



# **Planning and Strategy Committee of the Whole**

**8 July 2020**

**UNDER SEPARATE COVER  
ATTACHMENTS**

**ITEMS 7.3 AND 8.1**

**QUEANBEYAN-PALERANG REGIONAL COUNCIL  
PLANNING AND STRATEGY COMMITTEE OF THE WHOLE**

**ATTACHMENTS – 8 July 2020 Page i**

Item 7.3	Bushfire Royal Commission Submission	
	<i>Attachment 1 Bushfire Royal Commission Submission.....</i>	<i>2</i>
Item 8.1	Minutes of the QPRC Heritage Advisory Committee held on 25 June 2020	
	<i>Attachment 1 Minutes of the QPRC Heritage Advisory Committee Meeting Held 25 June 2020.....</i>	<i>11</i>

# QUEANBEYAN-PALERANG REGIONAL COUNCIL

Planning and Strategy Committee of the Whole Meeting  
Attachment

8 JULY 2020

ITEM 7.3            BUSHFIRE ROYAL COMMISSION SUBMISSION

ATTACHMENT 1    BUSHFIRE ROYAL COMMISSION SUBMISSION

#### **SUBMISSION TO THE ROYAL COMMISSION ON EMERGENCY MANAGEMENT ARRANGEMENTS**

- A. Responsibilities of, and coordination between the Commonwealth and State, Territory and local Governments relating to preparedness for, response to, resilience to, and recovery from natural disaster and what should be done to improve those arrangements, including with response to resource sharing.**
- B. Australia's arrangements for improving resilience and adapting to changing climatic conditions, mitigating impacts, accountability for emergency management.**

Considering the number, severity and overlap of natural disasters that have occurred in the past five years and on the assumption that the patterns of events will continue in the immediate future, it is unlikely that local resources will be able to address response and recovery as was demonstrated in the Black Summer fires of 2019/20.

In the event of more protracted fire seasons becoming the new normal, strain will continue to be placed on volunteer resources whose livelihoods suffer or the good will of employers waivers when they lose their employees to fire-fighting efforts for more than a few days out of the year. More protracted local seasons potentially as a result of climate change mean that it will become more difficult to provide and/or access out of area support as the resources will not be able to be extended that far. Without access to an endless stream of volunteers to respond to fire-fighting, the efforts associated with prevention and planning and resilience of individual households, their properties and the community become paramount.

As demonstrated in the recent summer bushfires, fires crossed local government and State boundaries and meant that some jurisdictions were running fire response in different States. This is a particular issue for ACT and Queanbeyan where borders dissect populated suburban and business areas therefore requiring an immediate response when a fire starts close to a border. While the ACT and NSW collaborate in emergency management and consistently work to address cross-border issues, the implementation of arrangements still creates an amount of chaos when another jurisdiction is ordering road closures and evacuations and is operating on a different risk appetite as it relates to response and different arrangements as they relate to evacuations etc. This confusion may include the nomination, maintenance and activation of 'neighbourhood safe places', considered by the community as 'pseudo evacuation centres'.

A model emergency management approach, similar to the model legislative approach which exists for work health and safety, would mean that emergency management arrangements were largely consistent while being tailored as required and that out of area support teams moving between States and territories would be largely familiar with the operational arrangements across borders. Where there are out of area deployments operating in a different State, it is evident from past anecdotal reports that they are often not used to their full potential and they leave the deployment feeling like they have not contributed to the fire-fighting effort and that their time and has been wasted. If all fire-fighters were operating to the same known arrangements and with the same level of training, this would provide greater certainty across all jurisdictions about what can be done when out of area strike teams arrive.

Having a model approach would need to encompass a shared funding model in order for there to be clarity around responsibility for costs. The s.44 model works well in NSW and works best if supported by a clear process for tasking works and transactional support within the incident management team. This assists in reducing some of the fall-out from multi-agency responses when it comes to reconciling costs and ensuring that contractors and suppliers providing assistance are paid in a timely fashion.

