

Victorian Lands Alliance

Submission to the Bushfires Royal Commission

May 2009



Key points

This submission by the Victorian Lands Alliance argues

- That the concept of the primacy of fire management as the cornerstone for effective public land management in Victoria must be embraced.
- That more fuel reduction burning be undertaken in Victoria to maximise fire management opportunities.
- That the primary operational constraint on meeting current fuel reduction targets is a lack of financial and personnel resources.
- The focus of expenditure on fire suppression over fire prevention is delivering a poor financial and environmental outcome for Victoria.
- On substantial areas of public land, no fire prevention work is undertaken on a year to year basis.
- That forest industry activity provides fire prevention and risk management benefits not provided effectively by any other stakeholder group.
- There should be a State wide non-government organisation representing people involved in the use, management and conservation of public land.
- That the Royal Commission recommend initial or seed funding be made available to the Victorian Lands Alliance to assist it to become the fire forum, or State wide non-government organisation representing people involved in the use, management and conservation of public land.
- That the Royal Commission reviews the beneficial impact cattle grazing can have on reducing fire fuel loads and recommend that this be part of fire management for public land.
- That the Government introduces a planning overlay designating Fire Prone Local Government Areas to assist fire prevention activities.



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About the Victorian Lands Alliance

The Victorian Lands Alliance was established late in 2008, at least partly in response to a recommendation in “*The People's Review of Bushfires, 2002-2007, in Victoria*” for:

“the establishment of a State-wide peak fire forum for the people, which we shall call the People's Fire Forum.”

And:

- From the growing community concern at the government response to the parliamentary Environment and Natural Resources Committee Bushfire Inquiry

- Because of the perception that only the minority view of city-based green lobby groups was being heard by the government and the community on public land management issues

The Founding Members are:

- . Australian Environment Foundation
- . Australian Motor Trail Riders Association
- . Australian Trail Horse Riders Association
- . Barmah Forest Preservation League
- . East Gippsland Wildfire Taskforce
- . Gippsland Deer Stalkers Association
- . Mountain Cattlemen’s Association of Victoria
- . Rivers and Red Gum Environment Alliance
- . Victorian Association of Forest Industries

Its aims are:

- . The primary objective of the Victorian Lands Alliance is to initiate public policy which is consistent with the ideals of its member organisations

- . This policy will ensure active management and sustainable multiple-use of public land that balances the needs of the environment and the community.

Introduction

Apart from the terrible human and animal suffering from the continuing bushfire crisis in Victoria, the tragedy of this event is the failure of public land managers to heed lessons already learned from past firestorms. The extent of this horrific disaster, by far the worst Australia has experienced, has been magnified by indifference to basic rules of fire management, ignoring the wisdom of expert fire managers and political acquiescence to the pressure of city based green lobby groups.

Australia has witnessed the fatal results of misguided green activism over three decades that is steeped in ideology rather than forest science. A dogged determination to oppose realistic prescribed burn targets has produced fuel loads in many parks and reserves that is a disaster waiting to happen.

To be sure, there were many other factors in play on Black Saturday that contributed to this unstoppable fire-storm. Weather on the day as well as the preceding week, the effects of a ten year drought, some climatic change over recent decades and many more houses in rural areas.

However, it is a fact that until public land managers and governments are held accountable for fire management practices on public land as private landholders currently are there will be further unnecessary loss of life due to recurring intense conflagrations such as those witnessed in 1939, 1943, 1962, 1969, 1977, 1983, 2003 and 2006. Numerous inquiries and the 1939 Stretton Royal Commission identified the core issues in adapting to fire in the Victorian landscape. The most fundamental of these and the criterion of forest management that we have the most control over is the level of fuel in the forest, yet the leverage that forest managers could have on potential fire-storms through fuel management is consistently cast aside. Judge Stretton stated: "Fire management must be the paramount consideration of the forest manager". Clearly, this has not been the case in Victoria for decades.

Tom Griffiths in his book *Forests of Ash* recounts some of the evidence given at the Stretton Royal Commission by mountain graziers and sawmillers where they were hounded by the Forests Commission to stop their practice of cool-burning the bush on a regular basis. The people who lived and worked in the bush became fearful of the 'dirty' bush that was a result. The thick, scrubby undergrowth that they regarded as a fire trap was all incinerated in the Black Friday fires of 1939. Decades later the Victorian Auditor General noted in his report on fire management in 1992 that: "fuel reduction burnings had not been adequately implemented" and in 2003 he noted that "*further work is needed in a number of critical areas*" such as "*increased focus on strategic management of hazard reduction on public land, to ensure that appropriate targets are set, resources are provided for their achievement and performance is monitored. However, there has been a consistent failure to achieve hazard reduction targets*" And ominously, "*At stake is the protection of human lives and homes, State forests, national parks and other public lands*".

This is again highlighted by the Parliamentary Environment and Natural Resources Committee *'Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria'* which tabled its report five years later in June 2008 in the Victorian Parliament. This inquiry was initiated after the public outcry over the disastrous Alpine Fires and Great Divide Fire, in 2003 and 2006 respectively that collectively burnt over two million hectares of public land. In three years, these two fires incinerated more biodiversity values than all bushfires for the previous 150 years. Many areas show no signs of recovery.

The inquiry report states "*On balance the Committee finds it is likely that the bushfires of 2002/03 and 2006/07 were both the result, and the most recent examples of inappropriate fire regimes. The Committee finds that an increase in prescribed burning across the landscape represents the best*

strategy for managing the risks that future bushfires pose to biodiversity and other natural assets" And *"The Committee finds that the frequency and extent of prescribed burning has been insufficient over a number of decades, for the preservation of ecological processes and biodiversity across the public land estate. An increase in the extent and frequency of prescribed burning for the enhancement of environmental values should therefore be a priority for the Department of Sustainability and Environment and its partner agencies"*.

