



Policy Title	Bush Fire Management
Related Documentation	Macarthur Bush Fire Risk Management Plan
Relevant Legislation	Rural Fires Act 1997 Macarthur Bush Fire Risk Management Plan Bush Fire Environmental Assessment Code 2017 Local Government Act 1993 Environmental Planning and Assessment Act 1979 Planning for Bush Fire Protection 2019 AS 3959-2009 Construction of buildings in bush fire prone areas
Responsible Officer	Executive Manager Operations

UNCONTROLLED WHEN PRINTED

Objective

1. To provide direction for assessing and managing bush fire risk on Council owned or managed land
2. To minimise the risk to life and property in the event of a fire on Council controlled land
3. To minimise the risk to firefighting crews in the event of a fire on Council controlled land
4. To preserve and manage existing bush land areas while maintaining or improving their ecological health during and after works are completed

Policy Statement

This policy details criteria and procedures to be followed in reducing bushfire risk within Council bushland reserves.

Scope

This policy applies to all land that is managed by Council either directly or under care and control for other agencies.

DATA AND DOCUMENT CONTROL – GOVERNANCE USE ONLY

Directorate: City Delivery
Section: Operations
Record No.: 3183578

Adopted Date: 03/07/12
Revised Date: 14/09/2021
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Review Date: 30/09/2024

Definitions

Term	Definition
Asset Protection Zone (APZ)	A fuel reduced area around or adjacent to a built asset or structure. It can also be for the protection of aboriginal, or other cultural heritage, or significant environmental areas.
Bush Fire Risk	The chance of a bush fire igniting, spreading and causing damage to assets of value to the community. It is determined dependent on fuel hazard levels, ground slope, aspect and typical weather patterns, ignition risk and the assets needing protection.

Legislative Context

Rural Fires Act 1997

Macarthur Bush Fire Risk Management Plan

Bush Fire Environmental Assessment Code 2017

Local Government Act 1993 - Chapter 16 Part 2

Environmental Planning and Assessment Act 1979 - Section 10.3

Planning for Bush Fire Protection 2019

Threatened Species Conservation Act 1995

Principles

Bush Fire Management on Council Land

1. Develop and maintain a fire management database for recording and monitoring hazard reduction works, fire trails and gates, fire history, area burnt, type of fire, date, season, intensity and any other relevant information.
2. Prepare fire management plans for bushland areas under Councils control which include provisions for the protection of life and property, fire hazard reduction, fire trail maintenance, protection of threatened species and their habitats and conservation of biodiversity.
3. Maintain an annual hazard reduction program of locations identified in the Macarthur Bush Fire Risk Management Plan as extreme or high risk as a minimum and an annual audit program of fire trail gates and locks to ensure the integrity of Councils bushland.
4. Facilitate control and suppression of wildfires on Council property through provision of adequate resources for the construction, inspection and maintenance of fire trails, gates and locks, fire breaks, water supply points and APZ's.
5. Monitor Council managed bushland areas during periods of high and extreme fire danger to quickly detect wildfires, notify the appropriate fire service (NSW Fire and Rescue or Rural Fire Service) through the 000 emergency system.
6. Close Councils bushland reserves to the public on days of extreme or catastrophic fire danger.
7. On days of extreme and catastrophic fire danger, assess the need to activate the Emergency Operations Centre (EOC) so it is immediately available for emergency bush fire coordination.

8. Support bush fire suppression with cooperation between the major land managers, Council, Fire and Rescue NSW and NSW Rural Fire Service.
9. Consult with Fire and Rescue NSW and NSW Rural Fire Service during the development of fire management plans and during assessment and reduction of fire hazards.
10. Consult with affected landowners and the wider community during the development of bush fire management plans and education programs about bush fire management practices, procedures and future directions.
11. In the case of existing development, maintenance of APZ's by adjoining property owners on Councils natural area reserves (including bushland roadside areas) will not be encouraged by Council.
12. Unauthorised clearing or mowing of native vegetation in a natural area reserve or bushland roadside area is not permitted. In accordance with section 629 of the *Local Government Act 1993*, a person who, without lawful excuse, wilfully or negligently injures or unnecessarily disturbs any plant or animal in a public place is guilty of an offence with a maximum penalty of 20 penalty units.
13. Work with other major land agency owners to ensure a coordinated approach to hazard reduction across the city.

Bush Fire Prone Land Mapping

14. Provide advice on the maintenance and implementation of the bush fire prone land mapping. Maintain up-to-date maps of bush fire prone areas within the local government area to provide a basis for planning and to ensure that development and building applications incorporate fire protection measures appropriate to the level of bush fire risk.
15. Undertake regular reviews of maps identifying bush fire prone land in accordance with the *Environmental Planning and Assessment Act 1979*.
16. Provide advice to general enquiries regarding bush fire prone land. Ensure the bush fire prone land map is available for public inspection.

Bush Fire Planning and Development Controls

17. Existing development (infill) will not be issued with an APZ guarantee to Council land with respect to obtaining a complying development certificate. Consult with the Rural Fire Service where required during assessment of development applications in bush fire prone areas.
18. On request, inform affected property owners via a section 149 certificate message that land is bush fire prone.
19. Identify areas of land which are at significant risk from bush fire and ensure that no new areas are developed in a manner that will expose buildings to an unacceptable risk from a bush fire event.
20. Ensure that subdivision and development applications for properties identified on bush fire prone land, provide for and accommodate adequate bush fire protection measures within the boundaries of the private land.

These bush fire protection measures shall not:

- (a) encroach on the natural area reserves
- (b) use Council owned/managed land for APZ's to accommodate new development. Refer to Section 3.2.5, page 28 of Planning for Bush Fire Protection 2019

21. Ensure that any residential or infill development that does not comply with the acceptable solutions outlined in Tables 5.3a to 5.3d of Planning for Bush Fire Protection 2019 are referred to the NSW Rural Fire Service prior to granting approval.
22. Ensure new buildings and building additions proposed to be constructed within bush fire prone areas comply with the construction standards and requirements of Planning for Bush Fire Protection 2019 and AS 3959-2009 Construction of buildings in bush fire prone areas (or its legislative equivalent).
23. Ensure an acceptable level of construction for industrial, commercial and agricultural buildings as specified by the Building Code of Australia, AS 3959-2009 Construction of buildings in bush fire prone areas and Planning for Bush Fire Protection 2019 (or its legislative equivalent).
24. Council shall comply with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Rural Fires Act 1997* that relate to development within bush fire prone areas.

Effectiveness of this Policy

This policy will be reviewed every three years in accordance with Councils adopted procedure for policy development.

END OF POLICY STATEMENT