Shire of Exmouth

spoilt for choice

# FIREBREAK NOTICE

2026/27



www.exmouth.wa.gov.au

# BUSH FIRES ACT 1954 - SECTION 33

**NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND SITUATED IN THE SHIRE OF EXMOUTH**

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required on or before the 1st day of October, (or within fourteen days of your becoming owner or occupier of land should this be after the 1st day of October), to clear and maintain mineral earth breaks and reduce the fuel load from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all flammable material to the 30th day of April the following year.

LAND WITHIN THE TOWNSITE

Where the area of land is 2000 square metres (approximately 1/2 an acre) or less, all flammable material must be removed from the whole of the land. Grasses shall be slashed to a maximum height of 75mm.]

Where the area of land exceeds 2000 square metres, mineral earth breaks of at least three (3) metres in width must be cleared of all flammable material immediately inside and along the boundaries of the land.

LAND OUTSIDE TOWNSITE

For all buildings on land outside of the townsite, mineral earth breaks of at least three (3) metres in width must be cleared of all flammable material. These breaks are to be constructed around and within 20 metres of the perimeter of each building, and on such lands so to completely enclose the building envelope with such a firebreak.

## WATER SUPPLY PIPELINES AND INFRASTRUCTURE

All water supply pipelines and associated infrastructure must have mineral earth breaks not less than three (3) metres wide on both sides of the pipeline and all associated infrastructure and be cleared of all flammable material to prevent the spread of fire and damage to the pipelines or associated infrastructure. Access points must be installed and maintained to allow for Emergency Services access and maintenance use.

## POWERLINES AND POWER TRANSMISSION LINES IN TOWNSITES

Aerial hazards to power and power transmission lines must be maintained as per the guidelines issued by the Energy Safety - Department of Mines, Industry Regulation and Safety.

For power lines conducting less than or equal to 33,000 volts; ground fuels such as grasses and ground storey species must be cleared to a minimum of three (3) metres either side of a centre line created by the poles, or towers. The total cleared area must not be less than six (6) metres wide and the entire area must be maintained to the standard of a mineral earth break.

For power transmission lines greater than 33,000 volts, a mineral earth break of not less than five (5) metres in width must be maintained either side of the widest point of any arms or cross arms on the pole or tower. A mineral earth break of no less than five (5) metres width is to be maintained directly under the power line corridor. All power and transmission lines are to be maintained as per Australian Standard AS7000, to assist in minimizing the risk from sparks or arcing and shall be the responsibility of the owner of the transmission line.

# CLEARING WORKS

All clearing works must be performed to the satisfaction of a duly authorised Shire of Exmouth Bush Fire Control Officer.

The requirements of this Notice are the minimum standard of protection required. The Shire of Exmouth reserves the right to place further conditions upon individual land owners/occupiers as may be necessary to reduce the risk of fire.

Pursuant to Section 33(4) of the Act, where the owner and/or occupier of land fails or neglects to comply with the requisitions of this Notice within the times specified, the Shire may by its officers and with such servants, workmen and contractors, vehicles and machinery as the officers deem fit, enter upon the land and carry out the requisitions of this Notice which have not been complied with and pursuant to Section 33(5) of the Act, the amount of any costs and expenses incurred may be recovered from the owner and or occupier of the land.

If it is considered impracticable for any reason to clear firebreaks or to remove flammable material from the land as required by this notice, you may apply in writing to the Shire of Exmouth no later than the 25th October 2026 for permission to provide firebreaks in an alternative position or take alternative action to abate fire hazards on land.

Any approved application will be valid for one season only and applicants will need to re-apply for subsequent seasons.

**The Firebreak Variation Application** can be found here

https://www.exmouth.wa.gov.au/Fire-Regulations.aspx

# PENALTIES

The penalty for failing to comply with this notice is a fine of $5000 or a modified penalty of $250 per day.

The below are just some of the modified penalties that may be issued by the Shire of Exmouth and are 10% of the maximum penalty that may apply should a matter proceed to court.

| | |
|---|---|
| **Property not compliant on first inspection** | **Penalty of $250** |
| **Property not compliant on further subsequent inspections** | **Penalty of $250 + costs of works should a contractor be engaged to undertake works** |
| **Burning on restricted times without a permit** | **Penalty of $250** |
| **Failure to extinguish a bush fire** | **Penalty of $250** |
| **Failure to obtain a permit** | **Penalty of $250** |
| **Failure to state name and address** | **Penalty of $250** |

# DEFINITIONS

For the purpose of this Notice the following definitions apply:

*Act* means the *Bush Fires Act 1954*.

*Chief Bush Fire Control Officer* is a person appointed as the Chief Bush Fire Control Officer by the Fire and Emergency Services Commissioner pursuant to Section 38A of the Act

*Authorised Officer* is a person appointed by the Shire as a Fire Control Officer pursuant to Section 38 of the Act.

*Bush* includes trees, bushes, plants, stubble, scrub, and undergrowth of all kinds whatsoever whether alive or dead and whether standing or not standing and also a part of a tree, bush, plant, or undergrowth, and whether severed therefrom or not so severed.

*Council* means the Council of the Shire of Exmouth.

*Firebreak Period* means the time from 1 October until 30 April each year.

*Flammable Material* means material that can be easily ignited or burnt. i.e. dead or dry grass, leaves, timber, paper, plastic and other materials or things deemed by an authorised officer to be capable of combustion. Flammable material does not include green growing trees or live plants growing in a garden.

