

Application to Set Fire to Bush on land in the City of Armadale

Permit to Burn

A Permit to Burn is required for the burning of any bush, large quantities of garden rubbish or refuse between 1 October and 30 November, and 1 April and 31 May inclusive.

To obtain a permit please complete this application and submit to the City at least three business days prior to the intended burn period via email info@armadale.wa.gov.au or in person to the City's Administration Centre.

Once the application has been assessed, a copy of the permit and conditions will be issued to the permit holder, either by email or for collection from the City's Administration Centre during office hours.

Garden refuse may be burnt on the ground without obtaining a permit in accordance with *section 24F (3) of the Bush Fires Act 1954*. Garden refuse burned on the ground is burned in accordance with this subsection if —

- (a) there is no inflammable material (other than that being burned) within 5 m of the fire at any time while the fire is burning; and
- (b) the fire is lit between 6 pm and 11 pm and is completely extinguished before midnight on the same day; and
- (c) at least one person is present at the site of the fire at all times until it is completely extinguished; and
- (d) when the fire is no longer required, the person ensures that the fire is completely extinguished by the application of water or earth.

Application to Burn Assessment Criteria (Please tick appropriate box)

1. Are you the owner of the property that you are intending to burn on? If you answer No , you must get the property owner to complete the application.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Is the land less than 1,200 square metres?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Is the property where the intention to burn on, located within 3km of forest land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Is the material to be burned subject to land clearing, a land development site or commercial waste?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. Is the material to be burned green garden waste, wet, contains plastics, tyres, chemicals, containers or the like	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Is there sufficient running water and hoses available at the site where the burning will take place? Refer to condition 3 of the <i>Terms and Conditions</i> .	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7. Have you previously applied for and had your Permit to Burn revoked, or committed an offence under the Bush Fires Act 1954? If you answered Yes please provide further information below on why the permit was revoked or action taken against you under the Bush Fires Act 1954.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Date Permit to Burn is required for? (Maximum period of fourteen (14) days.

Date From:

Date To:

Applicant Details (It is a requirement that this section is completed in full by the owner of the property)

Name:

Address:

Lot No:

House No:

Street:

Suburb:

Contact numbers:

Email:

Permit Holder Details (If the permit is to be issued in a name different from the applicant, please complete the details below. If the applicant and permit holder are the same write as above)

Name:

Address:

Lot No:

House No:

Street:

Suburb:

Contact numbers:

Email:

Property information

What is your property size?
(Total area of land in metre square)

Estimated Volume of materials to be burned
(cubic metre)

m³

Material to be burned?

Please advise the number of able bodied persons who will be assisting with the burn. Min three (3) people.

Declaration

I _____ of _____ confirm that I have read, understand and meet all the assessment criteria required to obtain a Permit to Burn and acknowledge when approval is received in writing by the City's Ranger Services Department, that I agree to comply with all the [Terms and Conditions](#) contained in the permit and the City's [Environment, Animals And Nuisance Local Laws 2002](#).

Signature:

Date:

Office Use Only

Parcel Number:

Permit Approval Number Issued:

Permit issued by Ranger:

Date issued:

Terms and Conditions for Permit to Burn Application

The permit is not valid during a declared prohibited burning time and is issued subject to the provisions of section 46 of the *Bush Fires Act 1954* and may be revoked or suspended by a Bush Fire Control Officer if, in his opinion, the fire, if lit, would become a source of danger.

A Bush Fire Control Officer is not compelled to inspect an area to be burnt before issuing a Permit to Burn. The onus lies on the person not only to comply with the provisions of the *Bush Fires Act 1954*, but also to ensure there is no danger of the fire escaping. The issue of this permit in no way affects that responsibility.

Plan and any special conditions to be observed:-

1. Before commencement of burning you must notify the following agencies/persons, as advised by the City's approving Fire Control Officer, when your permit is issued:
 - Department Of Fire & Emergency Services (DFES) (08) 9395 9209
 - City of Armadale Ranger Services (08) 9394 5900
 - Department of Biodiversity, Conservation and Attractions (DBCA) (08) 9290 6100
 2. Prior to lighting a minimum of four (4) days' notice must be given to all owners/occupiers of adjoining land unless verbal agreement is reached with all neighbours. Where verbal agreement cannot be reached then notification/s must be in accordance with r.15B (3) (see over).
 3. A five (5) metre firebreak clear of flammable material shall be installed completely surrounding the area being burnt.
 4. A minimum of three (3) able bodied persons must be in attendance at all times until the fire is completely extinguished.
 5. Working garden hose/s able to reach the entire burn area with sufficient running water or a firefighting appliance with a minimum of five hundred (500) litres, fitted with at least twenty (20) metres of nineteen (19) millimetre diameter rubber hose and a pump capable of delivering one hundred and twenty (120) litres of water per minute is to be available.
 6. Immediately prior to lighting the fire the permit holder must either telephone the Western Australian Bureau of Meteorology (BOM) 1300 183 341 or visit the following websites www.bom.gov.au or www.emergency.wa.gov.au to obtain the latest fire weather forecast information.
 7. This permit is suspended on days where the Fire Danger Rating is "High" or above for the Fire Weather District in which the fire is to be lit, or where a Total Fire Ban and/or a Harvest and Vehicle Movement Ban has been declared.
 8. Do not burn if winds exceed 12km/hour, (i.e.sufficient wind to blow leaf litter along the ground).
 9. Burning not permitted during any period where a "Haze Alert" has been issued by BOM for the Perth metropolitan area.
 10. All fires need to be fully extinguished by 12 midnight the same day, the fire is not permitted to burn / smoulder overnight.
 11. Burning is not permitted on Sundays and Public Holidays in accordance with clause 49(2) (a) of the *Environment, Animals and Nuisance Local Law 2002*.
 12. Do not burn any material likely to cause a smoke nuisance, including plastic, rubber, green garden waste or wet material.
 13. Do not permit the escape of smoke to such quantity or nature as to be a nuisance to any person.
 14. Burning material cleared from a building or development site is strictly prohibited.
 15. Do not burn on the verge without written permission from the City of Armadale.
 16. Observe all of the conditions on the reverse.
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**SUMMARY OF APPLICATION PROVISIONS OF SECTION 18 OF THE BUSH FIRES ACT 1954 AND
REGULATIONS 15B OF THE BUSH FIRES REGULATIONS 1954**

