

POLICY

Bush Fire Prevention and Control (*Bush Fires Act 1954*)

Policy Objective:

To provide advice to Council on all aspects of preparedness, prevention and the management of bush fire and Bush Fire Brigades.

Policy:

Formulate and impose appropriate fire prevention measures necessary to provide a safe environment for the community.

1. BUSH FIRE PREVENTION AND CONTROL (*Bush Fire Act 1954*-section 33)

1.1 **FIRE HAZARD REDUCTION AND FIRE BREAK
INSTALLATION:**

Council may, in accordance with section 33 of the *Bush Fire Act 1954* (the Act) issue and publicise annually to all landowners requisitions necessary for the reduction of fire hazards within the City of Mandurah

1.2 Delegated Authority (DA – CEO 4.2) has been granted to the Chief Executive Officer by Council to approve the fire reduction notice (The Notice) annually, unless substantial changes are recommended by Councils Bush Fire Advisory Committee. Recommendations for substantial alterations to The Notice shall be submitted to Council for consideration of adoption.

1.3 The following requisitions have been adopted by Council as a minimum requirement for landowners for the reduction of fire hazards on their property. The below mentioned fire hazard reduction must be complied with by or on the 17 November annually:

➤ **Occupied or Unoccupied Land Less than 2023m²**

Where the area of land is less than 2023m² remove all flammable material on the land except living standing trees, from the whole of the land by either ploughing, cultivating, scarifying, chemical spraying (followed by slashing down to ground level) or other approved method by an officer of Council authorised for this purpose. **A four (4) metre fire break is not acceptable.**

➤ **Occupied or Unoccupied Land 2023m² and Over**

When the area of land is 2023m² and over, provide a trafficable mineral earth firebreak at least four (4) metres wide, with a vertical height clearance of 4.2 metres;

- Immediately inside all external boundaries on the land
- Immediately surrounding all outbuildings erected on land
- Immediately surrounding haystacks, fuel storage or other flammable substances or material

1.4 Annual property fire reduction inspections of land by Ranger Service authorised Bush Fire Control Officers will officially commence on 18 November each year.

1.5 If a landowner considers for any legitimate reason it impractical to clear firebreaks as required by The Notice, or if natural features are considered to render firebreaks unnecessary, application may be made in writing to the City of Mandurah or its duly authorised officers, not later than 1 November of each year for alternative locations, or other method of fire prevention on the land. If permission is not granted, the requirements of The Notice must be complied with. Any major fire hazard reduction request which can not be resolved between the applicant and an authorised officer may be referred to the Chief Bush Fire Control Officer for determination.

1.6 Council or its authorised officers may, in accordance with section 33 of the Act, arrange for a contractor, workers, machinery or other equipment or workforce necessary to clear the land found in contravention of subsection 1.3.

1.7 Landowners may be served with notice of the contravention and a modified penalty (infringement) may be issued in accordance with the Act.

1.8 Landowners shall be liable for the costs associated with the hazard reduction clearing on their land as stipulated in subsection 1.6 of this policy and those costs shall remain as a debt against the property until paid.

2 Restricted Burning Period

2.1 The restricted burning period, pursuant to section 18 of the Act shall be between 1 April and 30 November inclusive each year.

3 Prohibited Burning Period

3.1 The prohibited burning period, pursuant to section 18 of the Act shall be between 1 December and 31 March inclusive each year.

4 Permit to Set Fire to the Bush

4.1 Landowners shall be required to obtain a “**Permit To Set Fire To The Bush**” (**Permit**) from Councils authorised Bush Fire Control Officers prior to burning any garden refuse, tree cuttings or other flammable material.

- 4.2 Permits may be issued during the restricted burning period of 1 April to 30 November inclusive each year.
- 4.3 No permits shall be issued, except as provide for by the Act, during the prohibited burning period of 1 December to 31 March inclusive each year.
- 4.4 Every permit issued shall comply with The Act and associated regulations and contain the following information:
- The applicants full name, address and contact telephone number
 - The property address at which the burning will take place
 - The type and amount of material being burn (1 cubic metre at one time for land less than 5 hectares and 3 cubic metre at one time for land 5 hectares and above)
 - The conditions under which the Permit is issued shall be highlighted and explained for the applicants information and compliance
 - The applicant shall notify all neighbours whom may be affected by smoke at least 24 hours in advance of any burning
 - The contact telephone number of the Bush Fire Control Officer in the applicants area
- 4.5 The Chief Bush Fire Control Officer may withhold the issue of any Permit to prevent an overall hazardous situation for the district, after consultation with the members of the Bush Fire Advisory Committee and notification to Council.

