



SHIRE OF
WAROONA
SEA TO SCARP

Firebreak Notice 2023 - 2024



Report All Fires: Phone 000

1st October – 30th November: Permit Required

1st December – 31st March: No Burning

1st April – 15th May: Permit Required

Subject to change as advertised



SHIRE OF
WAROONA
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FIREBREAK NOTICE

Notice is hereby given to all owners and/or occupiers of land within the Shire of Waroona that the Council pursuant to the powers conferred in Section 33(1) of the *Bush Fires Act 1954* approved the following requirements at its Ordinary Council Meeting on 25 July 2023 to prevent the outbreak or spread or extension of a bush fire within the district.

Pursuant to Section 33 of the *Bush Fires Act 1954*, all owners and/or occupiers of land are required to carry out fire prevention work in accordance with the requisitions of this Notice on or before 30 November each calendar year or within fourteen days of the date of becoming the owner or occupier of the land, should this be after 30 November. All work specified in this Notice is to be maintained up to and including 15 May the following calendar year.

DEFINITIONS

For the purpose of this Notice the following definitions apply:

“Authorised Officer” means a person authorised by the Shire of Waroona and appointed as a Bush Fire Control Officer.

“Bushfire Management Plan” means a plan that has been developed and approved by the Shire of Waroona to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district.

“Driveway” means the point of access (driveway) to a habitable building that is accessible for both conventional two-wheel drive vehicles and firefighting appliances that is totally clear of all vegetation, trees, bushes, shrubs and other objects or things encroaching into the vertical clearance of the driveway. If a driveway to a habitable building is longer than 50 metres in length from a public road, a clear turn around area with a 10 metre radius is to be provided.

“Firebreak” means a strip of land that has been cleared of all trees, bushes, grasses and any other object or thing or flammable vegetation material to a trafficable surface leaving clear bare mineral earth. This includes the trimming back and removal of all overhanging trees, bushes, shrubs and any other object or thing over the vertical clearance of the fire break area. Firebreaks constructed on road verges do not constitute a legal firebreak.

“Fire Management Plan” has the same meaning as “bushfire management plan”

“Fuel Depot/Storage Area” 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 other manner in commercial quantities.

“Flammable Material” means any plant, tree, grass, vegetable, substance, object, thing or material (except living flora including live standing trees) that may or is likely to catch fire and burn or any other item deemed by an authorised officer to be capable of combustion.

“Habitable Building” means a dwelling, work place, place of gathering or assembly and includes a building used for storage or display of goods or produce for sale by wholesale in accordance with classes 1-9 of the Building Code of Australia.

The term habitable building includes attached and adjacent structures like garages, carports, verandahs or similar roofed structure(s) that are attached to, or within 6 metres of the dwelling or primary building.

“Outbuilding” means any structure, shed, building, storage facility or structure or alike built for any purpose outside of the definition of the “habitable structure” definition.

“Haystack” means any collection of hay including fodder rolls placed or stacked together that exceeds 100 cubic metres in size (e.g. 5m x 5m x 4m), whether in a shed, other structure or in the open air.

“Plantations” means any area of planted pines, eucalypt, hardwood or softwood trees exceeding 3 hectares in area.

“Shed” has the same meaning as outbuilding.

“Size” means a size of an individual parcel or lot of land as recorded in the Shire of Waroona property Rates Register or land database.

1 hectare = 10,000m² = 2.47 acres
1 acre = 4,046.86m² = 0.4046 hectare

“Trafficable” means to be able to travel from one point to another in a 4x4 fire appliance on a clear surface, unhindered without any obstruction that may endanger resources. A firebreak is not to terminate in a dead end without provision for egress to a safe place or a cleared turn around area of 17.5 metre radius.

“Vertical Clearance” means the height of the space above the full width of the firebreak or driveway that must be kept clear of all obstructions and vegetation to a minimum height of 4.5 metres from the ground.

“Zoning” means the land zoning description as recorded in the Shire of Waroona property Rate database.

Fire Prevention Requirements

1. All Land 4050m² or greater

- (a) A 3 metre wide firebreak shall be constructed and maintained inside all external boundaries as close as practicable, but within 50 metres of the boundaries so as to form a continuous firebreak around the land,
- (b) A 3 metre wide firebreak is to be constructed and maintained immediately surrounding all outbuildings, sheds, haystacks, groups of buildings and fuel depots/storage areas situated on the land,
- (c) A 3 metre wide driveway to be installed and maintained; and,
- (d) All flammable material within 20 metres of a habitable building is to be reduced and maintained to a height of less than 5 centimetres.

