

INTRODUCTION OF IGNITION MANAGEMENT ZONES IN BUSH FIRE RISK MANAGEMENT PLANS

ADVICE NOTE

IGNITION MANAGEMENT ZONES

BACKGROUND

The NSW Rural Fire Service (RFS) has introduced a new bushfire management zone to the bush fire risk management planning process. The RFS advises that Ignition Management Zones (IMZs) will focus on hazard reduction in the broader landscape and Bush Fire Management Committees (BFMCs) can include IMZs in Bush Fire Risk Management Plans (BFRMPs) in locations where ignition sources are considered likely and in areas susceptible to generating extreme fire behaviour.

The Bush Fire Coordinating Committee (BFCC) 'Interim Policy – Bush Fire Risk Management – Annex C Bush Fire Management Zones' states that BFMCs are to ensure there are a range of Bush Fire Management Zones and strategies in their BFRMPs to appropriately address the risks to the variety of asset types and social, cultural and environmental values in their area. However, while all zone types need to be considered by BFMCs and their inclusion may be proposed by agency representatives, there is no mandatory requirement for a BFMC to include IMZs in their plan. There are some BFMCs currently engaged in the preparation of next generation BFRMPs who have determined that IMZs are not a suitable risk reduction strategy and have declined to include them.

NCC POSITION

Although the Interim Policy and additional items such as a draft fact sheet to support the implementation of IMZs has been endorsed by the BFCC, our representative on the committee did not give endorsement and requested more information be provided. NCC remains concerned about the lack of scientific evidence supporting the value of IMZs in mitigating risk, the lack of guidelines for their implementation and the impacts on environmental and cultural assets that would ensue from the more frequent burning prescribed for IMZs.

Where IMZs are proposed by BFMCs and it is likely that environmental impact will occur i.e., the fire interval frequency proposed is greater than allowed for a Strategic Fire Advantage Zone (SFAZ), NCC representatives should raise their concerns to the inclusion of those IMZs from an environmental impact and assessment perspective, using the points outlined below as a guideline. BFMCs should have data that demonstrates the effectiveness of proposed IMZs and this can be requested. If a NCC representative considers they are being excluded from discussions about the inclusion of IMZs or their concerns are not being suitably addressed, contact the Bushfire Program Coordinator for advice and assistance.

POINTS FOR NCC REPRESENTATIVES TO CONSIDER ABOUT IMZS

One of the important roles that NCC representatives have on BFMCs is to objectively evaluate the potential impact that mitigation treatments could have on environmental assets. As part of this assessment the role of fire in biodiversity conservation and the maintenance of ecological integrity should be considered. NCC is not a firefighting organisation or a land management agency, but it has an important role in ensuring that BFMCs introduce risk reduction works that are effective in mitigating risk, not only to life and property, but for the environment and specifically identified environmental assets. An important objective of the *Rural Fires Act 1997* is the requirement that certain activities be carried out having regard to the principles of ecologically sustainable development (ESD), including the conservation of biological diversity and ecological integrity, which is identified as a fundamental consideration. The protection of environmental assets from damage from fires is also an important objective. It is possible that in some cases there may be a reasonable argument to use IMZs to help achieve the principles of ESD, such as in circumstances where IMZs can help protect adjoining critical habitat from high intensity or high frequency fire.

If IMZs are identified in your BFRMP, NCC representatives should request copies from the relevant agency(s) of the environmental assessment (Review of Environmental Factors or Environmental Impact Statement) for the works to be carried out in IMZs. This will enable NCC to assess whether all relevant factors have been adequately considered

by the agency. Copies of environmental assessments for IMZs received should also be forwarded to the Bushfire Program Coordinator to enable information to be collated and analysed for input into future reviews into IMZs conducted by the RFS or BFCC.

Should IMZs be proposed for inclusion in a BFRMP by your BFMC, NCC representatives should consider raising the following points.

- Section 54(2) of the *Rural Fires Act 1997* (*Rural Fires Act*) states that BFRMPs generally, “may restrict or prohibit the use of fire or other particular fire hazard reduction activities in all or specified circumstances or places to which the plan applies”. This means a plan could prohibit the use of fire because of its likely effect on flora or fauna in particular locations e.g. the frequent use of fire allowed in an IMZ, or because the area has been declared a wilderness area.
- Section 51(2) of the *Rural Fires Act* states that a BFMC “is to have regard to the principles of ecologically sustainable development” in carrying out any function that affects the environment. Implementation of IMZs at fire intervals which are sub-optimal to the required fire regime of species within the area to be treated may potentially cause biodiversity losses in those areas.
- The BFCC document: Interim Bush Fire Risk Management Plan - Annex C - Bush Fire Management Zones specifically recommends considering alternate locations for a proposed IMZ if it will overlap with environmentally sensitive areas, such as wilderness areas and wild river catchments. In accordance with the need for BFMCs to consider environmental considerations in determining the placement of IMZs in the landscape context, preference should be given to locating IMZs in environmentally acceptable locations such as outside the boundaries of conservation areas.
- The primary way in which bush fire hazard reduction works are permissible is under section 100C(4) of the *Rural Fires Act*. Environmental assessment for such works is generally via assessment under the Bush Fire Environmental Assessment Code 2021 (Code). However, the Code does not allow a bush fire hazard reduction certificate to be issued in some areas e.g. wilderness. In addition, the Code does not cover IMZs and in any case a certificate can only be issued for other Zones if fire frequency thresholds in the Code are met. Accordingly, section 100C(4) of the *Rural Fires Act* will not authorise works in certain areas or where “frequent fire regimes” are contemplated by a bush fire risk management plan.

If the Code cannot be used, an alternative pathway to lawfully carry out such works is required. Generally, this alternative pathway will be under Part 5 of the EP&A Act – via either a Review of Environmental Factors or an Environmental Impact Statement. Preparation of either document will require a tapestry of statutory provisions to be complied with by land managers and fire authorities to avoid committing any offence. These provisions may be complex and could expose a public authority to unnecessary risk.

- High frequency fire resulting in the disruption of life cycle processes in plants and animals and loss of vegetation structure and composition is recognised as a Key Threatening Process in Schedule 4 of the *Biodiversity Conservation Act 2016*.

The stated aim of IMZs in the RFS draft fact sheet is for the fuel loads within IMZs to require more regular treatment than in SFAZs. The minimum intervals used for SFAZs within the Bush Fire Environmental Assessment Code are based on primary juvenile periods not on seedbank replenishment, with seedbank reserves requiring additional years to rebuild, and short inter-fire intervals should be followed by an interval that at least allows for this buffer. Unless based on localised research the widespread application of IMZs across the landscape with a requirement for more frequent treatment by fire may exacerbate rather than mitigate this key threatening process.

- Numerous research studies consistently find that hazard reduction activities conducted in proximity to houses and towns will be most effective in managing risk to life and property. The priority for implementing annual works programs for the protection of people and other assets should be focused on achieving Asset Protection Zone and SFAZ hazard management outcomes.