



Western Australia

## **Local Government Model By-laws (Storage of Inflammable Liquid) No. 12**

Compare between:

[31 Mar 1965, 00-b0-02] and [17 Oct 2005, 00-c0-05]



Western Australia

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)  
ACT 1960

**Local Government Model By-laws (Storage of  
Inflammable Liquid) No. 12**

Local Government Department,  
Perth, 13th May 1963.

L.G.D. 94/63.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the *Local Government Act 1960*, has been pleased to cause the draft model by-laws set out in the schedule hereto to be prepared and published.

R. C. PAUST,  
Acting Secretary for Local Government.

**1. Citation**

These by-laws may be cited as the *Local Government Model By-laws (Storage of Inflammable Liquid) No. 12*.

**2. Interpretation**

- (1) In these by-laws, “**Uniform Building By-laws**” means the uniform general by-laws set out in the First Schedule to the Order in Council, made the 21st June 1961, and published in the *Government Gazette* on the 23rd June 1961, and in that schedule designated “Uniform Building By-laws,” as amended by uniform general by-laws published from time to time in the *Government Gazette*.

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- (2) Unless the context otherwise requires, words and expressions used in these by-laws have the same respective meanings as are given them in, and for the purposes of, the Uniform Building Bylaws.

**3. Application of Uniform Building By-laws**

By-laws 452 and 453 of the Uniform Building By-laws shall be read with these by-laws, as though included in, and forming a part of them.

**4. Storage of Inflammable Liquids in Underground Tanks (under 1,000 gals.)**

- (1) Subject to sub-bylaws (2) and (3) of this by-law, inflammable liquids may be stored in quantities not exceeding 1,000 gallons, in an underground tank or in underground tanks, if —
- (a) the site for each tank has first been approved by the council, for that purpose;
  - (b) each tank is constructed of steel plate of not less than 14 gauge thickness;
  - (c) each tank is placed not less than two feet below the lowest floor of any building under which it is situated;
  - (d) sand or other filling material approved by the Surveyor is filled in over each tank to the level of the ground or floor, as the case may require;
  - (e) each tank is adequately and individually ventilated;
  - (f) every opening to a tank at, or near, ground level is fitted with a gas-tight cover cap; and
  - (g) the filling pipe of any tank is placed in an approved position within the boundaries of the premises whereon the inflammable liquid is to be stored,
- and not otherwise.
- (2) Where, in the opinion of the Surveyor, a tank to be installed under the provisions of this bylaw need not, by reason of its

diminutive size, be constructed of steel plate of 14 gauge thickness, he may authorise its construction of steel plate of a lesser thickness.

- (3) Notwithstanding the provisions of paragraph (g) of sub-by-law (1) of this by-law the Surveyor may, if, in his opinion, the circumstances are such as to warrant it, approve of the placing of filling pipes outside the boundaries of the premises whereon the inflammable liquid is to be stored, but only if their being so placed will not occasion the obstruction of traffic while a tank is being filled.

**5. Storage of Inflammable Liquids In Underground Tanks (1,000 gals. and more)**

- (1) The provisions of by-law 4 of these by-laws apply to the storage of inflammable liquids in underground tanks in quantities of 1,000 gallons or more, save that the construction of every tank shall be approved by the Surveyor and the provisions of sub-by-law (3) of that bylaw do not apply.
- (2) Where two or more tanks have an aggregate capacity of 1,000 gallons or more are installed as a battery, the tanks shall be so installed that there is, between any two of them, a thickness of not less than one foot of filling material approved by the Surveyor.

**6. Storage of Inflammable Liquids in Surface Tanks**

- (1) A person shall not store inflammable liquids in any quantity exceeding, in the case of Class A, 50 gallons or, in the case of Class B, 250 gallons, in a surface tank, unless —
  - (a) the site for each tank has first been approved by the council; and
  - (b) every tank upon, above, or partly above and partly below, the surface of the ground is enclosed by a compound wall of brick, stone or concrete or by an earthen dam approved by the Surveyor.

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- (2) The height of a compound wall or earthen dam referred to in sub-by-law (1) of this by-law shall be such as will enable the wall or dam to retain therein not less than one-eighth in excess of the total capacity of the inflammable liquid permitted to be stored in the tanks that it encloses; and, in the case of an earthen dam, the height shall, unless the profile of the dam is protected by stone, pitching, concrete facing or other permanent protection approved by the Surveyor, be not less than two feet above the level to which the liquid would rise, if permitted to run free from the tanks therein enclosed.
- (3) Any opening made in a compound wall such as is mentioned in sub-by-law (1) of this by-law shall be fitted with a sliding, or inward opening, liquid-tight door of incombustible material and of sufficient strength to resist any pressure that might be brought to bear on it by the escape of the liquid that the wall encloses.

**7. Storage of inflammable liquid near buildings or building sites**

- (1) A person shall not keep any inflammable liquid, except in a building such as is prescribed by by-law 453 of the Uniform Building By-laws or in an underground tank in conformity with by-law 4 of these by-laws, within a distance of 150 feet or less from any building or building site, in any quantity exceeding that prescribed for the distance by sub-by-law (2) of this bylaw.
- (2) A quantity set out in column 2 of the Table to this sub-by-law is the quantity of inflammable liquid not contained in metallic containers of 50 gallons or less, and the quantity set out in column 3 of the Table is the quantity of inflammable liquid contained in metallic containers of 50 gallons or less, that may be stored within the distances set out in the corresponding line of column 1 of the Table.

