

# **BUSHFIRE INSPECTION AND MITIGATION COUNCIL POLICY**

## **POLICY STATEMENT**

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The Council is committed to managing exposure to bush fire risk, through:

- Assessing risk of bush fire to City of Bunbury properties using processes based on Australian Standards and supported by current data.
- Applying treatments to council assets that align with requirements of the Bush Fires Act 1954 with consideration to ecological communities under consultation with the Department of Conservation, Biodiversity and Attractions (DBCAs) and City Environmental officers.
- Engage and educate the community and enforce only when necessary to achieve compliance with the requirements of the Bush Fires Act 1954.
- Collaborate with Department of Fire and Emergency Services (DFES) to educate community members and stakeholders on fire risk mitigation.

## **POLICY SCOPE**

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This policy applies to:

- All properties within the City of Bunbury.
- Extend consultation with owners of bush land properties that present risk to others within the community. The intent would be to reduce risk from these individual properties, leading to a reduction of risk of bush fire to the whole community and surrounding local governments.

## **POLICY DETAILS**

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The *Bush Fires Act:1954* (the Act), specifically *section 33 (1)*, enables local governments to develop local laws, being customised strategies to reduce the risk and impact from bush fire.

- Properties are identified for assessment utilising the City's own database software (Content Manager). This allows us to prepare a list of all vacant lots and recent demolitions in the City. Residents who have been previously identified as non-compliant with the requirements of the Act are also added to the list along with properties reported by community members, agencies and Rangers.
- A community engagement program is part of this strategy. All residents are provided with a Public Notice listing compliance requirements in July of each year plus adverts in the newspaper and online are posted in September. In partnership with the Department of Fire and Emergency Services (DFES) The City continuously provide additional information through

an ongoing educational campaign to assist the community understand their own potential risk exposure while fostering a greater community awareness and support for fire risk mitigation.

## **POLICY REQUIREMENTS - FIRE PREVENTION:**

### **1. Annual Schedule and City of Bunbury practices**

**1.1 Work Procedures Review** - The Team Leader Rangers & Emergency Management (TLREM) / Deputy Chief Bush Fire Control Officer (DCBFCO) shall review this procedure and current practices, in September of each year.

**1.2 Joint Meeting** - The TLREM shall convene and attend a meeting with other Fire Control Officers and other relevant staff, prior to the fire season each year. The meeting will assess the situation for the coming season and a list of Council properties shall be identified including treatments required to minimise fire hazards (e.g. rotary hoe, burn, slash, firebreak).

If required, advice on implementing fire hazard reduction strategies shall be sought from relevant organisations, such as DFES and/or the Department of Biodiversity Conservation and Attractions (DBCA).

Where the estimated cost of proposed works cannot be accommodated within the annual budget, the annual risk treatment schedule recommended by the TLREM shall be referred to the Executive Leadership Team (ELT) with recommendations, regarding any rescheduled risk priorities in the fire hazard reduction programme.

**1.3 Implementation of the hazard reduction programme** prepared by the joint meeting (or if necessary, the priorities as determined by ELT) shall be carried out as soon as possible after the joint meeting.

The TLREM will arrange required hazard reduction work. Controlled burns will be carried out prior to the commencement (or after the cessation) of the prohibited burning period each year, as the weather conditions permit, in collaboration with DFES Coordinators.

### **1.4 Annual Residential Inspections**

**1.4.1** In September every year, the TLREM will prepare the statutory advertisements for publishing in the local newspaper and online at the City's website. This is to be checked by the Manager Community Services and approved by the Chief Executive Officer.

The physical advert should be provided to the Administration Officer and the digital version supplied to Public Relations.

**1.4.2** In early October every year, the Ranger Administration Officer will prepare a List of vacant lots and recent demolitions within the City.

**1.4.3** All properties on the List are to be checked by Rangers to determine whether they require a notice to clear land.

