

# **Bushfire Mitigation Program**

*Program guidelines*

**Better access, faster response**

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## **Preface**

This document is a guide to the operation and administration of the Bushfire Mitigation Program. It acts as a supplement to the Partnership Agreements in force between the Australian and State and Territory Governments, which govern the provision of program funding from the Australian Government to the States and Territories.

The terms 'bushfire mitigation' and 'fire trail' have specific meanings for the purpose of the Bushfire Mitigation Program. An explanation of this term is provided in the *Definitions*.

Throughout this document a reference to a 'State' or 'the States' should be read to include Australia's Territories.

It is intended that these guidelines be reviewed on a regular basis.

## **Background**

In March 2003 the House of Representatives appointed a Select Committee on the 2002-2003 Australian bushfires to identify measures that can be implemented by governments, industry and the community to minimise the incidence of, and impact of bushfires on life, property and the environment.

The Select Committee's Report, titled *A Nation Charred: Inquiry into the Recent Australian Bushfires*, was tabled in October 2003 containing 59 recommendations which identify areas for possible action by the Australian and State and Territory Governments, the Bushfire Cooperative Research Council, the insurance industry, Standards Australia and the Australasian Fire Authorities Council.

Subsequent to the establishment of the Select Committee's inquiry, the Council of Australian Governments (COAG) commissioned the National Inquiry on Bushfire Mitigation and Management, which reported to the Prime Minister, as the Chair of the COAG, on 2 April 2004. The National Inquiry's terms of reference required it to take account of and draw on previous bushfire inquiries. The Select Committee's report was among those considered by the National Inquiry on Bushfire Mitigation and Management in developing its recommendations. There is considerable overlap between the two inquiries and, where appropriate, the Australian Government's response to the Select Committee's report cross references recommendations in the National Inquiry on Bushfire Mitigation and Management Report.

Recognising the work of the Select Committee's report and the COAG National Inquiry, on 8 September 2004 the Prime Minister announced the allocation of a \$15 million Bushfire Mitigation Program, over three years, for the construction, maintenance and signage of fire trail networks to assist local communities to better prepare for bushfires.

## Definitions

The following definitions apply to the Program:

“*Bushfire Mitigation Program*” is the Australian Government funding program aimed at enhancing bushfire mitigation activities.

“*bushfire mitigation*” means measures taken in advance of, or after, a bushfire aimed at decreasing or eliminating its impact on society and the environment.

“*fire trail*” may include the trail road surface, drains, bridges, culverts, cutting sides and batters, vehicle turnaround points and water collection or filling points. Fire trails are also known as ‘fire access roads’. The primary purpose of a fire trail is to provide access to areas for fire suppression and mitigation purposes.

## Bushfire Mitigation Program

### Objectives

The Bushfire Mitigation Program is a national program aimed at identifying and addressing bushfire mitigation risk priorities across the nation. It funds construction and maintenance of fire trails and associated accessibility measures that contribute to safer, sustainable communities better able to prepare, respond to and withstand the effects of bushfires.

Fire trails are important in the facilitation of prevention and mitigation activities. An effective fire trail network increases options available in implementing bushfire hazard reduction to protect communities and their social, cultural, environmental and economic assets.

The specific objective of the program is to enhance the effectiveness of fire trail networks and as a result increase the:

- safety of fire fighting personnel involved in a fire suppression effort;
- rapidity with which fire suppression agencies are able to access a fire; and
- type of resources that can safely be made available to a fire suppression effort<sup>1</sup>.

The program is administered by the Australian Government Department of Transport and Regional Services.

### Principles

The following general principles apply to the program:

- funding will be directed to eligible activities that mitigate the impact of bushfires;
- funding will be applied in such a way as to maximise the objectives of the program;
- decisions regarding funding will be primarily based on:
  - the need to reduce risks to communities through the application of risk assessment and management principles; and
  - the potential savings (cost effectiveness) that can be achieved by proposed mitigation projects.

The precautionary principle, inter-generational equity and conservation of biodiversity and ecological integrity will also be taken into account in the approval of projects;

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<sup>1</sup> House of Representatives Select Committee into the recent Australian bushfires 2003, *A Nation Charred: Report on the Inquiry into Bushfires*, Australia, p 31 paragraph 2.69.

