

# Draft State Bushfire Management Plan 2021 - 2025

**LGA Submission**

**April 2021**

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## Summary of LGA feedback

The Local Government Association of South Australia's (LGA) vision for emergency management is that:

*Communities are disaster resilient because emergency risks are understood across the community, mitigated wherever possible, and there are effective systems to ensure community safety and wellbeing when emergencies occur.<sup>1</sup>*

The LGA plays an important role in bushfire management, with representatives on key State Government committees relating to bushfire management, being the State Emergency Management Committee (SEMC), the State Bushfire Coordination Committee (SBCC) and the Fire Prevention Strategic Alliance (FPSA). In addition, the LGA's member councils play important roles in Bushfire Management Committees around the State as well as supporting delivery of on-the-ground fire prevention programs.

The LGA supports the recommendations from the Independent Review into South Australia's 2019/20 Bushfire Season ('the Independent Review'), a key one being review of the State Bushfire Management Plan (SBMP). The LGA looks forward to other recommendations within the remit of the SBCC and CFS also being implemented.

In this context, a summary of the LGA's feedback to the draft State Bushfire Management Plan 2021 – 2025 is:

1. Many of the recommendations of the Independent Review which relate to the SBMP involve public awareness and education, and the CFS and SBCC are encouraged to incorporate these in their activities and to work with other agencies to progress these.
2. The document's Vision could refer to recovery as well as risk to reflect the focus of the SBMP.
3. There needs to be greater recognition of the role of the FPSA in fire prevention and raising awareness.
4. Development of a Code of Practice for hazard reduction compliance is urgently required by local government (as recommended by the Independent Review) and this needs emphasis.
5. The CFS and SBCC are encouraged to liaise with the LGA to support the engagement with councils on the review of Bushfire Management Area Plans.
6. The CFS and SBCC are encouraged to consider education and public awareness to accompany the environmental approvals process.
7. There are some additional comments below about document clarity.

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<sup>1</sup> <https://www.lga.sa.gov.au/search?collection=lga-south-australia-lga-meta&query=emergency+management+framework>

# Introduction

## About the Local Government Association of South Australia

The LGA is the voice of local government in South Australia, representing all 68 councils across the state and the Anangu Pitjantjatjara Yankunytjatjara.

The South Australian *Local Government Act 1999* recognises the LGA as a public authority for the purpose of promoting and advancing the interests of local government. The LGA is also recognised in and has prescribed functions in 29 other South Australian Acts of Parliament. The LGA provides leadership, support, representation and advocacy relevant to the needs of our member councils.

The LGA is a strong advocate for policies that achieve better outcomes for councils and the communities they represent. As such, the LGA welcomes the opportunity to provide a submission to this consultation on the SBMP.

## Basis for this Submission

This submission on the SBMP has been informed by the LGA's submissions to the:

- Independent Review dated March 2020;
- Royal Commission into National Natural Disaster Arrangements ('the Royal Commission') dated June 2020;
- Report from the Independent Review dated August 2020; and
- Report from the Royal Commission dated February 2021.

It has also been informed by the letter to the SBCC Chair, Mr Mark Jones, dated 25 February 2020 ('the LGA's letter') providing input on an earlier draft of the SBMP.

# Background

## Role of local government in emergency management

Emergency management arrangements in South Australia are governed by the *State Emergency Management Act 2004* ('the Act'). The Act establishes the SEMC and lists its functions and powers. The LGA CEO, Mr Matt Pinnegar, is a representative on the SEMC.

The State Emergency Management Plan (SEMP) is prepared under section 9(1)(b) of the Act to manage all emergencies. It is a function of the SEMC to prepare and maintain the SEMP and to ensure arrangements reflect best practice.

The State Government has primary responsibility for responding to emergencies in this State. This is achieved by a framework of legislation including the Act and other legislation covering police, fire and emergency services, public health and local government. Many local government organisations support the response to emergencies through their normal business arrangements, as well as through incident operations arrangements.

The SEMP articulates the roles and responsibilities that local government plays in State and local emergency management planning, preparedness, response and recovery. The SEMP establishes the Local Government Functional Support Group (LGFSG) and specifies that the LGFSG is responsible for:

*“Coordinating the Response from Local Government during an emergency”.*

The LGA is charged with the oversight and management of the LGFSG for and on behalf of the local government sector across the State.

## **Local government’s role in bushfire management**

The LGA has invested heavily in supporting councils with emergency management. Through the i-Responda operating platform, the LGFSG and the Council Ready program, the local government sector has demonstrated its coordinated approach to emergency management.

The LGA’s role in emergency management is explained in its Emergency Management Framework.<sup>2</sup>

The Framework reflects the evolving role of local government in emergency management. It emphasises the critical role that councils play in reducing disaster risks before emergencies happen, and in the recovery process after the emergency has passed. These roles complement the long-standing functions of councils supporting communities and emergency services when emergencies occur.

