



Changes to the *Bush Fires Regulations 1954*

Relating to Total Fire Ban Activities

A Guide for Business, Industry
and Public Authorities

dfes.wa.gov.au



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Total Fire Ban Exceptions

Bush Fires Regulations 1954

Changes to regulations

This information is to assist operators who previously required an exemption under section 22C of the *Bush Fires Act 1954* to carry out an activity in the open air during a total fire ban (TFB).

Who do the changes apply to?

Changes only apply to industry, business and public authorities who wish to carry out prescribed activities during a TFB.

Previously, these operators were required to apply to the Department of Fire and Emergency Services (DFES) for an exemption to carry out the activity.

Which activities do the changes apply to?

The activities affected which are now prescribed in the *Bush Fires Regulations 1954* (the Regulations) and will no longer require a TFB exemption are:

- **Blasting**
- **Fireworks**
- **Gas Flaring**
- **Hot Work**
- **Road Work (Grading and Bituminising)**
- **Off-road Activity**
- **Catering Activity**

You can access the fact sheets by clicking on the links on the DFES website at www.dfes.wa.gov.au.

When do the changes take effect?

Changes take effect as of 6 November 2019.

What does it mean for me?

Operators will no longer need to apply to DFES for an exemption to carry out the prescribed activities, but must comply with the conditions within the Regulations when carrying out the prescribed activities.

The conditions within the Regulations are detailed in the DFES Fact Sheets which can be found on the DFES website www.dfes.wa.gov.au.

Alternatively you can refer to the *Bush Fires Regulations 1954* at www.legislation.wa.gov.au.

Are there any activities which still require a TFB exemption application?

Yes – TFB exemption applications will still be required for any other activity that is not prescribed in the Regulations which could cause, or is likely to cause a fire. These include:

- **Programmed hot fire training**
- **Rail grinding**
- **Religious and cultural ceremonies.**

Exemption applications will still need to be completed for these activities.

Exemption applications can be found on the DFES website: <https://www.dfes.wa.gov.au/totalfirebans/Pages/TotalFireBanExemptions.aspx>

Please note, depending on operational priorities, applications may take up to 4 weeks to process. All exemption applications should therefore be submitted at least 4 weeks prior to the commencement of the activity/project.

Do I need to notify DFES when carrying out a prescribed activity during a TFB?

Yes - under the Regulations operators are required to notify DFES and the relevant local government at least 30 minutes prior to the activity commencing where a TFB has been declared in the area the activity is to be carried out.

How will I notify DFES?

Notification must be made via the online portal located on the DFES website, between 24 hours and 30 minutes prior to the activity commencing. This process will notify both DFES and the relevant local government.

Penalties for non-compliance with the activity conditions.

Operators who do not comply with conditions within the Regulations may receive an infringement of \$1,000, or upon conviction receive a penalty of \$25,000 and/or be jailed for 12 months.

Operator Responsibilities – Follow the Steps!

Check	<ul style="list-style-type: none">▪ Confirm if it's a TFB▪ DFES Total Fire Ban + www.dfes.wa.gov.au/totalfirebans▪ Phone: TFB hotline 1800 709 355
Notify	<ul style="list-style-type: none">▪ Notify DFES and the relevant local government by completing the DFES online notification form between 24 hours and 30 minutes prior to the activity commencing.▪ Notify Parks and Wildlife Service (P&W) between 24 hours and 30 minutes prior to the activity commencing where the activity is occurring within 3 kms of land managed by P&W.
Proceed	<ul style="list-style-type: none">▪ Subject to prescribed activity conditions, proceed with the activity as required.

Do I still need to apply for an exemption under section 25A of the *Bush Fires Act 1954*? (restricted and prohibited burning times)

Yes – if the activity involves the use of fire in the open air. Exemptions under section 25A of the *Bush Fires Act 1954* allow the lighting and/or use of a fire during the restricted and prohibited burning times declared by local governments.