One thing that NSW is lacking currently is an effective multi-agency emergency management tool for capture and sharing of data. NSW currently uses the Emergency Management Operating System (EMOS) and the ACT

use a different operating system. There would be value in having a single emergency management tool across all jurisdictions to enable better remote cross border interaction within emergency operation centres.

Local Governments have little capacity to absorb costs relating to emergency response and recovery and therefore rely heavily on State and Federal governments to provide financial assistance. The disaster assistance recovery funding arrangements within NSW do little to provide financial support for every day Australians who are impacted by natural disaster. The Queanbeyan-Palerang Regional Council (QPRC) experienced two separate bushfires in 2016 in the Currandooly and Carwoola areas which resulted in the loss of homes and infrastructure and also experienced a mini tornado in the Forbes Creek area which destroyed four houses and damaged a number of others. These were localised events but were just as devastating to the local community and the individuals who suffered losses as the Black Summer fires were for each of the local communities and individuals that were impacted.

The only difference is that these events were not as protracted and were limited to single communities so did not gain extended State support or any Commonwealth support even though individuals had the same issues with waste, trees, homelessness, water, fodder, wildlife, loss of outbuildings and in some cases livelihoods and had the same struggles with health and wellbeing. Following a disaster, impacted communities look for support and that support should be led at a local government level in the first instance and be escalated where that support cannot be realised. Unfortunately, the capacity of local government to provide much more than moral support is not realistic for many councils. In reviewing how Government responds to the Black Summer bush fire disaster, there needs to be consideration of how support is delivered across all disasters, irrespective of the size.

In NSW, there is a 21-day emergency clean-up period which is designed to financially support local government to undertake initial work to enable roads to be safely re-opened. Some of that work is undertaken in collaboration with the RFS during the response phase. In a number of scenarios, 21 days will not allow for a comprehensive assessment of the works that are actually required which may result in a broad-brush, rather than a targeted, approach, particularly as it relates to tree felling along roadsides. Where events are sizeable or protracted and coincide with additional weather such as storm, completing the clean up within the emergency period is impossible and leads to additional costs for the Council. QPRC and other councils in the NSW south east are lobbying for a 90-day clean-up period.

More resources and focus need to be targeted towards preparation and prevention to ensure that local councils and local emergency service agencies can work with the community to reduce the consequences of bush fire. This could be through greater resourcing in the areas of compliance, planning advice consultancy for new dwellings and existing dwellings that do not meet the current standards because of their age or because they are illegal. Resourcing of inspection and assessment of bush fire resilience of properties and continuing compliance with relevant standards are required as well as a full-time local emergency management position within councils to work alongside compliance to develop general community preparedness and resilience.

The Canberra Region Joint Organisation (of councils) is drafting a 'disaster preparedness model' which in part, will promote the preparation and publication of an LGA disaster planning, response and recovery plan, and link postings of a dashboard of current status/conditions for the community to monitor.

On a related matter, NSW councils still carry the principal assets of bushfire and emergency activity, with the bushfire sheds, recovery centres and evacuation centres retained as local government assets and maintained by councils. While recovery and evacuation centres have multiple uses, the single purpose bushfire and SES assets should be moved off the local government books (with subsequent savings to maintenance and depreciation).

NSW has demonstrated adaptability when responding to emergency management and has developed a set of arrangements that generally work well when implemented across all emergency management levels (State, region and local). During the Black Summer bush fires, there seemed to be a disconnect in marrying the regional and local response. Because of the scale of the events, there was an opportunity for regional emergency operation centres to provide a leading role, showing greater support and direction to local emergency management operations controllers and their associated local emergency operations centres (EOCs). At points in the response, the Queanbeyan-Palerang EOC was working on a skeleton staff because there were not enough functional agency liaison officers to go around all the EOCs and at this point, regional support and coordination of arrangements should have come into its own. In order for the regional response to be more meaningful, there needs to be a review and alignment of emergency plans at the regional and local level and the associated delegations to ensure plans can be enacted in large scale events.

