

## 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
- 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!

<b>Check</b>	<ul style="list-style-type: none"><li>• Confirm if it's a TFB</li><li>• DFES Total Fire Ban + <a href="http://www.emergency.wa.gov.au/#totalfirebans">www.emergency.wa.gov.au/#totalfirebans</a></li><li>• Phone: TFB hotline 1800 709 355</li></ul>
<b>Notify</b>	<ul style="list-style-type: none"><li>• 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.</li><li>• Notify Parks and Wildlife Service (P&amp;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&amp;W.</li></ul>
<b>Proceed</b>	<ul style="list-style-type: none"><li>• Subject to prescribed activity conditions, proceed with the activity as required.</li></ul>

## 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](http://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](mailto:exemptions@dfes.wa.gov.au) during business hours.