

# Fire Compliance Notice 2025/26



# Fire Compliance Notice

## Preparing for fire is a shared responsibility

The City of Mandurah has a role in setting the requirements for fire preparation on properties within its boundaries.

Owners are encouraged to contact Ranger Services to discuss fire management measures in the lead up to fire season or seek further information from the City's website.

## What is required?

Pursuant to Section 33 of the *Bush Fires Act 1954*, owners and occupiers of land within the City of Mandurah are required to carry out fire prevention work in accordance with the requisitions of this Notice. Fire prevention work must be carried out by 17 November 2025 or within 14 days of becoming the owner, and maintained until 31 May 2026.

## Who can enter my property?

Under Section 39 of the *Bush Fires Act 1954* an Authorised Officer can enter your property to inspect firebreaks and/or anything they consider to be a fire hazard.

## Variations to the Fire Compliance Notice

If you consider it is impractical to meet the requirements of this Notice, you may apply to the City of Mandurah in writing by 1 November 2025 for an alternate solution.

In some instances, naturally occurring features such as rocky outcrops, natural watercourses or landscaping such as reticulated gardens, lawns or driveways may be considered as an acceptable substitute for a firebreak.

You are required to comply with this Notice unless the City advises you otherwise in writing.

## Bushfire Management Plans

Where an approved Bushfire Management Plan relates to a property, owners must fully comply with the requirements of that approved plan.

## It can happen to you...

All properties within Mandurah may be subject to ember attacks from nearby fires. Preparing your property can help prevent damage and loss.

If you do not meet your fire prevention responsibilities as a property owner, you could be liable for a **maximum penalty of \$5,000** plus costs.

The City may access a property and undertake required work at the expense of the owner.

# Fire Prevention Work

## Larger Blocks



### Occupied or unoccupied land 4000m<sup>2</sup> and over

When the area of land is 4000m<sup>2</sup> and over, provide a trafficable mineral earth firebreak of 4m wide, with a vertical height clearance of 4.2m:

- Immediately inside all external boundaries of the land;
- Immediately surrounding all outbuildings erected on the land;
- Immediately surrounding haystacks or fuel storage; and
- On the land's driveway access.

Maintain a minimum 2m separation between trees, shrubs and any habitable building. Ensure no part of any tree overhangs any habitable building.

**NOTE:** Properties with dense vegetation will also need to be thinned out to reduce any significant fire risk, to the satisfaction of the City.



## Urban Areas



### Occupied or unoccupied land less than 4000m<sup>2</sup>

Have the entire property clear of all flammable material except living standing trees, growing bushes and plants in gardens, and lawns by mowing or slashing down to 40mm or other method approved in writing by an Authorised Officer for this purpose.

If mowing or slashing is carried out, then the height of the vegetation must not exceed, as far as is reasonably practicable, 40mm over the entire area of land.

A 4m firebreak alone is not adequate on land less than 4000m<sup>2</sup>.

### Asset Protection Zones (APZ)

Properties zoned rural residential, or rural small holding under the City of Mandurah Local Planning Scheme 12, or on all land 4000m<sup>2</sup> and greater are required to:

- Maintain a minimum 2 metre separation between trees, shrubs and any habitable building.
- Ensure that no trees overhang any habitable building.

An Authorised Officer may issue a variation from Asset Protection Zone requirements where it is considered that adequate risk mitigation measures have been implemented, such as the reduction of fuel loads and appropriate management of understorey vegetation.

Property owners are encouraged to contact the City to discuss the installation of an APZ.

**Applications must be made to the City to remove trees or vegetation in order to create an Asset Protection Zone within a tree preservation area as designated in the City of Mandurah Local Planning Scheme No 12 or as permitted by a gazetted Bush Fire Risk Treatment Standard.**



# Setting fire to bush

Fuel hazard reduction burns or running burns are generally not permitted within the City's district. Any exemption is based on a full assessment of the hazard by an Authorised Officer in consultation with the City's Chief Bush Fire Control Officer. Full demonstration of appropriate risk mitigation planning is required and a Permit to Set Fire to Bush must be issued by an Authorised Officer prior to commencement of any fuel hazard reduction or running burn.

## Burning during the prohibited and restricted burning times

The Prohibited and Restricted Burning periods are determined by the Minister for Emergency Services and the Fire and Emergency Services Commissioner in accordance with the *Bush Fires Act 1954*.

## Burning garden refuse

The burning of garden refuse within the City's district is prohibited otherwise than in accordance with a Permit to Burn Garden Refuse issued by the City and compliance with the restrictions therein. Any other exemption is based on an assessment of the hazard by an Authorised Officer and must be in writing.

A Permit to Burn Garden Refuse can **only be issued between 1 May and 31 October** and only for the following properties:

- properties zoned rural residential, or rural small holding under the City of Mandurah Local Planning Scheme 12; or
- on all land 4000m<sup>2</sup> and greater.

**NOTE: Only those properties that are 4000m<sup>2</sup> or greater are able to obtain permits to burn garden refuse, all other sized properties are unable to have a fire to burn garden waste.**

## Camping or Cooking

The City of Mandurah prohibits the lighting of a fire in the open air for the purpose of camping or cooking at all times within the City's district unless it is done in compliance with the requirements published by the City on its website from time to time and as specifically approved in writing by the Chief Bush Fire Control Officer.

# Definitions

Where words that are used in this Notice are defined in the Bush Fires Act 1954, those words have the same meaning. Where words are not defined in the Bush Fires Act 1954 and used in this Notice, unless the context requires otherwise, their meanings are:

## **Asset Protection Zone**

Means a low fuel area immediately surrounding a building.

## **Authorised Officer**

Means an employee of the City of Mandurah appointed as a Bush Fire Control Officer.

## **Driveway**

Means a point of access to a Habitable Building accessible for both conventional two-wheel drive vehicles and firefighting appliances that is totally clear of obstructions.

## **Bushfire Management Plan**

Means a plan that has been developed in accordance with State Planning Policy 3.7 and approved by the City of Mandurah to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district.

## **Flammable Material**

Means accumulated fuel such as dry grass, leaf litter, twigs, branches, trash, bush, dead trees, firewood, stored fuels and scrub that can be easily ignited or is likely to catch fire and burn. It includes any other thing deemed by an Authorised Officer to be likely to catch fire but excludes living standing trees, growing bushes and plants in gardens and/or lawn areas under cultivation.

## **Habitable Building**

Means a permanent or temporary structure on land that –

- a. is fully or partially enclosed; and
- b. has at least one wall of solid material and a roof of solid material; and
- c. is used for a purpose that involves the use of the interior of the structure by people for living, working, studying, or being entertained.

## **Haystack**

Means any collection of hay including fodder rolls placed or stacked that exceeds 100m<sup>3</sup> in size (e.g. five (5) metres x five (5) metres x four (4) metres), whether in a shed, other structure or in the open air.

## **Trafficable Mineral Earth Firebreak**

Means a 4 metre wide area of the owner(s)/occupier(s) land, cleared and maintained totally clear of all vegetation material (living or dead) providing an unimpeded route – (can be ploughed, cultivated, sprayed or otherwise cleared) accessible and traversable by 4WD fire vehicles.

