Answers to ROMA Attachment A

Opening statement by OEH Chief Executive Inquiry into the Wambelong Fire Legislative Council General Purpose Standing Committee No 5

The National Parks and Wildlife Service, part of the Office of Environment and Heritage, which I will refer to as the NPWS, has significant land management responsibilities, with almost nine per cent of land in NSW managed for conservation and for the public appreciation, understanding and enjoyment of the nature and cultural heritage in a network of national parks and other reserves.

As everyone here knows, on the afternoon of 12 January 2013, fire was discovered in Warrumbungle National Park. The Wambelong Fire lasted 41 days, burning 56,280 hectares, including 22,085 hectares of national park, and 34,195 hectares of surrounding lands, and destroyed a significant amount of property and infrastructure both within and outside the park, including many houses.

Over the 41 days, enormous resources joined in a combined effort to extinguish the fire. As with many fires of similar or larger size, effective fire control relies on the combined and coordinated efforts of fire authorities, fire fighters, supporting organisations and the community. As a fire authority and a significant landholder in NSW, the NPWS is responsible for and committed to effective fire management practices, including bushfire response, on not only the lands it manages but on other land and in the community more broadly.

Indeed this was the case with the Wambelong Fire. A NPWS staff member and a local rural fire brigade member were first on the scene on the afternoon of 12 January. Together they attacked the fire while additional resources were being deployed. The cooperation that afternoon between these two men set the scene for what would become an enormous cooperative effort between so many individuals and organisations over the coming days.

From the very first moment that afternoon when the water from the fire hose hit the ground at Wambelong, every subsequent effort of the NPWS was directed at containing the fire. In the first 19 hours, NPWS took responsibility for controlling the

fire, a responsibility that I believe we exercised professionally and at all times with the best possible intentions. After the section 44 declaration in the late morning of Sunday 13 January, NPWS continued, as part of a multi-agency response, to fight the fire until it was declared out on 21 February.

The significant and detrimental impacts of this fire, including the personal, community, and environmental impacts, are shared acutely by NPWS, and in particular by the local NPWS staff.

NPWS fire management efforts are part of a State-wide approach, consistent with the *Rural Fires Act 1997*, the *State Emergency and Rescue Management Act 1989*, the State Bush Fire Plan, and with *NSW 2021*.

NPWS is both a 'public authority' and a 'fire fighting authority' under the Rural Fires Act. As a 'public authority', NPWS has statutory obligations to take steps to prevent the occurrence of bushfires and to minimise the danger of the spread of bushfire on or from land under its management. As a 'fire fighting authority', NPWS has a statutory role in assisting other fire fighting authorities and NPWS's neighbours in the management of bushfires. NPWS, as with other land managers, is often a first response agency to bushfires occurring both within national parks and outside the national parks.

The State's fire fighting authorities work together under the principles of coordinated fire fighting, and operate under a tenure blind approach to maximise the effectiveness of their fire fighting efforts. The principal mechanisms for coordinated and cooperative fire management are the NSW Bush Fire Coordinating Committee and local Bush Fire Management Committees.

NPWS is a member of the Bush Fire Coordinating Committee and its Standing Committee, and has a representative on most of the 67 Bush Fire Management Committees across NSW, especially where NPWS has significant reserves that may potentially be impacted by fire. For example, NPWS is represented on both committees covering Warrumbungle National Park – the Castlereagh Bush Fire Management Committees and the North West Bush Fire Management Committees.

NPWS has regular interaction with the Rural Fire Service at a state level, as well as closely cooperating with local RFS staff and RFS brigades. During periods of

bushfire activity, NPWS places senior liaison officers and support teams at the NSW Rural Fire Service's State Operations Centre to provide advice on fire suppression in national parks and reserves, and on the availability and deployment of NPWS resources; to assist in state-wide situation monitoring and strategic review; and to perform a range of other functions. NPWS also places experienced aviation management personnel at RFS's State Operations Centre to assist the RFS's State Air Desk in the coordination of aircraft during fires across NSW. NPWS also cooperates with RFS for joint training, procurement, systems development and data exchange and a wide range of other functions important for supporting fire fighting operations.

NPWS has developed a hierarchy of planning documents to guide its approach to fire management in parks as part of a consistent, coordinated and cooperative approach to fire management in NSW. Those documents range from the State-wide *NPWS Fire Management Manual*, which is reviewed and updated annually, to a fire management strategy for every reserve managed by NPWS.

Strategic issues and a state-wide direction for NPWS's fire management over a 10 year time frame are articulated in *Living with Fire in NSW National Parks – A strategy for Managing Bushfire in National Parks and Reserves to 2021*, which was launched in April 2013. The strategy is the State's first comprehensive, long-term, fire management strategy for national parks. The strategy identifies that the primary objective of managing fire in national parks is always to protect life and property.

