



## MINUTES

Meeting 6/5

12 November 2021

The IVC, 19 Young St, Adelaide – Room 6, Ground Floor

09:00 – 12:00hrs

<b>Attendance</b>	Mr Mark Jones QFSM	Chair ( <i>ex officio</i> )
	Ms Anthea Howard	Executive Officer
	Ms Anita Allen ( <i>online</i> )	Member, Attorney-General's Department - Planning and Land Use Services (AGD-PLUS)
	Mr David Lindner	Deputy, Country Fire Service Volunteers Association (CFS VA)
	Mr Mark Ashley	Member, Conservation Council South Australia (CCSA)
	Ms Fiona Gill	Member, Department for Environment and Water (DEW)
	Mr Graeme Brown ( <i>online</i> )	Member, Department for Infrastructure and Transport (DIT)
	Ms Justine Drew	Member, Department of Primary Industries and Regions (PIRSA)
	Ms Monique Blason	Member, ForestrySA
	Mr Michael Garrod	Member, Landscape SA
	Mr John Moyle	Member, SA Local Government Association (LGA SA)
	Ms Merridie Martin	Deputy, Native Vegetation Council (NVC)
	Mr Bill McIntosh	Member, Outback Communities Authority (OCA)
	Mr Peter White	Member, Primary Producers SA (PPSA)
	ACO Brett Loughlin	Member, SA Country Fire Service (SACFS)
	ACFO Peter Button	Member, SA Metropolitan Fire Service (SAMFS)
	AC Noel Bamford	Member, South Australia Police (SAPOL)
	Mr James Crocker	Member, SA Water
	Mr Frank Crisci	Deputy, SA Power Networks (SAPN)
<b>Apologies</b>	Ms Kylie Egan	Member, Bureau of Meteorology (BOM)
	Mr Mark Anolak	Deputy, Bureau of Meteorology (BOM)
	Mr Andrew Cadd	Member, Country Fire Service Volunteers Association (CFS VA)
	Ms Sarah Reachill	Member, Native Vegetation Council (NVC)
	Ms Ali Walsh	Member, SAPN
<b>Observers and Guests</b>	Mr Tom Victory ( <i>online</i> )	Observer, AGD-PLUS
	Ms Danielle Kowalski ( <i>online</i> )	Observer, DIT
	Mr Joel Taggart	Observer, SACFS
	Ms Danielle Drever	Observer, SACFS
	Ms Paula Slutzkin	Administrative Support, SACFS



**1. Welcome**

The Chair welcomed attendees and gave an Acknowledgement of Country, and opened the meeting at 09:07hrs. He then noted observers and remote attendees.

**2. Apologies**

The Chair noted the apologies received.

**3. Safety Briefing**

The Executive Officer outlined the evacuation procedures for the building and the location of exit and meeting points.

**4. Declaration of Conflict of Interest/Probity Matters**

The Chair asked for a declaration of any Conflicts of Interest or Probity Matters and asked that any conflicts that arose throughout the course of the meeting be declared and managed at that point in time.

None were raised at the outset of the meeting.

**5. Confirmation of Previous Minutes of Meeting**

The draft minutes of the State Bushfire Coordination Committee (SBCC) meeting of Friday 13 August 2021 were considered for confirmation.

At the bottom of page 8, a lack of capitalisation of the surname 'White' was noted for correction.

The Committee resolved as follows:

*That the draft minutes of the previous SBCC meeting held on Friday 13 August 2021 be taken as read and confirmed as a true and accurate record, noting the correction described above.*

**6. Business Arising from the Minutes**

**6.1. Status report**

**6.1.1. SBCC Membership**

The Chair thanked Ms Anita Allen and Ms Denise LeBlond from the Attorney-General's Department – Planning and Land Use Services (AGD-PLUS) for their service to the SBCC and noted that the meeting would be Ms Allen's final meeting. Mr Michael Garrod (Landscape SA) was welcomed to his first meeting as a formal Member. He also noted the appointments of Mr Jonathan Clark (Deputy, Landscape SA), Ms Sarah Reachill (Member, Native Vegetation Council), and Ms Tessa Roberts (Deputy, Conservation Council of SA)

**6.1.2. Australian Fire Danger Rating System Update**

No questions were raised regarding the matters contained in the briefing.

### 6.1.3. Advice on codes of practice

The Chair noted the briefing provided and invited the Executive Officer to speak to the item. She noted the Crown advice received regarding this matter and advised there is a need to seek further clarification on several matters raised in the advice. The preliminary indications are that it should be possible to continue to delineate between voluntary and mandatory codes, subject to further stakeholder engagement.

