

Bushfire Mitigation Measures Bill 2020

The Tasmanian Government is committed to protecting life and property from the potentially devastating impacts of bushfire. To enhance Tasmania's bushfire preparedness, the Government is proposing to introduce a new legislative framework to support bushfire mitigation in Tasmania.

Summary

It is not possible to eliminate bushfires. However, measures can and should be put in place to reduce the impact of fires. The Bushfire Mitigation Measures Bill will introduce a new legislative framework for bushfire mitigation in Tasmania.

The Bill will ensure that there is clear accountability for landowners and occupiers in regards to bushfire mitigation. The Bill aims to proactively manage and mitigate risks to better protect human life, property and natural and cultural heritage values from the ravages of devastating bushfire.

What will the Bill do?

Reinforce the duty of public and private land owners/occupiers to mitigate bushfire risks

The Bushfire Mitigation Measures Bill will make it clear that landowners and occupiers have a duty to take practical steps to proactively manage bushfire risks on land they own or control.

Streamline Bushfire Mitigation Plan (BMP) approval processes

For new developments, bushfire risks are largely dealt with under existing planning and building laws. However, for existing developments or vacant land, the authorisation process for bushfire mitigation activities can be much more complex. These processes may deter or delay landowners and occupiers from taking steps to mitigate bushfire risks on their land. To combat this, the Bill creates a 'one-stop' approval process where landowners or occupiers can submit for approval a Bushfire Mitigation Plan (BMP) to a newly established Bushfire Mitigation Measures Panel (BMM Panel).

The new legislative framework aims to make it easier for landowners/occupiers to undertake bushfire mitigation activities within existing developments or on vacant land.

Allow for the establishment of a Bushfire Mitigation Measures (BMM) Panel

The BMM Panel will be made up of:

- the Secretary of the Department of Police, Fire and Emergency Services (or their delegate);
- the Secretary of the Department of Premier and Cabinet (or their delegate);
- the Director of the Environment Protection Authority;
- a representative nominated by the Local Government Association of Tasmania (LGAT); and
- an expert member appointed by the Minister.

The BMM Panel's representation allows a range of perspectives to be considered as part of the new BMP approval process. The Panel will also be able to request expert advice to assist it to assess an application. The Panel will need to be satisfied that proposed measures are intended for bushfire mitigation and not for other purposes such as clearing for agricultural purposes.

Consolidate the framework for bushfire hazard reduction notices

The Bill makes clear that there may be implications for landowners and occupiers who do not appropriately discharge their duties in relation to bushfire mitigation. The Bushfire Mitigation Measures Bill will provide the Tasmania Fire Service with the power to issue a bushfire hazard reduction notice to an occupier of land requiring the reduction of bushfire dangers and removal of bushfire hazards.

The Bill will also facilitate the prompt resolution of disputes relating to bushfire hazard reduction notices.

Further Information

You can read more about the Bill on the Department of Premier and Cabinet's website at www.dpac.tas.gov.au/bmmb. Here you will find a copy of the Bill and an Explanatory Paper.

Have your Say

The measures we take to manage the risks of bushfire are important to all Tasmanians. This is why we want the community and other stakeholders to have their say about the Tasmanian Government's new draft Bushfire Mitigation Measures Bill.

Submissions can be made on any aspect of the Draft Exposure Bill by visiting the Department of Premier and Cabinet's website at www.dpac.tas.gov.au/bmmb or by writing to the Project Team:

Email: bushfiremitigation@dpac.tas.gov.au

Post: Office of Security and Emergency Management
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Submissions close on 23 October 2020.

Please note, unless stated as confidential, submissions will be treated as public information. Any offensive or defamatory material will not be published.

Department of Premier and Cabinet
Office of Emergency and Security Management