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24 May 2020

NSW Bushfire Inquiry

Terms of Reference Point 2 The preparation and planning by agencies, government, other entities and the community for bushfires in NSW, including current laws, practices and strategies, and building standards and their application and effect. **and**

Point 5 Preparation and planning for future bushfire threats and risks..

We ask that you allow our Submission, one day late. The Lane Cove Bushland and Conservation Society has been advocating for the environment for the last 49 years, and since its introduction have been concerned with the implications of the Code 10/50, writing numerous Submissions and letters. The Society witnessed the immediate destruction to local urban habitat trees and the environmental effects in Lane Cove and surrounding suburbs following its introduction. We are concerned about the effects of the Code 10/50 for NSW generally.

The LCBCS is a respected community group in our local Council area, having representatives on Council Advisory Committees and both support and challenge authorities on plans that impact on the environment.

The Lane Cove Bushland and Conservation Society raises the following concerns regarding the RFS 10/50 Clearing Code:

- We consider the Code 10/50 to be bad law and it's time the State Government repealed the Code altogether. After the Clearance Code was enacted, we saw the destruction of thousands of healthy trees, including threatened species trees that would normally have been protected – many removed to improve views or promote a Development Application, rather than to reduce any perceived fire hazard, with wildlife left visibly scrambling for habitat.
- Lane Cove is best allocated and wants to remain in the lower category it is now in, under the Code. The Society does not want to return to the original category it was arbitrarily put into when the Code first was implemented.
- (1.2) Lane Cove Council needs more help with 'Control Burns' in its urban area because the Reserves are generally very small and often narrow.
- Why was the formal review commenced after just two months of the scheme's operation, rather than two years operation as was the intent of the original legislation? Why has the 5-year Statutory Review not yet taken place? We question whether a review has taken place that assesses the full impact of the Code over time.

- Code 10/50 needs to take into account the present and future impacts of Climate Change and the need to for protection and enhancement of tree canopy to reduce the local temperatures, especially with the development of urban areas. Covid-19 has highlighted the importance of green spaces, tree canopy and bushland reserves for recreation and the mental & physical health of those living in urban areas, yet set-backs in recent building codes have greatly reduced deep soil provisions for large canopy trees and the need for energy hungry air-conditioning.
- Climate Change must also be considered because most of the property losses during the 2020 bushfire season were due to severe to catastrophic intensity of the fires which vegetation and tree clearing cannot remedy. Even infrastructure with little or no surrounding tree or shrub cover were burnt by spot fires that broke out kilometres from the fire front. Grasslands that had previously been burnt were re-igniting.
- We firmly believe that environment should be a key consideration in managing bush fires and that most homeowners are not equipped and unlikely to know what are threatened species, understand habitat values and the many other important environmental matters that should be considered. With the crashing of many native species, native vegetation should not be cleared without a well-informed assessment, particularly when it may be only a low bush fire risk.
- The Society has been very concerned about soil erosion where trees have been cleared from steep slopes and the lack of buffers around creeks and waterways where vegetation clearance can weaken the banks and soil erosion damages the water quality.

Regards,

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on behalf of the Lane Cove Bushland & Conservation Society.

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