As a fire authority, NPWS has significant resources available to meet its fire management responsibilities. These resources include almost 1,200 trained and skilled fire fighters, fire specialists and fire support staff; 470 vehicles; 170 items of equipment such as bulldozers, graders and slashers; and five aircraft. In addition NPWS maintains 37,600 km of fire trails and park roads used for fire management purposes in national parks and reserves.

NPWS takes its responsibilities to reduce fire risk seriously. In 2013-2014 NPWS completed 232 prescribed burns covering 111,000 hectares. In the three years to June 2014, NPWS worked with the Rural Fire Service to carry out hazard reduction operations covering over 360,000 hectares. The average annual area treated, which

is approximately 120,000 hectares, was nearly double during this period when compared with the average for the previous three-year period.

NPWS's hazard reduction activities are assisted by the NSW Government's Enhanced Bushfire Management Program, a five year \$62.5 million program which will run to June 2016. Through this program NPWS has employed an extra 94 trained fire fighters to assist with its expanded hazard reduction activities, the extra 94 staff are also available for fighting wildfires in the national parks system and on other land, including private property.

NPWS fire fighting staff are highly professional, and are nationally and internationally recognised for their expertise. NPWS has made significant contributions to interstate fire fighting operations, such as the 2009 Black Saturday bushfires in Victoria. NPWS has also sent teams of fire fighters to major fires overseas, including to the USA in 2002, 2003, 2006 and 2008 and to British Columbia in Canada in 2009 and 2014.

NPWS staff contribute to fighting fires that occur outside reserves as well. In 2013-14 NPWS firefighters assisted at an additional 100 fires that burnt entirely off park.

NPWS responds rapidly to wildfires burning within parks, with the aims of limiting the area of park burnt and containing the fire within reserve boundaries where possible. This has resulted in NPWS successfully containing most fires within reserve boundaries. This is largely due to a responsive detection and suppression capability, effective cooperative fire fighting arrangements and the success of NPWS's strategic hazard reduction programs. For example, over the last 10 years, about 90% of all wildfires burning in parks have been contained within reserve boundaries. In the corresponding period it is estimated that 464 fires, or 21% of fires burning in parks moved from off parks into parks. Over that same period only 188 fires (9%) started in national parks and moved off.

Over the last 20 years NPWS has made a significant achievement in reducing the size of wildfires burning in reserves. From 1993-94 to 2012-13 there was a downward trend in the annual average size of wildfires and the annual average area burnt on parks and reserves. For example, in the last ten years NPWS contained 82% of fires in reserves to 100 ha or less, and only 5% of fires in reserves were greater than 1,000 ha. These figures indicate meaningful improvement in the

management of wildfires, as a result of significantly enhancing our rapid response capability and implementing strategic hazard reduction programs.

NPWS has achieved these improvements whilst at the same time the area of reserves that it manages has increased considerably. Over the last 20 years the area of reserves managed by NPWS has increased from about 3.9 million hectares in 1994 to about 7.1 million hectares in 2013. As part of this increasing land management responsibility, NPWS is committed to continually improving its fire fighting efforts across all of the reserves it manages.

In the week preceding the Wambelong fire, NPWS was involved in fighting a growing number of fires across the State. On 6 January 2013 NPWS was involved in 19 fires, of which one was under a section 44 emergency declaration. By 13 January NPWS was involved in 36 fires, of which 22 were under section 44 declarations.

From the Wambelong fire's outbreak on the afternoon of 12 January 2013, NPWS allocated many resources to combatting it and worked cooperatively with the Rural Fire Service in on-ground fire fighting efforts, in incident management team roles, and in providing many support functions.

Approximately 95% of Warrumbungle National Park was affected by the Wambelong fire. It destroyed the park's visitor centre, historic woolshed, staff quarters and many other items of visitor infrastructure. The fire impacted on the Siding Spring Observatory and destroyed or significantly damaged private property and structures, other infrastructure and livestock. As noted earlier, it was finally contained at 56,280 hectares, including 22,085 hectares of national park, and 32,352 hectares of private property.

The cause of the fire, as well as other events leading up to and during the fire, are the subject of a current coronial inquiry.

NPWS believes that all staff who were involved in the response to the Wambelong fire appropriately applied their training and experience to combat it, and did so in good faith and in accordance with the relevant plans, policies and procedures which they are required to implement.

NPWS is determined to maintain its focus on recovery actions in Warrumbungle National Park, recognising that a speedy park recovery will help support the local community.

NPWS continues to review its plans, policies and procedures as a result of lessons learned from the 2012-13 fire season in order to continually improve its fire management preparedness, response and recovery practices. The practice of continuous improvement through reviewing plans, policies and procedures is well embedded in NPWS, particularly in relation to our fire responsibilities. As is the operational application of review and learning outcomes.

The NPWS Fire Management Manual was updated in July 2014 and incorporated changes to fire fighting procedures arising from the 2012-13 and 2013-14 fire seasons. The Reserve Fire Management Strategy for Warrumbungle National Park has been reviewed, and will be finalised after the completion of this inquiry and the report of the Coroner on the Wambelong fire.

