

# Firebreak Notice

2019



## BUSH FIRES ACT 1954 - SECTION 33

### NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND SITUATED IN THE SHIRE OF ASHBURTON

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required on or before the 1st day of January, (or within fourteen days of your becoming owner or occupier of land should this be after the 1st day of January), to clear and maintain mineral earth breaks and reduce the fuel load from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all flammable material all year round.

#### (1) LAND IN TOWNSITES- INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

- 1.1 Where the area of land is 2000 square metres (approximately 1/2 an acre) or less, all flammable material must be reduced over the whole of the land. Grasses shall be slashed to a height 75mm.
- 1.2 Where the area of land exceeds 2000 square metres, mineral earth breaks of at least five (5) metres in width must be cleared of all flammable material immediately inside and along the boundaries of the land. Where there are buildings on the land additional mineral earth breaks five (5) metres in width must be cleared immediately surrounding each building.

#### (2) LAND OUTSIDE TOWNSITES INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

- 2.1 For all buildings on land outside of the townsite, two mineral earth breaks with a width not less than five (5) metres and cleared of all flammable material must surround the buildings. The inner mineral earth break must be sited not be less than twenty (20) metres from the perimeter of the building or group of buildings and the outer mineral earth break sited not less than one hundred (100) metres from the inner mineral earth break.

#### (3) POWERLINES AND POWER TRANSMISSION LINES IN TOWNSITES INCLUDING MINING AND OR CONSTRUCTION ACCOMMODATION FACILITIES

- 3.1 Aerial hazards to power and power transmission lines must be maintained as per the guidelines issued by the *Energy Safety - Department of Mines, Industry Regulation and Safety*.

For power lines conducting less than or equal to 33,000 volts; ground fuels such as grasses and ground storey species must be cleared to a minimum of five (5) metres either side of a centre line created by the poles, or towers. The total cleared area must not be less than ten (10) metres wide and the entire area must be maintained to the standard of a mineral earth break.

- 3.2 For power transmission lines greater than 33,000 volts, a mineral earth break of not less than five (5) metres in width must be maintained either side of the widest point of any arms or cross arms on the pole or tower. A mineral earth break of no less than five (5) metres width is to be maintained directly under the power line corridor. All power and transmission lines are to be maintained as per Australian Standard AS7000, to assist in minimizing the risk from sparks or arcing and shall be the responsibility of the owner of the transmission line.

#### **(4) WATER SUPPLY PIPELINES AND INFRASTRUCTURE**

- 4.1 All water supply pipelines and associated infrastructure must have mineral earth breaks not less than five (5) metres wide on both sides of the pipeline and all associated infrastructure and be cleared of all flammable material to prevent the spread of fire and damage to the pipelines or associated infrastructure. Access points must be installed and maintained to allow for Emergency Services access and maintenance use.

#### **(5) EXPLOSIVES MAGAZINES AND STORAGE AREAS**

- 5.1 All Flammable Materials are to be removed to bare earth between any bunkers or storage facilities and all Flammable Materials are to be removed for a distance of not less than fifteen (15) metres from the perimeter of any such storage area.

#### **(6) FUEL DEPOT / FUEL STORAGE AREA / HAYSTACKS / STOCKPILED FLAMMABLE MATERIAL**

- 6.1 For all fuel depots/fuel storage areas all flammable matter within 10 metres of where fuel drums, fuel ramps or fuel dumps are located, and where fuel drums, whether containing fuel or not, are stored.
- 6.2 For all haystacks/stockpiled flammable materials a mineral earth break of not less than five (5) metres in width must be installed immediately adjacent to any haystacks or stockpiled flammable material.

#### **(7) RAILWAY RESERVES IN TOWNSITES**

- 7.1 Mineral earth breaks of at least five (5) metres in width must be installed immediately inside all boundaries continuous with any railway reserve on which railway traffic operates and are the responsibility of the owner of the railway.

