

FIREBREAK AND FUEL LOAD NOTICE 2020/2021

Bush Fires Act 1954
Section 33

NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND SITUATED WITHIN SHIRE OF MUNDARING

As a measure to assist in the control of bush fires, or preventing the spread or extension of a bush fire which may occur, notice is hereby given to all owners and/or occupiers of land within the Shire of Mundaring that pursuant to the powers conferred in Section 33 of the *Bush Fires Act 1954*, works in accordance with the requisitions of this notice must be carried out before the 1st day of November in each year, or within 14 days of becoming the owner or occupier of land if after that date.

All work specified in this Notice is to be maintained up to and including the 31st day of March in the following calendar year.

DEFINITIONS

For the purpose of this Notice the following definitions apply:

Alternative Fire Management Arrangement includes a variation as defined in Section 6 of this Notice and, a Bushfire Management Plan, Bushfire Management Statement, or Fuel Load Management Plan, approved by the Shire of Mundaring to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district.

Authorised Officer means an employee of the Shire of Mundaring appointed as a Bush Fire Control Officer pursuant to the powers conferred in Section 38 of the Bush Fires Act 1954.

Firebreak means a strip or area of ground, not less than 3 metres in width, and 4 metres in height, immediately inside all external boundaries of any lot owned and/or occupied by you and situated within Shire of Mundaring, constructed to a trafficable surface that is kept and maintained totally clear of all flammable material and includes the pruning and removal of any living or dead trees, scrub or any other material encroaching into the vertical axis of the firebreak area. Such firebreaks may be constructed by one or more of the following methods: PLOUGHING, CULTIVATING, SCARIFYING, RAKING, BURNING, CHEMICAL SPRAYING OR OTHER METHOD as approved by an Authorised Officer.

Flammable Material means any plant, tree, grass, substance, object, thing or material that may or is likely to catch fire and burn or any other thing deemed by an authorised officer to be capable of combustion.

Fuel Depot / Fuel Storage Area 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.

Fuel Load is the leaf litter on the ground inclusive of leaves, twigs (up to 6mm in diameter) and bark. A litter depth of 5mm from the top of the layer to the mineral earth beneath is indicative of approximately 2.5 tonnes per hectare. A litter depth of 15mm from the top of the layer to the mineral earth beneath is indicative of approximately 8 tonnes per hectare. The Shire of Mundaring can provide advice on determining fuel load levels and provides a fuel load measurement guide for your use on request.

Habitable Buildings means a dwelling, workplace, place of gathering or assembly, a building used for the storage or display of goods or produce for sale by wholesale in accordance with classes 1-9 of the Building Code of Australia. The term habitable building includes attached and adjacent structures like garages, carports verandas or similar roofed structure(s) that are attached to, or within 6 metres of the dwelling or primary building.

Maintaining Fuel Loads relates to the management of leaf litter as described in this Notice. Reducing fuel load levels does not necessarily require the removal of existing natural vegetation. A combination of methods can be utilised inclusive of safe burning, raking, weed removal, pruning and/or the removal of dead plant material.

Managed Vegetation includes vegetation that is pruned away from buildings, under pruned to minimise contact with ground fuels and that is kept free of dead suspended matter such as twigs, leaves and bark.

Trafficable means to be able to travel from one point to another in a four-wheel drive fire appliance on a clear surface, unhindered without any obstruction that may endanger such fire appliances. A firebreak is not to terminate, or lead to a dead end, without provision for egress to a safe place or a cleared turn around area of not less than a 19 metre diameter.

Vertical Axis means a continuous vertical uninterrupted line at a right angle to the horizontal line of the firebreak to a minimum height of 4 metres from the ground.

LAND CATEGORIES

The specific requirements below relating to land categories within the Shire are to be implemented and maintained to the satisfaction of an Authorised Officer.

1. All land with an area of less than 5000sqm with a building on it

Maintain an Asset Protection Zone in line with the requirements of Section 5 of this Notice.

For the remainder of the land on the lot outside of the Asset Protection Zone:

- maintain all grass on the land to a height no greater than 5cm
- ensure no tree crowns overhang a building
- prune trees and shrubs, and remove dead flammable material within 1.5 metres around all buildings
- ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter
- maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land.

2. All land with an area of 5000sqm or greater, with a building on it

Maintain an Asset Protection Zone in line with the requirements of Section 5 of this Notice.

