

Bush Fires Act 1954

Firebreak Variation Application



LANDOWNER DETAILS

Given Name/s _____ Surname _____

Postal Address _____

Email Address _____ Phone Number _____

I, the applicant considers it impractical to clear or construct firebreaks or carry out other fire prevention work in accordance with the Shire of Exmouth Firebreak and Fuel Hazard Reduction Notice ("The Notice") issued pursuant to *Section 33* of the *Bush Fires Act 1954* at;

Lot / Street No _____ Street _____

Locality _____ Property Size _____ m2

Please provide comments to support the requested variation and a formal plan detailing the alternative fire prevention measures proposed including photographs or maps of the area.

RATIONALE TO SUPPORT A VARIATION

ALTERNATIVE PREVENTION STRATEGIES PROPOSED:

Signature _____ Date _____

please submit this completed application form and all supporting documents of the area declared for a variation to the Shire of Exmouth.

Email: info@exmouth.wa.gov.au
Mail: PO Box 21, Exmouth WA 6707
In Person: Shire of Exmouth Administration; 2 Truscott Crescent, Exmouth

Failure to comply with the requirements of the Shire of Exmouth First and Final Firebreak Notice can result in a **\$250.00** modified penalty (infringement notice) being issued.

The maximum penalty under the *Bush Fires Act 1954* for failing to comply with the requisitions of a Notice under *Section 33* is a **maximum penalty of \$5,000**. Additionally, contractors' fees and administration costs may be recovered.

Firebreak Variation Guidelines



The following guidelines are acceptable categories for which a variation to firebreak may be applied for:

1. The topography makes the normal placement of a firebreak impractical or dangerous and alternative firebreak emergency access and fire prevention methods that meet the intention of the fire break order are provided and demonstrated
2. The topography/composition makes the normal methods of construction impractical (cap stone, rocky or waterlogged) and alternative firebreak emergency access and fire prevention methods that meet the intention of firebreak order ad is provided and demonstrated
3. An approved Bushfire Management Plan for the property is in place and is being conformed to and meets the intention of the fire break order and is provided and demonstrated
4. The firebreak variation only applies to a portion of the property that is reticulated lawn that is kept green and it can be demonstrated that it is maintained all year round.
5. The firebreak variation only applies to a portion of the property that is reticulated feed paddocks that is kept green and it can be demonstrated that it is maintained all year round
6. The variation only applies to the portion of the property that has reticulated garden beds, lawn, orchard or other accepted sustained cultivation, unless it is deemed by the Shire or its authorised officer that the fuel type/ loadings are a hazard. However, there must be a cleared access provided to enable emergency vehicular access to buildings and outbuildings and all parts of the property in accordance with Councils Firebreak Order
7. Where permission was previously granted to plant trees, where the firebreak would normally be placed and placement of the firebreak is in an approved alternative position that affords property emergency vehicle access and hazard management and prevention principles in accordance with Councils Firebreak Order
8. Firebreaks are provided in agreed alternative locations to negate natural obstructions
9. Constructed driveways may where authorised, substitute for firebreaks as a whole and is maintained clear of all obstructions and flammable materials at all times in accordance with Councils Firebreak Order.

IMPORTANT INFORMATION

All requests must be made by the property owner or person authorised to act upon the owner's behalf.

Individual requests are requested are required for each property and must be submitted on the approval document/ application form.

The authorising officer may be required to inspect the property prior to the variation being approved.

The authorising officer has the right to grant, refuse, alter or add any conditions to an application, where alterations or additions are applicable. Failure to comply within the timescales provided by the authorised office will result in the refusal of the application and prosecution if a firebreak has not been installed.