

**THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

GOVERNMENT RESPONSE

**Report of the
Inquiry into the Operational Response to the
January 2003 Bushfires in the ACT**

**Tabled by
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Chief Minister**

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ACT GOVERNMENT RESPONSE TO THE REPORT OF THE INQUIRY INTO THE OPERATIONAL RESPONSE TO THE JANUARY 2003 BUSHFIRES IN THE ACT (The McLeod Report).

INTRODUCTION

The disastrous ACT bushfires of January 2003 tragically saw the deaths of four people, injuries to many others, in some cases very badly, and a very heavy loss of private and public property. The event was unprecedented in the history of the ACT, and of a scale ranking it as one of Australia's worst single day natural disasters.

In February 2003, in recognition of the urgent need to quickly understand the lessons of this terrible event, the Government commissioned an Inquiry into the preparation for and operational response to those bushfires. The principal objective of establishing this Inquiry was to ensure that the lessons of this devastating event were effectively learnt and to identify improvements that would both minimise the risk of, and enhance the ACT's capacity to respond effectively to, events of this kind in the future.

The Inquiry, by the former Commonwealth Ombudsman, Mr Ron McLeod, provided its report to the Government on 1 August 2003 (the Report). On 4 August 2003 the Government released the Inquiry Report and the Chief Minister, on behalf of the Government, accepted the Report's findings and recommendations.

The Government has now considered the Inquiry's Report and its recommendations in detail. The Government's response, set out in this paper provides details of the measures that are being taken to give effect to each recommendation, as well as a number of additional initiatives that the Government is taking to improve operational performance. This Government response is supported by a Supplementary Appropriation Bill which includes the necessary additional funding for the implementation of the Inquiry's recommendations and related initiatives.

As stated in the Chief Minister's statement of 4 August 2003, the Government is committed to implementing the 61 recommendations of the Report, as quickly as possible.

Both from studying the Inquiry Report, and its own observations, the Government has learnt many lessons from the experiences in January, and is continuing to take all the actions it can to ensure that these are fully understood and addressed. The Report provides a particularly valuable contribution through its recording and assessment of these lessons and by articulating specific future directions and actions.

The Coronial Inquiry into the cause and origin of the January 2003 bushfires and the Inquests into manner and cause of the four associated deaths will produce a separate report. The Government looks forward to the receipt of the Coroner's Report, and will then address any additional findings and recommendations at that time.

OVERVIEW

The Government's response to Mr McLeod's findings and recommendations and the additional measures that the Government is undertaking can be summarised under five main action areas:

- Fire Mitigation;
- Improved Emergency Response Capability;
- Communications and Public Information;
- Operational Procedures and Policy; and
- Organisational and Legislative Change.

Fire Mitigation

The McLeod Report made a number of important recommendations regarding future fire and land management practices for the non-urban areas of the ACT, and measures to reduce the levels of bushfire threat in the future. The Government accepts these recommendations and Mr McLeod's criticisms of previous practices and is taking immediate steps through accelerated programs of fuel reduction and improvements to fire access.

The need to act before the beginning of the 2003-04 fire season, planned for 1 October 2003, has been recognised. A \$0.5 million program of accelerated fuel reduction work is already underway with funding provided in the 2003/04 Budget. Fuel reduction work that will be completed by 1 October 2003 includes the physical removal of fuel around Black Mountain, Aranda Bushland, Calvary Hospital, Gowrie, Farrar and Aranda Spine. Fuel reduction burning has been undertaken at Isaacs and an extensive mowing program will be undertaken.

In addition, the ACT Planning and Land Authority has recently completed a joint venture with the NSW Government for the publication of sixteen 1:25,000 Topographic maps covering the ACT. These maps, and the associated digital aerial photography, will assist in the identification of existing fire tracks and trails.

A further \$1.684 million for additional accelerated fuel reduction and access trail upgrades has been included in the Supplementary Appropriation Bill. This program, which will be implemented as an Addendum to the existing 2002-04 Bushfire Fuel Management Plan, is expected to be 60% complete by December 2003 and completed by March 2004.

The 2004-06 ACT Bushfire Fuel Management Plan will be completed by November 2004, as well as the first annual audit of the achievements of the previous plan. A Fire Management Plan for Namadgi Nature Park will be developed during 2004-05 as one element of the Namadgi Plan of Management. It will include a strategic and operational road and track management plan.

Policies and processes for fuel reduction are also being reviewed and updated to make them more relevant and responsive. Environment ACT has amended its procedures to

ensure that all land managers now have revised and flexible environmental protection authorisations covering smoke emissions.

The Government accepts the Inquiry's recommendation that a bushfire abatement zone be created on the bushfire vulnerable northern and western edges of Canberra, and work relating to the identification and delineation of this zone is underway, most notably through the Non Urban Land Study. The options paper for this study "Shaping our Territory – Options and Opportunities for Non Urban ACT" was released on 12 August 2003. Its outcomes, together with the Urban Edge Review which is expected to be completed by October 2003, will contribute to the detailed planning for the abatement zone that subsequently will be reflected in the Spatial Plan.

In addition to specifically addressing the McLeod Report recommendations, the Government has taken the opportunity to assess and act upon other opportunities to increase levels of fire mitigation. \$2m was provided over the 2003-2007 period for increased maintenance of existing fire trails, while a short term grazing agreement for several sites within the urban area of Canberra has been developed as a response to the need for fuel reduction. Housing ACT now visits tenants and advises them on potential fire related hazards such as wood piles and flammable materials. It also has engaged expert consultants to provide advice on future building design and landscaping of properties to mitigate fire risk.

Improved Emergency Response Capability

The Government accepts the Report's specific recommendations for strengthening the Territory's emergency response capability and has in most instances already either completed or substantially commenced the necessary actions for their implementation. Additionally, the Government has undertaken further measures where it considers that greater capacity is warranted.

Principal activities which have already been completed or are to be undertaken by October 2003 include:

- a) **Aerial Operations:** the Government has announced its participation in the National Aerial Fire fighting Strategy, augmenting national aerial fire fighting resources. Under the strategy and national agreement the ACT will have at a minimum a dedicated medium lift helicopter available for a six week period during the height of the bushfire season. The agreement also provides for further aircraft, not required elsewhere for similar combat activity at that time, to be available as necessary. The Supplementary Appropriation Bill provides for \$0.902m in 2003-2004 for this purpose with \$0.732m in the forward years.
- b) **Equipment:** A number of important equipment acquisitions are provided for under the Supplementary Appropriation Bill, with acquisition to be undertaken as soon as funds are available. These include the acquisition of five additional volunteer brigade command vehicles (\$0.235m in 2003-04) and a range of other equipment including additional hoses, gloves, hand tools etc (\$0.06m in 2003-04). The additional command vehicles will ensure that each volunteer brigade is equipped

with a command vehicle while the other additional equipment will ensure support for high usage operations. It is also intended to acquire heavier turnout coats for Bushfire Brigades (\$0.075m in 2003-04). Finally, detailed fire maps of Canberra Nature Parks are to be completed and made available for all Fire Authorities

- c) Training: The Supplementary Appropriation Bill provides \$0.52m 2003-2004 (with \$0.49m in the forward years) for additional training and technology for ESB/authority personnel and volunteers. The training will cover incident management systems and command roles. Additionally, approximately 150 full time equivalents of relevant Urban Service staff will undertake basic fire fighting training to meet National competencies levels.
- d) Community Fire Units: An expanded Pilot program of eight Community Fire Units is underway at an initial total cost of \$0.18m (\$0.1m 2003/04 Budget, with \$0.08m provided for in the Supplementary Appropriation). In addition to equipment, volunteers will be trained to provide property protection pending the arrival of fire brigade units in the event of a fire emergency.

