

Bushfires Act 1954 Firebreak Notice

Notice is hereby given to all owners and/or occupiers of land within the Shire of Murray that pursuant to the powers conferred in Section 33 of the Bush Fires Act, 1954, Council resolved on 30 June 2011 to adopt the following requirements to prevent the outbreak or spread of a bush fire within the district.

All owners and/or the occupiers of land in the district are required to carry out fire prevention work in accordance with the requisitions of this Notice by 14 November each calendar year or within 14 days of the date of becoming the owner or occupier of the land, should this be after 14 November each year.

All work required by this Notice is to be maintained until 30 April in the following calendar year. The work required by this Notice is based on the land size and zoning.

Definitions

For the purpose of this Notice the following definitions apply:

"Building Protection Zone"	means the area within a distance of 20 metres from a dwelling (As defined in the Residential Design Codes of WA) measured from the external walls within the boundaries of the lot on which the dwelling is situated. The following work is required to be completed and maintained within a building protection zone. The fuel loading (flammable material) is to be reduced and maintained to a height of less than 5 centimetres. Tree crowns are to be maintained at a minimum of 10 metres apart. Tree crowns shall not overhang a dwelling and shrubs and trees within the zone are not to have dead material within the plant.
"Firebreak"	means an area of ground, of a specified width and constructed to a trafficable surface that is kept and maintained totally clear of all flammable material by scarifying, cultivating, ploughing or other means, and includes the pruning and removal of any living or dead trees, scrub or other material that overhang the cleared firebreak area to a vertical height of 4.5 metres from the ground.
"Fire Management Plan"	means a plan that has been developed and approved by the Shire to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district.
"Fuel Depot"	means an area of land, a building or structure where fuel, (ie petrol, diesel, kerosene, liquid gas or any other fossil fuel) is kept in any container or manner.
"Flammable Material"	means any plant, tree, grass, vegetable, substance, object, thing or material (<i>except living flora including live standing trees</i>) that may or is likely to catch fire and burn or any other thing deemed by an authorised officer to be capable of combustion.
"Hills Landscape"	means land zoned or defined as in the Town Planning Scheme as
"Protection Land"	Hills Landscape Protection Land.
"Plantations"	means any area of planted pines, eucalypt, hardwood or softwood trees exceeding 3 hectares in area.
"Trafficable"	means to be able to travel from one point to another in a 4x4 fire appliance on a clear surface, unhindered without any obstruction that may endanger resources. A firebreak is not to terminate without provision for egress to a safe place or a cleared turn around area of not less than a 19 metre radius.
"Vertical Height"	means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak.
"Zoning"	means the land zoning description as recorded in the Shire of Murray property Rates Register.

The zoning of each property in the district is detailed on the annual Rates Notice issued.

Fire Prevention Requirements

1. Rural Zoned Land

- (a) A firebreak of at least 3 metres wide is to be constructed within 30 metres of the boundaries of the land, where the land abuts all roads (made or unmade), railway reserves, Department of Environment and Conservation (DEC) land or a Plantation. A 3 metre wide firebreak shall be installed immediately around all buildings, sheds, haystacks and fuel depots/storage areas on the land.
- (b) If the Rural land abuts or adjoins “*any other type of zoned land*” a firebreak of at least 3 metres wide shall be constructed along that portion of the rural land that abuts the other zoned land and the firebreak/s are to be located immediately inside the boundary of the rural land. Also all flammable material shall be reduced and maintained to a height of less than 5 centimetres by slashing, mowing, rotary hoeing, chemical spraying for a distance of 20 metres immediately inside the installed firebreak.

2. Special Rural, Special Residential, all Special Use, Farmlot, Hills Landscape Protection Land and Rural Townsite Zoned Land

- (a) Where the area of land is 20,500 square metres or less in size, all flammable material on the entire property shall be reduced and maintained to a height of less than 5 centimetres by slashing, mowing, rotary hoeing or by other means. Alternatively a firebreak can be installed in accordance with clause 2 (b) below. (A mixture of bush fire fuel reduction work [mowing or slashing] and the installation of firebreaks are not acceptable on this sized lot, unless a variation is approved).
- (b) Where the area of the land is more than 20,501 square metres in size a firebreak of at least 3 metres wide shall be installed immediately inside all external boundaries of the land and immediately around any sheds and outbuildings on the land.
- (c) All land within this category definition, irrespective of size requires a building protection zone to be installed and maintained.

3. Residential, Residential Development, Special Development, Industrial and all Other Zoned Land Not Specified

- (a) Where the area of land is 4,000 square metres or less, all flammable material on the entire property shall be reduced and maintained to a height of less than 5 centimetres by slashing, mowing, rotary hoeing, chemical spraying or by other means.
- (b) Where the area of land is more than 4,001 square metres in size, a firebreak of at least 4 metres wide shall be installed or constructed immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

4. Plantations

Plantations established after 30 November 1984 that exceed 3 hectares in total area shall have a 10 metre wide firebreak completely surrounding the perimeter of planted trees. Each compartment of a plantation is limited to area of less than 30 hectares in size. Each 30 hectare compartment shall have a 10 metre wide firebreak surrounding the planted trees. Furthermore all plantations shall comply with requirements contained in the Fire and Emergency Services Authority's guidelines or standards for Plantation Fire Protection. .

5. Storage of Cut or Stockpiled Flammable Material

On all land in the district except, land specified as Industrial, Non Rateable or Reserve Land the owner or occupier of the land shall not keep or permit to be kept any cut, stockpiled or windrowed timber products (manufactured or natural) unless the material is in piles of less than 15 metres long, 5 metres wide and 3 metres high. Every pile of cut, stockpiled or windrowed timber product larger than 12 cubic metres is to be completely surrounded by a firebreak of at least 10 metres wide.

6. Variations

If it is considered to be impractical to comply with the requirements of this Notice, the owner or occupier of private land in the district may apply for a variation by contacting the area Fire Control Officer prior to 25 October each year to arrange for an onsite inspection to discuss the alternate methods of fire prevention. Variations may be approved by the Shire for a one or three year period, subject to the owner/occupier of the land remaining the same. If a request to vary this Notice is not approved, the requirements of this Notice apply.

7. Fire Management Plans

Where a Fire management plan (FMP) exists for a specified area or property as required by the Town Planning Scheme or subdivision approval or for an individual or group of properties, compliance with all requirements of the FMP is required in addition to any further requirements within this Notice.

Dates to Remember

Restricted Burning Time: 1 November to 14 December each year (inclusive), and 15 March to 30 April each year (inclusive)

Prohibited Burning Time: 15 December to 14 March (inclusive)

The above dates are subject to variation and alterations will be published in a local newspaper circulating the district.