**1.4.4** Any other properties observed or reported that fall into the category of a fire hazard should be added to the List for inclusion in the fire break Notice mail

- merge by the Ranger Administration Officer. All properties are to be initially inspected by end of first week of December.
- 1.4.5 A Register of vacant properties is to be prepared and attached to the Fire Break Notice for that year by the Ranger Administration Officer. All documentation is to be presented to the TLREM for signing under delegated authority. Once all documentation has been approved, the original Notice with the Team Leader's signature and the Register of vacant properties is to be scanned and registered in Content Manager (CM).
  - 1.4.6 A Notice along with a "Firebreak Tips" leaflet is to be mailed to all affected landowner(s) requesting them within 14 days to clear and then maintain the required fire break up to and including 30 March.
  - 1.4.7 On or after the expiry of the 14-day period, all vacant/over-grown land that was subject to a Notice should be re-inspected by a Ranger to assess whether compliance has been achieved.
  - 1.4.8 Where non-compliance is observed, the Ranger is to photograph the property as evidence. All photographs to be registered in CM (to the property, Owner and subject).
  - 1.4.9 If the land has been cleared or is no longer a fire hazard, no further action is required.
  - 1.4.10 If the land has not been cleared, then:
    - (a) a follow up Notice and standard letter must be sent to the landowner notifying them of possible further action including infringement Notices and/or work orders to clear their property of all flammable material by the City's nominated contractor.
    - (b) the Owner is to be given a further 7 days to comply. The Ranger should telephone the Owner (and if possible, confirm in an email) to ensure the follow up correspondence was received and to enquire when works will be undertaken to comply with the Notice.
  - 1.4.11 After the 7 days has expired from the date of issue of the follow up Notice (and being no later than 1 January of that same year), the land should be re-inspected. If the land has been cleared or is no longer a fire hazard and complies, no further action is required.
  - 1.4.12 If the land has not been cleared and no action has been taken:
    - (a) if no valid reason or explanation is provided, an Infringement Notice may be issued to the landowner, under section 33 (3) of the Bush Fires Act 1954.
    - (b) with the approval of the Team Leader Rangers & Emergency Management, the Senior Ranger should seek three quotes by appropriately trained professional(s) to clear the block to the City's specifications. The acceptance of quotes will be in accordance with the City's procurement processes.
    - (c) a Ranger must be present at the time of clearing as per the Bush Fires Act 1954, Section 33, 4(b).

(d) when the Contractor's invoice has been received, an inspection must be undertaken by a Ranger to confirm that the property has been satisfactorily cleared. The invoice is to be authorized by the Team Leader and can then be passed to the finance section for processing.

1.4.13 A Report detailing all infringements and escalations for non-compliant properties must be submitted by the Senior Ranger to the TLREM at the end of the Fire Season or once all properties have been confirmed to be compliant (whichever comes first).

The City's procurement processes will be followed with regards to engaging and paying contractors to undertake work.

## 2. Permits to Burn

The TLREM and Chief Executive Officer (CEO), are delegated the authority to extend the Restricted Burning Period for up to fourteen days, in accordance with provisions of the Act.

Permits are required to burn within the Restricted Burning Period, and these will be issued (subject to the Act) to the public, by the Rangers/Fire Control Officers.

Permits issued will carry specific risk minimisation conditions and shall comply with the Act.

Notification of intention to commence a permitted burn must be given to all abutting landowners and occupiers, between a minimum of 4 days and a maximum of 28 days, prior to commencement of any burning.

Notification of the intention to burn must be provided by the permit holder to City's Ranger Services, DFES and where stipulated on the permit, to Department of Primary Industries & Regional Development (DPIRD) on the morning of the day of commencement. This requirement shall be noted on the permit.

Fire Control Officers shall be responsible for ensuring that the permit holder is made aware of all conditions and requirements.

On days where DFES has issued a 'Total Fire Ban' for that day it is the responsibility of the landowner to check the status from the DFES website.

In order to conduct any of the following activities during a Total Fire Ban (TFB), there are specific conditions which need to be complied with:

- Blasting
- Gas flaring
- Hot work
- Road work (grading and bituminising)
- Off-road activity
- Catering activity

Before conducting any of the above activities during a Total Fire Ban, DFES must be notified via the Online Notification Form at least 30 minutes prior to the activity commencing.

