have got a very effective capacity to decide on their hazard reduction program because of that, but that is not uniform across the State.

There seems to be a problem with the process when it goes from the review of environmental factors to an environmental impact statement requirement. Due to the nature of government at the present time, there is so much restructuring and change going on that the people who know something about the issues keep moving on and there is a break in continuity. That is just a general structural problem but that has been explained to us by persons in the volunteer brigades as being another issue which is not easy to address. We would reiterate that hazard reduction needs to be based on the risk management plan and that requires good scientific information that can be shared by all parties.

The Hon. RICK COLLESS: Mr Stanton, on page 8 of your submission you refer to tactical operations in the fire control centres and so on. Have you had any experience in a fire control centre?

Mr STANTON: Yes, I have.

The Hon. RICK COLLESS: In what role?

Mr STANTON: In my role as a representative of the Nature Conservation Council to the Wollongong Bushfire Management Committee.

The Hon. RICK COLLESS: Were you working there during the fire?

Mr STANTON: No, I was not.

The Hon. RICK COLLESS: Have you had any experience in a fire control centre during a section 44 fire?

Mr STANTON: No. I am not a firefighter.

The Hon. RICK COLLESS: Do you have any idea of the amount of information that an incident controller has to mentally process every hour during a big fire?

Mr STANTON: I have heard a number of fire control officers explain—

The Hon. RICK COLLESS: not fire control officers, incident controllers—

Mr STANTON: Yes, I have heard via fire control officers about the amount of information that incident controllers need to process during a section 44 fire.

The Hon. RICK COLLESS: I can say from my experience as an incident controller during a section 44 fire that the amount of information to be mentally processed by those people is enormous. People talk to you from three directions all the time about what is going on at the firefront and want decisions to be made and that sort of thing. I particularly note in paragraph two of your submission under the recommendations to tactical operations you say:

This could include, not only information regarding threatened species, protected ecological communities or other sites of conservation significance, but also other information of strategic importance such as slope, aspect, terrain ...

I can assure you that the incident controller quickly absorbs those other aspects of information. Do you suggest that the information on threatened species and protected ecological communities should have precedence over some of the other practical firefighting information on which the incident controller is expected to make a decision? Do you agree that the environmental considerations should have precedence over the practical firefighting decisions that he is expected to make?

Mr STANTON: No, I certainly do not, and if that is the perception in regards to your reading of that paragraph then we should correct that because the strategic information is obviously of the greatest importance. Further, the information in regards to ecological communities, vegetation assemblages and that other data we consider would complement the strategic information and can, in fact, be strategic in itself. For example, if we can identify vegetation communities in the geographic area affected by the fire in question—

The Hon. RICK COLLESS: That is done anyway because an indication of the fire risk is the type of vegetation?

Mr STANTON: Yes, that would be of strategic value.

Dr MESSER: Our bushfire reference group had a presentation focused on the Royal National Park on the Geographic Information System [GIS] last week which we understand is used by the National Parks and Wildlife Service. Whether this capacity is in every incident control room at the present time I do not know, but it should be at every level. With the GIS you are able to see the whole picture of the towns, the dangerous slopes for firefighters, the location of vulnerable communities and high-risk areas, where the fire was moving and so the incident control officer and any teams coming in could all share the same visual imagery. That is where the value of having the best technology allocated all over the areas where there is a bushfire risk is a most important issue and that is what we are calling for. As Mr Colless said, decisions have to be made so quickly that you are doing it intuitively virtually, but if everyone is sharing the same visual picture, it is much more likely that everyone will then get a shared understanding. It is a brilliant way to bring it down to the way people think in emergencies, but supported by previous work in non-emergency times.

The Hon. RICK COLLESS: The more information at your disposal the better, but my only concern is the implication in the submission that some of those environmental considerations should override the practical firefighting decision. Do you believe that if it is known that there is a threatened community in a particular area, that that area should be exempt from back-burning, for example, despite the threat that the wildfire might still come through there later in the day anyway.

Dr MESSER: That should have been identified in the risk management plan where all the stakeholder groups for that area—

The Hon. RICK COLLESS: I am not talking about identifying, I am talking about the practical application when a fire front is roaring down and you have the opportunity to back-burn an area which may have threatened species in it, is the overriding decision the one to protect the species or to stop the fire?

Dr MESSER: The overriding decision is that the risk management plan should have identified alternative strategies and if it is at the point that this will eliminate the world's last patch of orchard, or whatever it is, that is a decision that would have been foreshadowed in the risk

management plan. That may have led to a higher level of risk reduction or other strategies to reduce the risk to protect that unique entity which is just in one place.

From our point of view, there needs to be closure of the gap between the risk management plan and the operational plans. Our workshops have shown that people believe that there is a gap, and we are seeing it in the fighting of the fires recently—and we have a lot of input from the Blue Mountains because we have a lot of representatives up there, it is very well documented, the council is very involved, and we have had a lot of complaints about inappropriate activities up there in terms of containment lines. It involves a huge cost to do something about it, and, I reiterate, it does cut across the statutory requirement to protect water quality in catchment areas. That is just as important—

The Hon. RICK COLLESS: How does that rate in importance to controlling the fire?

Dr MESSER: The risk management plan should have identified an alternative to that threatened community, if that is what it was about.

The Hon. RICK COLLESS: But when the fire is going, the risk management plan goes out the door, because the risk management plan applies to how you manage that area prior to the fire being there, surely, and the operational plan applies when the fire front is there?

Dr MESSER: Yes. And we recognise that—

The Hon. RICK COLLESS: You cannot implement the risk management plan when the fire front is at your backdoor?

Dr MESSER: No. But the risk management plan provides the basis for devising the operational plan. It would be a complete waste of money if the operational plans were in contradiction to the values identified in the risk management plan. The whole idea is to bring this gap together, and there is not any simple answer, but we think it has to be addressed.

Mr E. T. PAGE: Do you have any views on whether grazing as a matter of hazard reduction should be used on land managed by the National Parks and Wildlife Service?

Dr MESSER: We do not support that. I say that on the basis that I was the chair of the gaps and clusters project under the Minister for State Forests, and in the course of that we looked at the implications of grazing and fire on State forests. Dr Andrew Smith from the University of New England was a member of that committee, and he showed that it was not a beneficial activity.

Mr E. T. PAGE: Why not?

Mr STANTON: Grazing as a hazard reduction strategy?

Mr E. T. PAGE: Yes. Not in State forests but national parks.

Mr STANTON: Grazing in national parks would definitely compromise the main objective of national parks, which is to conserve biodiversity. Grazing has been demonstrated to have detrimental effects on the management of biodiversity, so for that reason alone it should not be allowed.

The Hon. RICK COLLESS: What type of grazing are you referring to?

Mr STANTON: Cattle grazing.

The Hon. RICK COLLESS: Are you talking about a set stock grazing regime, a rotational grazing regime, or what?

Mr STANTON: I am not sure what type of grazing regime we are talking about here.

The Hon. RICK COLLESS: I can assure you the two are very different in their impact on biodiversity. Perhaps you should read some of the work that has been done overseas by Alan Savory

on biodiversity and grazing management. He throws up some issues that would challenge a lot of the paradigms that you hold about grazing and biodiversity.

Mr STANTON: I am not aware of that literature in particular. But there is plenty of local literature, Australian-produced and specific to New South Wales, that has demonstrated that grazing in general is highly damaging to biodiversity.

The Hon. RICK COLLESS: The type of grazing is what you should look at.

Mr STANTON: Okay. We should look at Alan York's work on behalf of State Forests, which has demonstrated that grazing does have significant detrimental effects on biodiversity.

Dr MESSER: If I might add, I am familiar with works of Savory, and I have had extensive experience inland, particularly in the Western Division, over many years. It is certainly a very beneficial concept there in terms of productive land. So the natural values of productive pastoral lands are enhanced under Savory's strategy compared to—

The Hon. RICK COLLESS: Including biodiversity? Would you make that statement?

Dr MESSER: The fact is that the biodiversity is threatened under traditional pastoral regimes in the Western Division, for instance. So Savory's strategy is a better strategy. But if you want to maximise biodiversity conservation, you set the land aside as a protected area and you do not have a productive activity. In the national park, where the statutory requirement is to maximise biodiversity conservation, you should not permit any activity that will threaten the biodiversity—and grazing will.

You cannot use overseas examples for Australia or New South Wales, because our soils and our flora and fauna are so unique. You have to rely on not only national studies but sub-national studies, so you have to refer to the particular landscape. From my experience of the coast and the inland, I would never say the same thing about the coast as I would about the inland, and when it comes to the inland I would distinguish between the land systems very clearly. The most important thing is using at least regional-based scientific information.

Mr R. H. L. SMITH: Yesterday, Brian Gilligan of the National Parks and Wildlife Service stated that the Mount Hall fire may not have been the major fire that it ultimately became had the crews who were called away to another ignition point been able to remain there. I presume that most of the fires are extinguished at or close to the ignition point and in the early stages of the fire before it becomes a raging inferno such as the fires that occurred over Christmas and New Year. Obviously, climatic factors also played a major part in that. Obviously, the majority of fires do not have those conditions.

Would it not be a fact that if there were mosaic hazard reduction burns—and taking into account that most of the fires are put out in a relatively small area before they gain momentum—the smaller amount of fuel you have at that ignition point, the less chance you would have of that fire destroying larger areas and becoming a major bushfire?

Dr MESSER: Could I answer that with reference to my personal on-ground visual experience. I am a director of Sydney Water. When they had O'Hare's Creek, we went there to see a fire that got away from a hazard reduction burn at Darkes Forest, and what was supposed to be controlled hazard reduction activity around that small village burned for, I think, 2½ weeks. At the same time, nearby a fire burnt along the F3 freeway and it jumped the road. That was in about 1987. The recent fires burnt through all of that area as though there had not been any fires for 30 or 40 years.

The whole point about it is that all those plants in that area are fire-sensitive, and too frequent a fire is going to reduce the capacity of those plant communities to maintain themselves. The only reason that reduced fuel load is really beneficial is when you are trying to protect assets so it is easier to fight the fire in the asset protection zone. We are strongly supportive of protecting asset protection zones to enable effective firefighting if a fire does come, but it is not going to guarantee that the fire will not come. The fires will burn in unburned areas just as happily as they will in burned areas, but if your asset sale is managed to reduce risk and to be able to control fires when they do come, you are in a better position.

Mr STANTON: I think Judy's point about the propensity for hazard reduction burns to escape and result in unplanned wildfires is a good one. But I think Mr Smith was quite right in pointing out that there is a large amount of complexity with regard to the effectiveness of hazard reduction. It is dependent on weather and on the landscape, and it needs to be looked at on a case-by-case basis using as much information as you could possibly get about the peculiarities of the area and a whole variety of other parameters. So it is not easy to provide a simple answer to that question. Perhaps we should take it on notice.

Mr R. H. L. SMITH: Is large-scale hazard reduction burning in the cooler months a worthwhile strategy to reduce the risk of massive fires in summer?