Other actions already completed or to be in place by 1 October include Fire trail upgrades in the south west section of Black Mountain.

A large number of initiatives are targeted for implementation during the 2003-2004 Bushfire Season. Principal initiatives include:

- a) Personnel: A number of additional specialist personnel are to be employed. The Supplementary Appropriation provides \$0.168m in 2003-04 (\$0.225 in forward years) to establish a permanent Deputy Chief Fire Control Officer and an Operational Support Officer to augment operational and organisational command and control during protracted incidents (such as those that occurred in December 2001 and January 2003). A further \$0.084m is provided for in the Supplementary Appropriation (\$0.11m in the forward years) for an Emergency Management and Support Officer to ensure that the new Authority keeps pace with emerging emergency management trends and needs.

Recognising the McLeod Report's suggestion that there needs to be capacity to attack fire incidents quickly, the Supplementary Appropriation provides for \$0.550m in 2003-04 (and the forward years) for an additional 24 staff and related equipment and training for the summer periods to increase the ability to respond more quickly and extensively to fire outbreaks, particularly in remote areas.

- b) Equipment. Complementing the employment of the 24 summer staff, the Supplementary Appropriation provides for a further \$1.01m in 2003/04 for two light dozers, their floats and a grader (\$0.8m), plus salaries and operating costs (\$0.21m) to further strengthen the ability for rapid response in the event of a fire.

Compressed Air Foam Systems (CAFS) will be fitted to all bushfire tankers (\$1.1m in 2003-2004 – Supplementary Appropriation). CAFS is leading edge technology. The ACT will be the first jurisdiction to adopt fully this technology which will

increase suppression capability significantly compared to ordinary water pumping. In addition, by December 2003 protective lagging is to be applied over fuel lines for all urban vehicles (\$0.1m in 2003-04), rectifying a defect identified during the January 2003 fires.

\$0.4m has been provided to the Department of Urban Services for the replacement and maintenance of plant and equipment for land management, fire fuel reduction and fire suppression within parks and reserves, including the replacement of the fire tanker provided for the protection of the Googong Foreshores.

Finally, an appropriate backup generator will be acquired for Canberra Connect (\$0.200m in 2003-04, Supplementary Appropriation) and \$40,000 is provided for an Automatic Weather Station to be located in the Brindabella Range to improve fire weather forecasting.

- c) Information Systems: The Supplementary Appropriation provides for \$0.235m in 2003-2004 (increasing to \$0.24m in the forward years) for Computer aided fire data. Under this initiative, better collection analysis and use of geographic information will be possible to support fire fighting planning and decision-making.

Finally, an ongoing program of access and familiarisation of land management areas by all senior ACT fire fighters will be developed and commenced. Trail upgrades will be completed along Lyneham Ridge and Kowen escarpment by December 2003.

Initiatives with likely later completion dates (principally due to their size or complexity) but which have either already commenced or are intended to be commenced as soon as funding is available include:

- a) Equipment: The purchase of four 'All-terrain' tankers (\$1.34m in 2003-2004 – Supplementary Appropriation) and the purchase of a Forward casualty unit (\$0.155m in 2003-04), which is a vehicle capable of treating patients and restocking ambulance vehicles at the scene of large scale incidents.
- b) Trail maintenance: Additional fire trail and roads maintenance and upgrading will also occur in the Canberra Nature Park, Googong and Namadgi National Park districts. Work in Namadgi National Park has already commenced with roads used during January 2003 maintained and stabilised.

Communications and Public Information

The McLeod Report is critical of the communication facilities and arrangements that were in place when the firestorm hit Canberra on 18 January 2003. Mr McLeod recommends that facilities be improved, such as upgraded operational command and control facilities, and that there be a stronger and continuing public education campaign.

The Government accepts the criticisms made in the Report. As an immediate step, all ACT householders will be provided with a Bushfire awareness package prior to the start of the next bushfire season on 1 October 2003. This program, to be provided at a cost of

\$0.511m in 2003-04, is intended to help the people of the ACT to be bushfire prepared and aware, and to assist them in making the necessary decisions if fire approaches their property. In addition, \$0.4m will be provided in 2003-04 (and forward years) for the employment of community education and risk management officers.

As part of the awareness package, television, newspaper and radio advertising campaigns will be undertaken throughout the bushfire season to promote bushfire awareness, while a new website will provide information and bushfire educational material. Events such as Floriade, the Canberra Show and Canberra Connect channels will also be used to promote bushfire awareness. Brochures on fire-wise house design and construction and fire-wise garden design have also been produced and made available to the public. The effectiveness of these initiatives will be monitored to ensure that the Bushfire awareness program reaches all sectors of the community, urban and rural.

Additionally, work has commenced on essential interim modifications to the Emergency Services Bureau headquarters at Curtin, including an upgraded Emergency Operations Centre. The Supplementary Appropriation provides \$0.173m in 2003/04 for the purchase and maintenance of communication and IT equipment to upgrade capacity pending the availability of a new facility. This work also provides for improved media liaison capability in the short term, including upgraded computing and facsimile equipment. The Government also intends to upgrade broadband communications links to emergency fire, ambulance and volunteer stations. The Supplementary Appropriation provides \$0.66m in 2003/04 for this purpose (with \$0.44m in the forward years).

Work has also already commenced on a much more comprehensive Public Information sub-plan to replace the existing media sub-plan of the ACT Emergency Plan. Work is expected to be completed by 1 October 2003. The plan will provide for detailed annual implementation strategies to ensure the timely provision of information to the community and the media to plan, prepare, respond and recover from emergencies, including bushfires. Existing bushfire recovery information channels, such as the Community Update and advertisements in the Canberra Times, will also be used to ensure that the community is fully informed regarding preparedness for the Bushfire season.

Improving emergency services communication infrastructure will also be a major undertaking of the Government. As an initial step, the Supplementary Appropriation provides \$0.268m to improve radio reception in rough terrain through the provision of an all-terrain 'Remote Area Communications Relay Vehicle'. Additional funding was also provided in the 2003/04 Budget for installation of the Computer Aided Dispatch system, which will be the primary call taking and dispatch system. The 2003/04 Budget also included funding for a feasibility study for a major upgrade of radio communications infrastructure. It is estimated that the cost of this project will run into the tens of millions.

