



BUSH FIRES ACT 1954

NOTICE OF EXEMPTION - TOTAL FIRE BAN

Section 22C

Lighting, maintaining or using fire, carrying out an activity in the open air that causes or is likely to cause a fire, during a total fire ban.

Correspondence No. **insert application number**

Department of Fire and Emergency Services

Pursuant to the powers delegated and sub-delegated to the Department of Fire and Emergency Services Assistant Commissioner, I hereby exempt insert **Company Name (ABN)** under section 22C of the *Bush Fires Act 1954*, from the operation of the provisions of section 22B of that Act, subject to compliance with the conditions specified hereunder.

This exemption applies to **Company Name** employees, and its contractors **to allow the use of a bee smoking device** within the **location and/or local government** during a **declared total fire ban**.

The *bee smoking device* must be used in accordance with the "Specified Conditions" of this exemption during a **declared total fire ban**.

SPECIFIED CONDITIONS

1. Notification

- 1.1. A copy of this exemption notice must be accessible and readily available, if requested.
- 1.2. Notification is provided to DFES and the relevant Local Government between 24 hours and 30 minutes prior to the restoration works commencing, via the approved [online notification form](#).¹
- 1.3. Where using the bee smoking device within three (3) kilometres of Department of Biodiversity, Conservation and Attractions (DBCA) managed land requires notifying the relevant Parks and Wildlife Regional Service's Duty Officer between twenty-four (24) hours and thirty (30) minutes prior to the commencement of bee smoking. *In accordance with regulation 24AA of the Bush Fires Regulations 1954, DBCA managed land is CALM Act land.*

2. Fire Prevention

- 2.1. This exemption **does not apply** if the Bureau of Meteorology has issued a "**catastrophic**" fire danger forecast for the area where the bee smoking will take place.

¹ Access via: www.dfes.wa.gov.au/hazard-information/bushfire/total-fire-ban

- 2.2. Where required, the site where the bee smoker operation is to take place, is to be maintained in accordance with the relevant local government's fire break notice, issued under section 33 of the *Bush Fires Act 1954*.

3. Operator Requirements

- 3.1. A person who operates a bee smoker device must:
- 3.1.1. light the bee smoking device in a fireproof container.
 - 3.1.2. place the bee smoking device in a fireproof container when it is alight but not being held by the person; and
 - 3.1.3. extinguish the fire in the bee smoking device on completion of its operation at the site where the bee smoking was taking place.

4. Site Requirements

- 4.1. At least one (1) *approved fire extinguisher* is located in close proximity to the bee smoking device while it is in operation.
- 4.2. The ground within a **three (3) metre radius** around the beehive is to be clear of flammable material.
- 4.2.1. Where the area as described in 4.2 cannot be achieved, any flammable material on the ground within a **three (3) metre radius** of the beehive must be damped down with water.
- 4.3. A minimum 500 litres of firefighting water must be available in close proximity to where the bee smoking device is in use.
- 4.3.1. The firefighting water must be contained in an *approved firefighting vehicle*.
- 4.4. After the bee smoking activity is completed, an able-bodied person must remain at the site of the activity and monitor the site for any signs of ignition. They must not leave until they are satisfied that there is no fire or anything likely to cause a fire on the site.

Period of Exemption

This exemption is **valid from the date of approval through until DATE**, unless varied or revoked.

Choose an item.

Choose an item., Choose an item. **of the Department of Fire and Emergency Services, as sub-delegate of the Minister under sections 15 and 16 of the *Fire and Emergency Services Act 1998*.**

Date 2024

Appendix A – Definitions

Date: March 2024

Bee smoking device means a device used to generate smoke for the purposes of beekeeping.

Approved fire extinguisher means:

- a. a fire extinguisher suitable to extinguish any fire likely to occur in relation to the activity; and
- b. has a capacity of at least 9 kilograms or 9 litres; and
- c. complies with the current Australian Standards.

Approved firefighting vehicle means a vehicle that:

- a. has one or more storage tanks mounted upon it; and
- b. is capable of traversing the site; and
- c. is equipped with:
 - i. at least 20 metres of 19 millimetre diameter fire hose fitted with an adjustable nozzle in proper working order, having a full spray pattern capable of projecting a 6 metre jet of water; and
 - ii. a pump in proper working order that is capable of delivering a minimum of 120 litres of water per minute at 700 kPa through the connected hose.

Open air means anywhere not fully enclosed by a building or structure.