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Shire of
Denmark

**Fire
Regulations
Notice**

2012/2013



**To all owners and occupiers
of land in the Shire of Denmark**

FIRST & FINAL NOTICE

PURSUANT to the powers contained in Section 33 of the Bush Fire Act 1954, you are hereby required **on or before 1st December 2012 to implement, and then continuously maintain until 26th April 2013** the Regulations relevant to your property as specified in this Notice.

**For All Fire Emergencies
Dial 000**

1

GLOSSARY

DEFINITIONS

“Building Protection Zone” (see also Page 2)

A Building Protection Zone is a fire protection zone:-

- (a) in which **fire fuel** is removed from the zone such that the **fire fuel** is maintained to a maximum of **2 tonnes/hectare**. See the explanation of this new specification on Page 2 of the Glossary.
- (b) which comprises of an area with a minimum clearance distance in all directions from the walls of all buildings or structures of at least 20 metres on flat land, which is to increase in all directions by 10 metres for every 10 degrees increase in slope;
- (c) which accommodates a **turning area** for a heavy duty fire vehicle; and
- (d) which complies with the provisions of a Shire adopted Urban Fire Management Plan (“UFMP”) or Town Planning Scheme (“TPS”) clause with respect to that property and the effect is such that the requirement under the UFMP or TPS stipulates a greater distance to be clear of **fire fuel** or a greater distance for maintenance of a low fuel zone than required under part (b) above.

“Fire Fuel”

Fire fuel is any combustible material, dead or live, in isolation or in clusters or aggregation with other combustible materials that, in the opinion of a Shire Ranger, is likely to fuel a bush fire.

It includes, but is not limited to:

- Dead leaves either on the ground or in gutters, fallen branches, bracken or any combustible vegetation in clusters;
- All grasses exceeding a height of 100mm;
- Dry vegetative matter (such as loose leaf litter) on top of compacted vegetative material that is likely to dry out during the summer period;
- Any tree within the **Building Protection Zone** or branch of a tree that may fall onto a building or, in the opinion of a Shire Ranger, constitutes a fire risk.

It does NOT include:

- Vegetable patches, tended lawn, landscaped gardens (including deciduous or ornamental planted trees), isolated planted shrubs, established natural or planted trees that, in the opinion of a Shire Ranger, do not constitute an unacceptable fire risk;
- Well compacted dead vegetative material that, in the opinion of a Shire Ranger, will remain constantly damp during the entire summer period and thus not constitute an unacceptable fire risk.

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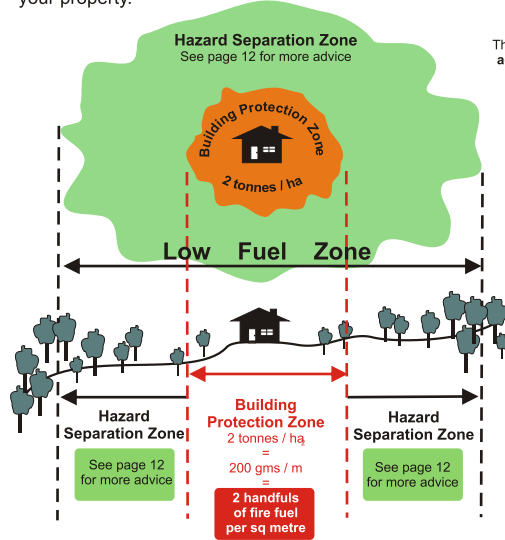
“tonnes per hectare”

2 tonnes per hectare = 200 grams (2 handfuls) of fire fuel per sq metre
 8 tonnes per hectare = 800 grams (8 handfuls) of fire fuel per sq metre
 15 tonnes per hectare = 1500 grams (15 handfuls) of fire fuel per sq metre

These specifications are a new method devised by the CSIRO and adopted by FESA for measuring the volume of fire fuel which, when applied together, form a **Low Fuel Zone** for fire risk mitigation. The specifications can be achieved by a number of methods:

- (a) on smaller Lots, by slashing or manually removing fire fuel.
- (b) on larger Lots, by either (i) designing a series of compartments each separated by firebreaks that can be subjected to fuel reduction burns in a mosaic or chequerboard fashion typically on a 3 year rotation cycle or (ii) by slashing or by manually removing fire fuel.