For the longer term, a feasibility study has already been conducted for an upgraded Emergency Services Bureau headquarters, including improved operational command and control facilities. The study will be updated to take account of the matters raised in the McLeod Report, particularly in relation to the location and functionality of the

headquarters. Once an appropriate site has been identified, the project will be scoped and a capital funding proposal developed.

Operational Procedures and Policy

Complementing its recommendations for improving emergency response and communications capacity and capability, the McLeod Report also makes a number of recommendations relating to current operational procedures and intergovernmental arrangements. The Government accepts these recommendations and has, in most cases, either already completed or commenced the required work.

Of particular importance, the Inquiry has recommended that a joint protocol on community safety and evacuation policy be formalised between ACT Policing and Emergency Services before the start of the next Bushfire season. The Inquiry considered that during the fires there appeared to be inconsistent advice on whether householders should stay and protect their properties or evacuate.

The Government agrees with this assessment and will implement the Inquiry's recommendation, although it believes that it is necessary to recognise that a number of significant factors led to this inconsistency, including the speed and size of the firestorm, the difficulties experienced by personnel in areas of communication, equipment and facilities, and the individual judgments of the personnel involved that were made solely in the interests of members of the public facing great personal danger. With the broad range of improvements that the Government has outlined in this response, it is hoped that the effect of these factors would in any future event be substantially reduced.

The Government fully supports and endorses the Australasian Fire Authorities Council (AFAC) policy on community safety and evacuations during bushfires and agrees that it provides the best available framework to inform and guide policy development in this area. The necessary protocols between ACT Police and ACT Emergency Services are being put in place.

The AFAC policy, while recognizing there are a number of essential considerations both for authorities and for individual householders, provides for householders who are able bodied, and properly prepared, to stay to defend their homes. The policy recognizes that forced evacuations should only occur in instances where there is imminent danger of death or serious injury. During the January bushfires there were over 160 instances where people were physically evacuated from burning properties.

Consistent with Mr McLeod's recommendation that a sub-plan of the ACT Emergency Plan be developed to assist with the design of special arrangements to cater for the needs of ACT residents who live beyond the city bounds, a sub-plan - a non-urban/rural protection plan - will be developed in consultation with stakeholders, including Bushfire Brigades, to provide necessary information and support for rural communities and landholders. The plan will be developed drawing upon the work of the non-urban study and spatial plans.

With regard to the need for improvements to current Incident Command and Control procedures, the ACT will adopt nationally consistent terminology. Current learning materials and training programs are being revised, in consultation with relevant stakeholders, to reflect this requirement and all relevant agencies' staff and volunteers will be fully instructed on these changes.

Additional staffing and improvements to ESB headquarters and communications, provided for by funding proposed in the Supplementary Appropriation Bill, will also ensure that joint Incident Control System teams are established not only to manage emergency incidents but to do so in the best tactical and strategic way.

The recommended review of the Rural Fire Control Manual is also accepted and necessarily will occur in conjunction with the review and amendment of the Bushfire Act 1936, referred to below. More immediately, Standard Operational practises will be updated to reflect contemporary/best practice requirements. These practices will also include appropriate procedures, as required by the Inquiry, for the review of operational decisions affecting the safety of fire fighters. The necessary details to give effect to this and other Inquiry recommended actions relating to Occupational Health and Safety are now being considered.

Consistent with the Inquiry's view that there be an even stronger and supportive relationship between Fire Management and Land Management agencies, operational procedures are also now being revised in consultation between the Departments of Urban Services and Justice and Community Safety to make land managers ordinarily responsible for the initial response to fires on their land. This consultation process will also involve the ACT's other major land managers, the ACT Planning and Land Authority and the Land Development Authority. Complementing this initiative, \$0.12m is included in the Supplementary Appropriation for the initial establishment of Fire Management Unit in the Department of Urban Services to improve communication and coordination both within the Department and with other agencies.

Formal arrangements between the Territory and NSW and our respective fire authorities, will be advanced as a matter of priority to improve upon all existing (mostly informal) understandings covering co-ordination and sharing of fire fighting resources.

Finally, a number of actions are occurring at agency level to better prepare for fire or other emergency events, including revisions to the Recovery Sub Plan and a wide range of information awareness and preparedness initiatives within public housing and community service facilities such as disability houses.

Organisational and Legislative Change

The Government accepts the Inquiry's findings and recommendations relating to the need for organisational and legislative reform.

In particular, the Government agrees that for a small jurisdiction such as the ACT it is vital that all relevant resources can be effectively coordinated and deployed, especially

when a major risk arises. Accordingly, the Government agrees that a new independent and better integrated and coordinated emergency services organisation should be created as it will provide the opportunity for greater, and more effective, operational capacity and capability.

The Government recognises the important and valuable contributions made by each of the existing services. The detailed structure of the new authority will be developed in close consultation with all the existing professional and volunteer services, other stakeholders and the new Commissioner, when appointed. This important task will be managed by the Chief Executives' Taskforce lead by Mr Robert Tonkin, the Chief Executive of the Chief Minister's Department. The Taskforce will be supported by a small fulltime secretariat.

The Government believes that this process will ensure that the knowledge, skills and abilities of all services are both preserved and enhanced, together with the achieving of the objectives that Mr McLeod has set out for the new Authority. The recommendations of the Taskforce and the outcomes of the consultative process will be referred to the Government for decision.

The Government has determined that a Commissioner will head the new authority. As recommended by the Inquiry, the Government has taken urgent action to scope, advertise, and fill the position on a contract basis as soon as possible, so that the new Commissioner may assist in the necessary relevant transitional processes and formulation of required legislation. The position was advertised on 16 August 2003 and will be filled as soon as possible.

The Government has set 1 July 2004 as a reasonable target for the commencement of the new authority, with its supporting legislation. ESB will continue to be responsible for emergency services, including bushfire protection, until then. However, a great deal of the required operational and cultural change can occur before this date.

The Inquiry's recommendation (No 56) that upon the abolition of the Emergency Services Bureau a small policy formulation unit should be established in the Department of Justice and Community Safety to support the Emergency Management Minister is agreed. In addition to enabling the new organisation to focus on operational matters, it will also strengthen the Government's overall policy advice capability in the broader area of emergency services.

Finally, the Government accepts the Inquiry's recommendations for reviews of the Emergency Management Act 1999 and the Bushfire Act 1936. The Chief Executive Taskforce will oversee these reviews which will be undertaken in parallel with the development of the new authority's legislation. These reviews, which have already commenced, together with reviews of the current Emergency Management Plan and sub-Plans will also be undertaken in close consultation with relevant stakeholders.

The Supplementary Appropriation provides for funding of \$0.45m in 2003-04 to assist in the implementation of these legislative reforms. The funding will provide for an implementation team to undertake the required reviews of, and develop, the necessary legislation.

McLEOD INQUIRY REPORT – RESPONSE TO RECOMMENDATIONS

Recommendation 1. The ACT Bushfire Fuel Management Plan should be reviewed in the light of changed circumstances since the January 2003 fires. Increased emphasis should be given to controlled burning as a fuel-reduction strategy.