Nothing has changed for section 25A requirements and the application process remains the same for the activities which require them.

N.B To conduct gas flaring during restricted and prohibited burning times, an application for a section 25A exemption will need to be submitted to DFES.

N.B To conduct cooking activities which involve the use of an open flame (except gas bbqs being used at a home or an area designated by a local government for the purpose), if the Fire Danger Rating is Very High or above, an application for a section 25A exemption will need to be submitted to DFES.

Benefits for operators:

- Reduction in red tape.
- No lengthy application process for prescribed activities.
- Simplified notification process via the online portal, easily accessible via the DFES website.
- Clearly outlined conditions for carrying out prescribed activities during a TFB.

Can anyone carry out the prescribed activities during a TFB?

No – the prescribed activity can only be carried out in the course of trade or commerce, or by (or on behalf of) a public authority. Prescribed activities are NOT allowed to be carried out during a TFB by the general public.

For more information on restrictions during a TFB, please refer to the DFES website <https://www.dfes.wa.gov.au/totalfirebans/Pages/TotalFireBanWhatCantIDo.aspx>

Who should I contact if I need further information?

Please call the Total Fire Ban Hotline (available 24/7) on 1800 709 355 or email exemptions@dfes.wa.gov.au during business hours.

Ways to keep informed of a TFB in your area are:

- Visit <https://www.emergency.wa.gov.au>
- Call the TFB Hotline on 1800 709 355
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
- Subscribe to RSS at the following link to receive email notifications: <https://www.emergency.wa.gov.au/#cap-rss>



Blasting

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out blasting in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out blasting during a TFB?

During a total fire ban, blasting (see definition) may only be carried out:

- in the course of trade or commerce; or
- by (or on behalf of) a public authority, and only when all of the following conditions are complied with:
 - ✓ Notification must be provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the blasting commencing using the online notification form on the DFES website.
 - ✓ If the blasting is to be carried out within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, notification must be provided to the respective local District or Regional Duty Officer from Parks and Wildlife between 24 hours and 30 minutes prior to the activity commencing.
 - ✓ Any directions issued by a bush fire control officer in respect of the prevention of fire at the blasting site must be complied with (regulation 39D(2) of the *Bush Fires Regulations 1954*).
 - ✓ The ground within a 10 m radius of any lit fuse or lit explosive must be clear of inflammable material.
 - ✓ At least one approved fire extinguisher (see definition) in proper working order must be located in close proximity to the person carrying out the blasting.

Definitions

Blasting means the use of explosives on land.

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
- ✓ a capacity of at least 9 L.

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
- Subscribe to RSS at the following link to receive email notifications
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Follow the steps!

Check	<ul style="list-style-type: none">• Confirm if it's a TFB• DFES Total Fire Ban + www.dfes.wa.gov.au/totalfirebans• Phone: TFB hotline 1800 709 355
Notify	<ul style="list-style-type: none">• Notify DFES and the relevant local government by completing the DFES online notification form between 24 hours and 30 minutes prior to the activity commencing.• Notify Parks and Wildlife Service (P&W) between 24 hours and 30 minutes prior to the activity commencing where the activity is occurring within 3 kms of land managed by P&W.
Proceed	<ul style="list-style-type: none">• Subject to prescribed activity conditions, proceed with the activity as required.

Can anyone carry out this activity during a TFB?

No – the prescribed activity can only be carried out in the course of trade or commerce, or by (or on behalf of) a public authority. This activity is NOT allowed to be carried out during a TFB by the general public. For more information on restrictions during a TFB, please refer to the DFES website <https://www.dfes.wa.gov.au/totalfirebans/Pages/TotalFireBanWhatCantIDo.aspx>

Penalties for non-compliance with activity conditions:

Stakeholders who do not comply with the conditions within the Regulations may receive an infringement of \$1,000, or upon conviction receive a penalty of \$25,000 and/or be jailed for 12 months.

