



New Zealand Institute of Forestry
Te Pūtahi Ngāherehere o Aotearoa Incorporated

17 October 2017

NZIF Forest Fire Committee Newsletter

No. 1

Introduction

The Forest Fire Committee was established by the NZIF Council in June 2016. Its broad aim is to represent the interests of the profession in matters relating to the management of fire in the forest and rural landscape. In addition the Committee is also working closely with the Institute of Foresters Australia (IFA) Forest Fire Committee in areas of common interest.

The purpose of the Newsletter is to keep NZIF members:

- updated on developments with Fire and Emergency NZ (FENZ) in the management of fires in the New Zealand forest and rural landscape
- informed about the activities of the NZIF Forest Fire Committee

The newsletter will be sent out on an as needed basis. However, if you have queries or would like to provide feedback and comments please contact me - Murray Dudfield, Chair, Forest Fire Committee, NZ Institute of Forestry - email; murray@ruralfire.co.nz or cellphone; (021) 662 133.

Committee Update

Recent key activities include:

- letter to the Minister of Internal Affairs expressing concern about FENZ Statement of Performance Expectation Key Performance Indicators (KPIs) for the management of rural fires
- development of NZIF KPIs for the management of fires in the forest and rural landscape (see below)
- request for registration with FENZ as a key sector stakeholder in the management of rural fires

Members of the Fire Committee are: Kerry Ellem, Angus Malcolm, Geoff Cameron, Jim Carle, Tim Thorpe.

Brief Overview of Fire and Emergency NZ Act 2017

From 1 July 2017, the Fire and Emergency NZ Act (the Act) centralises the governance and policy elements for the management of fire on the forest and rural landscape. There is now only one statutory entity involved in fire services – Fire and Emergency New Zealand (FENZ).

Not a lot of detail has been released on how FENZ will function in many of the key areas affecting forest and rural stakeholders. We are therefore not in a position to provide any additional information other than what is defined in the Act and in the Fire and Emergency NZ (Fire Permit) Regulations 2017.

For reference we have outlined in Appendix 1 is a number of reproduced general sections in the Act particularly relevant to forests and rural stakeholders as well as the accompanying Fire Permit Regulations (Appendix 2).

In addition, once in place, we will communicate our observations on each of the following documents as they affect forest and rural stakeholders. They include:

- FENZ Operating Principles
- Fire and Emergency NZ (Fire Plan) Regulations
- Fire and Emergency NZ (Fire Levy) Regulations
- Rules around establishment of local committees
- Fire and Emergency NZ (Infringement Offences) Regulations

Department of Conservation (DOC) - FENZ Fire Control Agreement Now Signed

Under the Act, responsibility for the 4R's (reduction, readiness, response and recovery) of fire on public conservation land has transferred from DOC to FENZ.

Section 147 of the Act states:

“147 Agreement with Department of Conservation:

FENZ and the Department of Conservation must take reasonable steps to enter into a 3-yearly operational service agreement that sets out:

- (a) The designated services that FENZ will deliver to the Department of Conservation; and*
- (b) The fire control services that the Department of Conservation will deliver to FENZ.”*

To deliver on this requirement an operational service agreement between DOC and FENZ was signed on 18th July 2017. We have reproduced key elements of this agreement in Appendix 3, including a DOC policy relating to three fire suppression strategy options on Public Conservation Lands.

Many questions remain relating to the application of the DOC/FENZ agreement and we remain hopeful that this will become better known over the coming months.

New NZIF KPIs for the Management of Fire in the Forest and Rural Landscape

The Forest Fire Committee is disappointed to see the reporting measures contained in the FENZ 2017/18 Statement of Performance Expectation (SPE). The only rural fire performance measure included in the SPE is *“record the number of fires responded to by rural fire forces”*. This is a very generic measure and not helpful in measuring the performance of FENZ in undertaken its responsibilities under the Act.

In response, the Forest Fire Committee has developed a list of six primary KPIs for the management of fire in the forest and rural landscape. A copy of these KPIs is attached as Appendix 4. NZIF is now engaging with other professional bodies and interested parties to seek support/endorsement of this list.

Fire Weather Information Website Update

The redeveloped national Fire Weather website came into effect on 1st July 2017 - <https://fireweather.niwa.co.nz/>.