In response to the impacts of the Black Summer fires, NSW has since demonstrated some of its adaptability in creating Resilience NSW and appointing a Commissioner. This new organisation has replaced the Office of Emergency Management (OEM) which has played a supporting role over the past few years in developing local emergency management capability through promoting the prevention, preparation, response and recovery (PPRR) model. The four pillars have featured equally and have provided a good foundation for building capability. It has been through the support of leading agencies such as OEM and now Resilience NSW that NSW has grown in its effectiveness in multi-agency responses.

Multi-agency collaboration is paramount to ensure good outcomes in local emergency management and there is a continued need to legislate for this participation to continue and/or for major stakeholders to build emergency management collaboration with the local emergency management arrangements into their corporate responsibility and annual reporting. This is particularly important for stakeholders such as telcos because of their continued absence from the process at the local level. Their absence was telling in the Black Summer fires as telecommunication providers were the worst performers of all the agencies in the Black Summer fires in both response and recovery. Communications is critical to informing community and maintaining safety in crisis.

C. Whether changes are needed to allow Commonwealth involved in responding to national emergencies.

Acknowledging that the two disasters are very different, the current COVID-19 emergency has demonstrated how beneficial it is for Commonwealth, States and Territories to work collaboratively in addressing an emergency, having a Commonwealth lead along with the flexibility to implement measures to address their local risks. Having this collaboration in emergency management has meant that there is confidence in the message, confidence in the response and full engagement in the process.

Establishing arrangements for utilising agencies such as the ADF for the purposes of emergency response and recovery would be welcome. Councils appreciated the efforts of the ADF; however because the process for deployment was a bit disjointed, councils didn't know what to expect when the ADF turned up, how long they would be available, nor what skills and tools they had to be able to complete works. QPRC received the support of 200 ADF personnel but they were limited in their response capability because of appropriate transport and not having training, skills or equipment and PPE to be fully utilised for tasks such as falling trees.

Clearly, the ADF strengths lay in logistics, evacuation, engineering and clearing activities – their engagement is an important cog in background response and recovery. For example, state legislation prevents protection of drinking and aquaculture catchments as a result of fire and potential run off following rain as outside the scope of the natural disaster. Should ADF be tasked to clear road and protect those catchments, the economic and social viability of affected communities may be secured.

- F. Ways in which Australia could achieve greater national coordination and accountability through common national standards, rule-making, reporting and data sharing.

Data sharing in relation to recovery has proven to be a key issue. There is a range of data coming out of a number of organisations and consolidating the data and sharing it would be enormously beneficial. It was difficult to get early data on impact which made the processing of starting recovery early more difficult. There are many discrepancies across the data from agencies and some data cleansing in order for there to be confidence in the data is required.

For example, the Southern Regional Recovery Committee identified the lack of consistent data between agencies (LGA, SNSW, LLS, PWA etc) compromised a coordinated and concise approach to outreach and recovery for affected residents and business. A survey ultimately gathered intel on displaced residents, closed business, and their intentions to stay, relocate, rebuild or restart, and the barriers they perceived to their personal, household or business recovery.

Data sharing around preparedness is also key in the current climate. Being able to tap into work being undertaken by universities through a memorandum of understanding around data collection and modelling using satellite to detect changes in the environment, regional hotspots and triangulate with ground sources including water levels, soil conditions and particulates. In addition, it is generally acknowledged that, due to a changing climate, there will be shorter and shorter windows to conduct hazard reduction burns to reduce fuel loads. Universities in the Canberra Region have presented new technologies to monitor range and warn of risks.

There is a need to consider the current model of insurance as anecdotally it appears that many landholders are not insured and many more landholders are under-insured. Some of this may relate back to houses being built outside the planning process and therefore not being able to be insured, insurance costs keeping people from being able to afford insurance because of their location, or insurance not being prioritised within the household's budget.