It seems we have the need to learn the same lessons over and over at the expense of lives in our rural communities and the environmental values we seek to protect.

The primary recommendation of this parliamentary inquiry, chaired by a government member and former minister, is: *"That in order to enhance the protection of community and ecological assets, the Department of Sustainability and Environment increase its annual prescribed burning target from 130,000 hectares to 385,000 hectares"* It is therefore incomprehensible that the Minister for the Environment, Gavin Jennings should stand in the Victorian Parliament on December 4th 2008, after the mountain of evidence presented at this inquiry demonstrating the level of fuel reduction in Victorian forests was manifestly inadequate, and state that *"Hectare-based targets are not considered to be the best way of measuring effectiveness of the planned burning program. There is a need to begin to move away from hectare-based targets and start thinking about reduction of fuel loads across the board, understanding community sensitivity to planned burning and better mirroring nature through the effective use of fire as a land management tool."* Same old story. Numerous bushfire scientists, researchers, rural communities, Judge Stretton and the recent parliamentary inquiry all call for a quantum, measurable increase in prescribed burning and the department and Minister say "We know better". There is nothing in fire management in this state in the last twenty years that would indicate they know better than the experts do, only death, destruction and despair as a result of lessons not yet learned.

In the same address to parliament, the Environment Minister stated that funding for fire suppression had increased from \$30 million to \$100 million over the last ten years and, wait for it, funding for fire prevention had been lifted to \$10 million. Tim Flannery has reminded us of an old saying, *"He who owns the fuel, owns the fire"*.

This difficulty in managing public land with some degree of environmental integrity has not deterred governments from increasing the size of the national park estate at the urging of green lobby groups. Almost without exception, new areas are gazetted as national parks only after campaigning, not by the community, but by the environmental lobby. From just 276,343 hectares in 1975 to 3,230,741 hectares in 2005, more than a ten-fold increase that corresponds to rising community dissatisfaction with the management of public land.

Communities all over the state that have suffered from wildfire in the last decade have a right to seriously question the management regime of public land when the Auditor General has stated the land managers have consistently failed to meet their own prescribed burn targets. Another aspect to this debate is the tragedies that are potentially yet to unfold.

The tiny township of Barmah in the red gum forests along the Murray River has been fighting to get meaningful fire prevention work undertaken by the Department of Sustainability and Environment (DSE) in the 29,000 hectare Barmah forest that comes right to the edge of town. After being told that local landholders would not be able to undertake controlled grazing in the forest for eight weeks to reduce the chest high weeds and grasses, as has been the practice for 150 years, they wrote to DSE seeking fire prevention works by them as required under the Forests Act.

The whole township gathered in the main street of Barmah on the morning of November 17th 2008 to protest the state of the forest and the lack of fuel reduction work by DSE.

Without any response by the start of summer, the community collectively purchased 35 cattle and illegally drove them into the forest to reduce the fuel load. After the threat by the community to seek a court order under Section 62 of the Forests Act, requiring the department to carry out fire prevention works, departmental work teams descended on the forest within 24 hours.

After a fortnight of grading tracks and a two metre wide firebreak and mulching vegetation alongside the access tracks, they left without reducing any of the chest high grasses and weeds growing in the camping areas along the river that had been the primary concern of the community.

This is an example of the disgraceful way a rural community has been, and still is, put in danger by the failure of the land managers to carry out their duty as required under current legislation.

Barmah is only one of many communities along the edge of the Barmah forest in this predicament. Most are on the south side of the forest so if a fire starts in the forest they will be in the direct path of a firestorm racing out of the forest.

To add insult to the injury of poor public land management suffered by communities along the Murray River, the Brumby government declared on December 30th 2008 that 95,000 hectares in four new national parks will be gazetted in the red gum forests along the Murray River later this year.

Rural communities, recreational four wheel drivers, fishermen, hunters, graziers, campers, bird watchers, horse riders and many others who live, work and visit public land are tired of learning the lessons that come with more public land being consigned to a regime of minimal management and, in many cases, a decline in environmental values.

National parks, state parks and conservation reserves now account for 55 per cent of all public land in Victoria, yet most environment groups, the present and previous environment ministers, as well as the media, confidently state that biodiversity in Victoria is in decline. How does this work? If we have had a ten-fold increase in parks and reserves over the last 30 years and their primary purpose is to protect biodiversity, the model of management surely must be flawed.

It is time for a new paradigm in land management for Victoria that embraces active management of public land and embraces the wisdom of Judge Stretton, "*Fire management must be the paramount consideration of the forest manager*".

No more rhetoric, no more ideology, and no more lessons paid for with innocent lives.

VLA Responses to the Terms of Reference

The Royal Commission Terms of Reference are listed, followed by the VLA response.

1. ***The causes and circumstances of the bushfires which burned in various parts of Victoria in late January and in February 2009 ('2009 Bushfires')***.

The VLA has no particular knowledge on this Term of Reference and offers no comment

2. ***The preparation and planning by governments, emergency services, other entities and community and households for bushfires in Victoria, including current laws, policies, practices, resources and strategies for the prevention, identification, evaluation, management and communication of bushfire threats and risks.***

The extent of fuel reduction burning has been the main problem in relation to fire preparation and planning in the view of the VLA.

The People's Review recommended the following in relation to fuel reduction burning

“Recommendation 1: The People's Review recommends that goals, procedures and accounting of prescribed burning in Victoria are totally revised, with the view to aiming toward a target of 10% of public land per year.

Recommendation 2: The People's Review recommends that the authorities capitalize and maximize the opportunities for prescribed burning to be used as an essential part of training in fighting fires

Recommendation 13: The People's Review recommends that the grazing of domestic livestock on public land be honestly and objectively reviewed, bearing in mind the extent to which grazing can be managed to reduce fuels.”

