



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

Draft Firebreak Notice

2019/20

Bush Fires Act 1954

Shire of Merredin **Firebreak Notice (As Amended)**

Notice is hereby given to all owners and/or occupiers of land within the Shire of Merredin that the Council pursuant to the powers conferred in Section 33(1), 25(1a) and 24G(2) of the Bush Fires Act 1954 approved the following requirements at its Ordinary Council Meeting on 21 May 2019 to prevent the outbreak or spread or extension of a bush fire within the district and deal with other fire related preparedness and prevention matters.

Pursuant to Section 33 of the *Bush Fires Act 1954*, all owners and/or occupiers of land are required to carry out fire prevention work in accordance with the requisitions of this notice on or before 30 November each calendar year or within fourteen days of the date of becoming the owner or occupier of the land, should this be after the 30 November. All work specified in this **Notice is to be maintained up to and including the 16th March** the following calendar year.

Definitions

For the purpose of this Notice the following definitions apply –

“Rural Land”	means all land not located within the boundaries of a townsite as shown on the Shire of Merredin’s Local Planning Scheme No. 6
“Townsite Land”	Means all land located within the boundaries of a townsite as shown on the Shire of Merredin’s Local Planning Scheme No. 6
“Firebreak”	means ground from which all flammable material has been removed to a height of 4 metres and on which no flammable material is permitted
“Flammable materials”	means material that can be easily ignited, i.e. dead or dry grass, leaves, timber, paper, plastic and other material or thing deemed by an authorised officer to be capable of combustion but does not include green growing trees or green growing plants in gardens
“Occupier of Land”	means a person or persons as defined in Section 7 of the <i>Bush Fires Act 1954</i>

As a measure for preventing the outbreak of bush fires, or preventing the spread or extension of a bush fire which may occur, all owners and occupiers of land within the district of the Shire of Merredin are required 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, to clear firebreaks or take measures in accordance with this notice and maintain those

firebreaks and measures. In accordance with this notice up to and including the 16th day of March in the following year.

Fire Prevention Requirements

Duties of Owner or Occupier

Townsite Land with a building on it

- Where the area of land is two thousand (2,000) square metres or less the land shall be cleared of all flammable materials;
- Where the area of land exceeds two thousand (2,000) square metres, install a 3 metre wide firebreak immediately inside the external boundaries of the land;
- Maintain all grass on the land to a height no greater than 5cm (50mm);
- Prune trees and shrubs and remove dead flammable material within 6 metres of all buildings on the land; and
- Ensure the roofs, gutters and walls of all buildings on the land are free of flammable matter.

Vacant Townsite Land

- Where the area of land is two thousand (2,000) metres square or less maintain all grass and flammable matter on the land to a height no greater than 5cm (50mm); and
- Where the land exceeds two thousand (2,000) metres square install a 3 metre wide firebreak immediately inside all external boundaries of the land by removing all flammable matter within that 3 metre wide fire break to a height of 4 metres.

Rural Land

- Install firebreaks to a width of three metres immediately inside and along all external boundaries of the land;
- Install firebreaks to a width of twenty metres around all buildings, haysheds and fuel storage areas on the land;
- Where the land is greater than 400 hectares in area, install sufficient internal 3 metre wide firebreaks so as to divide the land into areas of 400 hectares or less which are bounded by a 3 metre wide firebreak.

Fuel Dumps and Depots

- 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.

Application to vary the above requirements

If it is considered impracticable for any reason whatsoever to clear firebreaks or establish other arrangements as required by this notice, you may apply in writing to the Shire of Merredin no later than the **16th day of October** each year for permission to provide firebreaks in alternative positions on the land. If permission is not granted in writing by the local government you must comply with the requirements of this notice.

In addition, you may be required to carry out further works which are considered necessary by an Authorised Officer of the local government and specified by way of a separate written notice forwarded to the address as shown on the Shire of Merredin rates record for the relevant land.

Take notice that pursuant to section 33(4) of the *Bush Fires Act 1954*, where the owner or occupier of land who has received notice fails or neglects to comply with the requisitions of the notice within the time specified, the Shire of Merredin 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 the notice of 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 or occupier of the land.

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*.

Dates to remember

Restricted Burning

16 September – 31 October 2019 (Permits Required)

Prohibited Burning

1 November 2019 – 17 February 2020 (NO BURNING)

Restricted Burning

18 February 2020 – 16 March 2020 (Permits Required)

Chief Bush Fire Control Officer

Stephen Crook, 0429 411 429

Deputy Chief Bush Fire Control Officer

John Flockart, 0428 469 018

Senior Ranger. Fire Control Officer.

Kim Friis, 0400 240 787

Harvest Ban Information Line: 90412 999

In case of any Emergency please call 000

Burning Permit Information

Permits to burn are required for the whole of the restricted periods and can only be obtained from the fire control officers in your area as listed on the Shire of Merredin Website. Any special conditions stated on the permit or imposed by the permit issuing officer must be strictly adhered to. The permit holder shall give notice of his intention to burn to the owner or occupier of adjoining land. All conditions detailed on the back of the permit must be strictly adhered to. Any incinerator used to burn rubbish must be properly constructed. An open drum with or without a lid is not an appropriate incinerator.

Penalty

The penalty for failing to comply with this notice is a fine of not more than \$5,000.00 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

Please visit the Shire of Merredin website for more information and contact information.
www.merredin.wa.gov.au