

PUBLIC NOTICE

CITY OF KWINANA

BUSHFIRES ACT 1954

FIRE NOTICE

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954 (as amended), all property owners and/or occupiers of land within the City of Kwinana are hereby served first and final notice and are required to comply with the requirements set out in this notice in its entirety.

All land and buildings shall be maintained for such duration and in such positions/dimensions and specifications as required by this notice or as approved in writing by the City of Kwinana or its Bush Fire Control Officers. The works outlined in this notice must be completed before the dates listed in this notice and must be maintained throughout as required by this notice.

Definitions

“Asset protection zone” means an area with a radius of twenty (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 two (2) tonnes per hectare or less.

“Bush Fire Control Officer” means an Officer appointed by the City of Kwinana to exercise the powers and duties of a Bush Fire Control Officer appointed under s38(1) of the Bush Fires Act 1954.

“Bush Fire” means a fire or potential fire, however caused, and includes a fire in a building. **“Dead End”** means a track, firebreak, road or access way that terminates without any means of escape or ability to turn around safely.

“Emergency access ways” are for Emergency Services vehicles only and are not to be considered as an escape route unless declared as such by the Incident Controller during an emergency.

“Firebreak” means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or vegetation material leaving clear bare mineral earth. This includes the trimming back of all overhanging trees, bushes, shrubs and any other object or thing over the firebreak area.

“Flammable” means any bush, plant, tree, grass, vegetation, object, thing or material that may or is likely to catch fire and burn.

“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 firebreak must not terminate without provision for egress to a safe place or a cleared turn around area of not less than a twenty one (21) metre radius (prior written approval may be required from the local government if trees are to be removed).

“Vertical axis” means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak.

Land area – 3,001m² or greater

The works outlined in this section must be completed before 1 December 2018 and continually maintained until 30 April 2019.

Owners and/or occupiers of land that is 3,001m² or greater are required to:

- Construct clear bare mineral earth firebreaks three (3) metres wide inside and along all boundaries of land in a continuous form, or within ten (10) metres of boundaries adjacent to roads, rail and drain reserves and all public open space reserves, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- Around all sides of the buildings on the property on the land construct clear bare mineral earth firebreaks three (3) metres wide around all buildings in a continuous form, or within twenty (20) metres of buildings, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- On all driveways and access ways to houses, sheds and buildings, maintain clear bare mineral earth surface to a trafficable standard three (3) metres wide in a continuous form, with all overhanging branches, trees, limbs etc. to be trimmed back from over all driveways and access ways to houses, sheds and buildings to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- On any land surrounding any place where, wood or timber piles, hay stacks, tyres, vehicles, flammable liquids, chemicals and gas products are kept on the land, construct clear bare mineral earth firebreaks three (3) metres wide in a continuous form, with all overhanging branches, trees, limbs etc. to be trimmed back from over the firebreak area to a minimum width of four (4) metres and a vertical axis height of four (4) metres;
- Construct these firebreaks in a manner so that there are no “Dead Ends,” with all corners or change in directions wide enough for a heavy-duty fire or emergency services vehicle, to be able to turn the corner without the vehicle being obstructed in any way; and
- Maintain an asset protect zone around all buildings, infrastructure and fixed assets on the property.

Land area – 3,000m² or less

The works outlined in this section must be maintained all year round and owners and/or occupiers are required to;

- Have all matter such as long grass, weeds, etc. slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property.
- All overhanging branches, trees, limbs etc. to be trimmed back from over any building area to a minimum width of two (2) metres from the walls and to a vertical axis height of four (4) metres surrounding any building.
- Maintain an asset protect zone around all buildings, infrastructure and fixed assets on the property.

Firebreak Variations

If the owner or occupier considers it **impractical to install a firebreak or comply with this notice for any reason**, you are required to apply to the City of Kwinana in writing by **30 October 2018 to obtain approval to install firebreaks in an alternative position.** If the variation is not approved, the owner or occupier must comply with this Notice in its entirety.

Previously approved firebreak variations do not need to be reapplied for unless circumstances have changed, or you have been advised in writing by the Local Government of any changes.

Additional Works

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

Burning of Garden Refuse

Prohibited Burning Periods only

During the declared Prohibited Burning Period, owners and/or occupiers must not undertake any bush or garden refuse burning activities

Restricted Burning periods only

During the declared Restricted Burning Period only, owners and/or occupiers may:

- Apply for a permit to burn the bush for bush fire risk mitigation purposes, by following the conditions imposed on a permit to burn as issued by a Bush Fire Control Officer.
- In areas zoned rural by the Metropolitan Region Scheme you may undertake burning of leaves, tree branches, and other dry vegetation in piles no larger than 1.0m³ in size, without a permit to burn, subject to the following conditions:
 - No Flammable Matter (other than that being burned) is to be within five (5) metres of the fire at any time while the fire is burning;

- The fire is lit between 6pm and 11pm and is completely extinguished before midnight on the same day;
- At least one person is present at the site of the fire at all times until it is completely extinguished.
- When the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

Unrestricted Burn Periods only

During the Unrestricted Burning Time, owners and/or occupiers in areas zoned rural under the Metropolitan Region Scheme may burn garden refuse and set fire to bush on their land without a permit. Burning of the bush must be undertaken in accordance with all relevant State legislation and Local Government Local Laws.

No Burning in area defined as urban areas

Pursuant to section, 24G (2) of the Bush Fires Act 1954, no garden refuse burning is to be undertaken in areas defined as “Urban” under the Metropolitan Region Scheme without written approval of Local Government.

For information regarding dates for the Unrestricted, Restricted and Prohibited periods please contact the City of Kwinana City Assist office on 94390400 or view the City’s website, www.kwinana.wa.gov.au.

Penalties

Failing to comply with this Fire Notice may result in a penalty of up to \$5,000.

A person in default of the requirements of this Notice is also liable, whether prosecuted or not, to pay the costs of performing the work directed by the City of Kwinana or its Bush Fire Control Officer.

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

Maria Cooke
Acting Chief Executive Officer