Mr STANTON: In many cases it is, and in many cases it is not. It would depend on the area in question and a variety of other parameters.

Dr MESSER: In terms of protected areas, we are in favour of the managers of the protected areas identifying what would be an ecologically based fire regime, which somehow mimics nature. Presumably, that would be of a mosaic form; it certainly would not be broad-acre. Overall, it is a strategic burning strategy based on proper scientific evidence. On the perimeters of the protected areas—and this, of course, applies to Crown lands, local government protected areas, as well as national parks—you have a joint effort by all concerned. Our criticism is that the community is not contributing enough to this, that they are in fact part of the problem.

Mr R. H. L. SMITH: In fact, we are extinguishing the fires that nature would light, say, by a lightning strike in summer, to ensure that there are no huge fires that will destroy a lot of the things we are trying to protect. We go back in the cooler months and try to mimic nature by lighting fires so as to reduce the fuel levels, which nature would have done in the hotter months. Is that not the principle of hazard reduction burning?

Dr MESSER: In the hotter months, the fires are so fierce that everything gets consumed. In a really fierce fire, only sticks are left. If you go where there has been a hazard reduction, what you will see is dead leaves, but they are all hanging on the trees and bushes, and that is fuel. Eventually, they either fall to the ground or stay there, and when a fire comes through you have more ready fuel than you have when the plants are green. So you are actually exacerbating the leaf fall.

It is really a case-by-case issue, and that is why the bushfire management committee's role is to identify, on a local and regional basis, the best way to reduce risk and how to link that in with suppression when the fires do come. We believe there are some excellent examples out there, but it is not uniform because of a lack of resources and also because some areas are more difficult to manage than others.

The Hon. JOHN TINGLE: I would like to come back to what the Hon. Rick Colless was saying a moment ago, because I think we have either a misunderstanding or a conflict between theory and hard practice. At page 8 of your submission you say:

... fire-fighting operations are often not informed by the information contained in BFRMPs. Moreover, during a fire-fighting operation, a lack of knowledge of the location of *bush regeneration and Landcare* sites, as well as protected areas such as *SEPP 26 Littoral Rainforest*, often leads to damage or complete destruction of these areas through back burning and the implementation of containment lines.

I have read your submission thoroughly, and it is extremely wide-ranging. However, some of the matters that concern me are what I would call generalisations. Firstly, what does "often" mean in the paragraph I have just read to you? Secondly, are you suggesting that if, during a firefighting operation, as the Hon. Rick Colless described it, the firefighters became aware of or were told that there were special areas that they should not back burn or that they should not do containment lines through them, would not the fire do more damage than the containment lines or the back burning?

Mr STANTON: Once again, I agree that it is dangerous to generalise in these situations because they are so complex. If our submission has led to the perception that we are making a generalisation—

The Hon. JOHN TINGLE: The submission does so in several other places, which I will not bother to go into now.

Dr MESSER: Perhaps we could take the question on notice, because we will be able to provide examples of where complaints have been made to our committee representatives and we have followed it through. The Evans Head and Blue Mountains fires are two areas that come to mind immediately.

The Hon. JOHN TINGLE: I make one other small point. On page 13 of your submission at the very top you say, "A large proportion of wildfires result from permitted fires." That seems like another generalisation. Do we know what proportion of wildfires result from permitted fires? I do not think anyone has submitted statistical evidence to us about that.

Mr STANTON: I think there may be some statistics available. We do not have that data but the agencies may perhaps have that data. Once again, if we were to give empirical evidence in regards to that statement we would have to take that question on notice.

Mr E. T. PAGE: You have stated that ecological conservation and hazard reduction can be combined. You alluded to this to some extent in answering Mr Smith. Have you anything further to say on that?

Mr STANTON: I think it is really the key in achieving the objectives of the Rural Fires Act. The Rural Fires Act identifies the need to protect life and property but it also identifies the need to make sure that those activities are in line with the principles of ecologically sustainable development. What we need to do is really achieve multiple outcomes.

Mr E. T. PAGE: How? I am asking about you, not someone else. What do you believe should be done? How do you combine the two?

Mr STANTON: We need to do a lot of research first of all because a lot of the knowledge in regards to the effects of fire on biodiversity and on the environmental values are not well known so all of our solutions need to be based in well-founded research and, therefore, we need a massive amount of funds injected into the research process.

The Hon. RICK COLLESS: So that would apply to your hazard reduction burning as well as wildfires?

Dr MESSER: Yes.

The Hon. RICK COLLESS: You have made some big statements about the effects of hazard reduction burning on a regular basis but you are now telling me that it is not backed up by research.

Mr STANTON: It is backed up by some research but to know more we need to conduct further research and that would go for wildfires as well as hazard reduction or prescribed burns.

Dr MESSER: There has been a reasonably rapid increase in bushfire research coming out on a case study basis and our conferences are a major vehicle for publicising these. But as always happens when you apply science to a problem the answers then raise more questions. We are very supportive of the setting up of the Bushfire Co-operative Research Centre and it would obviously be important for this inquiry to identify what it sees as research priorities that might be forwarded to the centre for consideration.

The Hon. RICK COLLESS: I would like to ask a general question on the ecological impact of a wildfire season like the one we have just had. If you take the Royal National Park, the Nowra fires or whatever, what is the impact on the local ecological processes and biodiversity of a fire like that?

Dr MESSER: If it involves areas with Hawkesbury sandstone for instance, which the Royal National Park and most of the parks around Sydney have, too frequent fires lead to a change—

The Hon. RICK COLLESS: No, I am asking about the wildfires that just occurred.

Dr MESSER: For instance, we believe that the Royal National Park has been subject to very severe wildfires at too frequent an interval. The first problem was compounded by inappropriate control lines and back-burning, which greatly exacerbated the problem, and you run the risk that ecological suites are going to disappear from there because they are not going to be able to reproduce themselves because the populations have not had long enough to achieve that. Heath communities in particular are very vulnerable. I would say that Ku-ring-gai National Park in the 1980s was burned too often for hazard reduction reasons and it became very degraded. It really looked like a depurate community and anyone would have seen that. It just lost its gloss.

Mr STANTON: It depends on the make-up of the ecological community that has been affected by the wildfire and the fire history of that particular location. That would include natural as well as prescribed fires. Generally, certain components of the Australian flora and fauna have the capacity to regenerate from fire but that is not to say that the large and intense wildfire events such as what we had over the summer are not devastating to particular vegetation and animal communities.

Dr MESSER: And it has been exacerbated by the incidence of arson. Many fires were spread essentially by human induced activity.

Mr STANTON: The intensity of the fires was much too large, compounded by what seemed to be an increasing frequency of large and intense wildfire events, which is of extreme concern.

(The witnesses withdrew)

SUSAN MARY HOLLIDAY, Director-General, Planning New South Wales, Henry Dean Building, 20 Lee Street, Sydney, affirmed and examined, and

KERRY ANNE BEDFORD, Town Planner and Director of State and Regional Planning, Planning New South Wales, 147 Nicholson Parade, Cronulla, sworn and examined:

CHAIR: Thank you both for appearing before the Joint Select Committee on Bushfires. We are pleased to receive your evidence and any expansion you wish to place on your submission. I am advised that you have been issued with a copy of the Committee's terms of reference and also a copy of the Legislative Assembly Standing Orders 332, 333 and 334 that relate to the examination of witnesses, is that correct?

Ms HOLLIDAY: Yes.

CHAIR: Did you receive a summons issued under my hand to attend before this Committee?

Ms HOLLIDAY: Yes, I did.

Ms BEDFORD: Yes, I did.

CHAIR: Do you wish to make an opening statement?

Ms HOLLIDAY: Yes please, if I may. I thank you very much for giving me the opportunity of presenting evidence. I have tabled the department's submission and I wish to make a brief overview statement in order to present the broader picture. It is the department's view that protecting people and property from bushfires does not have one single easy solution. It involves a range of issues and actions, all of which are needed if we are going to maximise the protection of the community from bushfires. In our opinion we do need to have the proper consideration of bushfire issues at the strategic planning and zoning stages. We need good layout and design of areas near bushland to provide effective separation between houses or businesses and the potential fire source.

We need to design our buildings to resist fire as far as practical and to prevent the spread of fire. There needs to be good access in emergency situations to enable people to easily provide the services to fight fires. There needs to be sufficient resources to enable a quick response in an emergency situation and there needs to be ongoing maintenance of bush areas on both private and public land to reduce potential bushfire hazards. Responsibility for all of these different elements is obviously shared between a variety of government agencies, local government, councils and ultimately individual landowners.

Planning New South Wales and its predecessors have taken a proactive approach to planning for bushfires over many years. We have provided guidelines and statutory regimes to enable councils to identify bushfire prone areas and plan accordingly. We are also involved in the ongoing development of the construction standards for buildings. The planning system has introduced and overall process of considering bushfire issues through strategic planning, rezoning, subdivision, development assessment and building construction.

Very briefly on the strategic planning area, we have required councils since 1984 to give effect to actually plan and preferably map bushfire hazard areas and bushfire prone areas. That was done by way of the release of the section 117 direction, G20, which is a technical issue called "Planning in fire prone areas". That directed local councils to take into account bushfire issues in any new local environmental plan. When they come to actually doing the rezoning, councils are required to take into account directions on how to identify a bushfire risk and to implement appropriate measures to reduce the potential risk. This is also evident in the release of the circular C10, which we released in 1989 called "Planning in fire prone areas".

These directions have been updated and reviewed along the way as improved ways of considering these issues have been developed. This consideration may be supported by detailed mapping of bushfire prone areas, and that is something we strongly encourage councils to do. When it comes to subdivision, councils will assess most subdivision applications. We encourage them, when

they are designing and considering those subdivision applications, to take into account important principles such as perimeter roads between bush and houses, and access into that subdivision, particularly in areas where bushfires are considered to be a potential hazard.

In development assessment, again councils deal with the vast majority of developments in New South Wales, originally under section 94 of the Environmental Planning and Assessment Act and subsequently following amendments in 1998 to the Environmental Planning and Assessment Act under section 79C, which was supported by a fairly detailed guideline to councils as how to take a bushfire issues into account. Finally, there is building construction. The Building Code of Australia requires consideration of the risk of fire to the building, particularly in identified fire prone areas and even where those areas are not identified the building code requires councils, either by condition or through detailed consideration at construction certificate stage, to take into account the use of appropriate materials, construction methods and building separation in approving or not—as the case may be—any development. Of course, we can always improve the planning system and Planning New South Wales is very committed to ongoing reform of the planning system.

I think you have already heard from other submitters to your inquiry that Government has recently agreed to carry out another series of initiatives to strengthen the planning guidelines in order to minimise the impacts of bushfires. As part of this package we are currently preparing a draft State environmental planning policy, a code of practice and amendments to the Act which will allow streamlined approvals for clearing to prevent bushfires, ensure firefighting agencies can respond to emergencies without unnecessary approvals, make sure that bushfire hazard reduction is allowed by all councils, formally require councils—mandate—to map their bushfire-prone areas and implement standards of location and construction of buildings in line with this document, which is called "Planning for Bushfire Protection", which I believe you have all received a copy of.

