

**Submission to the**

**Parliament of Victoria**

**Fire Service Select Committee Inquiry into**

**The Firefighters' Presumptive Rights Compensation and**  
**Fire Services Legislation Amendment (Reform) Bill**

From

**Hancock Victorian Plantations Pty Limited**



7<sup>th</sup> July 2017



## Background

HVP Plantations (HVP) is a forest owner and manager based in Victoria. We are responsible for 245,000 ha of land spread across the state with a head office in Melbourne and regional offices located in Ballarat, Churchill and Myrtleford.

The land HVP manages comprises approximately 180,000 ha of plantation (pine and eucalypt species) and 51,000 ha of native forest (custodial land.) The plantation land is actively managed as commercial forest. HVP produces over 3 million tonnes of logs each year which support a vibrant sawmilling and processing industry in Victoria and south east Australia. The annual harvest and replanting program is over 5000 ha. Our native forest is managed for conservation values; no harvesting activities are undertaken on this land.

Fire can cause significant damage to plantations hence fire prevention and management is a key strategy for the company.

### Forest Industry Brigades

Under section 23AA of the *Country Fire Authority (CFA) Act 1958*, plantation forest owners can be required by the Chief Officer to form and equip Forest Industry Brigades, and 17 forest owners across the state have been required to form a total of 23 FIB's.

HVP Plantations has 7 Forest Industry Brigades (FIB) registered under the Country Fire Authority Act. FIBs are an integral part of the CFA and work closely together with CFA volunteer and career brigades. HVP has considerable skills and experience in forest firefighting and fire management.

These industry-based fire brigades are operated by the plantation company but are under the operational control of CFA/IMT during incidents. Industry brigades are only required to service the companies' plantation assets for wildfire response and fire management planning, however the brigade is empowered to operate outside their designated area.

### HVP Arrangements

The HVP Brigades are spread across Victoria and reflect the location of the company forest estate and management structure. Table 1 outlines relevant details:

Table 1 Summary of HVP's firefighting resources

Brigade	Location	Firefighter Numbers	4x4 Fire Tankers > 3000 litres	4x4 Slip-on Units - 400 litres
HVP Ballarat Plantations FIB	Ballarat	36	2	4
HVP Delatite Plantations FIB	Benalla	15	3	5
HVP Gippsland Plantations FIB	Churchill	103	9	12
HVP Otways Plantations FIB	Colac	4		2
HVP Ovens Plantations FIB	Myrtleford	39	2	4
HVP Rennick Plantations FIB	Mount Gambier	21	2	4
HVP Shelley Plantations FIB	Shelley	9	2	3
	<b>Total</b>	<b>227</b>	<b>20</b>	<b>34</b>

The membership of each of these Forest Industry Brigades includes HVP staff and employees as well as HVP engaged contractors. The firefighters are trained to CFA qualification standards and become fully integrated into the incident command system for any event. HVP Plantations owns and maintains a fleet of dedicated fire tankers, smaller slip-on units and command vehicles fitted with CFA / DELWP compatible radios.

HVP Plantations takes a risk based approach to fire which results in the company providing far greater resources than is strictly required under the legislation. We also are actively involved in fire prevention and mitigation activities such as fuel management burning, in our own right and in partnerships with Forest Fire Management Victoria and the CFA. We are active partners in the Gippsland Arson Prevention Program and are working on Safer Together Victoria projects to improve fire risk modelling.



Figure 1 HVP FIB and CFA resources preparing to participate in roadside burning at Cape Clear

On average HVP Plantations Brigades have responded to 53 fires each year, since 1993. In recent years the greatest number of responses in any one year was 127 in 2012/13 and as few as 21 in 2010/11. Over 65% of the HVP responses are to events on land outside the HVP estate, hence HVP Plantations plays a considerable role in community fire protection.

**HVP’s submission**

HVP Plantations submits the following comments and recommendations for the Fire Services Bill Select Committee’s consideration. If there is any further information or clarification the Committee seeks, HVP is willing to provide further information through written or verbal submission.

**Contact Details**

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HVP Plantations submission to the Fire Services Bill Select Committee Inquiry into the *Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017*.

**TOR a – Impact on fire service delivery across Victoria**

**Fire Rescue Victoria Fire District**

**R1.Designated Areas for Forest Industry Brigades (FIB) must be excised from any areas under consideration for the Fire Rescue Victoria District.**

**R2.The Integrated brigade model has served Victorians well and care needs to be taken in any reform of the Fire Services to ensure the best outcomes for Regional Victorians.**

Forest Industry Brigades are established under the Country Fire Authority Act and *Country Fire Authority Regulations 2014*. Plantation companies are required to form FIBs once certain area targets are triggered. FIBs must provide and maintain firefighting equipment and personnel at their own expense.

