

TO ALL RESIDENTS AND RATEPAYERS OF THE SHIRE OF  
WONGAN-BALLIDU

# FIREBREAK NOTICE

YOUR LEGAL RESPONSIBILITIES AND FIRE SAFETY  
INFORMATION

For information pertaining to this notice please contact the Shire office  
on:

Ph: 96711011 Fax: 96711230  
PO Box 84 WONGAN HILLS WA 6603  
Email: [shire@wongan.wa.gov.au](mailto:shire@wongan.wa.gov.au)  
Website: [www.wongan.wa.gov.au](http://www.wongan.wa.gov.au)

**SHIRE OF WONGAN-BALLIDU  
BUSH FIRES ACT 1954**

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required on or before the 13th day of October, to maintain an area of ground, of a specified width that is kept and maintained 'reasonably' clear of all material (living or dead) by scarifying, cultivating, ploughing or other means, and includes the pruning and removal of any living or dead trees, scrub or any other material that overhangs the cleared firebreak area to a vertical height of 4.5 metres from the ground until after the 31<sup>st</sup> day of March, on the land owned or occupied by you.

**1. WONGAN HILLS AND BALLIDU TOWNSITES**

- 1.1 All land zoned Residential; Rural Townsite and Commercial are required to reduce all annual grass and herbage to a height of not more than 75mm.
- 1.2 All land of less than 1 hectare (10,000 square metres) and zoned under the Town Planning Scheme as Rural Residential or Industrial are required to have all annual grass and herbage slashed or mowed to a height of not more than 100mm and construct a clear earth firebreak of not less than 2 metres in width immediately surrounding all buildings and/or haystacks situated on the land.
- 1.3 All land greater than 1 hectare (10,000 square metres) is required to construct a clear earth firebreak of not less than 3 metres in width immediately inside all external boundaries and immediately surrounding all buildings and/or haystacks situated on the land, and to reduce all annual grass and herbage to a height of not more than 100mm within 15 metres surrounding any building.

**2. FUEL DUMPS AND/OR DEPOTS**

All grass and flammable material is to be cleared from areas where fuel is stored and such areas are to be maintained free of grass and similar inflammable material until the 31st day of March.

**3. RURAL LAND**

Firebreaks of not less than three metres in width immediately inside and along the whole external boundaries of the properties owned or occupied by you. In addition, firebreaks of at least three metres in width are required surrounding, and not more than fifty metres from the perimeter of any building, group of farm buildings, haystack or fuel storage situated on the land.

**4. HARVESTING AND STRAW RAKING, BALING AND CHAINING OPERATIONS**

A person shall not operate any harvesting machine or header or undertake straw raking, baling or chaining activities in any crop or paddock during the restricted and prohibited period unless a readily mobile fire fighting unit containing a minimum of 400 litres of water capacity powered by an engine driven pump is in attendance in or adjacent to the entrance of the paddock being harvested, raked, baled or chained.

**5. STORAGE OF HAY AND STRAW**

All hay and straw stacks in the Shire of Wongan-Ballidu that are stored outdoors are no larger than 10,000 bales 4 x 4 foot or 12,000 bales 4 x 3 foot, with a height no greater than 7.5 metres high and distance between stacks a minimum of 40 metres of clear ground.

**6. GENERAL PROVISIONS**

*"Flammable Material"* means material that can be easily ignited, ie: dead or dry grass, leaves, timber, paper plastic and other material or things deemed by an authorised officer to be capable of combustion.

If it is considered to be impractical for any reason to provide firebreaks in the position or adhere to the provisions required by this notice, the written approval of a Bush Fire Control Officer must be obtained to prepare such firebreaks in an alternative position.

If permission is not granted by a duly authorised officer you shall comply with the requirements of this order.

A *"Total Movement Ban"* includes the movement of vehicles in paddocks, except vehicles carrying water to stock or inspecting water supplies to stock.

Harvesting is not permitted on Christmas Day and New Years Day. Harvesting is permitted on all Sundays and other Public Holidays except where a harvesting or movement ban has been imposed due to extreme weather conditions.

The penalty for failing to comply with this order is a fine of not more than one thousand dollars (\$1,000) and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed by this notice, if it is not carried out by the owner or occupier by the date required by this notice.

