

COUNCIL POLICY



Policy Name	Burning of Vegetation
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Abstract

To define areas restricted from burning and where approvals may be granted by Council by burning of vegetation.

Dates	Policy or amendment approved	20 Jul 2011
	Policy or amendment takes effect	20 Jul 2011
	Policy is due for review (up to 4 years)	20 Jul 2011
Endorsed by	Council	
Approved by	Gunnedah Shire Council at its Ordinary Meeting held on 20 Jul 2011 Resolution number: 16.7	
Policy Custodian	Director Planning and Environmental Services	
Relevant to	Council	
Superseded Policies		
Related documents		
Related legislation		

1. INTRODUCTION

The Protection of the Environment (Clean Air) Regulation 2010 is designed to prevent air pollution from air born particulates and chemicals and eliminate localised nuisance caused by smoke and odour generated by inefficient backyard burning off.

2. OBJECTIVE

The objective of this policy is to define areas restricted from burning and where approvals may be granted by Council for burning of vegetation.

3. POLICY

3.1 General Obligations

The following obligations apply in all areas of NSW:

- Prohibition of burning certain items including tyres, coated wire, solvent containers and residues, paint containers and residues and treated timber – copper chromium arsenate (CCA) and pentachlorophenol (PCP) except where exempted in accordance with Clause 6D of the Regulations.
- A general obligation for any person to prevent or minimise pollution when burning.

3.2 Local Obligations

Gunnedah Shire Council has established the following provisions to better control backyard burning especially in closely settled areas.

3.3 Burning of Domestic Waste (Not Vegetation)

Gunnedah Shire Council has adopted Schedule 8 Part 3 of the Regulation that deals with the burning of general waste.

Burning of domestic waste is prohibited through the Shire except where no domestic waste collection service is available.

3.4 Burning of Vegetation

Council has adopted Schedule 8 Part 2 of the Regulation that deals with burning of vegetation.

Council has applied the restriction on burning vegetation only to the area of Gunnedah identified on the Vegetation Burning Restricted Areas Maps.

Burning of vegetation (subject to general obligations) is permitted other than within the areas identified in the Vegetation Burning Restricted Areas Map with the approval of Council.

Compliance with the terms of this policy will constitute an approval to such burning under Clause 12(2)(a) of the Regulation.

4. EXCEPTIONAL CIRCUMSTANCES

Notwithstanding, the provision of Clause 3.4, Council may consider individual cases for the burning of dry vegetation under exceptional circumstances on the individual merits of the case in the controlled area, if the authorised officer of Council is satisfied that measures are in place to minimise smoke impacting on any person or dwelling having regard to :

- (a) Reasons why vegetation cannot be reused, recycled or disposed of at a waste depot.
- (b) Wind direction at time of the proposed burn.
- (c) Weather conditions at time of the proposed burn.
- (d) Length of time vegetation is likely to burn.
- (e) Moisture level of the vegetation to be burnt.
- (f) The location of the burn is sufficiently remote or isolated from residential buildings not on the property subject of the burn as to not present an environmental or health hazard.
- (g) Written notification of the proposed burn has been given to occupiers of residential premises likely to be impacted by the burn at least 4 days prior to the proposed burn.

5. GENERAL EXEMPTIONS

The Regulation exempts:

- Bush Fire Hazard Reduction work under the Rural Fires Act 1997;
- Destruction by burning of prohibited plants or drugs under the Drugs Misuse and Trafficking Act 1985;
- Destruction by means of burning an animal that has died or suspected of having died of a disease proclaimed under the Stock Diseases Act 1923 or an exotic disease within the meaning of the exotic diseases of Animals Act 1991.

6. SPECIAL EXEMPTIONS

It is not an offence under clause 6E of the Regulation:

- (a) to cook or barbecue in the open, or to light, maintain or use a fire for recreational purposes such as camping, picnicking, scouting or other similar outdoor activities, so long as only dry seasoned wood, liquid petroleum gas (LPG), natural gas or proprietary barbecue fuel (including a small quantity of fire starter) is used, or
- (b) to burn vegetation, in the course of carrying on agricultural operations, on premises on which the vegetation grew, including:
 - (i) the burning of vegetation for the purposes of clearing (other than for construction), or
 - (ii) the burning of stubble, orchard prunings, diseased crops, weeds or pest animal habitats on farms, or
 - (iii) the burning of pasture for regenerative purposes, or
- (c) to burn anything for the purposes of the giving of instruction in methods of fire fighting by:
 - (i) an officer or member of a fire fighting authority or

- (ii) a fire control officer within the meaning of the Rural Fires Act 1997, or
- (iii) an industrial fire control officer

when acting in his or her official capacity.

