



COUNCIL POLICY

Bushfire Risk Assessment and Mitigation on Council Controlled Land Council Policy

Policy Number CP082

Directorate Development and Community

Owner Ken Diehm, Chief Executive Officer

Last Approved 23/02/2022

Review Due 23/02/2025

1. PURPOSE

The purpose of the *Bushfire Risk Assessment and Mitigation on Council Controlled Land Policy* is to:

- Meet statutory and regulatory requirements
- Provide consistency of prioritisation and management of residual bushfire risk
- Ensure fit-for-purpose bushfire risk assessment and prescribed mitigation actions
- Establish Council's commitment and strategic direction for bushfire risk mitigation
- Provide a framework for decision making, standardised process and record keeping
- Protect vulnerable people, essential infrastructure, cultural heritage and natural environment values

2. SCOPE

The Policy defines Council's bushfire risk management intent with a specific focus on prevention and preparedness as guided by the *Queensland Bushfire Plan*. The remaining objectives of the plan, being response and recovery, will be touched on but not form the primary purpose of the Policy.

The Policy applies to the assessment and mitigation of bushfire risk on all Council controlled land including; reserves, natural environments, water bodies and associated flow courses, community facilities, cemeteries, road reserves, parks and open spaces. The Policy does not apply to bushfire risk on private property or bushfire risk managed through Council's planning scheme.

Within Council controlled land, Council's actions and resources will be prioritised based on the following hierarchical objectives:

- Protect exposed and vulnerable people as priority
- Mitigate potential impact to essential infrastructure and assets
- Minimise the potential of bushfire entering or leaving Council controlled land
- Protect known and/or potential cultural heritage and natural environment values
- Maintain ecologically appropriate bushfire frequencies, seasonality and intensity
- Ensure long term survival and viability of native flora and fauna populations
- Minimise community impact associated with bushfire smoke

Open Space and Environment will be responsible for implementation of the Policy, which includes oversight for management of all bushfire risk mitigation actions, including prescribed

burns on Council controlled land. During bushfire disaster events, Council's Disaster Management Team will represent Council and provide a single point of contact.

Council is obligated to ensure that the protection and maintenance of biodiversity and cultural heritage values are consistent with State and Federal environmental legislation. Council will ensure evidence-based risk assessment and decision-making forms the foundation for all bushfire risk mitigation actions, ensuring that environmental and cultural values are not unnecessarily impacted through Council approved actions.

Council will engage and work with key stakeholders, including agencies of the Area Fire Management Group, neighbouring property owners and research and special interest groups to plan and deliver Council's Bushfire Risk Assessment and Mitigation Framework.

3. HEAD OF POWER

Section 9 of the *Local Government Act 2009* provides Council with the power to do "anything that is necessary or convenient for the good rule and local government of its local government area". Council's management of bushfire risk on Council controlled land, to mitigate impact to exposed and vulnerable people, essential infrastructure, cultural heritage and natural environment values are considered to fall within those actions.

4. DEFINITIONS

To assist in the interpretation of this Policy the following definitions apply:

"AFAC" is the Australian and New Zealand National Council for fire and emergency services.

"Area Fire Management Group" means all members of the Fraser Coast Area Fire Management Group, and a Locality Specific Area Fire Management Group, when established.

"Bushfire" means an unplanned vegetation fire.

"Council" means the Fraser Coast Regional Council.

"Council controlled land" means land under Council freehold ownership or Crown Land (reserve) managed by Council under trust or gazetted bathing reserve or gazetted foreshore. It also includes Council controlled road reserves and State Controlled road reserves that are managed by Council.

"Cultural Heritage" means:

European Cultural Heritage - a tangible object of cultural heritage significance such as trees and buildings that demonstrate aesthetic, architectural, historic, scientific, social or technological history of Queensland.

Aboriginal Cultural Heritage - a tangible object of Aboriginal cultural heritage significance with specific attention given to potential Aboriginal culturally modified trees (identified as all tree with trauma scars where this has not been confirmed prior by relevant Registered Native Title parties), due to vulnerability to bushfire.

"Essential infrastructure" means assets, infrastructure, systems and networks that provide essential services necessary for social and economic wellbeing and is typically public infrastructure.