Councils will be required to consult the Rural Fire Service on any proposed new zoning in bushfire-prone areas and to consult the service on any development application that is not consistent with the guidelines in this document. Councils will have to ensure that purchasers of properties are aware that they are buying land in a bushfire-prone area. We are also seeking a New South Wales-specific amendment to the Building Code of Australia to enable the elements in this document that deal with radiant heat to be applicable in the BCA as a result of subsequent research by the CSIRO since 1999 when the Australian standard was introduced into the Building Code of Australia. So because of the specifics of the vegetation types in New South Wales we are seeking a specific New South Wales amendment to the building code to enable the elements in this document that deal with radiant heat to apply over the elements that are in the current Australian standard.

Together with existing guidelines on planning for bushfire protection, we believe this will result in a very integrated package. Its effectiveness, of course, will depend on the responsible application of these guidelines and this package by all parties. I welcome this inquiry as an opportunity to raise awareness of all these issues and to provide an agreed future direction to further reduce the impact that bushfires can and do have on the whole community in New South Wales.

The Hon. RICK COLLESS: What consultation is there currently between local councils and fire services when doing new subdivisions and how is the new plan process different?

Ms HOLLIDAY: The previous guidelines to council have encouraged councils to consult the Rural Fire Service and its predecessors. In the vast majority of cases that happened at the rezoning stage. But as I think Commissioner Koperberg said to you yesterday, there are occasions when councils have either omitted to consult or have failed to consult. The new initiatives that will be incorporated in the State planning policy will make it a mandatory requirement that they do consult, not only on rezonings and at the time councils are preparing local environmental studies as a precursor to a new plan but also if they receive a development application that is inconsistent with this document—we are going to give this document in effect statutory mandate through the State environmental planning policy—then they must also consult with the Rural Fire Service. At the moment we are having discussions with the Rural Fire Service about the level of that consultation.

The Hon. RICK COLLESS: Seeing that councils will have that legislative requirement to do that, what cost will that be to local government? Do you have any idea of the cost imposition that will apply?

Ms HOLLIDAY: I do not believe that it will cost them any more than the current guidelines. It is part of their normal planning responsibilities that they properly consult all relevant State agencies when they are preparing plans. I guess the major cost might be in the time for development applications to consult with the Rural Fire Service. All we are doing in the new State policy is mandating what is currently a requirement under a 117 direction, which we issued in 1989, and all the subsequent circulars that we have issued to councils regularly since then. So I do not see that it will be an additional cost burden on councils.

The Hon. RICK COLLESS: I am sure you are aware of the debate going on over unfunded mandates being imposed on local government generally.

Ms HOLLIDAY: I am.

The Hon. RICK COLLESS: I have a fear that while this appears to be at no cost to local government at this point ultimately it will come as a cost and councils will be required to do things that essentially they do not get funding for.

Ms HOLLIDAY: I guess it depends on whether you believe that proper strategic planning in local areas is a legitimate current responsibility of local councils. What we are doing in this area and in regard to a lot of other issues is ensuring that the appropriate issues are properly and carefully considered in that strategic planning process. The new State policy will require that the mapping of bushfire hazard areas is completed. Since 1984 that has been a very strong recommendation. Most councils, particularly in high hazard areas, have completed that work already.

The Hon. RICK COLLESS: That is required under the bushfire management planning program, is it not?

Ms HOLLIDAY: That is right. To do a bushfire management plan you need to have the hazard areas mapped, but to also reflect those in their local planning instrument is something that since 1984 we have been requesting councils to do.

The Hon. RICK COLLESS: The first dot point on page 4 of your submission refers to streamlined approvals for clearing to prevent bushfires. Do you see that that will have legislative teeth to override the requirements of the Native Vegetation Conservation Act and the Threatened Species Conservation Act and the Wilderness Act and all those other environmental Acts which are currently stopping this sort of work going ahead?

Ms HOLLIDAY: I guess I would challenge you as to whether they are stopping appropriate bushfire hazard reduction going ahead. Considering the environment is obviously tremendously important even when you are thinking about the dangers and risks associated with bushfires. What we are proposing in the new approach will be to incorporate the considerations that are necessary to look at the native vegetation and threatened species particularly in the code of practice that we will be developing. The effect of the streamlining will be that if a proposal to hazard reduce in an area adjacent to an urban area is consistent with the code of practice—and the code of practice will set out exactly how you go about it taking into consideration appropriate consideration of the environment—and it is consistent with the bushfire management plan that has been prepared by the Rural Fire Service then no approval is necessary.

As I mentioned, in emergency situations the new provisions will provide that where an emergency is identified then none of the relevant Acts that if you are planning ahead and planning properly should appropriately apply will apply. So in an emergency situation the Rural Fire Service and the National Parks and Wildlife Service and landowners will be able to take appropriate action without any of the Acts applying. But we are trying to encourage, with the strong support of the Rural Fire Service, early, appropriate, strategic thinking about bushfires, not to wait until there is a bushfire but to be planning ahead, to be thinking about—

The Hon. RICK COLLESS: But they do still happen.

Ms HOLLIDAY: They do still happen. We also know that over many years that they are going to happen and therefore we have the opportunity to do the appropriate planning in the lead up to what might be a severe bushfire season. That is what we are trying to encourage councils to do. I know the Rural Fire Service is encouraging landowners to take appropriate care on their own properties.

Mr E. T. PAGE: What will the impending SEPP entail, what advantages will there be when it is introduced and when will it be introduced?

Ms HOLLIDAY: The SEPP will be part of a package of initiatives which includes amendments to the Act. So the SEPP will be introduced as part of the whole package. There will be legislation coming before the Parliament. We will probably have the draft State policy on public exhibition at the time that the legislation to give it final effect will be considered by the House. The State policy will have the following features. It will apply to all local governments that have in place a bushfire management committee and have a bushfire risk management plan. Those are described in the Rural Fires Act of 1997. As I mentioned, it will require local councils to map bushfire-prone areas within their local government area in accordance with criteria which are clearly set out in this booklet. The relevant areas can then be overlaid on existing planning maps and given effect through local planning processes. This information must be disclosed on what are called 149 certificates. These are the certificates you and I get from your local council when you are looking to purchase a house. So the fact that a house is in a bushfire-prone area will be very clearly identified. It should be identified there now. The State policy will require it to be identified.

It will ensure that local councils consult with the Rural Fire Service both at a planning stage and at a development assessment stage if the development is not clearly in accordance with these guidelines. It will give greater effect to these guidelines: it will mandate them. It will say that when considering a development application you must take these guidelines into account. It will provide that bushfire hazard reduction works cannot be prohibited by a council's LEP. Some councils currently prohibit bushfire hazard reduction works and it will say that that cannot happen and that such works will be permissible. It will clarify that bushfire hazard reduction works will be assessed under the EP and A Act and set out the way in which that will happen. Mr Chairman, I can run through that if you would like me to or I can provide those details to the Committee later.

CHAIR: We will take that on notice.

Ms HOLLIDAY: That is fine. If the proposed hazard reduction work is being assessed and it complies with the code of practice that will be released it may be carried out without any further assessment. It will also deal with mapping provisions dealing with coastal wetlands and littoral rainforests. It will be clear that SEPP 1, which is a policy that allows a variation in building standards, will have no application in areas mapped under the proposed State policy.

The Hon. JOHN TINGLE: We heard yesterday from John Sheehan from the Australian Property Institute. His comment was that there are quite a number of cases where councils have policies which may override the BCA and the Australian standard in dealing with development applications.

Mr E. T. PAGE: Now he is going to have Phil Koperberg.

The Hon. JOHN TINGLE: How will this new SEPP effect that sort of thing? Hew said that it was difficult to keep up with what an individual council may do to meet the needs of a local area. He felt that this was something that ought to be looked at. Will this new SEPP deal with that and can you restrict councils from what you might call local protocols?

Ms HOLLIDAY: I do not think any councils can override the Building Code of Australia.

The Hon. JOHN TINGLE: He said that they were not always observing it, their local policies do not coincide with it.

Mr E. T. PAGE: They are putting on extra requirements.

Ms HOLLIDAY: What I understood him to say is that maybe a development control plan added a whole lot of additional requirements. As I mentioned, some councils may decide to prohibit bushfire hazard reduction. This State policy will ensure that they cannot do that. It will move to put into effect throughout New South Wales a regime within which bushfire hazard must be considered. Council policies such as development control plans are a matter for individual councils but it is very clear under the Act that a development control plan cannot be inconsistent with their local plan, and clearly a development control plan must not override the requirements of the building code. I think the point that you make about additional requirements is something that we will have to look into. This booklet is in a sense a state-of-the-art requirement that we would want all councils to adopt. We would not want councils to be varying from this. We believe that this gives them more than adequate process and the detail and methodology to fully address circumstances.

As we said, we are seeking a specific variation for the building code to ensure that this applies in New South Wales in dealing with radiant heat. I hear what you are saying and I think when the new State policy and new regime is in place, certainly I can make it very clear to councils that this must be the way that we do deal in a consistent manner across New South Wales.

I know Mr Sheehan raised the issue of unanimity throughout all councils. I think we have to accept that there are very many different circumstances where there are individual situations that cannot be prescribed from Sydney. I think we need to accept that we think this is flexible enough to address those circumstances, but obviously we need to acknowledge that a situation, for example, in Russell Smith's area is going to be very different from a situation right on the edge of Sutherland and the need to protect and the separation distances need to recognise some of those differences. We believe this document provides that.

Mr E. T. PAGE: What can be done about existing unsuitable buildings in bushfire prone areas? We have heard all about the building code and so on and making sure things are better in the future, but what about all the existing time bombs?

Ms HOLIDAY: I think that is one of the biggest challenges because obviously there is no obligation under the SEPP or anything that we can force existing home owners either to change their houses or reconstruct their houses to meet what is now modern practice. We have learnt a lot. It has to be acknowledged that since 1984 when we first issued our 117 direction and guidelines to councils that we have learnt an enormous amount and technology and science has improved significantly. I think it is part of the education program that we need to support and Rural Fire Service and ourselves are looking at what more we can do to educate the community about the importance of these issues. It is very easy to go into a beautiful bushy area and say, well, there has not been a fire here for five years, there never will be, and to be, in a sense, potentially complacent about the importance not only of protecting your property but also of adjusting your property to come up to modern standards.

We think the obligation under section 149 to notify potential purchasers that the area is in a bushfire hazard area will alert potential owners. It might be that bringing your house up to standard or at least ensuring that you are well prepared is something that every home owner will want to do, particularly if they are interested in selling their property and being a responsible member of that community. I think the local community network that the Rural Fire Service generates and trying through an education program of talking to that community and talking about responsible home ownership will help people over time adjust their properties and adjust the maintenance regime of their properties to pick up some of the more modern practices. But I do not see how we can go back and require property owners to change the materials or to force them to update their properties. It is more a question of making them responsible so that they will want to over time invest in upgrading their properties.

