

**BUSH FIRES ACT 1954**  
*Shire of Wyndham East Kimberley*  
**Firebreak Order and Bushfire Information 2017/2018**

(This is a summary of the Order adopted by the Shire of Wyndham East Kimberley under Section 33 of the Bush Fires Act 1954).

In accordance with the provisions of this Order, landowners are required to carry out fire prevention work on land they own or occupy.

Details of work required to be completed are contained in this Order. Work must be completed by 1 July 2017.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE ORDER MAY BE ISSUED WITH AN INFRINGEMENT NOTICE (PENALTY \$250) OR PROSECUTED WITH AN INCREASED PENALTY UP TO (\$1000). IN ADDITION, THE SHIRE MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER OR OCCUPIER OF THE LAND.

There may be instances where it is considered to be impractical to clear firebreaks or remove flammable materials as required by this Order, due to:

- The aggravation of soil erosion;
- The identification of a more effective system of fire prevention; or
- Firebreaks being rendered unnecessary by natural features existing on the land.

In this instance, application may be made to Council not later than 1 April each year for permission to provide firebreaks in alternative positions or to take alternative action to reduce fire hazards on the land.

***If Council permission is not forthcoming, then you will be required to comply with the provisions of this Order.***

Firebreaks are used primarily to gain access to and provide an area to work from when controlling a fire. They will not stop all fires, and removal of unnecessary flammable material prior to the fire season is your best safeguard against fire threat.

If the requirements of this Order are fulfilled by burning off, then the burning must be carried out in accordance with the relevant provisions of the Bush Fires Act 1954.

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

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

- Not less than three (3) metres wide inside and along and as close as possible to external boundaries; and
- 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.

NOTE: This requirement need not be met if the property is being worked, and provided the irrigation channels are in use.

## **2. Pastoral Lands:**

Firebreaks are required to be a distance of not less than six (6) metres wide and within three (3) metres of buildings and/or haystacks or groups of buildings.

## **3. Townsite Land:**

Where the area is 2 000m<sup>2</sup> or less, all inflammable material (with the exception of standing live trees) shall be removed from the whole of the land by clearing or slashing.

Where the area of the land is greater than 2 000m<sup>2</sup>, a firebreak of not less than six (6) metres 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:**

Land outside townsites which is not under a pastoral lease requires firebreaks of:

- Not less than four (4) metres wide inside, along and within ten (10) metres of external boundaries; or
- Not less than six (6) metres wide and within three (3) metres of the perimeter of all buildings and/or haystacks or groups of buildings.

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

1. 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 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 3.5 metres to allow fire appliances along the firebreak
2. Where a Shire managed Strategic Firebreak is provided the provisions of 1(a) do not apply to the boundaries abutting the Strategic Firebreak.
3. 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:**

All rubbish sites for pastoral stations and communities require firebreaks not less than three (3) metres wide and within three (3) metres of the perimeter of the rubbish site.

## **7. Fuel Dumps and Depots:**

Flammable material must be removed 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.

The acts referred to in paragraphs 1 to 7 herein must be performed to the satisfaction of the duly authorised person appointed by the Shire of Wyndham East Kimberley.

If it is impractical for any reason to clear firebreaks or to remove flammable material from the land as required by this Order, you may apply to Council or its duly authorised officer by not later than 1 April for permission to provide firebreaks in alternative positions, or to take alternative positions or to take alternative action to abate fire hazards on the land.

**RESTRICTED BURNING PERIOD**  
**1 April to 14 January Each Year**

The Restricted Burning Period includes Kununurra and Wyndham Townsites, the Ord Irrigation Area and pastoral areas.

**PERMITS TO BURN**

1. Permits to burn are required for the whole of the Restricted Period, and must be obtained from one of the Fire Control Officers identified for your area.
2. Any special conditions imposed by the Fire Control Officer when issuing permits must be strictly adhered to.
3. The permit holder shall give notice of his intention to burn to:
  - a) The Shire's Kununurra Administration Centre by no later than 24 hours prior to the day when the burning is to take place. Weekend burning must be notified by 4.00pm, Friday.
  - b) The owner or occupier of adjoining land.
  - c) The nearest Department of Environment and Conservation (DEC) office if the land is situated within three (3) kilometres of State Forest land, National Park, Nature Reserve or other DEC lands.
4. The period of notice to neighbours prior to burning cannot be more than twenty eight (28) days or less than four (4) days, although lesser notice may be determined by mutual agreement of all neighbours.
5. Your attention is drawn to Items 5, 6 and 7 as listed on the back of the permit.
6. Burning under permit is permitted during the Restricted Burning Period on Sundays and Public Holidays.
7. All landowners and occupiers who suffer a bush fire have an obligation to assist each Area Fire Control Officer to compile a Fire Report Form.
8. Garden refuse (excluding GREEN clippings) burnt on the ground may be lit only between 6.00pm and 11.00pm, and must be completely extinguished with water or earth by midnight. All flammable matter is to be cleared within five (5) metres of all points of the site of the fire, and a person must be in attendance during the whole time the fire is lit.
9. Any incinerator used to burn rubbish must be properly constructed – an open drum (with or without a lid) is not an appropriate incinerator.
10. With reference to Item 8 and 9 of this summary, burning may not take place if the Fire Weather Warning for the day is "Very High", or "Extreme".