

## 11. FIRE PERMITS

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**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 28/08/02

### PURPOSE

The purpose of this report is to seek Council's support to transition from Council issued Schedule 13 Permits to Burn to wholly undertaken by the CFA.

### BACKGROUND

- CFA Act provides provision for a number of agencies and personnel to undertake Permits to Burn during the Fire Restriction period.
- There are a number of types of permits that can be issued including Schedule 13 and 14 Permits
- Other Councils have transitioned to purely CFA issued permits.
- The EMV is also undertaking a program looking at whether this should be a CFA only activity.

### ISSUE / DISCUSSION

Schedule 13 Permits are requested by the agricultural sector within Pyrenees Shire typically between February and the end of the fire restriction period (typically May). Over the past few years the amount of permits provided each year is approximately 300.

Officers provide details of the lead time required to assess and issue a permit, this is normally a five day period but has extended to ten days in peak times. The individuals seeking permits often wish to undertake the burning activity either on the day that they come in to seek the permit or within the next 24-48 hours. This leads to anger and disappointment in that the customer's request can often not be accommodated and puts strain on Council staff to try to accommodate these requests. There are also questions around liability relating to the issuing of permits. Council officers have diligently reviewed each permit to ensure that adequate breaks, appropriate resources and strict conditions are placed on each permit. This often involves an inspection of the breaks or photographic evidence and a review of how well managed each individual burning activity has occurred in the past. These checks are resource hungry and create delays in being able to provide a permit. The Municipal Fire Prevention Officer has been assisted with additional personnel during these peak periods but the strain on the organisation is felt across many departments including customer service, records and the environment and sustainability department.

The period at which permits to burn occur is also at the time that follow-up inspections of breaches of fire notices are at their peak. This often leads to a prioritisation of the permits to burn which can lead to not taking action for non-compliance of fire notices. This is detrimental to ensuring that our community is compliant with their obligations for fire management.

The CEO and the MFPO have had discussions with the Operations Manager of the CFA regarding the matter and the following options are prescribed for Council consideration:

#### Options

Option 1 – continue issuing permits

Option 2 – discontinue issuing permits immediately

Option 3 – transition to not issuing permits after the 2019/20 fire season



## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.7 - Develop and enforce appropriate Local Laws and policies to protect amenity and environmental values which are reflective of community expectations.

CFA Act 1958

## **ATTACHMENTS**

Nil

## **FINANCIAL / RISK IMPLICATIONS**

There are liability risks associated with issuing permits. These risks can be associated where a permit has been issued, the conditions followed but the fire still gets away and has impacts on neighbouring properties. Council could be implicated in any damages resulting from such an incident.

Costs associated with issuing fire permits have been estimated at approximately \$100 per permit. Council does not currently charge for permits and would potentially be unpalatable for the community if such a charge were implemented. The cost incurred includes officer time to assess applications and undertake site visits to ensure that fire breaks are in place. This cost is a hidden cost and is distributed across the community through rates charges. If Council were to withdraw from issuing permits Council officer time could be redirected to other hazard follow-ups including enforcement of fire notice breaches, and community safety and amenity duties.

## **CONCLUSION**

The ability to burn stubbles is an important part of agricultural management within the Pyrenees Shire. The resources required to issue permits are not currently meeting community expectations. There are also issues regarding liability associated with the issuing of permits.

## **CR FERRARI / CR EASON**

That Council:

1. Withdraws from issuing Permits to Burn starting at the 2019/20 fire season.
2. Notifies the CFA of Council's position.
3. Works with the CFA to ensure that there are easily accessible permit application options for the 2019/20 fire season.

**CARRIED**