Who should I contact if I need further information?

Please call the Total Fire Ban Hotline (available 24/7) on 1800 709 355 or email exemptions@dfes.wa.gov.au during business hours.

Fireworks Activity

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out fireworks in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out fireworks activity during a TFB?

During a total fire ban, fireworks activity (see definition next page) may only be carried out:

- in the course of trade or commerce, **AND ONLY WHEN:**
- the Fire Danger Rating is not Catastrophic, and
- all of the following conditions are complied with:

- ✓ Notification must be provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the fireworks commencing using the online notification form.
- ✓ If the fireworks are to be conducted within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, then notification to the respective local District or Regional Duty Officer of the Parks and Wildlife Service must be provided between 24 hours and 30 minutes prior to the commencement of the fireworks.
- ✓ The ground within a 10 m radius of the fireworks initiation point must be clear of inflammable material.
- ✓ At least one approved fire extinguisher (see definition next page) in proper working order must be located in close proximity to the fireworks initiation point.
- ✓ The number of approved firefighting vehicles (see definition next page) set out in the table must be located on the fireworks site (see definition next page), based on fuel tonnage on the fireworks site and the current Fire Danger Rating (see table above).

Fire Danger Rating	Fuel Tonnage/Approved firefighting vehicles (see definition) required			
	<10t/ha	10-15t/ha	15-20t/ha	>20t/ha
Low-Moderate	1	1	1	1
High	1	2	2	Banned
Very High	1	2	Banned	Banned
Severe	2	Banned	Banned	Banned
Extreme	Banned	Banned	Banned	Banned
Catastrophic	Banned	Banned	Banned	Banned

Note: the provision of firefighting vehicles for urban areas with a negligible quantity of bushland will be based on a fuel loading of 5t/ha

- ✓ If there is no reticulated water supply available within 1 km of the fireworks site, a bulk water tanker carrying at least 5,000 L of water must:
 - be on the fireworks site at all times during the fireworks activity; and
 - remain on the fireworks site for at least 30 minutes after the fireworks activity is completed.
- ✓ Each of the firefighting vehicles must be located on the fireworks site and manned by at least two firefighting officers (see definition next page) at all times during the fireworks activity.
- ✓ In addition to the firefighting officers, at all times during the fireworks activity, there must be at least one fire detection officer (see definition next page) on the site, dedicated solely to detecting and suppressing any fire caused by the fireworks activity.
- ✓ For at least 30 minutes after the fireworks activity is completed, the fire detection officer and the firefighting officers must remain at the fireworks site with the firefighting vehicle(s), and they must not leave until they are satisfied there is no fire or anything likely to cause a fire on the fireworks site.

Definitions

Fireworks activity means the use of fireworks in the open air.

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
 - ✓ a capacity of at least 9 L.
-

Fireworks site means:

- ✓ the place at which the fireworks are situated when they are initiated; and
 - ✓ any land surrounding the place upon which hot particles, sparks, uninitiated fireworks or other hazardous debris from the fireworks activity may fall.
-

Approved firefighting vehicle means a vehicle that:

- has one or more water storage tanks mounted upon it; and
 - is located in close proximity to the hot work; and
 - is capable of traversing the site; and
 - is equipped with:
 - at least 20 m of 19 mm diameter fire hose fitted with an adjustable nozzle in proper working order, having a full spray pattern capable of projecting a 6 m jet of water; and
 - a pump in proper working order that is capable of delivering a minimum of 120 L of water per minute at 700 kPa through the hose.
-

Firefighting officer means an able-bodied person who is trained in:

- ✓ the operation of firefighting vehicles; and
 - ✓ the suppression and fighting of bush fire.
-

Fire detection officer means an able-bodied person, other than the person initiating the fireworks, who must be trained in the operation of approved fire extinguishers

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
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TOTAL FIRE BAN EXCEPTIONS

– BUSH FIRES REGULATIONS 1954 (regulations 24V-24X)

Gas Flaring

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out gas flaring in the open air during a total fire ban (TFB).