No questions were raised regarding this item.

The Committee noted the status report provided on matters arising from the Minutes of the meeting held 13 August 2021.

Ms Anita Allen (AGD-PLUS) (*online*) left the meeting at 9:19am.

## 7. Correspondence

The correspondence received and sent by the SBCC between 3 August 2021 and 2 November 2021 as circulated with the meeting papers was considered by the SBCC.

The Chair invited the Executive Officer to speak to the tabled item from the Flinders Mid North Yorke Bushfire Management Committee (FMNY BMC).

The FMNY BMC sought a state-wide standard for asset protection zones around critical infrastructure. The Executive Officer noted that:

- this idea has been contemplated and discussed, and there is reference in the State Bushfire Management Plan (SBMP) to the need for improved planning around critical infrastructure. This was one of the findings in the *Independent Review into the 2019/20 Bushfire Season* (the 'Keelty Review').
- However, to give effect to the proposal put forward by the FMNY BMC under the current regulations, it would be necessary for critical infrastructure providers to make separate applications for each site for clearance to occur around those sites. There are thousands of such sites around the state, and SACFS does not have the resources or capacity to process this large volume of individual applications. It would also be onerous for the providers to go through that process.

The Executive Officer recommended that the proposal be noted and supported in principle, but that the BMC be advised that it will be dealt with as part of the redevelopment of the Bushfire Management Area Plan (BMAP) handbook due to the broader regulatory matters that need to be addressed. In response to a question, she clarified that it is support of the principle of a protection zone in general that is suggested, rather than a particular distance for fuel modification around an asset.

The Executive Officer further noted that SAPOL is the lead agency for critical infrastructure, and so SACFS will need to work closely with SAPOL when progressing this matter.

Ms Martin (NVC) noted that there may be mechanisms under Native Vegetation regulations that could provide an opportunity to build in this type of capacity.

The Chair noted the difficulty in legislating this, as there is difference in what is classified as 'critical' across different agencies and organisation. For example, for telecommunications providers it may be economically more viable to replace assets than protect them from burning. However, the value of telecommunications assets for



fire services comes from the need to communicate with citizens in distress, and so fire services will place much greater value on the protection of those assets.

The Committee resolved as follows:

*That the Correspondence List be noted.*

**Moved:** ACO Brett Loughlin

**Seconded:** ACFO Peter Button

**Carried.**

## **8. Business items**

### **8.1. SBCC Annual Report 2020-2021**

The Chair referred to the briefing note circulated. He noted the great interest in the report around the State and the misconception that this annual report is a routine publication. Given that this is the first SBCC Annual Report he expressed confidence that this will be used as a baseline from which to improve each year.

No questions were raised.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee note the report provided on matters arising from preparation of the first SBCC annual report to the Minister.*

**Moved:** Mr John Moyle

**Seconded:** ACO Brett Loughlin

**Carried.**

### **8.2. Reform Transition Management**

The Chair referred to the briefing note circulated and invited the Executive Officer to comment.

The Executive Officer noted that this item packages together a number of different items that have been progressing to move the reform process forward.

#### **8.2.1. SBCC Branding and Website**

A style guide for the new branding rollout has been completed. A series of templates and training to support the implementation of these will be provided to all the Bushfire Management Committees in the new year. This will include systems management and training, to maintain consistency in application of the branding across all the Regions.

In tandem with the branding, the development of a website for the SBCC and BMCs has continued to progress. This is currently with contractors who manage websites for the Emergency Services Sector (ESS) to be operationalised. Their deadline for this is the second week of December. Once the site is operational the link will be provided to committee members, with an opportunity to review and contribute to the content.

The Executive Officer presented the website to the committee, and discussed its design and functionality, including opportunities for customisation. She noted that all the content for the site

currently housed in a page on the SACFS website, will move to the SBCC site. Any content related to the functions of SACFS as a hazard leader will remain on the SACFS site, and there will be links back to that content.

From 2022 the BMCs will be asked to publish their minutes to the website, to ensure a consistent approach for the SBCC and the BMCs.