NPWS is working with the Rural Fire Service to implement the interim arrangements issued in July 2014 clarifying the command and control provisions and the notification requirements to be followed by fire fighting authorities for Class 1 and Class 2 fires. These arrangements mean that the Rural Fire Service or Fire and Rescue NSW has ultimate responsibility for all bushfires regardless of tenure, and is responsible for the appointment of incident controllers. NPWS strongly supports those arrangements and supports the enhanced emphasis on notification and communication procedures.

NPWS considers itself to be an important part of the Coonabarabran community and recognises the importance of Warrumbungle National Park to the local economy. The park is the premier tourist attraction in the region, and NPWS is focussed on ensuring that the park's facilities can again be used by visitors. NPWS's recovery plan includes restoring the park's buildings and major walking tracks; replacing damaged infrastructure; and developing research and wildlife recovery programs.

To date a temporary visitor centre has been established; all major camp grounds have been reopened; the iconic Grand High Tops/Breadknife walking trail was opened in Easter 2014; research programs into wildlife, cultural heritage and fire

behaviour have commenced; and replacement of park signage and repairs to other infrastructure are under way.

Following the Wambelong Fire, and in response to neighbour concerns about the standard NPWS boundary fencing agreement, NPWS developed a simplified application process and fencing agreement, which was welcomed by adjoining landowners. NPWS also reviewed its boundary fencing policy to make it shorter and simpler. The revised policy, with a one page standard agreement, was published on the NPWS website in February 2014.

NPWS recognises that lessons can always be learned from major fires such as this one. NPWS will look closely at the findings and recommendations from this inquiry and from the coronial inquiry into the Wambelong fire, and see how its fire management responsibilities can be improved.

The fire was unprecedented in the history of Warrumbungle National Park, and NPWS has already initiated a three year research program to assess the fire's impacts on the park's landscape and ecology. This program includes research on fire behaviour, fauna and flora, soils and water quality, cultural heritage, and involving the community in research, known as citizen science. Fauna recovery projects already commenced include monitoring of brush-tailed rock wallaby and koala populations; installation of 300 nesting boxes for possums, parrots and microbats; and control of invasive weeds in the park.

NPWS's emphasis on well trained and professional fire fighters was demonstrated in the way that our staff responded to the fire's outbreak, whether they were on duty or not, and continued to work cooperatively with the RFS and local RFS brigades as the fire fighting effort quickly escalated. NPWS staff were able to apply their experience and the procedures they had learned in a real event, and both the agency and its staff are grateful that no lives were lost in a very difficult situation for the Coonabarabran community and the fire fighting authorities.

In finishing I would firstly like to acknowledge the significant and detrimental impacts of the fire, including the personal, community, and environmental impacts. These impacts are shared acutely by NPWS, and in particular by my local NPWS staff.

Secondly, I believe that all staff who were involved in the response to the Wambelong fire appropriately applied their training and experience to combat it, and did so in good faith and in accordance with the relevant plans, policies and procedures which they are required to implement.

I would like to take this opportunity to acknowledge and thank the support NPWS received from the local Council, from the RFS, from neighbours and local community groups both during and since this fire.

Finally, on behalf of the Office of Environment and Heritage, including the National Parks and Wildlife Service, I look forward to making a positive contribution to the Committee's inquiry.

Terry Bailey Chief Executive NSW Office of Environment and Heritage

Warrumbungle National Park Fire Management Strategy 2011 – 2016 Page 1 of 2

2011 – 2016

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 This strategy should be used in conjunction with aerial photography and field reconnaissance during incidents and the development of incident action plans.

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 This strategy is a relevant Plan under Section 38 (4) and Section 44 (3) of Rural Fires Act 1997.

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Contact: PO Box 39 Coonabararbran 2357 NSW. Ph: (02) 6842 0203

ISBN 978 1 74293 158 6 DEC 2011/0120	Date Approved:	29 August 2012	
	Contact Information		
Agency	Agency Position / Location Phone		
National Parks & Wildlife Service	Duty Officer (24 hour)	6842 3041	
	Coonabarabran Area Office (bus. hours)	6842 1311	
NSW RFS Castlereagh Zone	Garry Wilson Duty Officer	0429 305 713 0417 419 367	
NSW RFS North West	Tony Place (Zone Manager) Duty Officer	0427 253 299 6822 4422	
RFS Rural Fire Brigades	Group Captain – Bob Fenwick Belar Creek – John Knight Bugaldie – Barry Buck Goorianawa – Ron Nash Gowang – Peter Hellyer Gummin – Rick Morse Timor – Jack Collins Yearinan – Tony Waldron Uargon – Mike Bowman Warrumbungle – Tony Webb	6842 3177 6842 2715 6843 4433 6843 8228 6842 2753 6825 4316 6842 1632 0429 318 239 6848 1075 6825 4374	
NSW Fire Brigade	Katoomba 4782 6077		
Emergency Services	Police, Fire, Ambulance	000	
SES		13 2500	
Police	Coonabarabran 6842 7299		
Council	Warrumbungle	6849 2000	

