

A photograph of a bush fire burning in a field with trees and a road. The fire is bright orange and yellow, with smoke rising into the sky. A large, leafless tree is on the left, and a road is visible on the right.

**BUSH FIRES ACT 1954**

**FIRE-BREAK/HAZARD  
COMPLIANCE NOTICE**

CITY OF KWINANA **SEPTEMBER 2021**

This Fire-Break/Hazard Compliance Notice is issued by the City of Kwinana pursuant to section 33 and 24G (2) of the *Bush Fires Act 1954* to assist with the prevention, control and extinguishment of bush fires or to prevent the spread or extension of a bush fire to any adjoining land.

All property owners and/or occupiers of land within the City of Kwinana are hereby served with a first and final Fire-Break/Hazard Compliance Notice (the Notice) and are required to comply with the requirements in full.

**Failure to comply with this Notice may result in a penalty of up to \$5,000**

Where an owner and/or occupier of land fails or neglects to comply with the Notice then, whether or not the land owner/and/or occupier has faced prosecution and incurred a penalty, the City may direct the Bush Fire Control Officer to enter upon the land to carry out the fire-breaks or fire hazard reduction works set out in the Notice or as advised by the Fire Control Officer. If this occurs, the owner and/or occupier of land will be liable to pay the costs and expenses incurred by the City in undertaking the works.

**Engagement of contractors by owner and/or occupier to carry out works**

Any owner and/or occupier who engages a contractor to undertake works on their behalf is responsible for ensuring that such works when completed meet the requirements of this Notice.

## Fire-breaks

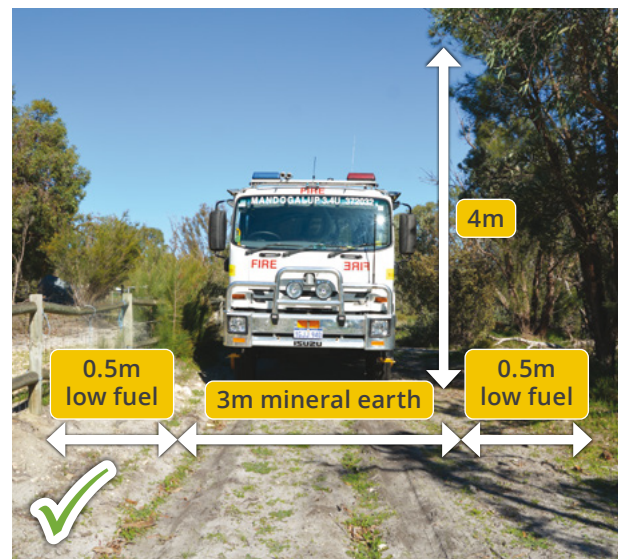
The fire-breaks outlined below must be completed before the dates in the Notice and must be maintained throughout the period as required by this Notice.

### 1. Land with a total area of 3,501m<sup>2</sup> or greater

**Note:** As owner and/or occupier the land, you must ensure that your property complies with the requirements of this Notice from **1 December** each year and must be maintained throughout and until **31 May** in the following year.

Owners and/or occupiers of land that is 3,501m<sup>2</sup> or greater are required to construct fire-breaks and maintain fire-breaks:

- inside and along all land boundaries in a continuous form or within 10 metres of property boundaries;
- around all sides of all buildings on the land;
- as a minimum, all driveways and access ways to houses, sheds and buildings on the land must be constructed and maintained to the specification of a fire-break;
- on any land surrounding any place where, wood or timber piles, hay stacks, tyres, flammable liquids, chemicals and gas products or other flammable material are kept on the land;
- in a manner so that they are trafficable, contain no dead ends and are wide enough for a heavy-duty fire vehicle or other emergency service vehicles to be able to turn corners and carry out other manoeuvres without the vehicles being obstructed in any way;
- that maintains an asset protection zone around all buildings, infrastructure and fixed assets on the land; and
- that ensures that all flammable materials are removed from all rooftops and gutters of buildings.



### 2. Land with a total area of 1,500m<sup>2</sup> to 3,500m<sup>2</sup>

The works outlined in this category **must be maintained all year round** and owners and/or occupiers of land are required to maintain an asset protection zone around all buildings, infrastructure and fixed assets on the property by:

- ensuring that all long grass, weeds, etc. are slashed, mowed or trimmed down by other means to a height no greater than 50mm across your entire property; and
- removing all flammable materials from all rooftops and gutters of buildings.