The Chair noted that the site is a great start, and a major step forward from what it has been. It will be a place to list our responsibilities and commitments, but also to report against them. He also noted that the team overseeing this process is small and extremely busy, and historically there have not been provisions for staffing to fulfill the requirements for bushfire coordination legislated under the *Fire and Emergency Services Act 2005* ('the FES Act'). While the process has begun (in 2021) to resource this team more sufficiently, it will require considerable further investment to ensure the ongoing success and utility of these activities.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee note the progress of the SBCC website and branding rollout.*

**Moved:** CO Mark Jones (Chair) **Seconded:** ACFO Peter Button

**Noted.**

#### 8.2.2. SBCC and BMC Meeting Schedule 2022

The Executive Officer noted the challenges that exist in the current format of BMCs meetings, which have been raised for some time. Currently the BMCs are administratively focused, and have set business items, most of which were established in the transition from the prevention framework over 10 years ago and have not been adjusted since. As such, many of the BMCs have very little engagement with their Bushfire Management Area Plans (BMAPs), other than considering occasional amendments or adding new assets or risk reduction treatments. This was very apparent through the Annual Report process, which also had the positive effect of prompting re-engagement of the committees with the BMAPs.

Instead of having a standard quarterly administrative meeting, the proposal intends to shift the focus of the committees into a planning, reporting, and review approach. This would comprise of:

- A meeting close to the end of the fire season, where the BMC reviews how things went over the season from a risk reduction perspective.
- Over winter, a planning workshop (likely a full day), where BMC members will discuss risk reduction plans (against their existing BMAP) for the coming financial year. These plans will be published on the new website. To assist this workshop process, the larger committees will need to be divided into 'chapters' or groups, as was done with the annual reporting process for 2020-21. Following the development of the draft risk reduction plan at the workshop, each of the member agencies responsible for delivering against this plan will need to confirm their commitment to delivering and reporting against those actions over the coming 12 months.



- At the 'pre-season' stage of the year, the BMCs would have a pre-season inter-agency co-ordination discussion. This occurs to some extent in some of the BMCs already; but the intention is to expand that conversation and improve its effectiveness.
- Finally, if needed, the committees have the option of a teleconference to discuss any recommended adjustments to the fire season dates (FSDs). The function of BMCs providing advice on fire danger season dates is legislated at this point, and as such this capability needs to be maintained.

Practical matters regarding how SBCC and BMC meetings are timed have also been considered:

- including ensuring an orderly endorsement process for the Annual Report, and recommendation of the fire danger season dates. The BMC meeting schedule needs to better align with the SBCC meeting schedule, so that policy questions and membership matters can be addressed in an orderly manner;
- holding meetings outside of the critical operational period, due to the hybrid business and operational roles of SACFS staff, and the difficulty this presents in maintaining business as usual during the fire danger season.

This proposal has internal endorsement from SACFS Regions and relevant Directors, prior to being presented to the SBCC. Importantly, the pending SBCC and BMC governance review will also allow for further review of this process. However, the proposed changes for 2022 will support a renewed focus on the BMAPs and their implementation.

Mr Moyle (LGA SA) noted a slight error with the last three dates of the SBCC meetings, in that they were Saturdays rather than Fridays. The Executive Officer will update these.

In response to a question, the Executive Officer noted that while this has not yet been circulated to all BMC members, the proposal has been well-received amongst BMCs when it has been suggested.

In response to a question regarding the timing of the 'pre-season' meeting if an early commencement of the fire danger season was apparent, the Executive Officer sought comment from ACO Loughlin (SACFS), who clarified that where an earlier FDS is foreseen, each BMC will have out-of-session processes to address this.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee endorse the SBCC meeting dates for 2022 being 18 February, 20 May, 19 August, and 18 November; and that the BMCs will be asked to schedule meetings in April (post season review), July (planning workshop) and September (pre-season coordination), with an optional teleconference/online meeting in March to recommend any adjustments to Fire Danger Season dates.*

*In support of this resolution, the reference to quarterly meetings for BMCs contained in the 'Guidelines for the State Bushfire Coordination Committee and Bushfire Management Committees' (January 2018) on p.21, and the section headed 'Frequency of meetings' on p.30 are hereby*



*rescinded and deleted. It is further noted that the 2022 meeting schedule is subject to revision following the conduct of the SBCC and BMC review of governance.*

**Moved:** Mr John Moyle

**Seconded:** Mr David Lindner

**Carried.**

### **8.2.3. SBCC and BMC Guideline Amendments**

The Executive Officer informed the committee that the proposed amendments are required to achieve compliance with statutory and reporting requirements, as there are anomalies that have existed in the current processes for both membership management and the processing of amendments of the BMAPs that needed to be addressed.