If the activity is occurring within 3 kilometres from land managed by the DBCA, the respective local District or Regional Duty Officer from DBCA must be notified at least 30 minutes prior to the activity commencing

### 3. Standard Requirements

#### 3.1 Private property (includes residential, commercial and industrial)

To protect from the risk of ember attack, from bushfire:

- (a) Where the area of land is 2000m<sup>2</sup> or less, occupants must slash/mow all grass to a height no greater than five (5) centimetres and remove all slashed materials and other flammable matter from the land. This standard must be maintained until 31 March the following year; and
- (b) Where the area of land is greater than 2000m<sup>2</sup> firebreaks free of all flammable material and at least 3 metres wide, are to be installed immediately inside all external boundaries of the land and also immediately surrounding all buildings and haystacks situated on the land. Where several adjoining lots are held or used by the owner/occupier, the firebreaks may be provided inside and along the external boundaries of the group or lots.

Total removal of flammable material from the property (as per (a) above) would be considered an acceptable alternative.

Inspections to these properties **may** occur.

#### 3.2 For properties assessed as 'High', as for 3.1 (above), plus:

Communication with the resident/landowner, explaining bush fire risk assessment result for their property. They are to be advised that their hazard rating has been assessed as '**High**' and their property is at a dangerous threat from bushfire. Advise them of the AS 3959 implications (even though this cannot be retrospectively applied) suggesting their consideration of the following strategies:

- sealing all gaps in the structure to have no openings greater than 3mm diameter,
- consider acquiring non-combustible ember protective covers for evaporative air conditioners,
- change flyscreens to non-corrosive metal materials, or non-flammable window shutters,
- remove all combustible, dry vegetation prior to 30 November (annually),
- consider measures to remove any likelihood of embers starting fires, throughout warmer months,
- be prepared for a vigorous inspection regime from 1 December (annually), (every property within this hazard rating is likely to receive a visit from the Rangers), with possible infringement notices issued for non-compliance,
- encourage contact with the City of Bunbury Rangers, for further advice.

#### 3.3 For Properties assessed 'as Very High', as for 3.2 (above), plus:

Communication with the resident/landowner, explaining the bush fire risk assessment result for their property. They are to be advised that their hazard rating has been

assessed as **'Very High'** and their location is at a very dangerous threat from bushfire. Advise them of the AS 3959 implications (even though this cannot be retrospectively applied), suggesting their consideration of the following strategies:

- construction in this location may no longer be permitted to take place (AS 3959:2009 – Construction of Buildings in Bush Fire Prone Areas),
- sealing all gaps in the structure to have no openings greater than 3mm diameter,
- consider our strong recommendation that they acquire non-combustible ember protective covers for evaporative air conditioners,
- change flyscreens to non-corrosive metal materials, or non-flammable window shutters (constructed to AS 3959 [clause 3.7]),
- remove all dry combustible vegetation prior to 30 November (annually),
- take measures to remove any likelihood of embers starting fires, throughout summer,
- be prepared for a very vigorous inspection regime from 1 December (annually), (every property in this hazard rating will receive an inspection from City Rangers), with infringement notices issued for non-compliances with the conditions of 3.1 (above) a highly likely,
- encourage contact with the City of Bunbury Rangers, for further advice.

#### **3.4 For all properties assessed as 'Extreme', as for 3.3 (above), plus**

Communication with the resident/landowner, explaining the bush fire risk assessment result for their property. They are to be advised that their hazard rating has been assessed as **Extreme** and their location is at an extremely dangerous threat from bushfire. To advise them of the AS 3959 implications (even though this cannot be retrospectively applied) suggesting their serious consideration of the following strategies:

- that construction in this location would no longer be permitted to take place (AS 3959:2009 – Construction of Buildings in Bush Fire Prone Areas);
- sealing all gaps in the structure to have no openings greater than 3mm diameter;
- consider our strong recommendation that they acquire non-combustible ember protective covers, for evaporative air conditioners;
- change all flyscreens to non-corrosive metal materials, or non-flammable window shutters (constructed to AS 3959 [clause 3.7]);
- remove all dry combustible vegetation prior to 30 November (annually);
- take measures to remove any likelihood of embers starting fires, throughout summer;
- be prepared for a very vigorous inspection regime prior to 1 December (annually), (every property in this hazard rating will receive an inspection from City Rangers), with infringement notices for non-compliances with the conditions of 3.1 (above) a certainty;
- residents/occupiers consider developing and practicing an evacuation plan, with established triggers for action;
- encourage contact with the City of Bunbury Rangers, for further advice.

