

Reference/s	Bushfire Act 1954 Local Government Act 1995 Shire of Cranbrook Corporate Business Plan 2021-2025 Shire of Cranbrook Strategic Community Plan 2021-2031 Shire of Cranbrook Strategic Resource Plan 2017-2032
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Date Proposed/Adopted	19 February 2014	Motion Number	14022014
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Reviewed and Amended	21 April 2022
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This policy supports the delivery of the Shire of Cranbrook Vision

That the Shire of Cranbrook is a proactive, sustainable, safe, friendly and prosperous place to be

PURPOSE

To reduce the risk of bushfire in the Shire of Cranbrook.

SCOPE

Elected Members, Employees and members of the public.

OBJECTIVE

- Reduce the risk of bushfire;
- To clearly articulate the legislative requirements for bush fire management; and
- To set operational guidelines for bush fire management.

PRINCIPLES

1. Chief Bushfire Control Officers Authority

That the Chief Bushfire Control Officer (CBFCO) be authorised to exercise all the powers conferred under the Bush Fires Act 1954 on behalf of the Shire of Cranbrook.

2. Annual Firebreak Notice

Pursuant to Section 33 of the Bush Fires Act 1954, action detailed in the Shire of Cranbrook Annual Firebreak Notice is required by owners and/or occupiers of ALL land in the Shire of Cranbrook. The penalty for failing to comply with this notice is a fine of not more than \$5,000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the required date.

It is the intention of the Shire to enforce the Firebreak Notice on ALL lots within the townsites and rural land.

3. Restricted Burning Period

- 1 October each year to 31 October each year; and
- 15 February each year to 30 April each year (all dates inclusive)

The law requires that a person shall not set fire to the bush during the Restricted Burning times unless they have:

- a. Obtained a permit in writing from a Fire Control Officer (FCO);
- b. Notified all neighbours and a FCO; and
- c. Notified a Department of Biodiversity, Conservation and Attractions - Parks and Wildlife Service (DBCA) officer if the fire will be within 3km of a DBCA Reserve.

The following conditions must be complied with when burning is carried out:

- a. At least three able bodied persons must be in attendance;
- b. The fire may not be lit on a day which a “catastrophic” “extreme” “severe” or “very high” danger forecast has been issued for the district;
- c. At least one fire unit must be in attendance; and
- d. Any other conditions that are prescribed by the FCO.

NO BLUEGUM OR PINE TRASH BURNING PERMITS WILL BE ISSUED UNTIL THE GRAPE HARVEST IS COMPLETED, ACCORDING TO THE FRANKLAND RIVER WINE MAKERS AND GRAPE GROWERS ASSOCIATION INCORPORATED, OR PERMISSION IS GRANTED BY THE CEO.

4. Prohibited Burning Period

- 1 November Each Year - 14 February Each Year (dates inclusive)

Only protective burning can be carried out during the Prohibited Burning time and under the following conditions:

- a. No burning permitted on Christmas Day (25 December);
- b. All burning must be carried out between the hours of 5.00pm and midnight of the same day;
- c. All conditions of Restricted Burning Period must be complied with; and
- d. A permit to burn must be obtained.

5. Varying Prohibited and Restricted Burning Times

That, pursuant to Sections 17(10) and 18(5)(c) of the Bush Fires Act 1954, the Shire Chief Executive Officer (CEO) and the CBFEO be authorised jointly the Council’s powers and duties under Section 17(7) and (8) and Section 18(5) of the Bush Fires Act in respect to varying the prohibited burning times and restricted burning times.

6. Firebreaks and Fuel Free Areas

Pursuant to the powers contained in Section 33 of the Bushfire Act 1954, residents / landowners are hereby required on or before the 15th day of November each year, to plough, burn, scarify, cultivate, chemically spray or otherwise clear firebreaks or fuel free areas and thereafter maintain them free of all flammable materials until the 15th day of April, each year in the positions and of such dimensions as detailed in the Shires Annual Firebreak Notice.

7. Refuse Site Firebreaks

That firebreaks around Shire refuse sites be installed annually.

8. Variation to Firebreak Notice – Firebreaks and Protection Measures

That pursuant to the provisions of the Shire’s Annual Firebreak Order and the Bush Fires Act 1954, the CEO in consultation with the local FCO is delegated authority to approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection measures on land, in consultation with the CBFCO.

9. Bushfire Radio Licences

That bushfire radio licenses be applied for and paid by the Shire. Application for new licenses to be accompanied by a recommendation from the captain of the bushfire brigade in which the radio will be utilised.

10. Christmas Day Harvest Ban

That there is an automatic Harvest and Vehicle Movement Ban on Christmas Day.

11. Harvest and Movement of Vehicle Bans – Exemptions

- a. That emergency service vehicles (i.e.: Western Power, Telstra etc.) and aircraft be permitted to enter paddocks and undertake their respective functions on days where a “movement of vehicle ban” has been imposed with the authorisation of the CBFCO and a Brigade Officer for that area provided they are accompanied by at least one operational firefighting unit with a water capacity of not less than 400 litres.
- b. That all main access roads to buildings and the area within the prescribed fire break order around those buildings be exempt from movement of vehicle bans restrictions.
- c. Landowners, government agencies and other organisations may apply to the Shire or its approved officer for other specified areas to be exempted from the movement of vehicle ban restrictions in extraordinary circumstances and under special conditions.

