



BUSHFIRES NT

BUSHFIRES MANAGEMENT ACT INFO-SHEET

*Protect Life, Property & Environment
from the threat of Wildfire*



LEGISLATION

Bushfires Management Act

The Bushfires Management Act, introduced in November 2016, provides the legislative framework for the mitigation, management and suppression of bushfires in the Territory.

Bushfires NT supports landowners and the community with the coordination of fire management plans, support for volunteer brigades and landowners, coordination of major bushfire response, and provision of advice for rural and remote area residents and communities.

This document outlines key parts of the legislation including descriptions of offences and associated penalties.



For a complete copy of the Bushfires Management Act visit www.legislation.nt.gov.au/en/Legislation/bushfires-management-act

MANAGING FIRE IN THE TERRITORY

The Northern Territory Fire and Rescue Service is responsible for fire management around all urban areas and major towns in areas declared as Emergency Response Areas (ERA).

Outside ERAs, the Territory is divided into five Fire Management Zones (FMZ). Administered by Bushfires NT, the Bushfires Management Act outlines the legislative framework in which to manage bushfire within each FMZ. A regional committee is appointed in each FMZ to work with Bushfires NT to develop regional bushfire management plans.

Certain areas within FMZs are declared as Fire Protection Zones (FPZ). These areas typically possess a greater number of assets and smaller property sizes. They include rural residential areas and areas of intensive agriculture or horticulture adjacent to the major towns.

Currently there are FPZs declared in the rural areas surrounding Darwin, Katherine, Tennant Creek and Alice Springs. The Northern FPZ extends from the outskirts of Darwin to Pine Creek in the south and to the Point Stuart Road in the east. Maps showing the boundaries of all FPZs can be found at www.nt.gov.au/bushfires

THE FIRE MANAGEMENT ZONES OF THE TERRITORY



FIRE BAN PERIODS

If Bushfires NT determines that predicted conditions will make it very difficult to control a fire, a ban on lighting fires in the open may be imposed in a particular area. A Fire Ban Period can be declared for up to 24 hours.

Advice of a Fire Ban is announced on local radio as well as Bushfires NT social media sites. The advice is also shown on fire danger signage located strategically around the Northern Territory.

To find out more about your responsibilities visit:
www.nt.gov.au/bushfires
www.securent.nt.gov.au

 [facebook.com/BushfiresNT](https://www.facebook.com/BushfiresNT)

CONTROLS IN FIRE BAN AREAS

A fire must not be intentionally lit by a person in the open air within a Fire Ban Area. The one exception is if the fire is lit for cooking or boiling water, and:

- any flammable material must be removed within 4 m of that fire
- the fire must never be left unattended
- the fire must be extinguished without delay when no longer being used for cooking.

Maximum Penalty: 500 penalty units or imprisonment for 5 years; s86(1).

FIRES TO BE EXTINGUISHED

If a fire is burning on your land prior to the commencement of a Fire Ban Period, you must put it out. If you are unable to do so, you must notify a Fire Control Officer or fire warden immediately. It is an offence if you fail to extinguish the fire or notify an officer or warden under these circumstances.

Maximum Penalty: 200 penalty units or imprisonment for 2 years; s87(3).

CONTROLS WITHIN A FIRE PROTECTION ZONE

The owner or occupier of land within a Fire Protection Zone must establish and maintain a firebreak around the perimeter of the land or in an alternative approved position agreed by Bushfires NT.

There must also be a firebreak around any house or other permanent structure, stationary engines or any flammable material on the land.

Maximum Penalty: 20 penalty units and 2 penalty units for each day the offence continues; s68(1,2)

FIRE DANGER AREA

A Fire Danger Period can be declared over an area when it is determined that fuel loads and weather conditions have created dangerous fire conditions. This declaration is made each year over areas of the Territory that are experiencing what is often referred to as a 'fire season'. These periods can last for several months.

This declaration brings more stringent fire management requirements to the declared area. The requirements are the same as some of the requirements that apply in a Fire Protection Zone.

The declaration of a Fire Danger Period is advertised in local newspapers. If you are unsure about whether or not a Fire Danger Period declaration is in place you should assume that it is until you can confirm by contacting Bushfires NT.

CONTROLS WITHIN BOTH FIRE PROTECTION ZONES AND FIRE DANGER AREAS

REQUIREMENT FOR A PERMIT

It is an offence to light a fire (other than a small fire – see description) in the open air in a Fire Protection Zone or during a fire danger period, unless you have first obtained a written permit from a Fire Control Officer or Fire Warden.

Maximum Penalty: 500 penalty units; or imprisonment for 5 years; s74(1).

SMALL FIRES

The Act describes a small fire as a fire for the purpose of camping, cooking, boiling water or the disposing of the carcass of an animal. An area, no less than 4 m wide, must be cleared of bush or flammable material around a small fire. The fire must not be left unattended.

