

Factsheet

Fire Prevention Notices

Why does Council issue Fire Prevention Notices?

Under the [Country Fire Authority Act 1958](#), Council has a legal obligation to ensure the community's risk associated with bush fire and grass fire is reduced.

Fire hazards on private property can include any of the following:

- Dead or long dry grass
- Fuel such as dead branches, piles of cuttings etc
- Wood piles placed too close to houses or fence lines
- Other combustible material.

Municipal Fire Prevention Officers have the power to enter properties to undertake inspections and to issue directional Fire Prevention Notices. If the property owner/occupier doesn't undertake the required works on time, Council also has the legal right to carry out the works on private land and recoup the costs.

What is a Fire Prevention Notice?

A Fire Prevention Notice is a notice issued as deemed necessary to protect life and property from the threat of fire. The notice may be served to an owner or occupier of a property. Fire Prevention Notices may specify

- Parts of the land or property that need to be treated
- Treatment methods for particular vegetation or material
- Construction of a fuel reduced area
- Positions of objects on the land that need to be altered.

Why did I receive a Fire Prevention Notice?

Council's Municipal Fire Prevention Officers issue Fire Prevention Notices on potential fire hazards like vegetation or

other flammable materials that are present on your property. They determine what needs to be removed to reduce fuel loads on your property and reduce the risk of fire.

Fire Prevention Notices are issued to the land owner, occupier or manager of the property in question.

Council does not have available resources to drive every street looking for fire hazards, so chances are your property was inspected by the Municipal Fire Prevention Officer following a complaint received by a community member. Hazards may also be identified as part of a Council fire fuel management program in the area.

Once a complaint is made to Council regarding a potential fire threat, Council is obligated to inspect the property, make an informed opinion and take appropriate measures.

What do I have to do?

You are required to comply with the instructions in the Fire Prevention Notice. The works must be carried out by the due date.

The notice does not authorise you to remove shrubs and trees unless marked.

Engaging a contractor

If you are unable to carry these works out on your property, you may wish to employ a contractor to assist. There are a number of businesses providing these services listed in the [Yellow Pages](#) under *grass slashing, vegetation removal or tree lopping*.

If you engage a contractor to undertake the prescribed works, it is your responsibility to liaise with the contractor to ensure they

complete the works by the due date.

But I've just cut my grass!

There can be a small delay between the fire hazard inspection and the issuing of the Fire Prevention Notice. If you have already carried out the work that has been requested in the notice, please contact us and ensure you maintain your property for the remainder of the Fire Danger Period.

What will happen if I don't comply with the notice?

Follow up inspections are carried out on properties that have been issued a Fire Prevention Notice. If the prescribed works have not been carried out to the satisfaction of the Municipal Fire Prevention Officer by the due date

- Council will appoint a contractor to carry out the works specified in the Fire Prevention Notice.
- The owner or occupier will have to pay all associated costs in carrying out the works specified in the notice plus an administration fee.
- Council may issue an Penalty Infringement Notice which carries a fine of \$1975.90 (10 penalty units) for failure to comply with a Fire Prevention Notice.

Council **will not** contact you prior to undertaking works once the Fire Prevention Notice has been issued.

I own a vacant block of land and don't visit it regularly enough to see how long the grass is.

As a property owner, it is your responsibility to maintain your property and ensure that grass is kept to the required heights at all times.

As the majority of the shire is located in a high bushfire risk area, Council recommends that owners of vacant blocks engage a slashing contractor to maintain their property all year round. This will prevent you receiving a Fire Prevention Notice and prevent your neighbours from feeling worried about the fire hazards on your property, particularly during the Fire Danger Period.

I have moved house and didn't receive the Fire Prevention Notice before the due date.

As a property owner it is your responsibility to advise Council of your correct mailing address for the property you own. This is highlighted on the back of the Rates Notice.

When is the Fire Danger Period?

The County Fire Authority introduces Fire Restrictions (Fire Danger Period) for all private land in Surf Coast Shire over the summer period each year. The Fire Danger Period can range from mid November to May depending on the level of risk predicted for the season. During this period residents are required to obtain a permit to burn in the open air. Once declared the dates can be found on this website as well as the [CFA website](#).

I disagree with the assessment!

You can object to a Fire Prevention Notice (see section 41B Country Fire Authority Act 1958), by lodging your objection in writing to the Municipal Fire Prevention Officer within seven days of the issue of the notice, stating your grounds of objection.

Within 14 days of lodging an objection, the Municipal Fire Prevention Officer must confirm or vary the notice (specifying the new time within which you must comply), or withdraw the notice.

Appeals to objections

If you are not satisfied with the response from the MFPO you can appeal. Appeals must

1. Be in writing.
2. Be lodged with the Chief Officer, Country Fire Authority, PO Box 586, North Geelong, 3215, within 7 days of the MFPO confirming or varying the Notice.
3. Fully state the grounds of your appeal.

The Chief Officer (or a delegate) will then consider whether your appeal is valid. To do this, an investigation will be made.

In the course of the investigation, an officer of the Country Fire Authority may visit you to assess the matter. When considering your appeal, the Chief Officer (or a delegate) will take into account all relevant circumstances, including the proper needs of conservation, and any alternative means of addressing the threat of fire.

After considering the appeal, the Chief Officer (or a delegate) must either confirm, vary or cancel the notice. You will be notified of the decision in writing.

Will this Fire Prevention Notice save my home and life?

There are no guarantees of personal or property safety when it comes to bush fire. The works detailed on the Fire Prevention Notice are designed to reduce radiant heat, fire intensity, ember attack and minimise direct flame impact on you and your neighbours. They are consistent with CFA guidelines for protecting your home.

Council strongly encourages property owners to maintain their property year round to avoid unnecessary build-up of fuels.

I'm planning to cut my paddock for hay.

If it is your intent to cut your paddock for hay, just give the Municipal Fire Prevention Officer a call and inform us of your intentions **before** the completion date on your notice.

I'm going to put stock on my paddock.

If it is your intent to put stock on your paddock, you need to contact the Municipal Fire Prevention Officer and communicate your intentions **before** the completion date on your notice.

I want to complain about my neighbour's fire hazard.

Please let our Customer Services desk know (in person, via email or on the phone) if there is a property of concern to you. We will inspect the property and, if required, will issue the owner with a Fire Prevention Notice.

There is long grass next door, there are snakes and I have kids!

Snakes in the country are a fact of life. Ensure you maintain a safe area around your house and outbuildings. Snakes are attracted to the places we live as they provide shelter and food such as frogs and mice that are also attracted to our homes. Try to remove attractions for snakes from your property such as wood piles, stock feed and hay and maintain open areas, free of long grass, where children play.

There is little that can be done about the snakes as they are a protected species. However, we will inspect the property and if the grass length poses a fire hazard, we will issue the owner with a Fire Prevention Notice directing them to cut the grass as appropriate. Snake catchers are listed in the Yellow Pages.

I am having difficulty getting the works completed by the due date, can I have an extension?

Give the Municipal Fire Prevention Officer a call to discuss your particular situation. In some cases an additional week may be considered but we must hear from you **before** the completion date on your notice.

I need more information about preparing my property for fire.

The Country Fire Authority has some excellent resources available to assist residents in

preparing their homes for fire.
Check out their [website](http://www.cfa.vic.gov.au)
(www.cfa.vic.gov.au) or contact
the CFA Community Education
Coordinator at your local CFA
Regional Office.