#### **(8) APPLICATION TO VARY FIREBREAK REQUIREMENTS**

If you consider it to be impractical to clear a mineral earth break or remove flammable material as required by this Notice, you may apply to Council or its Authorised Officer no later than the 30th day of August, for permission to provide firebreaks in alternative positions or take alternative action to remove or abate fire hazards. If permission is not granted by Council or Authorised Officer, you must comply with the requirement of this Notice.

#### **(9) BURNING GARDEN REFUSE DURING LIMITED BURNING TIMES**

- 9.1 A person must not burn garden refuse at a place (other than a rubbish tip) during the limited burning times for that place unless it is burned:
- (a) in an incinerator in accordance with subsection (2); or
  - (b) on the ground in accordance with subsection (3).
- 9.2 Garden refuse burned in an incinerator is burned in accordance with this subsection where:
- (a) the incinerator is designed and constructed so as to prevent the escape of sparks or burning material; and
  - (b) either
    - (i) the incinerator is situated not less than two (2) metres from any building or fence; or
    - (ii) if the incinerator is less than two (2) metres from a building or fence, the Council or its Authorised Officer has given written permission in writing for the incinerator to be used; and

- (c) there is no flammable material within two (2) metres of the incinerator while it is in use; and
  - (d) at least one person is present at the site of the fire at all times until it is completely extinguished; and
  - (e) the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.
- 9.3 Garden refuse burned on the ground is burned in accordance with this subsection where:
- (a) there is no flammable material (other than that being burned) within 5m of the fire at any time while the fire is burning; and
  - (b) the fire is lit between 6:00pm and 11:00pm and is completely extinguished before midnight on the same day; and
  - (c) at least one person is present at the site of the fire at all times until it is completely extinguished; and
  - (d) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.
- 9.4 The Council or Authorised Officer must not give permission under subsection 9.2 (b) (ii) unless it is satisfied that the use of the incinerator is not likely to create a fire hazard.

## 10. ADDITIONAL WORKS

- 10.1 In addition to the requirements of this Notice, you may be required to carry out further works which are considered necessary by an Authorised Officer and specified by way of a separate written notice forwarded to the address of the owner/s as shown on the Shire rates record for the relevant land.
- 10.2 If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Act*.
- 10.3 Pursuant to Section 33(4) of the *Act*, where the owner and/or occupier of land fails or neglects to comply with the requisitions of this Notice within the times specified, the Shire may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of this Notice which have not been complied with and pursuant to Section 33(5) of the *Act*, the amount of any costs and expenses incurred may be recovered from the owner and or occupier of the land.
- 10.4 The penalty for failing to comply with this notice is a fine of \$5000. 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 owner or occupier by the date required by this notice.





Compliant Residential Property



Compliant Vacant Land



Non-Compliant Residential Property



Compliant Mineral Earth Break

## DEFINITIONS

For the purpose of this Notice the following definitions apply:

**Act** means the Bush Fires Act 1954.

**Authorised Officer** is a person appointed by the Shire as Fire Control Officer pursuant to Section 38 of the *Act*.

**Bush** includes trees, bushes, plants, stubble, scrub, and undergrowth of all kinds whatsoever whether alive or dead and whether standing or not standing and also a part of a tree, bush, plant, or undergrowth, and whether severed therefrom or not so severed.

**Council** means the Council of the Shire of Ashburton.

**Explosives** has the same meaning given to it by the Dangerous Goods Safety Act 2004 and the regulations pursuant to it.

**Firebreak Period** means the time from 1 January until 31 December each year.

**Flammable Material** means material that can be easily ignited or burnt. i.e. dead or dry grass, leaves, timber, paper, plastic and other materials or things deemed by an authorised officer to be capable of combustion. Flammable material does not include green growing trees or live plants growing in a garden.

**Fuel Depot / Fuel Storage Area** means an area of land, a building or structure where fuel, i.e. (petrol, diesel, kerosene, liquid gas or any other fossil fuel) is kept in any container or manner.