The Table		
1	2	3
	gals.	gals.
Within 10 feet	400	4,000

1	2	3
	gals.	gals.
Over 10 feet and not over 15 feet	1,000	10,000
Over 15 feet and not over 20 feet	2,000	20,000
Over 20 feet and not over 30 feet	4,000	40,000
Over 30 feet and not over 40 feet	6,000	80,000
Over 40 feet and not over 50 feet	8,000	100,000
Over 50 feet and not over 60 feet	10,000	Unlimited gals.
Over 60 feet and not over 75 feet	15,000	Unlimited gals.
Over 75 feet and not over 100 feet	20,000	Unlimited gals.
Over 100 feet and not over 150 feet	50,000	Unlimited gals.

- (3) Notwithstanding any other provision of this by-law, but subject to by-law 19 of these by-laws, a person shall not keep inflammable liquid on any site that has not first been approved by the council.

*[By-law 7 inserted by Gazette 31 March 1965 p.935.]*

#### 8. High Flash Point Oil and Grease

A person shall not store or keep lubrication or other oils that will not flash or emit inflammable vapour below a temperature of 150 degrees Fahrenheit, on any site or in any building, in an aggregate quantity exceeding 10,000 gallons, unless the proposed storage site or the building has first been approved by the council for that purpose.

#### 9. Fuel Oil

Every installation of a system for the storage and delivery of fuel oils shall be carried out in conformity with the provisions of S.A.A. Code No. C.B. 5-1957 for Fuel Oil Installations.

#### 10. Approval of Site

- (1) A person desiring approval of a site for the storage of inflammable liquids shall make application therefor to the council, submitting a plan in duplicate showing the dimensions of the site and the position and dimensions of all buildings

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existing on the site, together with details of the buildings or other installations proposed.

- (2) One copy of a plan approved by the council under this by-law shall be returned to the applicant and the second copy of the plan shall be retained by the council as a permanent record.
- (3) Where a site to be approved under this by-law is within a fire district, under the Fire Brigades Act, the person desiring approval shall also submit the plan to, and obtain the approval of, the Chief Fire Officer.

**11. Clearing of Site**

The space between the buildings or storage tanks erected under these by-laws within the distances set out in by-law 7 thereof shall be kept completely clear of every kind of material, other than vehicles using the site to bring in, or take away, inflammable liquid.

**12. Fire Extinguishers**

The person using a site for the storage of inflammable liquids shall provide thereon at least two foam fire extinguishers of 2 gallons capacity, or such other number and type of fire extinction equipment as the Chief Fire Officer may require, and shall maintain all equipment in readiness for use.

**13. Under-brush and Dry Grass Prohibited**

A person using a site for the storage of inflammable liquid shall keep the site completely free of under-brush, dry grass and other combustible growth of any description.

**14. Cases, Cartons, etc.**

A person using a site for the storage of inflammable liquids shall not keep, or suffer to be kept, thereon any cases or cartons other than those actually in use for packaging; and where a case or carton becomes saturated, or partly saturated, with any



inflammable liquid, that person shall cause it to be removed from the site.

**15. Fire Precautions**

- (1) A person shall not smoke, strike any match or make, or use, any naked flame on a site used for the storage of inflammable liquids.
- (2) A person using a site for the storage of inflammable liquids, and every person in his employ, shall ensure that any inflammable liquid that is spilled on the site does not flow onto a street or any adjoining site.
- (3) Where a site used for the storage of inflammable liquids is of such a sloping nature that spilled liquid might escape from the site, the Surveyor may require the owner to erect an earthen bank sufficient to prevent that escape.

**16. Open and Empty Containers**

A person using a site for the storage of inflammable liquids shall not cause or permit any container thereon containing inflammable liquid to remain open, except while the liquid is being put into, or being drawn from, it.

**17. Ramps**

A person using a site for the storage of inflammable liquids shall cause any ramps thereon to be kept clean and not suffer them to become saturated or partly saturated with inflammable liquid.

**18. Warning Notices**

Every person using a site for the storage of inflammable liquids, other than in small quantities pursuant to by-law 19 of these by-laws, shall exhibit thereon at least two separate signs, each bearing in letters, coloured red and of at least six inches in height, the warning: "Danger. Inflammable Liquids. No Smoking, No Matches, No Naked Lights."

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**19. Storage of Small Quantities**

A person may store quantities not exceeding in the aggregate 50 gallons of Class A inflammable liquid or 250 gallons of Class B inflammable liquid, if the liquid —

- (a) is contained in the fuel tanks of vehicles, or in drums, cans, or other containers especially designed to hold inflammable liquid and equipped with tight-fitting screw-on caps; and
- (b) is so stored as not to constitute a fire hazard,

but not otherwise.

*[By-law 19 amended by Gazette 31 March 1965 p.935.]*

**20. Offences**

Every person who does anything prohibited by these by-laws or who fails to carry out any duty or obligation cast upon him by these by-laws commits an offence — Penalty £50.

### **Notes**

- <sup>1.</sup> This is a compilation of the *Local Government Model By-laws (Storage of Inflammable Liquid), No. 12* and includes the amendments referred to in the following Table.

### **Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Local Government Model By-laws (Storage of Inflammable Liquid), No. 12</i>	29 May 1963 p.1447-9	
	31 Mar 1965 p.935	
<u><a href="#">Superseded by Local Laws made under the <i>Local Government Act 1995</i></a></u>		