The Local Strategic Planning Statements (LSPS) that are required to be prepared by NSW councils provide an effective vehicle for each council to put forward performance measures and actions for their areas' residential, business, agricultural and conservation uses to adapt to, manage and reduce risks of natural disasters. The Local Environmental Plans (LEP) can work with the LSPS by carrying through the detail of the performance target or measure to address in a development application for each type of land use and activity for residential, business, agricultural and conservation that is at risk of natural disasters. There is the ability for the State to mandate a model clause or clauses in the LEP for this purpose to ensure consistency. These tools can be strengthened in order achieve greater resilience.

#### **SUBMISSION TO THE NSW GOVERNMENT BUSHFIRE INQUIRY**

The following submission has been prepared addressing the four matters identified for comment

(refer <https://www.nsw.gov.au/improving-nsw/projects-and-initiatives/nsw-independent-bushfire-inquiry/>)

##### **Causes and contributing factors**

- The inaccessibility of the country where ignitions started impeded an early assault which allowed the fire fronts to grow on all sides, requiring a greater number of ground resources.
- The dry conditions meant that embers resulted in large numbers of spot fires that took hold quickly, including in open areas where fires ran even though there were almost negligible amounts of grass cover.
- Water was at a premium because of the drought. Usual water sources were low or non-existent.

- Because of the dry conditions, some communities and households were under fire threat up to four times because of unburnt areas of land igniting after initial fire fronts had moved through,
  - unburnt canopies falling to ground level and reigniting,
  - the number of hot spots across the fire ground,
  - the vastness of fire fronts and
  - wind changes pushing fires back and forth through burnt areas and those areas re-igniting.
- The number of challenging fire weather days had a significant impact on fuelling the fires and extending the duration of the fire events.

#### **Preparation and planning**

- Advice from some landholders suggested that the location of homes meant that those property owners were priced out of the insurance market or had been refused insurance. This meant those landholders felt that, with the risk of being homeless if they had evacuated, they had no choice but to stay to defend properties that were described by fire authorities as indefensible. These properties were not going to be defended by the RFS because of their location and the action to stay and defend posed a serious risk to the life of those individuals. Miraculously those individuals survived.
- Properly-prepared properties have a greater chance of surviving bush fire events. Greater one-on-one, face-to-face interaction with landholders by fire authorities and supporting checklists or plans around what a prepared property looks like would potentially preserve properties in a bushfire and reduce the consequences of a bushfire.
- Anecdotally, it became apparent that most individuals and communities had chosen to stay and defend. Action around preparing properties and access to resources and/or training around the physical environment during a bushfire i.e. smoke, light, heat, sound, duration, and the psychological impacts, would help to inform those decisions and prevent people fleeing at the last minute when they became too scared.

#### **Response to bushfires**

- The number of fires burning across the State meant local resources were stretched.
- The drought conditions meant that there were water access issues which resulted in top level water restrictions for Braidwood. Lack of storage for the town and water security risks were exposed.
- “Mosquito crews” played a significant role in the fire response, particularly in containing spot fires and helping their neighbours. The contribution and potential of these “Mozzie” firefighters should never be underestimated or dismissed.
- The Lake George Incident Management Team (IMT) worked well.
- The fire responses were segmented into a number of divisions and each of those divisions was led by a divisional commander who directed the resources under his command. When the IMT does not have vision of the fire, they are reliant for periods of time on the competency of the divisional commander. Because of the importance of this role, these positions should be appointed on a paid retainer basis similar to some Fire and Rescue NSW stations to ensure a certain level of skill and training.
- Smoke was a significant issue across the whole of the LGA and there was no real-time accurate smoke haze data to assist with decision-making around public health and WHS. QPRC is currently exploring options for obtaining real time data using commercially available hardware, current online resources and citizen scientists.
- Council staff were tasked to push in containment lines and provide water tanker support to firefighting assets. Staff were not trained to operate in firegrounds, and may present some WHS issues.