#### **3.5 Fuel and Gas Depots**

In respect of land owned and/or occupied, on which is situated any container normally used to contain liquid or gas fuel, including the land on which any ramp or supports are constructed, you shall have the land clear of all flammable material.

### 3.6 Plantations

#### Boundary Firebreaks –

On the horizontal plane, a firebreak shall be provided 15 metres wide and immediately adjoining all external boundaries of the planted area. The outer 10 metres will be cleared of all flammable material while the inner 5 metres, i.e. that portion closest to trees may be kept in a reduced fuel state, i.e. by slashing or grazing grass provided that the height of the grass does not exceed 8cm.

On the vertical plane a clear space 5 metres high will be maintained above the outer 10 metres of the firebreak.

#### Internal Firebreaks -

Plantations shall be subdivided into areas not exceeding 30 hectares by firebreaks a minimum of 6 metres wide, which shall be cleared of all flammable material. In the vertical plane a clearance of a minimum height of 5 metres from the ground level will be maintained above the firebreak.

### 3.7 Burning Permits, Burning of Bush, Grass and Garden Refuse

Burning of anything including bush, grass and garden refuse is totally prohibited from 30th December to 28th March (inclusive), annually.

Permits to burn are required for any burning including garden refuse at any time between 15 November and 29 December (inclusive) and between 29 March and 10 May (inclusive), annually.

Permits to burn will only be issued to landowners/occupiers for hazard reduction burning until 30 November (inclusive), annually. From 1 December to 29 December (inclusive), annually, permits to burn will not be issued to landowner/occupiers for hazard reduction burning. From 1 December to 29 December (inclusive), annually, permits to burn will only be issued to fire brigades established in accordance with the Fire Brigades Act 1942 or the Bushfires Act 1954 and for any other burning as approved by the Team Leader Rangers and Emergency Management/DCBFCO.

### 3.8 Campfires

Campfires are totally banned within the whole of the District of the City of Bunbury from 15 November until 10 May (inclusive), annually.

### 3.9 Prohibited and Restricted Burning Periods

**Prohibited Burning Period**, as it applies within the Bunbury District, is from 30 December to 28 March (inclusive) annually.

**Restricted Burning Periods**, as they apply within the Bunbury District, are 15 November to 29 December (inclusive) and 29 March to 10 May (inclusive), annually. These dates may be subject to variation according to seasonal conditions, but any changes shall be advertised in a newspaper, circulating the Bunbury District.

If it is considered for any reason to be impractical to clear firebreaks or if natural features render fire-breaks unnecessary, a property owner/occupier may apply to the Council or its duly authorised officer, not later than 15 November annually, for permission to provide firebreaks in alternative positions, or to take alternative action to abate fire hazards on the land. If permission is not granted by the City of Bunbury or its duly authorised officer, the requirements as stipulated in the Councils First and Final

Fire Notice shall be complied with. If the requirements of the Councils First and Final Fire Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Act.

**4. City of Bunbury Notification Practice:**

General Notification - Because of the complexity of this Policy and the impact of changing weather conditions, the City will follow these steps to notify the general public:

- Make the residents aware of the City's burn-off period and conditions, through the City's website, social media and in newspapers circulating the Bunbury District.
- Provide information relating to who and how to contact a City officer.
- Specific Notification - Team Leader Rangers and Emergency Management/DCBFCO shall ensure that property owners/occupiers in the area of a proposed hazard reduction burn will receive specific notification of the intended burn, in accordance with the Act.

