

FREQUENTLY ASKED QUESTIONS Firebreak and Fire Hazard Notice

<p>What is the Shire of Boyup Brook Firebreak and Fire Hazard Notice?</p>	<p>The Shire of Boyup Brook <i>Firebreak and Fire Hazard Notice</i> is a legal document under section 33 of the Bush Fires Act 1954 that instructs landowners/occupiers of the actions they must take to prepare their properties for the upcoming fire season. Landowners/occupiers who fail to comply with conditions contained in the <i>Firebreak and Fire Hazard Notice</i> by the date of inspection may be issued with a penalty of up to \$5,000.00 under the Act.</p>
<p>I didn't know what the Notice was, so I threw it in the bin. What do I do?</p>	<p>It is important to read through this document, if you are unsure about any sections of the Notice please contact the Shire. As the landowner/occupier you are the legal entity responsible for making sure your land complies with the conditions contained within the Notice. Not reading the Notice does not provide an excuse for not complying with your legal requirements.</p>
<p>What happens if I never received a copy of the Notice or have misplaced it. What can I do?</p>	<p>There are a few options available to you;</p> <ol style="list-style-type: none"> 1. Contact the Shire of Boyup Brook during office hours for another copy to be posted out to you. 2. Copies are available to be picked up from the Boyup Brook Shire Office. 3. The <i>Firebreak and Fire Hazard Notice</i> can be found on the Shire website www.boyupbrook.wa.gov.au <p>Please note if you did not receive the Notice in the mail, you are still bound by the requirements of the Notice.</p>
<p>I have only just recently purchased a property; the real estate or the previous owner(s) did not inform me of any works required to be completed on the property. Why am I now liable when I did not know?</p>	<p>The Shire has a program in place that when a settlement agency inquires as to a property being sold, they are advised of any outstanding works to be completed on the property. All new landowners are posted rates information, including a copy of the <i>Firebreak and Fire Hazard Notice</i>.</p>
<p>I live in town, do I need to comply with the Fire Break and Fire Hazard Notice?</p>	<p>Yes. All residents/landowners/occupiers of land within the Shire of Boyup Brook, including those with land within town sites, are required and have the shared responsibility to ensure that they comply with the <i>Firebreak and Fire Hazard Notice</i>.</p>
<p>I cannot meet the requirements by the due date deadline, can I get an extension?</p>	<p>Reducing the risk of bush fire is a shared responsibility between local government, state government agencies and the community, we all have our part to play. Landowners/occupiers are responsible for making sure their properties are compliant with the requirements of the Fire Break Notice by the due date to reduce the level of bush fire risk for the whole community and, therefore, extensions will generally not be granted.</p>
<p>Can the Shire recommend any Contractors?</p>	<p>The Shire is unable to recommend/promote any particular contractor. The Community Resource Centre has a Local Business directory which may assist in your search for local contractors.</p>
<p>I have engaged a contractor, or I have an ongoing relationship with my current contractor to maintain my fire breaks for me, what do I need to do?</p>	<p>As the Landowner/occupier you are the legal entity responsible for the land. It is your responsibility to understand what is required for your land to be compliant to the <i>Firebreak and Fire Hazard Notice</i> and make sure the contractor fully understands what work is needed and when works need to be completed by.</p>

