



SHIRE OF JERRAMUNGUP

FIRE CONTROL INFORMATION – FREQUENTLY ASKED QUESTIONS 2023

| QUESTIONS | ANSWERS |
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| <p>What is the Shire of Jerramungup <i>Fire Control Information</i> notice?</p> <p>Please note that throughout these Frequently Asked Questions:</p> <ul style="list-style-type: none">- The <i>Fire Control Information</i> notice is referred to as “the Notice”; and- The <i>Bush Fires Act 1954</i> is referred to as “the Act”. | <p>The Shire of Jerramungup <i>Fire Control Information</i> notice is a legal document under section 33 of the <i>Bush Fires Act 1954</i>, that instructs landowners/occupiers regarding 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 Notice by the date of inspection may be issued with a penalty of up to \$5,000 under the Act.</p> |
| <p>I didn’t know what the <i>Fire Control Information</i> notice was and I threw it in the bin. What should I do?</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 it does not provide an excuse for not complying with your legal requirements.</p> <p>You should read the Notice, which is available as outlined in the answer to the next question below.</p> |
| <p>What can I do if I never received a copy of the Notice or have misplaced it?</p> | <p>There are a few options available to you:</p> <ol style="list-style-type: none">1. Contact the Shire of Jerramungup during office hours and ask for another copy to be posted to you.2. Pick up a copy from either the Shire of Jerramungup or Bremer Bay CRC offices.3. Read the Notice on the Shire website www.jerramungup.wa.gov.au <p>Please note if you did not receive the Notice in the mail, you are still bound by its requirements.</p> |
| <p>I have recently purchased a property in the Shire and was not informed of any works required to be completed on the property. Why am I now liable when I didn’t know?</p> | <p>When a property is changing ownership, Settlement Agents are notified of any outstanding works to be completed on the property. It is up to them to pass this information onto the purchaser.</p> <p>All new landowners are posted rates information, including a copy of the Notice.</p> |
| <p>I live in town, do I need to comply with the <i>Fire Control Information</i> notice?</p> | <p>Yes. All residents/landowners/occupiers of land within the Shire of Jerramungup, including within townsites, are required and have a shared responsibility to comply with the Notice.</p> |
| <p>I cannot meet the requirements by the date specified. 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 Notice by the due date to reduce the level of bush fire risk for the whole community. Extensions will generally not be granted.</p> |
| <p>Can the Shire recommend any contractors?</p> | <p>The Shire cannot recommend any particular contractor, however, a list of local contractors is included in the Notice and is on the Shire’s website.</p> |

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| I have engaged a contractor / have an ongoing relationship with my current contractor, to maintain my fire breaks. What do I need to do? | As the Landowner/occupier you are the legal entity responsible for the land. It is your responsibility to understand what is required to be compliant with the Notice and make sure the contractor fully understands both the work needed and the date it needs to be completed by. |
| 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? | If you are having issues with the availability/timing of contractors to complete required works on your property, please notify the Shire Office during business hours. |
| What do I do if I can't meet some, or all, of the Fire Control Information requirements? | 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 Fire Control Information. |
| How do I apply for a Variation to the Fire Control Information notice? | <p>There are a few options available to you:</p> <ol style="list-style-type: none"> 1. Contact the Shire of Jerramungup during office hours and request that a form be emailed or posted to you. 2. Forms can be picked up from either the Jerramungup or Bremer Bay (CRC) Shire Office locations. 3. Variation forms are available to be downloaded from the Shire website www.jerramungup.wa.gov.au <p>Please note forms MUST be completed and returned to the Shire Office by 1 October each year.</p> |
| How long does a Variation last for and how will I know if I am successful? | You will be notified of the outcome of your Variation request either by phone or in writing. If successful, your variation approval period can last up to 5 years, depending upon the results of the officer inspection. If unsuccessful, you will need to comply with the requirements of the Notice by the due date. |
| Why do I have to keep applying for a Variation when my property never changes? | The fire management requirements contained in the Notice are reviewed annually and may change, depending on local seasonal requirements or changes to State Government policies. This means that landowners/occupiers need to read the Notice each year and determine if there are any requirements for which they need to seek a Variation. |
| Am I able to clear my Asset Protection Zone (APZ) and firebreak area without a clearing permit? | Yes, but only around existing assets (houses, sheds, tanks, etc) and to area/dimensions as specified in the Notice. |
| I'm on Point Henry and I have Kwonghan shrubland on my property, can I clear this for my APZ and firebreak? | Yes, but only around existing assets and for firebreaks. The clearing must be limited to the area/dimensions as specified in the Notice. Clearing APZ areas for existing dwellings/buildings, driveway crossovers and firebreaks are not considered a significant impact on the TEC Kwonghan Shrubland. The development (house and infrastructure) was approved prior to TEC gazettal and through a state (Planning and Development Act) approvals process. New buildings require approval to clear to the BAL assessment dimensions and are granted via a planning approval. |
| Do I need to maintain my firebreaks and low fuel zones throughout the whole fire season? | Yes. It is the landowner/occupier's responsibility to establish fire breaks by 10 October 2023 and maintain their fire breaks and low fuel zones, including Asset Protection Zones, <u>until 30 April 2024</u> (unless otherwise notified). This may mean slashing, mowing or spraying any re-growth. |