These recommendations of the People's Review are strongly supported by the VLA.

Members of the Victorian Lands Alliance, the Rivers & Red Gum Environment Alliance and the Mountain Cattlemen's Association of Victoria in particular have stressed the need to review the role of cattle grazing on public land as part of the fire management regime.

It is of great interest that the Bushfire Cooperative Research Centre and the Australasian Fire and Emergency Service Authorities Council, has now (April 2009) stated:

“The existing evidence about whether the combined effects of fire and grazing are effective in managing fuel loads and fire risk was scant and inconclusive.”

The Bushfire Cooperative Research Centre is undertaking unbiased research into the impact of cattle grazing on fire fuel reduction.

Recently also, the Environment and Natural Resources Committee of the Victorian Parliament commented, *“the scientific evidence that grazing may not be an effective or preferable bushfire mitigation strategy alone but believes that it can be used as a tool to complement other fuel reduction strategies on public land.”*

Barmah – A forgotten township

Barmah township nestled up against the 29,000 hectare Barmah forest is typical of many Murray River towns near red gum forests. The long unburnt forest comes right to the northern edge of town ensuring that a fire of intensity, fanned by a northerly wind, will sweep into the town to cause havoc and death amongst the 250 inhabitants.

Barmah CFA brigade has one tanker. The next nearest appliance is a single DSE tanker at Nathalia, 20 minutes away.

A Victorian Lands Alliance member, the Rivers & Red Gum Environment Alliance, has been lobbying the Government to allow the grazing of cattle in the Barmah forest for ecological and fire mitigation purposes and has just received the following response from the office of the Victorian Premier.

The Premier's Chief of Staff wrote, *“In terms of allowing cattle grazing as a means of preventing fires, this is a matter for the Bushfires Royal Commission to consider. The Royal Commission has very broad terms of reference to investigate the recent fires and may make recommendations with implications for fire planning across the State. When its findings are delivered, Government will consider the relevant recommendations for all public land.”*

During the three year investigation of the Murray River red gum forests by the Victorian Environment Assessment Council [VEAC], preliminary reports and statements indicated that broad-scale cattle grazing of the forests, as had been the case for 150 years, would be unlikely to continue.

Residents of small communities along the edge of the forests, most of whom have no connection with grazing in the forest, became concerned at the fire management implications of banning cattle grazing altogether.

The Rivers & Red Gum Environment Alliance argued that owing to the fire sensitivity of red gums and therefore the general unsuitability of prescribed burning for red gum forests, the only other tool available to the forest manager for Murray River red gum forests was controlled, seasonal grazing.

VEAC has since recommended cattle grazing be banned in the Barmah forest. The Department of Sustainability and Environment [DSE] has recommended to the Minister for Environment that owing to the continuing drought, grazing not be permitted in the forest in the 2008/ 09 summer. This is despite documentation obtained under Freedom of Information by the Rivers & Red Gum Environment Alliance which shows departmental officers agreed with the position put forward by the Alliance that seasonal cattle grazing would be a fire protection benefit to Barmah township.

On the morning of November 17th 2008 over 100 people assembled in the main street of Barmah to protest the decision of the Minister to not allow the proposal for 70 cattle to graze the nearby section of Barmah forest for an eight week period to reduce the fire risk to the township. The protest moved out into the forest to view the chest high rapidly curing weeds and grasses in the popular camping areas that the Barmah CFA captain, Shayne Moor described as an “unacceptable risk to the township”.

The Barmah Progress Association and the Alliance wrote to the Minister after his decision asking what fire prevention works would be undertaken prior to summer advising him that; if no action occurred by the start of summer, cattle would be driven into the forest illegally to graze the standing fuel.

With no reply by the 1st of December, the community collectively purchased 35 cattle for \$21,530 and drove them into the forest to reduce the fuel load and protect their community. The community was branded as irresponsible in the media by DSE.

On December 8th, the Alliance advised in the media they were taking legal advice to obtain a court order under Section 62 of the Forests Act which required the Secretary of DSE to undertake fire prevention works in the forest, as no works had been undertaken prior to the declaration of the fire period by the land manager. Within 24 hours, teams from various parts of the region descended on the forest to undertake fire prevention works. Unfortunately, they departed about 14 days later without having removed any fuel from the forest although they had undertaken some useful track maintenance and therefore the department was not at further risk of legal action.

On December 18th 2008, DSE attempted to find and remove the cattle but failed. Three members of the community were singled out by DSE, served with notices to remove the cattle, formally interviewed by compliance officers and threatened with prosecution for allegedly driving cattle into the forest.

All of this occurred because a small rural community wanted some fuel reduction work undertaken on public land that adjoined their town as is required by law.

The community had first formally requested that 70 cattle be allowed to reduce the fuel on October 23rd 2008. Substantial early summer rains exacerbated the fuel load in the forest. By February 7th 2009, Barmah township was sitting next to a 29,000 hectare tinderbox in which the land manager had not attempted to reduce the fuel load.

It is fair to ask – What more could a small rural community have done to protect itself from the danger posed by unmanaged public land on its doorstep?

Who would have taken responsibility for a fire sweeping out of the Barmah forest on February 7th that could have turned Barmah into another Marysville?

Barmah is only one of a number of townships along the Murray in this situation.

Many areas of public land, on a year to year, basis do not have any fire prevention works undertaken at all – nor fuel reduction burning – as in the case of Barmah.

Two Victorian Government sponsored studies and one NSW Government sponsored study have recommended controlled, seasonal grazing in public forests. The DSE Mid Murray Forest Management Plan, which was 14 years in the planning, acknowledges cattle grazing as a fuel reduction activity.

It is inescapable, that there is no other method of reducing fine fuels, which are so critical to speed and intensity of wildfire, in red gum forests other than grazing.

