

	COUNCIL POLICY	POLICY NUMBER
	FIRE HAZARD ABATEMENT	C 027
RESPONSIBLE OFFICER	FIRST APPROVED	REVIEW DATE
General Manager	July 2010	August 2022

1.0 PURPOSE

Tasman Council is committed to ensuring fire hazards within the Tasman Municipal area are minimised. This policy outlines the measures that Council will adopt to reduce fire risk to the community.

The policy also provides direction to Council Officers and landowners regarding the measures that should be implemented to minimise the risk of fire to adjacent properties.

2.0 SCOPE

Wildfire is a natural hazard in our environment and Council recognises that different fire risks exist on individual properties depending on their location, the terrain, vegetation cover, availability of services and other factors.

It is the responsibility of all landowners to help minimise the ongoing risk of fire to their own and to adjacent properties.

The purpose of fire hazard reduction is to lower the risk of a serious fire threat to a manageable level to enable the fire service to attend and contain the threat within a practical timeframe.

Council has statutory powers to ensure that fire hazards are abated in accordance with the *Local Government Act 1993* ("the Act"). Fire Hazard Abatement Notices are used by Council as a means to reduce serious fire threat to a manageable level thereby reducing the risk to property owners by minimising potential hazards prior to the fire season.

Council has varied land ownership throughout the Tasman Municipal area, including local parks and playgrounds, roadside verges and reserves. Council actively inspects and maintains these properties so as to minimise fire hazards. This includes the periodic slashing of roadside verges, the mowing of parks, ovals and grounds. In addition, Council works with the Tasmanian Fire Service to establish and maintain fire breaks and develop fire management plans for significant reserves.

This policy does not apply to Crown Land or land managed by Sustainable Timber Tasmania. Enquiries or complaints regarding these properties will be directed to the relevant government agency for investigation and action if required. Many Crown reserves have significant environmental and cultural heritage values that must be taken into consideration alongside fire hazard reduction measures.

Council will continue to support and assist the Tasmanian Fire Service (TFS) to implement community fire safety initiatives and to develop local fire management plans.

3.0 PROCESS

To reduce the threat of fire to the community, Council in association with the Tasmanian Fire Service (TFS), takes the following approach:

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- Informing and encouraging owners/occupiers to adopt appropriate fire management measures to minimise the risk of fire to their property and to the community.
- Inspection of properties prior to fire season to check vegetation has been suitably managed to reduce the fire risk.
- Issuing and enforcement of Fire Hazard Abatement Notices where landowners have not met their obligations to minimise the fire risk on their property to an acceptable level.

3.1 Categorisation of Management Areas

Appropriate management of fire hazards varies depending on the zoning, use and size of a property. For this policy three categories are considered according to the threat they pose to the community.

Category 1 - Rural areas consisting of broad-acre grass scrub and bush land

These hazards are best dealt with in accordance with the local fire authority's fire management plan, which may include fuel reduction burns carried out over a pre-determined cycle.

Category 2 - Fringe areas where bush, scrub and grasslands adjoin residential areas

These hazards may be dealt with in the same way as Category 1 however, it is important that a buffer area (fire break) be maintained between residential premises and bush land.

Category 3 - Residential land with hazards consisting of grass, weeds, rubbish etc.

These hazards are best dealt with by the removal of the combustible material. The slope of the land and the type of vegetation should be individually assessed to ascertain the level of abatement needed.

This policy primarily applies to Category 2 and Category 3 areas however, Council may require abatement activities on a Category 1 property where appropriate.

3.2 Informing the Public

The most effective way of reducing the risk of fire to the community is to inform owners and occupiers of appropriate fire management practices and encourage them to proactively implement them to meet their obligations to minimise fire hazards.

The fire season is the dry, hot months typically from December to March, but this will vary from year to year depending on vegetation growth, moisture content and ambient conditions. Council will use a range of media and/or events to gain maximum exposure and impact prior to and during the fire season to promote fire hazard reduction measures.

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These will include some or all of the following:

- Council’s website and social media platforms.
- Mercury newspaper’s *Fire Awareness Feature* (published in November).
- Community noticeboards (electronic and physical).
- Local events / markets.
- Notices and information included in the Council page in the Tasman Gazette.
- Information included in the annual Rates Newsletter sent with the Annual Rates Notice.

