

 Kingborough	FIRE ABATEMENT POLICY – VACANT LAND IN RESIDENTIAL AREAS	Policy Number 4.7		
		LAST REVIEWED August 2016	NEXT REVIEWED August 2017	MINUTE REF C386/18-16
POLICY STATEMENT:	<p>1.1 Council recognises that wildfire is a natural hazard in our environment, and that it is the responsibility of all landowners to help minimise that on-going risk to their own and other property. Council has two roles to play in meeting this objective: that of a significant property owner within Kingborough; and that of an organisation with the capacity to ensure that members of the community meet their statutory obligations regarding fire hazards.</p>			
OBJECTIVE:	<p>2.1 This policy outlines the measures that Council will adopt to reduce fire risk, and demonstrates Council’s commitment to ensuring that fire risk on land under its control in residential areas are abated.</p> <p>2.2 It will also provide direction to Council staff and landowners as to the measures that should be adopted to minimise the risk of the escape of a fire to an adjacent property.</p>			
SCOPE:	<p>3.1 Whilst Council has statutory powers to ensure that fire risks are abated, it recognises that different fire risks exist on individual properties depending upon the location of the land, its terrain, vegetation cover, availability of services etc. For this reason this policy is in the form of guidelines that give general direction and measures that should be adopted in the absence of compelling reasons to vary them.</p> <p>3.2 Except where there is a direct threat to their personal safety, landowners can play an important part in the early intervention where fire occurs on their property, and to monitor their property when regional fire threats are present or imminent.</p> <p>3.3 As the landowners of vacant land are frequently not present when these fire events occur, they have an increased responsibility to ensure that there are appropriate measures in place to mitigate the spread of fire. This policy is of specific relevance to vacant land in residential areas, but is also relevant to other land in Kingborough and gives guidance to those land owners.</p>			
PROCEDURE:	<p>4.1 Council has varied land ownership throughout Kingborough, including local parks and playgrounds, roads and roadside reservations, and reserves. It is committed to actively inspect and maintain those properties so as to minimise fire hazards. This will include the periodic slashing of roadside verges, the mowing of parks, ovals, grounds etc, the establishment and maintenance of fire breaks, and the development of fire management plans for significant reserves.</p> <p>4.2 Council does not provide a comprehensive property inspection service, but will promptly respond to community concerns of potential fire hazards. In addition it will provide guidance to landowners seeking advice as to measures they may implement to reduce fire risk on, or to, their property.</p> <p>4.3 Council’s authorised officers have the training and authority to inspect properties on which fire hazards are thought to exist, and to require the landowner to abate an identified fire hazard within a specified period of time.</p> <p>4.4 Where a Fire Hazard Abatement Notice has been issued and not complied with, Council will arrange for a contractor to undertake the works at the owner’s expense, and may issue an infringement notice for the failure to comply with the Notice.</p>			

	<p>4.5 Clearing of vegetation for fire abatement purposes may require a permit from Council under By-Law's or the Kingborough Interim Planning Scheme 2015. This includes but is not limited to clearing of:</p> <p>4.5.1 trees greater than 10 metres in height;</p> <p>4.5.2 vegetation listed under the Kingborough Interim Planning Scheme 2015;</p> <p>4.5.3 vegetation within varying distances of waterways or the coast; and/or,</p> <p>4.5.4 vegetation within the Environmental Management Zone.</p> <p>4.6 It is the responsibility of the landowner to confirm whether or not any permits are required for vegetation removal prior to implementation of fire hazard abatement measures.</p>
<p>GUIDELINES:</p>	<p>5.1 The following guidelines apply to vacant land in residential areas and provide direction to those landowners and authorised officers who have responsibility for the abatement of fire hazard nuisances.</p> <p>5.2 Authorised officers are not bound by these guidelines and may require a landowner to comply with more, or less, stringent requirements, so as to abate an identified fire risk on their land.</p> <p>5.3 The guidelines should be considered to be a minimum standard to be adopted by the landowners of vacant land within residential areas of Kingborough to protect their property from the risk of fire. However if a landowner believes there are compelling reasons not to comply with these guidelines, they should contact Council to discuss those factors as soon as possible.</p> <p>5.4 It is important to note that the clearing of a fire risk either at the discretion of the landowner or in response to an Abatement Notice does not entitle the owner or contractor to:</p> <p>5.4.1 burn-off or conduct open air burning in a residential area in breach of Council's By-Law, except with the written authority of the General Manager; and/or</p> <p>5.4.2 remove vegetation without a permit under Council's By-Law or the Kingborough Interim Planning Scheme 2015, where that permit would otherwise be required.</p> <p>FIRE HAZARD ABATEMENT – VACANT LAND IN RESIDENTIAL AREAS</p> <p>5.5 For properties with a total area of less than 2,000m²</p> <p>Firebreaks 5 metres wide should be established adjacent to each boundary. Within the firebreak:</p> <ul style="list-style-type: none"> • Grass to be cut to a height of 10cm maximum. • Under-storey (shrubs etc) within the firebreak to be removed. • Trees may be retained, but branches removed to a height of 1 metre from the ground. • Prunings etc as a result of establishing and maintaining the firebreak should be removed from the property, and in addition ground fuel within the firebreak should be reduced each year. <p>On the balance of the property:</p> <ul style="list-style-type: none"> • Grass to be cut to a height of 10cm maximum. • Under-storey should be retained. • Trees should be retained. • Ground fuel reduced at least every 3 years.

	<p>5.6 For properties with a total area of greater than 2,000m²</p> <p>5.6.1 Flat Land (average slope of less than 10 degrees)</p> <p>Firebreaks 10 metres wide should be established adjacent to each boundary. Within the firebreak:</p> <ul style="list-style-type: none"> • Grass to be cut to a height of 10cm maximum. • Under-storey (shrubs etc) within 5 metres of the boundary to be removed. • Trees may be retained, but branches removed to a height of 1 metre from the ground. • Prunings etc as a result of establishing and maintaining the firebreak should be removed from the property, and in addition ground fuel within the firebreak should be reduced each year. <p>On the balance of the property</p> <ul style="list-style-type: none"> • Grass may be retained. • Under-storey should be retained. • Trees should be retained. • Ground fuel should be reduced at least every 5 years. <p>5.6.2 Sloping Land (average slope of greater than 10 degrees)</p> <p>Firebreaks 20 metres wide should be established adjacent to each boundary. Within the firebreak:</p> <ul style="list-style-type: none"> • Grass to be cut to a height of 10cm maximum. • Under-storey (shrubs etc) within 10 metres of the boundary to be removed. • Trees may be retained, but branches removed to a height of 2 metres from the ground. • Prunings etc as a result of establishing and maintaining the firebreak should be removed from the property, and in addition ground fuel within the firebreak should be reduced every 2 years. <p>On the balance of the property</p> <ul style="list-style-type: none"> • Grass may be retained. • Under-storey should be retained. • Trees should be retained. • Ground fuel should be reduced at least every 3 years.
COMMUNICATION:	6.1 Members of the public, authorised officers, Councillors and staff
LEGISLATION:	<p>7.1 Council is required by section 20(1) of the <i>Local Government Act 1993</i>: <i>(a) to provide for the health, safety and welfare of the community;</i></p> <p>7.2 Sections 199 – 204A of the <i>Local Government Act 1993</i> relate to statutory nuisances and empower Council to act to abate such nuisances. Section 199 defines a nuisance as to include anything that: <i>(d) is, or is likely to be, a fire risk;</i></p>