Proposed Changes to the Bushfire Clearing Regulations

Bushfires poses a potentially significant risk to life, property and the environment. We [ie local government, communities and individuals] have a shared responsibility to manage and mitigate the bushfire risk in the regions where we live.

At the same time this needs to be considered in relationship to the responsibilities we have as the new custodians of this land, bearing in mind that it is also the habitat for a great number of native birds, animals and insects.

One of the key approaches to the former involves the setting and enforcing of local government regulations that require landowners to manage fire risk on their own properties. This is done through what are often referred to as 'Bush Fire Notices' or 'Firebreak Notices' (and will be referred to here as the 'Bushfire Notice').

The City of Busselton [CoB] is currently reviewing its Bushfire Notice, which includes substantial changes that are likely to affect all landowners in Eagle Bay. CoB is seeking feedback from the community on potential changes before making any final decisions.

The "public consultation" process has not been well advertised and it seems that emails have just been sent out by CoB to some landowners to do a sample public survey rather than going out to all landowners for a true public consultation input.

In general, the potential changes would increase the requirements placed on landowners to manage bushfire risk on their properties, including through:

- increased requirements to provide property fire breaks (in Bush Fire Prone Rural Residential areas) regardless of whether strategic fire breaks already exist.
- in Urban Residential areas which are clarified as Bushfire Prone to require an "Asset Protection Zone" (APZ) to be established. The clearing requirements being proposed for the APZ are quite onerous and require pretty much require clearing of most vegetation for an area extending out 25m from the external walls of buildings or sheds located on the property.

Under the proposed new regulations most of Eagle Bay will fall under a new Category 2 called Urban Bush Fire Prone. The most recent subdivision on the western side of Eagle Bay (the Enclave) will fall under a new Category 4 – Rural Bush Fire Prone.

Using Eagle Bay as an example, under the proposed new regulations, the total area of a block under 4,000 m2 would become and APZ zone. At a guess around 70% to 80% of the Lots in the Eagle Bay township (other than the Rural residential blocks in the Enclave area) would be less than 4,000 m^2 in area. Hence all these blocks would be required to clear trees and vegetation such that mature tree crown foliage area was less than 15% of the lot area and there would need to be 5m separation between the tree crown foliage of individual trees (how you are expected to measure this is unclear).

REBA is concerned about the massive environmental and visual impacts to Eagle Bay as we know it if tree canopy foliage was limited to 15% of the area.

If landowners don't get motivated to submit objections to this before the 10th of May it may well become a reality. Get motivated and also make sure you motivate any other landowners in the Busselton Shire that you may know, if they are not already aware of this issue.

You can make a submission by using the "Have Your Say" page on the City of Busselton website. However, this is very limiting in terms of providing feedback on the issue, ie out of 15 questions in the survey; only 2 relate directly to the proposed new regulations (the reasoning for this has not been made clear).

Given the shortcomings of this survey we recommend that you also email your submission to city@busselton.wa.com.au . In the heading make it clear it is a submission on the proposed new Bushfire Notice and also provide your name and the address of your property in the Busselton Shire so they know you are a ratepayer. It doesn't have to be a long submission just use dot points if you feel pressed for time to flag your key issues.

The immediate intent is to stop this new Bushfire Notice from being adopted by council.

The next step would then be for REBA and other local residents' associations to develop a better considered strategy that is workable for us all [ie local government, communities and individuals].

A summary of the requirements of the proposed new regulations along with the implication of the changes are noted below;

For lots in the main residential area of Eagle Bay (are in a new "Category 2 - Urban - Bush Fire Prone") - the proposed changes would considerably increase the obligations on land holders and some of the requirements for the newly defined APZ zone which are:

- All fences would have to be in non-combustible material.
- Combustible objects/vegetation must not be located closer than 10m to vulnerable parts of the building (ie window, doors , etc)
- Trees greater in height than 5m should be a minimum of 6m from buildings and edge of adjacent tree canopies should be a minimum of 5m apart.
- Tree canopy cover should be less than 15% of the APZ zone.
- Shrubs (0.5-5m in height) should not be within 3m of buildings and clumps of shrubs should not be greater in area than $5m^2$ and clumps separated by at least 10m.
- Grass must be less than 100mm in height.

For lots in the Rural Residential area of Eagle Bay - The Enclave (are in a new "Category 4 - Rural - Bush Fire Prone") - the proposed changes would mainly affect

- Generally these lots already have an APZ zone but in some cases this would need to be increase to meet the 25m distance for external walls of building.
- Lots would be required to provide firebreaks to all boundaries (regardless of whether they are with a strategic fire break zone).

In terms of how existing Bush Fire Management Plans will be handled under the proposed new regulations seems very vague, at this point in time.

We reiterate the importance that all community members consider the proposed new standards and respond to the CoB survey.

Look under the Tab "Bush Fire Notice Information" on the REBA website for additional information and some sample submissions that have been provided by some landowners.