Response: AGREED

The outcomes from this review will form the basis of the 2004-06 ACT Bushfire Fuel Management Plan. The *Bushfire Act 1936* sets out the procedure for the review. The review will be coordinated by the Department of Urban Services in consultation with the ACT Planning and Land Authority, and will include an extensive consultation process with all public and private stakeholders. A specialist consultant will be employed to undertake the review of the 2002-04 Bushfire Fuel Management Plan.

The increased emphasis on controlled burning and fuel management will initially be dealt with through an Addendum to the current Bushfire Fuel Management Plan which is being prepared to meet Recommendation 3. It will also be included in the review of the Plan.
[Within existing resources. Also see response to Recommendation 3.]

Recommendation 2. The Victorian Code of Practice for Fire Management on Public Land should be used as a ‘best practice’ guide when revising the ACT Bushfire Fuel Management Plan and a similar set of priorities should be developed in relation to zones identified in the Plan

Response: AGREED

The Victorian Code of Practice for Fire Management on Public Land will be considered as part of the review of the ACT Bushfire Fuel Management Plan. Although Victoria has developed its Code without corresponding legislation, it is acknowledged that enforcement of Code provisions could be strengthened if the Code has a legislative basis. This will be an issue for the Review outlined in the Government's response to Recommendation 1 to consider.
[Not budget issue]

Recommendation 3. An addendum to the existing 2002-04 Bushfire Fuel Management Plan needs to be prepared prior to the 2003-04 bushfire season, noting the extensive consultation process required under the *Bushfire Act 1936*. This addendum should focus on the area unaffected by the 2003 fires and the buffer zone surrounding Canberra’s exposed northern and western perimeter. The addendum should be submitted to government for approval

Response: AGREED

The process for preparing an Addendum to the 2002-04 Bushfire Fuel Management Plan has commenced and this will be submitted to the Government for approval. Initial work to be undertaken, at an indicative cost of \$1,684,000, will include extra fuel reduction burns and mechanical clearances.

The Addendum is to be finalised by 30 September 2003. Actions required by the Addendum are expected to be 60% completed by December 2003, and complete by March 2004. See the response to Recommendation 1 for details of how the Addendum will also link to the 2004-06 Bushfire Management Plan.

In the meantime, fuel reduction works which will be completed by 1 October 2003 include physical removal of fuel around Black Mountain, Aranda Bushland, Calvary Hospital, Gowrie, Farrar and Aranda Spine.
[Supplementary Appropriation - \$1.684 m for Fuel Reduction plus funding of \$0.5m from 03/04 Budget]

Recommendation 4. An annual audit of achievements under the Bushfire Fuel Management Plan should be conducted, with the results reported to Government and published

Response: **AGREED**

Annual reporting on the implementation program of the Bushfire Fuel Management Plan (BFMP) is a requirement of the *Bushfire Act 1936* and is published as part of the Department of Urban Services (DUS) Annual Report. For future reporting DUS will in consultation with the new Emergency Services Authority use an external auditor to give the process added independence and will significantly increase the level of detail. The creation of the ACT Planning and Land Authority (ACTPLA) and the Land Development Agency (LDA) in July 2003 will result in their future annual reports also being required to provide details of the implementation of the BFMP on lands they manage. Both organisations will use external auditors as well.
[Within existing resources]

Recommendation 5. A public information strategy should be prepared to educate the ACT community to the beneficial and protective aspects of fuel reduction burning and to the degree of inconvenience that will inevitably result for ACT residents during such burning. This should accompany the public launch of the revised Bushfire Fuel Management Plan

Response: **AGREED**

Public information about fuel reduction burning will be included in the overall public information strategy which is to be delivered to all households before the end of September 2003. In addition, as fuel reduction burning and clearing and mechanical clearances are already underway, public information about progress to date and work already scheduled will also be the subject of an ongoing media and public awareness campaign. The community education and awareness capacity of the Emergency Services Bureau/authority is to be substantially increased with additional staff dedicated to this function, and to the related function of research and risk analysis generally. This will significantly improve the capability of emergency services to interact with the community on a wide range of fire management, preparedness and response issues.
[Supplementary Appropriation: \$0.511m for Bushfire Awareness Package in 2003/04 and \$0.4m for additional communications and education personnel.]

Recommendation 6. The approval process for individual fuel-reduction burns that are consistent with the Government-approved Bushfire Fuel Management Plan, should be simplified so as to enable the limited time when the weather conditions are right, to be used to maximum advantage.

Response: AGREED

The Government is developing a simplified fuel reduction burns approval process for implementation prior to the commencement of the 2004 hazard reduction burning season. As part of this, procedures covering environmental protection authorisation for smoke emissions have been amended. All land managers now have revised and flexible authorisations.

[Within existing resources]

Recommendation 7. Clear policy guidelines should be developed and implemented to support the identification of a strategic network of fire tracks and trails and their establishment and maintenance. An audit process should be instituted to ensure that the policy's effectiveness is regularly monitored.

Response: AGREED

The Government will commence development and implementation of policy guidelines for fire tracks and trails. This process will involve all land managers and extensive consultation with key stakeholders. The policy will include provision for effectiveness audits by an independent external auditor. Implementation of these policy changes is expected to commence in January 2004.

[Within existing resources]

Recommendation 8. A risk assessment should be conducted by ESB to assist in determining access needs across the ACT, linked to interstate requirements, with advice being provided to land managers.

Response: AGREED

A risk assessment will be conducted and used to inform the 2004-06 Bushfire Fuel Management plan.

[Within existing resources]

Recommendation 9. ESB should coordinate the development of emergency management mapping products such as 'map books' for police, land managers, emergency service crews and incident management teams; these should be produced in both printed and data form

Response: AGREED

An interim mapping product will be available for the 2003-2004 fire season. More consolidated products, including "map books" and other emergency maps, will be available during 2004-05 and beyond.

[Within existing resources]

Recommendation 10. Greater opportunity should be provided for all senior fire fighters to become more familiar with remote areas of the ACT

Response: AGREED

An upgraded familiarisation program will be implemented through the Land Managers Fire Liaison Group and the Fire Controllers Group prior to and during the 2003-04 fire season.

[Within existing resources]

Recommendation 11. Sufficient funding should be provided for additional crews and plant, so that a program of improved fire access and trail and site maintenance can be implemented

Response: AGREED

The Government has already acted in this area. The 2003/04 Budget provides for \$2m over 4 years for increased maintenance of existing fire trails. In addition, the Supplementary Appropriation provides for \$0.55m for 2003/04 for an additional 24 summer staff, their equipment and training, to assist with fuel reduction and fire prevention measures, as well as, in the event of a fire outbreak, providing a rapid response capability. The Supplementary Appropriation provides for a further \$1.01m in 2003/04 for two light dozers, their floats and a grader, plus salaries and operating costs, which will also be available for trail and access maintenance when not in use for rapid response action. (Refer also to response to Recommendation 37.)