<p>What happens if I am struggling to get in contact with a contractor or get the contractor to complete required works on my property before the due date deadline?</p>	<p>If you are having issues with the availability/timing of contractors to complete required works on your property, please advise the Shire Office during business hours. We do advise that contractors are busy and booking ahead and planning early is your best course of action.</p>
<p>What do I do if I can't meet some or all of the <i>Firebreak and Fire Hazard Notice</i> requirements?</p>	<p>If you are unable to comply with some or all of the conditions contained within the notice, you must apply for a Variation to the <i>Firebreak and Fire Hazard Notice</i> by 1 October.</p>
<p>How do I apply for a Variation to the <i>Firebreak and Fire Hazard Notice</i>?</p>	<p>There are a few options available to you;</p> <ol style="list-style-type: none"> 1. Contact the Shire of Boyup Brook during office hours for a form to be emailed or posted out to you. 2. Forms can be picked up from the Boyup Brook Shire Office. 3. Variation forms are available to be downloaded from the Shire website www.boyupbrook.wa.gov.au <p>Please note forms MUST be completed and returned to the Shire Emergency Services Officer by the 1st October each year.</p>
<p>How long does a Variation last for and how will I know if I am successful?</p>	<p>You will be notified either by phone or in writing with the outcome of your Variation request.</p> <p>If successful, your variation approval period can last up to 5 years, depending upon the results of the officer inspection.</p> <p>If unsuccessful, you will need to comply with the requirements mention within the <i>Firebreak and Fire Hazard Notice</i> by the due date.</p>
<p>Why do I have to keep applying for Variation when my property never changes?</p>	<p>The fire management requirements contained in the <i>Firebreak and Fire Hazard Notice</i> are reviewed annually and may change from year to year, pending on local seasonal requirements or changes in the various State Government policies. This means that landowners/occupiers need to read the Notice each year and determine if there are any of the requirements for which they need to seek a variation.</p>
<p>Am I able to clear my Asset Protection Zone (APZ) and firebreak area without a clearing permit?</p>	<p>Yes, but only around existing assets (houses, sheds, tanks, etc) and to area/dimensions as specified in the <i>Firebreak and Fire Hazard Notice</i>.</p>
<p>Do I need to maintain my firebreaks and low fuel zones throughout the whole fire season?</p>	<p>Yes. It is the landowner/occupiers responsibility to establish and maintain their fire breaks and low fuel zones, including asset protection zones, from 30 November until 01 April each year (unless otherwise notified). This may mean slashing, mowing or spraying any re-growth.</p>
<p>Do I have to clear all vegetation around my house to put in an asset protection zone?</p>	<p>No, an Asset Protection Zone (APZ) is a 10-20 metre low-fuel zone around your home. This may include, but not limited to, pruning dead under storage of bushes and trees, removing ladder fuels, thinning out isolated bush clumps, etc. If your house is close to your neighbour's boundary line, the APZ does not need to extend beyond your property boundary.</p>
<p>How will reducing the fuel loads on my property make a difference if a bushfire comes through?</p>	<p>Reducing the fuel loads around your home means that embers from a bushfire will have less chance to catch fire when they hit the ground. This will also reduce the damage caused by the fire and slow the rate of spread of the fire. The better you prepare your property the higher the chance it will survive a bushfire, even if you are not there!</p>

