

# Fire prevention and control, collection of firewood and harvesting of wildflowers, seeds, sandalwood and timber.

## Fire prevention and control

Clearing approved or required by the relevant authority such as the Minister for Fire and Emergency Services, Fire and Emergency Services Authority (FESA), or local government does not require a clearing permit.

At any time a local government may issue an annual notice under section 33 of the *Bush Fires Act 1954* requiring an owner or occupier of land in its boundaries to clear fire-breaks. The local government determines what will be cleared and how it should be maintained to ensure fire-breaks are clear of flammable matter.

A bush fire control officer or fire brigade may construct fire-breaks or clear land to control or prevent a fire from spreading. FESA may clear for fire prevention or control purposes or for other fire management works.

Bush can be burnt during a restricted time if a permit is obtained from a bush fire control officer under the *Bush Fires Act 1954*.

A land owner may burn native vegetation to reduce the risk of injury or damage to persons and property from an uncontrolled fire outside of the restricted period, provided this is done in such a way as to minimise long term damage to the environmental values of native vegetation. This would generally mean not burning very frequently, and ensuring that the native vegetation is allowed to recover by not grazing or ploughing it.

## Collection of firewood from Crown lands

The harvesting of timber for firewood or other forest products (for domestic use or sale) from Crown lands is regulated by the Department of Environment and Conservation (DEC).

## Collection of firewood from private property for domestic use

An exemption from the requirement for a clearing permit applies for taking firewood for domestic use

from private property. The following restrictions apply:

- Firewood collection must preferentially be from clearing undertaken for another exempt purpose (such as building a shed or constructing a fence).
- If no such clearing exists firewood may either be dead vegetation or live trees as long as it does not kill the tree or prevent its regrowth. This allows for the taking of branches or of resprouting species such as mallees.
- The wood collect for domestic purposes cannot be sold, but can be given away.
- There is a limit of one hectare per financial year for all limited clearing allowed under regulations (including for such purposes as fence lines, vehicle tracks and walking tracks). The collection of firewood is included as limited clearing.

## Collection of firewood from private property to sell

Where the firewood is to be sold, and it is taken from private property from live trees, a commercial producer's licence under the *Wildlife Conservation Act 1950* is required from DEC. In the case of commercial harvesting from dead trees, if it is not undertaken from material salvaged from another exempt purpose (such as a building or firebreak), a clearing permit is required.

## Wildflower and seed harvesting

The taking of flora, including seeds, flowers, stems and all other parts of native plants, is regulated under the *Wildlife Conservation Act 1950*. On Crown land, taking of flora for any purpose requires a licence. On private property, the taking of flora for sale similarly requires a licence. For further information on flora licences, contact DEC. Clearing that is done in accordance with a licence issued by DEC under the *Wildlife Conservation Act 1950* does not require a clearing permit.



## **Sandalwood harvesting**

Harvesting of sandalwood is regulated under the *Sandalwood Act 1929*. A licence is required to harvest sandalwood on both Crown land and private property. On Crown land, there is a system of quotas for harvesting. Allocations are by tender through the Forest Products Commission. For further information, please contact DEC. Harvesting of sandalwood that is done in accordance with a licence issued by DEC under the *Sandalwood Act 1929* does not require a clearing permit.

## **Timber harvesting**

If you intend to sell any timber harvested from private property you will need to obtain a commercial producer's licence from DEC. The commercial producer's licence includes those clearing activities directly associated with the commercial harvesting, such as the actual harvesting, necessary road access and burning to provide access or to reduce fire hazard after harvest. It does not cover the removal of trees that are not being sold (such as in non-commercial thinning). A separate clearing permit is required for those activities.

A licence from the Soil and Land Conservation Commissioner is required to sell any wood products to be used for wood chipping. A copy of a commercial

producer's licence or a clearing permit must accompany the application. Each local government has its own policy with regard to tree removal. You should be aware of the requirements before preparing your management plan or clearing application.

## **More information**

### **Legislation**

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the *Environmental Protection Act 1986* and Environmental Protection (Clearing of Native Vegetation) Regulations 2004, available from the State Law Publisher. Free electronic copies are available from [www.slp.wa.gov.au](http://www.slp.wa.gov.au).

### **Compliance assistance documents**

Additional publications relating to clearing laws, clearing permits and application forms are available online from [www.dec.wa.gov.au/nvc](http://www.dec.wa.gov.au/nvc) or can be requested by phoning 9219 8744.

### **Compliance advice**

For advice on complying with your permit, or any other related matter, please contact DEC's Native Vegetation Conservation Branch on 9219 8744.