[03/04 Budget and Supplementary Appropriation - \$0.55m for 2003/04 for an additional 24 summer staff, their equipment and training; and \$1.01m in 2003/04 for two light dozers, their floats and a grader, plus salaries and operating costs]

Recommendation 12. Responsibility for fire access should lie with land managers: advice and auditing functions should be the province of the fire authorities

Response: AGREED

Land Managers of the Department of Urban Services, in consultation with the new Emergency Services Authority, the ACT Planning and Land Authority and the Land Development Authority, are responsible for fire access. Review of fire access will be undertaken by the new Emergency Services Authority in consultation with the land managers.

[Not budget issue]

Recommendation 13. Aerial bombing should remain a capability used in the ACT during bushfires, with particular emphasis on using the aircraft for water bombing as an immediate response -as soon as fires are detected. This should be backed up by the use of ground crews

Response: AGREED

Arrangements are being finalised for the 2003-2004 fire season and will be coordinated by the National Aerial Firefighting Centre. Funding of \$902,000 in 2003-04, and \$732,000 in forward years, will be provided in the Supplementary Appropriation to allow ACT participation in a national company being established under the auspices of the Australasian Fire Authorities Council.

Under the National Aerial Firefighting Strategy (NAFS) the ACT would have a dedicated medium helicopter available for a six week period during the height of the bushfire season. This size aircraft has the capability to deliver 2952 litres per water drop, compared to the existing capacity of 510 litres per water drop. This aircraft also has the capacity to transport to remote area a remote areas firefighting team. The advantage of membership of NAFS is that in addition to this dedicated helicopter the ACT would have access to any unused capacity of other medium and heavy water bombing aircraft allocated to neighbouring States.

To assist in aerial and ground crew co-ordination in remote areas, a remote area communications relay vehicle is being acquired. This will improve emergency services radio reception in remote areas, particularly during large-scale emergencies, within the area of emergency operations, and between tactical commanders and operational headquarters.
*[Supplementary Appropriation - \$0.902 (03/04) \$0.732 - forward years for NAFS.
\$0.268m (03/04) for all terrain Remote Area Communications Relay Vehicle]*

Recommendation 14. A small number of ACT firefighters should be trained as air attack supervisors, to provide a capability when the number of aircraft involved requires it

Response: AGREED

A training program will be implemented prior to the 2003-2004 Bushfire season. The remote areas communications relay capacity referred to in the Response to recommendation 13 will assist in aerial bombing operations.
[Within existing resources]

Recommendation 15. To enhance its initial attack capability as well as to provide it with greater flexibility in the utilisation of aerial assets, the ACT should employ a medium-lift helicopter, rather than a dedicated light helicopter, to support its fire-suppression operations during the peak of future bushfire seasons. Such an aircraft, coupled with the potential use of the Snowy Hydro Southcare helicopter (when it is not engaged for medivac purposes) would provide greater flexibility and a far more formidable first strike capability

Response: AGREED

See response to Recommendation 13.
[Supplementary Appropriation - see Recommendation 13]

Recommendation 16. The ACT Bushfire Service should seek a joint agreement with the NSW Rural Fire Service, for the purpose of providing the ACT with enhanced capacity to draw on the aerial expertise, aircraft availability and efficiencies afforded by a much larger bushfire service

Response: AGREED

Discussions are already taking place at the most senior levels between the ACT Bushfire Service and the NSW Rural Fire Service to develop a Memorandum of Understand (MOU) as quickly as possible. The proposed MOU will seek joint agreement for resource sharing, equipment, technical information, training and community awareness programs and information. In particular it will seek to provide access to NSW baseload aerial firefighting capability, task force response capability, liaison arrangements, access to equipment contracts, Geographical Information Service (GIS) data, training/learning materials, joint exercises and coordination of community awareness programs. .
[Within existing resources]

Recommendation 17. The ACT Bushfire Service should explore conducting a joint trial with the NSW Rural Fire Service to assess the effectiveness of retardant bombing.

Response: AGREED

A joint trial will be explored with the NSW Rural Fire Service to assess the effectiveness of retardant bombing.
[Within existing resources]

Recommendation 18. The ACT should continue to participate in Commonwealth-level discussions that may result in enhanced aerial support for firefighting becoming available on a national basis in the future

Response: AGREED

Please see comments relating to Recommendation 13 above.
[Within existing resources]

Recommendation 19. The ACT Government should take urgent steps to upgrade the Emergency Services Bureau's operational command and control facilities - either by carrying out a major refurbishment of the existing facility at Curtin, or, preferably, by locating a more suitable alternative site, where a more functional, longer term operations centre can be developed

Response: AGREED

Essential modifications are being made to the ESB headquarters at Curtin, including providing for an upgraded Emergency Operations Centre, in preparation for the next bushfire season. A decision on a longer term facility is hoped to be made within the next few months. The decision will be assisted by a recently completed feasibility study.
[Supplementary appropriation - \$0.173m - Emergency Operations Centre upgrade]

Recommendation 20. The ACT Bushfire Service should review the current Incident Control System arrangements, through an inter-agency workshop involving ESB, the ACT Fire Brigade, the Department of Urban Services and ACT Policing, to better clarify the application of the system. In particular, incident controllers should not be expected to operate where separated from their supporting elements; they should function as part of a cohesive, integrated management team.

Response: **AGREED**

The need for clarification of Incident Management Teams revolves around standardising terminology in accordance with nationally accepted procedures. Current learning materials and training programs are being revised. Workshops to be conducted involving the Department of Justice and Community Safety (JACS), Department of Urban Services (DUS), ACT Planning and Land Authority and the Australian Federal Police (AFP) will provide the opportunity for further refinement and enhance understanding. New standard operation procedures for incident management for inclusion into the rural fire control manual will be developed.

Workshops are to be conducted prior to the commencement of the next bushfire season. The first of the Workshops was held on 14 August 2003 and involved all of the above agencies. The NSW Rural Fire Service was also represented.
[Within existing resources]

Recommendation 21. ESB should establish joint ICS teams, made up of ACT Bushfire Service, ACT Fire Brigade and Department of Urban Services personnel, to jointly manage emergency incidents within the ACT, regardless of location or the services' areas of responsibility

Response: **AGREED**

This will be addressed in connection with Recommendation 20. In addition extra staffing provided for in the Supplementary Appropriation will add to this capability and will include funding for better training and procedures for integrated ICS teams.
[Supplementary appropriation - \$0.168m in 2003/04 and \$0.225m in forward years for extra personnel. \$0.52m in 2003/04 and \$0.49m in forward years for additional training]

Recommendation 22. Facilities at ESB headquarters should be such as to provide the best opportunity for the ICS to function at a tactical and strategic level in accordance with the Australasian Fire Authorities Council doctrine.

Response: **AGREED**

Improved Incident Control System arrangements will be provided as part of the upgrade of the ESB headquarters. This will be addressed in connection with Recommendation 19.

Interim arrangements for Incident Control for the existing headquarters will be implemented prior to the commencement of the 2003-2004 Bushfire season.

