

City of Cockburn Fire Control Order
Effective from 9 July 2015
First and Final Notice

Pursuant to *Section 33* of the *Bush Fires Act 1954* owners or occupiers of land situated within the City of Cockburn are required by law to comply with the prescribed Fire Control Order here within.

Definitions:

Authorised Officer	An officer appointed as a City of Cockburn Fire Control Officer.
Flammable Material	Any dead or dry grass, vegetable, substance, object, thing or material (except living flora including live and/ or habitat standing trees) that may or is likely to catch fire and burn or any other thing deemed by an Authorised Officer to be capable of combustion.
Prohibited Burning Time	The time period of each year where it is unlawful to set fire to the bush at any time. This time is normally from 1 December of each year until and including 31 March of the following year. This time may be amended, subject to prevailing seasonal conditions.
Restricted Burning Time	The time period of each year where it is unlawful to set fire to the bush without a valid Permit to Set Fire To The Bush issued by an Authorised Officer. This period normally is from 1 April until and including 31 May and from 1 October until and including 30 November of any year. This time may be amended, subject to the prevailing seasonal conditions.
Unrestricted Burning Time	The time period of each year where it is lawful to set fire to the bush at any time, in areas zoned rural under the City of Cockburn Town Planning Scheme. This time normally is from 1 June until and including 30 September. This time may be amended, subject to the prevailing seasonal conditions.
Firebreak Time	The time of each year where fire hazard reduction works must be maintained as specified in this Fire Control Order. This time is 1 November of each year until and including 15 April of the following year.

1 All property (vacant or developed) –less than 2032m²

To reduce the fire hazard on your land and to comply with the requirements of this Fire Control Order you are required to;

- 1.1 Have all flammable materials such as long dry grass and weeds slashed, mown or trimmed down by other means to a maximum height of 50mm across the entire property for the duration of this Firebreak Time; and
- 1.2 Remove all dead vegetation.

2 All property (vacant or developed) – 2032m² or greater

To reduce the fire hazard on your land and to comply with the requirements of this Fire Control Order you are required to;

- 2.1 Construct a Firebreak (as defined within section 3 of this order) immediately inside all external property boundaries, including those adjacent to roads, drains, rail reserves and any public open space reserves; and
- 2.2 Remove all dead vegetation surrounding and over all habitable buildings to a radius of 3 metres except living trees, shrubs, maintained green lawns and gardens under cultivation.

3 Firebreak Specifications

A Firebreak is an area of land cleared of flammable material, installed to minimise the spread or extension of a bush fire and to provide suitable access for fire fighting vehicles. The standards of a compliant Firebreak are as follows;

- 3.1 A Firebreak must be constructed of bare earth, stone, or sealed surfaces and be clear of all flammable materials to create a 3 metre wide trafficable surface;
- 3.2 Maintained lawn may occupy a Firebreak, providing it does not exceed 50mm in height during the Firebreak Time;
- 3.3 Overhanging branches must be pruned to provide a 4 metre vertical clearance above the full width of the Firebreak surface; and
- 3.4 A Firebreak must be a continuous trafficable path for a fire fighting vehicle, clear of any obstructions and must not terminate in a cul-de-sac (dead end).

4 Additional Works

Regardless of land size and location, the City of Cockburn or its Authorised Officer may require you to undertake additional works on your property to improve access and/or undertake further works where in the opinion of that Authorised Officer, these works would be conducive to preventing the outbreak and/or the spread or extension of a bush fire.

5 Fire Control Order Variations

A variation will be considered where the owner and/or occupiers believe it is impractical to meet the compliance requirements of this Fire Control Order. A firebreak variation application must be submitted in writing to the City of Cockburn for consideration before 1 October of each year. If approved, variations will be valid for three (3) years, unless a new variation has been approved or the property changes ownership during this time.

The City of Cockburn reserves the right to review, amend or revoke an existing variation in writing at any time. Should a request to vary the Fire Control Order requirements on your property not be approved in writing, this Fire Control Order must be complied with as applicable in its entirety.

6 Hazard Reduction Burning

During the declared Prohibited Burning Time owners and/or occupiers cannot undertake any bush or garden refuse burning activities.

During the declared Restricted Burning Time only, owners and/or occupiers may:

- 6.1 Apply for a permit to burn the bush for bush fire risk mitigation purposes, by following the conditions imposed on a permit to burn as issued by an Authorised Officer.
- 6.2 In areas zoned rural by the City's Town Planning Scheme, you may undertake burning of leaves, tree branches, and other dry vegetation in piles no larger than 1.0m³ in size, without a permit to burn, subject to the following conditions:
 - 6.2.1 No Flammable Material (other than that being burned) is to be within 5 m of the fire at any time while the fire is burning;
 - 6.2.2 the fire is lit between 6 p.m. and 11pm and is completely extinguished before midnight on the same day;
 - 6.2.3 at least one person is present at the site of the fire at all times until it is completely extinguished; and
 - 6.2.4 When the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

During the Unrestricted Burning Time, owners and/or occupiers in areas zoned rural under the City's Town Scheme may burn garden refuse and set fire to bush on their land without a permit 'To Set Fire To The Bush'. Burning of the bush must be in accordance with all relevant State legislative requirements.

Burning of garden refuse in areas not zoned rural shall not be undertaken within the City of Cockburn.

Burning of household waste is prohibited in all areas of the City of Cockburn.

7 Penalties

Failing to comply with this Fire Control Order will result in a penalty of up to \$5,000. A person in default is also liable whether prosecuted or not to pay the costs of performing the work directed by a City's Authorised Officer.

Any owner and/or occupier who engages a contractor to undertake works on their behalf is responsible to ensure that the works completed meet the requirements of this Fire Control Order.

Any Fire Control Order previously published by the City of Cockburn in the Government Gazette or in any Western Australian newsprint is hereby revoked.

By Order of Council