

Fire Prevention Notices Frequently Asked Questions



October 2023

yarraranges.vic.gov.au

The municipality of Yarra Ranges is one of the most Bushfire prone areas in the world. The climate, geography and vegetation provide the potential for serious fires each summer. These conditions combined with residents living within the forest urban interfaces can set the scene for tragic events such as the Black Saturday Bushfires which resulted in the loss of lives and homes.

Reducing light fuel such as grass, weeds, branches, leaves and twigs from properties prior to and during summer is one of the most effective tools in reducing this fire risk.

Yarra Ranges Council is required by the Country Fire Authority (CFA) Act to carry out annual fire hazard inspections to ensure this goal is achieved by issuing Fire Prevention Notices to property owners where fuel reduction is required.

What is a Fire Prevention Notice?

It is a legal direction, issued under the CFA Act, to a landowner to reduce the amount of fuel (generally vegetation) on their property to minimise the fire risk during the summer (bush fire season).

What are the responsibilities of the property owner issued with a Fire Prevention Notice?

Property owners are required to complete the works as detailed in the notice prior to the expiry date also shown on the notice.

What are the consequences of not complying with a Notice?

Should the property owner fail to complete the required work, Council is then obliged by the CFA Act to undertake the necessary work in lieu of the property owner as soon as practical. The costs of undertaking such works will be passed onto the property owner and will include a Council Administration Fee (to cover council overheads) contractor costs and potentially an Infringement Notice. This course of action will be more costly than a landowner employing a contractor or undertaking the work themselves. It should also be noted that this is a 'compulsory clearance' in accordance with the CFA Act and not a service provided by Council.

Note: Council may issue a Penalty Infringement Notice, in addition to clearance costs (10 Penalty Units - \$1923.00). Court proceedings may also be taken where relevant.

Can I object to this notice?

Yes. Should you wish to lodge an objection, the Fire Prevention Officer must be notified in writing within seven days of receipt of the notice. The objection should be sent to:

*Municipal Fire Prevention Officer
Yarra Ranges Council
P.O. Box 105
Lilydale Vic 3140
or
mail@yarraranges.vic.gov.au*

What if the property owner does not receive the notice?

Notices are sent to the last known address according to Council rates records. It is up to the property owner to advise Council of any change in postal address. Under the CFA Act a notice sent to the last known postal address is deemed to be served. However, property owners should not wait for a notice to be served; fire prevention is an ongoing responsibility.

Who issues Fire Prevention Notices?

Municipal Fire Prevention Officers are authorised under Section 41 of the Country Fire Authority Act 1958. Yarra Ranges Council has a team of Fire Prevention Officers who carry out a street by street inspection of private property over several weeks prior to and during each fire season. Notices are issued only where fuel reduction works are required.

When are Notices issued?

In the lead up to and during the summer months CFA Fire Prevention Notices are issued when properties have been inspected by Fire Prevention Officers and have been found to be in a condition that has the potential to put life or property under threat during a bushfire due to the amount of unmanaged fuel (e.g. long grass or fallen branches and leaves).

**Why are Notices issued and not letters?**

Notices are issued to comply with CFA requirements. The notices are a legal document and failure to comply with the actions specified will result in penalties to landowners. Council does not have any discretion in the format or tone of these notices.

Can Fire Prevention Notices be issued on land managed by government bodies or agencies?

No. Section 41 of the CFA Act only authorises Councils to issue notices to private property owners. Section 43 of the CFA Act does require those Agencies to take steps to reduce fuel and minimise fire risk on land under their control although not enforceable by Council.

What are Councils other responsibilities regarding Fire Prevention?

As well as being required to inspect private property for fire hazards, Councils are required to take steps to reduce the likelihood and effects of fires on Council managed land such as reserves and strategic roadsides. Details of these programs can be found in the Annual Fire Readiness Program available on the Yarra Ranges Council website. www.yarraranges.vic.gov.au

Need further information or advice?

More detailed information can be found on the reverse of the Fire Prevention Notice or by contacting the Fire Prevention Officer who has issued the Fire Prevention Notice by phoning 1300 368 333.