The Hon. RICK COLLESS: On page 4 of your submission in the fourth paragraph down you State that "land management agencies must not conduct an activity that is likely to significantly affect the environment including critical habitat, threatened species populations and so on unless there has been furnished and considered an environmental impact statement and species impact statement where necessary." Then in the next paragraph you say, "As far as the department is aware no EIS or SIS has ever been produced for bushfire hazard reduction work." Is it your assessment that in that case hazard reduction will not significantly affect the critical habitat and threatened species populations or in fact is someone in breach of the Act?

Ms HOLLIDAY: No, it is not my opinion that hazard reduction work may never detrimentally affect sensitive environmental areas or threatened species. The way the Act works is that responsible land management agencies must turn their minds, technically this is under part 5 of the Environment Planning and Assessment Act, to whether bushfire hazard reduction will significantly detrimentally affect the environment. They have to form the judgment as to whether they can address that issue by way of a review of environmental factors, which is in the paragraph prior to the one you are referring to, or whether a full EIS is required. That is the responsibility of the Act. They must turn their minds to that issue.

What this initiative is saying is that to our knowledge when they have undertaken that consideration they have formed the view to date that bushfire hazard reduction work has had an impact such that a review of environmental factors is what is necessary as opposed to a full EIS. But that is not to say that in the future there may be circumstances where a full EIS may be warranted. What we are trying to do through the package of initiatives is to introduce this code of practice, which will help land managers, both private and public, consider those issues well prior to this and to address the sort of issues they would have to turn their minds to under part 5 of the Act to make up their minds as to whether not an EIS is required. If they go through the process that as set out in the code of practice, then they will not be required to have any further assessment, either an REF, EIS or SIS.

The Hon. RICK COLLESS: So what is happening in practice is that if they believe that an EIS is required they are removing that area from the prescribed burning process?

Ms HOLLIDAY: I am not in a position to comment on that because I am not involved in their consideration. That may be one approach they are taking, but I am afraid I am not in a position to comment specifically.

The Hon. RICK COLLESS: The thing that concerns me about the concept is that the environmental legislation still has precedence and overrides the bushfire management issues. I see that as a concern. If we are in a situation where the environmental legislation has precedence over the need to hazard reduce—we are all heading in the same direction, that is, to basically stop hazard reduction burning as more and more ecological communities are added to the threatened species list, which is happening—then it will be more and more areas which are excluded from potential hazard reduction burning and I see that as a problem.

Ms HOLLIDAY: Yes. In New South Wales some of those environmental pieces of legislation that you are talking about are in fact integrated into the environmental legislation that is the Environment Planning and Assessment Act. They do not override in that sense; they are considerations that must be addressed at the time that you are assessing either a future plan or a development application. So, they are quite integrated. It is certainly true that more and more species are being added. I guess one issue that we have not addressed in detailing the submission is that, of course, there is Commonwealth legislation which also deals with threatened species and that is not, at this stage, integrated into the Environment Planning and Assessment Act.

We are having discussions with the Commonwealth about accrediting the New South Wales planning system to enable it to ensure that the threatened species legislation at the Commonwealth level, the Environment Protection and Biodiversity Conservation Act, and I can give the Committee some more details about this, can be appropriately integrated into the environmental assessment process. So, I guess what I would be arguing is that the legislation does not override but it must be considered and the code of practice and the approach that we are putting forward under the package would ensure that those considerations are part of the way in which we plan ahead and address bushfire hazardous issues prior to the emergency situation.

Mr E. T. PAGE: What is your view about fuel-free zones?

Ms HOLLIDAY: I am afraid I could not comment on that. I would have to take that one on notice and brief myself on what fuel-free zones constitute.

Mr E. T. PAGE: Generally, are you looking at prohibited activities in the zoning process? You have a house in a bushfire-prone zone, but there are certain residential activities that you cannot have the?

Ms HOLLIDAY: These guidelines certainly talk about uses and about the appropriate location of uses in bushfire-prone areas if those areas are to be rezoned. For example, it strongly encourages, both in this document and in the document that describes State policy No. 5, which is about providing housing for aged people and people with a disability, that retirement homes should not be located in areas of high hazard bushfire areas and that the policy should not apply where that is the case. I think on balance we are very mindful and we would strongly encourage councils when they are thinking about planning future areas to be very, I suppose, responsible when they are thinking about what uses should be located in what locations. This document also requires this concept of separation between the bush and the actual development.

The point you raised earlier about existing development, which has not been developed in accordance with these guidelines, obviously is of a particular concern, but modern subdivision design says you actually separate from the bush. Usually you use an access road or some other way, which might be a fuel-free zone, between the actual bush and the actual development and that those separation distances are clearly specified in this document and that they deal with both embers, radiant heat and what they call fire attack.

Mr E. T. PAGE: With existing buildings would it be practical to do an assessment on cheap necessary requirements that you could give landowners, say, five years to meet? For instance, to make sure all houses are enclosed underneath so that if there is a bushfire you do not get embers blowing in under the house, which would not cost much and a landowner could be given, say, five years to meet those requirements so that you pick up buildings that are not being sold et cetera?

Ms HOLLIDAY: I think that is certainly worth considering. I am just very quickly trying to think how one might apply that and whether the planning Act is the way to do that or whether there might be some other means. I will take that on notice and give some further consideration to it and come back to you.

The Hon. RICK COLLESS: In its submission the Nature Conservation Council made the statement that development in fire-prone areas should simply not be allowed. Do you see that as a practical suggestion, given that, as I see it, all areas are fire prone to some extent. The Crookwell fires a few years ago, which essentially involved agricultural land and grassland, was a devastating fire and there have been many other similar fires. Is it reasonable to suggest that? Or how should we develop or pursue that as a concept?

Ms HOLLIDAY: I keep referring to this document, but this document talks about the different layers of fire proneness. Clearly there are high hazard areas which, over many years, have been demonstrated to be a great risk and if a landowner comes forward with a rezoning proposal in those areas, then obviously the council must have very serious consideration as to whether rezoning would be appropriate in those areas. But there are other what we call fire prone but low-risk areas where it may be quite appropriate for rezoning, depending on the use and depending on the subdivision layout and the application of separation principles. So I think it would be unfortunate to just categorically say that there is one rule that says anything that is fire prone should never be rezoned. As I say, it will depend on the use, the opportunity to really achieve the appropriate separations and whether or not it is high risk or fire prone but low-risk. Those are the technical issues that the CSIRO and the Rural Fire Service are helping us with.

When we come to seeking a specific New South Wales BCA, we need those technical issues to support that. This document has quite a lot of technicality in it in relation to separation distances and the methodology for determining appropriate uses and whether or not land should be rezoned. Certainly it is going to be an issue that, as a result of your inquiry, people will be very careful and aware of.

(The witnesses withdrew)

(Short adjournment)

ARNOLD KEITH JORDAN, Executive Officer, Rural Fire Service Association, 1 Crusader Road, Galston, and

PETER WILLIAM KINKEAD, Superintendent, New South Wales Rural Fire Service and State Secretary Rural Fire Service Association, Queen Street, Singleton, sworn and examined:

CHAIR: Have both of you been issued with a copy of the Committee's terms of reference and also a copy of the Legislative Assembly Standing Orders 332, 333 and 334, which relate to the examination of witnesses?

Mr KINKEAD: Yes, I have.

Mr JORDAN: I have.

CHAIR: Did you receive a summons issued under my hand to attend before the Committee?

Mr KINKEAD: Yes, I did.

Mr JORDAN: I did.

CHAIR: Superintendent Kinkead, do you wish to make an opening statement?

Mr KINKEAD: Yes, I would. Thank you for the opportunity to appear before you today. As set out in our submission, the Rural Fire Service Association is the representative body of the volunteers and salaried officers of the New South Wales Rural Fire Service. Our submission was prepared by the State Executive and reviewed by State Council. While the Christmas 2001 fires displayed some of the most erratic fire behaviour in living memory, there is no doubt that the management of those fires and the significantly improved levels of equipment available contributed enormously to keeping the destruction of property to a number significantly less than the potential, and the loss of life to none.

Briefly, our main points are: the management of major bushfires such as those that occurred last Christmas has significantly improved since 1994; the degree of co-operation between the four fire authorities under the Rural Fires Act has been significantly improved; the continuing development of the district bushfire management committee system is essential to proper fire preparedness, particularly in their role in the development and management of hazard reduction; the continued development of community safety education initiatives is an essential tool in fire preparation and preparedness; and the use of aircraft in fire fighting needs to be continually reviewed to ensure maximum cost benefit and maximum community benefit.

In relation to incident management teams, every major incident during the Christmas 2001 fires utilised multiagency incident management teams, and these incident management teams contributed significantly to the successes that were achieved. Without doubt, the instigation, since 1994 fires, of the incident control system by the Rural Fire Service has changed dramatically the way in which fires are managed. The underlying principle of the system is to ignore rank and service within the incident management team and allocate the best person to do the job. This means that we are not limited by the ranking structure or a particular service in allocating appropriate personnel to the job at hand. Whilst by no means perfected, the continued training and implementation of incident control systems across the State will assist firefighters into the future and will enable more efficient utilisation of resources and volunteers' time.

The level of co-operation between the firefighting agencies on the fire ground and within incident management teams was unprecedented. There were numerous incidents of volunteers controlling resources of other services, and the reverse, without any of the parochialism of the past. There were also several examples of interstate personnel working alongside Rural Fire Service, National Parks and State Forests personnel in incident management teams quite seamlessly. Without doubt, these fires showed that, far from a need to merge the New South Wales Fire Brigades and the Rural Fire Service into a single fire service, quite the opposite is indicated. It is only by allowing a diverse range of volunteers to continue that we avoid the more rigid and constraining approach of the union-dominated New South Wales Fire Brigades.

Hazard reduction is an emotive issue that brings with it a diverse and, to a degree, contrary range of views. The Government and the Rural Fire Service have over many years work towards ensuring a proper balance between protection of life and property and the natural environment. The development of the district bushfire management committees has seen in many districts a greater understanding of others views and the development of well-balanced fire management plans. The Government is to be commended for the support it has given to these committees and the continued development. That said, however, there is no doubt that within some local government areas things are not as rosy as elsewhere. This has led to often bitter disagreement between those who might be classified as environmentalists and those who might be classified as pragmatists. The recently announced proposed changes to legislation providing the Rural Fire Service with greater powers to undertake hazard reduction are welcomed.

There is no doubt that a significant improvement in the level of preparation, that is, the owner's responsibility, is needed. Many of the houses that burned down were allegedly caused by the unprepared condition of those properties or those of the neighbours. The attitude of landowners will not change overnight and a continuation and perhaps expansion of the community education initiatives of the fire services is the only way to change this culture.

