

**Bushfires Act 1954**

**FIREBREAK AND FUEL HAZARD REDUCTION NOTICE**

**SHIRE OF VICTORIA PLAINS**

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required to install firebreaks clear of all flammable material or take alternative approved measures, and to undertake fuel hazard reduction measures before 1 October and thereafter maintain the firebreaks and measures up to and including 31 March the following year, in accordance with the following –

**1. DEFINITIONS**

**ban on the movement of all vehicles** includes machinery and the operation of internal combustion engines within the Shire and during a time as specified in a Notice or broadcast with the exception of the movement of vehicles and machinery on constructed gazetted roads, internal vehicle access and yards;

**firebreak** means a strip of land cleared to the specified width by ploughing, cultivating, scarifying, burning or otherwise clearing;

**flammable material** includes bush (as defined in the *Bushfires Act 1954*), timber, boxes, cartons, paper and like flammable materials, rubbish and also any combustible matter, but does not include green standing trees, or growing bushes and plants in gardens, or lawns;

**harvest ban** applies on the operation of all grain harvesting machines including swathing, baling or slashing machines within the Shire and during a time, as specified in a Notice or broadcast;

**harvesting** includes grain harvesting, swathing, baling or slashing of stubble or hay in any crop;

**internal vehicle access** is defined as a trafficable surface, free of all flammable material, a minimum of width of four metres, and with overhanging vegetation pruned back so as not to come into contact with any part of a vehicle;

**mobile fire fighting unit** is defined as having a minimum water carrying capacity of 450 litres, fitted with a hose and pump capable of delivering water through an adjustable nozzle in the spray and jet configurations;

**rural land** means all land outside a townsite, and which is farmed as a single contiguous unit;

**townsite** means all land within the townsites of Bolgart, Calingiri, Mogumber, Piawaning and Yerecoin as defined under the *Land Administration Act 1997* or *Local Government Act 1995* and

**yard** is defined as an area, greater than four metres wide, with a constructed, trafficable surface, free of all flammable material save live standing trees.

**2. RURAL LAND GREATER THAN 10 HECTARES**

**2.1 Firebreaks, cleared of all flammable material –**

- (a) at least 3 metres wide shall be maintained inside and within 20 metres of the boundary of all land; and surrounding such other positions as is necessary to divide land in excess of 400 hectares into area not exceeding 400 hectares, each completely surrounded by a firebreak;
- (b) at least 3 metres wide and within 20 metres of all buildings and haystacks shall completely encircle the buildings and haystacks;
- (c) at least 6 metres wide immediately surrounding each fuel storage location, whether containing fuel or not; and
- (d) shall have a vertical clearance of not less than 4 metres.

**2.2 Fuel storage, whether containing fuel or not, shall not be located closer than 15 metres to any building or public thoroughfare.**

**2.3 Harvesting operations –**

A person shall not undertake or allow harvesting during the Restricted or Prohibited Burning period unless –

- (a) one hand held water filled fire extinguisher with a minimum capacity of 7.5 litres is filled in a readily accessible position on the machine, and

(b) a readily mobile fire fighting unit is in attendance in or adjacent to the entrance of the paddock being harvested.

**2.4 Harvest bans and other bans – permitted activities –**

- (a) Loading and offloading of grain, fertiliser and feed on sites which –
  - (i) are clear of all flammable material to a radius of at least 50 metres with an internal vehicle access, and
  - (ii) have a mobile fire fighting unit in attendance at all times.
- (b) Water carting for stock and domestic purposes provided it is accompanied by a mobile fire fighting unit, or alternatively, the water carting vehicle acts as the mobile fire fighting unit and meets minimum specifications.
- (c) All necessary travel to and from and within piggeries, sheep or cattle feed lots, provided this is undertaken with a mobile fire fighting unit in attendance.
- (d) All necessary carting of livestock, provided that such a vehicle is accompanied by a mobile fire fighting unit.
- (e) Activities which received specific exemptions from the local government or the Chief Bush Fire Control Officer –
  - (i) approval is to be sought on an individual basis,
  - (ii) may be subject to specified conditions, and
  - (iii) it should be noted that approval may not be granted.

**2.5 Public Holidays**

A harvest ban and a ban on the movement of all vehicles and machinery and the operation of internal combustion engines is imposed on Christmas Day, Boxing Day and New Year's Day each year.

**3. RURAL LAND LESS THAN 10 HECTARES**

- (a) Rural land less than 1 hectare shall comply with the requirements for townsite land.
- (b) Rural land more than 1 hectare but less than 10 hectares, shall comply with –
  - (i) the requirements of rural land greater than 10 hectares, and
  - (ii) all flammable material on the land shall be reduced to a height of less than 10 centimetres for a distance at least 10 metres from any firebreak.

**4. ALL TOWNSITE LAND**

- (a) Where the area of land is 1 hectare in area or less – all flammable material on the land shall be reduced to a height of less than 10 centimetres.
- (b) Where the area of land exceeds 1 hectare in area –
  - (i) firebreaks at least 3 metres wide immediately inside all external boundaries of the land and surrounding all buildings situated on the land, and
  - (ii) flammable material on the remainder of the land shall be reduced to a height of less than 10 centimetres.
- (c) A special control zone or other land not elsewhere specified in this Notice, shall comply with the higher level measures required by adjoining land unless varied under clause 7.2.

**5. OPEN AIR FIRES**

- (a) Open air fires are permitted during the Restricted Burning period, subject to compliance with the provisions relating to Restricted Burning periods and Shire of Victoria Plains Local Laws.
- (b) Open air fires are not permitted at all during the Prohibited Burning period (including camping and garden refuse).
- (c) No open air fires in the open air are permitted on any day when the fire danger rating is "Very High" or above.

**6. PROPERTIES WITH FIRE MANAGEMENT PLANS**

Properties with an approved fire management plan shall comply with the approved plan and or the requirements of this this Notice, whichever is the greater.

**7. GENERAL**

- 7.1. 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. A permit to burn is required during the Restricted Burning periods from an authorised officer.
- 7.2. If it is considered to be impracticable for any reason to clear firebreaks or to remove flammable material from the land or any other provisions required by this Notice you may apply to the Council or its duly authorised person not later than 1 September, for permission to provide firebreaks in alternative positions or to take alternative action to manage fire hazards on the land. If permission is not granted by the Council or a duly authorised person, you shall comply with the requirements of this Notice.
- 7.3. Penalties apply to persons who fail to comply with the requirements of this Notice.
- 7.4. A person who fails to comply with the Notice is also liable, whether prosecuted or not to pay the cost of performing the work directed in this Notice if it is not carried out by the owner or occupier by the date required by this Notice.

**BY ORDER OF THE COUNCIL**

**Glenda Teede**

**Chief Executive Officer**