What conditions do I need to comply with to carry out gas flaring during a TFB?

Note: To conduct gas flaring during restricted or prohibited burning times an exemption application will need to be completed and submitted to DFES for processing (section 25A of the *Bush Fires Act 1954*). This is because gas flaring involves the use of an open flame, which is prohibited during the restricted and prohibited burning times under section 25 of the *Bush Fires Act 1954*. (All exemption applications should be submitted at least 4 weeks prior to activity/project commencing).

During a total fire ban, gas flaring (see definition) may only be carried out:

- in the course of trade or commerce; or
- by (or on behalf of) a public authority,

AND ONLY WHEN:

- all of the following conditions are complied with:
 - ✓ Notification is to be provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the gas flaring commencing using the online notification form on the DFES website, unless the gas flaring is constant, unplanned or occurs as part of a safety mechanism (in which case notification is not required).
 - ✓ If the gas flaring is to be conducted within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, then notification to the respective local District or Regional Duty Officer of the Parks and Wildlife Service must be provided between 24 hours and 30 minutes prior to the commencement of the gas flaring, unless the gas flaring is constant, unplanned or occurs as part of a safety mechanism (in which case notification is not required).
 - ✓ The knock-out drums on all flares must be maintained to a standard that ensures they operate as designed.

- ✓ Any elevated flare used for gas flaring must be maintained to a standard that prevents the discharge of soot or any hot materials capable of igniting a fire.

Definition

Gas flaring means the controlled release, and burning, of gas from a well, gas processing plant or other industrial facility.

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
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Follow the steps!

Check	<ul style="list-style-type: none">• Confirm if it's a TFB• DFES Total Fire Ban + www.dfes.wa.gov.au/totalfirebans• Phone: TFB hotline 1800 709 355
Notify	<ul style="list-style-type: none">• Notify DFES and the relevant local government by completing the DFES online notification form between 24 hours and 30 minutes prior to the activity commencing.• Notify Parks and Wildlife Service (P&W) between 24 hours and 30 minutes prior to the activity commencing where the activity is occurring within 3 kms of land managed by P&W.
Proceed	<ul style="list-style-type: none">• Subject to prescribed activity conditions, proceed with the activity as required.

Can anyone carry out this activity during a TFB?

No – the prescribed activity can only be carried out in the course of trade or commerce, or by (or on behalf of) a public authority. This activity is NOT allowed to be carried out during a TFB by the general public. For more information on restrictions during a TFB, please refer to the DFES website <https://www.dfes.wa.gov.au/totalfirebans/Pages/TotalFireBanWhatCantIDo.aspx>

Penalties for non-compliance with activity conditions:

Stakeholders who do not comply with the conditions within the Regulations may receive an infringement of \$1,000, or upon conviction receive a penalty of \$25,000 and/or be jailed for 12 months.

Who should I contact if I need further information?

Please call the Total Fire Ban Hotline (available 24/7) on 1800 709 355 or email exemptions@dfes.wa.gov.au during business hours.

TOTAL FIRE BAN EXCEPTIONS

– BUSH FIRES REGULATIONS 1954 (regulations 24E-24J)

Hot Work

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out hot work in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out hot work during a TFB?

During a total fire ban, hot work (see definition next page) may only be carried out:

- in the course of trade or commerce; or
- by (or on behalf of) a public authority,

AND ONLY WHEN:

- the Fire Danger Rating is not Catastrophic, and
- all of the following conditions are complied with:
 - ✓ Notification is provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the hot works commencing using the online notification form on the DFES website.
 - ✓ If the hot work is to be conducted within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, then notification to the respective local District or Regional Duty Officer of the Parks and Wildlife Service must be provided between 24 hours and 30 minutes prior to the commencement of the hot work.
 - ✓ Welding screens must be in place around the hot works. Each welding screen must:
 - comply with Australian/New Zealand Standard AS/NZS 3957:2014; and
 - be high enough to prevent the escape of hot particles or sparks.
 - ✓ The ground within a 10 m radius of the hot work must be clear of inflammable material and damped down with water.
 - ✓ The work site must meet the requirements of any fire break notice (see definition next page) applicable to the work site.