- **BMC Membership Management**

Review of the BMC membership management process has been extensive and onerous and has included clarification and confirmation of some elements with the Department of the Premier and Cabinet (DPC), and the Department of Treasury and Finance (DTF) in relation to financial arrangements. Some of these elements are still being resolved including the sitting fee remuneration arrangement. The forms associated with these fees have had to be overhauled because they do not comply with audit requirements. This element will be presented to the SBCC as a separate package once it is further resolved. The membership management process is a procedural document and is quite an involved process. This is directed at the administrators of this process – primarily the CFS Regional staff and the SBCC Secretariat.

- **BMAP Amendments**

Commentary within both the existing governance guidelines and BMAP handbook regarding minor amendments does not align with legislative requirements. The proposed guidelines address the interpretation of minor amendments to support appropriate governance around their management and ensuring that they are dealt with in accordance with the requirements of the FES Act.

It is proposed that the current statements regarding membership management, and the management of BMAP amendments, are rescinded and replaced with these documents, to achieve compliance.

In response to a question regarding the length of the membership management procedure and the possibility of shortening them, the Executive Officer noted that the procedure is directed to the administrators of the involved process as a comprehensive guideline.

A further question was asked regarding the SBCC's involvement in the BMC membership process itself, and the Executive Officer noted that Crown advice has been sought earlier in the year regarding the possibility of delegating the membership process to BMCs. This is not an option under the current legislation which frames BMCs as statutory committees appointed by the SBCC. While changes to the legislation may be considered as part of the governance review, this is ultimately a matter for Government.

ACO Loughlin (SACFS) noted that the SACFS is committed to the body of work surrounding reviewing the legislation and regulations, to try to make sure that processes such as these that are creating an administrative burden can be streamlined and made more appropriate where possible. These are issues that have been very contentious in previous iterations of the SBCC, and this body of work has been long sought after. However, while that progresses, these procedures will go a long way toward addressing potential issues that may arise.

In response to a question regarding providing clarification to potential BMC members about what is required of them, the Chair noted the significant debate in the previous iteration of the SBCC regarding vetting of nominees and emphasised the nominating organisation or agency's role in this process. ACO Loughlin also noted that the induction process has been improved and does aim to provide sufficient information to members regarding what is expected of them and their responsibilities.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee endorse the revised membership management procedure and the revised BMAP amendment process. In support of this resolution, the following sections of the Guidelines for the State Bushfire Coordination Committee and Bushfire Management Committees (January 2018) are hereby rescinded and deleted: p.15 'Membership Vacancy' and p.38 'BMAP Amendment Agreement and Approval'.*

**Moved:** Mr John Moyle

**Seconded:** ACO Brett Loughlin

**Carried.**

The committee took a short recess at 9.55am and recommenced at 10.05am

### **8.3. State Bushfire Management Plan 2021-2025 – Implementation Planning**

The Chair referred to the attached briefing note and invited the Executive Officer to comment.

#### **8.3.1. SBCC and BMC Governance Review**

It was noted that although a considerable body of work has commenced on the review, it was unfortunately not possible to provide a discussion paper for this meeting. Instead, it is proposed that a comprehensive green paper be developed, incorporating the significant feedback that already exists in relation to the governance arrangements for the SBCC and BMCs. A green paper would provide a basis for outlining opportunities for change, including options that may require legislative amendment. The latter include the structure and composition of the Committees, as identified in the State Plan which noted the need to consider Indigenous representation, forestry representation, and the relationship with the Fire Prevention Strategic Alliance and the Heads of Agencies group. There is a need for an assurance and reporting framework for the committees, while being mindful that there is also an assurance process being developed within the state emergency management framework.

The intention is to provide a discussion paper to scope out and address options for change, which can be considered by the SBCC; and if endorsed can be circulated to the BMCs and other targeted



stakeholders. The FES Act provides for the SBCC (and for BMCs subject to direction of the SBCC) to establish its own governance procedures.

The relationship between the SBCC and the State Emergency Management Committee (SEMC) also needs to be addressed, as does the relationship between the rural fire hazard leader plan and the State Emergency Management Plan. This matter will need to be discussed between SACFS as the rural fire hazard leader and the DPC. Initial discussion had commenced on this some time ago, but Crown advice on the interaction between the FES Act and the Emergency Management Act will be required to progress this.

There are also a range of policy matters related to environmental approvals. The proposal is that they be considered through the BMAP redevelopment process in the first instance; and then the governance arrangements related to those potential changes will need to be considered as a secondary matter.