2. All Land less than 4050m²

- (a) All flammable material on the entire property is to be reduced and maintained to a height of less than 5 centimetres; and,
- (b) All land within this category definition requires a 3 metre wide private driveway to be installed and maintained.

3. Plantations

- (a) **Boundary Firebreaks** – All property boundaries must have a 15 metre firebreak installed. The outer 10 metres will be cleared of all flammable material while the inner 5 metres, i.e. that portion closest to the trees, may be kept in a reduced fuel state, i.e. by slashing or grazing grass to a height of less than 5 centimetres. This includes the trimming back of all overhanging limbs, bushes, shrubs and any other object encroaching into the vertical clearance above outer 10 metres of the firebreak area.
- (b) **Internal Firebreaks** – Plantation area must be subdivided into areas not greater than 30 hectares, separated by 6 metre wide firebreaks. This includes the trimming back of all overhanging limbs, bushes, shrubs and any other object encroaching into the vertical clearance of the firebreak area.
- (c) **Public Roads and Railway Reserves** – Firebreaks shall be constructed and maintained immediately inside any boundary that adjoins a public road and/or railway reserve. The specifications will be the same as for “Boundary Firebreaks” on Plantations.

- (d) **Power Lines** – Firebreaks shall be provided along power lines where they pass through or lie adjacent to Plantations. The specification of the width and the height of clearing shall be in accordance with Western Power specifications.
- (e) All Plantations shall comply with requirements contained in the Department of Fire and Emergency Services (DFES) Guidelines for Plantation Fire Protection.

4. Storage of Cut or Stockpiled Timber Products

On all land in the district except, land specified as Industrial, Non Ratable or Reserve Land the owner or occupier of the land shall not keep or permit to be kept any cut, stockpiled or windrowed timber products (manufactured or natural) unless the material is in piles of less than 15 metres long, 5 metres wide and 3 metres high. Every pile of cut, stockpiled or windrowed timber product larger than 12 cubic metres is to be completely surrounded by a 10 metre wide firebreak.

5. Variations

If it is considered to be impractical for any reason to clear firebreaks or establish other arrangements as required by this Notice, the owner or occupier of land in the district may apply for a variation prior to 14 November each calendar year to arrange an onsite inspection to discuss alternate methods of fire prevention. Variations may be approved by the Shire for a 1, 3 or 5 year period, subject to the owner and/or occupier of the land remaining the same. If a request to vary this Notice is not approved, the requirements of this Notice apply.

6. Bushfire Management Plans

Where a Bushfire Management Plan (BMP) exists for a specified area or property as required by the Local Planning Scheme or subdivision approval or for an individual or group of properties, compliance with all requirements of the BMP are required in addition to any further requirements within this Notice.

7. Special Works Order

The requirements of this Notice are considered to be the minimum requirement for fire prevention work not only to protect individual properties but the district generally.

A separate Special Works Order may be issued to individual landowners pursuant to Section 33 of the *Bush Fires Act 1954* to carry out further hazard removal and/or reduction work with respect to anything upon the land, where in the opinion of an authorised officer it is likely to be conducive to the outbreak and/or the extension of a bush fire.

8. Dates to Remember

Restricted Burning Time: 1 October to 30 November each year (inclusive) and 1 April to 15 May each year (inclusive, and as varied pursuant to Section 18 of the Bush Fires Act 1954).

Fire permits must be obtained from your relevant Bush Fire Control Officer for burning off during the restricted burning time. Prior to commencement of a burn you are required to notify the Shire of Waroona Administration Office of time/s, date/s and location number/s.

Prohibited Burning Time: 1 December to 31 March each year (inclusive, and as varied pursuant to Section 17 of the *Bush Fires Act 1954*).

The above dates are subject to variation and any alterations will be published in a local newspaper circulating within the district.

9. Penalties

The penalty for failing to comply with this Notice is a fine not exceeding \$5,000. 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 and/or occupier by the date required by this Notice.

BURNING OF GARDEN REFUSE

Notice is hereby given to all owners and/or occupiers of land within the Shire of Waroona that the Council pursuant to the powers conferred in Section 24G(2) of the *Bush Fires Act 1954* approved the following requirements at its Ordinary Council Meeting on 25 July 2023 to prohibit and impose restrictions on the burning of garden refuse within the district that would otherwise be permitted under section 24F of the Act.

The burning of garden refuse or rubbish is prohibited on all land 4,000m² and under in size during the Limited Burning Time that would otherwise be permitted under Section 24F.