"Exposed and vulnerable people" means members of the community who have a reduced capacity to respond to potential bushfire events, and/or are likely to experience greater health impacts in response to smoke and poor air quality.

“Fire regime” means the pattern, frequency, and intensity of bushfires that prevail in an area over long periods of time.

“Inappropriate fire regime” means a bushfire that has a detrimental effect on target vegetation diversity, structure and condition as relevant to biodiversity values but also to modify vegetation composition and to potentially increase fire adapted species dominance and fuel accumulation rates.

“Local Government Area” means the Fraser Coast Regional Council local government area.

“May” in this Policy, indicates an option.

“Mitigation” means efforts to minimise the potential impacts of bushfire risk.

“Must” in this Policy, indicates a necessary action.

“Natural environment values” means waterways and habitats that capture or remove pollutants, regulate weather and atmospheric conditions and support our diverse flora and fauna.

“Prescribed fire” means any fire ignited by management actions to meet specific objectives. A written, approved burn plan must exist, and approving agency requirements (where applicable) must be met, prior to ignition (taken from AFAC Overview of Prescribed Burning in Australia).

“Risk” means the combination of likelihood of an event or hazard happening and its consequences.

“Road Reserve” means an area of land set aside for road purposes, extending from property boundary to property boundary. It includes not only the area covered by the actual road formation (carriageway) but encompasses the entire area of land dedicated for the use of travelling public.

“Suitably qualified” means a practitioner or consultant with both theoretical and practical experience for bushfire response, planning and mitigation and includes sound knowledge of fire ecology and fire behaviour.

“Will” in this Policy, indicates a requirement.

5. POLICY STATEMENT

Fraser Coast Regional Council is responsible for Bushfire Risk Management on Council Controlled Land and will achieve the intent of this Policy by practicing the following:

5.1 Strategic Planning

- Council will develop a local government area wide bushfire risk assessment to identify exposed and vulnerable people, essential infrastructure, cultural heritage and natural environment values and vulnerability to inappropriate fire regime, high severity bushfire and impacts of smoke.
- In compliance with legislation, Council must protect cultural heritage and natural environment values through robust and quantified assessment of bushfire risk and implementation of mitigation actions. Key legislation includes, but is not limited to:
 - *Queensland Nature Conservation Act, 1992*
 - *Queensland Vegetation Management Act, 1999*
 - *Queensland Aboriginal Cultural Heritage Act, 2003*
 - *Environmental Protection and Biodiversity Conservation Act, 1999*
- Council is not under any obligation to remove vegetation from Council Controlled Land in order for the Bushfire Attack Level to be reduced in mitigating risk created from

newly constructed dwellings and/or infrastructure within directly adjoining properties, where sufficient provisions for bushfire risk has not been addressed in land development and building design.

- Council will update the Bushfire Management Action Plan to provide practical direction over every three (3) years or as otherwise deemed necessary, coordinated by a suitable qualified Bushfire Risk Mitigation Officer.

5.2 Bushfire Management Planning

- In compliance with the *Fire and Emergency Services Act 1990*, Council does not support a blanket permit for roadside prescribed burns. In seeking to burn Council managed roadsides, all applicants are required to contact Council and make a formal request, where Council as the responsible land manager will seek the permit to light fire where applicable.
- Where possible and appropriate, an Aboriginal Cultural Heritage Assessment is conducted prior to all prescribed burns on Council Controlled Land. All assessments will be completed through engagement with Registered Native Title parties, confirming significance, important areas and required management action/s for preservation.

5.3 Prescribed Burn Program

- Council is directly responsible for all risk mitigation actions conducted within Council controlled land, including vegetation management, the Bushfire Management Trail Network and prescribed burns.
- For high priority Council controlled land, Council will develop prescribed burn plans (simple and complex) guided by the *National Council for Fire and Emergency Services - Centre of Excellence for Prescribed Burning* best practice documentation.
- Based on risk identified within priority Council controlled land, Council will implement an annual prescribed burn program for implementation, generally from the beginning of April to the end of July, or during other identified appropriate times of the year.
- To support Council in high risk prescribed burns, Council will engage suitably qualified contractors to conduct prescribed burns on Council's behalf, while seeking support of Queensland Fire and Emergency Services – Rural Fire Services.
- Prescribed burns must aim to achieve sound ecological outcomes, specific to vegetation types and identified best practice bushfire management, while also considering air quality impacts in local and regional communities.