We have provided feedback to FENZ on the new website, some of which has been adopted already. In addition, we have requested that Fire Weather Indices and Codes figures and maps either by weather station, region or nation for prior days be made available on the new website. FENZ has agreed to this but until it is set up FENZ has provided the following link to the old National Rural Fire Authority (NFRA) website where fire weather information from previous days is provided; <http://fireweather.nrfa.org.nz/>

The print function for particular elements of the new Fire Weather information by weather station or region is also not user friendly. FENZ has agreed to address this issue prior to the fire season. Confirmation has not yet been provided about this.

Forest Owner/ FENZ Fire Control Agreements

Discussion on agreements between forest owners (with firefighting resources) and FENZ on how the two parties will operate together has been ongoing over the past year. At this point in time we are aware that a number of forest owner/FENZ agreements have been signed however many of the major forest owner agreements have yet to be finalised. This is a concern given the fire season is now quickly advancing.

Working with the Institute of Foresters Australia

At the last ANZIF joint conference in Australia in April 2015 it was agreed:

“That the IFA and the NZIF form a forward looking position in relation to fire, involving a strong focus on proactive land management mitigation measures balanced against an operational fire response focus and that both organisations:

- *review current fire-related policies,*
- *endorse the National Bushfire Management Policy Statement for Forests and Rangelands,*
- *endorse the National Research Priorities to 2020 and Beyond for bushfires, and*
- *encourage Australian Federal and state and New Zealand governments to provide adequate funds to reduce the fire risk which shall reduce the cost of fire response and hence the total expenditure on fire.”*

In addition to the above we are currently working on joint position papers on (1) “Night Time Vegetation Firefighting” and (2) “Key Performance Indicators”.

Murray Dudfield
Chair,
NZIF Forest Fire Committee

Appendix 1 - Sections of the Fire and Emergency NZ Act 2017 Relating to Rural Fires

The two primary sections of the Fire and Emergency NZ Act 2017 relating to the regulatory management of fire on the forest and rural landscape are:

“11 Main functions of FENZ

- (1) FENZ must carry out the main functions specified in subsection (2):*
- (2) The main functions are—*
 - (a) To promote fire safety, including providing guidance on the safe use of fire as a land management tool; and*
 - (b) To provide fire prevention, response, and suppression services;*

13 Operating principles of FENZ

- (1) The board must formulate the operating principles of FENZ in accordance with this section.*
- (2) The operating principles must:*
 - (a) Be aimed at guiding FENZ; and*
 - (b) Be designed to assist FENZ:*
 - (i) To carry out its functions effectively and in a coordinated manner; and*
 - (ii) To work co-operatively and collaboratively with other relevant organisations;*
and - (iii) To carry out consultation with relevant stakeholders and organisations.*
- (3) In formulating the operating principles, the board must take into account the following matters:*
 - (a) The importance of providing evidence-based, efficient, and effective services:*
 - (b) Local interests and differences:*
 - (c) The importance of transparency in decision making:*
 - (d) The importance of engagement with—*
 - (i) FENZ personnel:*
 - (ii) The associations or unions that represent or advocate on behalf of FENZ personnel:*
 - (iii) Local advisory committees:*
 - (iv) Organisations referred to in section 12(4).”*

Appendix 2 - Fires in the Open Air and Fire Permits

The following are relevant sections of the Fire and Emergency NZ Act 2017 and Fire and Emergency NZ (Fire Permit) Regulation 2017 as they relate to fires in the open air and fire permits.

The Act defines the following:

“6 Interpretation

Fire in open air means fire other than in—

- (a) A fireplace that is located in a building or structure and that complies with any relevant requirement of the Building Act 2004 and the relevant district plan; or
- (b) A place or thing, or a type of place or thing, that is—
 - (i) Prescribed by regulations made under section 187; or
 - (ii) Authorised by FENZ

Fire control means—

- (a) Preventing, detecting, controlling, and putting out fire:
- (b) Protecting persons and property from fire

52 FENZ may prohibit fire in open air and prohibit or restrict other activities

- (1) FENZ may, in the circumstance described in subsection (2), —
 - (a) Prohibit the lighting of fires in open air in an area:
 - (b) Prohibit or restrict any other activity in an area, including access to the area, that FENZ considers may cause a fire to start or to spread.
- (2) The circumstance referred to in subsection (1) is that FENZ considers that—
 - (a) Fire risk conditions exist or are likely to exist in the area; and
 - (b) The prohibition or restriction is necessary or desirable for fire control.
- (3) FENZ may not prohibit a person who resides or works in an area from accessing the area.
- (4) This section and sections 53, 54, and 55 do not apply to any person carrying out essential services in the area to which a prohibition or restriction under this section applies.
- (5) FENZ may—
 - (a) Publicly notify a prohibition or restriction:
 - (b) Provide notice of the prohibition or restriction directly to any person.