Victorian Lands Alliance recommendation - That the Royal Commission review the beneficial impact cattle grazing can have on reducing fire fuel loads and recommend that this be part of fire management for public land.

Beneficial impact of forestry operations during bushfire emergencies

In its “Overview of stakeholder evidence” in relation to traditional bush users, the Environment and Natural Resources Committee [ENRC] stated:

“A significant number of stakeholders expressed the view that access to public land had been increasingly restricted over recent decades, resulting in a range of negative impacts on land and fire management. Impacts identified by stakeholders included: increased fuel loads in forested areas; the loss of valuable sources of local knowledge; the loss of firefighting experience and equipment; and a decline in the condition of, and access to, vehicle tracks. On the latter point, stakeholders' concerns focused on the condition and right of access to management vehicle only tracks and those tracks currently subject to seasonal closure.

The creation of national parks and the reduction of timber harvesting in public native forests were the two developments most commonly cited by stakeholders as having contributed to the above impacts. Many stakeholders also expressed the view that such impacts were the cumulative effect of these and other public land access restrictions, including the restriction of grazing, four wheel driving, hunting, mining and prospecting.”

The VLA strongly endorses these statements.

The gradual removal of timber harvesting operations from many areas of public land has several direct economic consequences, which manifest themselves at a point in the future in an unwelcome manner during a fire emergency and in a manner that the general public are not aware of.

Allocation of public land to reserves not available for timber harvesting, transfers that land from an earning capacity for the state to a burden on the taxpayer through budget allocations to maintain the national park estate.

The correlation of a decline in the area of forest available to timber harvesting to the current 9 percent of the available forest and the decline in track access and maintenance is hard to ignore, but is the undeniable consequence of less timber industry funding of roads and tracks that is not subsequently replaced by government funding.

The decline in the availability of heavy machinery in the bush, near fire ignition points, is overlooked by many however; it is this type of machinery and the skilled bush operators who are experienced in working a heavy dozer down a spur that can mean the difference between early containment or a major conflagration.

The ability to access fire on a track network capable of carrying fire tankers, the ability to have machinery that can quickly form fire breaks or cut new access tracks can be crucial and whilst not the sole domain of the timber industry, the decline in the machinery and personnel available on the spot or at short notice has affected fire suppression.

The downsizing of the timber industry as a direct result of environmental activism for the ‘protection of conservation values’ has had a long term adverse effect on the ability to suppress fires quickly on public land. This has been one contributing factor in the wholesale decline in biodiversity protection in the last decade in Victoria.

Fuel reduction – A critical factor

Various commentators talk of the Fire Triangle – the three components essential to fire and all agree that fuel is one of these. Wind, temperature, degree of slope, humidity, topography all has an influence on fire, but none more so than fuel.

A common benchmark referred to and accepted is: Double the fuel load and this will increase the fire intensity fourfold.

Fuel load is the only component of the Fire Triangle that the land manager can influence, but in Victoria, we have let this opportunity to leverage fire management slip through our fingers over the last 20 years in particular.

Western Australia has documented fairly well the control over wildfire with prescribed burning at the rate of about 18 per cent of the landscape. Their experience with a decline from that level is that a rise in damage from wildfire can be expected.

The Peoples Review of Bushfires makes a strong case for prescribed burning in Victoria at a rate of 10 per cent of the landscape per year, which would entail annual burning of approximately 700,000 hectares per year. Other bushfire researchers state the rate of burning should be at least 460,000 hectares per year.

The ENRC Inquiry made the specific recommendation that 5 per cent of the landscape or 385,000 hectares should be burnt each year.

The average area burnt over the last 10 years to 2008, by DSE through prescribed burning, has been 97,190 hectares per year and this failed to achieve their own low targets by 17 per cent.

We acknowledge the DSE target for the current year was 130,000 hectares with 158,000 hectares burnt.

2009 Budget Service Delivery papers [page 219] show the DSE target for next year, after the worst fire tragedy in our history, is 130,000 hectares, the same as the last four years. This is unacceptable to the VLA, its members and the rural community.

By any measure, the current level of prescribed burning on Victorian public land is inadequate for ecological and fire management purposes. This has been conveyed to DSE, Parks Victoria and the Government on many occasions prior to the Great Alpine Fires of 2002/ 03 and many times since.

Section 62 of the Forests Act

*“Notwithstanding anything to the contrary in any other Act or law it shall be the duty of the Secretary [DSE] to carry out proper and sufficient work for the prevention and suppression of fire in every State forest and national park and on all protected public land but in any national park or protected public land proper and sufficient work for the prevention of fire **shall be undertaken only by agreement with the person or body having the management and control thereof.....”***

- This ridiculous clause allows Parks Victoria to have absolute veto over what fire suppression or prevention works will be undertaken in national parks without having to take any responsibility for its actions under legislation. Refusal of Parks Victoria personnel to allow local fire-fighters to undertake suppression activities in order to protect conservation values that were under threat of wildfire has occurred on numerous occasions.
- Clearly, in many areas of the state the DSE Secretary is failing in his duties as required by legislation

Victorian Lands Alliance recommendation - That the Royal Commission recommends that Section 62 of the Forests Act be amended to remove any veto on fire prevention or suppression works by Parks Victoria.

It is a matter of fact that the following appalling fire prevention outcomes in national parks are recorded in the Parks Victoria Annual Reports of the years listed.

Prescribed Burning in national parks as a percentage of land in the national parks estate:

2003/04	1.2%	39,000 hectares
2004/05	1.5%	45,293 hectares
2005/06	0.2%	6,600 hectares
2006/07	1.9%	60,000 hectares
2007/08	1.3%	41,770 hectares

On this basis, the average rotation for a repeat burn is 83 years. Data provided by bushfire researchers indicate that, on average, these areas would be carrying 83 tonnes per hectare of fuel on the second burn. This is a phenomenal amount of fire fuel, currently rivalled only by some areas of Melbourne's water catchments.

