

Submission from: Ron Ward

To: Department of Infrastructure, Transport, Regional Development and Communications

7 November 2020

This submission has been compiled in response to a call for public comment on proposed amendments to the **Norfolk Island Fire Control Act 2000** from the Department of Infrastructure, Transport, Regional Development and Communications, with a closing date of 9th November 2020.

In considering amendments to this legislation there needs to be clarity as to exactly what improvements are sought, and what controls are appropriate for Norfolk Island conditions.

While minor changes such as improving the definition of a properly constructed fire place could be an improvement, the Act has functioned well for many years and was developed to give an appropriate level of control where it is needed. Generally, BBQ or cooking fires have not proven to be an issue but having clear controls and guidelines is a valuable deterrent to irresponsible actions.

Establishing consistent standards between the reserves and the National Park would be a positive initiative.

There is one aspect of this proposed revised legislation that would impose unnecessary cost and complexity to land management, that is the burning of green waste:

Norfolk Island has a considerable woody weed problem that impacts public and private lands. The massive bulk of woody weed material necessitates burning as the primary means of managing this surplus bulk material. (See plans of management for Reserves and National Park to verify weed issue)

Concerns with restrictive controls on vegetation fires include:

- Defining a fire size is open to interpretation and many variables.
- A spark proof incinerator capable of incinerating large volumes of vegetation is not feasible or cost viable.
- The requirement to seek a permit 24 hours ahead would often limit the operator from availing themselves of brief and unpredictable periods conducive to burning safely.
- The requirement to advise adjoining landholders has varying relevance – those on small portions of land are more affected by a neighbour's actions than those on larger or rural properties.
- The requirement to notify adjoining landholders of intent to burn is often not feasible or helpful as a means of managing impacts such as sparks, risks and smoke. It also serves to cause needless alarm and raise concerns about open burning.
- It should not be assumed that all neighbours are on speaking terms, and not all neighbours would necessarily acknowledge contact had been made. Defining who is an affected neighbour is also very complex.
- In many instances the requirement to monitor a fire constantly is unnecessary, Norfolk Island conditions are generally not as volatile or fire prone as many Australian situations. A hot burning fire that has been monitored though its initial prime heat burn may continue on to burn out for many hours or even days if the burn was substantial. While leaving a fire unattended in Australian conditions would be grossly negligent, in the Norfolk Island context there is often significantly less risk.
- Having fire control officers documenting each burn off fire would be resource demanding and wasteful of the fire officer's time.

- Norfolk Island is generally rural in nature. Fire is an accepted tool for land managers. Issues of fire safety should not be confused with the concerns of city/suburban settlers who are less familiar or accepting of fire or its resulting emitted smoke.

Note: It is a given that there would be no vegetation burns during a TOBAN or an identified high danger period and any revised legislation should reflect this expectation.

1. Rather than excessive legislative demands upon people, a better option would be to train and licence interested landholders and clearing contractors in fire risk assessment.
2. The installation and operation of fire risk indicator signboards as per many fire prone areas in Australia could be a useful guide for land managers.
3. Consideration could be given to allow varying levels of fire use based upon available land area.
4. Use of zones as defined by the Norfolk Island Plan could be designed to allow larger rural property holders to burn as necessary, while limiting those on smaller portions who would be causing greater impact and risk to neighbours. There are a range of woodchippers commercially available capable of vegetation management for these smaller properties.
5. Publicising the benefits of woodchip mulching may also help reduce reliance upon burning.

From another perspective, given that the Norfolk Island Regional Council elections have been delayed, effectively leaving the existing Council in prolonged caretaker mode I would suggest that this important matter be developed in consultation with the new members upon their appointment. (In the name of transparency, I declare I am both an affected landholder and a candidate in the upcoming election.)

I base these comments on experience as a long-term manager of Norfolk Island lands, a Norfolk Island National Park Advisory Committee member, and from the perspective of one who has held executive responsibility for land use and environment in Norfolk Island, and urge that you consider these issues raised.

Thanking you,

Ron Ward