Contact the Shire’s Rangers for advice on the method(s) that are applicable to your property.



The distances of each zone must be **adjusted for the slope of the land** (see Table below). Check with the Shire Rangers or your local Fire Control Officer for further details relevant to your property.

LOW FUEL ZONE is a graduated method for fire risk mitigation surrounding any building.

The **HAZARD SEPARATION ZONE** distance is determined by the Shire on approval of a new building. Contact the Shire’s Rangers or Building Surveyor for advice.

Adjustment of distances for slope. For each 10 degrees of slope, add an extra 10 metres of distance.

Example for 20m Building Protection Zone		
Slope	Add	Adjusted Distance
Level	—	20m
10 degs	10m	30m
20 degs	20m	40m
30 degs	30m	50m

FESA has produced a booklet “A Visual Fire Fuel Guide for the Shire of Denmark” which contains many photos of differing fire fuel situations along with FESA’s assessment of the fuel load in each case and is viewable on the [Fire Emergency Management / Fire Services](#) page of the Shire’s website www.denmark.wa.gov.au

2 GLOSSARY



3

GLOSSARY

“Strategic Fire Access Route”

A Strategic Fire Access Route is both a major fire access road and a major firebreak - it must be a minimum 6 metres wide, clear of all **fire fuel**, have an all-weather trafficable surface of at least 4 metres, a vertical clearance of at least 4 metres and be designed to allow a heavy duty fire truck to access your property. There needs to be provision for a **turning area** in appropriate places along the Strategic Fire Access Route for which a Shire Ranger will advise site location requirements.

Where a Strategic Fire Access Route is located on your property, you will be required to install and maintain it, to the satisfaction of the Shire, between **1st December 2012** and **26th April 2013**. It must not be obstructed by buildings, fences or additional tree planting and so on. Unlocked gates are to be provided on property boundaries where such breaks cross boundaries. Strategic Fire Access Routes apply to identified properties in the Shire and details of locations can be sourced from the Shire Rangers.

“Turning Area”

A turning area is a cleared all-weather trafficable area having a minimum diameter of 10 metres, or as separately approved by a Shire Ranger, that is connected to the public road by a **Strategic Fire Access Route**.

“Plantation”

A plantation is an area in which trees have been planted especially for commercial purposes.

Advice Note:

Properties that are considered by the Shire to pose a risk to neighbouring properties may be required to implement special fire risk mitigation measures to the satisfaction of the Shire's Fire Services. Properties implicated by these risk mitigation measures will be contacted by the Shire.

Make sure that ALL fire risk mitigation measures for your property are maintained in full accord with the relevant Regulation until 26th April 2013

PENALTIES APPLY FOR NON-COMPLIANCE

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“Urban Land”

For the purposes of this Fire Regulations Notice, “Urban Land” is any land zoned **Residential** in the Shire’s Town Planning Scheme.

“Urban Fire Management Plan”

An “Urban Fire Management Plan” (UFMP) is a special fire risk mitigation plan that applies in exceptional situations, such as steep slope or proximity to a Shire or DEC Reserve, where special fire risk mitigation provisions may be necessary.

Proposals for a UFMP must be provided to the Shire no later than **1st November 2012** for permission to provide alternative fire mitigation measures on the land.

- **If a UFMP has been approved** by the Shire, it will thereafter replace and totally extinguish the landowner’s obligations to otherwise implement the standard Regulations, as described in this Fire Regulations Notice, appropriate to the zoning of the property.
- **If a UFMP has not been approved** then the standard Regulations, as described in this Fire Regulations Notice, must be implemented by the due dates.

Guidelines for the preparation, and the criteria for approval, of a UFMP are available from the Shire’s Fire Services.

