



Policy

Burning of garden waste matter in urban and rural areas

2021

Information about this document

Date Adopted by Council	29 March 1994
Resolution No	NA
Document Owner	Director Sustainable Environment and Economy
Document Development Officer	Manager Public and Environmental Services
Review Timeframe	4 years
Last Review Date	21 April 2021
Next Scheduled Review Date	21 April 2025

Document History

Doc No.	Date Amended	Details/Comments eg Resolution No.
DM634024	29/03/1994	Adopted
	24/09/1996	Reviewed
E2020/74224	21/04/2021	Legislation references updated, minor amendments to distance in 2.2, and time frames in 2.2 and 2.4. Template upgraded for improved accessibility
	27/06/2022	Minor administrative amendment to Rural Fires Regulation – change of year from 2013 to 2022 and change of section 26 of the Regulation to section 27.

Further Document Information and Relationships

Related Legislation	Rural Fires Act 1997 Rural Fire Regulations 2022
Related Policies	
Related Standards, Procedures, Statements, documents	Rural Fire Service Safe Burning Checklist – available on RFS website

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.



1. Objectives

- 1.1 To minimise air pollution nuisances in urban and rural areas.

2. Policy Statement

- 2.1. Backyard burning shall only occur in properly constructed incinerators, designed to prevent the escape of sparks and burning materials.
- 2.2. Burning shall occur after due consideration of prevailing wind conditions and the likely effect on the amenity of affected neighbours. A permit pursuant to Part 4, Division 5 of the Rural Fires Act (Permits and notice requirements) is required to light fires in urban areas at all times throughout the year, and not just during statutory bush fire danger periods. Rural areas only require a permit during bush fire danger periods.

Permits are available from the local Town Brigade Captain and are required at least 24 hours before planning to burn. The fire permit remains in force for the period specified in the permit (per s90 of the Rural Fires Act)

(In rural areas where circumstances warrant, burning may occur in a space cleared to at least 5 metres (cl 27(2) of the Rural Fires Regulation 2022) surrounding the fire and in accordance with all other instructions issued by the Fire Control Officer).

- 2.3. Burning shall not occur during times of total prohibition, as declared by the Minister for Police and Emergency Services.
- 2.4. Before lighting any fire for burning garden refuse the Fire Control Centre and immediate neighbours shall be given at least 24 hours' notice in accordance with the Rural Fire Service Safe Burning Checklist.
- 2.5. At least one person must be in attendance at all times whilst the burning is undertaken and an adequate water supply is to be available on site near the fire.
- 2.6. Only garden waste matter such as dried leaves, branches, lawn clippings, etc. produced on the property may be burnt. All other domestic waste matter shall be disposed of/recycled through the municipal garbage system.
- 2.7. Council encourages the use of the green organics bin collection for urban areas or composting or mulching of all garden waste, either in properly constructed composting areas or by having the waste mulched using either a home mulcher or by delivering to Council's tip mulching site.