- Containment lines featured strongly as part of the containment strategy and there has been feedback from landholders that there was no consultation with them in relation to where containment lines were going to be built and their appropriateness or potential effectiveness. Landholders who were on the ground when containment lines were being put in were ignored when they tried to object or suggest alternate options that they believed would satisfy both the combat agency and themselves. This type of activity was fed to operators through the divisional command from the IMT so again, retained divisional command personnel would be better equipped to manage containment line strategies coming down from the IMT. Subsequent requests by owners to rehabilitate containment lines have been limited by availability of resources or skills.
- Similarly, the rapid and sometimes haphazard movement of fire vehicles and placement of retardant has damaged productive lands and habitat, already under stress from drought and with little means of rehabilitation.
- There was a delay in the Currowan fire being divided and split between the Shoalhaven and Lake George fire districts. This put significant pressure on the resources on the ground who were responding to the part of the fire which had travelled into the Lake George fire district. These local crews were competing for direction and support from the controlling IMT which was also dealing with fires threatening a large number of communities along the coast. This put a lot of pressure on the local divisional command and is another reason why retained divisional commanders are appropriate to ensure a certain level of skill and training.

#### **Any other matters**

##### Welfare

- The welfare arrangements are considered too rigid:
  - There was no option to provide initial outreach support to Nerriga which was cut off for anyone wishing to leave. There was however access to Nerriga for essential services under escort. A large number of people retreated to the Nerriga Hotel and had to be supported informally by other means.
  - There was no option to provide welfare support to the large animal evacuation areas because they were not established under the welfare arrangements, but rather under Local Land Services' arrangements. This meant that there was no formal registration occurring at these centres and there was no psychological support or any of the other welfare services that are available at the 'people' evacuation centres.
  - There would have been benefit in being able to maintain disaster welfare information points. There were many days throughout the bushfire event where people just needed somewhere to go to compose themselves before they moved on and they wanted to do that somewhere around others who were experiencing the same thing. There were also people who just wanted to debrief and catch up on the current fire situation face to face. Disaster welfare information points were ideal for meeting this need, however they are outside the current arrangements. Options for partial operation of an evacuation centre to accommodate small numbers of presentations should be considered under the welfare arrangements.
- A second wave of community grief is anticipated, as delays occur to demolition and clearance of sites; awareness of the limitations of that clearance; process and delays with applications to rebuild – particularly if the former structures may not be lawful (under LEPs or the Exempt and Complying Development Codes), notwithstanding the Temporary Structures SEPP put into place. Many owners may choose to retain occupancy of the temporary shed or container accommodation due to non-insurance or in-eligibility to build a permanent dwelling.

#### Utilities

- Telecommunications repairs were slow and areas are still even now without telecommunications services.
- The electricity providers in the local government area were very responsive and worked tirelessly to restore power quickly and continuously. They were sensible in triaging to ensure power was restored as quickly as possible to critical infrastructure such as fire sheds and points of evacuation such as the Nerriga Hotel.

#### Data

- Impact assessment data was slow to be verified and be provided to the EOC. The work that the RFS does through the Building Impact Assessment (BIA) teams is invaluable; however there have been suggestions from households coming through the QPRC Recovery Centre that the information captured by the BIA teams is inaccurate and/or incomplete. Having the BIA data provided more quickly and accurately would enable to EOCs to compare the list of properties visited with the list of properties featured in the burn scar. This would enable the identification of those properties which have been missed while the BIA teams are still in the area.
- A single source of truth is crucial – the mix of PWA, EPA, RFS, LLS, SNSW and Council data sets and maps need alignment to ensure all property, owner, damage and risks are ground-truthed, in turn providing confidence for applicants for assistance and agencies processing those requests.

#### Resources

- Some functional areas struggled to provide resources because of the number of fires burning.
- Relationship and function of neighbourhood safer places and evacuation centres require review.
- Access to the ADF resources to assist removal of debris and temporary infrastructure fixes to enable access to towns and properties, and coordinated storage and distribution of donated goods immediately following the fires, was vital.
- In relation to fire preparation and response, the ability to take advantage of the ANU project to utilise satellites for tracking soil moisture as well as other indicators of fire threat. This technology is needed to assist in accurately mapping where the fire moves when weather and smoke conditions prevent data collection using air support. Better change detection data is required so that changes can be tracked in the landscape between certain dates in terms of how the landscape was impacted throughout an event and also to track how the landscape recovers.
- Opportunities to utilise BlazeAid and Greening Australia resources to rebuild fences and vegetation on public/private lands is enormously beneficial to recovery.