For the purposes of this Clause 'Limited Burning Time' means 1 October each calendar year through until 15 May the following calendar year (inclusive, and as varied pursuant to Sections 17 & 18 of the *Bush Fires Act 1954*).

On land greater than 4,000m² in size the burning of garden waste and rubbish that would otherwise be permitted under Section 24F is prohibited absolutely during the Prohibited Burning Time.

The effect of this clause is that the burning of garden refuse or rubbish in an incinerator or on the ground on land that is 4,000m² or less in size is prohibited during the Limited Burning Time and the burning of garden refuse or rubbish in an incinerator or on the ground is prohibited on all land within the district during the Prohibited Burning Time.

In addition to the above restrictions, garden refuse burnt on the ground is burnt in accordance with this clause if –

- (a) there is no flammable material (other than that being burnt) within 5 metres of the fire at any time while the fire is burning;
- (b) the fire is lit between 6pm and 11pm and is completely extinguished before midnight on the same day;
- (c) at least one person is present at the site of the fire at all times until it is completely extinguished;
- (d) only one pile (up to one cubic metre in size) is burnt at a time;
- (e) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth; and,
- (f) the person intending to light the fire must telephone the Department of Fire and Emergency Services Communications Centre (COMCEN) immediately prior to igniting, on 9395 9209 or 1800 198 140, but excluding any time when there is in force a fire danger forecast issued for that place by the Bureau of Meteorology in Perth of 'catastrophic', 'extreme', 'high', or a Total Fire Ban (TFB) is in effect, or any other prohibition is in effect under the *Bush Fires Act 1954*.

CAMP AND COOKING FIRES

Notice is hereby given to all owners and/or occupiers of land within the Shire of Waroona that the Council pursuant to the powers conferred in Section 25(1a) of the *Bush Fires Act 1954* approved the following requirements at its Ordinary Council Meeting on 25 July 2023 that the lighting of camp or cooking fires is prohibited on all land within the Shire of Waroona during the Prohibited Burning Time.

This prohibition does not apply to a gas appliance which does not consume solid fuel comprising of a fire, the flame of which is encapsulated by the appliance.

This notice supersedes and replaces all previous Fire Break Notices published.

Mark Goodlet

Chief Executive Officer

Changes to the Australian Fire Danger Rating System

What is the Australian Fire Danger Rating System?

The Australian Fire Danger Rating System (AFDRS) Program is redesigning the forecasting of fire danger in Australia. The AFDRS is a project of national significance being developed collaboratively by each state and territory, and the Commonwealth government. It aims to improve public safety, reduce the impacts of bushfires and better support the community with nationally consistent ratings and messaging. The AFDRS will be implemented on 1 September 2022 across Australia. It will have impacts on when Total Fire Bans and Harvest Vehicle Movement Bans are put in place. Once implemented, the Shire of Waroona will need to update its Fire Break Notice and publish it on its website. Until then, the Fire Break Notice included in your Rates Notice will be in force.

What are Fire Danger Ratings?

Fire Danger Ratings describe the potential level of danger should a bushfire start. They provide people with information so that they can take action to protect themselves and others from the potentially dangerous impacts of bushfires. Ratings are calculated using a combination of weather forecasting and vegetation information. They do not indicate the chance of a fire occurring.

How is the AFDRS different from our current system?

The current Fire Danger Rating System is largely based on 60-year-old science applied on a large scale. New technology and research have greatly improved our ability to more accurately predict fire behaviour and the potential threat to the community.

The AFDRS will have four levels with action-oriented messages to encourage people to take action. The ratings and high-level messages are:

- 1.Moderate:** Plan and prepare.
- 2.High:** Be ready to act.
- 3.Extreme:** Take action now to protect life and property.
- 4.Catastrophic:** For your survival, leave bushfire risk areas.

Supporting messages, including localised information, will clearly explain what community response is required at each level. The AFDRS also introduces an 'off' or 'no rating' level (white strip under Moderate) for days where no proactive action is required. This does not mean that fires cannot happen, but that they are not likely to move or act in a threatening way.

What are the benefits of the AFDRS?