56 Prohibited or restricted fire seasons:

- (1) FENZ may, by public notice, declare, for any area:
 - (a) A prohibited fire season;
 - (b) A restricted fire season.
- (2) An area that is not in a prohibited or restricted fire season is in an open season.
- (3) FENZ may, by public notice, amend or revoke a declaration that it has made under subsection (1).
- (4) FENZ may, by public notice, impose restrictions on the lighting of fires in open air on public conservation land that is in an area that is in a restricted fire season.
- (5) A restriction under subsection (4) applies to the lighting of fires in open air other than in accordance with a permit granted under regulations made under section 190.

58 Fire in open air during restricted fire season:

- (1) A person must not light or allow another person to light a fire in open air in an area that is in a restricted fire season.
- (2) Subsection (1) does not apply to a person who lights or allows another person to light a fire in the area:
 - (a) In accordance with:
 - (i) A permit granted under regulations made under section 190; and
 - (ii) Any conditions of the permit; or
 - (b) On public conservation land to which a restriction under section 56(4) applies, in accordance with the restriction.
- (3) A person commits an offence if the person knowingly or recklessly contravenes subsection (1).
- (4) A person who commits an offence under this section is liable on conviction:
 - (a) In the case of an individual, to a term of imprisonment not exceeding 2 years or to a fine not exceeding \$300,000, or both:
 - (b) In any other case, to a fine not exceeding \$600,000.”

In addition to what is defined in the Act, the Fire and Emergency NZ (Fire Permit) Regulation 2017 also outlines further requirements relating to fires in the open air. These include:

“7 Conditions that apply to fire permits:

- (1) Every fire permit is granted on the condition that the permit holder must not light a fire in fire risk conditions that make it likely that the fire will spread beyond the limits of the location or property specified in the permit as the location of the fire.
- (2) In addition, every fire permit for a proposed fire:
 - (a) In an area that is in a restricted fire season, is granted on the condition that, immediately before lighting a fire, the permit holder must make reasonable efforts to confirm that, in the location of the fire:
 - (i) No prohibition on the lighting of fires in open air under section 52(1) of the Act is in place; and
 - (ii) No prohibited fire season under section 56(1) of the Act is in place.
 - (b) In an area in which the lighting of fires in open air has been prohibited under section 52(1) of the Act, is granted on the condition that, immediately before lighting a fire, the permit holder must make reasonable efforts to confirm that no restricted or prohibited fire season under section 56(1) of the Act is in place in the location of the fire.

8 FENZ may attach additional conditions:

FENZ may attach to a fire permit any other condition that FENZ considers, on reasonable grounds, is necessary:

- (a) Due to fire risk conditions; or
- (b) For the purpose of fire control.”

The following is a link to the FENZ website for Fire Permits - <https://fireandemergency.nz/fire-seasons-and-fire-permits/applying-for-a-fire-permit/>.

Appendix 3 – Key Elements of the DOC-FENZ Agreement Under the Fire and Emergency NZ Act 2017

Key elements of the DOC-FENZ agreement under the Fires and Emergency NZ Act 2017 are highlighted below:

- a. DOC will continue to fully fund its involvement in rural fire control on DOC estate;
- b. DOC will transfer its fire equipment assets to FENZ based on their book value;
- c. DOC has agreed to provide 466 trained firefighters and incident management team personnel to support FENZ with fire control;
- d. DOC is expected to provide personnel for fire call out response within two hours for a reported fire on public lands;
- e. For the FY2017/18 DOC will provide \$1.9m to FENZ for the provision of fire control service associated with Public Lands;
- f. At DOC request FENZ will have a 365-day restricted fire season in place for all Public Lands;
- g. FENZ will seek reimbursement from DOC for any fair and reasonable costs incurred by FENZ for fire control on public lands; and
- h. DOC will seek reimbursement from FENZ for any fair and reasonable costs incurred by DOC for fire control on non-public lands.