**Mineral Earth Break** means an area of ground, of a specified width that has all material (living or dead) removed by scarifying, cultivating, ploughing or other means removed to bare mineral earth, and includes the pruning and removal of any living or dead trees, scrub or other material that overhangs the cleared firebreak area to a vertical height of four (4) metres from the ground. A prepared fire break shall be trafficable.

**Shire** means the Shire of Ashburton.

**Trafficable** means able to be driven around, unhindered, in a standard four-wheel drive vehicle.

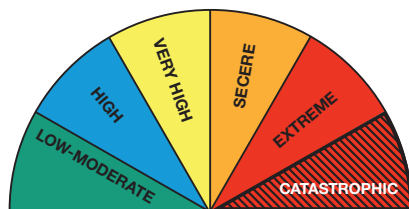
**Townsite Land** means land within the district that is within the boundaries of a townsite (and for the purposes of this definition “townsite” has the meaning given it in Section 6 (1) of the *Local Government Act 1995*).





# IMPORTANT INFORMATION

## FIRE DANGER RATINGS



The Fire Danger Rating tells you how dangerous a fire would be if one started. It helps you to know when conditions are dangerous enough to put your bushfire survival plan in to action.

Ratings are forecast using Bureau of Meteorology data for up to four days in advance, based on weather and other environmental conditions such as fuel load.

The rating is your prompt to take action to stay safe.

[www.emergency.wa.gov.au/#fdr](http://www.emergency.wa.gov.au/#fdr)

### CATASTROPHIC

#### What does it mean?

These are the worst conditions for a bush or grass fire. Homes are not designed or constructed to withstand fires in these conditions. The safest place to be is away from high risk bushfire areas.

#### What should I do?

Leaving high risk bushfire areas the night before or early in the day is your safest option - do not wait and see. Avoid forested areas, thick bush or long, dry grass.

Know your trigger - make a decision about when will you leave

- Where will you go?
- How will you get there?
- When will you return?
- What will you do if you cannot leave?

### EXTREME

#### What does it mean?

Expect extremely hot, dry and windy conditions. If a fire starts and takes hold, it will be uncontrollable, unpredictable and fast moving. Spot fires will start, move quickly and come from many directions. Homes that are situated and constructed or modified to withstand a bushfire, that are well prepared and actively defended, may provide safety. You must be physically and mentally prepared to defend in these conditions.

#### What should I do?

Consider staying with your property only if you are prepared to the highest level. This means your home needs to be situated and constructed or modified to withstand a bushfire\*, you are well prepared and you can actively defend your home if a fire starts. If you are not prepared to the highest level, leaving high risk bushfire areas early in the day is your safest option.

### SEVERE

#### What does it mean?

Expect hot, dry and possibly windy conditions. If a fire starts and takes hold, it may be uncontrollable. Well prepared homes that are actively defended can provide safety. You must be physically and mentally prepared to defend in these conditions.

#### What should I do?

Well prepared homes that are actively defended can provide safety - check your bushfire survival plan. If you are not prepared, leaving bushfire prone areas early in the day is your safest option.



VERY HIGH

### What does it mean?

If a fire starts, it can most likely be controlled in these conditions and homes can provide safety. Be aware of how fires can start and minimise the risk. Controlled burning off may occur in these conditions if it is safe - check to see if permits apply.

### What should I do?

Check your bushfire survival plan. Monitor conditions. Action may be needed. Leave if necessary.

HIGH

### What does it mean?

If a fire starts, it can most likely be controlled in these conditions and homes can provide safety. Be aware of how fires can start and minimise the risk. Controlled burning off may occur in these conditions if it is safe - check to see if permits apply.

### What should I do?

Check your bushfire survival plan. Monitor conditions. Action may be needed. Leave if necessary.

LOW-MODERATE

### What does it mean?

If a fire starts, it can most likely be controlled in these conditions and homes can provide safety. Be aware of how fires can start and minimise the risk. Controlled burning off may occur in these conditions if it is safe - check to see if permits apply.

### What should I do?

Check your bushfire survival plan. Monitor conditions. Action may be needed. Leave if necessary.