The LGA has policies in place that support local government to meet its obligation under section 7 (d) of the *Local Government Act 1999* to:

*“take measures to protect their area from natural and other hazards and to mitigate the effects of such hazards”.*

The LGA Policy Manual 4.1.6 ‘Bushfire Management’ states:

*“Local government supports a balance between the protection of native vegetation and the necessity to develop bushfire prevention strategies that may include back-burning or cold burns. Councils shall ensure that clear evidence is developed to support back-burning/cold burning proposals and ensure vegetation is only disturbed when vital to the protection of communities.”*

Councils have a long history of supporting communities when emergencies occur. Local government emergency management has historically focussed on the operational support that councils provide when emergencies occur. Local government also makes a significant contribution through reducing disaster risks, strengthening community resilience, and leadership, coordination and restoration of community assets in recovery.

Councils also have responsibilities for fire prevention through their fire prevention officers, managing fuel load and communicating with their communities to be prepared for bushfire, as well as through participation on bushfire management committees around the State.

This is the context in which this submission is made. The 68 councils represented by the LGA may make their own submissions to the SBMP.

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[https://www.lga.sa.gov.au/webdata/resources/files/ECM\\_672733\\_v18\\_Local%20Government%20Emergency%20Management%20Framework%202019%20update.pdf](https://www.lga.sa.gov.au/webdata/resources/files/ECM_672733_v18_Local%20Government%20Emergency%20Management%20Framework%202019%20update.pdf)

During the 2019-2020 bushfire crisis, many council personnel supported the affected councils. The coordination offered has seen support from 220 council employees and 68 units of plant and equipment from 34 councils provided on the ground in bushfire affected areas. Many of these councils provided support to multiple events. For example, twenty-three councils supported Kangaroo Island Council during that bushfire, and nine councils supported the four councils affected by the Cudlee Creek fire.

These contributions involved plant and equipment as well as human resources and sent a powerful message about the connectedness of the sector and the ability to respond flexibly in a crisis. The range of activities of local government in emergency management is outlined in the table below.

**Role of local government in bushfire management:**

Area of focus	Local government activity
<b>Prevention</b>	
Bushfire Prevention	<p>Council fire prevention officers authorised under the <i>Fire and Emergency Services Act</i> supporting fuel load reduction.</p> <p>Participation in local bushfire management committees.</p> <p>Supporting communities through communications about bushfire risk and prevention.</p> <p>LGA representation on the Fire Prevention Strategic Alliance Committee (SAPOL Committee which oversees Operation NOMAD).</p>
Community Preparation and Resilience	<p>The LGA's Council Ready program has proven to be a highly effective model for building emergency management capacity and capability at a local scale.</p> <p>The LGA supports local government community education programs through its training and website resources.</p> <p>The LGA provides support for councils through risk reduction activities such as the development and implementation of risk registers, asset management plans and other strategic planning processes.</p>
<b>Preparation</b>	
SBMP and SBCC	<p>The LGA has a representative on the SBCC, Mr John Moyle, CEO of City of Tea Tree Gully who represents the interests of local government in bushfire management.</p>
<b>Response</b>	
Equipment and resources	<p>Councils contribute significant human resources and equipment through bushfires.</p> <p>The LGFSG is established under the SEMP and is responsible for coordinating responses from local government during emergencies. It supports councils with access to equipment and resources.</p>
Incident management and emergency coordination	<p>The LGFSG coordinates the local government response involved in creating fire breaks, tree clearance, water supply, carcass disposal, infrastructure assessment, community messaging and more.</p> <p>The LGFSG provides staff and liaison officers at the State Emergency Centre, Zone Emergency Support teams and CFS Incident Command Centre.</p>
<b>Recovery</b>	
Recovery	<p>The LGFSG supports council recovery efforts.</p>





## The Independent Review

The LGA made two submissions to the Independent Review (see links above). In its initial submission, the LGA made three recommendations, highlighting:

1. The need for funding support of the LGFSG;
2. The need for funding support for councils to build disaster resilience within their communities; and
3. The need for the State Government to undertake activities to develop a broader understanding of the roles and responsibilities of key agencies under the arrangements of the SEMP.

In its response to the report from the Independent Review, the LGA highlighted the recommendations relevant to local government. It noted that a key recommendation was the implementation of a new SBMP and the LGA is pleased that this is now being addressed.

Several key recommendations from the Independent Review relate to activities associated with the SBMP, such as education and communication, which are highlighted here.

### Recommendations from the Independent Review

As a member of SEMC, the LGA is keen to understand the way in which recommendations from the Independent Review have been addressed. The LGA is willing to support the CFS in implementation of recommendations from the Independent Review and would like to understand more about the actions taken to date.

