Firebreak and Fuel Load *Notice*

***Bush Fires Act 1954* - Section 33**
Notice to all owners and occupiers of land situated within the Shire of Mundaring



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Shire of MUNDARING

Pursuant to section 33(1) of the *Bush Fires Act 1954*, the Shire of Mundaring (the Shire) gives notice that the owners and/or occupiers of the land district are required to undertake the following works on land owned or occupied by them. This must be done by 1 November each year and maintained until 31 March the year following.

Definitions within this Notice

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

Trafficable - means to be able to travel from one point to another in an emergency services vehicle on a clear surface, unhindered, without any obstruction that may endanger such vehicles. It must not terminate, lead to a dead end, nor have any pinch points without provision for egress to a safe place, or a cleared turnaround area of not less than an 18-metre diameter.

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

Firebreak - means a strip or area of ground, with a minimum width of 3 metres but no wider than 4 metres, and a vertical clearance of 4 metres, immediately inside all external boundaries of any lot and constructed to a trafficable surface, that is kept and maintained clear of all flammable and combustible material. This includes the pruning and removal of any living or dead trees, scrub, or any other material encroaching onto it or into the vertical clearance of the firebreak area. Firebreaks may be constructed by one or more of the following methods: ploughing, cultivating, scarifying, raking, burning, chemical spraying, blowing, or other methods as approved by an Authorised Officer.

Flammable Material - means any substance that will catch fire easily without contact with flames or with a low ignition point, such as but not limited to, petrol or liquefied petroleum gas.

Combustible Material - means any fine fuels, 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 a structure where fuel, i.e. (petrol, diesel, kerosene, liquid gas, or any other fossil fuel) is kept in any container or vessel.

Fuel Loads

Fine Fuel Loads - means the leaf litter on the ground, including leaves, twigs (up to 6mm in diameter), and bark.

A fine fuel load depth of 5mm from the top of the layer to the mineral earth beneath indicates approximately 2 tonnes per hectare. A fine fuel load depth of 15mm from the top of the layer to the mineral earth beneath indicates approximately 8 tonnes per hectare.

Coarse Fuel Loads – means twigs, branches (6mm or larger in diameter), logs, etc.

Maintaining Fuel Loads - relates to managing fuel loads 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, including planned burning, raking, weed removal, pruning, and/or removing 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.

Habitable Buildings - means any building or other dwelling suitable for human residency, occupation, or use within an already existing Asset Protection Zone. This includes attached or adjacent structures such as garages, carports, verandas, or similar roofed structures that are attached to, or within 6 metres, of the dwelling or primary building.

Asset Protection Zone (APZ) - is an area of very low fuel levels surrounding a habitable building extending to a minimum of 20 metres out from any external walls of the building, attached structures, or adjacent structures within 6 metres of that building. On sloping ground, it shall increase at 1 metre for every degree in slope on the sides of the habitable building that are exposed to downslope natural vegetation.

1. The Land owner (or occupier) is required to do the following

1.1 - All land with an area of up to 5,000sqm, with a building on it must

a. Maintain all grass on the land to a height no greater than 5cm.
b. Maintain fuel loads in natural bush areas at less than 8 tonnes per hectare across the land.
c. Maintain an APZ in line with the requirements of section 1.6 of this Notice.

1.2 - All land with an area of 5,000sqm up to 50,000sqm (5 Hectares) with a building on it must

a. Maintain all grass on the land to a height no greater than 5cm.
b. Install a firebreak around all structures outside of the APZ and immediately inside all external boundaries of the land.
c. Maintain an APZ in line with the requirements of section 1.6 of this Notice.
d. Maintain fuel loads outside an APZ in natural bush areas at less than 8 tonnes per hectare across the land.

1.3 - All land with an area of 50,000sqm or greater, with a building on it must

a. Maintain all grass to a height no greater than 5cm for a distance of 10m from any firebreak.
b. All other grasses within the area must be managed by slashing or effective grazing by livestock or as directed by an Authorised Officer.
c. Install a firebreak around all structures outside of the APZ and immediately inside all external boundaries of the land.
d. Maintain fuel loads in natural bush areas at less than 8 tonnes per hectare across the land.
e. Maintain an APZ in line with the requirements of section 1.6 of this Notice.