The only consolation to be taken from these statistical facts are that inevitable intense wildfire will have occurred in the meantime through a build-up of fuels over a 20 or 30 year period, which would normally have coincided with a drought in that time frame and most will be burnt by uncontrollable wildfire.

Currently, 55 per cent of all public land in Victoria is located in national and state parks and nature conservation reserves. In none of the years listed above did the amount of national park estate approach 55 per cent of the prescribed burning achieved in that year, i.e. land in a national park is even less likely to have a prescribed burn than state forest.

Given that, one of the primary reasons for the existence of national parks is biodiversity protection; this is a perverse land management outcome. The current land management model is flawed.

Parliamentary Environment and Natural Resources Committee Inquiry into the Impact of Public Land Management Practices on Bushfires in Victoria

The Victorian Parliament handed the terms of reference to the all party Environment and Natural Resources Committee [ENRC] in March 2007 and their report was tabled in parliament on June 26th 2008.

The Committee's open approach to their task and their willingness to hear the evidence from all stakeholders meant their work was well regarded in the community and their findings had very broad support. This is not a common outcome.

Through its diligence over the 15 months it investigated recent mega-fires the Committee was clearly able to form the view that the current land management practices were having a detrimental effect on bushfire management.

"On balance, the Committee finds it is likely that the bushfires of 2002/03 and 2006/07 were both the result, and the most recent examples, of inappropriate fire regimes. The inherent risk to Victoria's biodiversity posed by bushfires of the scale and intensity of those experienced in 2002/03 and 2006/07 is one that must be mitigated. The Committee finds that an increase in prescribed burning across the landscape represents the best strategy for managing the risks that future bushfires pose to biodiversity and other natural assets". [page xvii]

The Committee also noted the following from the 2003 *Esplin Report*:

Prescribed burning, for whatever purpose, will reduce the amount of fuel present. If the amount of fuel is less, then the potential heat released in a fire from the remnant fuel is less. If this heat is less, then the chance of controlling any unplanned fire is greater. If the chance of fire control is greater, then the chance of loss of human life and property is smaller. [p75]

And the following from the DSE submission:

The evidence is that prescribed burning has been of significant assistance in fire suppression operations on public land. Fuel reduction burning has assisted directly in protection of high value assets, including townships, and it has played a role in helping firefighters reduce the area burnt by large and severe wildfires [Submission No. 168 p3].

The Committee also noted that the Victorian Fire Ecology Working Group [a partnership between DSE and Parks Victoria] has found the biodiversity in Victoria is in fact threatened by the infrequency of current fire regimes [p84].

With this level of support for increased prescribed burning from DSE, Parks Victoria, the Emergency Services Commissioner and a large majority in the community, as well as strong recommendations from the Committee to the parliament, early adoption of these measures after the report was tabled in June 2008 was expected.

It was therefore disappointing to hear the government response on December 4th 2008 that the primary recommendation of the Committee, to bring about a change in the fuel reduction burning regime on public land would only be supported in principle by the government.

The current situation with fuel reduction burning in Victoria in the aftermath of the Black Saturday fires appears to be very similar to prior to these tragic fires.

- The target for fuel reduction burning in 2008/09 was 130,000 hectares
- The target for fuel reduction burning in 2009/10 is 130,000 hectares according to the 2009 Budget papers, Service Delivery [page 219]
- Funding announced on December 4th for fuel reduction burning, two months prior to Black Saturday, was \$10M per year
- Funding announced in the 2009 Budget on May 5th 2009 was \$52.7M over 5 years

The VLA is very concerned that there has not been a fundamental change in the approach of government or land managers that reflects the concern of the community to the current very low levels of fuel reduction burning or fire prevention works in Victoria.

Victorian Lands Alliance recommendation - That the level of fuel reduction burning in Victoria be increased to a minimum of 385,000 hectares annually.

The recent involvement of the VLA in community meetings concerned about fuel reduction burning is highlighted in Appendix 1.

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3. *All aspects of the responses to the 2009 bushfires, particularly measures taken to control the spread of the fires and to protect life and property, including but not limited to:*
- (a) immediate management, response and recovery;*
 - (b) resourcing, overall coordination and deployment; and*
 - (c) equipment and communication systems.*

Until the concept of the primacy of fire management is embraced by land management planners, adequate resources are unlikely to be allocated for the key areas of fire preparation [fuel reduction, access tracks etc] and fire prevention.

If adequate resources are unavailable for fire preparation, as has been highlighted on numerous occasions, then it is unlikely that trained, experienced personnel with sufficient resources will be available at short notice to deal with large or numerous outbreaks of fire.

Few in the community would quibble at the increases in fire suppression resources allocated in recent years, but would query the wisdom of ignoring the adage ‘An ounce of prevention is worth a pound of cure’

The reduction in levels of staffing employed in the bush by DSE since the 1980’s, along with a decline in numbers of forestry workers and their machinery is a key factor in whether early control of the spread of fire is successful or not. The over reliance on aerial fire fighting at the apparent expense of the availability of on-ground personnel and resources was exposed in the Alpine and Great Divide Fires where, on a number of days, aerial fire fighting resources could not be utilised because of weather and smoke conditions.

The VLA supports the following recommendations of the People’s Review:

“Recommendation 3: The People’s Review recommends that the government increase the number of departmental people living and working in country towns and the bush.

Recommendation 4: The People’s Review recommends that the government increase the resources available in the country, both for fire prevention and for general maintenance and upkeep of State lands.

Recommendation 5: The People’s Review recommends that the system of roads, tracks, fire towers, firebreaks, and water-points throughout State land (State forest, national parks and unoccupied Crown land) be thoroughly reviewed, with a view to opening up and maintaining access and maximizing fire-fighting capability over the estate.