### 3. Land with a total area of up to 1,499m<sup>2</sup>

The works outlined in this category **must be maintained all year round** and owners and/or occupiers are required to:

- ensure all long grass, weeds, etc. are slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property; and
- remove all flammable materials from all rooftops and gutters of buildings.



### Variations to Notice

If it is impractical for you to install a fire-break as specified in this Notice, you may apply to vary the location of your firebreak within your property by completing and submitting an 'Application to Vary Location and Type of Fire-breaks' form available on the City's website [kwinana.wa.gov.au/fires](http://kwinana.wa.gov.au/fires)

Submit completed forms to the City - marked for the attention of the Chief Bush Fire Control Officer – no later than 31 October.

### Additional works

Regardless of land size and location, the City or its Bush Fire Control Officers may require owners and/or occupiers to undertake additional work on their property to improve access, and/or undertake further works to reduce a hazard that may be conducive to preventing an outbreak and/or the spread or extension of a bush fire.

**'Industrial zoned'** areas may require additional works as identified by the Bush Fire Control Officer during fire hazard inspections.

Owners and/or occupiers of land should note that emergency access ways, if any, are for emergency service vehicles only and are not to be considered as an escape route unless declared as such by the incident controller during an emergency.

### Fire-hazard reduction

As a measure to assist in the control of bush fires, you have a legal requirement to carry out fire prevention works on your property.

### Fire-break/fire hazard compliance inspections

To promote community safety and education, property inspections will be carried out by the City's Bush Fire Control Officers to identify non-compliant properties.

In addition, Drones (Unmanned Remotely Piloted Aircraft) may also be used at times to conduct fire-break/fire hazard inspections. Drones are required to be operated in accordance with the guidelines of the Civil Aviation Safety Authority (CASA).

## Definitions

“asset protection zone”	means an area with a radius of 20 metres measured from the external perimeter of the building/s or as stated in your approved Bushfire Attack Level (BAL) assessment, within the boundaries of the lot on which the building/s is situated. Fuel loads in this zone shall be reduced and maintained to 2 tonnes per hectare or less.
“Bush Fire Control Officer”	means an officer appointed by the City to exercise the powers and duties of a Bush Fire Control Officer appointed under s38(1) of the <i>Bush Fires Act 1954</i> .
“bush fire”	means a fire or potential fire, however caused, and includes a fire in a building.
“dead end”	means a track, fire-break, road or access way that terminates without any means of escape or ability to turn around safely.
“fire-break”	means a strip of land 3 metres wide of mineral earth with an additional 0.5 metre strip either side of low fuel area (meaning no grasses or shrubs higher than 50mm) effectively creating a 4-metre-wide by 4 metre vertical axis high area that has been cleared of all trees, bushes, grasses, vegetation and all other objects (to allow unrestricted access for all types of fire and other emergency vehicles), including the trimming back of all overhanging trees, bushes, shrubs and any other objects on or over the fire-break area. Living green lawn may be accepted (without a fire-break variation) instead of mineral earth.
“flammable material”	means any bush, plant, tree, grass, vegetation, object, thing or material that may or is likely to catch fire and burn.
“industrial zoned areas”	means land on which manufacturing, processing, warehousing and related activities are undertaken, as defined in Metropolitan Region Schemes.
“living green lawn”	means soil covered land, planted with grasses or other durable plants, maintained green and less than 50mm in height.
“mineral earth”	means land clear of flammable material, consisting of ploughed or cleared soil, stone, hardstand or any mixture of these.
“trafficable”	means to be able to travel from one point to another in a fire vehicle on a firm and stable surface, unhindered without any obstruction that may endanger resources. The fire-break must not terminate without provision for egress to a safe place or a cleared turn around area of not less than a 21 metre radius (prior written approval may be required from the City if trees are to be removed). All corners around the fire-break must be radiused.
“vertical axis”	means a continuous vertical uninterrupted line at a right angle to the horizontal line of the fire-break.

## No burning in areas defined as Urban

Pursuant to section, 24G (2) of the *Bush Fires Act 1954*, no burning of garden refuse is to be undertaken in areas defined as “Urban” without written approval by the City of Kwinana.

**Wayne Jack, Chief Executive Officer**

For further information, please contact the City of Kwinana on 9439 0200 or view the City of Kwinana website, [www.kwinana.wa.gov.au/fires](http://www.kwinana.wa.gov.au/fires).