Up to date information on harvest bans can be obtained 24 hours a day by phoning the Harvest Ban Information line on **96 711 169** or via the Shire's website at [www.wongan.wa.gov.au](http://www.wongan.wa.gov.au)

The Shire of Wongan-Ballidu conducts aerial inspections of firebreaks.

**RESTRICTED BURNING PERIOD**  
**13 October 2016 to 14 November 2016**

**PROHIBITED BURNING PERIOD**  
**15 November 2016 to 13 February 2017**

**RESTRICTED BURNING PERIOD**  
**14 February 2017 to 31 March 2017**

For further information please contact the Shire Administration Centre on 9671 1011

STUART TAYLOR, Chief Executive Officer

**SUMMARY OF APPLICATION PROVISION OF SECTION 18 OF THE BUSH FIRES ACT 1954 AND  
REGULATION 15B**

- (6) Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless:-
- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
  - (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.
- (7) The person issuing a permit to burn under this section may, by endorsement on the permit:-
- (a) incorporate therein any additional requirements and directions considered necessary by him relative to the burning; or
  - (b) modify or dispense with any of the conditions prescribed for the purposes of this section in so far as those conditions are applicable to the burning.
- (8) The holder of a permit to burn under this section:-
- (a) shall observe and carry out any requirement or direction incorporated therein pursuant to subsection (7)(a);
  - (b) shall, where any prescribed condition is modified pursuant to subsection (5) or subsection (7)(b), comply with that condition as so modified;
  - (c) need not comply with any prescribed condition that is suspended or dispensed with pursuant to subsection (5) or (7)(b).
- (9) A permit issued under this section may authorise the owner or occupier of land to burn the bush on a road reserve adjoining that land.
- (10) (a) Subject to the regulations a local government may by resolution declare that within its district bush, may be burnt only on such dates and by such persons as are prescribed by a schedule of burning times adopted by the local government.
- (b) A person desiring to set fire to bush, within the district of the local government that has so resolved shall, by such date as may be determined by the local government, apply to the local government for permission to set fire to the bush, and the local government shall allocate a day or days on which the burning may take place.
- (c) The burning shall be done only on the day or days and in the manner specified by the local government and subject to the conditions prescribed for the purposes of this section except that any prescribed period of notice may be varied by the local government in order to enable the schedule of burning times adopted by it to be given effect to.
- (11) Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10 000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction.
- (12) A person who commits a breach of this section other than subsection (11) is guilty of an offence.

**Penalty: For a first offence \$4 500. For a second or subsequent offence \$10 000.**

## 15B. OBLIGATIONS OF PERMIT HOLDER

- (1) Subject to the Act a person who has obtained a permit to burn the bush under section 18 of the Act (in this regulation called "the permit holder") shall comply with the conditions set out in this regulation in relation to the burning of the bush.
- (2) The permit holder shall give notice of his intention to burn the bush upon land, or upon a part of land, to —
  - (a) the chief executive officer or a bush fire control officer of the local government in whose district that land is situated;
  - (b) the owner or occupier of all land adjoining that land;
  - (c) a forest officer if the bush is situated within 3 kilometres of forest land; and
  - (d) an officer or employee of each notifiable authority (if any), being an officer or employee who is apparently authorised to accept that notice.
- (3) The period of notice required under sub regulation (2) shall not be —
  - (a) more than 28 days; or
  - (b) less than 4 days unless the notice is given verbally in which case the minimum period of notice may be determined by mutual agreement.
- (4) Notice required to be given to an owner; occupier or other person under sub regulation (2) may be given by any of the following methods -
  - (a) by verbal communication or in writing as will ensure (except in the case mentioned in paragraph (c)) that every owner, occupier or other person is made aware of the intention to burn and the date and time thereof; or
  - (b) by delivering it at the premises on which the person to whom notice is to be given lives or carries on business or by leaving it with a person who is apparently over the age of 16 years who resides or is employed on the premises; or
  - (c) in the case of an owner or occupier of adjoining land who is not at the time residing on the adjoining land by posting, not less than 8 days prior to the first day on which it is intended to burn the bush, the notice by prepaid letter addressed to the last known place of abode or business of the owner or occupier.
- (5) A notice given under sub regulation (2) shall contain full particulars of the locality where the bush proposed to be burnt is situated.
- (6) Before setting fire to the bush the permit holder shall arrange for and provide, in order to assist in keeping the fire under control and preventing it from spreading beyond the land on which the burning is to take place, at least 3 able-bodied persons who shall be constantly in attendance at the fire from the time it is lit until no burning or smoldering fuel is within 30 metres of the perimeter of the firebreak surrounding the burnt area or, if there is no such firebreak, within 30 metres of the perimeter of the burnt area.
- (7) Where for any day, or any period of a day, specified in a notice given under sub regulation (2) the fire danger forecast issued by the Bureau of Meteorology in Perth in respect of the locality where the bush proposed to be burnt is situated is either "very high" or "extreme" the permit holder shall not burn the bush in the locality on that day or during that period but may burn the bush in the locality on the first day next following that day or that period on which the fire danger forecast issued by the Bureau of Meteorology is below "very high".
- (8) The permit holder shall not light a fire to burn the bush on a Sunday if the burning of bush on Sundays is for the time being prohibited in the district in which the bush is situated pursuant to regulation 15C (1).
- (9) The permit holder shall not light a fire to burn the bush on a day that is a public holiday in the district in which the bush is situated if the burning of the bush on that day is for the time being prohibited in that district pursuant to regulation 15C (2).