STATUTORY PROVISIONS and inconsistencies

Property owners, who are subject to an endorsed Shire Urban Fire Management Plan (“UFMP”) or a Town Planning Scheme (“TPS”) clause requiring them to undertake certain activities for fire risk mitigation or prevention, must adhere to those requirements as if issued under this Fire Regulations Notice. In the event of an inconsistency between an approved UFMP or TPS clause and these Fire Regulations, the provisions that, in the opinion of the Council’s Ranger or the Community Emergency Services Manager, provides the greater fire risk mitigation measures will prevail.

PENALTIES for non-compliance

The penalty for failing to comply with this Notice is **a fine of not more than \$5000** and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this Notice if it is not carried out by the property owner and/or occupier by the date required by this Notice.

RESPONSIBILITY to extinguish fires

Property owners and/or occupiers of land are reminded that Section 28 of the Bush Fires Act provides that where a bush fire is burning during prohibited or restricted times, the property owner and/or occupier of the land shall, whether he or she has lit or caused such fire to be lit or not, take all possible measures to extinguish the fire. Where a property owner and/or occupier fails to extinguish the fire, a Shire Fire Control Officer may take all proper measures to extinguish such fire and the expenses of that action are recoverable.

4 IMPORTANT INFORMATION

5 FIRE CONTROL OFFICERS

Position	Officer	Contacts	UHF Call Sign
Chief Fire Control Officer	Graeme Thallon	9840 9246 (h) 0428 788 008	FIRE 1
Deputy Chief Fire Control Officer	Wayne Kranendonk	9848 1340 (h)	FIRE 2
Fire Weather Officer	Adrian Kranendonk	9848 1340 (h)	FIRE 3
Shire Staff			
* During office hours	Rangers	9848 0300 (w)	DENMARK BASE
* Senior Ranger	Dick Dimmock	0429 482 244 (a/h)	RANGER 1
* Ranger	Mark Halse	0488 909 650 (a/h)	RANGER 2
* Commun. Emergency Services Manager	Nathan Hall	0428 913 937 (a/h)	CFM
Volunteer Bush Fire Brigades			
1. Hazelvale	Alex Williams	9840 8626	Hazelvale 1
2. Tingledale	Brian Vigus	9840 8053	Tingledale 1
3. Nornalup	Jean-Marc Merat	9840 1474	Nornalup 1
4. Peaceful Bay	Alec Cull	9840 8256	Peaceful Bay 1
5. Mehniup	David Guthrie	9840 8098	Mehniup 1
6. Kordabup	Bruce Pringle	9840 9274	Kordabup 1
7. Owingup	Samantha Blythe	9840 8337	Owingup 1
8. Somerset Hill	Ross McDougal	9840 9583	Somerset Hill 1
9. Parryville	Kevin Hard	9840 9336	Parryville 1
10. Harewood	Mike Hills	9840 9152	Harewood 1
11. Carmarthen	Lez Bains	9840 9847	Carmarthen 1
12. William Bay	Joan Merrifield	9848 1657	William Bay 1
13. Mt Lindesay	Malcolm Hick	9840 9283	Mt Lindesay 1
14. Scotsdale	Sid Marshall	9840 9019	Scotsdale 1
15. Mt Shadforth	Lee Shelley	9848 1374	Shadforth 1
16. East Denmark	Chris Hoare	9848 2244	East Denmark 1
17. Denmark Town	Don Atkinson(**)	9848 3228 (w) 9840 9250 (h)	Denmark Town 1
18. Ocean Beach	Joe Baker	9848 3238	Ocean Beach 1

(**) Note: Burning permits for the Town area can be obtained Monday-Friday from Don Atkinson

