

Bushfire Hazard Management

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Policy Name:	Bushfire Hazard Management
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Responsible Officer:	General Manager, Corporate and Development
Relevant Legislation:	Fire and Emergency Services Act, 2005 Local Government Act, 1999 Native Vegetation Act, 1991 Natural Resources Management Act, 2004 Development Act, 1993 Planning, Development and Infrastructure Act 2016 Environmental Protection Burning Policy 1994
Related Policies:	Environment and Biodiversity Policy Risk Management Policy
Note	Previously called "Fire Prevention" Policy

1. Introduction

- 1.1 The management of bushfire risk is a complex and emotive issue, one that requires a balance between managing the risks to people and community assets and acknowledging the value of the natural environment to our social, economic and cultural wellbeing.
- 1.2 Bushfires are a common and normal occurrence in the Australian landscape but can cause death and injury to people and animals. They can also damage property, the natural environment and other community assets. The appropriate and responsible management of bushfire risk can result in losses being reduced, although not totally alleviated.
- 1.3 Managing the risk from bushfire hazard is a shared responsibility requiring a cooperative approach between individual landowners, State agencies, Council and the emergency management groups, which attempt to balance the bushfire threat with the desirability to maintain the environment in as natural a state as possible.

- 1.4 For its part, Council has several quite distinct roles to play in the management of bushfire hazard risk for its community and its assets. This Policy highlights those roles and the resulting responsibilities.

2. Strategic Plan

PRINCIPLE: Service Sustainability

THEME: COMMUNITY

PRIORITY: 1.2 - Resilience, wellbeing and recreation

PRIORITY: 1.4 - Facilities, services and programs that meet our community's needs.

3. Legislative Requirements and Corporate Policy Context

- 3.1 Council is not required to have a Bushfire Hazard Management Policy. However, Council has several legislatively required roles and responsibilities in reducing the likelihood and consequences of bushfire hazard risk under the *Fire and Emergency Services Act, 1995*, *Local Government Act, 1999* and *Development Act, 1993*. These include land owner, regulatory control enforcement, land use planner, educator and advocate and assisting with local emergency management.

4. Interpretation

- 4.1 For the purpose of this Policy, "Council" means the City of Burnside

5. Policy

- 5.1 For its part, Council has several quite distinct roles to play in the management of bushfire hazard risk for its community and its assets. This Policy highlights those roles and the resulting responsibilities.

Council Role: Land Owner

- 5.2 The Council has the care, control or management of land in a designated urban bushfire risk area. Therefore, under Section 105G of the *Fire and Emergency Services Act, 2005* Council will take reasonable steps to prevent or inhibit the outbreak of a fire on the land and to prevent or inhibit the spread of fire through the land and to protect property on the land from fire and to minimise the threat to human life from a fire on the land.
- 5.3 Council will also take measures to protect its area from bushfire hazards and to mitigate the effect of bushfire risks as required by the *Local Government Act, 1999*.
- 5.4 Measures will include the use of ecological fire management techniques in Council reserves using appropriate Standard Work Methods Procedures for Bushfire Hazard Management. Measures may also include the reduction of fuel load through vegetation management, and planting of more resistant vegetation.

- 5.5 Council will participate in the relevant Bushfire Management Area Committee.
- 5.6 Council will contribute to the development of a relevant Bushfire Management Area Plan and its implementation where possible.