1.4 - All vacant land with an area of less than 2,000sqm

a. Ensure all grass is maintained on the land to a height no greater than 5cm and that fuel loads in natural bush areas are maintained to less than 8 tonnes per hectare across the land.

1.5 - All vacant land with an area greater than 2,000sqm must

a. Install a firebreak immediately inside all external boundaries of the land.
b. All land with an area of less than 50,000sqm (5 Hectares), all grass must be maintained on the land to a height no greater than 5cm.
c. All land with 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 10 metres from any firebreak, and all other grasses managed by slashing or effective grazing by livestock or as directed by an Authorised Officer.
d. Maintain fuel loads in natural bush areas to less than 8 tonnes per hectare across the land.

1.6 - Asset Protection Zone Specification

a. Maintain all grass on the land to a height no greater than 5cm.
b. Fuel loads maintained at 2 tonnes per hectare or lower.
c. Clear separation between adjoining or nearby tree crowns.
d. Small group/s 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.
e. No trees/shrubs over 2 metres high are to be within 2 metres of a habitable building.
f. Trees and shrubs must be under-pruned to a minimum height of 2 metres from the ground.
g. Shrubs over 2 metres high must not be planted in groups close to habitable buildings, ensuring there is a gap of at least three times the height (at maturity) of the shrub away from habitable buildings.
h. Ensure no part of a tree overhangs any buildings.
i. Gutters are free of fine fuels and other flammable/combustible materials.
j. Roofs and walls of all buildings within an APZ on the land are free of fine fuels and other flammable/combustible material. Including wood piles against building walls and flammable/combustible materials against that building or stored under pole-framed houses.
k. Ensure paths and non-flammable features immediately adjacent to habitable buildings are installed.
l. Wood piles and flammable materials are stored at a safe distance from habitable buildings.

1.7 - Fuel Depot /Storage Area, Haystacks / Stockpiled Flammable Material

a. Remove all flammable/combustible material within 10 metres of where it is stored.
b. Install a firebreak immediately adjacent to any haystacks or stockpiled flammable material.

1.8 - Application to vary the above Requirements/ Arrangements

An application to vary any of the above requirements can be made to the Shire to implement measures in the case of topographic or environmental obstructions. This will be assessed by an Authorised Officer and will be granted for a time period as decided by the Authorised Officer assessing your application. If approved you must still comply with the other sections of this notice. If not approved, your property is still required to comply with this notice. Bushfire Management Plans, Bushfire Management Statements, or Fuel Load Management Plans, approved by the Shire to reduce and mitigate fire hazards within a particular subdivision, lot, or other area of land anywhere in the district, are also included.

1.9 - Additional Works

a. All driveways must be clear of flammable material and accessible to allow for the safe access and egress of emergency services vehicles, as deemed by the Authorised Officer.
b. In addition to the requirements of this Notice, you may be required to carry out further works that 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.

The Shire advises that its officers, servants, workmen, contractors, vehicles, machinery, and appliances (as the officers deem fit) may carry out the requisitions of this notice that are not complied with by the date specified above. Any costs and expenses incurred may be recovered from you as the owner and/or occupier of the land.

The penalty for failing or neglecting 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.

Supplementary requirements to this notice

Section 24F and 24G (Restricted Burning Period)
Burning of Garden Refuse

a. A 1 sqm pile of garden refuse may be burnt at any one time, between 6 pm and 11 pm without a permit and must be fully extinguished by midnight. Fully extinguished means no heat, smoke, steam, or white ash being present where the fire was situated.
b. Have an adequate water supply that can reach the pile and beyond in the event of escape.
c. No more than one pile of garden refuse is to be burnt at any one time.
d. If the Fire Danger Rating for Swan Inland North is HIGH and above, or if winds exceed 15kmp/h NO burning is allowed.
e. One able-bodied adult must be in attendance at all times
f. All other burning before this time requires a Permit to Burn

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.

By order of the Council.

J. Whiteaker

Jason Whiteaker
CHIEF EXECUTIVE OFFICER

Shire of MUNDARING