



CITY OF COCKBURN
FIRE CONTROL ORDER
2012 - 2013

Pursuant to the City of Cockburn (Local Government Act) Local Laws 2010 ("Local Laws"), all owners and occupiers of land within the City's district must clear firebreaks in accordance with Part IIA of the Local Laws which provide:

PART IIA – FIREBREAKS AND RELATED MATTERS

Interpretation

2A.1. In this Part, unless the context otherwise requires—

“**Act**” means the *Bush Fires Act 1954*;

“**Flammable Matter**” includes all form of vegetation both living and dead, and any other flammable materials and combustible matter;

“**Firebreak**” means ground which is cleared to a mineral earth standard in which all flammable material (which includes vegetation and with all overhanging branches, trees, limbs, etc to be trimmed back clear of the Firebreak area) has been removed and on which no flammable material (which includes vegetation) is permitted during the Firebreak period and the Firebreak must be the required width from the ground up in a vertical line with no restrictions;

“**Firebreak Period**” means the time between 30 November in any year until 31 March in the year following;

“**Trafficable**” means able to be driven around, unhindered, in a standard four-wheel drive vehicle.

Construction of Firebreaks

2A.2. All owners and occupiers of land within the district shall clear flammable matter from the land in accordance with the following requirements—

(1) As to land which is 2032m² or less in area, or which is zoned “**Residential**” under the town planning scheme, the owner or occupier is to remove all the flammable matter from the whole of the property, except living trees, shrubs, plants under cultivation and lawns, by slashing or mowing the matter to a height of not more than 50 millimetres, or otherwise to the satisfaction of Council or an authorised person, and the property is to be maintained to the standard so stated in this subsection for the duration of the period 1 October to 31 May each year.

(2) As to land, which is greater than 2032m² in area, shall have a trafficable firebreak three (3) metres in width cleared to mineral earth subject to the following requirements—

- (a) immediately inside all external boundaries of the land; and
- (b) immediately surrounding all buildings (if any) situated on the land; and
- (c) immediately surrounding all fuel dumps and ramps (if any) on the land; and
- (d) in any event, clear the firebreaks to the satisfaction of Council or an authorised person.

(3) In reference to subsection (2) all firebreaks must be cleared by the owner or occupier of land on or before 30 November in any year, and thereafter be maintained by the owner or occupier clear of flammable matter up to and including 31 March in the following year.

(4) Where an owner or occupier of land fails or neglects to comply with this Part of the Local Law within the time specified, an authorised person may with such employees and/or contractors, vehicles and machinery as the authorised person deems necessary enter upon the land and do all such things as necessary to comply with this Local Law and may recover costs and expenses of doing so as a due debt from the owner or occupier of the pursuant to the Act, in addition to any penalty which might be imposed.

Variation to Fire prevention Measures

2A.3. (1) If for any reason an owner or occupier considers it impractical to clear firebreaks in accordance with subsection (2) of section 2A.2, the owner or occupier may apply in writing to Council or an authorised person no later than 31 October in any year for approval to construct a firebreak in an alternative position on his or her land.

(2) If permission is not granted in writing by Council or an authorised person, the owner or occupier must comply with the requirements of this Local Law.

(3) An exemption or partial exemption granted by Council or an authorised person shall only remain in force until a change of ownership of the land immediately following the date of grant of the exemption or partial exemption.

(4) In reference to subsection (3) Council reserves the right, at any time, to revoke, alter or add to the provisions of a variation order.

Change of Land Ownership

2A.4. If a person becomes an owner or occupier of land within the firebreak period the owner or occupier must within fourteen (14) days of becoming the owner or occupier of land comply with this Part of the Local Law.

Enforcement of this Part

2A.6. A person who fails to comply with any provisions of this Part commits an offence and any fine or penalty shall be as prescribed by the *Bush Fires Act 1954*.

A copy of the Local Laws are available at the Council Offices or online at: <http://www.cockburn.wa.gov.au>

NO FURTHER WARNINGS OR EXTENSION OF TIME TO COMPLY WITH THIS FIRE CONTROL ORDER WILL BE GIVEN. THIS PROCEDURE WILL APPLY REGARDLESS OF WHETHER YOUR CONTRACTOR HAS BEEN ENGAGED OR NOT.

PERMITS

All AREA'S either RESIDENTIAL OR INDUSTRIAL

NO BURNING ALLOWED

AREAS ZONED RURAL AND OTHER AREAS

PROHIBITED BURNING PERIOD

1 December to 31 March
(No burning permitted)

RESTRICTED BURNING PERIOD

1st April – 30th November (permit required)

PERMITS TO BURN MUST BE OBTAINED PRIOR TO any BURNING

NOTE: These periods can be varied at the discretion of Council because of weather conditions. Permit holders are responsible to verify the current dates with the Council.

WITHOUT ANY EXCEPTION, NO FIRE may be lit on a day when the fire danger is declared as VERY HIGH, EXTREME or CATASTROPHIC

To determine what the fire danger level is, a person should ring 1196 for information. If there is any doubt of your responsibility in lighting a fire, of any type, the City of Cockburn should be contacted **before lighting**.

PERSONS WISHING TO OBTAIN MORE INFORMATION ON COUNCIL'S FIRE CONTROL ORDER OR TO OBTAIN A PERMIT SHOULD CONTACT RANGERS ON:

9411 3444

GENERAL INFORMATION

RESPONSIBILITY

Section 28 of the Bush Fire Act provides that where a bush fire is burning during the prohibited or restricted burning period, the occupier of the land shall take all possible measures to extinguish the fire whether he has caused the fire to be lit or not.

KEEPING YOUR HOME AND PROPERTY SAFE

The biggest danger is not always the raging bush fire but the rubbish in your own backyard.

DON'T FUEL FIRES!

- Don't have thick vegetation up to the walls of your home.
- Clear all flammable material from around houses, sheds and fences.
- Store firewood, timber, petrol and kerosene well away from fences.
- Don't have flammable trees such as conifers near buildings.
- Remove dead trees and branches.
- Rake up leaves, twigs and dead material regularly.
- Burn off dry grass and vegetation at the approved times and in the approved manner.
- Keep all gutters clean of vegetation or other debris

HINTS FOR BURNING

- Ensure you have a PERMIT. The City usually issues up to 3 three fire permits per year for up to 14 days each, but if there is vegetation that cannot be reasonably burnt within a one square metre pile further permits may be issued.
- Don't fuel a fire on a hot or windy day.
- Don't try to burn more than you can control.
- Inform your neighbours.
- Make sure smoke and sparks will not affect neighbour's washing or open windows.
- Cut or rake long grass around trees, buildings and fences before burning.
- Burn against the wind.
- On a sloping block burn from the top down.
- Have a hose or spray pack to dampen down fierce fires.

IN
THE EVENT
OF A FIRE
Please
Telephone
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Fire Law

Properties are inspected to ensure they comply with all fire laws.

If a person fails to comply they will be subject to legal action. This means either an on-the-spot \$250.00 fine or court prosecution.

Where properties do not meet fire prevention requirements the required work will be done by a Council contractor and you will receive an account for the work carried out. Payment of this account is YOUR responsibility.

These requirements can be enforced under the Bush Fire Act, which is State law.

FIRE CONTROL REGULATIONS



**Council Offices are located at
9 Coleville Cres
SPEARWOOD WA 6163**

**Postal Address
PO Box 1215
BIBRA LAKE DC 6965**

**PHONE 9411 3444
FAX 9411 3333**