- ✓ There must be at least two approved fire extinguishers (see definition next page) in proper working order located in close proximity to the hot work.
- ✓ If the hot work is carried out within 30 m of any bush, crop, pasture, stubble or grassland, then the amount of firefighting water set out in the table below must be provided on the work site, in a water tank(s) mounted to an approved firefighting vehicle(s) (see definition next page):

Fire danger forecast for the work site	Volume of firefighting water required (litres)
Low/Moderate	500 L
High	1000 L
Very High	1500 L
Severe	2000 L
Extreme	2500 L

- ✓ All firefighting vehicles must be on the work site at all times while the hot work is being carried out.
- ✓ If there is no reticulated water supply available within 1 km of the work site, there must be a bulk water supply tanker carrying at least 5000L of additional water located on the site at all times while the hot work is being carried out, and for at least 30 minutes after the hot work is complete.
- ✓ At all times when the hot work is being carried out, there must be at least one fire detection officer (see definition next page) in close proximity to the hot work, dedicated solely to detecting and suppressing any fire caused by the hot work.
- ✓ For at least 30 minutes after the hot work activity is complete, the fire detection officer and at least one other able-bodied person must remain on the site with the approved firefighting vehicle(s), and they must not leave until they are satisfied there is no fire or anything likely to cause a fire on the site.

Definitions

Hot work means the operation in the open air of:

- welding apparatus of any kind; or
- power operated abrasive cutting discs of any kind.

Fire break notice means a notice issued by the relevant local government under s33(1) of the *Bush Fires Act 1954*.

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
- ✓ a capacity of at least 9 L.

Approved firefighting vehicle means a vehicle that:

- has one or more water storage tanks mounted upon it; and
- is located in close proximity to the hot work; and
- is capable of traversing the site; and
- is equipped with:
 - at least 20 m of 19 mm diameter fire hose fitted with an adjustable nozzle in proper working order, having a full spray pattern capable of projecting a 6 m jet of water; and
 - a pump in proper working order that is capable of delivering a minimum of 120 L of water per minute at 700 kPa through the hose.

Fire detection officer means an able-bodied person, other than the person carrying out the hot work, who is trained in:

- the operation of approved fire extinguishers; and
- the operation of the approved firefighting vehicle located on the site; and
- the suppression and fighting of bush fire.

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
- Subscribe to RSS at the following link to receive email notifications
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TOTAL FIRE BAN EXCEPTIONS

– BUSH FIRES REGULATIONS 1954 (regulations 24Y-24ZG)

Road Work

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out road work in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out road work during a TFB?

During a total fire ban, road work (see definition next page) may only be carried out:

- in the course of trade or commerce; or
- by (or on behalf of) a public authority,

AND ONLY WHEN:

- the Fire Danger Rating is not Catastrophic, and
- all of the following conditions are complied with:
 - ✓ Notification is provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the road work activity commencing using the online notification form on the DFES website.
 - ✓ If the road work is to be conducted within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, then notification to the respective local District and Regional Duty Officer of the Parks and Wildlife Service must be provided between 24 hours and 30 minutes prior to the commencement of the road work.
 - ✓ There must be at least two approved fire extinguishers (see definition next page) in proper working order located in close proximity to the grading and/or bituminising equipment whenever that equipment is being used.
 - ✓ The bituminising and/or grading equipment (see definition next page) must not be used within 5 m of any inflammable material.
 - ✓ If there is less than 30 m between the road work and any bush, crop, stubble or grassland, then the amount of firefighting water set out in the table below must be provided on the road site, in a water tank(s) mounted to a road site firefighting vehicle(s), (see definition next page):

