

FACT SHEET

Fire Service Amendment (Bushfire Prone Areas) Bill 2011

- The Fire Service Amendment (Bushfire Prone Areas) Bill 2011 authorises the Tasmania Fire Service (TFS) to accredit individuals to certify bushfire hazard management plans and allows planning authorities to rely on the certified plans for planning purposes.
- The amendments form part of the Tasmanian Government's commitment to implement the recommendations of the *Review of construction and development control in bushfire prone areas* (August 2010) which was undertaken as a result of the 2009 Victorian bushfires.
- The proposed amendments to the *Fire Service Act 1979* allows the TFS to administer an accreditation process for individuals to certify bushfire hazard management plans for the purposes of:
 - certifying that there is insufficient increase in risk from bushfires associated with a development application to warrant any specific bushfire measures; and
 - certifying that the development incorporates sufficient hazard management areas, access, and other fire protection measures to provide for adequate bushfire safety.
- The proposed amendment to the *Land Use Planning and Approvals Act 1993* provides the authority for planning authorities to rely on expert advice from an agency, such as the TFS, or individuals accredited by a State Service Agency for the purposes of approving environmental and natural hazard management plans.
- Currently there is no clear legislative foundation allowing planning authorities to rely on the advice of an external expert for considering risks from environmental or natural hazards. Therefore, the *Land Use Planning and Approvals Act 1993* will be amended to provide that:

- a planning authority is bound to accept a plan certified by an accredited person as meeting a requirement of planning schemes; and
- the planning authority is indemnified from any liability for loss of life or property if the measures on the certified plan are inadequate or if the property owner does not maintain the property to the standard set out in the plan.