North Coast Environment Council Inc.
Honorary Secretary
Jimmy Malecki
[redacted]

17th April 2020

Dear Dave Owens APM and Professor Mary O'Kane AC,

Please accept this submission by the North Coast Environment Council (NCEC) for the bush fire inquiry which is reviewing the causes of, preparation for and response to the 2019-20 bushfires.

Introduction

The North Coast Environment Council is the peak regional conservation group on the NSW North Coast which has been active in protecting the environment for more than forty years. Many of our members live in rural areas that were directly impacted by the 2019-20 wildfires. Many have been traumatised by the devastation to lives, property, wildlife and damage to the environment. Some of our member are involved in Bush Fire Management Committees (BFMCs) and many are wildlife carers who have been directly involved in wildlife rescue and rehabilitation since the fires.

1 The causes of, and factors contributing to, the frequency, intensity, timing and location of, bushfires in NSW in the 2019-20 bushfire season, including consideration of any role of weather, drought, climate change, fuel loads and human activity.

Climate

The predictions regarding the impacts of anthropogenic climate change from the majority of climate scientists for more than twenty years have been for warmer, drier conditions to increase in intensity and duration as global greenhouse gases increase in the atmosphere. The climatic conditions leading up to the 2019 fires have been rightly described as unprecedented, with record temperatures and a much extended drought which resulted in extremely dry soil and fuel conditions. These conditions may well become the new normal for our climate in the short term and more extreme over longer timeframes if greenhouse gases continue to rise. The changing climate has resulted in longer fire seasons and smaller windows of opportunity to safely carry out appropriate hazard reduction burning. It is clear that anthropogenic global warming was the primary causal factor leading to the severity and extent of the recent fire season.

The government needs to declare a climate emergency and actively implement policies to reduce our contribution to global warming by not approving any new fossil fuel projects and phasing out existing projects. A cessation of native forest logging

on public land, extensive environmental restoration of degraded forests and massive reafforestation projects on cleared degraded land are measures which need to be undertaken to speed the sequestration of excess atmospheric carbon. Measures to reduce our atmospheric carbon dioxide beyond those committed under the Paris agreement are essential as is encouraging co operation from the global community to increase and meet their targets.

Fuel loads. The management of fuel loads through hazard reduction burning can be useful in protecting assets, however as indicated by a number of fire experts it is not a panacea to solve what is a complex issue. Hazard reduction activities provide short term minimisation of risk under low to moderate fire conditions. However under severe, extreme or catastrophic conditions as occurred last summer are less effective at slowing a blaze. The Rappville fire which destroyed more than twenty houses in the small Northern Rivers village raced across approximately ten kilometres of predominately cleared, overgrazed, dusty paddocks before wiping out the town.

Hazard reduction activities to decrease fuel loads are most effective close to the asset. Asset protection zones identified in Bushfire Risk Management Plans should be the primary focus for hazard reduction works. Hazard reduction burning within Strategic Fire Advantage Zones may be appropriate within recommended regimes and proper consideration and protection of environmental and cultural assets. However broad scale burning outside these identified zones provides little cost benefit or long term risk reduction.

There are extensive areas of moist sclerophyll communities on the north coast and hinterland which are extremely difficult to safely carry out hazard reduction burning. The conditions are generally too wet to implement a burn, and on the few days they could be burned could prove difficult to manage. This is particularly apparent in the thousands of hectares of previously logged forests in the hinterland which now have a very dense understory of lantana and are often impacted by Bell Miner Associated Dieback. Under severe drought conditions the dense lantana significantly increases understorey fuel loads and fire intensity. Active ecological restoration to eliminate the lantana, restore native understory and encourage canopy closure would have helped mitigate the fire risk in these areas. It is apparent that previously logged, lantana infested moist sclerophyll communities fared much worse than lesser disturbed mature forests. Similarly larger tall trees in the forest provided better protection for arboreal animals such as koalas and hollow dependent species than regrowth trees.

Human Activity.

Arson has long been an issue as the cause of fires however not to the extent some in the media would have us believe regarding the 2019-20 fires. To reduce arson more resources should be provided for surveillance, investigation and prosecution of offenders.