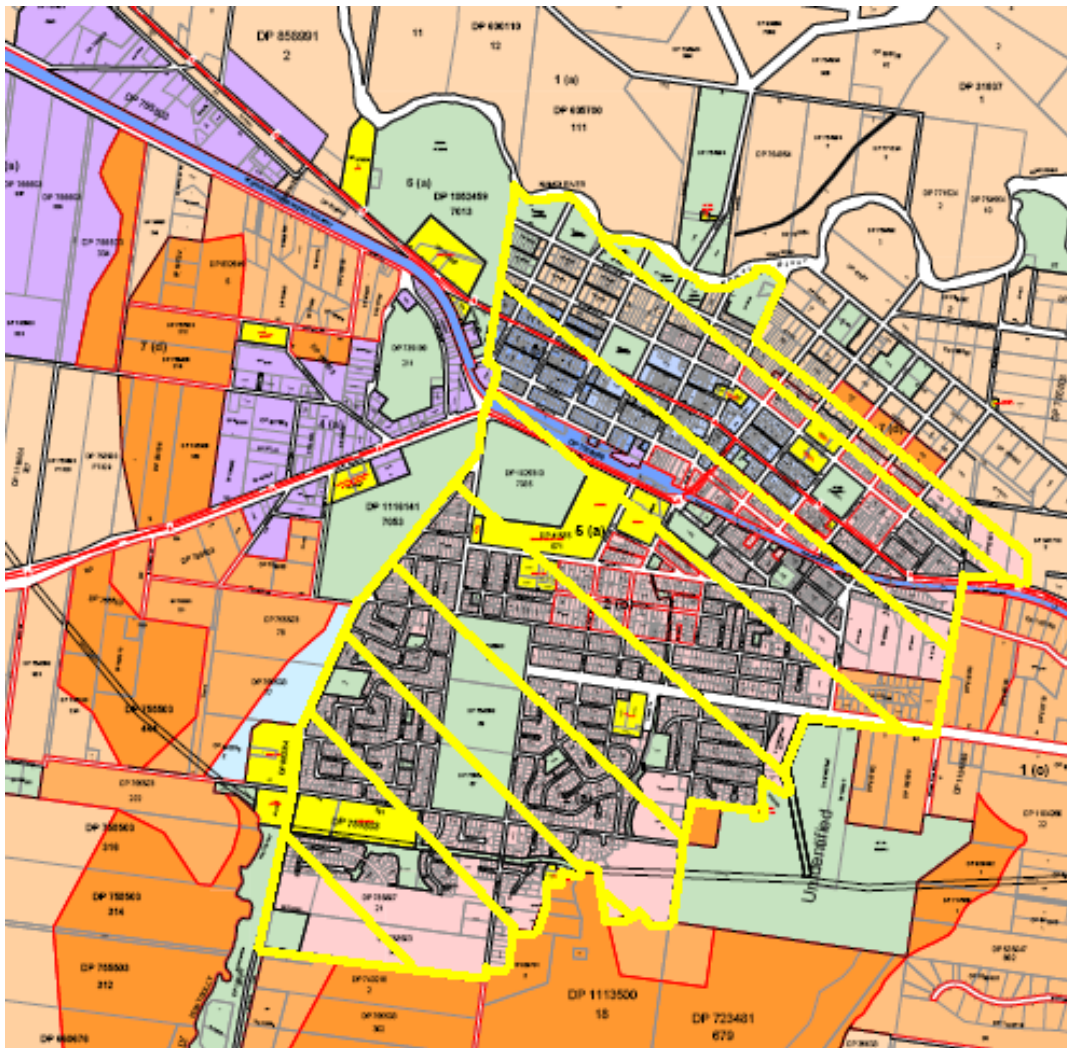
The Regulation also provides exemptions for:

- Licensed incinerators and incinerators which meet specific technical requirements, and
- Flaring of waste gases

7. POLICY REVIEW

This policy shall be reviewed every two years from date of adoption.

VEGETATION BURNING RESTRICTED AREAS MAP



Legend

Vegetation Burning Restricted Area



Version Control and change history

Date	Version	Approved by & Resolution No.	Amendment
20 Jul 2011	1	Council Meeting 20 Jul 2011 Resolution 16.7	