Communications Information			
Service	Channel	Location and Comments	
NPWS VHF	31 28	 Needle Mountain Wanda (southern Pilliga) 	
RFS	P024 P138 P153	 Needle Mountain Siding Spring Wanda (southern Pilliga) 	
UHF - CB		 Small fires - Channel 10 Large fires - determined by IMT 	
Aviation - CTAF	126.7		
Cellphone		Telstra 3G coverage, towers at Needle Mountain, Baradine and Coonabarabran	

The park has very steep terrain, which results in highly variable communications. Communications may be augmented by portable repeaters. Maps on fixed and potential temporary repeater sites are located in the Coonabarabran Area Operations Room.

	Fire Season Information
Wildfires	 The critical wildfire season generally occurs during November and December. During periods of strong negative Southern Oscillation Indices (El Nino events), this period may commence late September and extend into the first half of January. The end of the critical fire season is often marked by wet storm activity. There is a risk of night-time runs along ridges with easterly winds after very dry south-westerly conditions, during strong negative SOI.
Prescribed Burning	Effective prescribed burning may need to be conducted once the "critical fire season" and thunderstorm season is over. This is due to the LOW - MODERATE Overall Fuel Hazard for most vegetation types. Prescribed burning attempted after autumn rain is unlikely to be effective.
	Related documents
Benson I	(2010) New South Wales Vegetation classification and assessment. Cuppinghamia 11(4)

Benson, J. (2010) New South Wales Vegetation classification and assessment. Cunninghamia 11(4)
Department of Environment, Climate Change and Water (2010) Fire Management Manual
Hunter, JT (2008) Vegetation and floristics of Warrumbungle National Park. Report to NSW NPWS
National Parks and Wildlife Service (2003) Warrumbungle Brush-tailed Rock-wallaby Endangered Population Recovery Plan
National Parks and Wildlife Service (2011) Warrumbungle National Park, Plan of Management

Datum / Projection: Geocetric Datum Australia of Australia GDA Map Details 94 MGA zone 55 Topos: BUGALDIE 8735N, TENANDRA 8

 94 MGA zone 55
 Topos: BUGALDIE 8735N, TENANDRA 8635N, TOORAWEENAH 8635S,

 Scale: Noted scales are true when printed on A1 size paper
 COONABARABRAN 8735S



volcance faile drifts are characterised by steep terrain and lower overain the mazards. This win act to minit the potential downsiope spread of wildfires. The OFH is also lower on northern aspects. (Check Vegetation communities and biodiversity thresholds)
 Potential rates of spread are higher in Sandstone woodlands.
 Backburning should be avoided in steep terrain until fire fronts are within proximity of control lines. The aim is to time backburning to minimse length of fire run and spotting potential.



Incident Map

Warrumbungle National Park Fire Management Strategy 2011 – 2016 Page 2 of 2

Office of Environment & Heritage

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PO Box 39 Coon abararbran 2357 NSW.