12. Spring Burning

Allow DBCA to undertake spring burning within the Shire on the proviso that yearly meetings are held prior to spring each year between DBCA, Shire of Cranbrook representatives, CBFCO and representatives from the Bokerup/Unicup Bushfire Brigade to discuss the planned burn program.

13. Fire Permits on Public Holidays / Long Weekends

Allow permit burns to occur on all Public Holidays / Long Weekends, excluding Christmas Day, in accordance with all normal provisions and restrictions.

14. Camping and Cooking Fires

- a. No camping or cooking fires are permitted within the Shire of Cranbrook during the Prohibited Burning Period 1 November to 14 February (dates inclusive);
- b. During the Restricted Burning Period 1 October to 30 October and 15 February to 30 April (dates inclusive):
 - i. a permit must be obtained from the local FCO for all camping and cooking fires on private property;
 - ii. additional written permission must be obtained from the Local Government

Chief Executive Officer for all camping and cooking fires located on Shire property and Shire managed reserves; and

iii. a camping and cooking fire is defined as:

- a solid fuel fire and/or barbeque which is contained in a designated fire pit or fire safe receptacle; or
- a wood fired pizza oven

that meet the safety requirements detailed in Section 25 (1)(a) of the Bushfires Act 1954. Camping and cooking fires not contained by one of the above mentioned practices, are not permitted.”

15. Sawmills

- a. That if sawdust or other fires are to burn over the weekend, there must be a person in attendance with a truck equipped for firefighting.
- b. That all sawmill fires in the area be put out during the prohibited burning period.

16. Unsupervised Stationary Engines

That there must be a 3.5m radius clear of all flammable matter around unsupervised stationary engines and an approved spark arrester be fitted to such engines.

17. Clover Harvesting

That Clover Harvesting permits are to be obtained from the CBFCO or local FCO and are subject to the same provisions and restrictions as other harvesting permits.

18. Direction to Burn Roadsides

- a. That the Shire request Fire Control Officers and Bushfire Brigade Officers to carry out protective burning of roadsides throughout the Shire under Section 38 (5) (a) of the Bush Fires Act.
- b. In the case of Main Roads, Brigades are to contact the CBFCO with their proposals prior to 45 days preceding commencement of Prohibited Burning Times, and the CBFCO will arrange through the Shire for a detailed program of burning to be submitted to Main Roads WA for approval.

19. Temporary Closure of Roads

That Council authorise the CBFCO or in the absence of the CBFCO the Hazard Management Agency (HMA) Incident Controller (IC), to close roads on a temporary basis for the purpose of bushfire control.

In exercising this policy, the CBFCO should immediately notify the Chief Executive Officer and / or Manager of Works, Main Roads WA (if applicable), and where necessary the local Police to assist with traffic control.

20. Timber Plantations

In consideration of commercial plantation planning approval applications and fire protection requirements, Council shall:

- a) Adopt the Guidelines for Plantation Fire Protection as developed by the Department of Fire and Emergency Services (DFES), formerly known as FESA;
- b) Adopt the Code of Practice for Timber Plantations in WA as developed by CALM and the Australian Forest Growers, and make specific reference in future plantation planning approvals that developers are required to adhere to the

principles of the Code of Practice.

21. Bush Fires Act Offences

The CEO is delegated general authority to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the CEO thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Act.

22. Fire Control Officer Training Requirements

All FCO's appointed within the Shire of Cranbrook are required to undertake the DFES Fire Control Officer Training prior to, or within 12 months, of their appointment.

23. Inappropriate Behaviours

Volunteers will be asked to leave training / meetings / fire incidents etc. if the behaviour that they are displaying is deemed inappropriate and unsafe by the officer in charge.

24. Training

The Shire of Cranbrook has selected as its basic training benchmark for its volunteers the following:

- Bush Fire Safety Awareness
- Bush Fire Fighting Skills

ROLES AND RESPONSIBILITIES

Elected Members

- Understand Elected Members responsibilities under the Bush Fire legislation;
- Support and adhere to the policies; and
- Adopt the Shire of Cranbrook Annual Fire Break Notice.

Chief Executive Officer

- Ensure that the Shire of Cranbrook Annual Fire Break Notice is adhered to by the community.

Community Emergency Services Manager

- Ensure that the Shire of Cranbrook Annual Fire Break Notice adheres to legislative and Shire policy requirements;
- Ensure that the Fire Break Notice is sent out with the annual rates notices to all landowners within the Shire, and is made available on request or via electronic copy; and
- Prepare agenda items to present to Council based on recommendations made by the BFAC at their meetings.

Chief Bushfire Control Officer and Bushfire Advisory Committee (BFAC)

- Make recommendations at the meetings of the BFAC to the Council that will promote the mitigation of potential bushfire threats to the community.

PROCEDURE ASSOCIATED WITH THIS POLICY

Principles 1, 2, 3, 4, 6, 10, 14, 15 and 17 be included in the Shire's Annual Fire Break Notice.