Fires escaping through negligence are a major cause of serious bushfires. There needs to be a review of the fire permit system. Even in winter of the north coast fires often have a potential to escape and warmer drier winters are likely to increase this trend. There is a tendency for many rural property owners to burn off in the last week before permits are required and permits are often only brought forward after fires begin to escape rather than before. Due to increasingly warmer drier winters Fire

permits should be required at all times of the year. Rather than being issued by volunteers, trained paid staff should be utilised and site inspections carried out to ensure that effective containment strategies are in place and sufficient resources available to manage the fire before a permit is issued. Compliance with the provisions of the Rural Fires Act should be strictly enforced. These include such matters as not allowing a fire to leave the property as well as not leaving a fire unattended.

Page 12of 334.0ToR 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

Governments were warned by fire and climate experts of the likely impending bushfire disaster however extra resources including air tankers were not sourced prior to the outbreaks. Similarly Remote Area Firefighting Teams (RAFTs) and particularly Remote Aerial Response Teams(RARTs) which can be effective in quickly containing blazes in remote areas should have been increased in number and better resourced prior to the fire season. Many of the blazes initiated from lightning strikes and may have been able to be contained by well equipped and trained rapid aerial response teams.

Wildlife and Environment

The fires caused massive loss and injury to wildlife including koalas which overwhelmed wildlife carer groups. Areas impacted by fire often took several weeks to be considered safe for carers to enter. Even then fire ground training was required prior to entry. This was often undertaken in haste but caused extra delays in providing wildlife rescue. Following the fires, community members were providing watering stations for animals but in many cases too late to help survivors of the fires recover. Lessons learned from these events should prompt contingency plans to b developed by carer groups in co operation with agencies including by RFS ,NPWS and Forest Corps to fast track animal rescue in preparation for future similar events.

The damage to World Heritage values including Gondwanan Rainforests was significant. The unexpected burning of rainforests should be a wakeup call that the changing climate has made these former fire refuges flammable under extreme conditions. Effective weed management in adjacent moist sclerophyll communities may have reduced the impact on rainforest margins and should now be a priority to mitigate future similar events.

The Federal Government has responsibilities for maintaining World Heritage and other values of National Significance and should play a lead role in planning, funding, and resourcing and co ordination for future events. Environmental values of State significance should be similarly managed by the state government.

Following the extensive fires, areas that were not burned provide refuge for surviving fauna and flora and should be priority areas for active conservation management and to protect from wild fires in the future. There should be a moratorium on logging in these refuges across all tenures at least until the full scale of the ecological disaster can be assessed and recovery of fauna and flora is complete. High conservation areas which were burned should be actively managed to suppress

invasive weeds and pest animals until recovery is complete. There should be no salvage logging allowed in any burned areas (other than plantations)to allow for animal recovery and the natural regeneration of native vegetation. There needs to be adequate resources provided under Section 44 funding to carry out post fire environmental restoration activities.

Bush Fire Risk Planning

The Rural Fires Act 1997 was developed as a result of the 1994 NSW Wildfires. The Act considers the protection of life property and the environment within an ecologically sustainable development planning context. The preparation of local Bushfire Risk Management Plans by local Bushfire Management Committees is carried out under this act. Assets including environmental and cultural components are identified in the BFRMP and strategies developed to mitigate the risk of damage from fire. The planning framework is sound, however more resources are required, especially for the identification and mapping of environmental assets and the implementation of actions to increase their protection.

Prescribed Burning

There has been much criticism that 'green tape' prevented much hazard reduction burning. The current process for obtaining a hazard reduction certificate provides an effective streamlined, fast tracked approval for works to be carried out while considering and minimising risks to the environment. As indicated in the previous section, hazard reduction is most effective and beneficial in areas close to the asset or in strategic fire advantage zones identified in risk management plans. Broad area hazard reduction burning of forests outside these zones provides little protection under high fire danger periods.

Much criticism has been directed at National Parks for not doing enough hazard reduction burning. This is unjustified as data shows that although NPWS is responsible for management of just 9% of the state they have contributed 75% of state wide hazard reduction target 2015-19.Many parks are in rugged, remote areas where hazard reduction will have little benefit to protecting built assets. The loss of most of the experienced, key fire management staff from both NPWS and Forest Corps through forced redundancies over the past decade is an example of poor planning by a succession of state governments to ensure fire planning and mitigation by these agencies is able to meet the challenges of a warming climate. These challenges include the narrowing window of opportunity to safely carry out burns. When unsafe burns do escape and cause damage there is criticism from members of the community, likewise when wildfires occur there is equal criticism for not undertaking enough hazard reduction burning.