FIBs are responsible for fire suppression on the plantation holdings of the relevant owner (CFA Regulations 2014 R64). Thus areas of plantation that are under the responsibility of an FIB should not be excised from the Country Area of Victoria. The existence of such areas must be identified by the Fire District Review Panel and excluded from the FRV Fire District.

There are several areas in the proposed FRV Fire District depicted on LEG-17-371 (sheet 20 Morwell) which are HVP land and should remain in the Country Area of Victoria. These areas are shown in Figure 1.

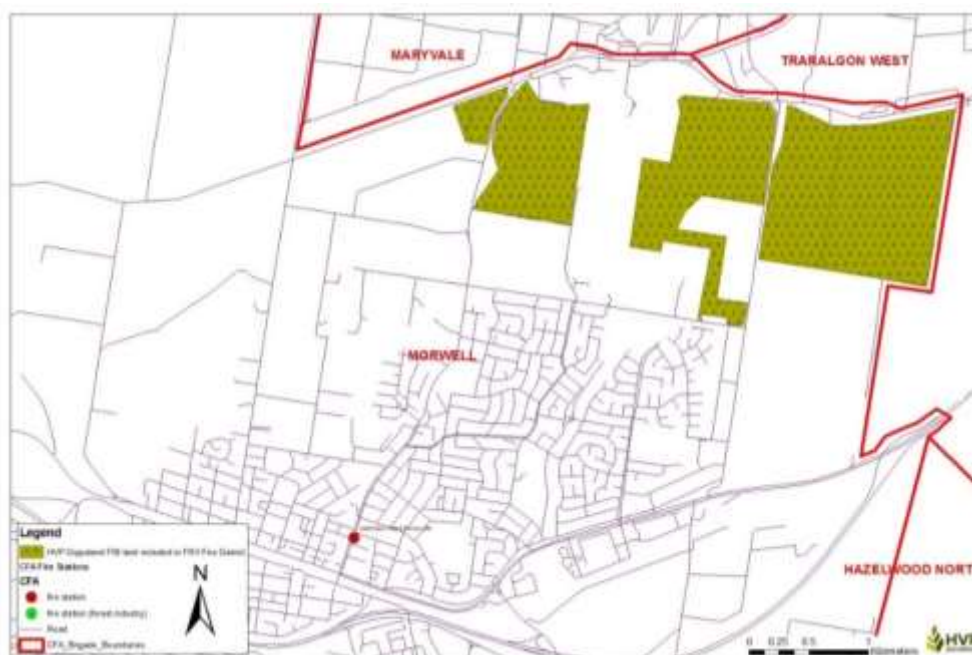


Figure 2 HVP Gippsland FIB areas in the proposed Fire Rescue Victoria Fire District.

Whilst creating the new Fire Rescue Victoria Fire District would largely solve the issue of the CFA controlling large areas of metropolitan Melbourne, it would create the same anomalies in the Regional towns and cities. FRV would not have control over large areas of residential and industrial development, eg, the Australian Paper Mill and power plants in the Latrobe Valley, Wendouree Village shopping Centre and a large part of the CBD of Ballarat. The integrated brigade model, whilst not without its challenges has served Victoria well. The volunteers and career staff work well together and there is significant surge capacity for major incidents. There is a blending of cultures and approach, and closer connections to the community.

**TOR a – Impact on fire service delivery across Victoria and TOR b – Effect on volunteer engagement and participation in fire service delivery**

**Skills, equity and openness in CFA recruiting**

**R3. The Country Fire Authority must be allowed to openly and directly recruit the best person for every job. Although CFA may be able to second appropriate staff from FRV, FRV should not be the only source of operations staff for the CFA.**

**R4.CFA operational staff need to have skills in bushfire prevention, mitigation and suppression, and volunteer management.**

HVP Plantations are concerned at the erosion of bushfire fighting skills in FRV staff over time. With the designation of the FRV Fire Districts covering metropolitan Melbourne and urbanised regional centres, the focus of the organisation will be to serve these communities. The operational staff will become highly skilled in urban operations and their skills will be largely response skills developed whilst fighting structural fires. The skills required to control fast running grassfires and bushfires are vastly different. Understanding the nuances of terrain, dynamically changing fuels and coupled weather systems are essential skills for rural firefighters. There is also a need for CFA staff to have skills and experience in fire prevention and mitigation works and using managed fire as a tool to reduce the risk to our communities.