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| Do I have to clear all vegetation around my house to put in an Asset Protection Zone? | <p>No, an Asset Protection Zone (APZ) is a 20 metre low-fuel zone around your home. Refer to the Notice for more details of what is required.</p> <p>If your house is close to your neighbour's boundary line, the APZ does not need to extend beyond your property boundary. Additional guidance notes on establishing an APZ are available on the Shire of Jerramungup website.</p> |
| How will reducing the fuel loads on my property make a difference if a bushfire comes through? | <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> |
| Why does a fire break need to be bare earth and need to be 3 metres wide with 5 metres vertical clearance? | <p>When established, fire breaks need to be bare earth which will assist in preventing the spread of fire into neighbouring paddocks and exposes the terrain type 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>Fire breaks must be 3 metres wide with 5 metres vertical clearance to allow clear access for firefighting appliances. This provides space for appliances to negotiate and transverse firebreaks. Vertical clearance is required to limit damage to firefighting appliances and reduce the injury risk from overhanging tree branches for crews working on the crew deck.</p> |
| Can I just use a chemical herbicide spray to kill the grass to create a firebreak? | <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> |
| My neighbour hasn't installed their fire breaks. What can I do to report it and have them comply as well? | <p>If neighbouring property is of concern please contact the Shire Office to lodge a complaint. Appropriate steps will be taken to achieve compliance with the Notice.</p> |
| I have recently purchased a property and I was not aware of the fire management requirements. What do I do? | <p>If you have recently purchased a property and you are unable to comply with the Notice by the due date, please contact the Shire Office prior to the due date so your circumstances may be taken into consideration at inspection time.</p> |
| What is a Bush Fire Management Plan? | <p>Within the context of the <i>Fire Control Information</i> notice, a Bush Fire Management Plan is a document submitted by developers at the time of creating a new subdivision. It provides details of the bush fire mitigation measures that are to be put in place for that subdivision. This may include strategic fire breaks, emergency access ways, or fire services routes.</p> <p>A Bush Fire 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 Control Information</i> notice.</p> |
| I have purchased land in a subdivision that has its own Bush Fire Management Plan. Which requirements do I need to adhere to? | <p>Landowner/occupiers of land within a subdivision with an individual Bush Fire Management Plan will need to adhere to those specific requirements first. Landowners/occupiers will still need to adhere to Asset Protection Zone (APZ) requirements of the <i>Fire Control Information</i> notice, as it is a requirement under State Planning Policy 3.7.</p> |

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| <p>Who will inspect my property, and can they enter my property without my permission?</p> | <p>The Shire Ranger, Community Emergency Services Officer and Planning Officer are the main Shire employees authorised to conduct compliance inspections in relation to the <i>Fire Control Information</i> notice.</p> <p>Persons authorised as Fire Control Officers under the <i>Bush Fire Act 1954</i>, or with delegated powers from the Shire of Jerramungup Chief Executive Officer, are permitted to enter your property to undertake inspections to ensure compliance with the Shire's <i>Fire Control Information</i> notice.</p> |
| <p>What happens if my property is not compliant?</p> | <p>The Shire of Jerramungup considers non-compliance with the Notice to be a serious offence as it compromises the safety of the whole community as well as the individuals occupying that land. If you fail to meet the requirement stipulated in the Notice, you may:</p> <ul style="list-style-type: none"> i. Receive a warning notice with an additional 14 calendar days to ensure your property is compliant; and/or ii. Receive an Infringement of \$250.00 and an additional seven working days in which to ensure your property is compliant. <p>After the 7 or 14 days mentioned in i. and ii. above, 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 invoiced for it, along with any associated administrative cost.</p> |
| <p>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?</p> | <p>It is appreciated that your property may have been compliant 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 to the requirements of the <i>Fire Control Information</i> notice from 10 October 2023 right through to 30 April 2024.</p> |
| <p>Why am I receiving a warning/infringement notice when the contractor has advised me that the required work 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 advising of any issues or delays, either a warning or an 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 Notice. 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>I receive my rates by email, so why didn't I receive my warning or infringement via email? If I had received it by email, I could have spoken with a contractor whilst I was working away.</p> | <p>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. Your registration to receive your rates via email is only for that purpose.</p> |

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| <p>Why am I receiving a warning/ infringement notice via the post now when there are only a couple of days left to comply?</p> | <p>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>. The Shire does not have any control over the speed of the postal service.</p> |
| <p>Where do these requirements come from? Who decides that we must do this?</p> | <p>Most of the requirements stem from the <i>Bush Fires Act 1954</i>, with additional local requirements based upon local weather patterns and topography. These are reviewed annually by a range of key stakeholders including Bush Fire Brigade members, DFES staff, and Shire officers, before being considered by the Bush Fire Advisory Committee, who make recommendations to the Shire Council for final endorsement.</p> |
| <p>Why is the compliance due date earlier compared to other areas?</p> | <p>Compliance dates are set based on local seasonal factors and conditions, meaning our high threat period (Prohibited Burning Time) may be at a different time to other areas.</p> |

**ARE YOU
BUSHFIRE
READY?**