- priority should be given to projects that are derived from or contribute to strategies to address the fundamental causes, rather than symptoms, of Australia's natural disaster related problems and that bring long-term natural disaster mitigation benefits and, in addition, environmental, economic and social benefits;
- as far as practicable, where local government is not the applicant, the State should ensure that local government continues to be involved in or consulted on the development and implementation of relevant projects; and
- decision making and delivery frameworks will aim to be flexible, transparent, equitable and accessible. The intention is to have funding and decision making at the most appropriate level consistent with effective, accountable and practicable delivery, while achieving sound bushfire mitigation outcomes.

## **Roles and Responsibilities**

While the constitutional responsibility for bushfire management rests with the States, the program will enable the Australian Government to assist States in the implementation of effective fire trail networks. The provision of bushfire mitigation works and measures should be part of a comprehensive and integrated emergency management strategy.

Within this context the roles and responsibilities of the partners to the program are set out below.

### **Australian Government**

The Australian Government, through the Department will:

- establish and administer the program;
- in conjunction with the States, develop guidelines, application procedures and administrative and financial arrangements;
- enter into Partnership Agreements with the States;
- be an observer in State assessment processes;
- advise the relevant Australian Minister on priority projects for Australian Government financial support;
- monitor and report on the use of Australian Government funds and the results achieved; and
- with the co-operation of the States, undertake evaluation of the program in accordance with agreed outcomes and performance indicators.

### **State Government**

The State, through its nominated lead agency, will:

- enter into a Partnership Agreement with the Australian Government;
- ensure all technical, environmental, heritage and risk assessments of projects are undertaken according to the appropriate legislative requirements and in accordance with accepted best practice principles;
- determine State priorities through a State assessment process;
- advise the relevant State Minister of priorities and prepare recommendations for funding;
- work in partnership with the Australian Government to develop and implement consistent, comprehensive approaches to risk assessment, data collection and cost effectiveness to assist with prioritisation of projects and program evaluation over time;
- provide, at a minimum, funds matching the Australian Government allocation to each project and agree with local agencies the amount of their contribution to the project;
- enter into suitable arrangements, through written agreement, with local agencies regarding the implementation of approved projects and the expenditure of program funds;
- oversee and monitor work progress and achievement of milestones, and report to the Australian Government in accordance with the Partnership Agreement;
- arrange for, or submit requests for payment to the Australian Government, administer funding and acquit expenditure; and
- in co-operation with the Australian Government, contribute to evaluation of the program in accordance with agreed outcomes and performance criteria.

## **Local agencies and stakeholders**

Local agencies, either individually or in coalition with other eligible applicants, will:

- enter into suitable arrangements, through written agreement, with the State regarding implementation of approved projects and the expenditure of program funds;
- provide funding to the project at a ratio agreed with the State;
- undertake or oversee all technical, environmental, heritage and risk assessments according to the appropriate legislative requirements and in accordance with accepted best practice principles and guidelines;
- monitor work progress and achievement of milestones, and report regularly to the State's lead agency;
- submit requests for payment to the State's lead agency, administer funding and acquit expenditure according to State requirements or legislation; and
- co-operate in the provision of information that may be required for the evaluation of program projects.

## **Eligibility**

### **Eligible organisations**

Organisations eligible to apply for funding under the program are:

- local agencies responsible for bushfire management. Agencies may include, but not be limited to, local governments, Indigenous community councils and unincorporated remote communities; and
- State government agencies, where that agency is the relevant responsible agency (eg fire services, state emergency services, environment agencies).

Local agencies may apply for funding either individually or in coalition with other eligible applicants. The amount of each agency's contribution is to be negotiated between the local agencies involved.

In some cases, the private sector may wish to participate in measures under the program. Such participation by the private sector is permitted, but applications must still be endorsed and submitted through the appropriate local or State government agency.

### **Eligible projects**

A range of fire trail related mitigation works and measures qualify for funding under the Program.

Eligible projects must fall within the scope of the definitions of 'bushfire mitigation' and 'fire trail' as outlined in *Definitions*. They may include:

- construction of a fire trail in an area identified as needing to be accessible for fire suppression and/or mitigation purposes;
- maintenance of existing fire trails where there is a demonstrated need for access for fire suppression and/or mitigation purposes;
  - construction and maintenance activities may include upgrading the road surface and/or vehicle carrying capacity of existing trails, the restoration of damaged/degraded trails to a more utilisable condition, works on turn-out bays on fire trails and provision and upgrade of water points on trails; and
- associated accessibility measures such as erection of signage to identify fire trails, mapping, access fencing and gates.