Currently, there are inconsistencies in how jurisdictions determine and communicate Fire Danger Ratings. By implementing a national system, wherever people are in Australia they will see and be able to access consistent fire danger advice, maximising their ability to understand and appropriately respond to conditions. The AFDRS will also apply eight of the most contemporary fire behaviour models. This will see us move to a Fire Behaviour Index (FBI) that provides a much more accurate scale of potential fire behaviour based on weather conditions and the applicable model. The following table lists the agreed FBI thresholds for each rating:

Name/Colour	Fire Behaviour Index Range	Suppression difficulty
MODERATE (Green)	12-23	Most bushfires in this category. Fires typically suppressed with direct, parallel or indirect attack.
HIGH (Yellow)	24-49	Initial attack success critical to prevent large fire development. Defensive suppression strategies.
EXTREME (Orange)	50-99	Defensive suppression strategies. High levels of threat to life/property. Safety of firefighters and community paramount.
CATASTROPHIC (Red)	100+	Unsafe for firefighters and community. Without initial attack success, likelihood of very large fire development is very high. High probability of loss of life and property.

What do residents need to know?

The move from six to four ratings, new names and thresholds, will change how Fire Danger Ratings are referenced within the *Bush Fires Act 1954*, *Bush Fires Regulations 1954* and *Bush Fires (Infringements) Regulations 1978*. DFES has been consulting with representatives across state and local government, agriculture and industry to identify and progress the required changes ahead of the nationally agreed 1 September 2022 implementation date.

Total Fire Ban

The primary justification for recommending the declaration of a Total Fire Ban (TFB) is based on the forecast Fire Danger Index (FDI) and resultant Fire Danger Rating (FDR). The State of WA is currently divided into the three TFB FDI indicator zones (Zone 1: FDI 50+, Zone 2: FDI 60+ and Zone 3: FDI 75+).

As the AFDRS will provide a Fire Behaviour Index (FBI) as a scale of fire danger that produces fine-scale information across a range of fuel types (compared to the existing two fuel types), there will not be a requirement for TFBs to be declared across separate zones. As the transition between the High and Extreme rating (50 FBI) is associated with erratic fire behaviour and an increased likelihood of community loss and significant consequences, it has been nationally recognised as the most appropriate threshold for a TFB declaration.

Harvest Vehicle Movement Ban

Currently during a TFB a Bushfire Control Officer MUST impose a ban, commonly referred to as a Harvest Vehicle Movement Ban (HVMB), on off-road activity for business, industry and agriculture if the FDI exceeds 35. However, as the AFDRS is based on the FBI rather than Grassland FDI (GFDI) and a new grassland model, an appropriate FBI/FDR threshold must be determined. Analysis was conducted to determine the range of weather combinations (temperature, relative humidity and wind speed) and fuel inputs (4.5 t/ha fuel load and 100% curing) that equate to a GFDI of 32. These same weather conditions when applied to the FBI algorithm, resulted in producing an average FBI of 40 which will become the new trigger under the AFDRS.

WA is currently leading the way in producing a tool that will allow for calculating an FBI to inform the requirement for a HVMB based on the new grassland model. The tool will be available on smart devices when either on or offline and will allow for the input of observed weather and grass curing conditions. dix 6

Burning under a Permit

Under the current system, burning during the restricted burning period is not permitted under a burn permit when the fire danger forecast reaches 'Very High' or above. Following detailed analysis work and understanding of the new science behind the AFDRS, the new 'High' rating has been identified as the most appropriate upper-level threshold for authorisation of burn permits under s.18 of the *Bush Fires Act 1954*, notwithstanding the requirements on a permit holder as set out in:

1. Section 38(17) of the *Bush Fires Act 1954*; and / or
2. Regulation.15B(7) of the *Bush Fires Regulations 1954*.

This is based on national recognition that planned burning is generally not recommended at the High rating (FBI 24 – 49) due to the potential that fire line intensity, spotting activity and rapidly spreading fires will pose a serious risk of burn escapes. A Fire Weather Officer will still be able to authorise the use of a permit at a rating of 'High' and above (i.e. an FBI of 24 or more) during the restricted burning period s.38(17).





SHIRE OF
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**Department of Fire
and Emergency Services**

General Enquires

08 9395 9300

Emergency Information

133 337 (13DFES)

**Department of Biodiversity
Conservation and Attractions**

General Enquires

08 9290 6100

**Shire of Murray & Waroona Ranger
and Emergency Services**

08 9531 7709

Permit Issuing Officers

Waroona Town & Hamel

John Twaddle

0417 974 611

Lake Clifton

Gareth Davies

0424 210 034

Preston Beach

Steve Thomas

0431 941 716

Don Bebbington

0400 894 660

Waroona West

Brad Lewis

0409 885 149

Gregory Lewis

0409 885 970

Report All Fires: Phone 000
emergency.wa.gov.au