Also included in the agreement is a DOC policy relating to three fire suppression strategy options on Public Conservation Lands. They are:

- i. Full suppression strategy: involves a rapid initial action to achieve containment and control of the fire which is followed by a mop-up operation to prevent reignition if possible (examples are – fire threatening life / property / high value areas, fires in high – risk areas in elevated fire conditions).
- j. Limited suppression strategy: involves a mixture of fire suppression and monitoring to contain fires to geographic / natural / man-made fire breaks features. This may require some initial suppression work while also allowing the fire to burn out as naturally as possible (examples may be – remote or inaccessible areas, areas where conventional suppression would have little impact or where larger fires are likely to be extinguished by weather).
- k. Monitoring strategy: Fires may be monitored in some areas or under certain seasonal conditions and will have an initial investigation to assess any threat to life or assets. This may be a ground or aerial assessment and if conditions/location permits, the fire will be periodically monitored and allowed to burn out naturally (examples are – natural fires, remote fire in low risk period).

Appendix 4 – NZIF Key Performance Indicators for Management of Fire in the Forest and Rural Landscape



27 September 2017

Key Performance Indicators for Management of Fire in the Forest and Rural Landscape

Primary Key Performance Indicators (KPIs)	Secondary KPIs and Comments
<p>1. Area of land burnt from rural landscape wildfires by:</p> <ul style="list-style-type: none"> • Conservation land • Plantation forest land; and • Other rural lands 	<ul style="list-style-type: none"> • Further secondary KPIs to include; <ul style="list-style-type: none"> ○ Benchmark against historical data from the past 20 years and set target for the next 5 years. ○ Rate of rural landscape wildfires occurrences per hectare and per population for the past 10 years and set target for the next 5 years. ○ Annual value of losses of plantation assets from wildfires. • Data available from Fire & Emergency NZ (FENZ) fire statistics system. • This data previously provided to the NFRA by each Rural Fire Authority (RFA).
<p>2. The FENZ total costs in the fire protection of:</p> <ul style="list-style-type: none"> • Conservation lands, • Plantation lands, • Other rural lands, • Urban communities. <p><i>Footnote; Total costs to include direct, indirect and overhead costs.</i></p>	<ul style="list-style-type: none"> • Further secondary KPIs is to benchmark this measure against historical data from the past 10 years and set target for the next 5 years. • PwC completed a report in March 2017 which looked at Fire Service Commission costs by urban communities. This would be useful for benchmarking past years. • Annual estimate of rural fire costs known for DOC and local authorities up to the FY2016/17. • Costs data is available from FENZ financial system.
<p>3. List the FENZ target position numbers for:</p> <ul style="list-style-type: none"> • Rural volunteer firefighters • DOC firefighters • Forest owner firefighters. 	<ul style="list-style-type: none"> • Further secondary KPIs to include; <ul style="list-style-type: none"> ○ Benchmark data against historical data from the past 5 years and set target for the next 5 years. ○ Measure the vacancy rate and turnover rate by year for past 10 years and set targets for the next 5 years; and ○ Provide percentage of rural firefighters meeting core training requirements for each grouping. • This information will be known from DOC and forest owner agreements and FENZ rural volunteer firefighter register.
<p>4. Percentage of daily fire weather information from all FENZ weather stations availability to external parties and the percentage of days updated by 2 pm</p>	<ul style="list-style-type: none"> • Further secondary KPI is to include external stakeholder access to historical daily information for each FENZ weather station. • This information was available and provided to external stakeholders prior to 1st July 2017

<p>5. Firefighter injuries due to rural landscape wildfires per 100 rural firefighters.</p>	<ul style="list-style-type: none"> • Further secondary KPIs is to benchmark firefighter injuries each year for the past 5 years and set target for next 5 years. • Australasian Fire & Emergency Service Authorities Council (AFAC) recommended KPI.
<p>6. Number of primary dwellings damaged by rural landscape wildfires.</p>	<ul style="list-style-type: none"> • Further secondary KPIs is to benchmark this against historical data from the past 10 years and set target for the next 5 years. • This was a National Rural Fire Authority KPI which Rural Fire Authorities reported on prior to 1st July 2017. • It is also an AFAC recommended KPI. • Data available from FENZ fire statistics system.