Recommendation 6: The People's Review recommends that, together with employing more staff in the bush, the government utilize public land resource and recreation groups, individually and in groups, to assist in general maintenance and in keeping roads and tracks open and in good condition.

Recommendation 7: The People's Review recommends that all steps are taken to provide an immediate and aggressive first strike capacity across the State so that fires are contained as soon as possible.

Recommendation 8: The People's Review recommends that there should be a thorough review and overhaul of bushfire suppression activities in Victoria, including the line of command in fire-fighting, the line of command in granting and enabling access across State tenures, and communications.”

The VLA notes the culture of DSE in many areas of management is skewed towards central planning. While this may work in some management disciplines, it is the view of VLA, rural communities and fire-fighters that this is a disaster for fire prevention and suppression activities.

4. *The measures taken to prevent or minimise disruption to the supply of essential services such as power and water during the 2009 Bushfires.*

Public record of the few measures taken to protect Melbourne's water catchments since the 2006/07 fires would indicate a serious underestimation of the potentially severe effect an intense fire in the catchment would have on long term water availability to residents and industry in Melbourne.

5. *Any other matters that [the Commission] deem appropriate in relation to the 2009 Bushfires.*

The recently created VLA exists as a State wide non-government organisation representing people involved in the use, management and conservation of public land, and needs some initial financial support to firmly establish itself in the mix of fire management debate and decisions.

The Commission has been asked to make 'such recommendations' as it considers 'appropriate, including recommendations for ... the community'.

It is of fundamental concern to the members of the Victorian Lands Alliance that a State wide non-government organisation exists to represent people involved in the use, management and conservation of public land. This is the reason for the establishment of the Victorian Lands Alliance in late 2008.

As previously indicated the Victorian Lands Alliance developed in response to a recommendation by the People's Review and growing community concerns with the management of public land.

The People's Review stated:

“In many fields of endeavour, the main location of knowledge is in institutions created to maintain and develop that knowledge. In the case of fire, however, much of the basic knowledge about local topography, fire and wind conditions lies not with city-based institutions, but with the local people themselves. This is why the people need such a strong voice. The following recommendation is not directed to Government but to the people of

Victoria to urge them to pick up where this People's Review concludes and carry forward the imperative that the people have a right to be heard, their views assessed and changes implemented.

Recommendation 9: The People's Review recommends the establishment of a State-wide peak fire forum for the people, which we shall call the People's Fire Forum.

The development of fire prevention and suppression policy must be in the hands of people of all ecological persuasions. There is undeniably strong anecdotal evidence that the staff of Parks Victoria and Department of Sustainability and Environment is, simply put, seen as being too green. Fire policy must broaden from bureaucratic control and city-based politics to reflect the views and aspirations of the community, especially of rural communities. After all, it is they who live in the area, respond as volunteers to fight fires and bear massive social and economic cost of bushfires.

It is self evident following previous major conflagrations in 2003 and 2006 that:

- There had been a failure by land managers on a massive scale to protect the biodiversity of Victoria from large and intense fires.
- Local knowledge – in the protection of the environment and suppression of bushfire – had not been considered or utilised effectively, leading to further losses.
- Major stakeholders in the management of public land, such as represented by the VLA, had no input into the decisions relating to the fire management regime on public land.
- There has been insufficient policy change since the massive fires of 2002/03 and 2006/07 to bring about operational change that would minimise events like Black Saturday 2009.
- Fire management is not the primary concern of the land manager

Recommendation 10: The People's Review recommends that fire prevention and suppression policy be set and reviewed by a Fire Policy Group that includes representatives of the People's Fire Forum.

Recommendation 11: The People's Review recommends that Prescribed Burning Groups, on which local communities have at least 40 percent of the representation, decide arrangements for prescribed burning including targets, timing, location and accounting.”

The People’s Review made this recommendation to the Environment and Natural Resources Committee “*Inquiry Into the Impact of Public Land Management Practices on Bushfires in Victoria June 2008*”

This parliamentary committee stated:

“As the Committee has noted above, a significant number of stakeholders expressed the view that the current approach to community engagement by DSE and its partner agencies involves an over-reliance on public meetings.

“While the Committee welcomes the obvious improvement in community engagement by DSE and its partner agencies in recent years it has also found that room for improvement remains. One suggestion for increasing the level of community engagement in a way which has the potential to provide greater community input into the decision making process was provided to the Committee by the People's Review of Bushfires in Victoria Since 2000 (“the People's Review”). In its submission to the Inquiry, the People's Review stated that it had found a “major gulf between on-ground local

expertise and knowledge on the one hand and DSE, PV and (to a lesser extent) the CFA on the other [which] results in some serious problems in fire prevention and suppression". The People's Review made the following recommendations to address this situation:

- *the establishment (by the community rather than Government) of a state-wide peak fire forum for the people, to be known as the People's Fire Forum;*
- *the formulation and review of fire prevention and suppression policy by a fire policy group, consisting of DSE, CFA, PV and representation by the People's Fire Forum; and*
- *that prescribed burning groups be established, with a minimum local community membership of 40 per cent, to determine the targets, timing, location and accountability arrangements for prescribed burning.*

The Committee considers that the establishment of a state-wide forum for the purposes recommended by the People's Forum does have merit.

However, the Committee also notes that there is significant potential to increase community input into bushfire policy and planning including prescribed burning through existing and emerging resources and programs. The IFMP framework (discussed below in this chapter) is notable in this regard since it has a primary goal of facilitating community input into fire prevention and suppression at a municipal, regional and state level.

There is also significant scope for increased community input into prescribed burning through the community meetings conducted by CFA and through a possible expansion of CFA's Community Fireguard" program (both of which are discussed above in this chapter).

