

Part IV—Control and extinguishment of bush fires

Division 1—Local governments

[Heading amended by No. 14 of 1996 s. 4.]

35A. Terms used

In this Division, and in section 41 —

bush fire means a fire or potential fire, however caused, and includes a fire in a building;

loss or damage does not include loss or damage that is caused by or results from theft, reasonable wear or tear, mechanical or electrical breakdown, failure or breakage;

normal brigade activities means the following activities when carried out by a volunteer fire fighter —

- (a) the prevention, control or extinguishment of bush fires;
- (b) any act or operation at or about the scene of a bush fire, or in connection with a bush fire, which is necessary for, directed towards, or incidental to, the control or suppression of the fire or the prevention of spread of the fire, or in any other way necessarily associated with the fire including travelling and support services such as meals and communication systems;
- (c) any bush fire prevention activity including the burning, ploughing or clearing of fire-breaks or any other operation, including but without being limited to, the inspection of fire-breaks or other works and the survey of areas for the purpose of detecting fire or ascertaining the need for precautions against the outbreak of fire, but not including the activities of an owner or occupier providing a fire-break or fire prevention works on his own property in order to comply with a notice given under section 33(1) or a local law made under section 33(5a);

(d) demonstrations, exercises, fundraising, promotions, public education, competitions or a training process for volunteers;

(e) examination, preparation, maintenance, adjustment or repair of any vehicle, equipment, building or thing used or intended to be used by a bush fire brigade for the purpose of fighting fires or for carrying out fire prevention operations including activities associated with administration of a bush fire brigade;

(f) travelling in aircraft for the purposes of inspection of fire-breaks, fire hazards and bush fires;

(g) erection, removal or maintenance of radio masts used for fire related purposes;

(h) attending an incident where the skills of a volunteer fire fighter or the operation of fire fighting equipment may reduce or remove a perceived threat to life or property;

(i) attending an incident subsequently found to be a false alarm;

volunteer fire fighter means a bush fire control officer, a person who is a registered member of a bush fire brigade established under this Act or a person working under the direction of that officer or member.

[Section 35A inserted by No. 60 of 1992 s. 18; amended by No. 14 of 1996 s. 4.]

36. Local government may expend moneys in connection with control and extinguishment of bush fires

A local government may, notwithstanding anything to the contrary contained in any other Act —

(a) purchase and maintain appliances, equipment, and apparatus for the prevention, control and extinguishment of bush fires;