

Costs of fires may be recovered

When the best-laid plans go awry, the under-insured may get burnt

IN recent months I have focused attention on the following topics: planning for prescribed burning (July); the need for vigilance and responsibility when lighting fires (September); and daily maintenance of machinery to avoid fires (October).

I would now like to shift focus to an area that is not well understood, that of who is responsible for paying fire-fighting costs in rural areas and who is liable for damage caused by a wildfire.

Earlier this year, the Southern Rural Fire Authority undertook a phone survey of people who had obtained a fire permit from the Authority during 2009.

One question asked respondents: "Who is responsible for the cost of fighting fires that get out of control?"

Seventy-two percent of respondents said the person who lit the fire was solely responsible, 9% said it was the authority, 7% the property owner and 12% thought someone else was responsible but if they had a fire permit the authority was responsible, and if they did not have a permit, they were responsible.

The law is quite clear on responsibility.

The Forest and Rural Fires Act provides for rural fire authorities, the New Zealand Fire Service and eligible landholders affected by a fire, to recover costs of control, restriction, suppression or extinction of a fire from the person who caused the fire.

Where the person/s that caused the fire cannot be identified, rural fire authorities (RFA) may lodge a claim for financial assistance on a national rural fire-fighting fund administered by the National Rural

FIRE BREAK

Advice from Mike Grant
Southern Rural Fire Authority
Principal Rural Fire Officer



Fire Authority.

In lodging a claim, the RFA must cover at least 5% of the fire costs, which in a major fire incident can amount to tens of thousands of dollars.

Where a fire starts in an area of commercial forest, the rules are slightly different.

Firstly, the person who lit the fire is still responsible for associated costs.

If the person/s causing the fire cannot be identified, under the Act rural fire authorities may levy the owner of the forest or forests affected for costs of fire fighting operations. Authorities are not able to make a claim on the rural fire fighting fund for fires originating in forest areas.

In addition to fire-fighting costs, the person/s responsible are also liable under the Act for any loss in or diminution of value of that property, and any consequential loss or damage.

There should be no need to reinforce points made in previous columns covering planning, responsibility, vigilance and maintenance of machinery, but sometimes the best laid plans . . .

It is worth considering what insurance you have in place to cover such eventualities.

Talk to your insurance company or broker to ensure you are carrying sufficient cover for your



Take care with fires : Where possible, The Forest and Rural Fires Act provides for rural fire authorities, the New Zealand Fire Service and eligible landholders affected by a fire, to recover costs of control, restriction, suppression or extinction of a fire from the person who caused the fire.

PHOTO: SRL FILES

location, operations/environment and risk exposure, i.e. do you live next to a large plantation forest?

Everyone living, working or recreating in rural areas of New Zealand should invest in policies relevant to their own situation.

There have been several cases where culpable persons were under insured and were forced to sell off assets to fund fire suppressions costs and damage

liabilities.

Consideration should be given to the following insurance policies:

Public Liability. This will pay for damage to other people's property caused by you (some house and contents policies have very limited cover under the Act for this).

Fire Suppression. This will pay for the cost of extinguishing a fire caused by you or a fire starting in

your forest that you may not have started (some policies have this cover included in a public liability policy).

Property/Contents. This will cover damage to your own property caused by a fire.

Forest Crop loss. This is often good business practice.

However, many forest owners do not insure their crop and take a self-insurance approach.

Southlanders dominate at W. Otago Shears

FORMER New Zealand representative Nathan Stratford, of Invercargill, claimed his first win of the 2010-11 shearing season as Southlanders dominated the open championship at the West Otago Shears in Tapanui on Saturday.

Stratford, the reigning champion, winner of four titles in the South Island last summer and also a finalist at the Golden Shears in Masterton and the New Zealand championships in Te Kuiti, won by more than three points from runner-up Alton Devery, of Tuatapere, while former National series winner and world record-holder Darin Forde, of Winton, was third.

Andy Mainland, of Invercargill, was first off the board, in 8min 57sec for nine sheep, heading Devery by 11sec, but was relegated to fourth after time and quality points were added.

Another Southlander, Willie Hewitson, of Woodlands, won the senior final, beating runner-up Mason Adams, of Lumsden, by almost five points. It was

WEST OTAGO SHEARS TAPANUI, NOV 20

Open final (9 sheep): Nathan Stratford (Invercargill) 9min 16sec, 36.466pts, 1; Alton Devery (Tuatapere) 9min 8sec, 39.734pts, 2; Darin Forde (Winton) 9min 40sec, 40.111pts, 3; Andy Mainland (Invercargill) 8min 57sec, 40.961pts, 4.

Senior final (6 sheep): Willie Hewitson (Invercargill) 7min 43sec, 35.816pts, 1; Mason Adams (Lumsden) 8min 19sec, 40.45pts, 2; Cliff Waihape (Mataura) 7min 41sec, 41.717pts, 3; Brook Todd (Dipton) 7min 46sec, 41.967pts, 4.

Intermediate final (4 sheep): Jake Rangiwai (Mataura) 6min 14sec, 29.2pts, 1; Brett Roberts (Mataura) 6min 21sec, 29.3pts, 2; Shaun Matheson (-) 5min 41sec, 26.55pts, 3; Linton Palmer (Dipton) 7min 32sec, 37.1pts, 4.

just the third career win for Hewitson.

The intermediate final was a keen battle between two Golden Shears junior champions, both from Mataura. Jake Rangiwai, who won his title in 2009, beat reigning Golden Shears junior champion Brett Roberts by 7sec in a four-sheep final, and claimed victory on the score-sheet by just one-tenth of a point.

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