	Ph: (02) 6842 (0203	
ISBN 978 1 74293 158 6 DEC 2011/0120 Date Approved: 29 August 2012			29 August 2012
	Operational Gui	idelines	
General		Guidelines	
Aerial operations	 Aerial operations will be managed by trained and competent personnel. This includes directing aerial bombing and aerial ignition operations The use of bombing aircraft without the support of ground based suppression crews should be limited to very specific circumstances. 		
Backburning	 All denailignition operations require the consent of the NPWS Regional Manager of the Section 44 Appointee. All personnel must be fully briefed before back burning operations begin. Backburning in areas of Low – Moderate OFH will require the use of wind, slope or low humidity to maximise effectiveness. Backburning should be avoided in steep terrain until fire fronts are within proximity of control lines. The aim is to time backburning to minimse length of fire run and spotting potential. 		
Command & Control	 The first combatant agency on site may assume control of the fire, but then must ensure the relevant land management agency is notified promptly. On the arrival of other combatant agencies, the initial Incident Controller will consult with regard to the ongoing command, control and incident management team requirements as per the relevant BFMC Plan of Operations. 		
Containment Lines	 New containment lines require the prior consent of a senior NPWS officer. Construction of new containment lines should be avoided, where practicable, except where they can be constructed with minimal environmental impact. Existing or previous roads, tracks and control lines should be used wherever possible. All personal involved in containment line construction should be briefed on, and must consider both natural and cultural heritage sites in the location. 		
Earthmoving Equipment	 Plant may only be used with the prior consent of a senior NPWS Officer. Plant must always be guided and supervised by an experienced officer, and accompanied by a support vehicle. When engaged in direct or parallel attack, this vehicle must be a fire fighting vehicle. Containment lines running along valley areas should be constructed at 20 – 50 metres from the gullyline to avoid severe erosion. Plant must not work in areas with slopes greater than 20 degrees. Plant use must be restricted in open areas and valleys due to the presence of Aboriginal sites. Plant must how asked down where practicely prior to it entering NPWS exterts and again on exiting NPWS exterts. 		
Fire Suppression Chemicals	 The use of foam, gels and retardants will NOT be permitted within 50 metres of dams and watercourses holding water. The aerial application use foam, gels and retardants requires the approval of the Regional Manager or delegate 		
Rehabilitation	Where practicable, containment lines should be stabilised and rehabilitated as part of the wildfire suppression operation.		
Watering points	 Consider deployment of a bulk water carrier to support fire operations. Consider deployment of 1,000 It pallet tanks, to be refilled by helicopters, to reduce fire unit tum around. Water for aerial use may be lifted from the lower treatment pond, if drop zone is 50 metres from watercourses 		
Smoke Management	 Potential smoke impacts and mitigation tactics will be assessed during the planning of fire operations. Siding Spring Observatory and Broadcast Australia must be contacted when smoke is assessed to impact the Observatory or the broadcast facilities 		
Visitor Management	 Walking trails and public use facilities will be closed fire operations; days of forecast Catastrophic Fire Danger No guided activities will be permitted during periods Implement the evacuations plan during Catastrophic 	d, where assessed necessary, d s of Severe+ Fire Danger, or du ic Fire Danger, or fires threateni	uring: ring fire operations. ng walking tracks and visitor facilities.
WARNINGS	 Remote area fire fighting operations should be post a high risk of a storm moving through the area; a forecast significant wind change. 	tponed, or abandoned, if there is ; or	S:
AVIATION HAZARDS	 Power lines with long spans located at: east of Needle Mountain communications facili north side of Siding Spring Winds from the NW to SW can produce severe turk some distance. The risk of turbulence must be assessed on the lee high turbulence. 	ities pulence within the Warrumbungl e-side of steep terrain. Operation	e Ranges. The turbulence may extend as must be suspended during periods of

Operational Guidelines – Heritage

Operational Guidelines – Heritage			
Resource	Guideline	es	
	 Tara Cave visitor facilities Protect the site from fire, exclude area from fire where poss Foam may be used to protect the structures, or to extinguist 	ible h fire	
Aboriginal Cultural Heritage Site Management	 Modified trees (AS1), including scarred trees Protect the site from fire, clear base of litter and shrubs, exclude site tree from fire where possible Foam may be used to protect the tree, or to extinguish fire Do not cut trees 		
	 Ground based sites (AS2), including: camp sites, artefacts, grinding grooves, waterholes and quarries Protect site from any ground disturbance, including the use of earth-moving equipment and vehicles 		
	Resource sites (AS3),including fig-tree groves Protect site from physical disturbance 		
	 Avoid upslope high intensity burning into Dry Vine Rainforests Historic structures, including Woolshed, Balor Hut, shelter at Pincham Camp Protect the site from fire, exclude area from fire where possible Foam may be used to protect the structures, or to extinguish fire 		
Historic Heritage Site Management			
	Protect site from any ground disturbance, including the use Brush-tailed Rock-wallaby habitats	of earth-moving equipment	
	 Avoid upslope burning into BTRW habitats Prescribed burning in habitats undertaken according to the 	BTRW Recovery Plan	
Threatened Flora and Fauna Management	 Endangered ecological communities –Dry Vine Rainforests (located in sheltered gullies and Scree woodlands) Avoid upslope high intensity burning into Dry Vine Rainforests Avoid the aerial application of fire suppression chemicals 		
	Endangered ecological communities – Grassy Box Woodlands Exclude construction of control lines 		
	Vegetation communities and biodiversity	thresholds	
Vegetation Community	Vegetation management guidelines	Fire Behaviour	
Sandstone Woodlands Bloodwood / Scribby Gum / Ironbark Woodlands Hunter community C7	 An interval between fire events less than 15 – 25 years and greater than 40 years should be avoided 	 Potential rates of spread is usually High due to Moderate - High OFH Localised areas of VERY HIGH OFH occur 	
White Box / White Pine / Ironbark woodlands White Box / White Pine / Narrow-leaved Ironbark woodlands Hunter community C3	 An interval between fire events less than 15 years and greater than 50 years should be avoided Selected areas to be maintained with interval greater than 100 years 	 Potential rates of spread would be low to moderate due to Low -Moderate OFH Localised areas of HIGH OFH may occur 	
Valley woodlands Apple / Yellow Box / Red Gum / River Oak woodlands	 Minimum interval between fire events less than 15 years and greater than 70 years should be avoided 	 Potential rates of spread would be low to moderate due to Moderate OFH 	
Black Pine / Narrow-leaved Ironbark woodlands	 An interval between fire events less than 15 years and greater than 40 years should be avoided 	 Potential rates of spread would be low to moderate due to Low -Moderate OFH 	
Scree woodlands Stringybark / Apple woodlands Includes some areas of Dry Vine Rainforest	 An interval between fire events less than 15 – 25 years and greater than 40 years should be avoided 	 Potential rates of spread is usually low due to Nil - Low OFH Some areas will not carry any fire due to rock cover May be used as a suppression advantage 	
Acacia woodlands and shrublands Motherumbah, Black Pine, White Pine, Bloodwood woodlands and shrublands Hunter communities C7 & C8	 High intensity fires required for recruitment events Exclude low intensity prescribed burns and backburns Minimum interval for fire events between 50 & 100 years, no maximum period applied 	 Potential rates of spread is usually low due to Nil - Low OFH Some areas will not carry any fire due to rock cover May be used as a suppression advantage 	
Derived grasslands and herbfields Hunter communities C5 & C6	 Minimum interval between fire events should be greater than 2 years Prescribed burning in regeneration areas should be scheduled according to a revegetation / rehabilitation plan 	 Potential rates of spread dependant on seasonal conditions A Low OFH occurs during dry seasons A Moderate – High OFH may develop after successive wet seasons producing continuous cover 	
	OFH – Overall fuel hazard - A rating system that includes leaf litter, grasses, shrubs, bark type and bark condition. Consists of ratings for surface fuel, near-		







