

BUSH FIRES ACT 1954
2022/23 Bush Fire Notice
SHIRE OF LAVERTON

NOTICE TO ALL OWNERS OF LAND SITUATED IN THE SHIRE OF LAVERTON

TAKE NOTICE that pursuant to section 33(4) of the *Bush Fires Act 1954*, where the owner of land who has received notice fails or neglects to comply with the requisitions of the notice within the time specified, the Shire of Laverton may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of the notice which have not been complied with and pursuant to section 33(5) of the *Bush Fires Act 1954*, the amount of any costs and expenses incurred may be recovered from you as the owner of the land.

Owners of land are reminded it is their responsibility to ensure the Bush Fire Notice is complied with and that the requirements of the Bush Fire Notice will be strictly enforced by the Shire.

FIRE PREVENTATIVE MEASURES

Pursuant to the powers contained in section 33 of the *Bush Fires Act 1954*, you are hereby required to:

- a) Clear of flammable material firebreaks not less than 3 metres in width immediately inside all external boundaries of any lot owned by you and situated within the **Shire of Laverton**.
- b) Clear completely of all flammable material (save buildings, structures and fences) any lot owned by you and situated within the **Laverton Town Site**.

Such clearing may be constructed by one or more of the following methods:

SLASHING, PLOUGHING, CULTIVATING, SCARIFYING, RAKING, BURNING, CHEMICAL SPRAYING OR OTHER APPROVED METHOD, and are to be cleared to the satisfaction of an Authorised Officer of the Shire. In addition, you may be required to carry out further works which are considered necessary by an Authorised Officer of the Shire and specified by way of a separate written notice forwarded to the address as shown on the Shire of Laverton rates record for the relevant land.

In some instances, naturally occurring features such as rocky outcrops or natural watercourses and landscaping such as reticulated gardens or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with an Authorised Officer of the Shire and approved by the Shire of Laverton in writing. For the purpose of this notice grass kept at a height of less than 5 centimeters at all times covered by this notice will be deemed not to be flammable material.

All clearing and other alternative arrangements allowed by the preceding parts of this notice **must be established by 15 October 2021** (or within 14 days of you becoming the owner should this occur after that date) and maintained clear of flammable material until 1 April 2022.

APPLICATION TO VARY THE ABOVE REQUIREMENTS

If it is considered impracticable for any reason whatsoever to take fire preventative measures or establish other arrangements as required by this notice, you may apply in writing to the Shire of Laverton not later than 1 October 2022 for permission to carry out fire preventative work in alternative positions on the land. If permission is not granted by the Shire you must comply with the requirements of this notice. 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 1954*.

THE PENALTY FOR FAILING TO COMPLY with this notice is a fine of \$250, and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by this notice if it is not carried out by the owner prior to the date required by this notice.

The responsibility for ensuring the protection of your property is yours. Proper preparedness for the fire season will enhance the capacity for you, your family and property to survive a fire should one occur. Fire preparedness measures are a defensive method of ensuring survivability from within your property boundary. This may be achieved by a variety of measures which include:

Cleared firebreaks and driveways: have the capacity to slow the progress and contain fires as well as provide access for emergency services.

Hazard reduction: burning, slashing, mowing and chemical treatment have the capacity to reduce the amount of flammable material on your property. The less fuel available to burn during a fire, the less intense the fire.

Natural features: such as rock outcrops usually have little flammable material on them. Natural features may be used in conjunction with other firebreak installation methods, such as linking them with constructed firebreaks and driveways, and as containment zones for hazard reduction burns.

Reticulation: Where specialized pastures are established under reticulation, this may, on application, be accepted in lieu of firebreaks provided the pasture is kept green.

RESTRICTED BURNING PERIOD 1

1 OCTOBER TO 31 OCTOBER 2022 (INCLUSIVE)

Permits to burn are required during this period for hazard reduction burning.

Alternative firebreak applications to be submitted by 1 October 2021.

Firebreaks **must** be installed by 15 October 2021.

Please note that penalties apply where burning regulations are contravened or permit conditions are not complied with.

PROHIBITED BURNING PERIOD

1 NOVEMBER 2022 TO 31 MARCH 2023 (INCLUSIVE)

All burning, including garden refuse is prohibited during this period.