The utilisation of aircraft during these fires contributed greatly to the successful management of those fires. However, like any other fire fighting resource, different firefighting strategies may require different aircraft characteristics. It is the association's view that research needs to continue into the effectiveness of various aircraft characteristics so that we may maintain and constantly improve the cost effectiveness and community fire safety benefit that these aircraft bring. In conclusion, we again thank you for this opportunity and look forward to being able to answer your questions.

The Hon. RICK COLLESS: Superintendent Kinkead, do you see that there is a need for monitoring of fuel levels, particularly in forest areas irrespective of tenure, on a regular and formal basis? Should that be reported back to the Rural Fire Service?

Mr KINKEAD: There is a need to monitor some areas. I do not think there is a need to monitor every square kilometre of forest. I presume you include in that definition wilderness and national park areas?

The Hon. RICK COLLESS: Absolutely.

Mr KINKEAD: This State has the benefit of quite large tracts of national park and State forest. Only a certain percentage of those pose a potential threat to develop areas. Therefore, it is, in the association's view, important to maintain an awareness of those fuel loads so that appropriate plans can be put into place to modify those.

Mr E. T. PAGE: There has been a recent change in the employment status of district fire control staff being transferred from councils to the Rural Fire Service. Has this change been beneficial?

Mr KINKEAD: From the association's point of view, it was one of the issues we lobbied for in the previous inquiry into bushfires. The change has only just taken place, it is nine or 10 months old. The association's attitude is that we welcome change and we are working with whatever issues arise out of that change to make sure that the process continues in a smooth manner.

Mr E. T. PAGE: It is too early to comment on whether it has been beneficial or not?

Mr KINKEAD: From the association's view, yes. There is lots of anecdotal evidence around, but from the Rural Fire Service Association's perspective, it is something we lobbied for previously and it has now happened. To be able to comment on the success or otherwise of that change, we suggest, will take a little bit more time.

The Hon. JOHN TINGLE: I have been reading with interest your comment on terms of reference one, hazard reduction and other fire prevention methods. You make it clear, and I think this has been coming through in some other evidence we have heard, that it is becoming more difficult to

carry out hazard reduction, particularly hazard burns, because of a number of factors, and you mentioned, for instance, paperwork, the requirement of various new laws and so on. Do you feel that there is a move in some areas to make learning, particularly hazard reduction, politically incorrect?

Mr KINKEAD: I will redirect this question to Keith Jordan, who is the Chief Executive Officer of our association, but before I do, the association's position on hazard reduction, as I said to an early question, is that there are areas of land in this State that need to be monitored very closely and there are other areas that, because of the distance and their wilderness aspect, from the point of view of protecting the community they are not as important. There is a priority of what needs to be addressed. I honestly do not think the association could say to you at this hearing that there is or is not political correctness about it. I do not think it is our position to be able to make that comment.

The Hon. JOHN TINGLE: Can I just reinforce the statement by saying that since this inquiry started we have heard opinions about hazard reduction, particularly learning, ranging from people who seem to think it should never happen to people who seem to think it should happen every time there is a problem. I think the difficulty is to find the medium ground. That is really what I am asking. There seems to be an opinion that says hazard reduction is wrong, it should not happen.

Mr KINKEAD: Earlier on in my address to the Committee I referred to pragmatists and the people for and against hazard reduction. Some years ago the State Government introduced into the rural fires legislation the concept of district bushfire management committees. Without taking up too much time, a district bushfire management committee essentially is a meeting of the combat authorities within a local government area, together with local council and other interested organisations within that local government area, whether it be the Nature Conservation Council or in my area we have a very strong military presence, and so on. The district bushfire management committee gives the opportunity for those extreme views on either side of the hazard reduction issue to come to a compromise on what should be done. As I said earlier, that happens a lot of times but there are the occasions when a compromise does not happen. There is a mechanism in place that if an impasse is reached it can be pushed up the line for resolution. Unfortunately, when things get past the local committee's ability to deal with, the question of time comes into it and maybe the opportune time to do that hazard reduction if it were identified as the ideal process, has been missed.

The Hon. JOHN TINGLE: Are you saying in your comments on reference one, that for whatever reason, hazard reduction is becoming more difficult to do?

Mr KINKEAD: It is the association's very public and plain statement, yes. The local brigades are the people at the coalface that carry out these hazard reductions, along with National Parks and State Forests agencies. From the point of view of the local Rural Fire Service Brigade it is getting extremely difficult, given the constraints of the other things they have to do in their life—work, social commitments. There is a range of issues that need to be addressed. Very broadly, ten years ago the window of opportunity to do hazard reductions was this big, it is now about this big.

Mr R. H. L. SMITH: This State has a raft of environmental legislation, for example, the Wilderness Act, the endangered species and native vegetation legislation, just to name a few. Does all that legislation restrict hazard reduction in general terms as far as the fire management committees are concerned? Do they play a pivotal role in decision making or are they secondary and hazard reduction runs supreme, if you like?

Mr KINKEAD: The association's perspective on this is that at the district bushfire management committee level most times it is not a significant problem to implement hazard reduction. I ask Mr Jordan to answer because he is also a deputy captain in a brigade and has more experience at the coalface as opposed to my experience at the management level.

Mr JORDAN: Certainly, the perception at the coalface is that it has become considerably more difficult to carry out hazard reductions and that it is not uncommon to have hazard reduction postponed or cancelled very late in the piece. That becomes a problem for the volunteers who were going to carry it out because they may have taken a day off work to do it. It is not always environmental issues. It could be a weather problem that cancels hazard reduction but it is just another compounding issue that is there. It is a perception but whether it is true is another matter of fact. The

actual perception from Rural Fire Service members at the coalface is that it is becoming more difficult.

Mr R. H. L. SMITH: New South Wales Farmers submitted that public lands, particularly in New South Wales national parks, should have a buffer zone on the park side where it fronts with private land to reduce the fire hazard from the existing bush in the park. Is that a reasonable compromise between the two different land uses, as it were?

Mr KINKEAD: It is a solution. There are a dozen different ways to mitigate the fire risk and to select the ideal one, you need to be very site specific and you need to look at the history to determine whether, for arguments sake, a fuel reduced buffer zone would be effective. One of the interesting things that has come out of the recent series of fires is that hazard reduction is going to be effective in fire situations where classified up to moderate fire behaviour. When there is severe fire behaviour it is arguable as to whether hazard reduction would have made much difference to that fire behaviour because you have got extremes of weather that are basically the major dictators to what is happening. We might be able to slightly modify the behaviour by hazard reduction by a range of other issues but whenever you have that sort of a fire situation with nature at its rampant worst, there is a fairly conclusive school of thought that hazard reduction is not going to be as effective as most people would like it to be. That is just a fact of life. Like anything else, there are no absolute guarantees. Therefore, would a buffer zone be the panacea for everything? No, it would not. It is part of the picture, it is not the total picture.

The Hon. RICK COLLESS: Do you believe that the hazard reduction that has occurred and the reduction in the overall level that has occurred—New South Wales Farmers yesterday told us that it was some 60 per cent in the past few years in national parks—has been an effective wildfire management process?

Mr KINKEAD: It is the association's attitude that hazard reduction is a very good tool in the kitbag of attempting to minimise the impact of fires. There are not too many people who would be game enough to say "I can stop this fire". In my experience it is generally nature that stops the fire, we just attempt to steer it until nature decides to do the right thing.

Mr JORDAN: I support what Peter said. During these past fires one of the hats I wore was that of an air attack supervisor. It was certainly my experience when flying over some of the fires that areas that had been hazard reduced within the past two years did not stop these fires, they roared straight through them.

The Hon. RICK COLLESS: Would it be fair to say that an increased level of hazard reduction during the past four or five years would have reduced the intensity of the fires?

Mr KINKEAD: Given the fire that we had, the association's point of view is no. We have already stated today and also in our submission that hazard reduction will be beneficial up to a certain stage of fire intensity. For argument's sake, right out of left field, it is like a surf life saver who is very good at swimming but if he gets into an extreme swell with a southerly buster coming through, it is unlikely that he will survive. It is the same logic with this. To a certain level we have a reasonable degree of confidence in what we are doing and what the outcome will be, but once you get above the level when nature decides to put on one of its turns, we are at the mercy of that. You would need to do a fair amount of scientific evaluation to determine precisely where is the cut-off level. In anecdotal terms, up to moderate fire behaviour we are fairly confident of what the outcome will be, but above that, no.

The Hon. RICK COLLESS: Is it fair to say that in whatever an ordinary summer for bushfires is, hazard reduction would be effective in controlling intensity but in extreme conditions like the past summer it is not?

Mr KINKEAD: Yes.

The Hon. RICK COLLESS: In relation to the starting ferocity of fires in hazard-reduced areas, the Director General of National Parks and Wildlife Service told us yesterday that 82 per cent of the fires that started in national parks were controlled before they had burned out five hectares. Is it

easier to control a small fire in an area that has been hazard reduced, even when conditions are severe?

Mr KINKEAD: In other than severe conditions, yes. In severe conditions as we experienced this past summer, no. Occupational health and safety plays a role in our management strategies. In quite a number of places across the State it became apparent that the weather that we were experiencing and the weather that was forecast was going to make it too dangerous to put firefighters on the fire ground in front of a fire front, or close to its perimeters any way. In other than a severe situation the theory is the smaller the fire and the quicker you get to it the easier containment and extinguishment is going to be.

Mr D. L. PAGE: Are you happy with the improvements in equipment generally and training that has been made in recent years?

Mr KINKEAD: The information contained in our submission to this inquiry has been canvassed throughout the State. All of our members have had the opportunity to contribute to the submission and almost universally the answer was that there have been huge improvements in training, quality of equipment, management of the organisation and the incident management concept for handling medium to large fires, depending on the timeframe you are looking at to use as benchmarks.

Mr D. L. PAGE: What about communications?

Mr KINKEAD: Communications is one of those areas that is always bugged by technical issues, but generally yes, the improvements have been there.

The Hon. JOHN TINGLE: In relation to equipment, I refer to page 13 of your submission in terms of reference four. I am concerned that you have had to report that the plastic fittings in some of the tankers have been melting and that door handles would melt, even not close to radiant heat, and possibly make it impossible for a crew to get back inside. What can be done about that? If the tanker has plastics on it which melt in the heat of an ordinary fire surely we need to rethink the tanker, do we not? Could it not be very dangerous?

Mr KINKEAD: The association is aware that this issue is being looked at by the Rural Fire Service. The association's understanding is that unfortunately it is a matter of cost. The current tankers being utilised as cab chassis are a four-wheel drive cab chassis that is available commercially. It is not specially built for the fire service. The number of cab chassis that we utilise is fairly miniscule compared with the number produced and therefore our ability to sway the manufacturer to do a special build for firefighting tankers does not have a lot of weight when one looks at the ratio of what the Rural Fire Service purchases compared to what the manufacturer produces.

Keeping in mind that our vehicles, almost exclusively, need to be four-wheel-drive, there are not a lot of manufacturers of four-wheel-drive trucks. Keith may be aware of other issues that are being contemplated at the moment to mediate that problem. Even though we, for argument's sake, purchased the current cab chassis, I think there are some modifications that we are looking at.