The actions below from the Independent Review relate to the responsibility of the CFS:

- Educate community to clarify expectations on limitations of hazard reduction.
- Consider and report upon the staffing and WHS implications of adjusting to 24/7 operations during large bushfires.
- Improve education with the community to understand hazard reduction application processes on their own lands.
- Educate agencies and the community on the practicalities and effectiveness of fuel reduction strategies.
- Educate the community that the majority of the state is held in private ownership and build better understanding of landscape risk and shared responsibility for bushfire prevention and preparedness.
- Provide additional public education on high-risk activities during periods of high fire danger.
- Educate community to improve levels of non and under insurance.
- Reinforce messaging for individuals to prepare their homes and have a bushfire plan.
- Improve understanding of the role of places of last resort.
- Update doctrine regarding the internal implications of meeting requests for assistance in future years.

The CFS is encouraged to work together with the LGA, and other relevant agencies, to address these actions to clarify and discharge the assurance role of the SBCC. The LGA is willing to support the CFS in actions which involve local government such as public communications, education and awareness-raising.

# LGA feedback on the Draft State Bushfire Management Plan 2021 - 2025

## LGA response to the earlier draft

Several suggestions from the LGA's letter relating to structure of the SBMP have been adopted and others are highlighted below. The CFS and the SBCC are congratulated for completing this document to a high standard, within short timeframes and with a thorough consultation process.

## Promotion of public awareness

Promotion of public awareness of bushfire risk and management was an important theme in the report from the Independent Review and it is identified in the SBMP as an important part of the role of the SBCC. The LGA would like to understand how the CFS is addressing this and is keen to work together with the SBCC and the CFS on this, given the substantial reach councils have into their communities, and the long history of councils amplifying preparedness messages from the CFS.

Many of the actions identified above in relation to the recommendations of the Independent Review relate to public awareness and education, and the CFS and SBCC are encouraged to incorporate these in its activities and to work with other agencies to progress these.

## Vision

The document's Vision could refer to recovery as well as risk to reflect the focus of the SBMP.

## Actions

Greater clarity is required throughout the document about the roles and responsibilities associated with each action. There is often confusion in the community and within agencies themselves about these matters.

## Fire Prevention Strategic Alliance

The FPSA oversees SAPOL's Operation NOMAD. The FPSA has an important role in bringing key agencies together, as well as raising awareness of the issues around deliberately, recklessly or negligently lit fires. A review of the FPSA in 2019 has not been made public and did not include members of the FPSA, which is a missed opportunity to improve awareness of deliberately, recklessly or negligently lit fires, Operation NOMAD and the role of the FPSA.

The LGA letter highlighted the need for greater recognition of the role of the FPSA in fire prevention and raising awareness and that suggestion is reiterated here. The reference to the FPSA at page 12 of the SBMP should include SAPOL as the lead agency and SAPOL should be empowered to undertake some of the public awareness activities, in conjunction with the CFS, as part of the role of FPSA. The FPSA should also be referenced at page 24 regarding arson prevention and management.

## Development of a Code of Practice

Development of a Code of Practice for hazard reduction compliance is urgently required by local government. Note that local government is not the lead agency for this activity, which under the legislation, must be undertaken by the CFS. The LGA has provided a nominee to the Property Preparedness Working Group and eagerly awaits the establishment of this working group to progress this issue as a matter of urgency.

It is also considered that the communications that accompany development of the Code of Practice is very important and can help promote positive outcomes. Regulation is only one aspect of fire prevention, and incentives and positive communications to change behaviour are encouraged.

## Bushfire Management Area Plans

Preparation and implementation of Bushfire Management Area Plans (BMAPs) will be of great interest to councils. The CFS is encouraged to liaise with the LGA to support the engagement with councils on the review of these Plans, as appropriate. Most councils participate in the 12 bushfire management committees which have oversight of the BMAPs, which is likely to be the main vehicle for their review.

## Environmental Approvals Process

The CFS is encouraged to consider education and public awareness to accompany the environmental approvals process. There seems to be some confusion around requirements and opportunities from both local government and the community.

## Document Clarity

The Heads of Agencies process at page 12 is not clear.

Regarding Action 2.3 at page 13, it is suggested that words such as “review the relationship” be used rather than “explore” for clarity. This action could also relate to agencies beyond the SEMC.

The colours of red on grey for page numbering are difficult to read, especially in a printed version.

## Conclusion

The LGA congratulates the CFS and the SBCC for progressing the development of the SBCC to a high standard. The CFS and SBCC are encouraged to consider the recommendations provided reflecting concerns of the LGA.

The LGA has a significant role in emergency management and would like to be involved in the implementation of recommendations from the Independent Review. The LGA would also like to understand how those recommendations are to be addressed.

## Contact:

Please direct any queries regarding this Submission to:

Ms Katherine Russell

Senior Policy Officer

[Katherine.russell@lga.sa.gov.au](mailto:Katherine.russell@lga.sa.gov.au)

tel. 8224 2067



**Local Government Association**  
of South Australia

The voice of local government.

148 Frome St  
Adelaide SA 5000

GPO Box 2693  
Adelaide SA 5001

T (08) 8224 2000

E [lgasa@lga.sa.gov.au](mailto:lgasa@lga.sa.gov.au)

**[www.lga.sa.gov.au](http://www.lga.sa.gov.au)**