



SHIRE OF RAVENSTHORPE

FIRE BREAK NOTICE – FREQUENTLY ASKED QUESTIONS

QUESTIONS	ANSWERS
What is the Shire of Ravensthorpe Fire Break Notice?	<p>The Shire of Ravensthorpe <i>Fire Break 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.</p> <p>Landowners/occupiers who fail to comply with conditions contained in the <i>Fire Break Notice</i> by the date of inspection may be issued with a penalty of up to \$5,000.00 under the Act.</p>
I didn't know what the Notice was so I threw it in the bin, What do I do?	<p>It is important to read through this document, if you are unsure about any sections of the Notice please contact the Shire.</p> <p>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>
What happens if I never received a copy of the Notice or have misplaced it – What can I do?	<p>There are a few options available to you;</p> <ol style="list-style-type: none"> 1. Contact the Shire of Ravensthorpe during office hours for another copy to be posted out to you. 2. Copies are available to be picked up from either the Ravensthorpe or Hopetoun Shire Office locations. 3. The <i>Fire Break Notice</i> can be found on the Shire website www.ravensthorpe.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>
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 didn't know?	<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>Fire Break Notice</i>.</p>
I live in town – do I need to comply with the Fire Break Notice?	<p>Yes. All residents/landowners/occupiers of land within the Shire of Ravensthorpe, including those with land within town sites, are required and have the shared responsibility to ensure that they comply with the <i>Fire Break Notice</i>.</p>
I cannot meet the requirements by the due date deadline, can I get an extension?	<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 <i>Fire Break Notice</i> 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>
Can the Shire recommend any Contractors?	<p>The Shire is unable to recommend/promote any particular contractor; however, the Shire has provided a list of local contractors within the <i>Fire Break Notice</i> for the convenience of Landowners/occupiers to engage with.</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>Fire Break 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.</p>
<p>What do I do if I can't meet some or all of the Fire Break Notice 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>Fire Break Notice</i>.</p>
<p>How do I apply for a Variation to the Fire Break Notice?</p>	<p>There are a few options available to you;</p> <ol style="list-style-type: none"> 1. Contact the Shire of Ravensthorpe during office hours for a form to be emailed or posted out to you. 2. Forms can be picked up from either the Ravensthorpe or Hopetoun Shire Office locations. 3. Variation forms are available to be downloaded from the Shire website www.ravensthorpe.wa.gov.au <p>Please note forms MUST be completed and returned to the Shire 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>Fire Break 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>Fire Break 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>Fire Break Notice</i>.</p>
<p>I have kwonghan shrubland on my property can I clear this for my APZ and firebreak?</p>	<p>Yes, but only around existing assets and for firebreaks, is limited to the area/dimensions as specified in the <i>Fire Break Notice</i>. Clearing APZ areas for existing dwellings/buildings, driveway crossovers and firebreaks are not considered a significant impact on the TEC Kwoonghan Shrubland and the development (house and infrastructure) was approved prior to TEC gazettal and through a state (Planning and Development Act) approvals process. New buildings approval to clear to the BAL assessment dimensions and granted via a planning approval.</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, <u>within the dates specified on the Notice</u> (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 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.</p> <p>If your house is close to your neighbour's boundary line, the APZ does not need to extend beyond your property boundary.</p> <p>Additional guidance notes on establishing an APZ are available on the Shire of Ravensthorpe website.</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 5 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 5 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 compliant to the requirements mention within the <i>Fire Break Notice</i>; if the neighbouring property is of concern please contact the Shire Office to lodge a 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 <i>Fire Break Notice</i> 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>Fire Break 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>Fire Break 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>Fire Break 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 Ranger's and Community Emergency Services Officer are the main authorised inspectors for the Shire for compliance to the <i>Fire Break Notice</i>.</p> <p>As authorised Fire Control Officers under the Bush Fire Act 1954, are permitted to enter your property to undertake inspections to ensure compliance with the Shire's <i>Fire Break Notice</i>.</p>
<p>What happens if my property is not compliant?</p>	<p>The Shire of Ravensthorpe considers non-compliance with the <i>Fire Break 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;</p> <ol style="list-style-type: none"> i. Receive an Infringement of \$250.00 and an additional 7 calendar days in which to ensure your property is compliant. <p>From receiving an infringement your property will be re-inspected, if your property still fails to comply the Shire will engage a contractor to carry out the work and you will be billed for this work along with any associated administrative cost.</p> <p>Works Orders can be issued at any time throughout the compliance period.</p>
<p>Why am I receiving a notice when I did the right thing and made sure the contractor had my block compliant by the due date?</p>	<p>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, the South Coastal 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.</p> <p>Please remember properties need to be compliant and maintained to the requirements of the <i>Fire Break Notice</i></p>
<p>Why am I receiving a notice when the contractor has advised me that the required works has been completed?</p>	<p>Your property is only assessed on the day of inspection, if works are not completed to the satisfaction of the authorised inspecting officer and there has been no correspondence from the landowner/occupier with any issues or delays either a warning/infringement notice would have been issued based upon the inspection on that day.</p> <p>The Landowner/occupier is the legal entity for the property and as such needs to be fully aware of the requirements mentioned within the <i>Fire Break Notice</i>. As the landowner/occupier it is your responsibility to make sure the contractor is aware of what works are required and the due date.</p>
<p>Can I receive my infringement via email similar to my rates as I work/live away?</p>	<p>As per the Bush Fires Act 1954, 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.</p> <p>The Shire requires permission in writing from the responsible person to email their infringement correspondence in addition to the legal requirements.</p>

<p>Why am I only receiving a notice via the post with only couple days left to comply?</p>	<p>The Shire does post-date infringement notices to allow for a couple days passage via Australia Post, as required by the Bush Fires Act. Unfortunately the Shire does not have any control as to when or how postal service gets to your address.</p>
<p>Why is the compliance due date earlier compared to other areas?</p>	<p>This is due to local seasonal factors and conditions meaning our high threat period (prohibited burning times) is upon us sooner compared to Perth's high threat period.</p>
<p>Where do these regulations come from? Who decides that we must do this?</p>	<p>Most of the regulations stem from the Bush Fires Act 1954, 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.</p>
<p>Explain to me how reducing fuel loading is going to make any difference if a fire comes through?</p>	<p>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!</p>

**ARE YOU
BUSHFIRE
READY?**