Mr JORDAN: The Rural Fire Service itself is currently working with the Country Fire Authority of Victoria and the CSIRO. That group is putting a number of admittedly slightly older model vehicles through a fire overrun test at the Mogo fire training centre on the south coast, and there is more to be done on that yet. They are testing the survivability of those trucks. I understand that the CSIRO has come up with a different plastics formulation, which is going to be passed back to us. But all of this is in the development process, and I understand a number of trucks are yet to be tested. As well as the plastics, they are testing new fire protection systems, fire spray bars, on those vehicles. The Australian Fire Authority's Conference is also looking at whether all fire authorities in Australia using Isuzu trucks may carry a little more weight.

Mr R. H. L. SMITH: As you are aware, over recent years there has been a large increase in the holding of national parks. There has been an undercurrent in the submissions to the Committee that on the change-over of that land to the National Parks tenure there has been either a closing or a running down of the fire trails and access points in national parks. Have your members given you any indication as to whether this is correct or not?

Mr KINKEAD: Not that I am aware of. My knowledge of the process is that when other lands are handed over to National Parks, it is being incumbent on National Parks to basically analyse and do a study of that new area of land. They have to determine an appropriate plan of management because the land is now their responsibility. In that analysis, an issue may arise where a particular existing trail, when the land was private property, may not in the future be appropriate for that plan of management. I am not aware of any issues that have been directly put before the association in a complaint fashion about that happening.

Mr JORDAN: I would support that. There is anecdotal evidence that that has happened, but when you try to find out specifics it is very difficult to get the specifics of it actually happening. I am sure that, as Peter Kinkead has just said, with any change of management plans some fire trails may no longer be required.

(The witnesses withdrew)

IAN MacDOUGALL, Commissioner, New South Wales Fire Brigades Level 10/227 Elizabeth Street, Sydney, sworn and examined:

CHAIR: Did you receive copies of the Committee's terms of reference and the Legislative Assembly's Standing Orders 332, 333 and 334, which relate to the examination of witnesses?

Mr MacDOUGALL: I did.

CHAIR: Did you receive a summons issued under my hand to appear before this Committee?

Mr MacDOUGALL: I did.

CHAIR: Do you wish to make an opening statement?

Mr MacDOUGALL: If I may. Without engaging in self-congratulation, I believe there is ample evidence that this bushfire crisis was handled very much better by the many agencies involved than in 1994 and 1997. My written submission canvasses the seven issues described in this Select Committee's terms of reference.

In opening I would like to emphasise three points. Firstly, when the New South Wales Fire Brigade responds to a major crisis—whether it be fire, flood or tempest—it is on top of maintaining normal business, and that is 150,000 emergency incidents per annum. On average, an incident is occurring every three to four minutes somewhere in the State.

By manipulating the network of 350 brigades and specialist units and recalling off-duty firefighters, a force of about 1,000 people and their appliances can be made available day after day. In the case of the Sydney hailstorm crisis, this capability was online for seven weeks.

Secondly, the brigade's fire safety division is highly skilled and available to be consulted by councils regarding all urban bushland interface developments. We have no legislative role in approvals for class 1 buildings, that is, single-occupancy dwellings, and councils do not routinely seek New South Wales Fire Brigade's comment in relation to such developments. However, the expertise is available if required.

Thirdly, I believe a major success story of the bushfire period was the effectiveness of the 140 community fire units and 2,000 CFU volunteers. We are now processing applications for another 110 units. We are, of course, at pains to avoid an excess of enthusiasm and thus endanger people of these units. An interesting sideline of the program is that higher levels of community spirit and general good neighbourliness has continued in the months since the crisis ended.

Mr R. H. L. SMITH: Would you be able to elaborate on the community fire unit? I must say I am not familiar with it.

Mr MacDOUGALL: It stems from World War II when we had a similar organisation called Hose Posts, which lapsed. After the 1994 bushfires we reinvigorated the program. We buddy up these community fire units, which are effectively street-located and street-grouped with their nearest fire brigade station. We provide them with equipment, either in a fixed form or in a trailer. It costs between \$10,000 and \$11,000 for the hardware. We do not put a price on the training, of course, because it is conducted by on-shift firefighters.

Normally, between eight and 12 volunteers in the street take custody of the hardware, undertake the training, and then assist their neighbours. It will not be the case that every house in the street has a representative in the community fire unit, but those who are members tend to go to houses where there is not a representation, and guide them in measures of protection and reduction of hazards around the backyard and so on.

We think that in the most recent crisis they probably saved a number of properties. They also complement the firefighting agencies, in that when they get there they know that certain actions have

been taken. It also enables them to move on to the next threat, because they know that once the fire is stabilised the community fire unit will contain it.

Mr R. H. L. SMITH: So the units are around the interface between the bushland and the urban areas?

Mr MacDOUGALL: That is correct.

Mr E. T. PAGE: Does the New South Wales Fire Brigade have any involvement with hazard reduction?

Mr MacDOUGALL: We do. We assist other agencies with hazard reduction, in a sense as a combat agency, often during the week when it may be more difficult for volunteers of the Rural Fire Service. After the due processes have been completed, and we are brought in to assist in areas of our own jurisdiction, we do them. Often, because it is the interface between the urban areas and bushfire, we will do small-scale hazard reduction, that is, hand-cutting and pile-burning, for environmental reasons. The notion that you can use hand-cutting and pile-burning across the board for hazard reduction is, of course, ridiculous, but it is one of the measures that we take for those reasons and it is pretty effective.

It is the nature of our jurisdiction that we have huge hazard reduction areas or areas burned. But I would suggest to you that volume is not necessarily a measure of the effectiveness, and for that matter hazard reduction is only one of the measures—there is also community education and various

The Hon. JOHN TINGLE: In the area where I live there has always been some confusion about where the jurisdiction of the New South Wales Fire Brigade ends and that of the Rural Fire Service begins, at the edge of the urban area. Has much thought been given to this? Are there any clearly laid-down guidelines?

Residents of the area where I live asked for an assessment of the bushfire risk in a reserve near their homes, and it was a question of whether the New South Wales Fire Brigade or the Rural Fire Service should determine the matter. How do we find out who is the responsible authority?

Mr MacDOUGALL: An inquiry of either agency will tell us that. We have a jurisdictional map, which does change because there are boundary variations. As urban sprawl occurs, the Rural Fire Service hands the ground back to us. It works in two ways: we also hand ground to the Rural Fire Service.

We have a computerised despatch system which we run for both services, and it deals with about 200,000 incidents per year, leaving aside major issues such as bushfires, and the map is clearly there. If somebody wants to know whose responsibility it is—and, of course, it may well be beyond the Rural Fire Service, and in our case we are not land managers, and therefore it could be State Forests or the National Parks and Wildlife Service. But we can certainly provide that information to anybody, as to whose patch it is.

If that sounds like it is a turf issue, it is not. It means an orderly response to emergencies in knowing who should respond to what. All that said, these days we have mutual aid agreements for fire between the Rural Fire Service and the New South Wales Fire Brigade, so that they are actually supporting each other. It does not matter where the incident is. Obviously, the citizens do not care what the logo is on the truck, providing the fire is put out.

The Hon. JOHN TINGLE: There have been occasions in the past of direct conflict between the two services.

Mr MacDOUGALL: There have.

The Hon. JOHN TINGLE: Can we be confident that is now at an end?

Mr MacDOUGALL: In any human endeavour, and we are talking about 200,000 incidents, I cannot give you a cast iron guarantee. I can say that with the advent of the fire services joint standing committee and the various mechanisms that flow from that, those sorts of frictions in the last seven or eight years have almost disappeared.

Mr E. T. PAGE: Can you tell us what the fire brigade static water supply program is and how successful it has been?

Mr MacDOUGALL: Yes. We started this program about four or five years ago where we, on a local basis, approached residents who have swimming pools to ask if we might put outside a plate or a label—a bit like the ones you see that identify where hydrants are in the street—if reticulated water is not up to the job. Particularly in a bushfire, residents are encouraged to do certain things with reticulated water, which actually runs counter to our need once we get there of being able to use it. This is a backup when reticulated water is not serving the purpose. That is not a criticism of water suppliers but it is simply a case that to cover every eventuality you would have huge pipes and the infrastructure would be ridiculous. Firefighters move along the street, establish where there is a swimming pool and seek the agreement of residents to put the plate outside, which is an indication that in extreme circumstances we can use their water. Their water is replaced later. We even have a golf club at the moment that is interested in providing us with water. They have dams with millions of litres of water and of course we will take that up too. It is an alternative and sometimes a seriously vital supply of water for firefighting.

Mr R. H. L. SMITH: I have areas in my electorate that are very fire prone and which often have only one service road into a cluster of housing. We spoke with Planning New South Wales this morning about how difficult it is to be retrospective in fixing up some of these things. There is an attitudinal problem with residents in some of these centres in that council advises them that they should clean up around their houses but they do not remove branches from their houses and their gutters are full. Do you have any authority in that regard or do you voluntarily seek their co-operation?

Mr MacDOUGALL: It is largely as you express it. There is an Australian standard and the peak body for the industry, the Australasian Fire Authorities Council, is working to produce a better Australian standard. At the moment we have this document, which has perhaps been tabled as part of other submissions—

Mr E. T. PAGE: Everyone thinks that is great.

Mr MacDOUGALL: We think it is great too. It has not got our logo on it but we think it is terrific and there are plenty of guidelines in that. It must be said that there is some disappointment that with the huge endeavours put into community education by various agencies, not the least ourselves and the Rural Fire Service, it does not meet our expectations when the crisis comes. We have to just keep working away at it and finding more clever ways of doing it and embracing technology. It is all very well to put pieces of paper in letterboxes that might or might not be ditched with the rest of the junk mail. It is probably a case of embracing modern technology that people look at—maybe it is television—and we will keep working on it, but obviously it is a constant battle.

CHAIR: For the purposes of the record could you identify that document?

Mr MacDOUGALL: The title of the publication is "Planning for Bushfire Protection: A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners". It bears the logo of the New South Wales Rural Fire Service and Planning New South Wales.

The Hon. RICK COLLESS: If you were going to build a house in a high bushfire prone area what sort of fire prevention measures would you include in the construction of the building?

Mr MacDOUGALL: There is not a one-size-fits-all answer to that. There is a huge variation.

The Hon. RICK COLLESS: What sorts of options do people have to include in building proposals?

Mr MacDOUGALL: Those that prevent the collection of leaves and vegetation in gutterings. If I had my way we would have guttering about three feet wide and two feet deep but there would be structural issues with that. I personally do not think enough attention has been given to that. This document is fine for the moment but I note that with houses being developed in my jurisdiction, I do not have legislative powers but I have huge expertise to be called upon but it is not always called upon. I would not mind a situation where there was more compulsion, if you like, when development is occurring to use the expertise that I have to offer. It is not going to cost anything; it is already paid for.

The Hon. RICK COLLESS: What sorts of things would we include. Things such as external watering systems, the design of verandas, those sorts of things?

