



Blue Mountains Conservation Society Inc

ABN 38 686 119 087

PO Box 29 Wentworth Falls NSW 2782

Phone: (02) 4757 1872

E-Mail: bmcs@bluemountains.org.au Web Site: www.bluemountains.org.au

Nature Conservation Saves for Tomorrow

Date:

Bush Fire Code Review
C/O Manager Community Planning,
NSW RFS Headquarters,
Locked Mail Bag 17,
Granville, NSW 2142.
Email: bushfirecode@rfs.nsw.gov.au

Dear Sir/Madam

DRAFT REVISED BUSH FIRE ENVIRONMENTAL ASSESSMENT CODE (BEAC)

The Blue Mountains Conservation Society (BMCS) is a community based volunteer organisation with over 850 members. Established in 1961, the Society is the oldest continuing environmental organisation in the Blue Mountains. The goal of the Society is to promote the conservation of the environment in the Greater Blue Mountains region. The Society would like to make a submission to the draft Revised Bush Fire Environmental Assessment Code.

The Bush Fire Environmental Assessment Code is a significant issue for our community, as 10% of all threatened species in NSW can be found in the Blue Mountains. The Blue Mountains is home to 65 threatened animal species and 30 threatened plants, including a number of plant and animal species found nowhere else in the world. This high level of biodiversity in the Blue Mountains is due to the significant amounts of high quality bushland both within the national park, in council reserves, crown reserves and importantly on private land.

GENERAL COMMENTS

Currently, broad-scale Hazard Reduction (HR) burns are undertaken in the Blue Mountains in wilderness areas and in areas of threatened plants and fauna or in areas containing endangered ecological communities which would be otherwise restricted by the Code. Review of Environmental Factors (REFs) are used widely

across NSW as a means of getting around any intended restrictions. It appears that the main driver for the agencies involved is to achieve annual HR targets, not to safeguard biodiversity.

In the case of National Parks, it is to achieve KPIs as per *Living with Fire in NSW National Parks 2012-2021*. As an example, in the Grose Wilderness area of the Blue Mountains, there is no evidence that these burns provide any strategic fire advantage for urban areas.

Such a simplistic approach in the complex landscape of the Greater Blue Mountains World Heritage Area (GBMWH) is often detrimental. No scientific evidence has yet been made available to the community about the benefits, let alone the costs to biodiversity of HR burns.

The Society recommends:

1. that the Code states clearly situations where the environmental impacts of HR are too significant, and where preparation of an REF cannot be used to bypass a restriction outlined in the Code.
2. that no Hazard Reduction activities are permitted in any of the vegetation classes listed in Tables 2 and 6.
3. that all listed Coastal Heath Swamps are included in this exemption from HR activities (in Table 6), including whatever was intended by the term "hanging swamps".

Detailed comments on the BEAC sections are attached in at Attachment 2.

SUPPLEMENTARY DOCUMENTS

Threatened Species Hazard Reduction Lists

The Threatened Species Hazard Reduction Lists should all be scientifically reviewed and updated as a matter of urgency.

Draft Fire and Weed Management Guidelines for the BEAC

This document should be thoroughly reviewed used to address the risk generated by mechanical and fire methods of hazard reduction. It has been obviously developed in isolation from the considerable efforts of the NSW government to control weeds which are a major environmental and economic risk in NSW.

As the clauses in the current BEAC to impose conditions "to prevent the spread of those weeds" have been largely ignored, there is a need to spell out a detailed process. This document could be broadened to the impacts of Hazard Reduction in terms of furthering weed growth and spread.

The Society strongly objects to the purpose of this document as outlined on p 4 as being far too narrow and certainly ignoring

The purpose of Clause 5.12.2 of the Bush Fire Environmental Assessment Code is to ensure that appropriate measures are undertaken when using fire to manage the bush fire risk posed by weeds. Consideration of this clause (and these guidelines) is not required when undertaking a burn in an area where weeds happen to occur, unless the purpose of the burn is to eradicate or control a weed that poses a bush fire risk.

If any weeds are present on site prior to HR activities, both burning and mechanical means will promote the dispersal of weed propagules (seeds, rhizomes, tubers, corms etc.). This particularly applies to seeds which are long living and stored in the soil (eg broom and gorse). Fire may promote a sudden germination of an area of weeds which otherwise would be fairly stable, this is particularly the case for the noxious weeds broom and gorse. In addition the changed environmental conditions make it more suitable for weed invasion/expansion (such as increased light, reduced competition etc).

Weeds pose a considerable threat to the conservation estate and to World Heritage properties, such as the Greater Blue Mountains World Heritage Area. Long urban-bushland interfaces as in the Blue Mountains, require large investments to mitigate the threat from weeds. Currently the community and Blue Mountains City Council invest heavily in managing weeds in natural areas through the employment of bush regenerators, an urban weeds team and an extensive volunteer Bushcare program. HR activities along these interfaces pose a significant threat which must be addressed. Weed invasion and spread in bushland areas following HR and mechanical fuel reduction efforts is a serious ongoing problem in the Blue Mountains. Residents and Bushcare groups have raised this issue numerous times in environmental and community forums.

The Society recommends strongly that all HR and mechanical fuel reduction efforts must include provision for weed management, pre- and post-HR, and for an appropriate period of years afterwards to ensure that any weed issues associated with such activities is appropriately mitigated. The cost of weed management as a result of HR activities must be part of the budget for the HR – and not left to the community and Council to clean up the mess created by HR activities. These processes must be incorporated into all bush fire risk management plans.

This document and the Code (eg sections 4.9 and 5.12) should ensure that Sec 3 of the *Rural Fires Act 1997* is implemented. This requires that in preventing, mitigating and suppressing bushfires that the principles of ecologically sustainable development must be considered (as defined under sec 6 (2) of the Protection of the Environment Administration Act 1991 – see Attachment 2). The Society believes that the ESD principles are contravened by the failure of the agencies and Code to avoid and mitigate environmental consequences of hazard reduction works, including the invasion and expansion of weeds.

Therefore the Society strongly recommends that ***Fire and Weed Management Guidelines for the BEAC*** clearly outline a weed management process to ensure that:

1. Certificates are only issued after completion of a risk assessment of identified weeds in the proposed HR area, a weed management plan developed and a budget available to address any weed issues as a result of HR works. The certificate must include the carrying out of this plan as a condition.
2. A mechanism for accountability is introduced to ensure that the conditions included in a certificate are implemented. This should be part of the enforcement process (ref 1.12)

If you have queries in regard to the issue raised in this letter please contact me. Thank you for the opportunity to make a submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Madi Maclean' with a stylized flourish at the end.

Madi Maclean
President
Blue Mountains Conservation Society
mobile 0412 428 202 or email president@bluemountains.org.au

Incl: Two attachments

ATTACHMENT 1

PROTECTION OF THE ENVIRONMENT ADMINISTRATION ACT 1991

Objectives of the Authority

Sec 6 Objectives of the Authority

(2) For the purposes of subsection (1) (a), ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs:

(a) the precautionary principle-namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

In the application of the precautionary principle, public and private decisions should be guided by:

- (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
 - (ii) an assessment of the risk-weighted consequences of various options,
- (b) inter-generational equity-namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,
- (c) conservation of biological diversity and ecological integrity-namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,
- (d) improved valuation, pricing and incentive mechanisms-namely, that environmental factors should be included in the valuation of assets and services, such as:
- (i) polluter pays-that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
 - (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
 - (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.