



POLICY NO	CP/REM - 3620	
POLICY	Fire Breaks	
RESPONSIBLE DIRECTORATE	Infrastructure	
RESPONSIBLE OFFICER	Director Infrastructure	
COUNCIL ADOPTION	Date: 20 August 1998	Resolution No:
REVIEWED/MODIFIED	Date: 13 May 2003	Resolution No:
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	<u>Date:</u>	<u>Resolution No:</u>
REVIEW DUE	Date: August 2017	
LEGISLATION	<i>Bush Fires Act 1954 Section 33</i>	
RELATED POLICIES	N/A	
RELATED ORGANISATIONAL DIRECTIVES	N/A	

#### PURPOSE:

To ensure that Fire Breaks are installed and maintained to enable effective management of the outbreak of Bush Fires.

#### DEFINITIONS:

**Fire break** is any natural or constructed discontinuity in a fuel bed that may be used to segregate, assist to stop and control the spread of a wildfire, or to provide a fire control line from which to suppress a fire. All vegetation is removed down to bare mineral earth.

**Fire control Line** is a natural or constructed barrier, or treated fire edge, used in fire suppression and prescribed burning to limit or prevent the spread of fire.

**Fuel Dumps and Depots** are an area specifically designated for the storage of fuel, whether or not drums are containing fuel.

**Rubbish Site (Prescribed Premises) Class I inert landfill site** are premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial (500 tonnes or more per year)

**Rubbish Site (Prescribed Premises) Class II or III putrescible landfill site** are premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial (20 tonnes or more per year)

**Rubbish Site (Prescribed Premises) Class IV secure landfill site** are premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.

## **POLICY STATEMENTS:**

### **Deadline for Burning Fire breaks**

Pursuant Section 33 *Bush Fires Act 1954* all owners and occupiers of land within the Shire of Wyndham East Kimberley are required to establish fire breaks on or before **1<sup>st</sup> June each year** in accordance with the following:

#### **1. Ord Irrigation Project Area:**

Firebreaks for all land within the Ord Irrigation Area must be:

- a) Not less than three (3) metres wide inside and along and as close as possible to external boundaries; and
- b) Not less than six (6) metres wide and within three (3) metres of the perimeter of all buildings and/or haystacks and groups of buildings.

#### **2. Pastoral Lands:**

Being land outside the Town Sites of Wyndham and Kununurra held under Pastoral Lease.

- a) Fire breaks are to be a distance not less than six (6) metres wide and within three (3) metres of a building/s and haystacks.

#### **3. Town Site Land:**

For land inside the outside Town Sites and not being rural land or land under a Pastoral Lease, Fire breaks are required to be:

- a) Where the area is 2000sq metres or less, remove vegetation by clearing or slashing inflammable material from the whole of the land, excluding standing live trees.
- b) Where the area of the land is greater than 2000sq metres a fire break not less than six (6) meters in width, immediately surrounding any buildings or not less than three (3) metres in width inside and along the whole of the external boundaries of the land is required.

#### **4. Rural Lands**

Being land outside the Town Sites and not being land under a Pastoral Lease, this includes Packsaddle Plains, Crossing Falls and River Farm Road subdivisions. Fire breaks are required to be:

- a) Not less than three (~~6~~3) metres wide inside, along and within ten (10) metres of external boundaries, and
- b) Not less than six (6) metres wide and within three (3) metres of the perimeter of all buildings or haystacks or group of buildings.

#### **5. Rural Living Areas:**

Where land (up to 5 ha per lot) outside of the Wyndham and Kununurra town sites is used primarily for residential purposes firebreaks are to be provided to all boundaries in accordance with the following requirements:

- a) clear a three (3) metre wide firebreak of all flammable material, immediately inside the external boundaries of the land; and
- b) trees must be trimmed back to provide a vertical clearance of three and a half (3.5) metres to allow fire appliances along the firebreak

Where a Shire managed Strategic Firebreak is provided the provisions of 1(a) do not apply to the boundaries abutting the Strategic Firebreak.

Where there is a risk soil erosion or the ground conditions do not permit (e.g. rocky terrain) the provisions of 1(a) may be deemed to be satisfied where the grasses are slashed and maintained at a height of 75mm or less.

## 6. Rubbish Sites (Prescribed Premises)

Being all Rubbish Sites for Pastoral Stations that have been registered as a Prescribed Premises. Fire breaks are required to be not less than three (3) metres wide and within three (3) metres of the perimeter of the rubbish site.

**NOTE: Pursuant Schedule 1 (5B) 63, 64, 65 of the Environmental Protection Regulations 1987 a "Rubbish Site" must be a Prescribed Premises (refer definitions).**

## 7. Fuel Dumps and Depots:

Remove all flammable material from all land where fuel drum ramps or dumps are located and where fuel drums whether containing fuel or not are stored to a distance of at least fifteen (15) metres outside the perimeter of any drum, ramp or stack of drums.

## 8. Satisfactory Compliance

### **Section 33 Bush Fires Act 1954:**

The requirements referred to in paragraphs 1 to 8 hereof, must be performed to the satisfaction of the duly authorised person appointed by the Shire of Wyndham East Kimberley.

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### **Section 33(3) Bush Fires Act 1954:**

Persons who fail to comply with these requirements may be issued with an infringement notice (Penalty \$250) or prosecuted with an increased penalty up to \$5000.00.

### **Section 33(4) Bush Fires Act 1954:**

In addition, the Shire may carry out the required work at cost to the owner or occupier of the land.

## 9. Exemptions

### 9.1 Exemptions for individual properties

If it is considered impracticable for any reason to clear fire breaks or to remove flammable material from the land as required by this notice you may apply to the Council or its duly

authorised officer by not later than 1st April each year for permission to provide fire breaks in alternative positions or take alternative action to abate fire hazards on the land.

## 9.2 Exemptions for specific areas

Properties within a specific area may be exempt from the above requirements if they are within an established fire break area that is maintained by the affected land owner and approved by the Shire. ~~Should a significant proportion of the residents of a specific area request an area firebreak, the Shire will establish and maintain a firebreak around the entire area at a cost to the property owners.~~

### EXPLANATORY NOTES:

Fire breaks are a form of fuel break, ~~while~~ a fuel break can include several forms of discontinuity such as green strips, ~~a fire break must include~~ and a mineral earth strip.

The Shire preference is green strips to reduce erosion and scouring during the wet season.

When aligned with fire access roads or tracks, fuel breaks support detection, patrol, prescribed burning, initial attack, and ongoing fire suppression.

A fuel break is part of a strategic network when it is located to enhance the protection of significant assets through the provision of local protection or links across the landscape.

Firebreaks can also provide efficient access for firefighting resources, and the reduction of risks through removal of dangerous trees and the local reduction of fuel.

Firebreaks allow more efficient containment of large bushfires, Fire breaks also significantly reduce the impacts of large bushfires.

### RISK:

**Risk:** Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

**Control:** Review policies and procedures in accordance with review schedule.