



# Municipal Fire Management Planning

## MUNICIPAL FIRE PLANNING BACKGROUND AND LEGISLATIVE FRAMEWORK

### Background

In 1997 the *Country Fire Authority Act 1958* (CFA Act) was amended to include:

- requirement for each municipality (or part), within the country area of Victoria as defined by CFA act to prepare and maintain a Municipal Fire Prevention Plan (MFPP) in accordance with the advice and recommendations of the Municipal Fire Prevention Committee – s. 55A
- requirements for CFA to conduct audit of Municipal Fire Prevention Plans s. 55B

### Recent Changes

In 2007, the Victorian Government endorsed and funded Integrated Fire Management Planning (IFMP) as a building block for the future of fire management in Victoria. The IFMP Planning Framework does not replace the existing statutory roles and responsibilities of agencies and operates under existing fire and emergency legislation. It provides extra guidance and an expanded regulatory framework that operate in addition to the existing statutory roles and legislation.

In 2009 the Victorian Parliament introduced legislative amendments to section 55A of the *CFA Act* to require that municipal fire prevention plans identify designated neighbourhood safer places and designate community fire refuges.

In 2010, section 86B was introduced into the *Electricity Safety Act 1998* requiring that municipal fire prevention plans must specify procedures for the identification and notification of trees that are hazardous to electric lines to responsible persons with responsibility for the electric lines.

The *Emergency Management Act 1986* s. 21(5) provides that Municipal Emergency Management Planning Committees (MEMPC) must give effect to any direction or guideline issued by the Co-ordinator in Chief of Emergency Management, who is the Minister for Police and Emergency Services.

Part 6A Emergency Management Manual Victoria (EMMV) provides direction that MEMPC implement integrated municipal level fire management planning. This has resulted in structural changes as follows:

- Municipal Fire Prevention Plans (MFPPs) are now subsets of Municipal Fire Management Plans (MFMPs). The MFMP must now satisfy the prescriptions in the CFA Act, the Electricity Safety Act and the EMMV
- Municipal Fire Prevention Committees (MFPCs) as constituted under the CFA Act have generally been replaced by Municipal Fire Management Planning Committees (MFMPs) under the EMMV.
- MFMPs are sub-committees of MEMPC



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## Issue

The appointment of membership (s. 54) and functions of MFPCs (s. 55) are specified in CFA Act. CFA has provided guidance to CFA members and municipalities for transition to MFMPCs.

MFMPC must comply with Part 6A of the EMMV. It is intended that the MFMPCs will fulfill the functions of the MFPCs under s54 of the CFA Act.

The transition is progressive for all agencies and organisations involved in IFMP. The four key areas are:

- Determine that the level and nature of fire risk requires a MFMP – Part 6A.1 EMMV
- Determine membership of MFMPC – Part 6A.2 EMMV
- Produce a MFMP which complies with CFA Act 1958 s. 55A, the prescriptions of the EMMV and IFMP Planning Guide (2010)
- MFMP is subject to audit – Currently MFMPs are audited only against CFA Act 1958 s. 55B. The more holistic audit under IFMP is still under development.

All municipalities that lie wholly or partly in the country area of Victoria have a statutory responsibility in accordance with the CFA Act to prepare and maintain a MFPP (CFA Act s.55A (1)).

## Section 55A Municipal fire prevention plans

*“(1) A municipal council must prepare and maintain a municipal fire prevention plan for its municipal district in accordance with the advice and recommendations of the municipal fire prevention committee.*

*(2) A municipal fire prevention plan must contain provisions in accordance with the regulations—*

*(a) identifying areas, buildings and land use in the municipal district which are at particular risk in case of fire; and*

*(b) specifying how each risk is to be treated; and*

*(c) specifying who is to be responsible for treating those risks; and*

*(ca) identifying all designated neighbourhood safer places in the municipal district or if no places have been designated, recording that fact; and*

*(cb) designate any places in the municipal district that are community fire refuges; and*

*(d) relating to any other matter prescribed for inclusion in the plan.”*



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Section 86B of the Electricity Safety Act requires that that municipal fire prevention plans must specify procedures for the identification and notification of trees that are hazardous to electric lines to responsible persons with responsibility for the electric lines:

**Section 86B Municipal fire prevention plans must specify procedures for the identification of trees that are hazardous to electric lines**

Without limiting section 55A of the **Country Fire Authority Act 1958**, a municipal council must, in a municipal fire prevention plan required to be prepared and maintained under that section, specify—

(a) procedures and criteria for the identification of trees that are likely to fall onto, or come into contact with, an electric line (**hazard trees**); and

(b) procedures for the notification of responsible persons of trees that are hazard trees in relation to electric lines for which they are responsible.

## Function of Municipal Fire Management Planning Committees:

The role of the MFMP is specified in 6A.2 EMMV as follows:

- Plan for fire management in a manner that coordinates fire management activities across agencies;
- Provide information to and engage with the community on matters related to fire management planning;
- Draft a MFMP for recommendation to the MEMPC and comment by the Regional Strategic Fire Management Planning Committee (RSFMPC) prior to consideration by Council;
- Monitor, review and report on the delivery of MFMP;
- Work with MEMPC to align planning activities;
- Advocate to RSFMPC for municipal fire management needs; and
- Share knowledge and create an environment of continuous improvement.

## Membership of Municipal Fire Management Planning Committee:

The membership of MFMP is appointed by the MEMPC and determined in accordance with Part 6A.2 EMMV as follows –

- Municipal Council
- Relevant Fire Services
  - Country Fire Authority
  - Department of Sustainability and Environment
  - Metropolitan Fire Brigade
- Other members as required

Each agency will determine the appropriate representative who has the authority to commit their agency or organisation to undertake agreed actions.



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CFA has determined that the most appropriate unit to represent CFA is the Operations Officer and Volunteer Group delegate. Subject Matter Experts may attend where necessary and required to provide specialist information to the MFMP.

## **Municipal Fire Prevention Plan Audit:**

Section 55B (2) of the CFA Act, states that the audit must assess whether the plan complies with the requirements of the CFA Act and the Country Fire Authority Regulations 2004 (The Regulations).

The Regulations do not have any requirements with respect to this audit and the requirements of the CFA Act itself are limited.

CFA has produced a detailed document, "MFPP Audit Criteria", which explains fully the audit criteria used to assess compliance with the CFA Act.

## **References:**

Emergency Management Manual Victoria (EMMV) Part 6A – Guidelines for Municipal Fire Management Planning

*Emergency Management Act 1986*

Country Fire Authority (2003). *Municipal Fire Prevention Planning Guidelines*, Country Fire Authority, Victoria.