

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

INQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 14 JUNE 2006**

SESSION TWO

Members

Mr A.P. O’Gorman (Chairman)
Mr M.J. Cowper (Deputy Chairman)
Mr S.R. Hill
Ms K. Hodson-Thomas
Mrs J. Hughes

Hearing commenced at 10.35 am**GREEN, DR ROY****Chair, Environmental Protection Authority Committee on Fire Management, examined:**

The CHAIRMAN: Welcome. The committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as a contempt of Parliament. Have you completed the "Details of Witness" form?

Dr Green: Yes.

The CHAIRMAN: Do you understand the notes attached to it?

Dr Green: Yes.

The CHAIRMAN: Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

Dr Green: Yes.

The CHAIRMAN: Do you have any opening comments that you would like to make before we start asking questions?

Dr Green: Only to re-emphasise that the purpose of our investigation was to examine the environmental impacts of fire as it relates to biodiversity issues and environmental health, both human and flora and fauna.

The CHAIRMAN: On page 6 of your submission you talk about the increased frequency and impact of fires on vegetation or fauna in the Kimberley region. The committee has been considering the implications of a FESA recommendation relating to fire management plans. This is something you refer to on pages 16, 17 and 18 of your own document. In essence, it says that when there is high risk to persons or property, fire management plans should be compulsory to mitigate that risk but the requirement should only pertain to CALM land, pastoralists and graziers and plantations. Would you like to comment on this proposal?

Dr Green: Let me be sure that I understand what we are talking about. Are we relating to section 3, "Significant Issues", in the synopsis and invitation for further public comment?

The CHAIRMAN: Yes.

Dr Green: I have to locate the specific spot. Can you guide me? I have not found it yet. I just want to make sure that I am responding correctly.

The CHAIRMAN: The fire management plan's comment was on pages 16, 17 and 18.

Dr Green: Let me very clear again. What we are reflecting in this document is the community presentations to us. I do not want to give the impression that these are the committee's views. We are simply trying to reflect those views in a synopsis that is out for further public comment. We are not reflecting the views of either the committee or the EPA at this point. I am on page 16 now. You quoted from that page, did you?

The CHAIRMAN: On pages 16, 17 and 18 of that synopsis is a general discussion about fire management plans. In relation to those, FESA is proposing that pastoralists, graziers, CALM and plantations be asked for fire management plans for their particular areas of interest.

Dr Green: To make a general comment in response, the committee found that fire management planning was very spasmodic. It was not done in any consistent or coherent basis across the whole region. The concern we have is that doing it at a pastoral base or even a regional base is not sufficient. It really needs to be done in a comprehensive way, almost like a pyramid where you have a build-up from the bottom end, the pastoralists' end, and you build that into a regional plan that is therefore coherent and consistent and can be managed by an authority across the whole thing. The view we have at the moment is that that is not actually occurring. There is some planning done but it is fairly -

Mr S.R. HILL: Where should that regional plan sit? Should that be with the Western Australian Planning Commission?

Dr Green: I do not think so because I do not think the Planning Commission is responsible for fire management. Again, there is confusion, certainly in the community, as to whom is responsible for fire management in the different areas. It is laid down. It is not clear to the community what FESA, CALM or local government have responsibility for. That needs to be clarified. Hopefully that is something that you will be focussing on as you go down the track.

The CHAIRMAN: That has certainly been promoted to us over time.

Mr S.R. HILL: Obviously the Planning Commission issues its policy guidelines for fire control when it comes to subdivision and redevelopments etc. That obviously links into the relevant town planning schemes. You are saying there should be another level.

Dr Green: Most of our concern is not in the townships.

Mr S.R. HILL: That is right, but you still have local authorities relevant to that whole area.

Dr Green: At the moment there is that element of the community that responds to us about where the responsibility lies and who should carry that responsibility. It is laid down as it stands now, although I confess when I have read it, it is not that clear to me either. The responsibility lies with FESA vis-a-vis CALM and local government as well. It tends to be easily confused. Part of what has been suggested to us - it is not our prime responsibility; it is more yours - is whether there needs to be a central authority for managing this whole thing.

The CHAIRMAN: That is certainly one of the issues that has been considered. It is our belief that the bushfire threat analysis tool will be used in the development of fire management plans and that will probably prioritise life and property, but will consider environmental issues. Will this go some way to meet the biodiversity requirements envisaged by the EPA and possibly people in the Kimberley?