[See Recommendation 19 - Supplementary Appropriation]

Recommendation 23. Four rural pumpers should be added to the fire service fleet, specifically for use in the urban-rural interface

Response: **AGREED**

Action is already underway to give effect to this recommendation and funding for the purchase of pumpers is provided in the Supplementary Appropriation. The four all terrain tankers will increase the capacity to deal with bushfires at the interface and will improve operational response to both urban and bush fires.

As these are specialist vehicles there is usually a lengthy lead time for their supply. It is anticipated that they will be commissioned and available for the 2004-05 fire season.

[Supplementary Appropriation - 4 all terrain tankers \$1.34m in 2003 -2004]

Recommendation 24. Work already begun on the review of the *Rural Fire Control Manual* should be resumed with the view to replacing the manual by new publications that cover the following:

- a document detailing public policy in relation to fire management
- an operational policy manual for internal use
- a supporting set of standing operational procedures covering techniques and practices reflected in the Basic Training Modules publications

Response: **AGREED**

The Government intends to replace the existing Rural Fire Control Manual with a new set of publications, including those suggested in the recommendation. Some components of the existing manual will be incorporated into Standing Operational Procedures, while other components will become part of a new policy relating to fire management. This review will occur in conjunction with the review and amendment of the Bushfire Act 1936 as referred to in the Government's response to Recommendation 58.

[Within existing resources]

Recommendation 25. In conjunction with the land management agencies, ESB should undertake a review of training and development needs for personnel involved in fire fighting activities and develop a detailed future plan, identifying any additional funds required to support such a program. The plan should be submitted to government for consideration as soon as possible. It should take account of the comments and recommendations in this report that bear on training and development, including the need for secondments interstate with other fire authorities

Response: **AGREED**

The Supplementary Appropriation Bill provides \$0.52m in 2003-2004 (\$0.49m in the forward years) for additional training and technology for ESB/authority personnel and volunteers, and for the development of detailed training plans. The training will cover incident management systems and command roles. Additionally, approximately 150 full time equivalents of relevant DUS staff will undertake basic fire fighting training to meet national competency levels

Implementation will commence prior to the 2003-2004 Bushfire season.
[Supplementary Appropriation - \$0.52m in 2003-2004 (\$0.49m in the forward years)]

Recommendation 26. The Government should consider the proposals when they are submitted with the view to allocating some additional funding to enable the bushfire authorities to improve the training and professional development opportunities available to paid and volunteer personnel, in the interests of increasing their skill base and experience

Response: **AGREED**

As outlined in the Government's response to Recommendation 25, additional funding for training for will be provided.
[Supplementary Appropriation – see Response to Recommendation 25]

Recommendation 27. An outdoor training complex for all of the emergency service organisations should be provided; ESB should develop a detailed proposal for submission to government for consideration

Response: **AGREED**

A feasibility study for a new outdoor training facility has already been undertaken.
[Future funding to be determined]

Recommendation 28. A procedure should be adopted whereby important operational decisions affecting the safety of firefighters are discussed with a more senior officer before implementation, whenever this approach is feasible

Response: AGREED

This issue will be addressed through a review of Standard Operating Procedures for the ESB, involving WorkCover and other relevant parties to assist in the development of operational procedures that incorporate sound occupational health and safety risk management.

[Within existing resources]

Recommendation 29. The responsible Minister should clarify the application of the ACT Occupational Health and Safety Act 1989 to volunteers by issuing a ministerial directive.

Response: AGREED

Standard Operational practises will be updated to accurately reflect contemporary best practise requirements. These practises will also include appropriate procedures, as required by the Inquiry, for the review of operational decisions affecting the safety of fire fighters taking into account information from relevant Inquiries in other jurisdictions

[Within existing resources]

Recommendation 30. Upon the Minister's directive coming into force, a legislative amendment should be made to continue the application of the protections against prosecution afforded under the Bushfire Act 1936.

Response: AGREED

See response to Recommendation 29.

[Within existing resources]

Recommendation 31. The Chief Executives of the Department of Urban Services and the Department of Justice and Community Safety should work together to develop the means by which the public land managers and the ACT Bushfire Service can achieve a stronger, mutually supportive relationship

Response: AGREED

This issue will be addressed through consultation between the two agencies and other stakeholders to address issues relating to the initial response capability of land managers

This work is to be completed prior to the commencement of the 2003-004 bushfire season.

[Within existing resources]

Recommendation 32. Operational procedures should be amended once additional land management resources are in place, to reflect the responsibility of land managers to initiate the first response to fires on land that they manage – within the overall operational response of the ACT Bushfire Service.

Response: AGREED

A procedures review by the Department of Urban Services will be finalised in conjunction with the Emergency Services Bureau to ensure DUS senior brigade officers have a greater role in deciding fire suppression strategies on DUS land. The ACT Planning and Land Authority will also be consulted in this process.

Standard Operating Procedures will be completed by 30 September 2003. If the review identifies a need for legislative change, this will occur as part of reviews of both the *Bush Fire Act 1936* and possibly the *Emergency Management Act 1999*.
[Within existing resources]

Recommendation 33. An automatic weather station should be located in the Brindabella Range to assist with fire weather forecasting

Response: AGREED

The Government will liaise with the Bureau of Meteorology to obtain specifications and telemetry links. \$40,000 is provided for in the Supplementary Appropriation for the new station which is intended to be acquired and located as soon as possible.
[Supplementary Appropriation - \$0.04m in 2003/04]

Recommendation 34. The current discussions aimed at developing a possible Memorandum of Understanding between the ACT Bushfire Service and the NSW Rural Fire Service should proceed as a matter of urgency

Response: AGREED

See response to Recommendation 16.
[Within existing resources]

Recommendation 35. The ACT should initiate discussions with the New South Wales authorities in relation to ways in which the current relationships could be developed at a regional level, with the aim of strengthening the linkages between kindred agencies and identifying how the resources available in the ACT and the surrounding region could be more easily mobilised in serious emergency situations - to the advantage of both jurisdictions

Response: AGREED

This will be addressed as an adjunct to the Memorandum of Understanding, referred in Recommendation 16 above.
[Within existing resources]

Recommendation 36. The level of resources for the training and operational exercising of volunteer bushfire and emergency service personnel should be increased, to improve current skill and experience levels

Response: AGREED

As noted in the response to Recommendation 35, the Supplementary Appropriation provides for \$0.52m in 2003-04 (with \$0.49m in the forward years) for additional training and technology for ESB/authority personnel and volunteers. Training opportunities will also be increased through the development of the Memorandum of Understanding with the NSW Rural Fire Service, which will provide an opportunity to exchange officers to provide for essential operational experiences.
[Supplementary Appropriation - \$0.52m in 2003-04 (with \$0.49m in the forward years)]

Recommendation 37. Environment ACT and ACT Forests should employ additional summer personnel as firefighters and fire prevention workers to improve the ACT's firefighting capability, particularly in terms of rapid deployment to fires in remote areas

Response: AGREED

The Supplementary Appropriation provides for funding of \$0.550m in 2003/04 (and the forward years) for an additional 24 staff and related equipment and training for the summer periods, to increase the ability to respond more quickly and extensively to fire outbreaks, particularly in remote areas. When not directly combating fires, the additional staff will assist with fuel reduction and fire prevention measures (refer also response to Recommendation 11.) Additionally, the Supplementary Appropriation provides for \$0.268m for an all terrain Remote Area Communications Relay Vehicle. This vehicle will provide additional radio coverage in those areas where ordinarily either no or poor radio coverage is experienced, providing important communications assistance and security in cases where remote access crews are deployed (refer also response to Recommendation 13.)