Status of Biodiversity Thresholds





Sandstone woodlands White Box / White Pine / Ironbark woodlands Valley woodlands Black Pine / Ironbark woodlands Scree woodlands Scree woodlands Derived grasslands & herbfields

1 2 4 6 8 10 km

1:100,000



Answers to QoNs Attachment D





Boundary Fencing Policy

Introduction

The National Parks and Wildlife Service (NPWS) recognises the importance of working with adjoining landowners to manage common boundaries.

Boundary fencing refers to fencing that is constructed along, or close to, the cadastral boundary of a reserve managed by NPWS.

The *Dividing Fences Act 1991* does not require government agencies such as NPWS to be responsible for or share the costs of boundary fencing. Nevertheless, NPWS will contribute to the provision of boundary fencing with reserve neighbours as detailed in this Policy.

Scope and application

This Policy applies to all fencing separating parks and adjoining lands, whether the fence is on the surveyed boundary of the adjoining land or on a mutually agreed line other than the surveyed boundary.

This Policy applies to lands acquired or reserved under the *National Parks and Wildlife Act 1974*. This Policy does not apply to lands reserved under Part 4A of the Act unless the Board of Management for those lands has adopted it. However, this Policy still provides guidance for staff in their dealings with Boards of Management.

Objectives

This Policy aims to:

- Explain how NPWS will assist park neighbours in the construction and replacement of boundary fencing
- Clarify the obligations and responsibilities of NPWS and adjoining landholders for the construction, maintenance, repair and replacement of boundary fencing.
- Outline a streamlined process for repairing or replacing boundary fencing that has been damaged or destroyed by fires, floods or other natural events.

Policy

- 1. NPWS will assist park neighbours in the construction, repair or replacement of boundary fencing as described in this Policy.
- 2. NPWS's assistance with fencing will be subject to the availability of funding and staff resources, and to meeting its other responsibilities under the *National Parks and Wildlife Act 1974* for managing national parks.
- **3.** In the case of any inconsistencies between an existing fencing agreement and this Policy, the conditions of the existing agreement will prevail.

When will NPWS assist with the construction of new fencing?

- **4.** NPWS will consider assisting with the construction of new boundary fencing when it will:
 - Provide a clear physical indication of park boundaries where there is a legal requirement or where it clearly benefits both NPWS and an adjoining landowner
 - Prevent the movement of domestic stock onto a park
 - Assist in the protection and conservation of natural or cultural values of a park
 - Control the movement of people and vehicles for public safety
 - Control the movement of people and vehicles to reduce fire control problems or undesirable or illegal activities in a park
 - Repair or replace a fence damaged or destroyed by flood, fire or other natural event.

What will be NPWS's contribution to the construction of new fencing?

- **5.** NPWS will generally only provide the materials for the construction of a new boundary fence, with construction to be undertaken or organised by the adjoining landholder.
- 6. NPWS's contribution of materials and/or labour to the construction of a new fence must be specified in a fencing agreement between NPWS and the landholder.
- 7. The fencing agreement must also specify for how long NPWS's contribution will be valid after the agreement is finalised. NPWS's contribution will generally expire 12 months after the date of the agreement or once the fence is constructed (whichever comes first).

What type of fencing will NPWS agree to contribute to?

- 8. NPWS will contribute to the construction of a standard, stock proof fence that is used commonly in the region. If a landowner requires or wishes to have a higher standard of fencing, they must meet the additional costs of that fencing.
- **9.** The type of fencing to which NPWS will contribute should be specified in the fencing agreement.