Dr Green: Yes, I hope so, but, firstly, our findings so far would indicate that there is a lack of detailed information on the impacts on biodiversity. There is a lack of research and a lack of basic data in that regard. Secondly, the great emphasis - and quite properly in the case of FESA and local government - is on life and property. They would maintain that they consider environmental issues and biodiversity issues. It is not clear to us that the expertise resides with them to be able to do that with any real authority.

Mr S.R. HILL: Mr Green, obviously there is a lot of crown land, particularly in the Kimberley area. During your inquiry, has anyone come forward suggesting that state government land be required to comply to requirements or have firebreaks similar to those in relation to private landowners?

Dr Green: Not in those terms as such. It depends where you put unallocated crown land, which is part of CALM's earlier responsibility - although, again, it is not clear to us what its responsibility is in case of fire. As far as we are concerned, it is absolutely imperative that fire be managed properly in those areas. They are the critical areas as far as we are concerned. They are the areas that are burnt far too frequently.

Mr S.R. HILL: Have pastoralists, for example, whose property adjoins vacant crown land, expressed the opinion that the state should be bound by the same requirements as they are?

Dr Green: The pastoralists have not said that to us. I confess that we have probably not had as much exposure to the pastoralists as we would wish. We are trying to improve that in this current round of consultation.

The CHAIRMAN: The first paragraph on page 12 of your document says that anecdotal evidence suggests that not all local governments were exercising the power they have to enforce firebreaks to their fullest extent. Would you like to give us a bit more information on that aspect?

Dr Green: The information is really the information that has been given to us by those attending our meetings. Firstly, in many instances local government has insufficient resources to do the job properly. Secondly, they are not committed to doing firebreaks, even in regions that might threaten life and property to some extent. Thirdly, the follow-up on deliberate fire setting is pretty thin. I think they were the main points made to us in our discussions.

The CHAIRMAN: I think that point has been made to us as well a number of times. Also in your document you refer to the Auditor General's comments relating to a lack of defined control in major fires, particularly when it crosses a number of tenures, whether it is CALM land, private land or local government land. FESA and a number of other stakeholders have suggested that FESA be empowered to take control over fire management from local government or CALM when FESA considers this to be necessary. Have you been able to gauge any opinion from stakeholders in relation to that? Are people supportive of that idea or is there a great big division?

[10.50 am]

Dr Green: Yes, we have. I think there is an agreement that there should be one body that has that sort of responsibility and capability. Having said that, I must confess that there was a great deal of criticism of FESA in the local community in the Kimberley - in particular, that they were not terribly close to the community and not necessarily doing a good job. I have to be careful to not express a personal view. It looks to me that FESA is the obvious body, given that there may be need for improvements in both the way it behaves and the resources available to it.

Mr S.R. HILL: You also mention on page 15 at paragraph 3 that FESA is not the appropriate body to take over fire management given the lack of resourcing and the lack of focus on biodiversity management.

Dr Green: I am not sure that I am looking at the same page. Are we looking at the synopsis?

Mr S.R. HILL: It is page 15, paragraph 3.

Dr Green: My copy states "The EPA committee sees biodiversity conservation . . ." That is the start of that paragraph.

Mr S.R. HILL: Are we looking at a different document?

Dr Green: I am sorry; I just want to be sure.

Mr S.R. HILL: I am referring to the last sentence of paragraph 3 at page 15.

Dr Green: Is that under the heading -

Mr S.R. HILL: It starts "The EPA committee sees biodiversity . . ."

Dr Green: Yes. That is in relation to biodiversity management.

Mr S.R. HILL: It is totally different?

Dr Green: There was a view that FESA simply did not have the technical resources, if you like, to manage biodiversity in relation to fire. Their main concentration, of course, is on property and assets generally. They do that extremely well, it seems to me. When we get to biodiversity or environmental issues, it is not really in the forefront of its concerns.

The CHAIRMAN: If we did the fire management planning that we suggest, and if FESA were the agency responsible for that, how do we bring biodiversity management into those fire management plans as well?

Dr Green: You would have to include CALM as an equal partner. You could not do it without CALM's very strong involvement in the process. Any capability that exists in that area resides with CALM.

The CHAIRMAN: Does that just apply to CALM land? What about private landowners?

Dr Green: In my view, not. Obviously, the private landowners, the pastoralists, would have to be involved fairly significantly in any planning. I am saying that you would expect CALM to provide the detailed science and knowledge base in relation to environmental issues.

Mr S.R. HILL: Just getting back to who would have responsibility. I am a country member. What about when an application comes to a local authority for a minesite or something like that? At paragraph 4 of page 19 of your document, you mention that fire management plans should be compulsory for all major projects and mining operations. Can you expand on that a little?

