



Burning on Private Property Policy

City Policy

Responsible Directorate: Corporate Services

Objective: To provide for the prevention and control of fires and to preserve local amenity.

1. Application:

This Policy shall apply to the burning of garden refuse and rubbish on private property within the City's district at all times.

2. Statement:

In order to prevent and control the spread of fires, the City does not support the burning of garden refuse or rubbish on private properties within its district.

3. Details:

3.1. Burning Garden Refuse and Rubbish:

In addition to, and in accordance with the provisions of the *Bush Fires Act 1954*, the following conditions shall apply to burning on private property.

- a. Burning of residential garden refuse and rubbish on private property and the use of incinerators are prohibited within the City of Joondalup at all times, excluding devices used for the purposes of cooking or heating.
- b. Permits for the burning of residential garden refuse and rubbish on private property and the use of incinerators will not be issued by the City.

Creation Date: June 1999

Amendments: CJ253-11/03, CJ094-06/10, CJ093-05/12

Related Documentation:

- *Bush Fires Act 1954*
- *Bushfire Prevention and Control Local Law 1998*
- *Government Gazettal Notice, No. 141, 23/7/10, p. 3,411*



PERTH, TUESDAY, 18 SEPTEMBER 2018 No. 142

PUBLISHED BY AUTHORITY KEVIN J. McRAE, GOVERNMENT PRINTER AT 12.00 NOON
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CONTENTS

PART 1

	Page
Bush Fires (Infringements) Amendment Regulations 2018	3511
Human Reproductive Technology (Licences and Registers) Amendment Regulations 2018	3512
Magistrates Court Rules Amendment Rules 2018	3515
Mining Amendment Regulations (No. 3) 2018	3516

PART 2

Agriculture and Food	3519
Deceased Estates	3529
Energy	3520
Fire and Emergency Services	3520
Justice	3521
Local Government	3521
Marine/Maritime	3526
Minerals and Petroleum	3527
Parliament	3527
Premier and Cabinet	3528

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE (No. 2) 2018

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice (No. 2) 2018*.

2. Commencement

This notice comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this notice is published in the *Gazette*;
- (b) the rest of the notice—on the day after that day.

3. The notice amended

The amendments in this notice are to the *Bush Fires (Restricted Burning Times) Notice 2012**.

[* Published in *Gazette* 3 February 2012, pp. 615-619.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the restricted burning times of the City of Joondalup, and inserting the following instead—

Restricted Burning Time	Zone of the State
1 January-31 December	City of Joondalup

DARREN KLEMM AFSM, FES Commissioner of the
Department of Fire and Emergency Services.

BUSH FIRES ACT 1954

City of Joondalup

PROHIBITION ON THE BURNING OF GARDEN REFUSE OR RUBBISH

Notice is hereby given that the City of Joondalup has resolved, pursuant to section 24G of the *Bush Fires Act 1954*, to prohibit, at all times during the year, the burning of garden refuse or rubbish, in an incinerator, on the ground, or by using any other apparatus, device or homemade construction, by any person on any land within the district of Joondalup.

GARRY HUNT PSM, Chief Executive Officer

Dated: 15 September 2020

BUSH FIRES ACT 1954

City of Joondalup

FIREBREAK NOTICE

Notice to all owners and/or occupiers of land situated in the City of Joondalup

To assist in the control of bushfires, and/or prevent the spread, or extension of a bushfire which may occur, all owners and/or occupiers of land within the City of Joondalup's district are required before the 31st day of October in each year, or within 14 days of becoming the owner or occupier of land if after that date, to remove from the land all flammable material and/or clear firebreaks in accordance with the following land areas and thereafter to maintain that land and firebreaks up to or including 31 May in the following year.

Terms and Definitions

- Flammable Material - means any plant, tree, grass, substance, object, thing or material that may or is likely to catch fire and burn or any other thing deemed by an authorised officer to be capable of combustion.
- Firebreak – means an area constructed to a trafficable surface that is kept and maintained totally clear of all flammable material.
- Trafficable – means to be able to travel from one point to another in a four-wheel drive fire appliance on a clear surface, unhindered without any obstruction that may endanger such fire appliances.

Pursuant to the provisions contained in section 33 of the *Bush Fires Act 1954*, the City of Joondalup sets out the following specifications:

Vacant land with an area of less than 2,000m²/0.2ha

- A firebreak, not less than 2m wide, must be cleared immediately inside and around all external boundaries of the land.
- All tree branches and shrubs that over-hang a firebreak must be trimmed back to a minimum height of 3m above ground level.
- After mowing or slashing is carried out, the height of the vegetation must not exceed 50mm over the entire area of the firebreak.

All land with an area of 2,000m²/0.2ha or more

- A firebreak, not less than 3m wide, must be cleared immediately inside and around all external boundaries of the land.
- All tree branches and shrubs that over-hang a firebreak must be trimmed back to a minimum height of 4m above ground level.
- After mowing or slashing is carried out, the height of the vegetation must not exceed 50mm over the entire area of the firebreak.

Land with buildings and with an area of 2000m²/0.2ha or more

- A firebreak, not less than 3m wide, must be cleared around all structures and immediately inside and around all external boundaries of the land.
- All tree branches and shrubs that over-hang a firebreak must be trimmed back to a minimum height of 4m above ground level.
- After mowing or slashing is carried out, the height of the vegetation must not exceed 50mm over the entire area of the firebreak.
- All buildings, including roofs, gutters and walls on the land must be free of flammable material.

Alternative Firebreaks

If a firebreak is impractical along your boundary for environmental or other reasons, property owners should notify the City in writing by 15 October to obtain permission for firebreaks in alternative positions or of a different nature. The above firebreak requirements will continue to apply to your property until and unless the City approves alternative firebreaks in writing.

Additional Works to Reduce Hazards

Regardless of land size and location, the City of Joondalup may require a property owner to undertake additional works on their property to improve access and/or undertake further works where in the opinion of the City, these works would be conducive to preventing the outbreak and/or spread or extension of a bushfire.

Prohibited and Restricted Burning Times

The prohibited burning period for the City of Joondalup, pursuant to section 17 of the *Bush Fires Act 1954* shall be between 15 December to 31 March inclusive each year.

The restricted burning period for the City of Joondalup, pursuant to section 18 of the *Bush Fires Act 1954* shall be all year round from 1 January to 31 December.

Permit to Burn

Burning is not permitted during the City of Joondalup's Prohibited Burning Times.

A permit to burn is required during the City of Joondalup's Restricted Burning Times.

Permit to burn applications must be made in writing and will be assessed on an individual basis. The City is under no obligation to issue a permit to burn.

Total Fire Ban and Fire Danger Rating

No fire of any kind may be lit on a day when the Department of Fire and Emergency Services (DFES) has declared a Total Fire Ban (TFB) and/or on a day when the forecast Fire Danger Rating (FDR) for the City of Joondalup is Very High or above.

PENALTIES

Failure to comply with this Firebreak Notice can result in fines up to \$250 and in the case of major offences may result in Court action with fines up to \$5,000.

GARRY HUNT PSM, Chief Executive Officer

Dated: 15 September 2020