

# Bush fire hazard reduction

## For landholders with a private land conservation agreement

### Bush fire hazard reduction and private land conservation agreements

Private land conservation (PLC) agreements are established to manage land to conserve and improve biodiversity values. A PLC agreement creates a legal obligation for yourself and future landholders to ensure biodiversity values are protected. Bush fire hazard reduction activities may impact or have the potential to impact the biodiversity values the agreement was set up to protect. This may be the case where the need to manage the land for bush fire hazard reduction purposes may not be consistent with the conservation objectives of the agreement.

Bush fire hazard reduction is about reducing fuel loads, whether this be dry or living vegetation and to create a buffer between vegetation and assets such as houses or other important buildings on your property. Bush fire hazard reduction methods include removing vegetation via mechanical means or implementing hazard reduction burning. Where undertaking bush fire hazard reduction activities within your agreement area, the method used and associated impact must be consistent with the terms of your agreement.

### Who is this factsheet for?

This factsheet is for landholders who have already established agreements with the BCT or have established private land

conservation agreements which are now managed by the BCT.

This factsheet will help you understand activities that can be undertaken within your agreement area to mitigate your bush fire risk while adhering to the terms of your agreement.

**‘Hazard reduction is just one way of preparing for bush fires – it doesn’t remove the threat of fire, and it doesn’t remove the need for you and your family to be prepared’.**

**NSW Rural Fire Services website –Hazard Reduction**

### Can I organise for a hazard reduction burn to be carried out within my agreement area?

Yes, but you will need to consider the terms of your agreement.

The New South Wales Rural Fire Service (NSW RFS) is the primary fire authority in NSW. As a landholder, you can apply for a Bush Fire Hazard Reduction Certificate (HRC) from the NSW RFS. If granted, you or a third party of your choice may undertake certain mechanical and burning hazard reduction activities in accordance with the conditions of the HRC. The HRC provides environmental approval (under NSW laws) to undertake certain hazard

reduction activities. It is important to note that **a HRC does not provide approval to undertake activities that are contrary to a PLC agreement.** It is your responsibility to make sure your actions are in line with the HRC conditions *including* determining whether your agreement conditions will affect the scope of the HRC.

You are encouraged to get in touch with your BCT regional officer when considering hazard reduction activities within your agreement area. The BCT will support you to work in consultation with NSW RFS to plan hazard reduction activities that minimise potential impacts to biodiversity and are consistent with the terms of your agreement.

If the hazard reduction activities you propose are not identified in your agreement, or are contrary to your agreement, the BCT will consult with the NSW RFS to assist you in finding alternative options to manage the bush fire risk.

### **Can NSW RFS undertake hazard reduction activities within my agreement area?**

Yes, but NSW RFS will need to consider the terms of the BCT agreement.

If the NSW RFS plans a burn that includes your agreement area, they will consult with you and seek your consent. It is important that you discuss your agreement with them as the agreement requirements may affect the manner of the burn.

The RFS will liaise with BCT and, if appropriate, undertake a streamlined environmental assessment in accordance with the [Bush Fire Environmental](#)

[Assessment Code](#). Following assessment, and before any action is undertaken, a [Bush Fire Hazard Reduction Certificate](#) may be issued.



Fire personell during hazard reduction burn. Tom Denman  
| DPIE

### **Do the conditions of a Bush Fire Hazard Reduction Certificate (HRC) need to be consistent with my agreement?**

Yes, unless agreed to in writing by the BCT.

PLC agreements are classified as 'existing land management agreements' under the Bush Fire Assessment Code. In accordance with the Bush Fire Assessment Code, NSW RFS cannot issue an HRC with conditions that are inconsistent with any of the conditions of a land management agreement. However, mutually agreeable conditions may be negotiated in consultation with BCT (see section 2.6 of the Bush Fire Assessment Code).

### **What happens if my agreement is subject to a bush fire hazard complaint?**

The RF Act provides for a bush fire hazard complaint to be made by any owner or occupier of land adjacent to or

in the vicinity of the land to which the complaint relates. For example, an adjoining landholder may raise a hazard complaint regarding the proximity of vegetation to their house or machinery shed.

If a hazard complaint is upheld (determined to be correct), then a notice is issued by the NSW RFS requiring removal of vegetation to provide for separation between it and the asset.

If this situation requires clearing of vegetation that is protected by a PLC agreement, then consultation will be undertaken between yourself, RFS and the BCT to determine a course of action.



**|** Hazard reduction burn. Matt Lauder | DPIE

## **How can I minimise the ecological impact of hazard reduction activities?**

The BCT is available to help you identify how different hazard reduction activities can be carried out in accordance with the terms of your agreement, and minimise impacts on cultural assets and biodiversity.

Options to minimise impacts may include:

- using recommended fire intervals that reflect best knowledge of the

vegetation present within the agreement,

- considering the known requirements of specific threatened species or communities,
- protecting Aboriginal cultural assets,
- protecting ecological and habitat assets such as threatened species habitat, large and hollow bearing trees, water bodies, and hollow fallen logs.

These options can be applied by:

- managing the timing, location and extent of the fire hazard reduction activities,
- creating buffers around cultural and ecological assets which are sensitive to fire, and
- altering the location and extent of control lines.

## **Can I install infrastructure within my agreement to manage bush fire risk?**

It depends.

In some cases, the installation of additional infrastructure or clearing for tracks may involve a variation of your agreement. Variations to agreements must be in accordance with the 'Policy for variation and termination of BCT agreements'.

It is recommended you contact your BCT regional officer for more information.

## **Bush fire emergencies and PLC agreements**

In bush fire emergency situations, the NSW RFS (and in some circumstances other emergency services) may lawfully undertake

specific actions that are not consistent with standard management activities permitted in PLC agreements.

If people or property are endangered by a fire, incident or other emergency, the NSW RFS has a range of powers under section 25 of the *Rural Fires Act 1997* (RF Act) to minimise risk to people and property, such as the removal of living or dead vegetation.

### **Where do I go for more information?**

For more information on bush fire hazard reduction and your agreement, contact your BCT Regional Delivery staff.

You can get in touch with BCT, via the BCT information line (1300 992 688) or via [info@bct.nsw.gov.au](mailto:info@bct.nsw.gov.au).

More information on programs and resources to plan and prepare for bush fires is available on the [Rural Fire Service \(RFS\) website.](#)

There are a range of fire-related property planning materials available on the [Hotspots Fire project website.](#)



■ Seed pods of fire dependent banksia species. Van Ewijk | DPIE