Properties to be maintained clear of flammable material until 1 April 2022.

RESTRICTED BURNING PERIOD 2

1 APRIL TO 30 APRIL 2023 (INCLUSIVE)

Permits to burn are required during this period for hazard reduction burning.

Please note that penalties apply where burning regulations are contravened or permit conditions are not complied with.

Certain climate or weather conditions may cause these periods to be extended or shortened. You must check the press for details or call the Shire Office on **9031 1202** before commencing to burn.

TO REPORT ALL FIRES RING 000

Phil Marshall
Acting Chief Executive Officer

REGULATORY INFORMATION

PERMITS

Permits are required to burn bush or grass at any time during the Restricted Burning Period. Permits are available from the Shire of Laverton Administration Office.

INCINERATORS

Incinerators must not be lit during the Prohibited Burning Period. Incinerators may be lit at other times provided the Fire Danger Rating is not Very High to Catastrophic. Incinerators must be properly constructed and designed to prevent the escape of any sparks or burning material. They must be located in an area at least 2 metres away from any building or fence and from which all flammable material has been removed and kept cleared.

WELDING/CUTTING APPARATUS

If you are using a welder or operating a power operated abrasive cutting and or grinding disc of any kind, you must have at least one fire extinguisher present and be surrounded by a five metre firebreak.

INSPECTIONS

An inspection of properties to ensure fire prevention work and hazard removal measures have been carried out will be completed by an authorized officer on or after 15 October 2022.

GARDEN REFUSE

During the Prohibited Burning Period, garden refuse must **not** be burnt at any time.

During the Restricted Burning Period, garden refuse may be burnt during the day before 6 pm with a permit, subject to conditions.

Garden refuse may also be burnt without a permit after 6 pm during the Restricted Burning Period provided certain criteria are met. Set out below are legislative requirements from the *Bush Fires Act 1954* and the *Health Act 1911* in relation to burning together with a number of helpful suggestions. The legislative requirements have been prefixed with an asterisk. These as a minimum must be followed:

- * The pile of refuse does not exceed 1 cubic metre
- * An area 5 metres wide is cleared around the pile. (Lawn, driveways, paths etc. may be considered as cleared area)
- * The fire is only lit between 6:00 pm and 11:00 pm
- * The fire is completely extinguished by midnight
- * At least 1 person is in attendance at all times. There is a means of extinguishing the fire available at all times (e.g. garden hose, knapsack spray or fire unit)
- * The Fire Danger Rating is not Very High to Catastrophic
- * The smoke from your fire does not cause a nuisance to neighbors and or traffic
- * Do not burn plastics, other household or commercial waste
- * Do not burn wet or green piles of material at any time as this will cause excessive smoke.
- Only 1 pile is alight at one time
- You notify your neighbors of your intention to burn

During periods other than the Restricted or Prohibited Burning Periods, garden refuse may be burnt. For safety reasons you are encouraged to follow the same requirements stipulated above.

PENALTIES

Section	Offence	Penalty
33(3)	Failure to comply with bush fire notice	\$250
25	Offences relating to lighting a fire in the open air	\$250
15(2)	Applying to another bush fire control officer for permit where permit already refused	\$250
17(12)	Setting fire to bush during prohibited burning period	\$250
24(D)	Burning garden refuse when fire danger is extreme or very high	\$250
24(G)	Burning garden refuse contrary to Ministerial or local government prohibition or restriction	\$250
24B(3)(a)	Failure to produce permit to burn	\$100

Other penalties may apply as specified in the *Bush Fires (Infringements) Regulations 1978*. Major offences may result in court action with penalties ranging from \$2,000 to \$250,000 and/or imprisonment.

GENERAL INFORMATION

KEEPING YOUR HOME SAFE FROM FIRE

There are a number of ways you can keep your home safe from fire –

- Install smoke detectors in your home
- Clear vegetation away from the walls of your home
- Clear all rubbish and inflammable materials from around your home and create a circle of safety free from flammable material (save buildings, structures and fences)
- Store all firewood, timber, petrol etc well away from your home
- Prior to summer, clean all leaves and debris from your gutters
- Don't have flammable trees, such as conifers, near buildings
- Trim all branches that overhang the house, power lines and those that are close to windows and glass doors
- Fit wire insect screens or shutters to windows and glass doors