USE OF ENGINES AND EQUIPMENT

When using equipment on land, the engine must be in good working order and designed to prevent the escape of sparks, flames or burning material from the engine's exhaust.

Grinding, welding or cutting equipment is not to be used in the open air, in such a position that it is likely to result in igniting bush or other flammable material on land unless there is an appropriate fire extinguishing device readily available and in good working order.

Maximum Penalty: 100 penalty units; s76(1), 77(1)

THROWING DOWN BURNING MATTER

A person must not throw burning or smouldering matter within 4 m of any bush or other flammable material. This restriction includes the throwing of a smouldering cigarette butt from a vehicle or otherwise.

Maximum Penalty: 100 penalty units; s75(1).

CONTROLS THAT APPLY ON ALL LAND

LANDOWNER RESPONSIBILITY TO CONTROL FIRE

The owner or occupier of land must take all reasonable steps to protect property on the land from fire and inhibit the fire from spreading. If a landowner or occupier is unable to control a fire and prevent it from spreading to other land, he/she must notify a Fire Control Officer or Fire Warden and all neighbouring property holders.

The owner or occupier commits an offence if the fire has the potential to spread to other land and he/she fails to take reasonable steps to control the fire and to notify all parties.

Maximum Penalty: 500 penalty units or imprisonment for 5 years; s90(3).

DUTY OF THE PERSON WHO LIGHTS A FIRE

A person who lights a fire on land must take reasonable steps to protect property or prevent the fire from spreading to other land. It is an offence if a person intentionally lights a fire on land where the fire has the potential to spread to other land and the person fails to take reasonable steps to control the fire or notify a Fire Control Officer, Fire Warden or the occupier of the land where the fire is likely to spread.

Maximum Penalty: 500 penalty units or imprisonment for 5 years; s94(4).

AERIAL BURNING

A permit to burn must be obtained from Bushfires NT or a Fire Warden prior to conducting any aerial burning operations in any area at any time of the year.

Maximum Penalty: 500 penalty units or imprisonment for 2 years; s82(1).

CONTRAVENTION OF NOTICES

A public notice can be issued to prohibit or require certain actions that are considered necessary for the protection of an area from bushfire. It is an offence to intentionally contravene such a notice.

Maximum Penalty: 200 penalty units or imprisonment for 2 years; s80(2) and s85(2).

OBSTRUCTION AND CONTRAVENING AN INVESTIGATION

It is an offence to knowingly and intentionally obstruct a Fire Control Officer, Fire Warden or Authorised Bushfire Volunteer whilst they are acting in an official capacity.

Maximum Penalty: 200 penalty units or imprisonment for 2 years; s50(1).

It is also an offence for a person to withhold their full name and place of residence, or to fail to produce any permit held to a Fire Control Officer investigating a fire. There is also a requirement for a person who has lit a fire in contravention of the Act to extinguish the fire immediately as a Fire Control Officer considers appropriate.

Maximum Penalty: 100 penalty units; s49(1).

POWER OF FIRE CONTROL OFFICERS, FIRE WARDENS AND AUTHORISED BUSHFIRE VOLUNTEERS

In response to a bushfire incident, a Fire Control Officer or Fire Warden has power to do anything necessary for or incidental to, controlling the bushfire or protecting property or the life of any person, from existing or imminent danger arising from the bushfire. This includes to:

- enter any land or building and for that purpose to break open any lock, or cut any chain, on a door or gate;
- pull down, cut or remove any fence or gate;
- pull down, or destroy, any building or structure, wholly or partially;
- close any road or public place to traffic and the movement of persons;
- destroy living or dead vegetation or flammable material;
- establish firebreaks, by using fire or otherwise,
- take and use water from any source, other than water in a tank, dam or well connected to a dwelling and used as a supply of drinking water; and
- do any other act necessary for, or incidental to, the exercise of any of the powers mentioned above.

A Fire Control Officer or a Fire Warden can delegate these powers to an Authorised Bushfire Volunteer by direction - ie by instructing an Authorised Bushfire Volunteer to undertake a particular task, the powers to perform that task are delegated.

IDENTITY CARDS

Bushfires NT employees and Authorised Bushfires Volunteers are issued with identity cards which must be shown prior to undertaking any assessments for fire management; i.e. to enter any land to assess firebreaks.



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Darwin 8922 0844 | Batchelor 8976 0098 | Katherine 8973 8871 | Tennant Creek 8962 4577 | Alice Springs 8952 3066

[facebook.com/BushfiresNT](https://www.facebook.com/BushfiresNT) [nt.gov.au/bushfires](https://www.nt.gov.au/bushfires) twitter.com/bushfiresnt | PO Box 37346, Winnellie NT 0821

IN THE EVENT OF AN EMERGENCY DIAL 000