

Shire of Augusta Margaret River

FIREBREAK NOTICE 2024-2025

BUSH FIRES ACT 1954

The following Notice is hereby given to all owners and/or occupiers of land within the Shire of Augusta Margaret River.

PURSUANT to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are hereby required and therefore ordered by the local government to carry out fire prevention work in accordance with the requirements of this Notice, on or before **30 November 2024**, and maintain the requirements up to and including **12 May 2025**, except for APZs which must be maintained all year round.

Inspections, appointments, education, and compliance

Owners and occupiers who would like an early inspection by appointment, for reasons including biosecurity, locked gates, and dangerous animals, or for an explanation on the requirements of this Notice, should contact Rangers as soon as possible and by no later than **1 November 2024**. Where inspections by appointment are not requested, Rangers are appointed as Bush Fire Control Officers with the power to enter land under the *Bush Fires Act 1954* and will be inspecting properties for compliance without further notice from **1 December 2024**.

People who do not comply with this Notice or a Variation to this Notice may be issued with an infringement Notice (\$250) or prosecuted with a penalty up to \$5,000. The Shire of Augusta Margaret River may carry out the required work on the land at the cost of the owner/occupier.

Requirements of landowners and occupiers:

1. All landowners/occupiers must comply with the requirements in **Part A** of this Notice.
2. Owners/occupiers of Residential lots 4000m² and under must comply with the requirements of **Part A** and **Part B**.
3. Owners/occupiers of Residential and Rural/Residential lots 4001m² and over must comply with the requirements of **Part A** and **Part C**.
4. Owners/occupiers of Rural lots (excluding Plantations, Vineyards, Orchards, and Groves) must comply with the requirements of **Part A** and **Part D**.
5. Owners/occupiers of Plantations, Vineyards, Orchards, and Groves must comply with the requirements of **Part A** and **Part E** or **F**, depending upon the land use.

Definitions of terms referred to in Parts A, B, C, D, E and F of this Notice

Asset Protection Zone (APZ) - means an area of low fuel load within 20 metres from the external walls of any habitable building.

Habitable Building - means any building people reside in and any other building within 6m of that building, but excludes a water tank.

Flammable Material - means accumulated fuel such as dry grass, leaf litter, twigs, branches, trash, dead trees, firewood, stored fuels, that can be easily ignited or is likely to catch fire and burn. It includes any other thing deemed by an authorised officer to be likely to catch fire but excludes living trees, growing bushes, and plants in gardens and/or lawns under cultivation.

Bushfire Management Plan (BMP) - means a plan prepared specifically for a property in satisfaction of a development approval or subdivision condition.

Driveway/Access Way - means the access route from a road reserve to a habitable building.

Firebreak - means an area of land that has been cleared of all trees, bushes, grasses, and any other object or thing which may be flammable, leaving a bare surface to a width specified under the requirements in Parts A, B, C or D with a 4 metre high vertical clearance.

Trafficable - means a firm, stable surface capable of allowing a 4WD fire appliance to enter, exit and turn any corner (10 metre radius) without reversing.

Variation - means an individual property-specific Firebreak Notice served by the Shire on an owner under s33(2) of the *Bush Fires Act 1954*.

Clearing permits and exemptions

Property owners that clear vegetation in compliance with this Notice will be exempt from the requirement to seek approvals or permits. Owners should attempt to minimise environmental impacts as much as possible and should contact the Shire if they believe that clearing beyond the requirements in this Notice are necessary to reduce fire risks or if they are aware of any protected flora or fauna. **Owners who clear beyond the requirements in this Notice without approval may be subject to prosecution.**

Variations to the requirements of this Notice

Where compliance with the Notice is not practical due to environmental considerations or site-specific constraints such as topography, water course or steep gradients, owners may apply to the Shire of Augusta Margaret River for a **Variation to the Notice**. Variations must provide an alternative means of meeting the objectives of the Notice, including bushfire risk mitigation and property access, considering site-specific constraints and advantages and not all properties will be able to accommodate Variations. Applications must be completed on the approved form, available upon request or downloaded via the Shire's website. Applications for a Variation must be submitted **before 1 November 2024 or after 1 May 2025**.

Part A - Requirements applying to all properties in the district of Augusta Margaret River:

1. Asset Protection Zone (APZ) - The fuel loading (flammable material) in the APZ is to be reduced and maintained to less than 2 tonnes per hectare. Trees must not be closer than 2 metres to a building, and trees must not overhang a building within 4 metres of the external roof. **APZ requirements apply to all properties (excluding Vacant lots), regardless of size, and must be maintained all year round.** (Note: Numerous online resources assist in identifying excessive fuel loading and ideal APZ standards. Rangers can also visit outside of inspection periods to provide property-specific advice.)
2. Bushfire Management Plan (BMP) - properties subject to an approved BMP must comply with the requirements of their BMP in addition to the requirements of this Notice. (Note: At the discretion of the Shire, Variations may be issued that exempt some owners from compliance with requirements in this Notice where they are meeting alternate methods and requirements for compliance in an approved Bushfire Management Plan.)
3. Driveway/Access Way - any property with a habitable building must have a driveway/access way that is a minimum of 4 metres wide up to a maximum of 6 metres wide with a minimum 4 metre vertical clearance and a turnaround area to allow emergency vehicles to access buildings on a property and exit. There must be no encroachment into the driveway by any vegetation (living or dead) or any other object, this includes gates, which if installed, must open the entire trafficable width of the driveway.
4. Firebreak - 2 metre wide firebreaks are required around all piles of garden refuse and/or wood stacks, fuel and fodder.
5. Gutters and Rooftops - All gutters and roofs must be free of excessive twigs, leaves, and plant material.

Part B - Additional requirements applying to Vacant lots 4000m² and under:

1. Vacant cleared land - grasses maintained by means of slashing/mowing/grazing to less than 10cm in height. Slashed/mowed grasses are to be removed from the lot.

Part C - Additional requirements applying to Residential/Rural Residential lots 4001m² and over:

1. Firebreak - 3 metre wide trafficable firebreaks must be maintained within 10 metres of all boundaries.
2. Vacant cleared land - grasses maintained by means of slashing/mowing/grazing to less than 10cm in height.

Part D - Additional requirements applying to Rural lots (excluding Plantations, Vineyards, Orchards, and Groves):

1. Firebreak - 3 metre wide trafficable firebreak must be maintained within 100 metres of a boundary that abuts a road reserve. Where land is actively grazed or maintained to less than 10cm, the firebreak within 100 metres of a boundary that abuts a road reserve may be reduced to 2 metres.
2. Grasses to be maintained – slashed/mowed/grazed to less than 10cm in height.

Part E - Additional requirements applying to Plantations:

1. Firebreak - 10 metre wide mineral earth firebreak around each cell or block. 3 metres must be trafficable.
2. Grasses to be maintained - slashed/mowed/grazed to less than 10cm in height.

Part F - Additional requirements applying to Vineyards, Orchards, and Groves:

1. Firebreak - 5 metre wide mineral earth firebreak around each cell or block. 3 metres must be trafficable.
2. Grasses to be maintained - slashed/mowed/grazed to less than 10cm in height.