The Supplementary Appropriation provides for \$1.01m in 2003/04 for two light dozers, their floats and a grader, plus salaries and operating costs, which will also be available for rapid response in the event of a fire outbreak (refer also to response to Recommendation 11.)
[Supplementary Appropriation - \$0.550m in 2003/04 (and the forward years) for an additional 24 staff and related equipment and training; \$0.268m for all terrain Remote Area Communications Relay Vehicle; and \$1.01m in 2003/04 for two light dozers, their floats and a grader, plus salaries and operating costs]

Recommendation 38. These staff should provide land management agencies with a capability to be first responders to fires on land they manage

Response: AGREED

See response to Recommendation 37.
[Supplementary Appropriation – see Response to Recommendation 37]

Recommendation 39. ESB should be allocated additional resources so that it can upgrade its public education capability to support a stronger and continuing campaign of public education directed at improving the Canberra community's bushfire awareness, its understanding of the nature of the threat, and its knowledge of how people can better protect themselves and their properties. The campaign should draw on the public education experience of interstate bushfire authorities, particularly the Country Fire Authority of Victoria

Response: AGREED

The community education and awareness capacity of the Emergency Services Bureau/authority is to be substantially increased with additional staff dedicated to this function, and to the related function of research and risk analysis generally. This will significantly improve the capability of emergency services to interact with the community on a wide range of fire management, preparedness and response issues.

A bushfire awareness kit, providing guidance to help householders better prepare in case of a bushfire, will be delivered to each household by 1 October 2003 as part of an ongoing comprehensive public education campaign.

[Supplementary Appropriation - \$0.511m Bushfire awareness package (03/04) - \$0.4m funding for Community education and risk management personnel]

Recommendation 40. Initiatives such as fire guard and other forms of direct community support should be introduced to help encourage self-help arrangements in the community

Response: AGREED

As outlined in its response to Recommendation 39, the Government will be implementing a campaign of public bushfire awareness education and will be helping to encourage self-help within the community.

The Government has expanded a pilot program to now include the provision of eight community fire units. Apart from the equipment, the program involves training community volunteers to provide "community protection" functions pending the arrival of the fire brigade in the event of fire emergencies. The pilot program is to be implemented in the suburbs of Chapman, Duffy, Kambah, Bonython, Aranda, Cook, Hawker and Turner.

[03-04 Budget - \$0.1m. Supplementary Appropriation - \$0.08m 03/04]

Recommendation 41. The message to the community should include acknowledgement that in major bushfire emergencies:

- the authorities are unable to guarantee that fire fighters will always be available to assist;
- householders generally need to take sensible precautions and be prepared, if that is their choice, to protect their own lives and properties; and
- the authorities are committed to doing all they can to help, include advising the community on how best to go about achieving a higher degree of personal and household self-reliance.

Response: AGREED

The information to be included in the Bushfire Awareness kits is currently being reviewed by the Bushfire Council. The messages of the recommendation are incorporated in the material.
[Not budget related]

Recommendation 42. The Media Sub-Plan of the ACT Emergency Plan should be reviewed to include a greater focus on the provision of community information

Response: AGREED

The media sub-plan has been reviewed and will be replaced by an enhanced Public Information Plan. This has been progressed significantly. Key elements of the plan are the detailed annual implementation strategies for the timely provision of information to plan, prepare, respond and recover from emergencies including bushfires.

All government agencies are involved in the development of the plan to ensure all sectors of the community are appropriately informed, recognising that formal media channels may not always reach some residents.

The Recovery Centre will progress work in consultation with agencies to support the community awareness of risks and appropriate responses.
[Within existing resources]

Recommendation 43. Well-defined, well practiced processes should be developed to support the delivery of information to the public. This includes improving the alert mechanisms for residents prior to an emerging danger period.

Response: AGREED

Detailed annual planning and testing of public communication responses is an integral part of the new Public Information sub-plan of the ACT Emergency Plan.

This work will be guided by a Communications Committee including representatives from the Australian Federal Police, local media, Canberra Connect and relevant government agencies. The Public Information program will be linked closely with existing Emergency management sub-plans, such as the Recovery and Health plans, to ensure appropriate coordination and delivery of information.
[Within existing resources]

Recommendation 44. Media communications systems and facilities at ESB headquarters should be improved

Response: AGREED

The Government has commenced procurement to provide effective interim public communication and media facilities at ESB for the next fire season.

As outlined in its response to Recommendation 19, the Government will make a decision within the next three months based on a recently completed feasibility study. The study has examined a number of options for a facility for the ESB, and will help inform this decision in addressing the areas of improved media communication systems and facilities.

[03-04 Budget - feasibility study]

[Supplementary Appropriation - \$0.66 in 2003-04 and \$0.44 in forward years for Broad band communication link - Emergency Operations Centre Upgrade - \$0.173m]

Recommendation 45. There should be greater coordination of the content of whole-of-government media releases and messages

Response: AGREED

The Government has created a senior position within the Chief Minister's Department to oversight and coordinate media releases and messages across agencies. This position is expected to be filled before 1 October 2003.

The 2003-04 Budget also provided \$0.25m for the establishment of a unit within the Chief Minister's Department to provide whole of Government communications capability. One of the roles of the unit will be to manage the media aspects of major incidents and events, including the development of related policies and procedures.

[03-04 –Budget – \$0.25m]

Recommendation 46. Back-up power should be available for the Canberra Connect call centre

Response: AGREED

The Government has commenced procurement of an appropriate back-up generator for Canberra Connect. This will require Canberra Connect to be relocated to an ACT Government owned office building in which the generator can be located. Funding of \$200,000 will be made available as a one off capital expenditure item to cover fitout and relocation costs.

[Supplementary appropriation - \$0.2m]

Recommendation 47. The Community Information Sub-Plan of the ACT Emergency Plan should be reviewed to reflect needs broader than just media arrangement

Response: AGREED

The revised Public Information sub-plan (see recommendation 42) addresses information requirements relating to community and authorities preparation for emergencies; public communication and media liaison during an emergency; and, public communication and media liaison to assist community recovery following an emergency.

The media is a critical channel in all these phases. The sub-plan recognises this, but goes beyond media arrangements to ensure the provision of education, awareness and training to the community. The sub-plan is based on the rationale of timeliness, openness, preparedness and partnership with the community.