### **Non-eligible projects**

Projects that will not generally be eligible for funding under the program include:

- construction, maintenance and signage which are not primarily for fire suppression and/or mitigation (eg constructed for the primary purpose of commercial, recreational, tourism, stock movement, scientific activities etc);

- any projects approved under other Australian Government programs, eg the Natural Heritage Trust; and
- projects that seek reimbursement for works and measures already undertaken.

### **Eligible locations**

Eligible locations primarily include State crown land and council land. Where it is deemed appropriate by the State, fire trails located on private land may be eligible for program funds. In such cases the State must be satisfied that appropriate liability, accessibility and on-going maintenance is covered by a written agreement with the private land holder.

Commonwealth land will be excluded, as Commonwealth land owners will be expected to meet their own responsibilities (including bushfire mitigation works).

## **Application and Assessment**

### **Application process**

Applications for funding under the program will be sought nationally on an annual basis.

Invitations will be sent to local councils seeking applications for suitable bushfire mitigation projects.

Application forms (accompanied by maps, plans and any other supporting documentation) are to be forwarded to State lead agencies. The program application form can be downloaded from <http://www.ema.gov.au>

### **Assessment criteria**

The main focus of the program is the protection of communities. The program aims to enhance the community's ability to withstand the effects of bushfires and reduce the risk, damage and losses caused by such events.

In order to maximise the effect of the program, emphasis will be placed on funding cost effective projects with high returns.

The assessment criteria for proposed projects fall into the following broad categories:

- i) cost effectiveness;
- ii) social benefit; and
- iii) environmental impact.

In general, the emphasis for priority is on the effectiveness of a project in achieving bushfire mitigation, in terms of reduced loss of life and property damage, through the most effective expenditure of funds.

All project proposals will be subject to expert review and the following general principles will apply:

- consistent with the principles and objectives of the program;
- technical soundness;
- compliance with relevant technical, environmental, heritage, planning and other relevant requirements in line with appropriate legislation; and
- in accord with accepted best practice principles and guidelines.

### **Assessment process**

Applications for funding under the program will be assessed and prioritised through assessment committees in each State. State assessment committees generally consist of representatives from the State's lead agency, other agencies that have a role in bushfire mitigation, and local government. The Australian Government will have observer status on these committees.

The State assessment committee will take into account the criteria laid out in *Assessment criteria*, the application form and such other matters as the State considers relevant.

The State assessment committee will make recommendations to the relevant State Minister on State priorities. The State Minister will then advise the Australian Government Minister of the priority projects for which the State will provide at least matching funding. The State will also forward to the Australian Government the completed assessed application forms for the projects.

Australian Government officials will consider the State's project priorities and make recommendations regarding program funding of these projects to the relevant Australian Government Minister for determination. While accepting State assessment processes, the Australian Government reserves the right to seek independent advice on recommended projects and/or priorities.

### **Approvals and announcements**

The relevant Australian Government Minister will allocate the Australian government funds for projects and inform the State Minister of the projects that the Australian Government agrees to fund under the program.

Each State will be formally notified of these decisions and the relevant Australian Government and State Ministers will jointly announce the approved projects. This opportunity for joint announcements by relevant Australian Government and State Ministers will also apply when announcements of milestones achieved are announced.

### **Funding and Expenditure**

Provision of Australian government funds under the program Partnership Agreements is contingent on at least a matching contribution from the State for each of its approved projects. Where the project involves infrastructure owned by a local agency, the Australian Government will meet up to one third of the cost of each approved project, with the remaining two thirds being met by State/local agency arrangements, except for agreed exceptional circumstances where remote Indigenous communities, low capacity local governments or unincorporated communities would otherwise be precluded from participating in the program.

A reduction or waiver of the local agency contribution will be considered on a case by case basis. If considered justifiable, the Australian and State governments will equally share the balance of funds required.

In certain cases, a waiver of one or more of the usual conditions of application, reporting and/or accountability may also be appropriate. While priority is generally given to projects that offer the most effective mitigation measure and cost effective expenditure of funds, this principle will be applied flexibly so as not to disadvantage remote Indigenous and/or low capacity communities.

Requests for an exceptional circumstance waiver of the standard funding, application and/or reporting requirements should be made by the local agency at the time of applying for program funding, taking into account such matters as:

- local agency rate revenue and capacity to raise funds;
- local agency expenditure;
- local agency service area;
- population affected;
- degree of risk and level of vulnerability of the affected community;
- level of risk protection achieved for the whole community in relation to the scale of the project; and

- other relevant issues.