**5. Appointment, Qualifications and Training For City Bushfire Control Officers**

**Training:**

Where required, all bushfire brigade members and relevant City staff, shall be trained by suitably qualified instructors from DFES and other suitable/recognised training organisations.

Unless stipulated otherwise, all training shall be valid for a period not exceeding 5 years after which time the brigade member or City staff, shall be required to again undertake the relevant training course, or demonstrate relevant competency maintenance activity, through logbooks or endorsement from the Brigade Captain.

Drivers of emergency vehicles shall be required to undertake relevant DFES driving courses, to enable the driving of emergency vehicles in emergency and off-road situations.

The TLREM shall ensure that all Council fire personnel are trained and qualified to perform their duties, in accordance with the Act and this work procedure.

**Annual Appointment of Fire Control Officers:**

Council shall appoint Fire Control Officers in accordance with the Act and the relevant appointments shall be advertised in newspapers circulating the Bunbury District annually.

**6. Annual Firebreak Notifications:**

Pursuant to Section 33 of the *Bush Fires Act 1954*, the City shall post annual Firebreak Notices on the City Website, local Newspaper publications and on noticeboards in the City of Bunbury Administration building. This public notice will provide residents with the legislated requirements of each property.

**Procedure:**

Council will fulfil its obligations under the Act in accordance with the following guidelines:

**First Adopted:** (28) (a) – Council – 16 September, 1991

**Review by EMT:** 26 May, 2014

**Source of Procedure:** Senior Administration Officer,

**Review Date:** Annually, in September



**Review Responsibility:** Team Leader Rangers & Emergency Management

## **POLICY PROCEDURE**

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Using the City of Bunbury Firebreak procedure and Bushfire Risk Assessment process the risk of fire can reasonably be mitigated and will ensure activities comply with the Bush Fires Act 1954. Acting in accordance with the Act will ensure any treatments or remedial activities are both reasonable and effective. Any actions that require federal exemptions, especially in any area primarily populated by people, should only be considered when the treatments offered in the Bush Fires Act are proven ineffective.

The second stage is to concentrate on the community engagement and education component of the process which aligns with educational material provided by DFES, public notices provided within the Bush Fire Act 1954 and consistent with the activities of other Local Governments. The City Ranger team is committed to education and consultation with the Community to achieve compliance. Enforcement options are utilised only in the event the landowner/occupier chooses not to comply following the education process outlined in the procedure.

### **Risk Assessment**

All identified properties are assessed as per the requirements of the *Bush Fires Act 1954*. They will be risk assessed as per the requirements listed in section 3 of this document.

### **Conclusion**

Community members throughout Western Australia have become increasingly aware of Fire and the impacts on communities and the Country. Most recently the devastation in NSW caused by fires in 2019 and domestic fires in areas like Yarloop and Roleystone that ravished entire towns.

These catastrophic events have increased the awareness of residents and the knowledge required to mitigate the risk. It has also increased the community's expectations on local governments to proactively employ quality systems and process to reduce the risk and assist in protecting their lives and assets.

## **COMPLIANCE REQUIREMENTS**

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### **LEGISLATION**

- *Bush Fires Act:1954, section 33 (1)*
- *Australian Standard 3959:2009 – Construction of Buildings in Bush Fire Prone Areas*
- *International Standard 31 000 – Risk Management -Principles and Guidelines*
- *Local Government Act:1995*

### **INDUSTRY**

- *National Risk Assessment Guidelines (NERAG) 2015*

### **ORGANISATIONAL**

- *City of Bunbury First and Final Fire Notice*
- *Bush Fire Risk Management – Developing a Bush Fire Risk Register & Schedule*

Document Control					
<b>Document Responsibilities:</b>					
<b>Owner:</b>	Director Sustainable Communities	<b>Owner Business Unit:</b>	Manager Community Services		
<b>Reviewer:</b>	Team Leader, Rangers and Emergency Management	<b>Decision Maker:</b>	Council		
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DOC/455536[v2]	Council Decision 049/20 17 March 2020	Consolidate policies and corporate guidelines in accordance with revised Policy Framework.			
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