

BirdLife Southern NSW Newington Armory, Building 133, 1 Jamieson Street, Sydney Olympic Park NSW 2127
T 02 9647 1033
southernnsw@birdlife.org.au | birdlife.org.au ABN 75 149 124 774



birds are in our nature

NSW Independent Bushfire Inquiry
GPO Box 5341, Sydney NSW 2001
inquiries@bushfireinquiry.nsw.gov.au

22 May 2020

Re: NSW Independent Bushfire Inquiry – Terms of reference 1.2 Preparation and planning for future bushfire threats and risks; and the RFS 10/50 Clearing Code

On behalf of the more than 2,200 members of Birdlife Southern NSW, thank you for the opportunity to contribute to the independent expert inquiry into the 2019-20 bushfire season. Birdlife Southern NSW is a branch of Birdlife Australia, a national conservation organisation which works for the conservation of Australian birdlife.

Our submission focuses on the NSW Rural Fire Service (RFS) 10/50 vegetation clearing code and associated matters.

Birdlife Southern NSW is very concerned by the potential for this code to cause destruction of trees and other declining native vegetation well beyond the level necessary to protect property from bush fires. The potential loss of bird and other urban wildlife habitat from "10/50" as proposed, combined with the (still) ongoing decline in habitat in regional areas through wildfires and deliberate clearing, are major factors driving the collapse of numerous species of birds and other fauna.

Brief comments are given below on several aspects of the 10/50 code and probable negative consequences on wildlife habitats from implementing them.

- The ongoing loss of trees in RFS 10/50 Code entitlement areas in many instances appears to have little to do with bushfire risk or hazard reduction, and more to do with some landowners' negative attitude to trees.
- The destruction of significant numbers of mature and old native trees in suburban areas often means the loss of high quality feeding and breeding (tree hollow) resources that many species of birds and mammals (owls, parrots and cockatoos, kingfishers, possums and gliders, bats, and many more) rely on for survival.
- Planting young trees, even of local species, cannot replace mature trees destroyed, because it takes at least 100-150 years for saplings to develop hollows and abundant flowering required by many birds and mammals (as above). However, planting can still be useful if dependent animal species can survive for long enough to utilise a putative new generation of

100+ year-old trees.

- The fire risk from vegetation should not be determined by private landowners, but by experts accredited by the RFS. Self assessment is often too complex for even honest landowners to determine whether clearing is legal and whether valuable environmental assets would be unknowingly removed. Allowing clearing without approval is likely to be seen by some owners as an invitation to disregard or inadequately assess environmental factors. Native vegetation should not be cleared without expert assessment, particularly if it poses only a low bushfire risk. The environment should be a key consideration in managing bush fires.
- Over-clearing around buildings gives no guarantee of safety in very intense fires such as many of those in eastern Australia in 2020. Intense long-distance spotting by embers in these fires destroyed many structures with little or no vegetation near them. Over-clearing may encourage complacency, and it can be just a "quick fix" without positive value. Developing fire-proof building designs and enforcing them would probably be more useful in many cases than lose/lose vegetation clearing.
- 10/50 clearing into adjacent land reserved as national park or equivalent, including local council reserves, should be strictly forbidden. Fire protection measures involving such land (e.g. fire hazard reduction) are presently managed by the RFS in cooperation with councils, NPWS, landowners, etc. These arrangements are working satisfactorily to our knowledge. Allowing unilateral private fire "management" in these areas would result in much greater habitat degradation for most native species, in what are often important wildlife corridors.
- It is crucial that 10/50 area maps are accurate. It appears that some maps have been (and maybe still are) overestimating the allowable area of vegetation clearing in some areas. From the point of view of conservation, this is a considerable problem which needs to be fixed if the discrepancy still exists.
- A formal review of the 10/50 code legislation was planned for 2 years after its commencement. Instead, it appears that a review was initiated a mere 2 months after the start of legislation. This seems very premature. The consequences of the legislation are likely to be major, and we hope the legislation will be fully and objectively reviewed. We consider this review should be done separately from the current 2019-20 inquiry.

Yours sincerely,

Elisabeth Dark

Conservation Officer,
Birdlife Southern NSW