## Bushfire Warning System

Bushfire Fact Sheet

During a bushfire, emergency services will provide you as much information as possible through a number of different methods.

There are four levels of warning. These change to reflect the increasing risk to your life or property, and the decreasing amount of time you have until the fire arrives.

### Bushfire Warning System

-  **ADVICE**
-  **WATCH AND ACT**
-  **EMERGENCY WARNING**
-  **ALL CLEAR**

#### ADVICE

A fire has started but there is no immediate threat to lives or homes. Be aware and keep up to date.

#### WATCH AND ACT

There is a possible threat to lives or homes. You need to leave or get ready to defend – do not wait and see.

#### EMERGENCY WARNING

You are in danger and need to take immediate action to survive. There is a threat to lives or homes.

#### ALL CLEAR

Take care to avoid any dangers and keep up to date.

**Your surroundings could be your best information source.**

**Stay alert to what is happening around you.** If you believe you may be in danger, act immediately to stay safe.



### Where can you get information during a bushfire?

Know where to find information before the fire season starts. Work out what your local ABC radio station is and familiarise yourself with the DFES website.

Bushfire Warnings at [www.emergency.wa.gov.au](http://www.emergency.wa.gov.au)

DFES Information Line on **13DFES (13 3337)**

Local radio and other local media

**Stay alert when a bushfire starts!**  
Do not wait and see, this can be deadly.

**For more information visit [dfes.wa.gov.au](http://dfes.wa.gov.au)**  
or contact DFES Community Engagement – 9395 9816

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Government of Western Australia  
Department of Fire & Emergency Services



## RESTRICTED BURNING

The Shire of Ashburton is in a **RESTRICTED BURNING** period all year round, therefore Camping and Cooking Fires are not permitted;

- When the Fire Danger rating is Very High or above.
- Where campgrounds prohibits camping and cooking fires at any time.
- On public land that is not a designated area.
- Are permitted on Private Property during the hours of 6:00pm and 12:00am with consent from the landowner and or occupier and a Permit has been issued by an Authorised Fire Control Officer.

### Wood / Solid Fuel BBQ's, Pizza Ovens and Incinerators.

- Are not permitted to be used when the Fire Danger Rating is Very High or above.
- Are not permitted where campgrounds prohibits the use of wood / solid fuel BBQ's.
- Are permitted to be used on Private Property at any time only if a spark arrestor is fitted. A permit is required for operation outside of the hours of 6:00pm and 12:00am.

### Gas / Electric Fuelled BBQ's and Pizza Ovens

- Are permitted to be used at any time of the year.

### Garden Refuse and Rubbish

- Garden refuse and rubbish in one (1) small heap, up to one (1) cubic metre may be burnt during the Restricted Burning Times between the hours of 6:00pm and 11:00pm.
- One (1) able bodied person capable of extinguishing the fire must be in attendance at all times.
- All fires must be extinguished by 12:00am.
- A courtesy call to your neighbours and a Fire Control Officer prior to undertaking any burning of garden refuse and rubbish would be appreciated.



## WHAT IS A TOTAL FIRE BAN

- A Total Fire Ban (TFB) is declared on days of extreme weather or when widespread fires are seriously stretching firefighting resources.
- The need for the ban is assessed throughout the day and the ban may be revoked if weather conditions ease.
- A Total Fire Ban is declared the evening before it is to take effect. You should check the Emergency WA website after 6pm to see if a ban has been declared for the next day.  
[www.emergency.wa.gov.au/#totalfirebans](http://www.emergency.wa.gov.au/#totalfirebans)
- When a TFB is declared it prohibits the lighting of any fires in the open air and any other activities that may start a fire.
- The ban includes all open air fires for the purpose of cooking or camping. It also includes incinerators, welding, grinding, soldering or gas cutting.

## PERMIT TO BURN

Bush Fire Permits can be obtained by contacting an Authorised Fire Control Officer (FCO). Before requesting a permit please have the following information ready

- What is the size of the proposed burn?
- What type of material are you intending to burn?
- What is the location of the burn area?
- Have you notified your neighbours?
- Do you have the appropriate resources to control and suppress the burn?