Section 18. – Restricted burning times may be declared by FES Commissioner

- (6) Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless –
- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
 - (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.
- (7) The person issuing a permit to burn under this section may, by endorsement on the permit –
- (a) incorporate therein any additional requirements and directions considered necessary by him relative to the burning; or
 - (b) modify or dispense with any of the conditions prescribed for the purposes of this section in so far as those conditions are applicable to the burning.
- (8) The holder of a permit to burn under this section –
- (a) shall observe and carry out any requirement or direction incorporated therein pursuant to subsection (7)(a);
 - (b) shall, where any prescribed conditions is modified pursuant to subsection (5) or subsection (7)(b), comply with that condition as so modified;
 - (c) need not comply with any prescribed condition that is suspended or dispensed with pursuant to subsection (5) or (7)(b).
- (11) Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10,000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction.
- (12) A person who commits a breach of this section other than subsection (11) is guilty of an offence.
- Penalty: For the first offence \$4,500.
- For second or subsequent offence \$10,000.

Regulation 15B. – Permit to burn holder, duties of

- (1) Subject to the Act a person who has obtained a permit to burn the bush under section 18 of the Act (in this regulation called the **permit holder**) shall comply with the conditions set out in this regulation in relation to the burning of the bush.
- (2) The permit holder shall give notice of his intention to burn the bush upon land a part of land to –
- (a) the chief executive officer or a bush fire control officer of the local government in whose district that land is situated; and
 - (b) the owner or occupier of all land adjoining that land; and
 - (c) a forest officer if the bush is situated within 3 km of forest land; and
 - (d) an officer or employee of each notifiable authority (if any), being an officer or employee who is apparently authorised to accept that notice.
- (3) The period of notice required under subregulation (2) shall not be –
- (a) more than 28 days; or
 - (b) less than 4 days unless the notice is given verbally in which case the minimum period of notice may be determined by mutual agreement.
- (4) Notice required to be given to an owner, occupier or other person under subregulation (2) may be given by any of the following methods –
- (a) by verbal communication or in writing as will ensure (except in the case mentioned in paragraph (c)) that every owner, occupier or other person is made aware of the intention to burn and the date and time thereof; or
 - (b) by delivering it at the premises on which the person to whom notice is to be given lives or carries on business or by leaving it with a person who is apparently over the age of 16 years who resides or is employed on the premises; or
 - (c) in the case of an owner or occupier of adjoining land who is not at the time residing on the adjoining land by posting, not less than 8 days prior to the first day on which it is intended to burn the bush, the notice by prepaid letter addressed to the last known place of abode or business of the owner or occupier.
- (5) A notice given under subregulation (2) shall contain full particulars of the locality where the bush proposed to be burnt is situated.
- (6) Before setting fire to the bush the permit holder shall arrange for and provide, in order to assist in keeping the fire under control and preventing it from spreading beyond the land on which the burning is to take place, at least 3 able-bodied persons who shall be constantly in attendance at the fire from the time it is lit until no burning or smouldering fuel is within 30 m of the perimeter of the firebreak surrounding the burnt area or, if there is no such firebreak, within 30 m of the perimeter of the burnt area.
- (7) Where for any day, or any period of a day, specified in a notice given under subregulation (2) the fire danger forecast issued by the Bureau of Meteorology in Perth in respect of the locality where the bush proposed to be burnt is situated is either “catastrophic”, “extreme”, or “high” the permit holder shall not burn the bush in the locality on that day or during that period but

may burn the bush in the locality on the first day next following that day or that period on which the fire danger forecast issued by the Bureau of Meteorology is below "high"

- (8) The permit holder shall not light a fire to burn the bush on Sunday if the burning of bush on Sunday is for the time being prohibited in the district in which the bush is situated pursuant to regulation 15C(1).
- (9) The permit holder shall not light a fire to burn the bush on a day that is a public holiday in the district in which the bush is situated if the burning of the bush on that day is for the time being prohibited in that district pursuant to regulation 15C(2).

Record Keeping

- a. The applicant acknowledges that the information held or compiled by the City of Armadale in relation to this application are subject to the City's Record Keeping Requirements as per the [State Records Act 2000](#).

Freedom of Information

- a. The applicant acknowledges that the information held or compiled by the City of Armadale in relation to this application are subject to the [Freedom of Information Act 1992](#).

Mick McIntosh
Fire Control Officer
City of Armadale