Council Role: Regulatory Control

Regulatory Control

- 5.7 Council must have at least one appropriately qualified or experienced authorised officer to undertake the duties of 'Fire Prevention Officer'. These duties will be included in the role of Team Leader Ranger Services or delegated to an appropriately qualified officer(s).
- 5.8 The Fire Prevention Officer will perform the functions as defined by Section 105(C) of the *Fire and Emergency Services Act, 2005*.
- 5.9 If the Fire Prevention Officer believes on reasonable grounds that an owner of private land has failed to comply with the Fire and Emergency Services Act 2005 or that measures should be taken in respect of particular private land for the purpose of preventing or inhibiting the outbreak of fire on the land or spread of fire through the land or protecting property on the land from fire, the Officer will use the Bushfire Management Protocol to require the owner of the private land to take specified action to remedy the default or to protect the land or property on the land within such time as may be specified.
- 5.10 The Fire Prevention Officer will conduct an annual mail out (normally September/October) to remind those land owners with land that may pose a fire hazard (typically vacant blocks and sites that have known risks) of their obligations to reduce the potential fire risk through appropriate land management techniques such as slashing.
- 5.11 Land owners are required to undertake this work prior to the start of the Fire Danger Season. The default start of the Fire Danger Season is 1 December, although in any year, the Chief Officer of the CFS may declare an earlier date to be the commencement of the Fire Danger Season. will then undertake inspections to verify that the work has been undertaken and if not, the landholder will be issued with a notice under Section 105F of the *Fire and Emergency Services Act, 2005* to undertake the work.
- 5.12 Council Officers may undertake random inspections of dwellings located in high risk fire zones and require property owners to undertake works to manage that risk. Property owners will be given a period of time to undertake the work commensurate with the extent of risk noting resource requirements. The Fire Prevention Officer will assist the resident, in consultation with the SA Country Fire Service, to determine a Land Management Fire Risk Plan (LMFRP) to manage the risk taking into consideration any priority actions.
- 5.13 Council Officers may undertake further inspections to determine whether the LMFRP is in action. Any property owners who fails to action their Land Management Fire Risk Plan and whose land still poses a high potential fire risk may be issued with a notice under Section 105F of the *Fire and Emergency Services Act, 2005* outlining the required works. Typically, property owners will be provided 21 days to comply with the notice, unless the Officer believes the land requires more urgent attention.

- 5.14 Where no action is taken by land and/or property owners after follow-up inspections, the Fire Prevention Officer may engage a contractor to undertake the works using the appropriate resources and techniques.
- 5.15 If such an action is taken Council will recover the costs of the action through a fee levied on the land and / or property owner by Council in addition to an expiation notice that may be issued for non-compliance.

Native Vegetation Clearance

- 5.16 The *Native Vegetation Act, 1991* and *Native Vegetation Regulations 2017* provide that native vegetation may be cleared in certain circumstances, one being when vegetation is within 20 metres of a dwelling and the sole purpose of the clearance is to protect a dwelling or other building from the threat of fire.

Council Role: Land Use Planning

- 5.17 The Council must ensure planning and construction for housing incorporates bushfire protection principles as required by the SA Country Fire Service and the South Australian Housing Code reference the Australian Standard AS3959-2018 Construction of buildings in bushfire prone areas.
- 5.18 Australian Standard AS3959 will be used to instruct decision making on the required minimum acceptable construction requirements for new homes built in bushfire prone areas, and will be used to determine the level of bushfire protection required for buildings located in different hazard attack categories.
- 5.19 Council will require new buildings be assessed against the provisions of the building rules to ensure they are designed and constructed to provide an appropriate level of protection ranging from just sparks and embers up to direct flame contact. This requires a site assessment in accordance with AS 3959.
- 5.20 The performance requirement P2.7.5 is satisfied a building is constructed in accordance with AS 3959 2018— Construction of buildings in bushfire prone area and Minister's Specification SA 78

Council Role: Advocate and Education

- 5.21 The prime responsibility for community education and provision of information relating to bushfires remains with the SA Country Fire Service.
- 5.22 Council will incorporate relevant links to this community education within its programs, as well as increase community awareness of the inevitability of fire, the need to take action to mitigate fire risk and the actions residents can take to mitigate risk on their properties and increase the understanding of the role of fuel-reduction burning in mitigating bushfire risk, whilst promoting to residents, awareness of available sources of information before the onset of and during bushfire season.

Council Role: Local Emergency Management

- 5.23 The SA Country Fire Service is the Control Agency in planning and implementing a response to bushfires.

