

2023-24 BUSHFIRE RISK COMPLIANCE NOTICE REQUIREMENTS

Section 33 Bush Fires Act 1954

To prevent bush fires and to minimise the spread of a bush fire, all owners, and occupiers of land within the Shire of Nannup are required to comply with the requirements of this Bushfire Risk Compliance Notice (Notice).

All land to meet the requirements on **3 November 2023** up to and including **30 April 2024** as specified in the Notice, except for Asset Protection Zones which must be maintained all year round.

Inspections, Appointment and Penalty for non-compliance

Owners and occupiers who would like an early inspection appointment for explanation on the requirements of this Notice, should contact the Ranger. Where inspections by appointment are not requested, the Ranger is appointed as Bush Fire Control Officer with power to enter land under the *Bush Fires Act 1954* and will be inspecting properties for compliance without further notice from **3 November 2023**.

Failing to comply with the requirements of this Notice is an offence under the Bush Fire Act 1954, which carries a penalty of up to \$5,000. In addition, where the owner or occupier of the land fails to comply with a Notice given pursuant to Section 33(1), the Shire may enter the land to carry out the work required to comply with the Notice and recover any costs and expenses incurred in carrying out that work from the owner or occupier of the land.

1. For All Land

Asset Protection Zone (APZ) means a low fuel load area immediately surrounding a building and related structure to minimise the likelihood of flame contact with the building. APZs predominantly consist of managed vegetation, reticulated lawns and gardens and other non-flammable features.

The following APZ requirements **apply to all properties** regardless of size, and must be **maintained all year round**:

- The area of land within twenty (20) metres from the external walls of any habitable building. Attached structures such as sheds, pergolas, carports and other buildings, or adjacent structures within six (6) metres of the habitable building.
- The area of land on sloping ground shall increase one (1) metre for every degree in slope on the sides of any habitable building that are exposed to down slope natural vegetation.
- Flammable material must be kept at a minimal and not exceed seventy five (75) millimetres in height.
- Trees must be low pruned (or under pruned) to a height of two (2) metres from the ground.
- Trees and branches must not be closer than three (3) metres to a building, and trees must not overhang a building within five (5) metres of the external roof.
- Wood piles and flammable materials must be stored a safe distance from habitable buildings.
- Remove dead leaves and twigs (flammable material) from the gutters, downpipes, rooftops, under eaves and under building.

NOTE – For buildings built to Australian Standards 3959 Construction of Buildings in Bushfire-Prone Areas, the APZ is to be maintained as per the Bushfire Attack Level (BAL) assessment for that specific property if greater than the APZ requirements For All Land.

2. Urban Land

Urban Land includes “Land located within the Nannup townsite or zoned Residential, or Special Use in the Shire of Nannup Local Planning Scheme No. 4”.

2.1. Land less than or equal to 2024m² (approx. 0.5 acre)

All flammable material removed to a height of seventy five (75) millimetres, with the exception of live standing trees and live garden plants.

2.2. Land exceeding 2024m² (approx. 0.5 acre)

Maintained as per 2.1 requirements, or firebreaks must be constructed within six (6) metres of the boundary of the property, must be four (4) metres wide with a minimum three (3) metres being mineral earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres.

2.3. Parkland clearing

Maintain paddocks by removing flammable material (excluding crops, pasture areas and living trees/ shrubs).

3. Rural Land

Rural Land includes “Land zoned Rural, Priority Agricultural, Environmental Conservation, Rural Smallholdings, Tourism (outside the Nannup townsite) or Urban Development, and any freehold land outside the Nannup townsite that is a Local Scheme Reserve in the Shire of Nannup Local Planning Scheme No. 4”.

3.1. Asset Protection Zone (APZ)

Maintain as per 1. requirements in addition, all buildings must have an **access** (cleared of all flammable material) not less than four (4) metres wide, with a three (3) metre trafficable width and a vertical clearance of four (4) metres to allow access by fire appliances.

3.2. Rural Managed Land

Land actively used for agriculture, viticulture, horticulture etc (plantations maintained as per 5.4. requirements).

Active fuel reduction by means such as grazing by an appropriate number of livestock, slashing and baling etc., or a fuel reduction plan that shows the means of fuel reduction on the land.

Managed land is not required to have perimeter firebreaks, although all owners and occupiers of land are encouraged to install them in strategic places to protect the property in the event of a fire.

3.3. Rural Unmanaged Land

Land not used primarily for agriculture, viticulture, horticulture etc (plantations maintained as per 5.4. requirements).

