



D6.37

BUSH FIRE MANAGEMENT



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ENVIRONMENT AND PLANNING - DEVELOPMENT

POLICY OBJECTIVES

- 1 That property owners be aware of the level of risk to their property from bush fire.
- 2 All new dwellings to be located within an area classified as bushfire prone (as identified under Council's Bushfire Prone Land Map) be constructed in accordance with Planning for Bushfire Protection 2006 (or its legislative equivalent) to minimise potential impacts from a bush fire event.
- 3 Industrial, commercial and agricultural buildings be constructed to an acceptable level of protection from bush fire in accordance with Planning for Bushfire Protection (or its legislative equivalent) to minimise the potential impacts from a bushfire event.
- 4 The community to have knowledge of bush fire prevention measures.
- 5 Maximise public safety.
- 6 Protect property.
- 7 Protect the environment.
- 8 Protect fire fighters engaged in fire suppression.

POLICY STATEMENT

In accordance with these objectives, Council shall in association with the NSW Rural Fire Service:

- 1 Undertake regular reviews of maps identifying Bushfire Prone Land in accordance with section 146 of the Environmental Planning and Assessment Act 1979.
- 2 Identify areas of land which are at significant risk from bush fire and ensure that no new areas are developed in a manner which will expose-buildings to an unacceptable risk from a bush fire event.
- 3 Ensure the Bushfire prone land map is to be available for public inspection.
- 4 Conduct ongoing public education and publicity programs about reducing the risk of bush fire and the relevant prevention measures to aid in the protection of life, property and the environment.
- 5 Inform the affected property owners via a section 149 certificate message that land is bushfire prone.

- 6 Ensure compliance with the following:
- Bush fire management within natural area reserves will be conducted in accordance with the Gosford City Council Policy Ro.13 Natural Area Reserves (and Coastal Open Space System) Gosford Bush Fire Management Committee Risk Management Plan and annual Fuel Management Program.
 - Fire breaks will be established, as appropriate, where existing development (i.e. development approval granted prior to August 2002) adjoins bushland reserves.
 - Where new development or subdivision adjoins a natural area reserve the required bushfire protection measures (such as asset protection zones and fire trails) are to be incorporated within the boundaries of the private land. The bushfire protection measures are not to encroach on the natural area reserves (including the coastal open space system).
 - In the case of existing development, maintenance of fire breaks by adjoining property owners on Council's natural area reserves (including the coastal open space system) will not be encouraged by Council.
 - Unauthorised clearing or mowing of native vegetation in a natural area reserve (including the coastal open space system) 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 five penalty points.
- 7 Ensure new buildings and building additions comply with the construction standards and requirements of "Planning for Bush Fire Protection 2006 (or it's legislative equivalent) and AS 3959 Construction in Bushfire Prone Areas (or it's legislative equivalent).
- 8 An acceptable level of construction of industrial, commercial and agricultural buildings is that determined by the Building Code of Australia AS 3959 Construction in Bushfire Prone Areas and Planning for Bushfire Protection 2006 (or their legislative equivalents).
- 9 Support bush fire suppression with co-operation between the major land managers, Council, and the New South Wales Fire Brigades and the NSW Rural Fire Service.
- 10 To require compliance with the following clause of Council's Rainforest Policy
- Clause 4 (c) Pursuant to Section 54(2) of the Rural Fires Act 1997, an exclusion zone for all rainforests be included in the Bushfire Risk Management Plan prepared in accordance with that Act as areas requiring special consideration.
- 11 Council shall comply with the provisions of Sections 79BA, 79C, 91, 96 and 146 of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires Act 1997 that relate to development within bushfire prone areas.

DOCUMENTS AND STANDARDS RELATING TO BUSH FIRE MANAGEMENT

- 1 Rural Fires Act 1997
- 2 The Environmental Planning and Assessment Act 1979
- 3 Australian Standard - 3959 - "Construction of Buildings in Bush Fire Prone Areas".
- 4 Planning for Bushfire Protection 2006
- 5 Building Code of Australia.
- 6 Bush Fire Environmental Assessment Code 2006
- 7 Gosford Bush Fire Risk Management Plan

PROCEDURE

The procedure (attached) being an administrative process, may be altered as necessary by the General Manager

This policy will be implemented by the Manager – Regulatory Operations in liaison with all affected Programs of Council.

(Min No 1236/95 - 12 December 1995)

(Min No 651/96 - 27 August 1996 - Review of Policies) No Change

(Min No 239/2000 – 24 October 2000 – Review of Policies) No Change

(Min No 170/2001 – 7 August 2001)

(Min No 236/2002 – 22 October 2002)

(Min No 214/2005 - 8 March 2005) Review of Policies

(Min No 610/2009 - 1 September 2009)

ATTACHMENT - PROCEDURE

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- 1 Bushfire prone land maps are to be reviewed a minimum of every 5 years in accordance with s146 of the Environmental Planning and Assessment Act 1979.
- 2 Bush fire prone land maps will be available for public viewing at Council's administrative offices in Gosford.
- 3 Council actively participate in public education programs to increase bushfire awareness and provide advice on suitable bushfire protection measures.
- 4 Council encode identified properties onto relevant Section 149 Certificates as follows:

“All or part of the land is shown as bush fire prone land in Council’s records. Further details of any applicable restrictions on development of the land may be obtained from contacting Duty Building Surveyor on 4325 2222.”

All other properties will have the following 149 Certificate Message:

“The land is not shown as bush fire prone in Council’s Bush Fire Prone Land Map.”
- 5 Require property owners to be responsible for hazard reduction on their properties and for hazard reduction in accordance with Section 63 of the Rural Fires Act 1997.
- 6 Adequate instruction and guidance be given to Council's staff to ensure compliance with this policy.
- 7 The policy will be subject to regular review to ensure that it is achieving its objectives and to allow for bushfire prone mapping to be amended where necessary.