



BUSH FIRES ACT 1954

City of Kalgoorlie-Boulder

FIREBREAK NOTICE 2022/2023

Notice to all owners and/or occupiers of land situated in the City of Kalgoorlie-Boulder.

As a measure to assist in the control of bush fires, and to prevent the spread or extension of a bush fire which may occur, all owners and/or occupiers of land within the City of Kalgoorlie-Boulder district are required before the 1st day in October 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 up to and including the 30th day of April in the following year.

Interpretation

"Act" means the *Bush Fires Act 1954*;

"Authorised Person" means a person authorised in accordance with *Section 9.10 of the Local Government Act 1995* by the City of Kalgoorlie-Boulder.

"City" means the City of Kalgoorlie-Boulder.

"Flammable Matter" includes all form of vegetation both living and dead, and any other flammable materials and combustible matter;

"Firebreak" means ground which is cleared to a mineral earth standard in which all flammable material (which includes vegetation and with all overhanging branches, trees, limbs, etc. to be trimmed back clear of the Firebreak area) has been removed and on which no flammable material (which includes vegetation) is permitted during the Firebreak period and the Firebreak must be the required width.

"Firebreak Period" means the time from 1st October in any year until 30th April in the year following;

"Trafficable" means able to be driven around, unhindered, in a standard four-wheel drive vehicle.

General Requirements

All owners and/or occupiers of land within the district of the City of Kalgoorlie-Boulder must clear all flammable matter from the land in accordance with the following requirements –

Land which is 5,000m² or less in area, shall be required to follow the general fire hazard reduction measures as stated in this Notice.

Land which is 5,001m² or greater in area, shall have a trafficable firebreak three (3) metres in width cleared immediately inside all external boundaries of the land to mineral earth or to the satisfaction of an authorised person.

General Fire Hazard Reduction Measures

All owners/occupiers are required to reduce fire hazards on their property as far as reasonably practicable over the entire area of land. This can be achieved by clearing all "flammable matter" to a height of no more than 50mm, or to the satisfaction of an authorised person and all clearing must be done in accordance with the Act. Fire Hazard Reduction Orders will be issued where owners/occupiers have failed to reduce fire hazards on their property to a satisfactory state in the opinion of an authorised person.

Amendments to the above requirements

If an owner or occupier of land within the district of the City of Kalgoorlie-Boulder is unable to comply with the requirements of this Notice, that owner or occupier may request in writing to the City, to undertake alternative measures to enable compliance with this Notice in the opinion of an authorised person.

The following are the Burning Periods for Kalgoorlie-Boulder District.

Firebreaks/Reduction Measures must be installed by 1st October and remain until 30th April in the following year.

Prohibited Period – All Burning is prohibited between 1st November to 31st March in the following year.

Restricted Period – Permits are required between 1st April to 30th April and 1st October to 31st October each year.

No permit required Period – Burning off does not require a permit however restrictions still apply from 1st May to 30th September each year.

*** The City does not support the burning off in residential areas and permits will only be issued under exceptional circumstances.**

The following restrictions apply at all times throughout the year:

- No burning off on Sunday or Public Holidays.
- No burning off of garden waste, refuse or offensive materials at any time.
- No burning off contrary to the provisions of the City's Health Local Law.
- Authorised burning off will only be undertaken between the hours of 6:00 pm and 11:00 pm.
- All neighbouring property occupiers must be informed of the burning off before commencement.
- An authorised person must be informed of the burning off before commencement.
- Local Fire Station Officers must be informed of the burning off before commencement.

Compliance

(1) In addition to the requirements of this Notice, further works which are considered necessary by an authorised person may be required as specified in writing in a subsequent Notice addressed to the land owner as recorded by the City.

(2) Where the owner or occupier of the land fails or neglects to comply with the requirements of this Notice or a subsequent Notice addressed to the land owner, an authorised person may enter onto and upon the land with any workmen, contractors, vehicles and machinery as required to carry out the requisitions of the Notice at the expense of the land owner. Where the City is required to act in default, the land will be cleared in accordance with this Notice or at the discretion of an authorised person.

(3) Failure to comply with this Notice and subsequent written Notices may result in penalties being issued or court action and the liability for any costs incurred by the City in relation to works undertaken on behalf of the land owner.

ANDREW BRIEN

Chief Executive Officer