Finding 6.2: That the Integrated Fire Management Planning framework, Country Fire Authority community meetings and the expansion of the Country Fire Authority's "Community Fireguard", have significant potential to increase community input into the planning and policy development for bushfire prevention and suppression, including prescribed burning."

The Environment and Natural Resources Committee supported the need for a state-wide fire forum but missed the point that it should be established by and within the community.

The Victorian Lands Alliance has been established to become the fire forum and a State wide non-government organisation representing people involved in the use, management and conservation of public land.

Victorian Lands Alliance recommendation - There should be a State wide non-government organisation representing people involved in the use, management and conservation of public land.

Victorian Lands Alliance recommendation - That the Royal Commission recommend that initial or seed funding be made available to the Victorian Lands Alliance to assist it to become the fire forum, or State wide non-government organisation representing people involved in the use, management and conservation of public land.

6. *The preparation and planning for future bushfire threats and risks, particularly the prevention of loss of life.*

The events of the last decade have demonstrated that we as a community have not yet learned the lessons of bushfire tragedy that are inevitable for this part of Australia. 815 people have died in Australian bushfires in the last century and a half; around 600 of those people have died in Victoria.

Our level of preparation does not match the level of risk that we face.

We need to focus our efforts on preparation and planning more so than suppression. If we fail on preparation, as we have in the past, squadrons of aircraft and battalions of fire-fighters will be insufficient to protect life and property from firestorms like Black Saturday.

This is not to downplay the effort or resources that should be allocated to suppression however, currently in Victoria there appears to be an imbalance in funding of 10 to 1 in favour of suppression. We need to refocus our commitment to fire preparation.

The risks are known to us as a community, we have the benefit of over 50 years of good bushfire research. We lack the political will to implement what we already know.

The lack of political will stems in part from the cost of implementing the planning and preparation required with so many other pressing issues. This however needs to be weighed against the stated cost of just under \$1B to the 2009 State Budget from the fire suppression and recovery effort for the 2009 bushfires.

This cost to the taxpayers in a single year needs to be considered against the \$10.5M budget allocation for fuel reduction burning. It is understood the 2002/03 fires cost in excess of \$250M to bring under control and the 2006/07 fires over \$600M for suppression and recovery, which makes the fire suppression and recovery cost to the Victorian taxpayer in the last decade alone, in excess of \$1800M.

And they were a disaster for the environment.

Victorian Lands Alliance recommendation – On the basis of the current funding for fuel reduction burning, the Royal Commission recommend a budget allocation of \$31M per annum to meet the level of fuel reduction burning required for minimum fire protection and biodiversity protection on public land.

7. *Land use planning and management, including urban and regional planning.*

Excessive regulation that restricts native vegetation removal and management overlays for activities, such as roadside burning by CFA brigades, are as effective as a total ban by preventing the practical implementation of these activities. This is prohibition by default.

It is not uncommon for local CFA brigades, staffed by volunteers, filling out forms on multiple occasions, sometimes weeks in advance, seeking municipal permission for the same burn area when the weather on the nominated burn day turns unfavourable for conducting a burn. Some smaller brigades have ceased conducting roadside burns because of the paperwork and road safety compliance measures the brigade must undertake for each burn. Obviously, this is counter-productive for fire prevention in local communities.

Roads in designated ‘Fire Prone Local Government Areas’ must be mandated as escape routes and a vital link in the supply of emergency services, rather than an extension of forested areas.

It is not uncommon for restrictive local council vegetation clearing by-laws, administered by over-zealous council officers to result in:

- Compliance with the regulation, which results in minimal fire protection for the property in question and /or adjoining properties.
- No clearing of native vegetation by landowners because of the complexity and perceived low fire protection value of such regulations, which increases the risk for all in that community
- Refusal by the landowner to abide by the regulation which can result in prosecution. Numerous Victorian landowners have suffered this fate in trying to protect their properties resulting in fines of up to \$50,000 in individual cases
- Apathy in the community from conflicting messages from, for example CFA advice to have a wide clearance around buildings from native vegetation, whereas some local councils severely restrict the amount of vegetation cleared.

Victorian Lands Alliance recommendation – The Royal Commission recommend that the Government introduce a planning overlay for ‘Fire Prone Local Government Areas’ in designated areas.

This overlay should empower residents and communities through enhancement and encouragement, not prohibition through restriction and regulation.

This overlay could provide a uniform approach in fire prone local government areas that lifts the burden from local government on many fire prevention matters and restores the responsibility to landholders for their own protection. This planning overlay could provide a mechanism for design by bushfire researchers with a level of expertise that may not be available to many local council planning departments.

A Peoples Fire Forum, advocated previously in this submission, could provide valuable input to such a planning overlay.

Landholders must take responsibility for their own safety and protection of assets, but also must be empowered to do so, on their own land.

8. *The fireproofing of housing and other buildings, including the materials used in construction.*

The VLA has no particular knowledge on this Term of Reference and is certain that the Royal Commission will have adequate expert advice on this issue.

9. *The emergency responses to bushfires.*

The VLA has no expertise on this Term of Reference

10. *Public communication and community advice systems and strategies.*

The VLA has no expertise on this Term of Reference

11. *Training, infrastructure and overall resourcing needs.*

It is the clear view of many submissions to the ENRC Inquiry and rural communities that the resourcing of personnel and equipment based in the bush is not a high priority. It is also clear, despite all that is said, that the core business of the land manager in Victoria in 2009 is not fire management.

It has been said that “In the Australian bush, if you do not manage fire, you cannot manage for anything else”.

Resourcing must match this need to adequately manage Victoria’s public lands for fire.

It is the view of the VLA that departmental planners will not plan for management on the scale required unless guided by a clear statement of intent by the government.

Victorian Lands Alliance recommendation – The Royal Commission recommend the government makes a clear policy commitment that the land manager’s primary objective will be fire management, to enable achievement of the already stated goals of biodiversity protection, forest protection, water catchment protection and flora and fauna protection.

