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| <b>Title</b>                    | <b>Bushfire Mitigation Policy</b>   |
| <b>Council Resolution</b>       | Item 13 (13 June 2017)  |
| <b>Responsible Directorate</b>  | City Services and Infrastructure  |
| <b>Due for Review</b>           | One (1) year from Council Resolution Date, and annually thereafter  |
| <b>Strategic Plan Reference</b> | <p><u>Valuing our Environment</u></p> <p>3.2 Manage our natural environments now and for future</p> <p>3.2.1 Identify and protect areas of high natural values</p> <p><u>Leading our Community</u></p> <p>4.3 Build strong relationships to deliver our communities' goals</p> <p>4.3.1 Foster productive relationships with other levels of government, other Councils and peak bodies to achieve community outcomes</p> |
| <b>ECM</b>                      | Council Policy  |

## PURPOSE

This policy provides direction on how Council will prescribe mitigation treatments for low probability but high impact bushfire events which impact the Greater Hobart area.

## SCOPE

This Bushfire Mitigation Policy provides guidance and a framework for the development of Council's Bushfire Mitigation Strategy and Bushfire Mitigation Plans. It will assist in mitigating the impact of bushfire to human settlements and loss of life within the Greater Hobart community, and where possible promote and maintain natural and cultural values.

The underpinning principle is the protection of life.

This policy applies to any bushland which is owned and managed by Council which is:

- mapped as being 'bushfire-prone' on a planning scheme overlay map, or
- not mapped as being 'bushfire-prone', but which meets the definition of a 'bushfire-prone area' under the Bushfire-Prone Areas Code.

It does not apply to:

- land which is not owned and managed by Council (including privately owned land, or land which is owned by Council but managed by a separate authority);
- Fire Hazard Nuisances under Section 199 of the *Local Government Act 1993*; or
- 'responses' to bushfires which is responsibility of the Tasmania Fire Service (TFS) and other emergency services.

## STATUTORY REQUIREMENTS

### *Fire Service Act 1979*

Council's powers, responsibilities and obligations under this *Act* include:

- to take all reasonable precautions to prevent any fire lit on their property from spreading to adjoining land (Section 63).
- to take diligent steps to extinguish or control any unauthorised fire on their property during a fire permit period, and to report that fire to the TFS, or the Police (Section 64).

- to “cause the formation in its municipal area of such fire breaks as it considers necessary or desirable to arrest the spread, or to facilitate the suppression of, fires” (Section 56).
- to contribute towards the operating costs of fire brigades (Sections 79 to 95).
- to deal with a fire danger which Council has been notified of under section 49 within such reasonable period of not less than 30 days as is specified in the notice, as if that fire danger were a nuisance under the Local Government Act, 1993.

### **Local Government Act 1993**

Under section 93(a) of the *Local Government Act 1993*, Council can make a service rate on rateable land for the purpose of ‘fire protection’.

Council may also have obligations under the legislation listed in the following table when conducting bushfire mitigation activities

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| <b>Acts</b>                               | <i>Aboriginal Relics Act 1975</i><br><i>Environmental Management and Pollution Control Act 1994</i><br><i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i><br><i>Environment Protection Policy (Air Quality) 2004</i><br><i>Fire Service Act 1979</i><br><i>Local Government Act 1993</i><br><i>Nature Conservation Act 2002</i><br><i>Tasmanian Threatened Species Protection Act 1995</i><br><i>Tasmanian Weed Management Act 1999</i><br><i>Wellington Park Act 1993</i> |
| <b>Regulations</b>                        | Not applicable  |
| <b>Australian/International Standards</b> | AS/NZS ISO 31000:2009 Risk management – Principles and guidelines<br>AS 3959-2009 Construction of buildings in bushfire-prone areas (incorporating Amendments Nos 1, 2 and 3) ( <b>AS3959</b> )   |

## **DEFINITIONS**

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| <b>Asset</b>                       | Anything valued by people which includes houses, crops, forests and, in many cases, the environment.   |
| <b>Bushfire</b>                    | An unplanned vegetation fire. A generic term which includes grass fires, forest fires and scrub fires both with and without a suppression objective.   |
| <b>Bushfire Attack Level (BAL)</b> | the ‘bushfire attack level’ as defined in AS3959   |
| <b>Bushfire-prone area</b>         | a) land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or<br>b) where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.   |
| <b>Bushfire-Prone Areas Code</b>   | <i>Draft Planning Directive No. 5.1 Bushfire-Prone Areas Code (issued as Interim Planning Directive No. 1.1)</i> issued by the Minister for Planning and Local Government under section 12A(2) of the former provisions of the <i>Land Use Planning and Approvals Act 1993</i> , which came into effect on 23 February 2017. |

