

SHIRE OF WILUNA FIRE CONTROL ORDER **FIRST AND FINAL NOTICE**

In pursuance of the powers conferred under Section 33 of the Bush Fires Act 1954 (as amended), notice is hereby give to all owners and/or occupiers of land within the Shire of Wiluna, that land owners and/or occupiers are required to carry out fire prevention work in accordance with this notice on land which they own, occupy or manage. All works required by this notice shall be maintained during the specified periods.

PERMITS TO BURN ARE REQUIRED ALL YEAR ROUND

FOR ALL EMERGENCIES DIAL 000

Burning of Refuse, Rubbish or Garden Waste is prohibited within all town boundaries during the Restricted and Prohibited period

DEFINITIONS

FLAMMABLE MATERIAL

Any dead or dry grass, vegetable, substance, object, thing or material (except living flora including live and/or habitat standing trees) that may or is likely to catch fire and burn or any other thing deemed by an Authorised Officer to be capable of combustion.

PROHIBITED BURNING PERIOD

The time period of each year where it is unlawful to set fire to the bush at any time. This time is from 1st November to 31st March of the following year. This time may be amended, subject to prevailing seasonal conditions.

RESTRICTED BURNING PERIOD

The time period of each year where it is unlawful to set fire to the bush without a valid Permit to Set Fire To The Bush issued by an Authorised Officer. Shire of Wiluna has two (2) periods:

Restricted Burning Period 1: 20th September to 31st October

Restricted Burning Period 2: 1st April to 12th May

FIREBREAK

Means an area of ground, of at least 3 metres (3.0) wide that has all materials (living or dead) removed by scarifying, cultivating, ploughing or other means to bare mineral earth, and includes the pruning and removing of any living or dead trees, scrub or other material that overhangs the cleared firebreak area or a vertical height of four (4.0) metres from the ground and to provide suitable access for fire fighting vehicles.

FUEL DEPOT

Means an area of land, a building or structure where fuel (i.e. petrol, diesel, kerosene, liquid gas or any other fossil fuel) is kept in any container or manner.

EXPLOSIVES

Has the same meaning given to it by the *Dangerous Goods Act 2004* and the regulations pursuant to it.

TOWNSITE LAND

Means land within the district that is within the boundaries of a townsite (and for the purposes of the definition "townsite" has the meaning given it in section 6(1) of the *Local Government Act 1995*).

FIRE PREVENTION REQUIREMENTS

1. Townsite Land:

- a) Where the area of land is 2024m² or less, all flammable material from the whole of the land is to be removed (to a height not exceeding 100 millimetres or the satisfaction of a Fire Control Officer.
- b) Where the land is greater than 2024m², a firebreak of not less that three (3.0) metres in width.
- c) All land must be kept clear of accumulated organic matter such as leaf litter, garden rubbish or any other refuse which may present a hazard.

2. Land outside Townsites:

- a) Two firebreaks surrounding all buildings on land that is outside town sites. Not less than three (3.0) metre wide and cleared of all flammable materials. The inner firebreak is to be not more than twenty (20) metre from the perimeter of the building or groups of buildings and the outer

firebreak not less than twenty (20) metres and not more than one hundred (100) metres from the inner firebreak.

3. Fuel Dumps and Deposits:

All flammable materials must be removed from land where fuel drum ramps or dumps are located and fuel drums, whether containing fuel or not are stowed to a distance of at least (10) metres outside the perimeter of any drum, ramp or stack of drums. Where bulk fuel is stored this distance is to be measured from the outside of the bunding which is in place.

4. Explosives Magazines and Storage Area:

All flammable materials are to be removed to bare earth between any bunkers or storage facilities and between storage facilities and the perimeter of any such area. All flammable materials are to be removed for a distance of at least ten (10) metres from the perimeter of any such storage area.

5. Power Lines and Power Transmission Lines:

Aerial hazards to power and transmission lines shall be cleared or reduced as per guidelines issued by the Office of Energy Safety. For power lines conducting less than or equal to 33,000 volts; ground fuels such as grasses shall be cleared to a minimum of 3 metres either side of a centre line created by the poles or towers. The total cleared area shall not be less than six (6) metre wide and the entire area shall be maintained to the standard of a mineral earth break.

For power transmission lines greater than 33,000 volts two mineral earth breaks are required to be at least three (3) metres either side of the widest point of any arms on the pole or tower. All power and transmission lines are to be maintained as per Australian Standard AS7000, to assist in minimizing the risk from sparks or arcing.

VARIATIONS

If it is considered to be impractical to comply with the provisions of this Notice, you must apply for a variation by the following means:

- Apply in writing to the Shire of Wiluna, written approval from Council or its Duly Authorised Officer must be obtained for any variation or exemptions.
- Provide detailed plan of your land detailing the alternate positions of Firebreaks and/or other prevention measures. This must be evaluated and authorized in writing by the Shire of Wiluna.
- A fire management plan for the land must be lodged with the Shire of Wiluna. Proof of compliance with the plan or inspection must be made available to an authorized person on request.

Approval for variations will only be granted up to and before 30th November in any year. If permission is not granted by Council or its Duly Authorised Officer then the owner/or occupier shall comply with the requirements of this notice. Where required works have not been undertaken and no application for a variation has been received the land owner or manager is taken to be non-compliant.

SPECIAL ORDERS: The requirements of this Notice are considered the minimum standard for fire prevention.

Not only to protect individual properties but the district generally. Fire Control Officers have the power to issue Special Orders pursuant to Section 33 of the *Bush Fires Act 1954* to individual land owners if hazard removal or reduction, or any additional works are considered necessary.

Permits to burn must be obtained before lighting any fire. Permits can only be obtained from the Shire of Wiluna on 9981 8000.

If the requirements of the Notice are in addition to and do not derogate or detract from any other requirement under any other written law or legislation.

Failure to comply with this Notice is an offence and shall subject the offender to penalties prescribed in the *Bush Fires Act 1954* (as amended). Where a person is in default of this notice, the Shire of Wiluna may perform the required works and recover the cost of performing the work from the land owner and/or occupier.

All enquires relating to Fire should be directed to the Shire of Wiluna on 9981 8000 or to the Chief Bush Fire Control Officer on 0448978128

Colin Bastow
Chief Executive Officer