

BUSHFIRES — LAND CLEARING

941. Hon NIGEL HALLETT to the Attorney General representing the Minister for Emergency Services:

Where a landowner's property adjoins public land, how much land can be cleared for bushfire protection if the land is classified as —

- (a) national park;
- (b) reserve land;
- (c) crown land; and
- (d) state forest?

Hon MICHAEL MISCHIN replied:

On behalf of the Minister for Emergency Services, I thank the honourable member for some notice of the question.

- (a) Refer to the Department of Parks and Wildlife.
I think this means that it should be referred to the department, so I presume what is being indicated is that the question should be directed to the Minister for Environment.
- (b) Under section 18(9) of the Bush Fires Act 1954, a permit issued under section 18 may authorise the owner or occupier of land to burn the bush on a road reserve adjoining that land.
- (c) Landholders are permitted to prepare and maintain permanent firebreaks on crown land bordering their property, other than road reserves, state forest and timber reserves. Subject to those exceptions, section 34(1) of the Bush Fires Act 1954 allows the owner or occupier of land bordering on crown land to enter upon that crown land to clear firebreaks, provided the firebreaks are no more than three metres wide and are within 200 metres of the landowner's boundary. Section 34 also allows the owner or occupier to burn the bush between those firebreaks and the boundary of their land, as long as they obtain a permit from a bushfire control officer—section 34(1AB)—and they do not contravene the prohibited and restricted burning periods.
- (d) Under section 34(2) of the Bush Fires Act 1954, the Conservation and Land Management Act chief executive officer can give notice in writing to the owner or occupier of land adjoining state forest to undertake mitigation works on part of the land of which he is the owner or occupier and which is nearest to the state forest. Furthermore, the owner or occupier of land adjoining state forest can reach an agreement with the CALM act CEO in regard to making firebreaks on state forest land.