Council also offers guidance to landowners seeking advice on appropriate measures to reduce fire risks on their property.

3.3 Inspection Process

Authorised Officers will undertake compliance patrols prior to the fire season within existing townships focussing on land zoned Low Density Residential under the *Tasmanian Planning Scheme - Tasman*. Particular attention will be paid to properties that have been issued with Fire Hazard Abatement Notices in previous years and any property that has been brought to Council’s attention by the public as a potential hazard.

Where a fire hazard is identified, a Fire Hazard Abatement Notice will be issued to rectify the hazard using the process detailed in Section 3.4.

3.4 Fire Hazard Abatement Notice

Where a fire hazard has been identified, a Fire Hazard Abatement Notice will be issued to the property owner in accordance with Section 200(2) of “the Act”. The Abatement notice will state the following:

- *The nature of the fire hazard on the property.*
- *The action required to abate the fire hazard.*
- *The time within which the action is to be taken.*
- *The person/persons responsible for taking the action.*
- *The action Council will take if the abatement notice is not complied with.*

The required action on an Abatement Notice will vary depending on the size and location of the block, the slope of the land and the type of vegetation present.

Low Density Residential-zoned properties up to 2,000m²

The owner will be required to maintain the entire site in a minimum fuel condition which may require the following actions:

- Slash / mow long grass and low growing vegetation e.g. bracken (to a maximum height of 75mm).

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- Remove all dead shrub layer fuels.
- Remove tree branches <2m from the ground.
- Removal of any combustible rubbish e.g. tyre piles.

It is not a requirement to remove all trees and shrubs.

Low Density Residential-zoned properties greater than 2,000m²

The owner will be required to maintain a fuel break along their property boundary where it adjoins residential properties. The width of the fuel break shall be nominally 6m however Council may specify an alternative width if considered appropriate.

In addition, Council may require additional fuel load reduction actions in the remainder of the block.

The property owner has a period of 14 days from the date of the Abatement Notice in which to comply with the conditions. A subsequent inspection will be undertaken by an Authorised Officer at the end of the specified timeframe to determine whether the actions in the Abatement Notice have been complied with.

If the property owner wishes to lodge an appeal, they must do so to the Magistrates Court within 14 days.

If the property owner does not abate the risk or lodge an appeal within the specified timeframe, a letter will be sent advising that Council will carry out the works at the owner's expense in accordance with Section 201 of "the Act".

Council will arrange for a contractor to carry out the work or may undertake the work itself. The debt payable by the property owner equates to the total cost (contractor or Council) plus an additional 25% administrative surcharge. This is a charge on the land and is recoverable by Council in the same manner as rates and charges.

3.5 Authorisation of Officers

Only Council Officers that are qualified, have completed relevant training and/or have suitable experience will be appointed by Council as Authorised Officers to undertake fire abatement enforcement actions. Officers are required to show their authorisations on demand.

Fire abatement enforcement actions include inspection of properties on which fire hazards are thought to exist and issuing Fire Hazard Abatement Notices requiring the landowner to abate an identified fire hazard within a specified timeframe.

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3.6 Advising Council of a Potential Fire Hazard

A person can notify Council of a potential fire hazard in a variety of ways:

- Letter
- Telephone [\(03\) 6250 9200](tel:0362509200)
- Email tasman@tasman.tas.gov.au
- In person at the Council offices.

Complaints from members of the public about fire hazards will be recorded in Council's Customer Requests System and will be inspected by an Authorised Officer.

4.0 DEFINITIONS

In this Policy the following definitions apply:

"the Act" means the *Local Government Act 1993*.

"Authorised Officer" means a Council Officer or person appointed by the General Manager or the Council for the purposes of administering and enforcing fire hazard abatements in accordance with the *Local Government Act 1993* and any other Act which the Authorised Officer is responsible.

"Council" means the Tasman Council.

This Policy has been reviewed and adopted by resolution number 12/08.2022/C on 24 August 2022.

Signed –



Kim Hossack
General Manager

Policy Developed & Approved – July 2010
 Policy reviewed – September 2013
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Disclaimer

That this policy be read in conjunction with any or all other Council and/or Management Policies