Where will a new boundary fence be constructed?

- 10. Where practicable, fences should be built on the boundary. If it is impractical to construct a new fence along a boundary (whether surveyed or not) due to, for example, difficult topography or where the boundary has many changes of direction, the fence line may be relocated to a better and mutually agreed line. This may involve moving the fence onto the park, onto the neighbour's property, or preferably onto both the park and the neighbour's property (a 'give and take' fence line).
- **11.** All details of a 'give and take' fence line must be specified in the fencing agreement and the agreed fence line must be accepted and agreed to by both NPWS and the landowner in writing. This does not affect legal property boundaries.

How will the conditions for constructing a new fence and NPWS's contribution be determined?

- **12.** An appropriate level of environmental assessment must be completed to inform development of a fencing agreement and prior to fence construction (see below).
- **13.** NPWS and the landowner must enter into a fencing agreement before construction of a new fence begins. The fencing agreement must include:
 - NPWS's contribution to the fence's construction in terms of materials and/or labour. NPWS will generally provide materials only.
 - Where the fence will be constructed i.e. along the surveyed boundary or another line
 - What land will be fenced attach a map
 - Estimated length of fencing
 - Type of fence required e.g. for pest animal control, stock control
 - Details of required materials
 - Estimated length of clearing required within park and required plant and equipment
 - When the agreement will expire generally the agreement will expire 12 months after it is made, but a different timeframe can be specified if appropriate.
 - NPWS will only deliver materials immediately prior to construction of the fence.

How much area can be cleared to construct a new fence?

- **14.** A distance of **up to six metres** from the fence line should generally be sufficient for constructing the fence. It is recognised that suitable distances will depend on the location and site context, including consideration of topography, slope, difficulty of access, soil erosion risk, and presence of dead, dangerous, or overhanging trees.
- **15.** Proposed clearing distances should be addressed and justified in the environmental assessment for the fence (see below).

- **16.** Other key issues to consider when deciding appropriate clearing distances within a park include:
 - Is there a case for a minimum clearing distance to provide access for fire fighting? Or can safe access be provided, for example, by constructing regularly spaced turning bays or gates in the fence?
 - Provisions of the *Rural Fires Act 1997* (section 76) regarding the removal of combustible matter for six metres from a boundary fence should be followed.
 - Larger clearing distances should follow the 'give and take' principle, i.e. balanced by less clearing elsewhere along other parts of the fence line.

What environmental assessment is required before a fencing agreement is finalised and construction commences?

- **17.** The level of required environmental assessment will be determined in accordance with existing OEH environmental assessment guidelines and procedures.
- **18.** As a minimum NPWS will complete a conservation risk assessment (CRA) to assess potential environmental impacts of the fence's construction. A more comprehensive assessment, via a review of environmental factors (REF), may be required in some cases depending on the level and nature of possible impacts.

Note: information on preparing CRAs and REFs is available at <u>http://deccnet/epa/index.htm</u>

Who will maintain the fence after it is constructed?

19. Maintenance of the fence after construction is the responsibility of the landowner. In exceptional circumstances NPWS may assist with maintenance of the fence.

What happens if a fence is damaged or destroyed in a fire, flood or other natural event?

- **20.** When a fence is damaged or destroyed in a fire, flood or other natural event, NPWS will consider and approve, if appropriate, requests for assistance to repair or replace the fence through a streamlined process subject to the following:
 - only standard fencing is to be constructed
 - the fence must follow the former existing fence line
 - fencing materials must be used within 12 months.
- **21.** Under a streamlined process for assessing fences damaged or destroyed in the above circumstances:
 - NPWS will process requests quickly and make them a priority ahead of other fencing applications
 - existing fencing agreements will not need renewing
 - if there is no fencing agreement, NPWS will prepare a new agreement as a priority
 - no formal environmental assessment is required, however NPWS will review any existing information including known Aboriginal or historic heritage sites and threatened species data to ensure potential impacts are avoided. In the event that impacts are unavoidable, then additional statutory approvals may be required.

Is a boundary fence recognised as an 'asset' and recorded on NPWS's asset register?

- **22.** Yes. NPWS will record new boundary fences on its asset register (also called the NPWS Asset Management System).
- **23.** Recording a boundary fence on the Asset Management System will enable NPWS to respond more efficiently to a request by an adjoining landowner to assist with the repair or replacement of a fence damaged or destroyed by fire, flood or other natural event.

Process for assessing requests for fencing assistance



Definitions and Abbreviations

Adjoining landowner

An owner or manager of land that has a common cadastral boundary with a reserve or land managed by the NSW National Parks and Wildlife Service.

Conservation risk assessment (CRA)

A conservation risk assessment is a rapid assessment of a minor activity or small-scale work in a park that qualifies as "exempt development" under the Infrastructure SEPP. The activity or small-scale work must have **minimal environmental impact** (under the EP&A Act) to qualify as exempt development.

