

February 5, 2020

The Hon. Scott Morrison, MP  
Prime Minister of Australia  
Parliament House  
Canberra, ACT 2600, Australia

Dear Prime Minister Morrison

**Re: Possible Royal Commission into bushfires**

As you will recall, Emergency Leaders for Climate Action (ELCA), now comprising 31 former fire and emergency service chiefs and deputy chiefs from every state and territory as well as former Directors General of Emergency Management Australia, wrote to you last year seeking to meet and outline practical measures to support state and territory bushfire operations.

I now write to provide some thoughts about a possible Royal Commission into the bushfire disaster that hopefully will be of assistance in making this a fruitful and effective undertaking.

Firstly, it is noted that the affected states have each announced their own internal bushfire reviews, thus any review of operations might be seen as an unnecessary duplication. Indeed, you have stated on many occasions that you see emergency management as being solely a state and territory responsibility.

Before deciding to embark upon a Royal Commission, we suggest that the government, in noting the jurisdictional reviews already underway, first review the findings of more than 50 other inquiries into bushfires that have taken place since 1939. A COAG audit of prior recommendations, going as far back as the Stretton Royal Commission into the 1939 bushfires, should be considered.

Any inquiry that prioritises fuel reduction as a “silver bullet” that is more important than other solutions is also set up to fail. As noted by fire chiefs from Queensland, NSW and Victoria, as well as the Bushfire & Natural Hazards Cooperative Research Centre and leading fire scientists, fuel reduction will not protect people and infrastructure on the worst fire weather days. The 2019/20 fires have demonstrably been weather-driven events, rather than fuel-driven, and a huge proportion were ignited by lightning in remote locations (not by arsonists). On days of Severe fire danger and above, fires burned freely through areas that had been subjected to hazard reduction within the past 2 years, and even across mown lawns. I witnessed this personally while fighting fires at Batemans Bay on New Years Eve, and at other locations such as near Rappville in northern NSW, and near Wombeyan Caves in the NSW Southern Highlands.

Ultimately, whilst ELCA sees little value in a Royal Commission at the Federal level, it now appears that a decision to proceed is likely. ELCA therefore respectfully suggests that the following principles and issues should be included in the terms of reference to maximise its chances of being a worthwhile endeavour:

1. *Not to be inquisitorial*: To be effective, any Royal Commission should, as far as possible, avoid the laying of blame, which could re-traumatise those involved. Existing fire chiefs, who have earned the admiration of all Australians, should not be put through a process similar to the 2009 Victorian Bushfire Inquiry, which many considered harsh, unfair and damaging. People who have suffered loss, firefighters who witnessed unparalleled losses, and leaders unable to control climate change-driven extreme weather should not be blamed or made to live through these experiences again in an adversarial environment.
2. *Climate change*: It is now abundantly clear that increased temperatures, a long term drying trend, and extreme weather conditions, driven by climate change, set the scene for the worst fires in the

history of Queensland and NSW. Southern states traditionally face their worst fire weather from February to March. A Royal Commission should, as a priority, establish how climate change has affected the length of fire seasons, number of days of Very High Fire Danger and above, number of days of Catastrophic fire danger, and reduced rainfall, increased temperatures and wind velocities across fire-prone parts of Australia. It should establish what is projected, and therefore what changes might occur in terms of risk profiles across Australia, over the rest of the 21<sup>st</sup> century. This in turn should drive adaptation, mitigation and response strategies. It will also reinforce the need for urgent action on greenhouse emissions and a managed transition away from fossil fuels. Trying to manage escalating risks without also taking urgent action on the root cause, will ultimately fail.

3. *Natural disaster risks*: Following on from the above, establish how climate change has changed and is continuing to change the risk profile for other natural disasters such as drought, more intense (but probably less frequent) tropical cyclones; increased flooding; and violent, damaging storms.
4. *Construction Code*: Review AS3959, Construction of Buildings in Bushfire Prone Areas, based on the clear trend of increasing bushfire danger and threat profiles. In particular a review of Bushfire Attack Levels should be conducted, as well as the ability of local government to waive some requirements.
5. *Planning codes*: As is the case with some flood plains, it may now be necessary to prevent any and all development in high-risk locations likely to be affected by very high intensity fires. A consistent approach is needed.
6. *Community warnings*: Consider the required level of resourcing for the Bureau of Meteorology to improve predictive and severe weather services. Alignment of processes for emergency warnings across Australia including adequate funding for ABC Local Radio as the emergency broadcaster, as well as alignment between states and territories on the dissemination of bushfire information and emergency warnings (there is significant variation between each state and territory)
7. *Community refuges*: Consider the need for establishment of large multi-use community facilities, built to withstand fire, that can protect people and enable them to shelter safely.
8. *Firefighting aircraft*: Re-examine the 2016 Senate Inquiry recommendation to establish an Australian capability for large aerial tankers. Fully evaluate the use, operational and cost effectiveness of all types of aerial firefighting resources, including those not used at present such as medium-sized amphibious water-scooping aircraft utilised in first-attack and direct attack roles.
9. *Use of the Australian Defence Force*: Establish exactly what capabilities and assets the ADF can offer to assist states and territories during natural disasters. Consideration should be given to building into the next Defence White Paper a distinct role for the ADF in civil defence from natural disasters, focused on logistical, engineering and technical support to emergency services, community recovery, and protection of lives in emergency circumstances (not including firefighting – but for example, evacuation by air or sea). Prior to the next White Paper, identification of means by which the ADF can simplify current Defence Assistance to the Civil Community arrangements, recognising the increased threat environment created by climate change.
10. *Fuel management*: Consider whether the National Bushfire Management Policy Statement for Forests and Rangelands, prepared for COAG in 2014, remains relevant. as this may avoid the need for a significant amount of work. ELCA counsels against acting on some of the ill-informed knee-jerk assertions being made on the issue of fuel management, particularly given that large swathes of Queensland, NSW and Victoria will not require treatment for up to 10 years following this season. ELCA also counsels against hectare targets, which can have the perverse outcome of encouraging burning in remote areas where there will be no benefit in terms of life and property protection.
11. *Cultural burning*: Establish how cultural burning practices can contribute to the safeguarding of human and natural assets from intense bushfires and establish funding requirements and mechanisms to support its reintroduction by traditional owners.

This is not an exhaustive list. ELCA remains focused on the need for Australia to pursue stronger action on greenhouse emissions as the basic causal factor of elevated bushfire and natural disaster risks. For this

reason ELCA is of the firm view that any Royal Commission that fails to feature climate change prominently in the terms of reference will fail at the first step as it will not assist in delivering on and informing action to fulfil our shared moral and ethical responsibility to future generations to urgently reduce our greenhouse gas emissions, and thereby eventually de-escalating fire and natural disaster risks.

I hope that this is helpful in your deliberations. We remain available to meet with you at short notice to expand upon and explain our expert advice, which is based not only on data and research findings, but also on hundreds of cumulative years of front-line experience.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Mullins', with a large, sweeping flourish extending to the right.

**Greg Mullins AO, AFSM**

Commissioner, Fire & Rescue NSW (Ret)

On behalf of Emergency Leaders for Climate Action