

Bushfire Infringement Fact Sheet



If you have received a Bush Fire Infringement you may choose to do one of the following:

1. Pay the infringement

Full payment of the penalty amount may be paid to the City of Kalamunda on or prior to the due date. Part payments are not accepted.

Infringement Payment Options:

Pay by Phone

Payment can be made anytime by Visa or Mastercard by telephoning 9257 9999. Please be advised credit card payments incur a 0.46% surcharge.

Pay online

Follow the prompts to pay your account on-line at <https://www.kalamunda.wa.gov.au/infringements>

Pay by Mail

Return a copy of the infringement along with a cheque or money order made out to 'City of Kalamunda' and post to PO Box 42, KALAMUNDA WA 6926

Please keep in mind the potential for postal delays when paying by post – if not posted early enough, additional fees may have been added by the time payment is received.

Pay in Person

Payment can be made in person by cash, cheque, debit card, Master Card or Visa.

Present infringement to the cashier at:

City of Kalamunda Administration Office

2 Railway Road, KALAMUNDA
Monday to Friday 8.30am to 5.00pm
CLOSED on public holidays.

Please be aware that if the infringement is not paid on or prior to the due date, additional costs will be incurred if any further notices are issued.

2. Appeal the infringement notice

Read through the **Non-appealable grounds** below to ascertain whether your appeal will be considered:

Non-appealable grounds

The circumstances where a request for appeal will not be considered include, but are not limited to:

- » I can see that other blocks/properties do not appear to have fire hazards removed.
- » I did not read or understand the Fire Hazard Reduction Notice.
- » I was intending to complete work on the block/property at a later date.
- » I or my Husband/Wife/Partner was ill at the commencement of the bush fire season (and no attempt was made to advise or work with the City on this matter).
- » This is my first offence and I have always prepared my block/property on time before.
- » I was unaware of the *Bush Fires Act 1954* requirements.
- » I could not arrange for a contractor to complete works at the block/property prior to the commencement of the season or assessment.
- » I was away or on holiday.
- » I moved out of the area and didn't know.
- » The property is managed by a Property Manager and they didn't arrange the work and/or ongoing maintenance.
- » I also own land in other local government areas and the bush fire season dates are different.
- » There were/are plans to develop or sell the block/property that were delayed or the block/property was sold and is no longer my responsibility.
- » I used to own the block with my husband/wife/friend who used to get work done on the block, that person has passed away or otherwise no longer helps me with the block.
- » My age and/or health prevents me from completing any of the work.
- » I did not receive any correspondence as I moved address and failed to advise the City of Kalamunda.
- » I did not receive registered mail in time to appeal the infringement
- » I was unaware of burning dates and restrictions.
- » I was unaware that I needed a Fire Permit to burn.

If you have received an infringement notice, you have the right to appeal. Your appeal must be in writing and should be submitted by completing the Bush Fire Infringement Appeal Form to:

City of Kalamunda

PO Box 42 KALAMUNDA WA 6076

Or by email to enquiries@kalamunda.wa.gov.au.

An appeal must be lodged within **21 days** from the issue date of the infringement.



Appeals will not be accepted by phone. Appeals can only be submitted once.

Appeal forms are also accepted in person by attending the City of Kalamunda Administration Office at 2 Railway Road, Kalamunda between 8.30am and 5.00pm Monday to Friday. CLOSED on public holidays.

Appeals will only be accepted by the person who was issued the infringement.

Details of the infringement which need to be included in your appeal are outlined in the Bush Fire Infringement Appeal Form and include the following:

- » Infringement Number
- » Date of Notice
- » Address of property receiving the infringement
- » Name, return address and phone numbers.
- » Photocopies of all relevant supporting documentation
- » Detailed reasons why you believe an appeal should be granted.

Please retain a copy for your own records.

All infringements are placed on hold once an appeal has been received to prevent further fees being applied during the review process.

All appeals are lodged and processed through an appeal administration system. A letter of response advising the outcome of the appeal will be forwarded to you. An appeal result can take up to 14 days once all relevant documentation has been received.

An appeal outcome is final. Should you wish to take the matter further, refer to point 3. Request that the Matter be dealt with in Court.

3. Request that the Matter be dealt with in Court

You may elect to have the offence heard and determined by a Court by making an application in writing, quoting the infringement number, your full name, address, phone number and email address to:

City of Kalamunda

PO Box 42 KALAMUNDA WA 6076

Or by email to enquiries@kalamunda.wa.gov.au.

On receipt of such a nomination, the City will make arrangements for the matter to be heard in the Magistrates Court. Be aware that if a matter is elected to be heard by a Court a prosecution notice may be issued without any prior or further advice and additional costs may be incurred.

4. If you take no action

If you take no action regarding the infringement, the City will be required to register it with the Fines Enforcement Registry. This will result in you incurring additional costs and your driver's license and/or vehicle license may be suspended.



For more information, please call the **City of Kalamunda Community Safety Team** during office hours on **9257 9999**.



Or visit the City of Kalamunda's website at kalamunda.wa.gov.au/infringements

Bush Fire Infringement Appeal Form



Please read the Bushfire Infringement Fact Sheet before completing this section, and ensure all questions are completed. Information given to the City of Kalamunda in this declaration may need to be substantiated.

Full name of accused:

Residential Address:

Suburb:

Postcode:

Postal Address (if different to residential address):

Email:

Phone (home/mobile):

Phone (work):

Date of offence:

Infringement no:

Detail reasons for appeal (to be completed by the person who the infringement has been issued to)

*A Bushfire Infringement Appeal Form must be lodged within 21 days from the issue date of the infringement.

I declare that the above information is true in every respect, and I request that the bush fire infringement be reviewed.

Signature:

Dated:

Please forward this completed form, together with supporting documentation to;
City of Kalamunda,
PO Box 42 KALAMUNDA WA 6926
or by email to enquiries@kalamunda.wa.gov.au

If you have any queries regarding infringements issued by the City of Kalamunda that cannot be answered in the above Fact Sheet, please phone **Community Safety** on **(08) 9257 9999** during office hours.