<p>Why does a fire break need to be bare earthed and need to be 3 metres wide with 4 metres vertical clearance?</p>	<p>Fire breaks, when established, need to be a bare earth mineral break which assist in preventing the spread of fire into neighbouring paddocks and exposes the terrain to drivers of firefighting appliances.</p> <p>If erosion or other land use issues prevent a bare earth fire break being established where required, you will need to apply for a variation to that requirement.</p> <p>Breaks are required to be 3 metres wide with 4 metres vertical clearance to allow clear access to firefighting appliances. Current firefighting vehicles are already 2.5 metres wide and 3.5 metres in height; which provides enough room for vehicles to negotiate and transverse firebreaks, vertical clearance is required to limit damage to firefighting appliance and eliminate crews working on the crew deck getting injured from over hanging tree branches.</p>
<p>Can I just use a chemical herbicide spray to kill the grass to create a firebreak?</p>	<p>No, all firebreaks are to be bare mineral earth. Whilst spraying herbicides will kill off weeds/plants/grasses and stop growth, the dead material also creates a flammable fuel source if the weed/plant/grass has not degraded down to bare earth.</p>
<p>My next-door neighbour hasn't installed their fire breaks. What can I do to report it and have them comply as well?</p>	<p>Whilst we would like Landowner/occupiers to focus on making sure their land is complaint to the requirements mention within the <i>Firebreak and Fire Hazard Notice</i>; if the neighbouring property is of concern please contact the Shire Office to lodge a written complaint so the required steps are taken after the inspection date, for the land to be made compliant.</p>
<p>I have recently purchased a property and I was not aware of the fire management requirements. What do I do?</p>	<p>If you have recently purchased a property and you are unable to comply with the requirement contained in the Fire Break Notice by the due date, please contact the Shire Office prior to the due date to be taken into consideration at inspection time.</p>
<p>What is a Bush Fire Management plan?</p>	<p>Within the context of the <i>Firebreak and Fire Hazard Notice</i>, a Bush Fire Management Plan is a document submitted by developers at the time of creating a new sub-division which provides details of the bush fire mitigation measures that are to be put in place for that sub-division. This may include strategic fire breaks, low threat vegetation, emergency access ways, or fire services routes.</p> <p>Bushfire Management Plan is also a plan adopted as part of a Planning Approval for a new house which replaces the usual requirements of the <i>Firebreak and Fire Hazard Notice</i>.</p>
<p>I have purchased land in a sub-division that has its own Bushfire Management Plan, which requirements do I need to adhere to?</p>	<p>Landowner/occupiers of land within a sub-division of its individual Bushfire Management Plan will need to adhere to those specific requirements first. Landowner/occupiers will still need to adhere to Asset Protection Zone (APZ) requirements of the <i>Firebreak and Fire Hazard Notice</i> as it is a requirement under State Planning Policy 3.7.</p>
<p>Who will check my property and can they enter my property without my permission?</p>	<p>The Shire Chief Bushfire Control Officer, Brigade Fire Control Officers, Emergency Services Officer and Ranger are the main authorised inspectors for the Shire for compliance to the <i>Firebreak and Fire Hazard Notice</i>. As authorised Fire Control Officers under the <i>Bush Fire Act 1954</i>, are permitted to enter your property to undertake inspections to ensure compliance with the Shire's <i>Firebreak and Fire Hazard Notice</i>.</p>



What happens if my property is not compliant?	The Shire of Boyup Brook considers non-compliance with the <i>Firebreak and Fire Hazard Notice</i> to be a serious offence as it compromises the safety of the whole community and the individuals occupying that land. If you fail to meet the requirement stipulated in the Notice, you may be subject to prosecution.
Why am I receiving a warning notice when I did the right thing and made sure the contractor had my block compliant by the due date?	It is appreciated that your property is made complaint by the due date, but your property is only assessed on the day of inspection. Unfortunately, weather patterns can influence a higher growth rate under the right conditions and established low fuel areas may grow back if not maintained. In these circumstances a warning letter will be sent. Please remember properties need to remain compliant to the requirements of the <i>Firebreak and Fire Hazard Notice</i> until 01 April of each year.
Why can't I receive my warning/infringement via email as I work away and could have spoken to a contractor whilst away?	As per the <i>Bush Fires Act 1954</i> , a warning or infringement notice can be served to the offender personally or by posting it to his/her last known address held by the Local Government.
Why am I only receiving a warning/infringement notice via the post with only couple days left to comply?	The Shire does post-date warning/infringement notices to allow for a couple days passage via Australia Post, as required by the <i>Bush Fires Act 1954</i> . Unfortunately the Shire does not have any control as to when or how postal service gets to your address.
Where do these regulations come from? Who decides that we must do this?	Most of the regulations stem from the <i>Bush Fires Act 1954</i> , with additional local requirements based upon local weather patterns and topography. These are considered by a range of key stakeholders including Bush Fire Brigade members, DFES and internal Shire officers, before being recommended by the Bush Fire Advisory Committee to be endorsed by Council.
Explain to me how reducing fuel loading is going to make any difference if a fire comes through?	By reducing the ground fuels this will slow the rate of spread of the fire. Please note this will not stop the fire but gives Firefighters the chance to save lives and properties!