Dealing with volunteers is also totally different to a system based on a very strong, military-like hierarchical system. An affinity with living and working in rural and regional areas, understanding local needs and issues and the ability to manage a diverse group of people who volunteer to serve their community is required in CFA operational staff. Table 2 from the Waroona Fire Inquiry<sup>1</sup> attempts to describe the differences in approach as two ends on a continuous spectrum each suited to the context in which they operate.

*Table 2 Rural and urban approach and methodology from Reframing Rural Fire Management<sup>1</sup>*

Rural approach and methodology	Urban approach and methodology
Community volunteer ethos	Paid career staff ethos
Country / rural base	City / urban base
Decentralised leaders with a “distributed leadership” approach	Centrally led. Centralised decision making
Leaders elected from community based on demonstrated competence and experience	Career staff attain rank based on formal competency assessments and experience in urban fire
Command by position	Command authority by rank
Fire prevention seen as integral to the role	Tendency for a “suppression” focus
Emphasis on local planning, simplicity of procedures and decentralised administration	Emphasis on central planning, standardised procedures and centralised administration
Doctrine recognises the need for initiative, diversity and flexibility	Doctrine is risk averse and tendency to be a rigid approach
Understanding the needs of the rural land owner land manager	Understanding of needs of building owner
Comfortable engaging multiple agencies and Departments in response	Operates with few other agencies
Tendency to being values and principles based	Tendency to prescription – “rules based”
Do what works	Do what I am told

The CFA must be able to recruit and develop staff from a range of backgrounds to maintain a diverse and highly skilled workforce with very strong skills and experience in bushfires and understanding and empathy with volunteers in rural communities. Previously CFA operational staff (including right up to the Chief Officer) have come from organisations such as DELWP and interstate and these practices should be allowed to continue.

The lessons from the Waroona Fire Inquiry<sup>1</sup> in Western Australia are pertinent in this context. This inquiry recommended the creation of a Rural Fire Service as a separate entity or sub-department of Fire & Emergency Services to give focus back to rural fire.

*It is...essential that the Rural Fire Service created covers all aspects of rural fire management, including prevention, preparedness, response and recovery, in a way that engages local communities and that has the full range of necessary powers and responsibilities.*

As one of the tenets of the proposed reform is the creation of modern and diverse organisations, then one would also question the ability of the CFA to promote gender targets if the pool they are recruiting from, has less than 5% female operational staff.

## **TOR c – Short term and long term cost impact on fire service provision**

### **Future Funding of CFA and the Fire Services Property Levy**

**R5. The Government must commit to ensuring the future funding of the CFA is adequate to service the 50,000 volunteers and ensure that the Country Area of Victoria is served by a Fire Service that meets community expectations.**

**R6. The future funding of the CFA must not come at the expense of country Victorians with significant increases in the Fire Services Property Levy.**

**R7. Prior to introducing the Legislation, budget modelling needs to be done to clarify the impacts on the Fire Services Property Levy and the budgets for the CFA and FRV.**

HVP Plantations is concerned about the impact that the proposed changes to the Country Area of Victoria will have on the allocation of funds from the Fire Services Property Levy and the future funding of the Country Fire Authority.

The Government needs to ensure that the CFA is adequately funded into the future to enable it to service country Victorian communities in fire prevention, mitigation and response. This funding must not come at the expense of rural Victorians with significant increases in the Fire Services Property Levy.

With their landholdings in Victoria, Forest Industry Brigades make a significant contribution to the FSPL. In addition, the FIBs have to provide their Brigade personnel, equipment and resources at their own cost. So, effectively the FIBs are contributing twice to the protection of Victoria. Any additional increases in the cost of the FSPL will have a significant impact on Forest Industry Brigades and rural Victorians in general.

## **TOR d – Underlying policy rationale**

### **Presumptive Rights Compensation and Fire Services Reform**

**R8. The two sections (Part 2 - Presumptive Rights Compensation and Parts 3 to 9 - Fire Services Reform) of the Bill should be separated into two Bills to allow adequate and considered debate on the merits of the legislation.**

Presumptive Rights Compensation is a vastly different issue to the Fire Services Reform and each section of the legislation deserves to be debated separately.

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<sup>1</sup> Government of Western Australia (2016) “Reframing Rural Fire Management” Report of the Special Inquiry into the January 2016 Waroona Fire.