Rather than proposing broad area burning targets such as 5% annual minimum for public land as recommended by the Victorian Royal Commission into Black Saturday fires which led to broad areas of remote country being treated primarily to meet the target, hazard reduction should be strategic and well planned to give protection close to assets.

The NSW RFS 'Planning for Bushfire Protection' has recently been updated and provides sound advice on building design and preparing and maintaining properties to give the best level of protection from fire. Many houses lost in the recent fires were

built before the need to comply with house designs for bushfire prone areas or had extensive fuel including wood piles, garden furniture and other flammable materials close by which provided paths for the fires to reach houses. While the guidelines for house design largely apply only to new developments, owners of existing developments should be encouraged where possible to upgrade design and materials to be better protected. The regular maintenance of cleared asset protection zones adjacent to houses is a fundament part of bushfire preparedness and should be a mandatory requirement prior to each fire season for all who reside in high bushfire risk areas.

Ecological Burning

Where judicious burning may be appropriate for genuine conservation outcomes rather than hazard reduction per se there are difficulties in gaining approvals. BMAD impacted eucalypt communities can potentially be restored through an integrated approach utilising fire and chemical control, however approvals for ecological burns are currently not easily obtained. Similarly many private conservation land agreements require the implementation of appropriate fire regimes as an agreed management action. Many landholders have participated in fire planning workshops such as 'Hotspots' but have trouble implementing plans because of gaining approval for burning other than 'hazard reduction' as well as needing assistance to safely carry out burns.

There needs to be a streamlined approval pathway to carry out genuine ecological burns and assistance should be made available to undertake this work. There are currently State Mitigation Teams, with paid staff which carries out hazard reduction activities adjacent vulnerable communities such as nursing homes, hospitals and schools. State Mitigation teams should be significantly expanded and resourced to assist undertaking ecological burns for private landholders.

Cultural Burning.

Low intensity, cultural burning by indigenous practioners is receiving some attention lately, mostly due to the activities of the Fire Sticks Alliance. Workshops have been held around the state and training is being provided to indigenous ranger teams by indigenous experts. These initiatives should be supported by governments through increased resources for training and equipment as well as monitoring the ecological outcomes of cultural burns to inform future land management decisions.

ToR 3: Responses to bushfires, particularly measures to control the spread of the fires and to protect life, property and the environment, including :a. immediate management, including the issuing of public warnings b. resourcing, coordination and deployment c. equipment and communication systems.

Back Burning. We are aware that decisions often have to be made 'on the run' under conditions of bushfire emergency. However reports of indiscriminate back burning to protect assets such as plantations and production forests at the expense of high conservation value areas of public land are of concern. Huge backburns accompanied by extensive bull dozing of large roadside trees which were pushed against rainforest edges and burned have been reported by our members in Ewingar State Forest and other remote areas. The disregard for rainforest and other very high

conservation value features, which should themselves be considered assets to be protected, is not supported by NCEC.

Unnecessary tree clearing

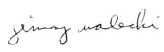
Similarly, the extensive clearing of large hollow bearing road side trees in many locations appeared unnecessary, given there was no direct, immediate threat. Even weeks after the fire danger had passed the removal of significant components of roadside vegetation were felled and chipped on site by local councils. Where there is no immediate threat of fire, ecologists should be on site to assess the habitat values of the trees and wildlife resucers/carers should be on site to assist displaced or injured fauna.

Post fire restoration

Large scale environmental restoration projects should form part of the response to the fires. These should be prioritised in key locations to gain the maximum ecological benefit and provide meaningful, worthwhile employment to members of rural communities. Such areas include critical habitat areas for threatened species, degraded eucalypt communities adjacent rainforests and riparian areas. Many areas burned hot enough to virtually eliminate lantana from disturbed forests which now provides an opportunity to prevent its reinvasion through active restoration to speed up canopy closure and minimise future disturbance. Native forest logging which opens up canopies, dries out understories and soil and facilitates the invasion of exotic weeds should cease and future timber only be sourced from well managed plantations. The cessation of native forest logging on public lands will contribute significantly to meeting our global commitments to reduce our production of carbon dioxide and hasten its sequestration.

Thank you for the opportunity to make a submi to the bush fire inquiry.

Respectfully yours,



Jimmy Malecki

Secretary North Coast Environment Council