The recommendation before the Committee focused on the preparation of a 'green' discussion paper to be progressed through 2022, with the aim to have the whole review completed by the end of 2022. However, without additional resourcing, the SBCC Secretariat is currently fully committed, and this timeframe may be challenging.

The Chair noted that while the SACFS is tasked with administering and chairing the SBCC, it does so out of its own resources, and the issues with proper resourcing to uphold the legal commitments of the SBCC have been present since the introduction of the amendments to the FES Act in 2009. While the current government has invested considerably to create the team that currently provides secretariat support, there is much more that is needed to properly resource this. He also noted the importance of being able to clearly articulate the tangible benefits that will be able to be achieved with any further resourcing.

Ms Martin (NVC) raised a question regarding the indicative timelines for the review of the environmental approvals process. She noted that given the commentary surrounding the numerous reviews that have occurred on this, and possibly also resulting from implementation of the new development planning framework, there may be a need to address these policy matters earlier than 2023. ACO Loughlin (SACFS) commented that mechanisms are in place to enable legitimate native vegetation clearance work, and that SACFS agree with the importance of this and are strongly supportive of reviewing the frameworks to ensure that there is a clear and logical approach for people to follow. However, he noted that even gathering the Crown Law advice related to this is likely to be a lengthy process; and as such it may not be possible to speed this up.

In response to a question regarding whether a review of environmental approvals processes would also consider the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), the Executive Officer noted that this is also covered in the State Plan but reiterated that the current staffing is fully committed addressing the BMAP redevelopment and undertaking the governance review. As such the progression of the environmental approvals review process is subject to funding.

In response to a proposal by Ms Blason (ForestrySA) that a working group could be formed to address native vegetation and environmental approvals in a more timely fashion, ACO Loughlin

(SACFS) noted that historically the administration of similar working groups has fallen to SACFS, which is not currently feasible. However, there is the possibility that another member agency/organisation could put themselves forward to lead and administer such a working group. The Chair noted that this is a matter for SBCC members to take back to their agencies.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee endorse the preparation of a comprehensive discussion ('green') paper regarding the review of SBCC and BMC governance for review and endorsement by the Committee, prior to its circulation to member and targeted non-member agencies and Bushfire Management Committees for input through a proposed structured consultation process focused upon SBCC and BMC member agencies and organisations and targeted non-members, to be outlined in the discussion paper. Further, that the State Bushfire Coordination Committee note that the SACFS will explore the relationship with the emergency management framework with DPC, and that governance considerations arising from review of the policy matters related to environmental approvals will be brought to the attention of the SBCC in due course following review the BMAP Handbook.*

**Moved:** Mr Michael Garrod      **Seconded:** ACFO Peter Button

**Carried.**

### 8.3.2. BMAP 2.0

The Executive Officer noted that the redevelopment of BMAP 2.0 and supporting software is currently in the scoping stage. Bushfire management planning approaches used in other jurisdictions are being reviewed, with the intention of adapting these into a South Australian context where appropriate. A report on progress with the scoping process will be provided to the next SBCC meeting in 2022.

In addition to critical reporting elements not supported by the existing BMAP software, several technical issues have been identified. The software was built using freeware (some of which is now obsolete) in a 'cost-neutral' implementation environment. A completely new software application will need to be developed. The Office for Data Analytics (ODA) within DPC are providing advice and support on the development of new software. A condition of the grant funding received is that the software needs to be future-proofed. High-level internal government technical advice needs to be gathered prior to going to market on the development of the software to support this outcome. Preliminary discussions have been held with the ODA and DEW will also be engaged shortly, noting the finding from the Keelty review regarding integration with risk modelling work being developed by DEW.

Mr Graeme Brown (DIT) joined the meeting (*online*) at 10.24am. Ms Danielle Kowalski (DIT) (*online*) left the meeting at 10.26am.

Grant funding requirements have a project completion timeline of August 2022. Significant effort is being put in to scoping the project to support the best outcome within the budget. The Executive Officer invited members to consult with their agencies/organisations to submit any requests for elements to be included (particularly regarding the reporting end of the software) by 10 December

2021, to be included in the initial scoping assessment. A project management structure will be established, which will likely include a steering committee, a technical reference group, and a user acceptance testing group.

The Committee **noted** the briefing in relation to the development of BMAP 2.0 and supporting software.