*Mineral Earth Break* means an area of ground, of a specified width that has all material (living or dead) removed by scarifying, cultivating, ploughing or other means removed to bare mineral earth, and includes the pruning and removal of any living or dead trees, scrub or other material that overhangs the cleared firebreak area to a vertical height of four (4) metres from the ground. A prepared fire break shall be trafficable.

*Shire* means the Shire of Exmouth.

*Trafficable* means able to be driven around, unhindered, in a standard four-wheel drive fire appliance.

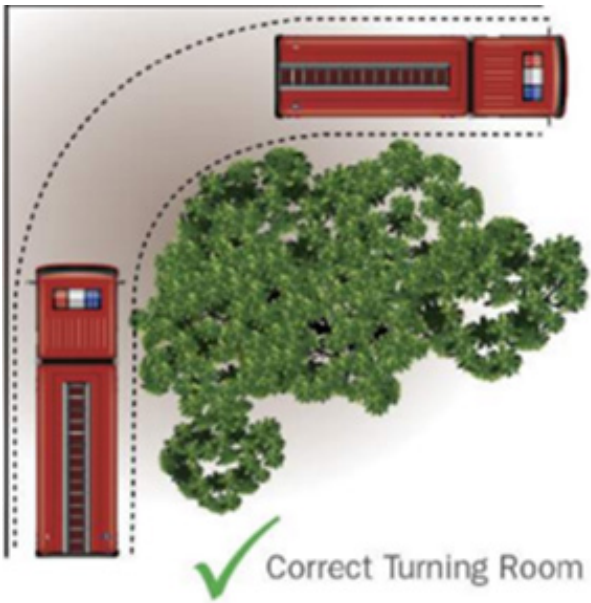


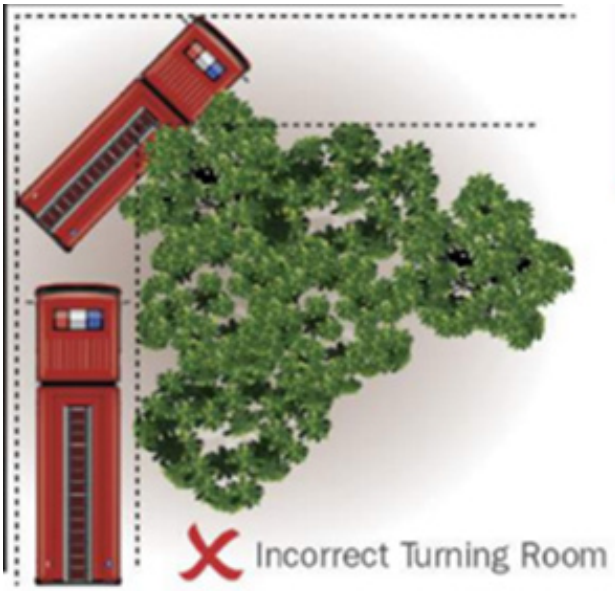

*Townsite Land* means land within the district that is within the boundary of the Town (and for the purposes of this definition "townsite" has the meaning given it in Section 6 (1) of the *Local Government Act 1995).*

**Firebreaks can**
Detour around single large trees without a variation (as long as you comply with the required dimensions of your firebreak). Be achieved by chemical application, ploughing or grading.

**Firebreaks can't**
Detour around multiple large trees without a variation.
Be outside the boundaries of your land. Be on roads, verges, bridle paths, footpaths, dual access ways or reserves.
Be an existing emergency access way unless it is on your land and required as a condition of planning approval.

**Do your firebreaks allow for turning room for emergency vehicles?**
Long emergency vehicles such as fire trucks need more room when they need to run a corner. Consequently, your firebreaks should be curved on the corners so that the fire truck can comfortably navigate any corner on your property in the event of an emergency where they require access to your property.






# RESTRICTED BURNING

The Shire of Exmouth is in a **RESTRICTED BURNING** period all year round,

This means that any fire over 1 cubic metre will require a permit to set fire to the bush irrespective to the time of the year.
Permits can be obtained by contacting ranger services on 9949 3000 or emailing info@exmouth.wa.gov.au

Fires over 1 cubic meter are **PROHIBITED** on any day when the Fire Danger Rating reaches High, Extreme or Catastrophic or when a Total Fire Ban has been declared regardless of whether you have a permit or not.

The fire danger rating is supplied daily by the Bureau of Meteorology. www.bom.gov.au

# WHAT IS A TOTAL FIRE BAN

- A Total Fire Ban (TFB) is declared on days of extreme weather or when widespread fires are seriously stretching firefighting resources.

- The need for the ban is assessed throughout the day and the ban may be revoked if weather conditions ease.

- A Total Fire Ban is declared the evening before it is to take effect. You should check the Emergency WA website after 6pm to see if a ban has been declared for the next day.
  www.emergency.wa.gov.au/#totalfirebans

- When a TFB is declared it prohibits the lighting of any fires in the open air and any other activities that may start a fire.

- The ban includes all open-air fires for the purpose of cooking or camping.

- It also includes incinerators, welding, grinding, soldering or gas cutting.



# INTERESTED IN BECOMING A VOLUNTEER WITHIN YOUR COMMUNITY?

Volunteer Fire Service Units are always on the lookout for new Volunteers. If you think you have what it takes to Volunteer within your community, please contact your local Brigade:

**Exmouth Volunteer Bushfire Brigade:**
Email: exmouthbfb@outlook.com

**Exmouth Volunteer Fire and Rescue:**
Ph: 9949 1664
Email: exmouthvfrs@vol.dfes.wa.gov.au






**MORE INFORMATION:**
**www.exmouth.wa.gov.au**