A CRA must address impacts on:

- threatened species, threatened populations, endangered ecological communities or critical habitat
- Aboriginal objects or places
- heritage items or relics under the Heritage Act
- matters of national environmental significance under the EPBC Act e.g. migratory species, nationally threatened species, World Heritage values
- land subject to SEPP 14 Coastal Wetlands and SEPP 26 Littoral Rainforest.

A CRA is not a statutory assessment or approval. If a proposal will impact on matters such as historic heritage, Aboriginal objects or places, or threatened species then separate statutory approvals may be required.

Park

A reserve gazetted under the NSW *National Parks and Wildlife Act 1974*, including a national park, nature reserve, historic site, Aboriginal area, State conservation area, karst conservation reserve, or regional park, or any land acquired by the Minister under Part 11 of the Act

Park authority

The body responsible for care, control and management of a park, as defined in the National Parks and Wildlife Regulation 2009.

Accountabilities

Accountabilities under this policy are in accordance with the delegation of Ministerial and Director-General functions under the *National Parks and Wildlife Act 1974* and National Parks and Wildlife Regulation 2009.

This table only lists accountabilities which are additional to the legal delegations.

Paragraph	Position Accountable
13. Entering into a fencing agreement	Area Manager

Further information

This policy relates to the implementation of the NSW *National Parks and Wildlife Act* 1974 and the National Parks and Wildlife Regulation 2009; and the *Wilderness Act* 1987.

For more information, refer to contact information for this policy on the OEH website.

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Answers to QoNS attachmen





Our reference:

[Insert addressee's name and address]

Dear [insert name]

OFFER OF FENCING ASSISTANCE & FENCING AGREEMENT

I am writing on behalf of the NSW National Parks and Wildlife Service (NPWS) to offer you assistance to construct a fence along the boundary between your property and [*insert name*] National Park.

NPWS recognises the value and mutual benefit that appropriate boundary fences provide. NPWS will provide assistance for the construction of a fence as detailed in this letter and in the attached schedule.

NPWS offer

NPWS is offering to:

- Purchase and supply an agreed quantity of fencing materials required to construct the boundary fence; and
- Reimburse agreed costs incurred where plant is used to perform any necessary line clearing on the park side of the fence.

To take up this offer

If you wish to take up this offer, please contact the NPWS [*insert name*] office on [*insert phone no*.] to arrange for a NPWS officer to meet with you. The details of the fencing materials and assistance to be provided will be discussed and detailed in the attached schedule. The terms that will apply to NPWS's assistance are also set out in the attached schedule.

If the details of assistance and the terms of the NPWS offer are acceptable, then an agreement will be formed when both you and NPWS sign the attached schedule. NPWS will then provide fencing assistance consistent with the agreed terms and the attached schedule.

If you have any questions regarding this process, please do not hesitate to contact me on [*insert phone no.*] or by email on [*insert name@environment.nsw.gov.au*].

Yours sincerely

[*insert name*] Area Manager – [*insert name – Mudgee, Nattai, etc.*] National Parks and Wildlife Service

[INSERT LOCAL NPWS ADDRESS & PHONE NOS]

Tel: (02) Fax: (02) ABN 30 841 387 271 www.environment.nsw.gov.au

Schedule – Fencing Assistance & Agreement

Owner's name		
Contact details		
Description of the lands to be fenced. Please attach a map showing the fence line Any relocations of fence line anticipated?		
Estimated length of fencing required (km)		
Description of fence required (e.g. to control stock)		
Materials required	 a) (No) of ^m star section posts b) (No) of ^m (type) droppers c) (No) of ^m rolls of ^{mm} (gauge) plain tensile wire d) (No) of ^m rolls of ^{mm} (gauge) barbed tensile wire e) Other materials (specify): 	
Arrangements for materials to be collected	කරන්න පරාසක්වරයා පරාසනයක් සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකා මෙහි සංකාශයක් සංකාශයකට පිළුවරුන් සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයකට සංකාශයක	
Estimated length of clearing required within NPWS boundary (km)		
Plant required – clearing on NPWS side of fence	en average and a second se	
Terms of Agreement	The work must be of a standard and level of construction which is expected of similar fence types in the area. Care must be taken to ensure that the replacement or repaired fence follows the path of the existing fence line or the park boundary. Any alterations to the location of the existing fence line must be made in consultation with the local NPWS office. The materials must be returned to NPWS if the fencing is not constructed within 12 months of the offer being accepted.	
Other comments	าสังหัวของเห็นของของสำนัก สุนักษณ์ ก็เป็นของสาวที่สามารถให้ของเห็นของ เสียง	
Owner's signature	I, agree to the supply of fencing material from NPWS as detailed above on the terms set out above. Date: :Signed:	
NPWS signature 1. Materials approved. 2. Attached map approved	Signed: Name: Position:	
Materials supplied	Date: Location: Name: Position: Signed:	