### 8.3.3. State-level Risk Assessment

The Chair noted that this item is a significant piece of work which is currently not resourced, and it will be a requirement moving forward that we undertake it. The issue of a state-wide risk assessment is covered by several Royal Commissions, and by most reviews that have been undertaken. It is also dynamic and shifting, as the climate changes, and as such will need to be a high-level piece of work that is regularly restructured and revisited. Government policy tends to be rather fixed, and so it is difficult to address something dynamic like this, but an assessment needs to be made of what the risks are, so that resources can be appropriately allocated for mitigation. As such, there will be a significant resourcing requirement to development meaningful state-wide risk assessment.

In response to a question regarding whether this will tap in to work done by Zone Emergency Management Committees (ZEMCs), ACO Loughlin (SACFS) noted that the work in ZEMCs used the National Emergency Risk Assessment Guidelines (NERAG), which was best practice at the time; but there is an opportunity to utilise the most up-to-date and evidence-based research during this process. He suggested that the likely outcome would be that the state-level risk assessment would then inform the ZEMCs in terms of the bushfire hazard. The NERAG / workshop-based discussion process is at odds with the evidence-based asset and risk identification process, which SACFS sees as best practice to inform bushfire risk discussion in South Australia. Part of the governance review is also to align and codify the relationship between BMCs and ZEMCs.

The Chair noted that developing a meaningful risk assessment that is fixed for any amount of time is challenging in Australia, due to many changing factors – for example changing climate, human population movement, changing land use, and seasonal variations. He suggested that the committee note the briefing regarding the resourcing requirements, with the intent that a proposal will be brought forward at some point for further committee discussion.

The Committee **noted** the briefing.

### 8.3.4 Indicative timeframes for Key SBCC Actions

The Chair brought the Committee's attention to the table of indicative timelines for completion of actions in the State Plan – subject to the noted dependencies, based upon current resourcing.

The Chair noted that while resourcing has been raised several times throughout the meeting, this is to give the Committee a realistic overview of what is currently feasible.

In response to a question regarding the BMAP 2.0 Handbook review and whether a working group will be established to guide this review under the committee, the Executive Officer noted that at this stage, specific stakeholder engagement is proposed rather than a working group. Currently, different options are being scoped, taking into consideration other jurisdictions' approaches, and



looking at opportunities to adapt these. Key stakeholders will then be engaged with prior to bringing back a scoping document to the committee, at which point the committee can discuss whether a working group is required.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee note the indicative timelines, subject to dependencies, for implementation of the proposed State Plan Actions.*

**Moved:** Mr John Moyle

**Seconded:** Ms Justine Drew

**Carried.**

A short recess was taken at 10.33am. The Committee reconvened at 10.46am.

#### 8.4. Draft Smoke Management Policy

The Chair referred to the attached briefing note and invited the Executive Officer to provide an overview.

It was noted that at the previous SBCC meeting a decision was taken to separate the review of the Code of Practice for Broadacre Burning (CoP) and development of a Smoke Management Policy, and SACFS was tasked with working with the stakeholders to progress this. During consultation undertaken in May 2021, SBCC member agencies provided very little comment received on the smoke management components that were included in the circulated draft code of practice. As a result, the assumption was made that there was a broad acceptance of the smoke management components among those targeted in this consultation process.

As such, SACFS moved forward with these components and identified that an incremental approach to developing a policy was likely to be the most functional in terms of progressing the matter – rather than waiting to complete an extended consultation with all relevant stakeholder groups prior producing a draft policy. To date the focus in smoke management discussions has been on primary industries and public land managers, and this process has been in train since at least 2015. Inclusion of public health and environmental protection (air quality) elements requires future engagement.

Working together with PIRSA, and through them with the primary producing groups, a draft policy statement has been prepared. This consists of a high-level policy which has been modelled in part on the Tasmanian (State Fire Management Council) and New South Wales (Rural Fire Service) approaches; and a system of supporting guidelines that sit under the broad-level policy. These supporting guidelines are proposed to be owned by the stakeholders concerned and govern how they engage with each other to implement the principles of the policy.

PIRSA have commenced work on the supporting guideline in relation to grain growers and wine grape growers and are continuing that work.

The Committee has been provided with two options to progress this matter, with both proposed to have supporting guidelines managed by the relevant stakeholders. The Committee needs to consider what level of assurance and oversight over these guidelines that it wants to have. The two options presented are:

- A broad policy statement, that does include reference to specific elements of sectoral guidelines
- OR

- A policy statement that includes specific references to implementation practices in different sectors.

In both cases sector guidelines would be listed in the policy document.

The policy is a statement of intent and is not enforceable at law. If the Committee wished to make it enforceable Crown advice would need to be sought. This approach has not been taken in other jurisdictions.