Mr MacDOUGALL: Yes, all of that. It is interesting that during the Cold Water warships had a pre-wetting system. If they were steaming into the nuclear fallout there was all sorts of piping all over the ship that sort of covered them and was filled with water. I am not sure how long ones house would stand up to a constant flow of water. It is supposed to sustain rain, et cetera, but there are all sorts of possibilities. We, the fire agencies, through the Australasian Fire Authorities Council [AFAC] are pursuing with CSIRO and some of the universities to put everything on the table with the hope that we will be able to influence construction standards under the Building Code of Australia, but I do not have any immediate clever fixes. It is a complex issue, but it is getting attention at the right intellectual level.

The Hon. RICK COLLESS: Some members of my family have a property at Alford's Point across the road from the national park on the other side. During the fire season my brother-in-law actually put a couple of sprinklers on the roof. Are measures such as that effective in helping to prevent houses from burning?

Mr MacDOUGALL: Yes. We encourage that. What we do not encourage is people putting sprinklers on the roof and then going out. That did happen during the bushfires. Whether it is our fault in that we were not explicit in saying, "Put the sprinkler on the roof, it helps, but watch it". Maybe that is part of the continuing effort with community education. It is almost a form of the pre-wetting I was talking about and many people did it too, to good effect, during this most recent crisis.

CHAIR: You put a strong argument for the use of aircraft to fight fires as our urban development increases with its interface in the bush. What is your view on the general effectiveness of the use of aircraft during emergencies and would you agree that the success in the area of using aircraft in bush fire fighting is heavily reliant on ground crew firefighters?

Mr MacDOUGALL: That is exactly the case. It is a useful adjunct, but at the end of the day you have to have boots on the ground. Even though Elvis—or perhaps I should say Elvi because there were three—captured our imagination and they did good work, the notion they could have fixed everything by themselves is ridiculous. Indeed, I think those three were part of about 100 aircraft in all, fixed and rotary, that were deployed and they helped, but they are obviously not the total answer. If nothing else, the ability to get up and see what is going on, using them as an observation platform, is useful.

If the question is: will water bombing by itself do the job, the answer is no. It probably is a small but useful component to bringing the fire to a halt; if not the use of nature at the end of the day being the only real powerful weapon that you have got, but I think they are a very useful adjunct and we would have been pushed collectively without them in the most recent crisis, and it has been the case with previous similar bushfire circumstances.

(The witness withdrew)

(Short adjournment)

STEVEN BRUCE SCOTT PRINGLE, Mayor, Hornsby Shire Council, 296 Pacific Highway, Hornsby,

ROSS JONES, Executive Director, Northern Sydney Regional Organisation of Councils, Lane Cove Council Chambers, corner of Epping Road and Longueville Road, Lane Cove, and

ROBERT JOHN BALL, General Manager, Hornsby Shire Council, 296 Pacific Highway, Hornsby, sworn and examined:

CHAIR: I welcome the representatives of the Northern Sydney Regional Organisation of Councils. We look forward to receiving your evidence. I am advised that you have received a copy of the Committees terms of reference and also copies of Legislative Assembly Standing Orders 332, 333 and 334, which relate to the examination of witnesses. Is that correct?

Mr PRINGLE: Yes.

CHAIR: In what capacity do you appear before the Committee?

Mr JONES: As Executive Director of the Northern Sydney Regional Organisation of Councils.

Mr PRINGLE: I am Mayor of Hornsby Shire Council and a naval officer. I appear before the Committee in my capacity as a representative of NSROC and also as Mayor of Hornsby Shire Council.

Mr BALL: As General Manager of Hornsby Shire Council.

CHAIR: Did you receive a summons issued under my hand to attend before this Committee?

Mr JONES: Yes, I did.

Mr PRINGLE: Yes, I did.

Mr BALL: Yes.

CHAIR: Councillor Pringle, as you are leading the delegation you might like to present an opening statement.

Mr PRINGLE: I thank the Committee for inviting us here. The Northern Sydney Regional Organisation of Councils has been particularly interested in this issue. During the height of the bushfire crisis in January we convened a meeting of mayors to look at any practical methods of improving the ability of our rural fire services and councils to contribute towards protecting the lives and property of the residents of a number of the surrounding local councils. We produced a communique as a result of that meeting which had many practical approaches to it. They involved a whole-of-government approach to the issue of bushfire protection. You have these in front of you but it is worth restating them. The first issue is the length and breadth of fire breaks, taking into account the reality of fire behaviour.

Fire behaviour, of course, varies depending on the conditions, the slopes, the nature of the vegetation et cetera. Cost implications of the current burdens is also a factor. The second of the major issues was water pressure. Many of us would be aware that water pressure issues have been around since 1994. Although as an area we do not have any specific examples of water pressure failures we are well aware of this potential and the high requirement for water at the heights of fires. We are also concerned about providing additional labour for hazard reductions. Most Committee members would be aware that although hazard reduction programs are prepared it is extremely rare when all the hazard reduction is actually undertaken, mainly due to weather conditions.

It is either too windy, the ground is too wet or too dry, et cetera. So there is very much a need for increased labour to be available so that on the few days per year when it is actually safe to have

hazard reduction that we can have large amounts of it taking place as quickly as possible, subject to pollution issues of course. We had suggested that the community service offenders program ought to be utilised or other voluntary, work for the dole, et cetera, other labour opportunities ought to be taken where minimal training is required and hazard reduction can take place.

We suggested also a community protection register. I note that the community protection register suggestion was taken up. Mr Page might be able to clarify that. The Premier said he was in favour of the community protection register in general terms. It was our suggestion and we hope that it is taken up and actually implemented. Already in many areas there are quite viable Neighbourhood Watch groups and we thought that during the height of bushfires the Neighbourhood Watch groups ought to be involved in the process of identifying arsonists. We were very concerned that all of the fires in our area were started by arsonists. As far as we know there were none as a result of natural causes. So, every arsonist being picked up early on would definitely save lives and property. We saw Neighbourhood Watch as being an existing organisation that would be able to actually provide the eyes and ears of the community and also of both our professional fire services and the volunteer fire services.

We are interested also particularly in Ku-ring-gai, and I publicly thank Mayor Laura Bennett, who is very concerned about the planning issues. We identified the planning circular No. C19, which provided the Australian standards that apply to bushfire-prone areas. We strongly support the joint publication, *Planning for Bushfire Protections A Guide for Councils, Planners and Fire Authorities*. Our concerns last night were to have a SEPP for bushfire-prone areas. As a result of a meeting with the Minister for Urban Affairs and Planning, Dr Refshauge, on 25 January, we understood that that would be out in March. It is not out, to our knowledge, and we think that SEPP should be out as quickly as possible so that we can get in place increased protection.

As part of that we are concerned also with the whole issue of SEPP 5 developments, the aged and older persons housing developments, which are springing up like wildfire—pardon the pun—in both the Hornsby and the Ku-ring-gai areas as well, of course, as most of the other parts of NSROC. We are particularly concerned that those actually can take place in areas in that urban bushland interface area. You can imagine people on walking frames and people with other disabilities suddenly having to be got out of their houses quite quickly due to evacuation needs. It is not hard to visualise that occurring. We have one specific example in Mount Pleasant Avenue, Normanhurst, where this type of housing has been approved by the Land and Environment Court where potentially you have this hazard taking place.

We also would identify to the Committee particular areas. If we think of north Epping and south Turramurra areas, for the members of the Committee who may not be aware of those areas, they are virtual urban fingers that are projecting out into bushland areas and surrounded by bushland. Because of the nature of those areas it would be particularly easy for the bushfires to race up gullies and inundate fairly large parts of that area. So, we think that any SEPP ought to take into account those two major issues. We are not just talking about the blocks of land which are immediately adjacent, the one block that is adjacent to the bushland; it needs also to take into account areas which are further back than that. We also would like to see a further prohibition on SEPP 5 taking place in those sorts of areas.

We note that what comes out of that, of course, is this kind of misconception that councils are the consent authorities. In many cases, particularly with SEPP 5, invariably it is the Land and Environment Court that is the SEPP authority, not us, and anything that actually is implemented by the Government and this Committee ought to be mandatory; it ought not be subject to appeal. That really is a major part of the process. Even council planning documents—LEPs, certainly DCPs—are not something which has a 100 per cent force of law. So, whatever comes out of this report ought to have the full backing of 100 per cent law and not be subject to appeal, in our view.

The insurance issue also was a major issue that came out of our discussions. Of course, that leads onto the funding issue. A public rebate system was suggested or cost reductions that would recognise home owners who have adopted major bushfire protection measures. Perhaps, alternatively, you could have cost penalties for non-adoption of sensible and realistic bushfire protection principles. The Rural Fire Service's community education program can also be part of that. Our major point was ownership and accountability. The Rule Fires Act 1997 provides considerable onus on the owners of

land with regards to the management of fire and fire hazard. The ownership and the accountability responsibility should not be yet another unfunded mandate. So, resource provision is particularly important. We give one example. When Hornsby Council had the Rural Fire Service under its control and also the Berowra Valley Bushland Park, which now has a specific joint management arrangement, it was the council that maintained both the fire trails and the urban interface on behalf of the landowner. In some cases that landowner was the State, in other cases of course it was council-owned property.

We now have the National Parks and Wildlife Service being the landowner, so to speak, and as a result the Rural Fire Service sees its management role of fire in the park as being somebody else's responsibility in some cases. So, the landowner has responsibility, that is, the National Parks and Wildlife Service, not necessarily the Rural Fire Service. The effect of that is to significantly increase the risk to the community and, of course, there is very little recognition of the management of those areas by the previous manager which, in many cases, was council. So, they are our major findings.

As I say, it is a regional approach and we are particularly interested in this whole-of-government approach, mandatory requirements for hazard reduction, mandatory requirements regarding the distance back from a property and hazard reduction, and we note also that we have heard from the Government that there will be new regulations in place that will in fact allow outside authorities, bushfire protection services, to actually come onto private property. We support that enormously noting also, of course, landowner's rights. So, a whole-of-government approach and practical solutions to real problems.

The Hon. JOHN TINGLE: In point 1 of your submission on firebreaks you say, "The length and breadth of fire breaks both established and future needs to take into account the reality of fire behaviour under conditions that exceed HIGH ..." Are you saying that the established breaks really are not adequate for what we might call the worst-case scenario and, therefore, they need to be wider and longer? Or are you saying that this needs to be a future policy?

Mr PRINGLE: Yes, we are saying that is the case and we are also saying that the experts of course, the Rural Fire Service and also the full-time fire service, need to be able to provide advice. It is not always going to be 15 metres from the property; it is not always going to be 40 metres from a property. It is going to vary and as a result of that, noting that the western slopes of course are often the danger areas, that may well need to be higher in that area and may not need to be quite as high in other areas.