**PLEASE NOTE:** Permit holders must give notice of their intention to burn prior to ignition to:

- Adjoining landowners / occupiers.
- The CBFCO.
- The Department of Biodiversity, Conservation & Attractions if the planned burn is situated within 3km of DBCA Managed Lands.

## SHIRE OF ASHBURTON FIRE CONTROL OFFICERS

NAME	CONTACT	POWERS	AREA of RESPONSIBILITY
<b>Morgwn Jones</b>	0417 754 846	CBFCO	Shire of Ashburton
<b>Chris O'Connell</b>	0455 285 783	FCO	Shire of Ashburton
<b>Wayne Hatton</b>	0448 894 035	FCO	Shire of Ashburton
<b>John O'Dwyer</b>	0400 936 200	FCO	Shire of Ashburton
<b>Craig Mackrell</b>	0429 964 354	FCO	Shire of Ashburton
<b>Wayne Hatton</b>	0448 894 035	FCO	Shire of Ashburton
<b>Kyle Cameron</b>	0457 000 283	FCO	Shire of Ashburton
<b>Phil Avery</b>	0417 949 661	FCO	Shire of Ashburton
<b>Tanya Jones</b>	0437 545 901	FCO	Shire of Ashburton
<b>Ivan Dias</b>	0438 982 910	FCO	Paraburdoo Townsite Only



## IF I DON'T COMPLY WHAT PENALTIES CAN BE APPLIED?

The below are just some of the modified penalties issued by the Shire of Ashburton and are 10% of the maximum penalty that may apply should a matter proceed to court.

<b>Property not compliant on first inspection</b>	<b>Penalty of \$250</b>
<b>Property not compliant on further subsequent inspections</b>	<b>Penalty of \$250 + costs of works should a contractor be engaged to undertake works</b>
<b>Burning on restricted times without a permit</b>	<b>Penalty of \$250</b>
<b>Failure to extinguish a bush fire</b>	<b>Penalty of \$250</b>
<b>Failure to obtain a permit</b>	<b>Penalty of \$250</b>
<b>Failure to state name and address</b>	<b>Penalty of \$250</b>

## INTERESTED IN BECOMING A VOLUNTEER WITHIN YOUR COMMUNITY?

Volunteer Fire & Emergency Service Units are always on the lookout for new Volunteers. If you think you have what it takes to Volunteer within your community please contact your local Brigade:

### **Tom Price Volunteer Bush Fire Brigade**

Lot 2003 Boonderoo Rd, Tom Price

Ph: 08 9188 5516

Mob: 0417 754 846

Email: morgwn.jones@ashburton.wa.gvo.au

### **Tom Price Volunteer Fire & Rescue Service**

Lot 30 Central Rd, Tom Price

Ph: 0455 285 783

Email: chris.oconnell@frsvols.asn.au

### **Paraburdoo Volunteer Fire & Rescue Service**

Lot 630 McRae Ave, Paraburdoo

Ph: 0400 925 298

Email: Jamie.samson@riotinto.com

### **Pannawonica Volunteer Fire & Rescue Service**

Pannawonica Rd, Pannawonica

Ph: 0488 427 997

Email: Pannawonica.vfrs@hotmail.com

### **Onslow Volunteer Fire & Emergency Services Unit**

Cnr McGrath & Hooley Ave, Onslow

Ph: 0429 107 471

Email: onslowvesu@bigpond.com.au



shire of Ashburton  
reef to range

Lot 246 Poinciana Street  
Tom Price WA 6751

PO Box 567  
Tom Price WA 6751

Phone: (08) 9188 4444  
Freecall: 1800 679 232  
Fax: (08) 9189 2252  
Freecall Fax: 1800 655 086

Email: [soa@ashburton.wa.gov.au](mailto:soa@ashburton.wa.gov.au)



[www.ashburton.wa.gov.au](http://www.ashburton.wa.gov.au)