The Committee also needs to consider the consultation process for the policy. If there is an appetite to try and finalise the document prior to commencement of the caretaker period (currently 19 February 2022), then critical dates have been provided to support that process.

The Chair put forward that while it is important to consider the pragmatism of the government going into caretaker, it is more important that the Committee makes good policy that sustains the State for many future governments.

Ms Drew (PIRSA) provided further information to the SBCC on PIRSA's consultation to date, which has been focused on grain growers and wine grape growers, who appear to be quite happy with this piece thus far. There was some discussion regarding whether the policy should be mandatory or not, but noting the approaches in other jurisdictions, it was generally agreed it should remain voluntary to ensure flexibility going forward. Ms Drew noted that both the options put forward in the briefing would meet PIRSA's requirements and expressed interest in hearing feedback from other member agencies/organisations.

Mr White (PPSA) suggested that a voluntary code is the only practical solution. However, he did express concern regarding how this will work in practice and emphasised the need for farmers to be able to access accurate information regarding weather conditions.

Ms Drew noted that PIRSA have been doing work regarding 'communication protocols', which are essentially the guidelines referred to in the briefing, covering matters such as where information should be sought and the extent of the area needing to be considered. However, this protocol was not yet ready to bring to the Committee.

The Chair noted that the number of variables involved make this very hard to regulate. He noted that from a SACFS perspective, as much fuel reduction as possible is desirable, and that there is a risk of over-regulating smoke management such that it is not possible for enough risk management to take place.

ACO Brett Loughlin (SACFS) also expressed support for a voluntary rather than mandatory piece and avoiding over-regulation.

In response to a question, the Chair noted that the risk of civil litigation already exists and doesn't foresee that this piece would increase that risk.

Mr Lindner (CFS VA) suggested that smoke management may be adjunct to the core business of the SBCC and noted that while he doesn't see an issue with the SBCC producing a 'guideline', he doesn't foresee that the Committee having direct oversight over industry guidelines is within scope for the Committee.

The Chair noted that this is an important consideration and suggested that the policy issue seems to sit with the SBCC, given that it is the only committee at strategic level in the state on which all the relevant stakeholders sit.



Mr Lindner further suggested that it appears that Option 1 is a strategic level option, while Option 2 seems to encompass operational aspects.

Mr McIntosh (OCA) suggested that the priority of the Committee should be for this piece to achieve a high degree of resolution of the issues and noted that by preparing guidelines sector by sector there is a risk of a lack of synergy. He suggested that this goal may require a higher level of oversight by the SBCC.

The Chair noted again the importance of trying to create strategic policy; and the challenge of getting feedback on how effective the policy has been.

AC Noel Bamford (SAPOL) left the meeting at 11.14am.

In response to a question regarding the development of guidelines apart from the wine grape / smoke taint piece (for example health risks of smoke), ACO Loughlin noted that SACFS have met with the Environmental Protection Authority (EPA), who are comfortable with what has been proposed, and that the open-air burning regulations and permits that exist under the EPA framework help address people needing to get permits to do prescribed burning from the health perspective. When talking about the supporting guidelines, there are things that already exist in this space that could be used directly.

Mr Moyle (LGA SA) noted the provisions of the *Local Nuisance and Litter Control Act 2016 (SA)*, and the role that local councils play in policing this. He suggested further consultation with the LGA regarding whether this may be an all-encapsulating process instead of requiring a separate guideline.

Mr Crisci (SAPN) informed the Committee that SAPN gets a notification and provide guidelines when prescribed burns are proposed, as these burns can deposit smoke on power lines (insulators, etc). While this is not necessarily something that needs to be included, it is another related area and there are already existing guidelines.

Mr Ashley (CCSA) emphasised the importance of differentiating between fire management and bushfire management, as under the Act the SBCC is responsible for bushfire management only and suggested the SBCC be cautious about endorsing policies related to general fire management.

The Chair noted that this is an important reminder and suggested that while discussion of fuel reduction burns is part of bushfire management, it is important to ensure that the SBCC doesn't find itself involved in policy areas that aren't bushfire management related.

Ms Gill (DEW) suggested that rather than speaking just about 'prescribed burning', more accurate language for the Committee to use would be 'risk reduction prescribed burning'. She suggested that any policy the SBCC develops in this space should be clear that there are many other reasons prescribed burning is done (e.g., ecological, cultural, forestry residue), but she considered that these are out of scope.