For the remainder of the land on the lot outside of the Asset Protection Zone:

- if the land is an area of less than 50,000sqm (5 Hectares) all grass must be maintained on the land to a height no greater than 5cm.
- if the land is an area of 50,000sqm (5 Hectares) or greater, the grass must be maintained on the land to a height no greater than 5cm for a distance of 10m from any firebreak
- install a firebreak around all structures and immediately inside all external boundaries of the land
- prune trees and shrubs, and remove dead flammable material around all structures
- ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter
- maintain fuel loadings in natural bush areas at less than 8 tonnes per hectare across the land.

3. All vacant land

- install a firebreak immediately inside all external boundaries of the land.
- if the land is an area of less than 50,000sqm (5 Hectares) all grass must be maintained on the land to a height no greater than 5cm.
- if the land is an area of 50,000sqm (5 Hectares) or greater, the grass must be maintained on the land to a height no greater than 5cm for a distance of 10m from any firebreak
- maintain fuel loadings in natural bush areas to less than 8 tonnes per hectare across the land

4. Fuel Depot / Fuel Storage Area / Haystacks / Stockpiled Flammable Material

- remove all inflammable 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
- install a firebreak immediately adjacent to any haystacks or stockpiled flammable material

5. Asset (Building) Protection Zone Specification

The Asset Protection Zone (APZ) for habitable buildings and related structures, as defined within this Notice, must meet the following requirements, unless varied under an approved 'Alternative Fire Management Arrangement' as defined within this Notice, and applies only within the boundaries of the lot on which the habitable building is situated:

- APZs for habitable buildings must extend a minimum of 20 metres out from any external walls of the building, attached structures, or adjacent structures within 6 metres of the habitable building

- on sloping ground the APZ distance shall increase at least 1 metre for every degree in slope on the sides of the habitable building that are exposed to down slope natural vegetation
- APZs predominantly consist of managed vegetation, reticulated lawns and gardens and other non-flammable features
- all grass is maintained to or under 5cm
- fuel loads must be maintained at 2 tonnes per hectare or lower
- clear separation distance between adjoining or nearby tree crowns
- a small group of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species
- trees are to be low pruned (or under pruned) to at least a height of 2 metres from ground
- no tree, or shrub over 2 metres high are to be within 2 metres of a habitable building
- tall shrubs over 2 metres high are not planted in groups close to the habitable building and ensure there is a gap of at least three times the height (at maturity) of the shrub away from the habitable building
- there are no tree crowns or branches hanging over habitable buildings
- ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter
- install paths and non-flammable features immediately adjacent to the habitable building
- wood piles and flammable materials stored a safe distance from habitable buildings

6. Application to vary the above requirements

If it is considered impracticable for any reason whatsoever to implement any of the requirements of this Notice, you may apply in writing to the Shire of Mundaring by **no later than the 15th day of September** each year for permission to implement alternative measures to assist in the control of bush fires, or preventing the spread or extension of a bush fire which may occur. If permission is not granted in writing by the Shire of Mundaring you must comply with the requirements of this Notice.

7. Additional Works

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 of Mundaring rates record for the relevant land.

TAKE NOTICE that pursuant to Section 33(4) of the *Bush Fires Act 1954*, 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 of Mundaring 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 *Bush Fires Act 1954*, the amount of any costs and expenses incurred may be recovered from you as the owner and/or occupier of the land.

Section 24F and 24G (Restricted Burning)

BURNING OF GARDEN REFUSE

- 1sqm piles of garden refuse may be burnt without a permit between 6pm and 11pm and must be fully extinguished before midnight. Fully extinguished means no heat, smoke or steam and no white ash present where the fire was situated
- no more than ONE pile of garden refuse is to be burnt at any one time.
- you must obtain a permit to burn before 6pm, and follow all permit conditions.
- there must be one adult person/s in attendance at all times or as specified on your permit.

If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954.

The PENALTY FOR FAILING TO COMPLY with this Notice is a fine not exceeding \$5000 and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed by this Notice if it is not carried out by the owner and/or occupier by the date required by this Notice.

By order of the Council.

A handwritten signature in blue ink, appearing to read "Jonathan Throssell".

Jonathan Throssell
CHIEF EXECUTIVE OFFICER

Please be advised that the Fire & Burning Information booklet is now issued once every three years and is due to be re-sent at the start of the 2021/2022 financial year. If you would like a copy mailed to you in the meantime, please call 9290 6666 or visit the Shire website to download the booklet.