[Within existing resources]

Recommendation 48. The role Canberra Connect has demonstrated it can play should be included as a part of a revised Media Sub-Plan of the ACT Emergency Plan

Response: AGREED

Canberra Connect's Emergency Public Information Support role has been reviewed since the bushfire and the review recommendations will be implemented to ensure that Canberra Connect can perform this role. The role is described in the draft Public Information Sub-Plan. Canberra Connect has been involved in the development of the draft Public Communications sub-plan, and all existing ACT Government information channels such as the website, call centre, shopfronts, and the response and recovery periods of emergency plans.

[Not budget related]

Recommendation 49. Before each bushfire season familiarisation briefing sessions should be held for the media

Response: AGREED

The Public Information plan will include this element.

[Within existing Resources]

Recommendation 50. ESB should have the capacity to engage an experienced media director to be available in an emergency to coordinate the provision of information to the media and for general public information purposes

Response: AGREED

A senior media director will be engaged to significantly enhance current ESB media arrangements.

As outlined in its response to Recommendation 45, the Government will be creating a senior position within the Chief Minister's Department to oversight and coordinate media releases and messages across agencies. This position will be available to assist ESB in an emergency.

[Supplementary Appropriation - Link to Recommendations 39 and 45]

Recommendation 51. ACT Policing and the Emergency Services Bureau should develop as a matter of urgency - and before the start of the 2003-04 bushfire season a joint protocol covering their policy on community safety and evacuation during bushfires, having regard to the framework adopted by the Australasian Fire Authorities Council and the evacuation provisions in the Victorian Country Fire Authority Act. The protocol should be promulgated widely as part of future community education and information programs, and it should be incorporated in the training and operational procedures of both services, so that it is followed consistently during future bushfire events

Response: AGREED

The Australasian Fire Authorities Council (AFAC) framework has been endorsed by Police Commissioners and emergency services agencies across Australia, and a set of protocols will be developed within the ACT to implement the framework. JACS and the AFP will undertake liaison and consultation to establish this protocol through the policy and practices subgroup of the Emergency Services Forum.

The development of a protocol will commence prior to 1 October 2003.

[Within existing Resources]

Recommendation 52. A sub-plan of the ACT Emergency Plan should be developed to assist with the design of special arrangements to cater for the needs of ACT residents who live beyond the city bounds

Response: AGREED

A non-urban/rural protection plan will be developed in consultation with stakeholders, including Bushfire Brigades, to provide necessary information and support for rural communities and landholders. The plan will be developed drawing upon the work of the non-urban study and spatial plans.

[Within existing resources]

Recommendation 53. The separate organisations that make up the emergency services group that is coordinated by the Emergency Services Bureau, and the associated arrangements, should be replaced by a statutory authority, the ACT Emergency Services Authority

Response: AGREED

For a small jurisdiction such as the ACT it is vital that all relevant resources are able to be most effectively coordinated and deployed, especially when a major risk arises. A new independent and further unified emergency services organisation will provide the opportunity for greater, and more effective, operational capacity and capability.

The Government, however, recognises the important and valuable contributions that each of the existing services provides. A final model for the new authority is, therefore, yet to be agreed and the Government is committed to ensuring that this process occurs in close partnership with all the existing professional and volunteer services as well as other stakeholders. This process will ensure that the distinct skills and abilities of all services are not diminished but both preserved and enhanced together with the required attributes brought by integration. Together with the legislation for the new authority, necessary amendments will be brought forward to the *Bushfire Act 1935*, the *Fire Brigade Act 1957*, the *Fire Brigade (Administration) Act 1974* and the *Emergency Management Act 1999*. The new authority, with relevant supporting legislation, is expected to be in place by 1 July 2004.

[Supplementary funding - \$0.45 in 2003/04 - additional resources to assist in implementation of new authority]

Recommendation 54. The proposed authority should be headed by a Chief Executive Officer

Response: AGREED

The Government considers that, consistent with other jurisdictions, a title such as Commissioner is more appropriate.

[Not budget related]

Recommendation 55. The position of Chief Executive Officer should be advertised and filled on a contract basis before the enactment of the legislation. In this way the person appointed can contribute to formulating the legislation and the transition process can begin without delay

Response: AGREED

The Government has commenced recruitment action in relation to the position of Chief Executive Officer (Commissioner Designate) of the new Authority, with the position having been advertised nationally on the weekend of 16/17 August 2003.

The Government aims to appoint a Chief Executive Officer (Commissioner Designate) within 3 months.

[Within existing resources and future funding when final details of the new authority determined]

Recommendation 56. Upon the abolition of the Emergency Services Bureau, a small policy formulation unit should be established in the department that supports the Minister responsible for emergency management.

Response: **AGREED**

[Within existing resources and future funding when final details of the new authority determined]

Recommendation 57. The ACT's *Emergency Management Act 1999* should be reviewed with the aim of preparing a legislation that provides as follows:

- In a declared state of emergency, the ACT Government should have the capacity to appoint as Territory Controller a person who is considered to be best qualified to take this role, having regard to the nature of the emergency or event giving rise to the declaration;
- The Controller shall have the capacity to delegate to a nominated person any or all of the powers that have been assigned under the instrument of appointment as Controller;
- The chair of the Emergency Management Committee shall be appointed by the Minister responsible for the administration of the Emergency Management Act;
- There should be a capacity for different levels of special powers for escalation to be invoked to assist in the management of emergencies, having regard to the differing scales or types of emergencies that may arise, or the changing nature of an emergency during its course.

Response: **AGREED**

The Government accepts the Inquiry's findings and recommendations for the review of the *Emergency Management Act 1999* and *Bushfire Act 1936*. The Chief Executive Taskforce is overseeing these reviews and the options outlined in the Recommendation will be examined in detail. The reviews will occur in parallel with the development of the new authority's legislation.

[Within existing funding and Supplementary Appropriation of \$0.45m - refer Recommendation 53]

Recommendation 58. The *Bushfire Act 1936* should be reviewed and redesigned to reflect contemporary needs, and the ACT Bush Fire Council's role should be re-expressed in the Act to more accurately describe its current activity

Response: **AGREED**

As outlined in its response to Recommendation 57, the Government accepts this recommendation and will review the *Bushfire Act 1936* as part of a suite of organisational and legislative reforms.

[Not budget related]

Recommendation 59. A fire abatement zone should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and foothills of the Brindabella Range

Response: AGREED

The work of the Non-Urban Land Study and the Urban Edge Review are providing important information on this issue which will inform, and be an important matter finally determined in, the Spatial Plan. The Spatial Plan will take a comprehensive view of the need for a fire abatement zone.

[Within existing funding]

Recommendation 60. A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to all future developments in the designated abatement zone

Response: AGREED

This will be undertaken concurrently with the finalisation of the Spatial Plan – see Response to 59 above.

[Within existing funding]

Recommendation 61. The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia-in particular its standards for bushfire-prone area, should be applied to all future developments in the zone

Response: AGREED

The ACT Planning and Land Authority will provide advice to Government on the most appropriate means of implementing a bushfire-prone area, including the overall extent of applicability of the bushfire provisions of the Building Code of Australia.

[Within existing funding]