Unmanaged land shall be accessible by firebreaks and broken into areas with firebreaks so that unmanaged land areas do not exceed forty (40) hectares. The firebreak must be a minimum of four (4) metres wide with a minimum of three (3) metres being mineral earth and

have all trees/vegetation on both sides of the firebreak laterally pruned to a minimum height of four (4) metres. Grass not to exceed one hundred twenty-five (125) millimetres in height.

4. Rural Residential Land

Rural Residential Land includes "Land zoned Rural Residential in the Shire of Nannup Local Planning Scheme No. 4".

4.1. Firebreaks

The firebreak must be a minimum of four (4) metres wide with a minimum of three (3) metres being mineral earth and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres. Firebreaks constructed within six (6) metres of the boundary of the property.

There is no requirement for firebreaks where the whole area is covered by buildings and/or is kept mown or slashed or clear of Flammable Material or is maintained and kept green by efficient reticulation systems installed by landowner. Grass not to exceed fifty (50) millimeters in height.

In addition, Cockatoo Valley has a Bushfire Management Plan that includes a Strategic Firebreak. Properties bounded by the strategic firebreak are required to maintain unrestricted access across the strategic firebreak.

4.2. Parkland Clearing

Maintain paddocks by removing flammable material (excluding crops, pasture areas and living trees/ shrubs).

5. Special Requirements

Special requirements apply in addition to the requirements set out in 1, 2, 3 and 4 Bushfire Risk Compliance Notice requirements.

The requirements of this Notice are the minimum standard of fire protection required to protect individual property and the community.

5.1. Hazards

A Fire Control Officer can impose additional requirements to remove or abate hazards.

5.2. Bushfire Management Plan & Bushfire Attack Level Assessment

Under the Shire's planning requirements, most land uses other than single houses and outbuildings require planning approval. If a land use is to occur in a declared bushfire prone area, a Bushfire Management Plan (BMP) may be required. Properties subject to an approved BMP, a Bushfire Attack Level (BAL) assessment, or with other imposed development approval conditions, must comply with the approved conditions in addition to the requirements of this Notice.

Note – where the requirements are inconsistent with the requirements of this Notice, owners should apply for a Variation.

5.3. Short-Stay Accommodation

Short-stay accommodation includes bed & breakfasts, guesthouses, holiday homes, chalets, serviced apartments, hotels, motels, campgrounds, caravan parks and resorts.

Short-stay accommodation involves people visiting and inhabiting a premises where they may be less likely to be able to respond in the event of an emergency. These uses are

classified as 'vulnerable' under State Planning Policy 3.7 Planning in Bushfire Prone Areas and may be subject to a Bushfire Management Plan. Applications for vulnerable land uses are to be lodged with the Shire.

5.4. Plantations

A plantation means any area of planted pines, eucalypt, hardwood or softwood trees exceeding three (3) hectares in area, excluding vineyards and fruit producing trees within orchards.

Most plantations require Development Approval from the Shire prior to commencement of planting. The Shire will require plantation fire protection measures, including the development of a Fire Management Plan (FMP), to be fulfilled as a condition of Development Approval. These measures shall apply to all new plantations and additional rotations of existing plantations.

Owners should apply for a Variation where the requirements of an FMP are inconsistent with the following requirements.

All land excluding Scott River is to meet the requirements from 3 November until 30 April each year as specified in the Notice. Scott River is to meet the requirements from 15 December until 30 April each year:

- (i) The firebreak requirements for harvested plantations are the same as those for unharvested plantations, unless it has been clear felled and all pruning, branches and/or other accumulated tree litter, stumps and logging residue have been removed.
- (ii) Established residue heaps into manageable piles no greater than ten (10) metres wide and four (4) metres high and burnt. The ignition of heaps to occur as soon as weather and fuel conditions permit after the previous fire season ends. If unable to achieve the requirements install a fifteen (15) metre wide firebreak around the heaps, it must be trafficable and cleared of all Flammable Material. The appropriate agencies are to be notified in advance of the burn off. Contact the Shire of Nannup for further information.
- (iii) Bushfire Management Plan maps are to be stored in red fire cylinders at the main entrances to the plantation. The maps to include property boundaries, firebreaks, water point, buildings and owners or managers contact details.
- (iv) Firebreaks to be constructed on the boundaries of plantations or in such alternative locations as may be agreed with the Shire and the plantation owner. Fifteen (15) meter wide boundary firebreaks are to be cleared of all flammable material and have no overhanging tree branches for a vertical clearance of five (5) metres.
- (v) Six (6) metre wide internal firebreaks are to be clear of all flammable material, progressively pruned on both sides to a minimum height of four (4) metres and shall be constructed surrounding compartments of approximately thirty (30) hectares. Internal firebreaks maintained to a trafficable condition.
- (vi) Where power lines pass through or near plantation areas, additional obligations are imposed by the State power authority. Plantation owners and/ or managers should consult Western Power for advice.

