

SHIRE OF BOYUP BROOK

SECTION 33 NOTICE (*Bush Fires Act 1954*) Applicable Year - 2026/27

ANNUAL FIRE-BREAK AND HAZARD REDUCTION NOTICE

Pursuant to Section 33 (1) of the Bush Fires Act 1954, the Shire of Boyup Brook gives notice that the owners and/or occupiers of land within the district are required to undertake the following works on land owned or occupied by them.

1. COMPLIANCE PERIOD

All requirements specified in this notice **MUST** be in place by **30 November 2026** and maintained in the specified condition until **30 April 2027** the following year (inclusive), or as otherwise gazetted.

2. ENFORCEABLE REQUIREMENTS

For the purpose of this notice, "**Inflammable Matter**" includes dead grass, leaf litter, timber piles, firewood, dry vegetation, and any other material that is easily ignited and conducive to the spread of fire.

A. Residential & Townsite Lots (Under 4,047m²)

- Maintained and Living Lawn to be a height no greater than 50mm.
- Roofs, gutters, and downpipes on all buildings must be kept clear of inflammable matter.
- Remove all accumulated inflammable matter (leaf litter, dead branches and any other bushfire hazards as identified by an authorised Fire Officer) creating an Asset Protection Zone (APZ) **10 metres** around all habitable buildings.

B. Special Rural/Residential & Larger Townsite Lots (Over 4,047m²)

- Install a firebreak inside and along all external boundaries. Firebreaks must be a minimum of 3 metres wide, clear of all inflammable matter, and have a vertical clearance of 4 metres to allow emergency vehicle access.
- Roofs, gutters, and downpipes on all buildings must be kept clear of inflammable matter.
- Remove all accumulated inflammable matter (leaf litter, dead branches and any other bushfire hazards as identified by an authorised Fire Officer) creating an Asset Protection Zone (APZ) **10 metres** around all buildings.
- All driveways must be maintained to a minimum width of 3 metres with a 4-metre vertical clearance to allow emergency vehicle access.
- Ungrazed paddock grasses outside of the APZ must be maintained under a height no greater than 100mm.

C. Rural Land

On land zoned Rural under the Scheme, you must comply with either **Paragraph 1** OR **Paragraph 2** below:

1. Two-Firebreak System:

- a. Clear and maintain a **3-metre-wide bare earth firebreak** immediately around all buildings, homesteads, hay sheds, fuel storage areas, caravans, and mobile accommodation.
- b. Remove all inflammable matter and vegetation within this 3-metre-wide firebreak between the ground and 4 metres above the ground to allow for emergency vehicle access.
- c. Clear and maintain a **second 3-metre-wide bare earth firebreak** around all buildings, homesteads, hay sheds, fuel storage areas, caravans, and mobile accommodation, located not less than 20 metres nor more than 100 metres from the first firebreak.
- d. Remove all inflammable matter and vegetation within this second 3-metre-wide firebreak between the ground and 4 metres above the ground.

2. Asset Protection Zone (APZ) Alternative:

- a. Clear and maintain a **10-metre-wide** Asset Protection Zone (APZ) around all buildings, homesteads, hay sheds, fuel storage areas, caravans, and mobile accommodation.
- b. Remove all inflammable matter such as grass greater than 50mm in height, dead vegetation, firewood, or other specified inflammable matter, within the 10-metre wide APZ and 3 metres above the ground.

Note: Rural land (less than 40 hectares) adjacent to Special Rural properties:

Along with the above, you must clear and maintain a **3-metre-wide** bare earth firebreak immediately inside all external boundaries adjacent to Special Rural properties.

D. Plantations & Harvested Plantations

A plantation is defined as an area exceeding 3 hectares within a town site, or an area exceeding 20 hectares within a rural area, of trees planted for commercial purposes. The plantation status ceases once stumps are removed and the area is returned to agricultural production.

- **First Planting to First Harvest:** Firebreak requirements are those that applied for the fire season in which the plantation was approved by Council.
- **Subsequent Plantings/Post-Harvest:** Further plantings, post-harvest, or coppice regrowth, or until all stumps are removed, will be subject to the current annual firebreak requirements.