Fire danger forecast for the work site	Volume of firefighting water required (litres)
Low/Moderate	500L
High	1000L
Very High	1500L
Severe	2000L
Extreme	2500L

- ✓ Each road site (see definition next page) firefighting vehicle must:
 - be on the road site at all times during the road work; and
 - remain on the road site for 30 minutes after the road work is complete.
- ✓ If there is no reticulated water supply available within 1 km of the grading and/or bituminising equipment at any time that equipment is being used, a bulk water supply tanker carrying at least 5000 L of additional water must:
 - be located on the site at all times when the road work is being carried out; and
 - remain on the road site for at least 30 minutes after the road work is complete.
- ✓ If the grading and/or bituminising equipment is moving along the road, a road site firefighting vehicle manned by a fire detection officer (see definition next page) must:
 - travel with the equipment; and
 - remain within 30 m of the equipment at all times while it is moving.
- ✓ At any time, the grading and/or bituminising equipment is being used, even if it is not moving (for example, when loading / unloading heated bitumen), the road site firefighting vehicle must be located in close proximity to the equipment. However, the road site firefighting vehicle does not need to be manned if the grading and/or bituminising equipment is not moving.

- ✓ At all times when the road work is being carried out, there must be at least one fire detection officer (see definition) in close proximity to the equipment, who is dedicated solely to detecting and suppressing any fire caused by the road work.

Note: If the bituminising or grading equipment is moving along the road, the fire detection officer may be the person manning the road site firefighting vehicle moving with the equipment.

- ✓ Whenever the grading and/or bituminising equipment involved in the road work is not being used, it must be parked or located on an area that is clear of inflammable material.
- ✓ For at least 30 minutes after the road work is completed, the fire detection officer and at least one other able-bodied person must remain on the site with the road site firefighting vehicle(s), and they must not leave until they are satisfied there is no fire or anything likely to cause a fire on the road site.

Definitions

Road work means any (or a combination) of the following undertaken for the purposes of the construction, maintenance or repair of a road:

- the lighting, maintenance or use of fire in the open air to heat bitumen in bituminising equipment;
- the loading of heated bitumen onto or the unloading of heated bitumen from bituminising equipment;
- the application of heated bitumen to the surface of the road using bituminising equipment;
- the grading of the surface of the road using grading equipment.

Note: The use of any engine, vehicle, plant, equipment or machinery on any part of a road reservation, median strip or traffic island on which there is bush, crop, pasture, stubble or grassland is subject to the prescribed conditions for off-road activity.

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
- ✓ a capacity of at least 9 L.

Bituminising equipment means a bitumen tanker, bitumen sprayer, bitumen storage unit, mobile asphalt spray plant, mobile asphalt paver, pavement recycling machine or other similar piece of equipment.

Grading equipment means a grader, bulldozer, scraper or other similar piece of equipment.

Road site firefighting vehicle means a vehicle that:

- has one or more water storage tanks mounted upon it;
- and is capable of traversing the road site;
- and is equipped with:
 - at least 20 m of 19 mm diameter fire hose fitted with an adjustable nozzle in proper working order, having a full spray pattern capable of projecting a 6 m jet of water; and
 - a pump in proper working order that is capable of delivering a minimum of 120L of water per minute at 700 kPa through the hose.

Road site, in relation to road work, means the place at which the road work is carried out.

Fire detection officer means an able-bodied person, other than the person carrying out the road work, who is trained in:

- the operation of approved fire extinguishers; and
- the operation of the road site firefighting vehicle(s); and
- the suppression and fighting of bush fire.