6. Notice Definitions

For the purpose of this Notice the following definitions apply:

Flammable Material means accumulated fuel (living or dead) capable of carrying a running fire such as bark, leaf litter, twigs, dead trees and grass over seventy-five (75) millimetres in height, depending on the type of property.

Low Fuel Zone means an area from which the majority of flammable material such as dry grass, leaf litter, dead bracken, dead trees and dead limbs/ branches on live trees (to a height of two (2) metres) has been removed.

Bushfire Attack Level (BAL) is a bushfire risk rating determined for sites in a bushfire prone area by, at a minimum, an accredited Level 1 BAL Assessor or Bushfire Planning Practitioner.

Bushfire Management Plan (BMP) means a plan developed in accordance with State Planning Policy 3.7 and approved by the Shire of Nannup to reduce and mitigate fire hazards within a particular subdivision, lot, or other area of land anywhere in the Shire. Properties subject to an approved BMP must comply with the requirements of their BMP in addition to the requirements of the Notice. Note – where the requirements of a BMP are inconsistent with the requirements of this Notice, owners should apply for a Variation.

Trafficable means to be able to travel from one point to another in a four-wheel fire vehicle on a firm, stable surface, unhindered without any obstruction that may endanger such fire vehicles.

Firebreaks and Driveways means a trafficable area or strip of land where flammable material has been removed or modified to reduce the risk of fires starting, and to reduce the intensity and rate of spread of fires that may occur. It allows unrestricted access to your property for all maintenance and fire fighting vehicles.

The firebreak should be constructed within six (6) metres of the boundary of the property, must be four (4) metres wide with three (3) metres being mineral earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres.

No through firebreaks should be avoided, if possible, but if they do exist, they should be signposted and include distance to end. You must have a turnaround large enough to accommodate a fire truck with a radius of twelve (12) metres.

Driveways should always be maintained; if a fire truck cannot get into your property safely and turn around, it will not be able to defend your home from a bushfire.

7. Variations

If, due to constraints on your land, you are unable to comply with the requirements set out in this Notice, you may apply for a variation to the Bushfire Risk Compliance Notice. Variations must provide an alternative means of meeting the objectives of the Notice, including bushfire risk mitigation and property access, considering site specific constraints and advantages and not all properties will be able to accommodate variations.

Applications must be completed on the approved form, which is available upon request or can be downloaded via the Shire's website www.nannup.wa.gov.au (Fire and Emergencies).

Application fees apply (per lot applied): 1 year \$60, 5 years \$200.

Unless written permission by the Shire is granted, you must comply with the requirements of this Notice.

IMPORTANT DATES

Burning Times

Subject to change due to conditions in the Southern Forests fire weather district.

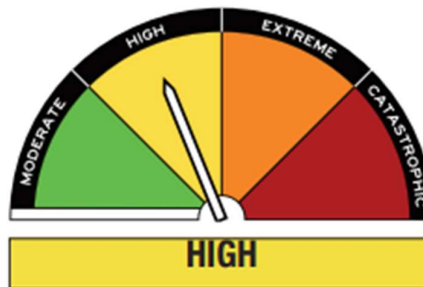
Restricted Burning Time Spring	Prohibited Burning Times	Restricted Burning Time Autumn
PERMITS ARE REQUIRED TO BURN	STRICTLY NO BURNING!	PERMITS ARE REQUIRED TO BURN
3 Nov – 17 Dec	18 Dec – 29 Feb	1 Mar – 14 May

Fires must always be attended, and you must have the ability and means to extinguish the fire close at hand.

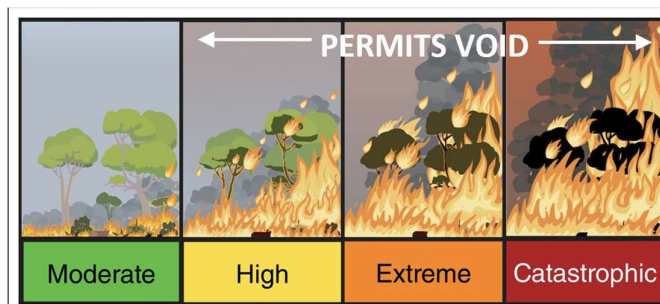
FIRE DANGER RATING






EmergencyWA



Fire Danger Rating (FDR) restrictions are in addition to Restricted and Prohibited burning times. **High** or above rating may trigger the Shire of Nannup to impose a Harvest and Vehicle Movement Ban (HVMB). If you have a permit, this will automatically be cancelled if the FDR is **High** or above and you will have to extinguish your burn.



All burning is **PROHIBITED** on days where the Fire Danger Rating  is High or above and during a **TOTAL FIRE BAN** .