Dr Green: It was a suggestion made to us that that should be the case. It would seem to me very appropriate if there were a development of that sort, particularly because they would have a resource that is significantly better than that of local government generally. You would expect them to do that, even if it is only in their own interests. I suspect that, in most instances, they do it. However, we have not followed that up.

The CHAIRMAN: The committee has travelled around, particularly around the grassland areas. We have been told that the best way to put out the fires before they take over is to be on the spot and those sorts of things. I refer to paragraph 5 at page 19 where you mention the concept of putting out fires in the early stages before they take hold. As I have said, we have noted that in our submissions. Can you provide any further comment on the concept of an early notification system and the use of response aircraft for rapid containment?

Dr Green: Yes. I am not absolutely clear in my mind at the moment just what the processes are. I think there should be a requirement, for instance, on any passing aircraft or land-based tourist groups or whatever that, wherever a fire is spotted, it is reported. I would be surprised if that does not occur in the main now. Perhaps it has to be mandatory. There should be a clear responsibility that that be done. When we flew over, we could see fire all over the place. We had assumed that it had been reported. We did not re-report it. Even at the risk of 10 reports, it is better than not having one at all.

Mr S.R. HILL: I note the comments at page 23 regarding the impact of the ESL. Is there anything further that you would like to add about ESL funding? Has it been a positive? Are you aware of the ESL funding that has been introduced?

Dr Green: Yes.

Mr S.R. HILL: Is it a good initiative?

Dr Green: It is certainly a good initiative, yes.

Mr S.R. HILL: Particularly in the Kimberley, the ESL has supported some of those communities with funding?

Dr Green: Yes. I think that is the view expressed to us. When we looked at the resources in the south west, there was a great deal of difference. The immediate reaction would suggest that it is still not sufficient. There probably needs to be a significantly greater resource provided for effective fire management in the north.

The CHAIRMAN: The Kimberley contains most of our Aboriginal communities. Have you had any interaction with those communities regarding fire suppression and prevention issues?

Dr Green: Yes. Some indigenous people attended our meetings. We specifically made a trip to Kalumburu. We were impressed by the elders, who expressed their strong views that they would be keen to support fire management. Indeed, it might help some of the younger people as they told us that they were somewhat irresponsible. If they were given a responsibility, it would help. Uniforms seem to be a big issue. If they were given uniforms, it would change their attitudes a great deal. It seemed to us that a relatively small investment in the Aboriginal groups with training and facilities could be a very sensible and cost-effective way forward.

The CHAIRMAN: Something to look at with some remote communities is the level of equipment and preparedness they have or may not have. In your travels through Kalumburu did you take any note of protection equipment or suppression equipment that was available?

Dr Green: We usually knew what was available in the way of firefighting equipment. In every instance, both in the townships and the Aboriginal communities, it was fairly minimal. In fact, in relation to the townships, it is one of the discussions we have had with FESA. FESA would maintain that what is there is an appropriate investment because it is to protect the township. If, however, you move out of those populated areas, there seems to be fairly thin resources to control fires at the early stages.

The CHAIRMAN: It is one of those things that we have to deal with as well.

Dr Green: By the way, one of the suggestions in that regard that we put to CALM is the possibility of moving some of the CALM resources from the south west to the north in the off-season, if you like, when fires are not a problem down here but when they are up there. I was a bit surprised that CALM was reasonably receptive to the idea, but, of course, it always costs money. It would need the funds to do it.

The CHAIRMAN: It has quite a significant resource in the south west.

Would you like to make any closing comments? Is there anything further you would like to add that we have not asked?

Dr Green: No, I do not think so. As we did in our study of the south west, we will probably make comments outside our immediate terms of reference, which, as I said, relate to environmental issues. In that sense, that is really why we considered governance in this document. It is likely that, at the end of the day, if we have views to express - I have to be careful - we will be expressing our views to the EPA and then the EPA decides what it will say to the minister. It is very likely that the committee will still make some comments in that regard even though it might not be seen as being directly relevant to the terms of reference we have been given. However, we certainly see this as not being our prime responsibility - that is, passing on advice.

The CHAIRMAN: Thank you, Mr Green, for your contribution to this inquiry. A transcript of the hearing will be forwarded to you for correction of typographical errors or errors of transcription or fact. New material cannot be introduced in the sense that the evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, you should submit a supplementary submission for the committee's consideration. If the transcript is not returned within 10 days of receipt, we will deem it to be correct.

Hearing concluded at 10.59 am.