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
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<https://www.emergency.wa.gov.au/#cap-rss>



TOTAL FIRE BAN EXCEPTIONS

– BUSH FIRES REGULATIONS 1954 (regulations 24ZH-24ZL)

Off-road Activity

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out off-road activity in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out off-road activity during a TFB?

During a total fire ban, off-road activity (see definition) may only be carried out:

- in the course of trade or commerce; or
- by (or on behalf of) a public authority,

AND ONLY WHEN:

- the Fire Danger Rating is not Catastrophic; and
- there is no ban under r.24C in force (i.e. a Harvest and Vehicle Movement Ban); and
- all of the following conditions are complied with:
 - ✓ Notification is provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the activity commencing using the online notification form on the DFES website.
 - ✓ If the off-road activity is to be conducted within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, then notification to the respective local District or Regional Duty Officer of the Parks and Wildlife Service must be provided between 24 hours and 30 minutes prior to the commencement of the off-road activity.
 - ✓ The internal combustion engine must be mechanically sound and have an exhaust system that:
 - is clean and free from gas leaks; and
 - is fitted with a suitable spark arrester that is maintained in a clean, sound and efficient condition (except for a motor vehicle).
 - ✓ At least one approved fire extinguisher (see definition) in proper working order must be carried on, or be in close proximity to, the engine, vehicle, plant, equipment or machinery (see definition) while in use.
 - ✓ At any time when the engine, vehicle, plant, equipment or machinery involved in the off-road activity is not being used or operated, it must be parked or located on an area that is clear of inflammable material.

Definitions

Off-road activity means the use or operation of any engine, vehicle, plant, equipment or machinery on land on which there is bush, crop, pasture, stubble or grassland.

Note: Off-road activity does not include the use of:

- grading or bituminising equipment; or
- any engine, vehicle, plant, equipment or machinery:
 - on a road; or
 - on a cleared lane, driveway, yard or other area that provides access and parking for a residential, business or farming premises; or
 - for the purpose of preventing an immediate and serious risk to the health or safety of a person or livestock; or
 - as part of an agricultural activity.

There are other conditions prescribed in the *Bush Fires Regulations 1954* which applies to these activities during a total fire ban.

Engine, vehicle, plant, equipment or machinery means any engine, motor vehicle, plant or machinery that is, or that is activated by, and internal combustion

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
- ✓ a capacity of at least 9 L.

Ways to keep informed of a TFB:

A TFB is declared the evening before it is to take effect. You can check after 6.00pm to see if a TFB has been declared for the following day.

- Call TFB hotline 1800 709 355
- Visit <https://www.emergency.wa.gov.au>
- Call 13 DFES (133 337)
- Listen to ABC local radio and other media outlets
- Check roadside Fire Danger Rating signs
- Follow DFES on Facebook or Twitter
- Subscribe to RSS at the following link to receive email notifications
<https://www.emergency.wa.gov.au/#cap-rss>

Follow the steps!

Check	<ul style="list-style-type: none">• Confirm if it's a TFB• DFES Total Fire Ban + www.dfes.wa.gov.au/totalfirebans• Phone: TFB hotline 1800 709 355
Notify	<ul style="list-style-type: none">• Notify DFES and the relevant local government by completing the DFES online notification form between 24 hours and 30 minutes prior to the activity commencing.• Notify Parks and Wildlife Service (P&W) between 24 hours and 30 minutes prior to the activity commencing where the activity is occurring within 3 kms of land managed by P&W.
Proceed	<ul style="list-style-type: none">• Subject to prescribed activity conditions, proceed with the activity as required.

Can anyone carry out this activity during a TFB?

No – the prescribed activity can only be carried out in the course of trade or commerce, or by (or on behalf of) a public authority. This activity is NOT allowed to be carried out during a TFB by the general public. For more information on restrictions during a TFB, please refer to the DFES website <https://www.dfes.wa.gov.au/totalfirebans/Pages/TotalFireBanWhatCantIDo.aspx>

Penalties for non-compliance with activity conditions:

Stakeholders who do not comply with the conditions within the Regulations may receive an infringement of \$1,000, or upon conviction receive a penalty of \$25,000 and/or be jailed for 12 months.