In-kind contributions are permitted, the value of which must be expressed in monetary terms. Such contributions must be substantiated on request. Program funding is only to be used for costs directly associated with an approved project. It is not to be used for administrative overheads, ongoing running costs or other core activities of State and/or local agencies.

Acknowledging that cost estimates for some projects may vary once contracts are entered into, the Australian Government will allow for limited funding flexibility between projects within a given financial year. The State may vary the Australian Government's contribution for a project to a maximum of 10 per cent provided that the State does not thereby exceed the total Australian government allocation for that financial year. The State must seek the approval of the Australian Government for variations in excess of this amount.

### **Payment of funds**

Australian government funds will be paid directly to States, which will be responsible for distributing project funds to local agencies.

Local agencies will enter into suitable arrangements with the State, through written agreement for each approved project, regarding implementation of projects and expenditure of program funds. The State will forward payments to local agencies, subject to their adherence to these agreements and satisfactory progress of work.

On approval of program projects, 50 per cent of the total agreed Australian government funding for those projects will be paid to the State. The remaining 50 per cent will be paid out in quarterly instalments on receipt of a claim from the State. Claims are to be based on satisfactory progress to date and anticipated progress and expenditure for the next quarter (taking into account any adjustments to the last quarter).

The provision of program funding by the Australian Government is subject to agreed milestones being progressively met. Appropriate accounting, reporting and acquittal of such funds by the State, in accordance with Partnership Agreements, is also required.

### **Performance indicators**

Indicators used to monitor the performance of the program include:

- extent of uptake of available funds;
- timeliness in the submission of project proposals;
- degree of expenditure on approved projects;
- proportion of completed projects to approved projects; and
- timeliness of quarterly reports, statements of compliance and audited financial statements.

Funding approval will be automatically withdrawn for program projects that are not commenced within twelve months of Australian Government approval.

### **Existing State expenditure**

The program is intended to accelerate activities directed towards implementing priority bushfire mitigation projects in Australia. States agree to use the program to enhance the total government and community effort applied to the pursuit of the program objectives. The State will be required to maintain its existing expenditure on bushfire mitigation activities as well as match Australian government funding provided under the program.

## **Monitoring and Evaluation**

### **Reporting**

Local agencies participating in approved projects will monitor work progress and achievement of milestones, in accordance with the written agreements in place, and report regularly to the State.

The State will advise the Australian Government quarterly of the progress and status of each program project. A final report is to be provided on the completion of each project.

The State will also provide the Australian Government with an annual statement of compliance and audited financial statement in accordance with the requirements of the Partnership Agreement.

The Australian Government can visit any program project, upon reasonable notification to the State, and will report any concerns back to the State.

### **Evaluation**

The program requires substantial Australian Government, State and local agency resources. Evaluation of the program is essential to ensure that allocated resources are spent in an effective and equitable fashion and to measure the success of the program and its value into the future.

All partners will undertake monitoring and assist evaluation based on their respective roles and in accordance with agreed objectives and outcomes. States will be expected to maintain adequate records so that appropriate data is available for evaluation and to make such data available in a timely manner when requested.

Outcomes expected from the program include:

- reduction in loss of life;
- savings in the cost of damages in an actual bushfire event;
- reduction in time lost from employment;
- reduction in residents seeking medical or community assistance post disaster; and
- protection of government investments in infrastructure, and reduction in calls on emergency assistance and related expenditure under the Natural Disaster Relief Arrangements.

### **Publicity**

Where projects receive funding through the program, appropriate acknowledgment is to be given to the contributions made by the Australian and State Governments and local agencies. This applies to all publications, articles, promotional signs, posters, etc prepared in relation to projects funded under the program, as well as relevant forums, conferences and project openings.

All partners will consult far enough in advance of the announcement of projects, milestones, funding approved etc to enable Australian Government and State Ministers or their representatives to participate in events. All such announcements will be made jointly by the Australian and State Governments.

### **Natural Disaster Mitigation Program**

The Natural Disaster Mitigation Program is a national program aimed at identifying and addressing natural disaster risk priorities across the nation. Funds are available for natural disaster mitigation works, measures and related activities that contribute to safer, sustainable communities better able to withstand the effects of natural disasters.

The program complements the Bushfire Mitigation Program and operates along the same lines.

### **Further information**

Further information about the Bushfire Mitigation Program (including details of State lead agencies, contact information and application forms) is available at: <http://www.ema.gov.au>

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