#### Planning

##### Consideration and review of:

- current laws and practices for dealing with illegal dwellings within bushfire prone land
- current laws that allow for rebuilding dwellings and buildings in high hazard areas
- effectiveness of the application of the NSW Planning for Bushfire Protection and s117 Local Planning Direction 4.4 Planning for Bushfire Protection in the Planning Proposal process to exclude inappropriate development from bushfire prone areas.
- the appropriateness to clear land to achieve asset protection zones versus the environmental impact on native bushland. The 10/50 vegetation clearing scheme applies once the house is constructed. The application of this scheme does not forego the consideration of the Biodiversity Conservation Act.
- if the ecosystem has capacity for ongoing mosaic fuel reduction in State and National Parks.

- the appropriateness of continuing to zone new land for dwellings in bushfire prone areas, particularly lifestyle and hobby farms.
- older buildings do not comply with current BALs. Voluntary upgrading of existing and older building can be encouraged and perhaps there is scope for the state/federal government to establish a funding or grants program to help facilitate upgrading.
- conditions of consent requiring specific construction methods and materials. Conditions may also stipulate the creation and maintenance of Asset Protection Zones (APZ). Once the initial development is complete, it is essentially the owners' responsibility to ensure continued compliance. There is not resourcing to enable ongoing compliance action where this does not occur
- A review of grazing rights in State and National Parks as a way of reducing overall fuel loads and how that would that benefit farmers in drought considerations.
- Review of State and National Parks firewood collection as a means to reducing overall fuel loads.



# QUEANBEYAN-PALERANG REGIONAL COUNCIL

## Planning and Strategy Committee of the Whole Meeting Attachment

8 JULY 2020

ITEM 8.1 MINUTES OF THE QPRC HERITAGE ADVISORY COMMITTEE  
HELD ON 25 JUNE 2020

ATTACHMENT 1 MINUTES OF THE QPRC HERITAGE ADVISORY COMMITTEE  
MEETING HELD 25 JUNE 2020

**Present:** Cr Peter Marshall (Chair), Andrew Riley, Judith Bedford, Sue Whelan, David Loft

**Also Present:** Pip Giovanelli, Mike Thompson, Kat McCauley, Kaycee Dixon-Hilder

**Others Present:**

**Apologies:** Mayor Tim Overall, Jane Underwood

The Committee Recommends:

**1. Confirmation of the Report of Previous Meeting**

**Recommendation (Whelan/Riley)**

That the report of the meeting of the Committee held on 21 May 2020 be confirmed.

**2. Business arising from the minutes**

Nil.

**3. Declaration of Conflicts of Interest**

Nil.

**4. Development Application – 55 The Crescent, Queanbeyan**

Mike Thompson provided an overview of the DA – 55 The Crescent, Queanbeyan, which proposed to demolish the existing dwelling due to its structural defects and to build a new dwelling.

A detailed discussion was undertaken by the Committee in regard to the Dilapidation Report and the proposed rebuild plans. It was noted that no Heritage Impact statement was supplied. While there were few objections to the design of the proposed rebuild discussion centred mainly on whether the demolition of the existing building was justified given its existing contribution to the heritage conservation area.

The Committee agreed to defer their decision until the next meeting in July after a site visit.

**Recommendation (Marshall / Whelan)**

**QPRC HAC 01/21**

**That the Committee undertake a site inspection of the development pending further consideration of the proposal at the July meeting.**

**Other Business**

Nil.

**5. Next Meeting**

The next meeting will be held at 4.30pm on **Thursday 16 July 2020** in the Committee Room at Queanbeyan Council Chambers.

There being no further business, the meeting closed at 5.02 pm.