Check out the website www.emergency.wa.gov.au or phone **13 DFES (13 3337)** to find the FDR  (Southern Forests), or if a Total Fire Ban (TFB)  has been imposed or to find out if there is a fire emergency.

GENERAL INFORMATION

Burning of Garden Refuse

Pursuant to the powers contained in section 24G (2) of the *Bush Fires Act 1954*, the burning of all garden refuse is **not permitted during prohibited burning times**. This applies to all persons within the Shire's district.

During the **restricted burning time**, the burning of garden refuse or rubbish on the ground or in an incinerator can only be carried out with a Fire Permit issued under Regulation 15 of the *Bush Fire Act 1954*. To obtain a Permit, contact your Fire Control Officer. **Please allow up to seventy two (72) hours for a Fire Control Officer to attend your property to assess your Permit application.**

Camping and Cooking

Pursuant to the powers contained in section 25 (1a) of the *Bush Fires Act 1954*, the lighting of a fire in the open air for the purpose of camping or cooking is **not permitted during the prohibited period**.

For the purposes of this section (1aa) a gas fueled appliance, comprising a fire the flame of which is encapsulated by the appliance, and which does not consume solid fuel, shall not be taken to be a fire in the open air and may be used at any time for the purpose of camping or cooking and all combustible material is cleared from within five (5) metre radius of the appliance.

Fires must always be attended, and you must have the ability and means to extinguish the fire close at hand.

Campfires and Firepits

Campfires and firepits are NOT permitted:

- At any time during the PROHIBITED burning time
- On days when a TOTAL FIRE BAN has been issued
- On days where the FIRE DANGER RATING is HIGH or above
- On public land, unless purpose built campfire pits have been provided by the owner of the land and permission to use them has been given.

Campfires and firepits are permitted:

- On private property during the RESTRICTED burning time without a Permit but cannot be lit before 6pm and must be fully extinguished by 11pm. A permit is required outside of these times.
- Campfires and Firepits shall have a space cleared of all vegetation and other flammable materials around the site of the fire of at least three (3) metres radius from the centre of the fire.

Wood/Solid Fuel BBQs and Pizza Ovens

Wood/Solid Fuel BBQs and Pizza Ovens are NOT permitted:

- On days when a TOTAL FIRE BAN has been issued
- On days where the FIRE DANGER RANGER is HIGH or above

Wood/Solid Fuel BBQs and Pizza Ovens are permitted:

- On private property on days where the FIRE DANGER RATING is MODERATE or below.
- Wood/Solid Fuel BBQs and Pizza Ovens shall have a space cleared of all vegetation and other flammable materials around the site of the fire of at least three (3) meters radius from the centre of the fire.

PERMIT TO BURN

Permits to burn are required during the **Restricted Burning Period** and can be obtained from your district Fire Control Officer (FCO).

When contacting the FCO to request a Permit, please have the following information ready to provide:

- the size of your burn
- what you are burning
- the address of the burn
- the name and contact number of the Permit holder.

You must notify your adjoining landowners twenty four (24) hours in advance of your intention to burn.

Prior to burning, you MUST register your Permit with the Shire of Nannup, Department of Biodiversity, Conservation and Attractions (DBCA) and Department of Fire and Emergency Services (DFES). To do this call the numbers on the Permit and have your Permit handy as the operator will need the Permit details.

Failure to:

- obtain a Permit
- comply with all Permit conditions
- burn without a Permit, or
- burn in contravention to any information provide in the Notice

May result in a modified penalty of \$250 and up to \$5,000 should legal action be undertaken.

FIRE CONTROL OFFICERS

District	Fire Control Officer	Phone Number
Chief Bush Fire Control Officer	Robin Mellema	9756 1156 or 0427 975 611
Deputy Chief Bush Fire Control Officer (North)	Mark Scott	9756 0444 or 0427 560 444
Deputy Chief Bush Fire Control Officer (South)	John Patman	0407 713 653
Balingup Road	Mark Scott	9756 0444 or 0427 560 444
Carlotta	Peter Hastie	0419 772 775
Cundinup	Gerald Brown	0428 562 055

Darradup	John Patman	0407 713 653
East Nannup	Victor Lorkiewicz	9756 1129
Nannup Brook	Carey Curtis	9756 1474
Nannup Townsite	Nathan Manning	9756 1018
North Nannup	Mike Vasey	9756 0921 or 0499 509 479
Peerabeelup	Brett Fowler	0409 089 947
Peerabeelup Coastal	John Jonker	0439 411 351
Scott River/Jasper	Andrew McNab	0427 581 489

DIAL 000 to report all Fires or Life Threatening Emergencies