5.4 Bushfire Management Trail Network

- Council will categorise all bushfire management trails based on identified functional need, and standards required, to ensure impacts to exposed and vulnerable people, essential infrastructure, cultural heritage and natural environment values are mitigated.
- A signage standard will be developed to include informative signs at all bushfire management trail entry points, to inform bushfire responders of identified and potential cultural heritage and natural environment values, water points and other unforeseen risks.

5.5 Capability and Resourcing

- Council will endeavour to resource a sufficient Bushfire Risk Assessment and Mitigation Framework, including identified priority actions required to meet Council's community obligations as a responsible land manager, and to meet relevant statutory and regulatory requirements.

5.6 Engagement and Notification

- As per the *Fire and Emergency Services Act, 1990* and permit application requirements, Council must notify all adjoining landholders within a reasonable time when making a 'permit to light fire' application and prior to the implementation of a prescribed burn.
- Council will actively participate in the Area Fire Management Group, to ensure Council controlled land identified as high risk and a priority for mitigation, is nominated on an annual basis for inclusion into the Fraser Coast Bushfire Risk Mitigation Plan.
- All bushfire management requests, relevant to Council controlled land, will be formalised within Council's customer request system and directed to the Open Space and Environment section for assessment, customer response and actioning, where required.

5.7 Bushfire Response and Control

- Council is not the lead agency for bushfire response and therefore does not resource itself as such. Council is a support agency for the purpose of active bushfire response and management - including when on Council controlled land.
- During an active bushfire event on Council controlled land, Council will contact Queensland Fire and Emergency Services to provide assistance to the Incident Controller or Incident Management Team as required. This may occur remotely or by physical presence in the Regional Operations Center or the Incident Control Centre.
- Council will support Queensland Fire and Emergency Services in responding, with the primary objective of rapidly containing and controlling bushfire within Council controlled land, by facilitating reserve access, providing bulk water and local knowledge. In doing so, Council will give the highest priority to responding to bushfire within Council controlled land and fulfilling its obligation under the *Queensland Fire and Emergency Services Act, 1990*.
- For high risk bushfire events, Council's Disaster Management section will be the single point of contact in providing 'disaster response capability', using the resources available, to effectively manage or help the lead agency (Queensland Fire and Emergency Services), to manage an emergency situation or a disaster. Council will provide support to the community through communications, evacuation and advice.

5.8 Fire Ecology

- As part of sound ecological management of Council's natural environment values, prescribed burns will consider risk to be ecological factors and processes. Specific prescribed burn requirements will be determined based on best practice ecological knowledge, as guided by the *Queensland Parks and Wildlife Services Planned Burned Guidelines*.

5.9 Research

- Council will use relevant bushfire management and ecological research from recognised bushfire authorities, land management agencies and research organisations, such as relevant universities and products developed by the Fire and Biodiversity Consortium, to form the basis for best practice bushfire management and monitoring.
- Where deemed relevant and appropriate, Council may engage with research institutions, bushfire authorities and consultancies to undertake bushfire based research, on Council managed land, to inform planning and management programs.

6. ASSOCIATED DOCUMENTS

Local Law No. 1 (Administration) 2011
Local Law Subordinate No.4 (Local Government Controlled Areas, Facilities and Roads)
Fraser Coast Council's Corporate Plan 2018-2023
Queensland Fire and Emergency Services Act, 1990
Queensland Land Act, 1994
Queensland Local Government Act, 2009
Queensland Nature Conservation Act, 1992
Queensland Vegetation Management Act, 1999
Queensland Aboriginal Cultural Heritage Act, 2003
Queensland Environmental Protection Act, 1994
Queensland Disaster Management Act, 2003
Queensland Planning Act, 2016
Disaster Management Act, 2003
Environmental Protection and Biodiversity Conservation Act, 1999
Queensland Bushfire Management Plan
Queensland Emergency Risk Management Framework
AS ISO 31000:2018 – Risk Management – Guidelines

7. REVIEW

This Policy will be reviewed when related legislation/documents are amended or replaced, other circumstances as determined from time to time by Council or at intervals of no more than three years.

Version Control

Version Number	Key Changes	Approval Authority	Approval Date	Document Number
1	New Policy	Council	23/02/2022	4396745
2				