- 5.24 Council will act in good faith in endeavouring to fulfil its responsibilities under the *Fire and Emergency Services Act, 2005* through the provision of support for the Zone Emergency Management Committee (ZEMC) and assist the Local Emergency Incident Controller.
- 5.25 This will include providing support if requested by the SA Country Fire Service Emergency Incident Controller, where practical to do so, through the Local Government Functional Support Group. Direction to provide plant and equipment is made under the *Fire and Emergency Services Act, 2005*.

Bushfire Hazard Reduction Techniques on Council Property

Council Reserves

- 5.26 Clearing of flammable growth is to be authorised by the Fire Prevention Officer in consultation with the Technical Officer, Conservation and Land Management.
- 5.27 On-ground clearance works by council staff or contractor as instructed by the Fire Prevention Officer will be carried out in accordance with the City of Burnside Bushfire Hazard Management Standard Work Method for Council Reserves, at permissible times and in locations as authorised by the Fire Prevention Officer in consultation with the Technical Officer, Conservation and Land Management.
- 5.28 Landscape scale works in the Hills Face Reserves are to be guided by Council's Hills Face Reserves Vegetation Management Plan/s as applicable and in accordance with the *Fire and Emergency Services Act, 2005*.
- 5.29 An annual inspection of reserve areas to be carried out with the view to burning off operations when the build-up of thatch becomes excessive.

Roadside Reserves

- 5.30 Clearing of flammable growth is to be authorised by the Fire Prevention Officer in consultation with the Technical Officer, Conservation and Land Management.
- 5.31 Roadside Reserves (Edges) clearance works by Council staff or contractor as instructed by the Fire Prevention Officer will be carried out in accordance with the City of Burnside Bushfire Hazard Management Standard Work Method for Roadside Reserves at permissible times and in locations as authorised by the Fire Prevention Officer in consultation with the Technical Officer, Conservation and Land Management.
- 5.32 Resident maintained roadside reserves shall be exempted from treatment unless Fire Prevention Officer considers the plantings to be a fire hazard.
- 5.33 Areas adjacent to fire hydrants are to be cleared of all flammable growth (grass, shrubs and trees).

Fire Control Lines

- 5.34 Fire control tracks throughout the Hills Face Zone in the City of Burnside are to be maintained.
- 5.35 Fire Control Tracks are to be inspected annually prior to the commencement of the fire season and regraded where necessary as instructed by the Fire Prevention Officer.
- 5.36 Improvements are to be made to existing track (e.g. turning areas along track) and extending the control lines where possible as authorised and instructed by the Fire Prevention Officer.
- 5.37 Fire Control Lines clearance works by staff or contractor as instructed by the Fire Prevention Officer will be carried out in accordance with the City of Burnside Bushfire Hazard Management Standard Work Method for Fire Control Tracks at permissible times and in locations as authorised by the Fire Prevention Officer in consultation with the Technical Officer, Conservation and Land Management.

Bushfire Hazard Reduction Techniques on Private Property*Burning in the Open*

- 5.38 At the end of the Fire Danger Season residents are required to apply to Council for permission to burn green waste for the purpose of reducing the bushfire hazard. Each application will be assessed on its merit and all applicants will be required to adhere to all conditions set out on the approval. Approval is not guaranteed if the Officer believes alternate measures would be more appropriate.
- 5.39 Applications to burn in the open will only be assessed outside the Fire Danger Season (ordinarily 1 May – 30 November) with only the CFS being considered appropriate to undertake permitted burning during the Fire Danger Season.

6. Availability

- 6.1 The Policy is available to be downloaded, free of charge, from Council's website www.burnside.sa.gov.au
- 6.2 The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Burnside Civic Centre
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Email: burnside@burnside.sa.gov.au

Office hours: Monday to Friday, 8.30am to 5.00pm (except public holidays)

Enquiries may be directed to the Team Leader Ranger Services