

4 September 2018

Fire Service Act Review
GPO Box 1526
HOBART TAS 7001

Via email: Act.Review@fire.tas.gov.au

Dear Sir/Madam;

Submission to the review of the Fire Service Act 1979.

Thank you for inviting Forico Pty Limited (Forico) to participate in the review of the Fire Services Act 1979.

Forico commenced operations in September 2014 and manages Tasmania's largest private plantation estate and uses advanced tree breeding for improved plantation productivity and wood fibre quality. The Forico business includes:

- 100,000 ha of timber plantation
- 175,000 ha of freehold land
- 2 woodchip mills
- A seedling nursery
- A fibre technology laboratory and testing facility
- An experienced team of forest industry professionals with extensive operating experience in Tasmania

As the manager of Tasmania's largest private land holding, Forico is a significant stakeholder in wildfire management, and acknowledges a responsibility to carry out fire and land management practices to mitigate and minimise the adverse impacts of fire on commercial and environmental assets. Forico maintains an active Fire Action Plan, which includes private fire suppression resources, experienced staff, strategic fuel reduction burning, and has a strong relationship with the Tasmanian Fire Service governed through a Memorandum of Understanding for the sharing of resources.

In 2017/18 fire season Forico responded to 82 uncontrolled fires, 62 in 2016/17, and 112 in 2015/16.

Forico have reviewed the *Issues Paper – Review of the Fire Services Act 1979 - June 2018* and have prepared this response consistent with the pre-determined questions. The responses provided reflect only the areas where a deviation from the status quo is recommended, or extraordinary support for the status quo is evident. Where a question is absent from this submission it can be assumed Forico are generally supportive or have a neutral view of the existing functions of the Fire Services Act 1979.

Q6. Should the legislation provide PWS and Forest Officers with appropriate legislative authority to undertake fire control work and reflect contemporary Tasmanian practice in relation to Inter-Agency Incident Management?

- Yes, Forico support parity between PWS Officers and Forest Officers. There is strong need to amend legislation so that PWS Officers have the same critical powers to respond to

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wildfires on Crown/State Forest, and when participating in tenure blind fuel reduction burning programs.

Q15. What is the appropriate role and function of the SFMC and what should the relationship be with the State Fire Commission/TFS?

- Forico believe that this role should remain unaltered, so that the State Fire Management Council remains independent from the Tasmanian Fire Service. There is a strong need for an independent body to over-see management of all vegetation fires across Tasmania, particularly when formulating and promulgating policy to the Minister and the State Fire Commission.

Q16. What is the appropriate membership of the SFMC and should the membership be prescribed in legislation?

- There is a requirement to broaden membership of the State Fire Management Council to remove unnecessary duplication, and for membership to be prescribed in legislation. Forico would encourage rescinding mandated membership of a representative of the *Forest Industries Association of Tasmania (FIAT)* in favour of a person whom represents the Forest Industry and needn't be affiliated with any organisation. Likewise, Forico would encourage rescinding mandated membership of a representative of the *Tasmanian Farmers and Graziers Association (TFGA)* in favour of a person whom represents the agricultural sector and needn't be affiliated with any organisation.

Q17. Should the State Fire Management Council have the power to appoint permit officers?

- Yes, the State Fire Management Council should retain power to appoint permit officers, so that there is sufficient transparency in the process. Permit officers are represented throughout the fire industry (STT, PWS, Private Industry), not solely within the Tasmania Fire Service.

Q18. Are the Fire Management Areas and the composition of the Fire Management Area Committees still appropriate?

- Forico supports the Fire Management Area Committee (FMAC) process which aims to bring together the various stakeholders that manage land use across the State and to work together to effectively manage vegetation fuels for the mitigation of bushfires. Forico believe Section 18 of the Act should to be amended to include provision in membership for a representative of large industrial forest growers, and other significant landowners within FMAC boundaries.

Q22. Should any new legislation bind the Crown?

- Forico supports new legislation that binds the Crown and recommends that the Crown consider a proposition of amalgamating all fire agencies under the governance of the Tasmania Fire Service when responding to fires.

Q28. Should the Act be amended to specify these activities are exempt from the provisions of the LUPAA?

- Yes. Forico seek amendment to the Act to exempt planned burning from the provisions of the Land Use Planning and Approval Act, provided landowner's consent is obtained and appropriate burn practices are applied (i.e. fire intensity must also match desired environmental outcome).

Q29. Are the provisions relating to the declaration of Total Fire Bans still appropriate?

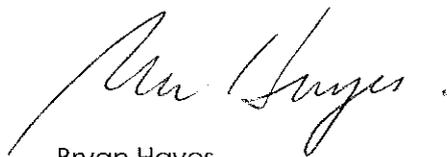
- Yes. However, Forico would like to see consistency in industry protocols between forestry and agriculture. The FIFMC Fire Prevention at Forest Operations Procedure is a legal requirement enforced from 1st October – to at least the 30th April. This legal requirement or a modified version could be applied to the agricultural sector when extreme fire weather is forecast.

Q33. Are the current levels and structure of penalties appropriate?

- Forico supports proposed amendments to broaden penalty circumstances. Forico's plantation and native forest assets are often impacted by people who fail to adequately supervise fire that is intentionally lit (i.e. camp fires, farmers burning off), and by people who set fire to vehicles, or throw burning objects/material from vehicles.

Forico would like to thank the Fire Services Act Steering Committee for allowing significant stakeholders the opportunity to provide feedback. We trust that the comments provided are constructive, and will help drive legislative change which will ultimately deliver better outcomes to the community. Should you need further clarification on any of the points/suggestions raised, please do not hesitate to contact me.

Yours faithfully,



Bryan Hayes
Chief Executive Officer