Regarding earlier discussion about matters to be included in the policy, the Executive Officer emphasised to the Committee that an incremental approach to engaging stakeholders has been highlighted in the introduction to the policy, to allow for its progressive development. She noted that the current options have been based on the Committee's previous resolutions, and significant changes to that approach would require the Committee to rescind the previous resolution and introduce a new approach.





Ms Blason (ForestrySA) expressed concern that Committee members do not all have the same understanding about what the policy is intended to achieve, given that stubble and forestry residue burns are not necessarily about reducing bushfire risk and will have the same impact on grapes.

Ms Gill (DEW) clarified her position that forestry residue burns and other burns not addressing bushfire risk should not be under the remit of the SBCC and should be dealt with through different mechanisms. She suggested that it is important for the Committee to have a high-level policy around the impacts of smoke in reducing bushfire risk; with encouragement for individual agencies to consider how they are addressing the other industry-specific aspects.

ACO Loughlin (SACFS) noted that having the guideline attached to the policy would help inform the industry discussions, without these discussions being under the remit of the SBCC.

The Chair noted that there is dissonance across the committee and clearly further discussion needed, and as such proposed to not take this item to the proposed resolution at this point.

The Committee discussed an alternative resolution, and resolved as follows:

*That the State Bushfire Coordination Committee*

- *Undertake targeted consultation through its member agencies and organisations on Option 1 for a state level Smoke Management policy and provide a summary of consultation outcomes for consideration at the February 2022 SBCC meeting.*

**Moved:** Ms Monique Blason

**Seconded:** Mr Bill McIntosh

**Carried.**

## **8.5. Bushfire Management Committee Membership Nominations**

The Chair referred to the attached briefing note. No questions were raised.

The Committee resolved as follows:

*That the State Bushfire Coordination Committee confirm the requested appointments as being from agencies prescribed by the SBCC in the composition of the BMCs, and appoints the persons listed to the relevant BMC for the remainder of the current three-year term of BMCs.*

**Moved:** ACO Brett Loughlin

**Seconded:** Mr David Lindner

**Carried.**

## **8.6. Agency Reports**

The Chair tabled an additional agency report from the Bureau of Meteorology, and then invited all attendees to speak to any matters contained in their agency/organisation's report.

Mr White (PPSA) emphasised that there has been significant reluctance regarding farm firefighting unit registrations thus far, largely due to confusion about the process, and the packages not being sent out. He expressed disappointment about this, given that there are a number of advantages of this both for farmers and SACFS. The Chair responded from a SACFS perspective and noted that while this process has improved this year from last, the failings from this season have increased scrutiny on this process going forward.

Mr Moyle (LGA SA) noted two additional matters, the first of which was a letter from PPSA to LGA SA regarding fire danger around fence lines. LGA SA will engage with relevant stakeholders to explore how to best address this matter. Secondly, they have received a letter from the District Council of Loxton Waikerie requesting an extraordinary general meeting in April 2022 to consider approaching SACFS regarding an online portal for the lodgement and approval of fire permits, to speed up and simplify the process, requested to be in place by the 2022-23 fire season.

Mr McIntosh (OCA) noted the likelihood of a large increase of numbers of people coming to outback regions over the next one to five years, due to an increase in domestic travel because of the pandemic and the sealing of the Strzelecki Track. This may change the nature of fire risk. Further, noting that the outback region is 8% of the continent's area, it is a large area where carbon sequestering is a possible commercial activity, which could mean that management of fire becomes more of an economic issue in the region. Regarding carbon sequestering, the Chair noted that this is a policy point likely to face the SBCC at some stage.

The Committee noted the agency reports and the extra items raised.

## 9. Other Business

The Chair recommended that discussion be conducted *in camera* in relation to items of other business. Observers were requested to leave the room.

### 9.1 Conduct of Members and Deputies

Following an *in-camera* discussion, it was noted that a draft Code of Conduct for SBCC and BMC members will be developed and brought back to the SBCC in due course.

### 9.2 Fire and Emergency Services (Bushfires) Amendment Bill 2021

The Chair provided an *in-camera* briefing to the SBCC on this matter.

The Chair invited members to raise any further items of other business. None were raised.

## 10. Meeting Close

The Chair declared the meeting closed at 11:57am.

Next Meeting – Friday 18<sup>th</sup> February 2022, 09:00hrs.

Endorsed by the State Bushfire Coordination Committee as a true and correct record of the meeting.



Georgie Cornish  
Chair, State Bushfire Coordination Committee