The VLA also supports the following recommendation of the People’s Review:

“Recommendation 12: The People’s Review recommends that the government investigate ways in which forest workers can be employed, not solely for economic gain, but so that the bush is once again cared for.”

Conclusion

If we want a different result, we need to do things differently

Australia is a continent shaped by fire wrote Stephen Pyne in his worthy contribution to the discussion on fire, *Burning Bush* – and it is nowhere more so than Victoria.

We know this, but we have not yet learned it.

What will it take before we are sufficiently interested to bring about the change in attitude articulated in the last Royal Commission, seventy long years ago?

“Fire management must be the paramount consideration of the forest manager”.

Biodiversity, tourism, wildlife, soil, timber and water management, in Victoria; are all subservient to fire management. We may mismanage one of the other disciplines and still cope, but if we get fire management wrong, the other facets of public land management don't count for much.

The rationale of the VLA is that current public land management is not in the public interest.

Christine Nixon was closer to the mark than she may have realised in her comments in *The Age* during April when she said that “We need to fundamentally rethink the way we deal with national parks and our relationship with them”.

Indeed, the comments are prescient, for what is needed in Victoria at this time is a new paradigm in public land management.

The philosophy that has guided the ten-fold increase in national parks from 1976 to the present, the philosophy that has driven the forest industry from 91 per cent of the forested areas of the state is the same philosophy that has cogently discouraged the concept of active management of the forest.

These philosophies are based on idealism that is, for a large part, not supported by science or evidence. The concept is not ‘bad’ – to create areas of public land where conservation values are protected for future generations – but the model we have been using for the last 30 years is flawed.

We cannot accept fire management as the cornerstone of land management in Victoria until we confront these philosophies and either continue to embrace them or modify them.

Nixon was only articulating what the VLA members, Rivers and Red Gum Environment Alliance and the Australian Environment Foundation has been saying for years.

The land management model that we are using is fundamentally flawed, which is why what seemed like a good idea 30 years ago has failed to produce good environmental outcomes in so many areas.

Public land conservation values must be protected, but they must be actively managed in many cases to protect them. In this, we have failed terribly.

These public land management issues under discussion are about not only fire, trees, water yield and biodiversity decline they are fundamental social issues for rural communities in particular. Many rural residents live with these issues every day – they are not text book theories or dinner party discussion topics – they are real. These are the people that fight the fires, deal with the flash floods along with the ruined farmland and the degraded environment because of failed or non-existent land management practises.

They have more ‘right’ to be heard more than most on these issues of public land management, that in many cases affects their daily lives and their quality of life.

The Big Picture view of the environment and public land management – of which fire management is the cornerstone – is not clear to many people, for many reasons. Many either do not live or work near or in public land to understand what is required and therefore rely on what others tell them.

They cannot see or don’t know what the cumulative effect of 1 tonne per hectare of forest fuel per year is going to do to the environment in 25 years time. They can see the effect now, but still do not understand the cause.

However, it is clear to many and they see that we now pay the price for the fork in the road we took in the early 1970’s, which took so many years to manifest itself in what we have now witnessed in the last decade.

The primary task of this Royal Commission must be to bring about a policy change for the management of public land in Victoria that accepts fire as the ultimate determinant of the conservation values with which we will live.

To accept less is to fail the people and fail the environment.

Political expediency favours dysfunctional harmony over contestable merit^a

Political expediency in public land management is what we have. We can do better.

^a Apologies to Tony Cutcliffe

Appendix 1

Involvement of the VLA in community “No fuel No fire” meetings

The VLA has been involved in the following “No Fuel No Fire” community meetings

- “No Fuel No Fire” Launch in Healesville on April 4th
- “No Fuel No Fire” Launch in Barmah on April 7th
- Fire forum held in Colac on April 16th
- “No Fuel No Fire” meeting at Inverleigh April 21st
- Gunbower Island Fire Prevention Group formed at a meeting in Cohuna on April 15th
- Fire forum held in Bairnsdale on May 19th

These meetings have been particularly concerned with the findings of the Environment and Natural Resources Committee report

- Finding 3.2: The scale and intensity of the 2002/03 and 2006/07 bushfires were a result of inappropriate fire regimes, and in particular, of an insufficient level of landscape scale prescribed burning
- Finding 3.3: An increase in prescribed burning across the landscape...in a manner which mimics natural fire regimes, represents the most appropriate strategy for minimising the immediate and long term threats to biodiversity from large and intense bushfires

The meetings noted that the Victorian Auditor General found in 2003 that there had been a "*consistent failure to achieve hazard reduction targets*"

Of the 20 inquiry recommendations, only 7 were given full support. Arguably the most important recommendation was, 2.2: "*That in order to enhance the protection of community and ecological assets, the DSE increase its annual prescribed burning target from 130,000 hectares to 385,000 hectares.*"

These meetings have seen a need for:

- A commitment by the land manager to regular prescribed burning
- Creation of strategic low fuel zones
- Roadside fuel managed to provide safe escape routes for communities
- Stronger community involvement in decisions on fire management

These meetings have typically passed resolutions directed to the Victorian Premier, Mr. John Brumby:

- The community is very concerned at the condition of areas of public land which are a fire hazards for the local community. We call upon you to direct DSE/ Parks Victoria to undertake all necessary fire prevention works without delay to minimise the risk of wildfire to the community.
- We request that your government provide direct financial and administrative support, without delay, to CFA brigades to enable sufficient roadside fuel reduction burning to provide firebreaks and safe fire escape routes for rural communities.

The VLA has found these meetings have been attended by hundreds of local people concerned about their safety and the protection of their assets from fire emanating from public land. Without exception, the meetings have expressed concerns about the management of public land.