

## BUSH FIRES ACT 1954

### Firebreak Notice

Shire of Katanning

Notice to all Owners and/or Occupiers of Land in the Shire of Katanning

Pursuant to Section 33 of the Bush Fires Act 1954 you are hereby required, on all land owned or occupied by you, as a measure for preventing the spread and extension of a bush fire, to plough, cultivate, scarify, burn, chemically spray or otherwise clear upon the lands Fire Access tracks (fire breaks) in such manner as set out in this notice.

#### 1) Suburban and Residential Blocks

1.1 If the area of land is 2023m<sup>2</sup> (approximately ½ acre) or less, remove flammable material on the land except living standing trees from the whole of the land by **1 November 2022** by one of the following methods and with all other associated conditions mentioned above to apply: ploughing, cultivating, scarifying, chemical spraying, mowing, burning or any other approved method. Mowed grass to be no higher than 100mm.

1.2 Where residential zoned land exceeds 2023m<sup>2</sup> (approximately ½ acre), in addition to the grass height above, a 2.5 metre wide firebreak immediately inside and along all external boundaries is required.

#### 2) Rural Residential, Rural Land, Rural Small Holdings, Outside of the Town Boundary

Firebreaks shall be installed at least 10 metres wide around the perimeter of any homestead building (excluding isolated non-flammable buildings), haystacks (within 100 metres of any building) or group of structures or installations and are to be cleared to the satisfaction of the Shire Officer. In addition, you may be required to carry out further works which may be deemed necessary by the Shire Officer and specified by way of a separate written notice forwarded to the address as shown on the Shire of Katanning rate records for the land. In some instances naturally occurring features such as rocky outcrops, natural water courses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the Shire Officer.

2.1 All properties within the **Moojebing Heights** subdivision are to ensure compliance with the additional requirements of the Fire Management Plan dated April 2008.

#### 3) Rural Residential and Rural Land and Rural Small Holdings within Katanning and Pinwerening Townsites

3.1 Must have a 2.5 metre wide firebreak immediately inside along all external boundaries. Grass to be no higher than 100mm. Living standing trees, remnant vegetation, maintained gardens and natural bush are exempt. Where multiple blocks of land are grouped together, a perimeter 2.5 metre firebreak encompassing all land will be considered subject to an application for variation.

3.2 All property within the Illareen Subdivision are to comply with this standard and the additional requirements of the Illareen Fire Management Plan dated 2019 Version 1.1.

3.3 Conditions: It is hereby notified for public information that pursuant to the power granted under Regulation 38A of the above Act, a person shall not operate or suffer the operation of a grain harvesting machine, or any machine used for swathing, baling or slashing of stubble

and track chaining, on any land within the Shire of Katanning except in accordance with the following specified condition:

- 3.4 Specified condition: No person shall operate grain harvesting machinery as stated above on any land unless a mobile and operational firefighting unit, having a water capacity of at least 500 litres, is situated in or immediately adjacent to the paddock where harvesting operations are being conducted.

**All fire breaks as designated above must be prepared on or before 1 November 2022 or within 14 days of becoming the owner or occupier should this be after that date and maintained clear of flammable material up to and including 30 April 2023.**

4) Application to Vary the Above Requirements

- 4.1 It is considered to be impracticable for any reason whatsoever to meet requirements as required by this notice, you may apply to the Shire of Katanning no later than **1 October 2022**, for permission to provide alternative risk mitigation measures on the land. If permission is not granted by the Shire you must comply with the requirements of this notice.
- 4.2 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.
- 4.3 The penalty for failing to comply with this notice will be in accordance with the Bushfires Act 1954, and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

5) Private Property

- 5.1 Wood and solid fuel barbecues shall only be permitted where they are enclosed and all flammable material in a 5m radius is cleared. Fires cannot be lit under set Fire Danger Rating Days.
- 5.2 No timber to be burnt during the October restricted burning period. Timber Heaps burnt over Winter are to be pushed out before Prohibited Burning Period.

6) Regulation 38A – Harvesting, Swathing/Baling of Stubble and Track Chaining

Conditions: A person shall not operate or suffer the operation of a grain harvesting machine, or any machine used for swathing, baling or slashing of stubble and track chaining, on any land within the Shire of Katanning except in accordance with the following specified condition:

- 6.1 Specified condition: No person shall operate grain harvesting machinery as stated above on any land unless a mobile and operational firefighting unit, having a water capacity of at least 500 litres, is situated in or immediately adjacent to the paddock where harvesting operations are being conducted.
- 6.2 Penalties: An infringement of \$250.00. A penalty of up to \$5000.00. The recommended minimum standards for fire unit requirements are based on property size as follow:
  - I. 50-1000ha – Light Duty Unit. One tonne utility either 2WD or 4WD. 500 litre water capacity.
  - II. 1000 to 2500ha – Medium Duty Unit. Light truck either 2WD or 4WD. 2500 litre water capacity.
  - III. 2500 + ha – Heavy Duty Unit. 6 tonne capacity truck, preferably diesel. 4000 litre water capacity.
  - IV. All units are to be fully operational and ready to go at all times during the prohibited burning period.

- V. Trailer Mounted Fire Units and Chaser Bins with Fire Units – for safety reasons they are not acceptable as your only or primary fire unit. Therefore, are not to be taken to a fire incident.
- VI. Boundary fire breaks are compulsory within the Special Rural Land Areas within the town site. Council or its agents will establish fire breaks at strategic points at its discretion or on a Risk Base Assessment on land its managers.

7) Permit to Burn

7.1 Under the Bush Fires Act 1954, it is an offence to light fires during the Burning Prohibited and Restricted Burning Times, except in certain circumstances. All burning during the Restricted Burning Period requires a Permit.

7.2 A Permit is required for burning of bush, grass and garden waste at any time between 1 Oct 31 October inclusive and 15 February and 30 April inclusive. No burning can be carried out during the Prohibited Burning Period unless it's protective burning around dwellings up until 15<sup>th</sup> November under section 23 of the Bushfire Act.

- I. **Restricted: Permit Required – 1 October to 31 October**
- II. **Prohibited: 1 November to 14 February**
- III. **Restricted: Permit Required – 15 February to 30 April**

It is not necessary for Council to notify property owners or give prior warning that legal action may proceed for failing to comply with the requirements of this notice.

**Julian Murphy**  
**CHIEF EXECUTIVE OFFICER**