Subject to the above, on all land with a plantation, you must:

- Clear and maintain a **15-metre-wide bare earth firebreak** immediately inside all external boundaries if the plantation is within 50 metres of boundaries of separate land ownership, fences, bushland, and all formed public roads. Remove all inflammable matter and vegetation to a **height of 4 metres**.
- Clear and maintain a **6-metre-wide bare earth firebreak** immediately inside all external boundaries if the plantation is more than 50 metres from boundaries of separate land ownership, fences, bushland, and all formed public roads.
- Ensure all inflammable matter and vegetation adjoining the plantation greater than **4 metres above the ground** are pruned to maintain the specified height of the firebreak clearance.
- **Where a plantation is divided into compartments it must comply with Section 4.1 Compartment size and Layout: Guidelines for Plantation Fire Protection:**
 - A **6-metre-wide bare earth firebreak** between compartments must be cleared by removing all inflammable matter and vegetation within the 6-metre firebreak and between the ground and **4 metres above the ground**.
 - If compartments exceed 30 hectares, a **10-metre-wide bare earth firebreak** between compartments must be cleared by removing all inflammable matter and vegetation within the 10-metre-wide firebreak and between the ground and **4 metres above the ground**.
- Clear a **50-metre-wide Asset Protection Zone (APZ)** around all buildings and fuel storage areas by reducing and maintaining all inflammable matter such as grass, dead vegetation, or other specified matter and vegetation within the 50 metre APZ and between the ground and **4 metres above the ground**.
- Where power lines pass through the plantation, clear firebreaks in accordance with Western Power specifications (consult Western Power – phone 13 10 87).
- Any harvest residue heaps (slash piles) are to be a **maximum of 4 metres wide, 2 metres high, 50 metres long**, with a minimum **5 metres separation** between piles, **minimum 50 metres from any boundary** or native vegetation islands, and **minimum 20 metres from powerlines** or any areas of remnant vegetation and the first row of trees of any plantation.

3. BUSHFIRE MANAGEMENT PLANS (BMP)

Compliance with an approved Bushfire Management Plan does not remove the obligation to comply with this Notice unless the Shire has approved a written variation.

4. VARIATIONS

If it is considered impractical for any reason to clear firebreaks or implement hazard reduction measures as required by this notice, you may apply in writing to the Shire for a Variation. **Applications must be received by 1 November 2026.** If a variation is not granted, you must comply with the standard requirements of this notice.

5. PENALTIES FOR NON-COMPLIANCE

Failure to comply with this notice may result in a **\$250 infringement** or a **fine of up to \$5,000**. In addition, the Shire or its authorised contractors may enter the land to conduct the required works at the owner's expense, in accordance with section 33(4) of the *Bush Fires Act, 1954*.

For further information, please contact the Shire of Boyup Brook Emergency Services Team on **(08) 9765 1200**, email **shire@boyupbrook.wa.gov.au**, or visit www.boyupbrook.wa.gov.au/services/emergency-services/bushfire-control.

Leonard Long
Chief Executive Officer

FOR INFORMATION AND ADVICE ONLY

The information below does not form part of the enforceable Section 33 Notice.

BURNING TIMES & PERMITS

Dates are subject to seasonal change. Check the Shire website for current status.

Season	Dates (Approx)	Requirements
Restricted	9 October 2026 – 20 November 2026	Permit Required from FCO
Prohibited	21 November 2026 – 28 February 2027	NO BURNING ALLOWED
Restricted	1 March 2027 – 30 April 2027	Permit Required from FCO

GARDEN REFUSE

Under Section 24G, the burning of garden refuse is prohibited during the Prohibited Burning Time. During Restricted Burning Times, specific Shire local laws and permit conditions apply.

EQUIPMENT & PROTECTIVE CLOTHING

When conducting a permitted burn, it is highly recommended that participants wear long sleeves, long trousers (natural fibres), and sturdy boots. Ensure a functional fire unit or water source is on hand at all times.

LOCAL CONTACTS

For Fire Permit enquiries, contact your local Fire Control Officer (FCO) or the Shire Office during business hours.

INFORMATION

You can access all the above information on the Shire website under <<Services>><<Emergency Services>>

<https://www.boyupbrook.wa.gov.au/>

DEFINITIONS

Asset Protection Zone (APZ): An area of very low fuel levels surrounding a habitable building, extending a minimum of 10 metres out from any external walls, attached structures, or adjacent structures within 6 metres of that building. On sloping ground, it is recommended to increase at 1 metre for every degree in slope on exposed sides.

Firebreak: A strip of land free of all inflammable material intended to minimise bushfire spread and provide safe access for emergency vehicles. Clearance must be no less than 3 metres wide and 4 metres in height. Must be a continuous trafficable surface for a 4WD vehicle, clear of obstructions, and must not terminate in a dead end. Maintained, reticulated living lawns and driveways may be acceptable alternatives or in conjunction with mineral earth firebreaks; contact the Shire's Emergency Services Team for assistance.

Maintained and Living Lawn: Reticulated and/or considered to be kept completely green and mowed.

Fuel Load: Live and dead vegetation that accumulates over time. This Notice refers only to dead vegetation. Higher fuel loads increase flame height and fire intensity. Mulch piles, stored firewood, and burn piles contribute to fuel loading and must be stored safely away from assets, removed, or actioned as directed by a Fire Control Officer.

Fine fuels: Leaf litter, grasses, twigs (up to 6mm diameter), bark, etc.

Heavy (coarse) fuels: Branches, logs, stumps, etc.