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| <b>Bushfire-prone vegetation</b> | contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.  |
| <b>Defendable space</b>          | an area around an asset where vegetation is modified and most flammable material has been removed to reduce the fire's radiant heat intensity.  |
| <b>Fire Danger Rating (FDR)</b>  | a system to warn of the potential impact of a bushfire on any given day, based on forecast weather conditions.  |
| <b>Planned burning</b>           | the process of planning and applying fire to a predetermined area, under specific environmental conditions, to achieve a desired outcome.   |
| <b>Strategic planned burning</b> | the utilisation of prescribed fire in key areas of the landscape not within an urban interface, having significant potential to influence bushfire intensity and rate of spread. Generally deriving from a holistic planned burning approach throughout a broad mosaic of bushland.                                     |
| <b>Tolerable risk</b>            | the lowest level of likely risk from the relevant hazard:<br>a) to secure the benefits of a use or development in a relevant hazard area; and<br>b) which can be managed through:<br>i. routine regulatory measures; or<br>ii. by specific hazard management measures for the intended life of each use or development. |

## POLICY STATEMENT

### Objectives

The key objectives of this policy are to mitigate the risks to Glenorchy and the Greater Hobart area by bushfires by:

- mitigating the impact to human settlements, and loss of life deriving from bushfire;
- continuously improving bushfire risk mitigation treatments;
- delivering a tenure-blind, integrated approach to mitigating bushfire risk;
- promoting a 'no-blame, lessons learnt' approach to planned burning; and
- complying with legislative requirements.

### Bushfire Mitigation

Council has employed a dedicated Coordinator, Bushfire Management to develop and implement Council's bushfire mitigation activities.

All actions carried out under this policy, including the development of supporting plans, strategies and other documents, and the review of this policy, are the responsibility, of the Coordinator, Bushfire Management.

### Measures to Mitigate Bushfire Risk

Council will make informed decisions, and improve the management of risk by working jointly with other fire agencies, land owners, land managers and neighbouring Councils to contribute to a tenure-blind, integrated approach to mitigating bushfire risk by:

- maintaining defendable spaces on Council managed bushland to the most current TFS guidelines;

- maintaining fire trails on Council managed bushland to the most current Tasmanian Parks and Wildlife Service Managed Vehicular Fire Trail categories;
- supporting the provision of appropriate resources to carry out effective bushfire mitigation treatments;
- developing, coordinating, implementing and maintaining a five-year planned burning program;
- minimising smoke impact to communities resulting from bushfires and planned burning;
- maintaining an annual planned burning vegetation monitoring program;
- providing an annual report to Alderman and other stakeholders on bushfire mitigation treatments undertaken on Council managed bushland;
- regularly investing in developing and expanding Council's knowledge base, and ability to mitigate bushfire risk;
- regularly educating Council and the local community on bushfire mitigation treatments and biodiversity values;
- involving local communities in decision making, and capturing local knowledge and expertise;
- strengthening understandings of relationships between fire and sensitive environments;
- acknowledging the potential effects of climate change and the likelihood that they will increase the risk of bushfire in Glenorchy; and
- ensuring compliance with statutory responsibilities.

### **Bushfire Mitigation Procedures**

Council will implement the objectives of this policy by developing a Bushfire Mitigation Strategy, Bushfire Mitigation Plans, and Council Bushfire Mitigation Guidelines. These documents will set out the detailed procedures to be undertaken to implement Council's bushfire mitigation activities.

Council's bushfire mitigation procedures will contribute to a 'tenure-blind' approach, reflecting the approach of neighbouring Councils, land managers and fire agencies. These will provide a level of assurance that bushfire risks faced by Councils are mitigated holistically, and that firefighting agencies are put in levels of tolerable risk.

### **Planned Burning Approval**

Operational Planned Burn Plans are to be prepared and reviewed by separate parties. Those parties must hold the nationally recognised competency *Develop Prescribed Burning Plans*, and *Conduct Prescribed Burning*, or equivalent.

Council's Coordinator, Bushfire Management is responsible for approving Council's Operational Planned Burn Plans.

### **Policy Review and Monitoring**

This policy must be initially reviewed twelve (12) months after its initial adoption by Council. The policy is thereafter to be reviewed annually after the end of each bushfire season or as required to facilitate:

- a change in legislation that has a bearing on the document;
- a change in Council's position on a particular subject area;
- a recommendation from a governance body (e.g. TFS, State Fire Management Council, Tasmanian Parks and Wildlife Service);
- where quality assurance guidelines change due to continuous improvement initiatives, or
- changes in Council's agreed service levels.

## **BACKGROUND**

Bushfire mitigation is critical to Glenorchy given that a third of the Glenorchy municipality is bushland located in the Wellington Park Ranges. Fire is the most significant issue for this area of bushland, in the form of the threat of bushfire.

This policy was developed to delineate Council's perceived bushfire risks to human settlements and loss of life against the actual high risks that Council is responsible to manage. It is reflective of Council's increased commitment to actively and adaptively mitigate bushfire risks to Glenorchy and the Greater Hobart area.