Who should I contact if I need further information?

Please call the Total Fire Ban Hotline (available 24/7) on 1800 709 355 or email exemptions@dfes.wa.gov.au during business hours.

dfes.wa.gov.au



FOR A SAFER STATE

TOTAL FIRE BAN EXCEPTIONS

– BUSH FIRES REGULATIONS 1954 (regulations 24ZM-24ZR)

Catering Activity

Prescribed activity and conditions

This information is to assist persons who would otherwise require an exemption under section 22C of the *Bush Fires Act 1954* to carry out catering activity in the open air during a total fire ban (TFB).



What conditions do I need to comply with to carry out catering activity during a TFB?

During a total fire ban, catering activity (see definition next page) may only be carried out in the course of trade or commerce, and only when:

- the Fire Danger Rating is not Catastrophic, and
- all of the following conditions are complied with:
 - ✓ Notification must be provided to DFES and the relevant local government between 24 hours and 30 minutes prior to the catering activity commencing using the online notification form on the DFES website.
 - ✓ If the catering activity is to be carried out within 3 km of land managed by the Department of Biodiversity, Conservation and Attractions' Parks and Wildlife Service, notification must be provided to the relevant local District or Regional Duty Officer of the Parks and Wildlife Service between 24 hours and 30 minutes prior to the catering activity commencing.
 - ✓ The ground within a 10 m radius of the catering activity must be clear of inflammable material.
 - ✓ Any chimney on the catering appliance must be fitted with a suitable spark arrester that is maintained in a clean, sound and efficient condition.
 - ✓ If the catering appliance consumes solid fuel, then the burning fuel must be sealed from the open air by a secure, sealable door.

- ✓ An approved fire hose (see definition next page) capable of covering the entire area around the catering activity within a 20 m radius must be readily assessable on the site, connected to:
 - a reticulated water supply; or
 - if there is no reticulated water supply available at the catering site, a storage tank containing a minimum of 400L of water (this can be either on the ground or mounted on a vehicle) and attached to a pump in proper working order that is capable of delivering a minimum of 120L of water per minute at 700kPa through the hose.
- ✓ At least two approved fire extinguishers (see definition next page) in proper working order must be located within close proximity to the catering activity.
- ✓ At all times when the catering activity is being carried out, and for at least 30 minutes after it is completed, an able-bodied person trained in the operation of approved fire extinguishers must remain on the catering site (see definition next page), and must not leave until they are satisfied that any burning solid fuel in the appliance has been extinguished and there is no fire or anything likely to cause a fire on the catering site.

Note: The able-bodied person may in this case be the catering operator, provided they are trained in the use of approved fire extinguishers.
- ✓ Once the catering activity is completed, if there is any burning solid fuel (such as coal, briquettes or wood) in the appliance it must be completely extinguished before the appliance is transported from the catering site.

Definitions

Catering activity means any of the following activities undertaken for the purpose of cooking food:

- the use in open air of an appliance that consumes solid fuel;
- the use in the open air of an appliance comprising fire;
- the use in the open air of a cooking process which produces fire (for example, flambéing).

Note: Catering activity does not include the use of an enclosed gas barbeque at a person's home or in a designated barbeque area where there is no combustible material within 5 m of the barbeque.

Approved fire hose means a fire hose that is:

- ✓ at least 20 m in length; and
 - ✓ at least 19 mm in diameter; and
 - ✓ fitted with an adjustable nozzle having a full spray pattern capable of projecting a 6m jet of water.
-

Catering site, in relation to catering activity, means the place at which the catering activity is carried out.

Approved fire extinguisher means a fire extinguisher that has:

- ✓ a 2A:10B:E fire rating; and
 - ✓ a capacity of at least 9 L.
-

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