The Hon. JOHN TINGLE: Also in your comments on water pressure, you say you do not have examples where water pressure has failed. In 1994 I was at a friend's house in Pymble, west of the highway, which was one street from where a number of houses were destroyed by fire and he had no water pressure at all. At 6 o'clock at night it simply stopped. His concern, of course, was that if the fire did progress he could not even use a garden hose to do anything about his house. How do you suggest that Sydney Water should increase the capacity? Are you talking about new pipes, bigger pumps or what?

Mr PRINGLE: Yes. Obviously we are not the technical people but as I understand, it is a better linking of reservoirs, which is really the key to it. As I understand it, you can potentially have one reservoir here that is empty and there is another one that is not that far away, but the link between the two is not sufficient to get the water from the relatively full reservoir to the one that is not full. We would very much see that as being a key issue and what we think is a relatively practical issue of linking a range of reservoirs so that we have the maximum capacity, let us say, on the North Shore or the southern suburbs or wherever it is that this is taking place.

The Hon. RICK COLLESS: What does your council do for planning over and above the current legislative requirements to assist people building in bushfire-prone areas?

Mr PRINGLE: All of our applications would go. So, any new application coming to the council would be referred to the Rural Fire Service, which would make recommendations. To my knowledge, every single one of those recommendations is adopted. So, to my knowledge, we support whatever the Rural Fire Service suggests.

The Hon. RICK COLLESS: Obviously, those recommendations from the Rural Fire Service include things such as hazard reduction areas in the bush surrounding the house, but do they include also suggestions for the construction of the dwelling in terms of its fire proneness, if I can use that expression?

Mr BALL: Certainly it includes clear areas, fire zones or free zones, around dwellings and probably only in isolated cases would include direct recommendations in relation to the building.

The Hon. RICK COLLESS: Do you see a need to put in some sort of building controls with respect to the type of construction, particularly in relation to things like verandahs and external sprinkler systems and that sort of thing in high bushfire areas?

Mr PRINGLE: Yes I do. At the moment now if you are planning a new subdivision the road is supposed to be on the outside rather than the house being on the side that is directly fronting the bushland. I think that is a very sensible move and obviously it needs to have the full force of law. Admittedly we do not have many new subdivisions but, nonetheless, with the small number we do have that is what takes place. We think mandatory provisions would be good.

The Hon. RICK COLLESS: How far south does Hornsby shire come? I am not familiar with the Hornsby shire area.

Mr PRINGLE: We have Carlingford Road, if you know that road, and Epping Road being essentially the southern part of it. We have also a finger that goes down towards Ryde area, which is Terry's Creek.

The Hon. RICK COLLESS: I was in Sydney during January, obviously while the fires were burning, but also following a bad storm that the Hornsby area suffered where there was lots of debris lying around. When the fires were burning I was astounded to see piles of debris from the storm stills stacked along the Pacific Highway which must have been in the Hornsby shire, but I was not sure at the time, however from the description you have given me I am pretty sure it was.

Mr PRINGLE: Yes.

The Hon. RICK COLLESS: Was that noted as a potential risk, particularly for the people who are inclined to be arsonists? I think it would be quite a dangerous scenario.

Mr PRINGLE: We have a very well-managed council and we are aware of risks. To give you an idea, we ended up taking out 4,500 tonnes of debris as a result of the storm. So, we attacked all the areas that were in the potential fire zones very quickly. Obviously, if somebody set a fire in the middle of the Hornsby central business district it might burn a bit of a building but it is not going to cause a bushfire. None of that occurred. That was part of the planning that most councils, I would hope, would be doing anyway. We assessed the risks of that and we got rid of the high risk first.

Mr BALL: May I supplement that and put into another context. We have spent approaching \$1 million removing green waste from the two storms. It was difficult to obtain enough people logistically to take the waste away within a short period. It is approaching \$1 million.

Mr E. T. PAGE: Yesterday the Australian Property Institute was critical of the variation in development approvals for bushfire-prone areas across councils. It suggested that uniform standards apply. Do you have any comments on that?

Mr PRINGLE: The issue of uniform standards is a problem. Some conditions are going to be different from others. A flat site is quite different from a westerly-facing sloping site. I do not think it makes sense to have uniformity in distance for fire mitigation purposes. We were talking before about the building code of Australia, and the building code of Australia being mandatory on the issue. That fitting in with Australian standards, that is something we would support.

Mr E. T. PAGE: This was different councils having different additional requirements.

Mr PRINGLE: As I was saying earlier, the planning department gets the application and goes around to all the individual departments—and I think this is what happens in most councils, at least in the NSROC area—and then goes to the Rural Fire Service. If the Rural Fire Service says it is okay, it is ticked, and we would agree to it on fire issues. We may not agree with it on other issues, but it is plain, straight, whatever the Rural Fire Service says, we would adopt.

Mr R. H. L. SMITH: On your point 3, additional labour support for hazard reduction, you mention the community service offenders program. That program would be available for use now, would it not? You are real talking about funding for it?

Mr PRINGLE: Yes. Like all of these things, it is a case of supervision.

Mr R. H. L. SMITH: Funding comes into that too, does it not?

Mr PRINGLE: Yes.

Mr R. H. L. SMITH: Council would be quite happy to do it if funds were available?

Mr PRINGLE: Yes please. Could I follow that up? We are also very keen on the issue of the community fire guard, and that is another funding issue as well. As the general manager mentioned before, we spend roughly \$1 million in Hornsby shire on fire protection services. Community fire guard, as we understand, across the whole State is not much bigger than that. So, it is an issue of funding across the board as well.

The Hon. JOHN TINGLE: I was going to come to the point of the community protection register and neighbourhood watch. Obviously it is a sensible idea to know who is potentially dangerous in your community, but I can see an awful scream coming from civil libertarians and people like that if such a register were developed. I can also see the possibility of it being used the way apprehended violence orders are used, as a malicious means of getting somebody into trouble. When your points 4 and 5 suggest that a watch be kept for people who might commit arson, I presume you are also envisaging that that would include people who have been known to have been convicted of arson. How could you make sure that what you were getting were genuine reports? Apart from that, I understand arsonists duck in quickly, start it and get out quickly. Would it be really effective?

Mr PRINGLE: We are conscious of the civil libertarian issues and we would not suggest that it be published all over the local newspapers that someone was a convicted arsonist—although some already have. We would not envisage the council keeping a copy. Our thoughts are that the police ought to have that and, as we had in this January period when the days were very high risk, a gentle checking out where these known offenders were on that day. Not locking them up in gaol but just making sure that they know the police are looking after them.

The Hon. JOHN TINGLE: Would you also suggest that the fire authority, whether it be the Fire Brigade or the Rural Fire Service, should also know who they are?

Mr PRINGLE: I think that would be useful. Again, we are concerned about violating people's individual rights. We would see the police being the ones, but again that is something for the Government to look at. We see the police being the primary ones with the head fire control officer, as we said, without telling the whole world about this and being unfair.

The Hon. JOHN TINGLE: It sounds sensible; I can see it being very delicate.

Mr PRINGLE: That is right. I think we could achieve it, though.

Mr E. T. PAGE: Do you as a regional group or a regional council carry out any educational awareness activities for residents regarding bushfire protection?

Mr PRINGLE: We certainly do. It would be better if Ross answered that.

Mr JONES: At a regional level, to my knowledge—and I am the captain of a bushfire brigade in the Baulkham Hills district and was at these Pennant Hills fires for two days—I am

unaware of current programs that address things at a regional level. Most of these things are addressed at a fire district level, which is usually one local government by one local government area. In our area Hornsby and Ku-ring-gai form one rural fire district. They are the only ones in our membership that have rural fire brigades. All the rest are serviced by metropolitan fire brigades, although when we have emergencies like the one we had in Lane Cove Park, all hands to the wheel and brigades come from all over the place. I am coming around to your question a little bit slowly but so far we have not addressed these things at a regional level. That is not to say they should not be. Given the opportunity, I think it is safe to say that we would like the opportunity to have a go at it. The opportunity has not presented itself but maybe out of all of this it will.

Mr BALL: But through the Hornsby Ku-ring-gai rural fire service there is an education program that has been continuing for many years.

Mr JONES: And most districts do have that.

Mr PRINGLE: And particularly in these areas there is a very high level of membership of the Rural Fire Service and a lot of information comes out of there.

The Hon. RICK COLLESS: Are you familiar with the proposed State environmental planning policy that the Government is going to introduce on bushfire management?

Mr PRINGLE: No. We know what it is, but we have not seen a draft. I did not think there was a draft out, but if there is I would love to see it.

The Hon. RICK COLLESS: It has been explained to us today basically what is in it. I am wondering whether you have looked at it and with your concerns about unfunded mandates, there might be things in that that would put an impost on local government which will add to the problem of unfunded mandates. But obviously you are not in a position to comment on it if you have not seen it.

Mr PRINGLE: No. As I say, the sooner it comes out the better. We would love to comment on it. Obviously the Committee will be commenting on it. Perhaps, we could comment after you have commented on it.

CHAIR: Do the councils in NSROC have any common or joint policies in regard to the management of the bushfire risk, and how would that apply to, in the first instance, privately owned property and, secondly, publicly owned property?

Mr PRINGLE: The biggest distinction with our area is that we have a more rural section, where there are larger amounts of bush land, the Hornsby-Ku-ring-gai section, and Hornsby is touching on Baulkham Hills on the other side as well. That has always had the Rural Fire Service and its predecessor managing it very well. The southern section also has a slightly more than urban feel about it, and that is where the fire guards come in. We have met as mayors, which is probably the most important thing, and there is a commonality as much as possible of sharing information between the particular council officers.

Mr BALL: I think the simple answer is that there is no common policy development.

CHAIR: So, each individual council still maintains its own method of approaching these situations with the advice of the Rural Fire Service in terms of planning?

Mr BALL: As the mayor was saying, we have a diverse area from North Sydney in the south to the rural aspects of Hornsby in the north. So, the application of your statement varies from one council to another. North Sydney obviously would not have a demand to refer applications to the Rural Fire Service, whereas in Hornsby we do it all the time. That is why there would be no application of a common policy, but it certainly is a sharing of information.

Mr PRINGLE: There is a common policy in terms of our Hornsby-Ku-ring-gai fire management committee. That committee is made up of professional people and National Parks in their professional capacity, and it also has residents and community involvement as well as council involvement. That is a very strong management tool and it comes up with its recommendations on fire

mitigation. It is worth reiterating the point that you never manage to do all the fire mitigation, because the weather conditions are not right to do it and you do not have labour.

CHAIR: Do councils, jointly through your organisation, have an educational program for the protection of private homes against bushfire or is that, again, left to the respective councils depending on the geographic location?

Mr JONES: Normally the rural fire districts themselves conduct the community education programs. They do it in conjunction with councillors and quite often it is a joint effort. Certainly in Hornsby shire and that part of Ku-ring-gai that is covered by their fire brigade, that would happen.

CHAIR: That is in addition to the documentation that is already available through the Rural Fire Service and Planning New South Wales?

Mr JONES: That is used as a basis, yes.

(The witnesses withdrew)

(The hearing concluded at 12.42 p.m.)