# PREPARE ACT SURVIVE

DON'T LEAVE THE DECISION TO EVACUATE UNTIL THE FIRES ARE SO CLOSE THAT YOU CAN'T GET OUT ANYWAY

Should I Stay or Go?

When bush fires are close, and you feel sure they'll reach your house, you must decide early whether to stay with your house or evacuate your family.

If you stay:

- Have you prepared yourself and house well for fire?
- Do you have sufficient emergency water supplies?
- Do you think you and your family could deal with the stress and tension of battling the fire?

If so you **may** have a chance of saving your home.

You may prefer to go:

- If you are not confident about the fire safety of your house.
- If you are worried about your children, elderly people or someone who's sick.
- If you suspect you could not cope with the stress of fighting the fire.
- If you know it is safe to leave and you have a firm destination.
- If you decide to evacuate, go early and make sure you know where you're heading.

**BE PREPARED!**

**ALL  
FIRE  
CALLS  
DIAL**

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## Emergency numbers

<b>Chief Bush Fire Control Officer – Ross Lane</b>	<b>9674 4005</b>	<b>0429 201 963</b>	<b>9674 4006</b>
<b>Deputy Chief Bush Fire Control Officers:</b>			
<b>Jarrood Hood</b>	<b>9674 1250</b>	<b>0428 247 930</b>	<b>9674 1250</b>
<b>Chris Wilding</b>	<b>9671 1183</b>	<b>0427 711 183</b>	<b>9671 1683</b>

## Fire Control Officers

Brigade	Home	Mobile	Fax
<b>Ballidu Fire Service</b>			
Jarrood Hood	9674 1250	0428 247 930	
Steve Whyte	9674 1261	0427 428 727	9674 1364
<b>Burakin Bush Fire Brigade</b>			
Ross Lane	9674 4005	0429 201 963	9674 4006
<b>Cadoux/Manmanning Bush Fire Brigade</b>			
Shayne Booth	9673 2008	0427 732 013	
<b>Lake Ninan/Hinds Bush Fire Brigade</b>			
Chris Wilding	9671 1183	0427 711 183	9671 1683
<b>Mocardy Bush Fire Brigade</b>			
Darren Sadler	9672 1025	0427 420 953	9672 1029
<b>Wongan Hills Fire &amp; Rescue</b>			
Ben Milton	9671 1971 (work) 9671 1311	0427 994 554	
Trent Breen	9671 1987		9671 1828

## Fire Weather Readers

Ross Lane	9674 4005	0429 201 963	9674 4006
Chris Wilding	9671 1183	0427 711 183	9671 1683
Jarrood Hood	9674 1250	0428 247 930	9674 1250

Harvest Ban Information Line      9671 1169