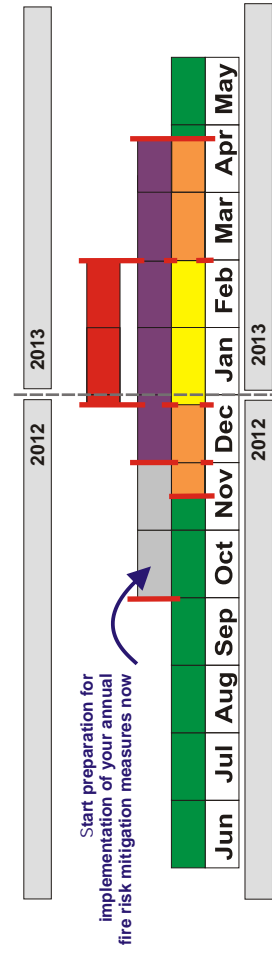


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6 DATES TO REMEMBER

FIRE REGULATIONS

All fire risk mitigation measures, as per this Fire Regulations Notice, are required to be fully implemented and to be continuously maintained between **1st December 2012** and **26th April 2013**.

RESTRICTED BURNING PERIODS

Permits to burn any **fire fuel** are required between the following dates:

- (1) **19th November 2012** and **23rd December 2013**
- (2) **1st March 2013** and **26th April 2013**.

PROHIBITED BURNING PERIOD

It is **prohibited** to burn any **fire fuel** between **24th December 2012** and **28th February 2013**.

CAMPING & COOKING FIRES

The use of open camping and cooking fires are **prohibited** in the Shire of Denmark between **24th December 2012** and **28th February 2013** except in designated locations. See Page 13 of this Notice for further details.

MACHINERY & VEHICLE MOVEMENT BAN

Any operation of machinery & vehicles involved in harvesting seed crops / timber and / or any other produce **MUST** come to a complete stop when a **Machinery & Vehicle Movement Ban** is in place.

UNRESTRICTED

During the rest of the year, you may light an open fire. Please take care at all times and avoid creating a smoke nuisance.

(*) Council may vary all these dates to accommodate unforeseen seasonal conditions.

7

FIRE REGULATIONS

For ALL land zoned **RESIDENTIAL** (which for the purposes of this Fire Regulation Notice is called "**Urban Land**") in the Shire's Town Planning Scheme.

REGULATION 1 - if the Residential land is **0.25ha or less:**

Remove **fire fuel** from the whole of the land such that the **fire fuel** is maintained at a maximum of **2 tonnes per hectare**. This regulation applies regardless of whether the land is vacant or if there is a building on the land. See the Glossary for advice of how this specification can be achieved.

REGULATION 2 - if the Residential land is **greater than 0.25ha:**

Regulation 2(a) - if there is an existing building on the land, or unless exempted under Regulation 2(c):

- (i) establish a **Building Protection Zone** around all buildings on the land in accord with the specifications described in the Glossary.
- (ii) clear the remainder of the property outside the **Building Protection Zone** such that the fire fuel is maintained at a maximum **8 tonnes per hectare**. See the Glossary for advice of how this specification can be achieved.

Regulation 2(b) - if the land is vacant:

Remove **fire fuel** over the entire property such that the **fire fuel** is maintained at a maximum of **8 tonnes per hectare**. See the Glossary for advice of how this specification can be achieved.

Regulation 2(c)

Where situations exist, such as steep slope or proximity to Shire or DEC Reserves, or where the protection of Landscape or other reasonable factors warrant, the Shire will consider the approval of an **Urban Fire Management Plan**. These plans must be provided to the Shire no later than the **1st November 2012** for permission to provide alternative fire mitigation measures on the land. If permission is not granted by the Council or its duly Authorised Officers you must comply with the requirements of this Notice. Contact the Shire's Fire Services for the criteria for approval and for further advice.

Advisory Note for Regulations 2 & 3 and Special Planning Zones

Some properties contain special planning provisions relating to landscape protection areas, the protection of waterways, remnant vegetation and fire mitigation measures. Guidance on these details can be obtained from your subdivision's Guide Plan or the Planning Scheme Amendment for your area. These documents can also be obtained from the Shire Office and Council staff are available to assist with the interpretation of their application in terms of the requirements of Regulations 2 and 3.