

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:

Note: essential services can continue road work during catastrophic FDR if the work is urgent work (see definition).

- ✓ 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 above 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)
No rating	500L
Moderate	1000L
High	1500L
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.

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- ✓ 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 for an activity means a fire extinguisher suitable to extinguish a fire likely to occur in relation to the activity; and has a capacity of at least 9 kg or 9 L; and complies with the current Australian Standards.

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.

Private road means a driveway, or a road or track that is not open to, or used by, the public.

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.

Road means a road as defined in the Road Traffic (Administration) Act 2008 section 4; or a private road; but does not include any part of a reservation, median strip or traffic island on which there is bush.

Essential Service means any of the following: water supply, sewerage or drainage services; electricity or gas services; telecommunications services; public transport services; rubbish collection or disposal services

Urgent works, in relation to the provision of an essential service, means repairs or maintenance necessary for the continued provision, or restoration, of the service

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>

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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.emergency.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 www.dfes.wa.gov.au/totalfirebans

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



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