5 Burning of Garden Refuse

- 5.1 Council, in accordance with section 24G of the Act, by notice published in Government Gazette, number 242, on 23 December 2005 and a newspaper circulated in the district, prohibits the burning of garden refuse within the district that is otherwise permitted under section 24F of the Act.

6 Altering Prohibited Burning Period

- 6.1 Pursuant to section 17(10) of the Act, Council has delegated (DA – CMD 3.1) the power and duties of section 17(7) and (8) of the Act jointly to the Mayor and Chief Bush Fire Control Officer to shorten, extend, suspend, or re-impose the prohibited burning period.

7 Volunteer Bush Fire Brigade

- 7.1 **Southern District Volunteer Bush Fire Brigade (Brigade).**
- 7.2 Direct administration of the Brigade is undertaken by the Coordinator Ranger Services.
- 7.3 Emergency Service Levy (ESL) budget requirements are to be provided to the Coordinator Ranger Services by the close of business of the second week of December each year.
- 7.4 Completed ESL budget requirements are to be presented to the

Manager Environmental Health, Ranger and Emergency Services for consideration and the Chief Executive Officer's approval prior to submission to the ESL Grants Committee by 31 January each year.

- 7.5 The Brigade is to maintain and care for all machinery, vehicles, equipment and buildings allocated to their care and control.
- 7.6 In the event of a fire the Brigade is responsible for land under the care and control of Council and or other land within its gazetted zone.
- 7.7 Control of such fires are the responsibility of the most senior Brigade officer first in attendance, however control may be taken by the Brigade Captain, Bush Fire Control Officer, Chief or Deputy Bush Fire Control Officer should they so desire.
- 7.8 In the event of a major fire the Brigade may agree to hand control of the fire to the Fire & Emergency Services Authority (FESA) District Officer as per the terms and conditions of the “**Operational Response Agreement**” signed by City of Mandurah and FESA CEO.
- 7.9 A report of each fire incident attended shall be presented to the Coordinator Ranger Services for information, statistics and recording.
- 7.10 The Brigade may assist Mandurah Career and Falcon Volunteer Fire & Rescue Services upon request from those brigades, when the land is abutting its zone or in the event of a substantial fire incident.
- 7.11 Permission is required jointly from the Manager of Operation Services and or the Coordinator Ranger Services and or the Chief Bush Fire Control Officer, under delegated authority (DA – CMD 3.2) to assist a neighbouring Council in the event of a major incident when Council machinery is taken from the district.

8 Appointment of Brigade Officers

- 8.1 Pursuant to section 38 of the Act, the Bush Fire Advisory Committee (BFAC) may nominate for Councils consideration a Chief (CBFCO) and Deputy Chief Bush Fire Brigade Officer (DCBFCO). The Chief and Deputy Bush Fire Control Officer may be paid an annual honorarium of \$4000 and \$1000 respectively, this amount may vary in accordance with the budget allocation to Ranger Services approved by Council.
- 8.2 The CBFCO and DBFCO term of office shall be for a period of 2 years from the date of Councils adoption of the nomination.
- 8.3 Upon the expiration of the term of office, the CBFCO and DCBFCO position shall be declared vacant. Nominations in writing for the vacant position must be received prior to the BFAC annual meeting. (See Terms of Reference) Retiring officers are eligible for re-nomination.
- 8.4 Volunteer Bush Fire Control Officers (VBFCO) may be nominated to the BFAC from any of the brigades within the Mandurah district. The City's CEO, under delegated authority (DA – CMD 3.7) may appoint VBFCO pursuant to section 38 of the Act. VBFCO's may each be

reimbursed an amount of \$1000 annually for the use of their telephone/mobile for Council related business upon application to the Coordinator Ranger Services. The Coordinator Ranger Services may determine the reimbursement in accordance with budget allocations to Ranger Services approved by Council

8.5 The Brigade shall hold an Annual General Meeting in March each year. Pursuant to section 17.1.2 of the City of Mandurah Consolidated Local Laws, the Brigade must have regard for the election and appointment of a Captain, 1st Lieutenant, 2nd Lieutenant and such Lieutenants as deemed necessary, a Maintenance Officer, Secretary, Treasurer or Secretary/Treasurer combined. The aforementioned positions are to be submitted to the BFAC for information, documenting and notification to Council.

8.6 All nominations and appointees must be fully qualified in appropriate FESA fire fighting training modules and be sufficiently experienced to attain the position nominated/appointed.

Procedure:

Originating Section: Rangers

Reviewer: Co-ordinator Ranger Services

Approved:

Relevant Legislation:

Bush Fires Act 1954

Delegated Authority: CMD 3.2 - Fire Fighting Assistance to Neighboring Councils

Other References: