



OPERATIONAL CIRCULAR 89/2023

File: D32248

December 2023

TOTAL FIRE BAN BREACHES

Key Message

A Total Fire Ban (TFB) is imposed as a risk-based prevention measure to restrict activities and reduce the likelihood of ignition in bushland/vegetation and increase awareness in the wider community on the day the ban is declared. TFBs are critical in preventing fires and may be declared when fires are most likely to threaten lives, property, critical infrastructure, and the environment due to adverse weather conditions, or when widespread fires are stretching firefighting resources.

Breaching a TFB by engaging in prohibited activities that may cause a fire, such as lighting fire, welding, grinding, soldering or gas cutting can have serious consequences. These actions can cause a fire that not only puts a strain on firefighting resources, but also endangers public safety.

During a TFB, the lighting of fires and/or carrying out an activity likely to cause a fire is prohibited. Section 22B (2) of the *Bush Fires Act 1954* states: 'a person ***must not*** light, maintain or use a fire in the open air; or carry out an activity in the open air that causes, or is likely to cause, a fire'. The penalties for this offence range from a \$1,000 infringement, or for more serious incidents or repeat offenders a fine of \$25,000, 12 months' imprisonment, or both.

When a TFB is declared for an area, the DFES Regulation and Compliance Branch (R&C) reviews and investigates incidents attended by DFES to determine if a breach has occurred and what action can be taken. During their investigation, R&C may contact the Incident Controller (IC) to confirm or request additional information.

What do I need to do?

- Confirm the incident address is recorded accurately in IRS.
- Record the name of the person who breached the TFB within the IRS report, if identified.
- Use the comments section in IRS to capture additional information not already contained in a standard field within IRS, this information is valuable to investigators.
- Photographs relevant to the incident can be emailed to regulation.compliance@dfes.wa.gov.au.

Further information.

There are different rules for the general public as opposed to business, industry, and public authorities in relation to what can and can't be done during a TFB. Please review the current TFB information on the DFES website [here](#).

Target Audience: DFES Operations Staff				
A	B	C	D	Vol
O.I.C. is to communicate content to all relevant personnel under their command, discuss implications, and sign appropriate box above. Once completed Circulars shall be filed on station and forwarded to Information Resources at the end of each financial year.				
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For further information on TFB breaches please contact Acting Manager Regulation and Compliance Tanya Ramponi or email regulation.compliance@dfes.wa.gov.au

CRAIG WATERS AFSM
DEPUTY COMMISSIONER OPERATIONS

Target Audience: DFES Operations Staff				
A	B	C	D	Vol
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