

**2009 VICTORIAN BUSHFIRES ROYAL COMMISSION****Letters Patent issued 16 February 2009****FURTHER MATERIAL OF THE STATE OF VICTORIA**

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**A. Background**

1. Counsel Assisting the Royal Commission served a copy of their submissions relating to the Commission's Interim Report on the State of Victoria on 24 June 2009.<sup>1</sup>
2. The State lodged its submissions to the Royal Commission for the Interim Report<sup>2</sup> on 1 July 2009. Oral submissions were made by Counsel Assisting and Counsel for the State in support of their submissions on 2 and 3 July 2009 respectively.
3. On 6 July 2009, the Royal Commission directed the State to provide "such further material as will enable the Commission to better understand what's covered by the proposals that are contained in the State's submissions ... by 4 pm on Friday [10 July 2009]."<sup>3</sup>
4. It is understood that the "proposals that are contained in the State's submissions" refers to the State's submission that:<sup>4</sup>

For the next bushfire season, the State will start identifying appropriate sites as neighbourhood safer places and will educate the community

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<sup>1</sup> Submissions of Counsel Assisting, SUBM.100.001.0001.

<sup>2</sup> Submissions of the State of Victoria, SUBM.100.005.0001.

<sup>3</sup> T5107:3.

<sup>4</sup> Submissions of the State of Victoria, SUBM.100.005.0001 at 0025-0027, [80]-[93].

about the appropriate use of those places. The State will also commence developing Township Protection Plans in consultation with communities in some high bushfire risk locations.

5. This further material is provided in response to the Commission's direction. It made up of further detail on the Township Protection Plans and Neighbourhood Safer Places programs referred to in the State's submission.
6. The State's development of Township Protection Plans and Neighbourhood Safer Places recognises that a 'one size fits all' approach may not necessarily be appropriate for all communities and different options may assist different communities in different circumstances. Both of these programs will be administered by the Country Fire Authority (CFA). Local participation and engagement with the CFA is fundamental to the success of each of these programs.

#### **B. Township Protection Plans**

7. Township protection planning currently forms part of CFA's operational preparedness. It was used effectively during the 2002-03 and 2006-07 fires. This planning process dates to the mid-1960s and was originally led by CFA and driven through local advisory committees. Township Protection Plans have been developed according to a consultative process which identifies local vulnerabilities such as "concentrations of life" risk (eg density of houses, schools, nursing homes, hospitals), key assets, areas of particular hazard, access and egress routes and, where appropriate, potential places of safety or assembly.
8. The original purpose of township protection planning was to determine the level of fire fighting and other resources required by individual communities during a fire emergency.<sup>5</sup>
9. The State proposes to extend the existing process to engage communities more broadly before, during and after fires as has already occurred in some communities, for example Woods Point and Halls Gap.<sup>6</sup>

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<sup>5</sup> Occasionally, township protection plans may be developed by Incident Management Teams where a fire front is predicted to impact a particular town. These are obviously plans prepared with less or no consultation with the community, and are communicated to the community in a different manner.

<sup>6</sup> T2751:6.

10. The township protection planning process will provide the local community with the opportunity to participate in the development and implementation of a plan that addresses the specific needs of their town's people, property, assets, environment and economy.
11. A Township Protection Plan that assists emergency services and a town's community will incorporate three key components:
  - (a) a mapping component that identifies and details the demography and topography of a township and surrounding area. This includes the identification of assets, heritage areas, critical infrastructure, community gathering locations and particular areas of hazard;
  - (b) a consultation process to explore local knowledge, history, culture and people's needs for safety and protection during an emergency incident; and
  - (c) enhanced community engagement through existing programs, such as Community Fire Guard and Fire Ready Victoria, to assist in providing further options in individual bushfire plans, such as neighbourhood safer places where suitably located, when fire threatens a town.
12. These components will often change over time, meaning that an initial Township Protection Plan can evolve to meet the changing needs of the population, environment and economy.
13. A Township Protection Plan may include elements which have been addressed in the State's submissions including the identification of neighbourhood safer places, the potential commissioning and maintenance of refuges and the use of CFA brigade sirens as an alerting mechanism.<sup>7</sup> The particular elements that will be appropriate for a community will depend on the particular demographics, layout, topography and the risk profile of the community.
14. Township protection planning also provides a vehicle for community engagement and education which the State has already submitted is a prerequisite for the 'prepare, stay and defend or leave early' policy and

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<sup>7</sup> Submissions of the State of Victoria, SUBM.100.005.0001 at 0017, [59]-[62].

warnings to be effective.<sup>8</sup> The State proposes to conduct a pilot program to develop Township Protection Plans in consultation with the community in up to 50 towns in high bushfire risks locations<sup>9</sup> before the next fire season. The program may be extended to other communities for forthcoming fire seasons, depending on the outcome of the pilot program. The pilot program will be delivered by the CFA and will entail both the development of a Township Protection Plan and a strategy to inform the community of that plan.

### **C. Neighbourhood Safer Places**

15. “Neighbourhood Safer Places” is a program which is being developed by the State and will administered by CFA. The Neighbourhood Safer Places program will assist communities or groups to identify safer places in their neighbourhood. It is intended that the program will build on existing programs like Community Fireguard and will be integrated into Township Protection Plans as they are developed but will not be dependent on Township Protection Plans.
16. Neighbourhood Safer Places will provide a space which is a place of last resort for individuals to access and remain in during the passage of fire through their neighbourhood, without the need to undertake a high risk journey. They are intended to provide a place of relative safety – they may, for example, be a house in the street built of brick rather than wood. While the only guaranteed safe option in a bushfire is not to be in the affected or threatened area, moving to a Neighbourhood Safer Place may improve a person’s prospect of survival.
17. Neighbourhood Safer Places will be promoted to the community as places of last resort within their individual plans (and as part of Township Protection Plans as they are developed).
18. A Neighbourhood Safer Place may take many forms and accommodate variety of features. The important features of a Neighbourhood Safer Place are that it:

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<sup>8</sup> Submissions of the State of Victoria, SUBM.100.005.0001 at 0017, [160].

<sup>9</sup> Submissions of the State of Victoria, SUBM.100.005.0001 at 0029, [99]-[104].

- (a) is relatively close to, or within, the neighbourhood;
  - (b) is well known to the neighbourhood or easily identifiable and highly accessible;
  - (c) will be in an appropriate site and have managed vegetation;
  - (d) will enable those using it to be protected from radiant heat;
  - (e) will lessen the threat from ember attack, high smoke concentration and other elements arising from the passage of a bushfire through a neighbourhood;
  - (f) will have a level of organisation to give a degree of confidence to those seeking shelter from the onset of bushfire;
  - (g) will, if a building, meet the relevant construction standards; and
  - (h) will have access to water and fire fighting equipment.
19. The State proposes that Neighbourhood Safer Places will be identified in high risk communities where either the pilot Township Protection Plans are put in place or there is an existing fire prevention and community engagement process, for example Community Fireguard. The 'safer places' will be recorded in Municipal Fire Prevention Plans and Municipal Emergency Management Plans. The location of the 'safer places' identified will then be communicated to local communities.
20. The first steps of the Neighbourhood Safer Places program will be to develop protocols for the identification of the appropriate places and the dissemination of those protocols to the communities in the program.

John Cain  
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10 July 2009