



Kiama Council Pile Burning Of Vegetation Policy

(Permission to make pollution)

General Pile Burning of Vegetation

Applicable to all land within the Kiama Local Government Area

Council has adopted a **No Burn Policy** within the Kiama Municipality. Council will only consider applications to burn piles of vegetation that relate to properties performing rural activities. Approval is subject to an inspection by one of Council's officers taking into account the material being burned and the impact this activity may have on the local air quality. **Council's approval is only for permission to make pollution it is not a fire permit;** that must be obtained from the **Rural Fire Service** during the **Bush Fire Danger Period October 1 to March 31.**

Council will not consider applications to burn piles of vegetation from the following areas Urban (Residential) and Rural (Residential) classified as a one (1) acre lot.

Council has undertaken this action under the **Protection of the Environment Operations (Clean Air) Regulation 2010** (the "Regulations") that applies to Kiama Municipality. The Kiama local government area is identified in Part 2 Schedule 8 of the Regulations, which prohibits a person from burning any vegetation, except in accordance with Council approval. In other local government areas the **Environment Protection Authority (EPA)** is the authorising authority.

Council is required to consider issuing an approval using Section 6G(3) of the Regulations which states; before granting approval the local Council must take into account the following matters:

- The impact on local air quality and amenity
- Feasibility of reuse, recycling or other alternative means of disposal

- Quantity of material and length of time that material is likely to burn
- The potential for direct smoke impacts on neighbours and surrounding community
- The cumulative effects of smoke on regional air quality
- Any opinions of the sector of the public likely to be affected by the proposed approval. (Kiama Council's Scheduling only allows for the burning of vegetation.)

Prohibited Articles

Under Clause 6D(6) of the Regulations, the following are prohibited from being burned.

1. Tyres.
2. Coated wire.
3. Paint/Solvent containers and residues.
4. Timber treated with copper chromium arsenate (CCA) or pentachlorophenol.
5. Burning of domestic waste.

Note: Penalties for non compliance

Failure to comply with the conditions of approval or the provisions of Part 2 of Schedule 8 of the Regulations may be liable to a Penalty Infringement Notice (PIN) of \$500 for an individual or \$1,000 for a corporation.

FREQUENTLY ASKED QUESTIONS

Q. What is the process for applying for a permit to burn a pile of vegetation under The Protection of the Environment Operations (Clean Air) Regulation 2010 Outside the Bush Fire Danger Period.

A.

- If you are on Urban (Residential) and Rural (Residential) approval will not be given.
- You must be able to demonstrate that you are undertaking an agricultural activity or vegetation rehabilitation project on your property.
- Applicant is to obtain an application form from Council; available from Council's website, front counter or email.

- Application form is to be filled out and returned to Council.
- One of Council's Officers will arrange an onsite inspection usually within two (2) weeks.
- A permit will be emailed out if the application is successful.
- You must then follow the Conditions of Approval on the reverse side of permit.
- You must notify NSW Rural Fire Service (Fire Control Centre: Albion Park 4230 8200 Monday to Friday) prior to commencement of burning.
- If unsuccessful a letter will be sent to the applicant at that time.

Q. What is the process for applying for a permit to burn a pile of vegetation under The Protection of the Environment Operations (Clean Air) Regulation 2010 During the Bush Fire Danger Period.

A.

- During the Bush Fire Danger Period October 1 to March 31 you are required to obtain a permit from the NSW Rural Fire Service. Council will only issue a "Permit to Create Air Pollution" if a current and valid NSW Rural Fire Service permit is provided along with a completed Council application. Council will not conduct an inspection during this time, this is why it is important to provide Council with a copy of the NSW RFS permit.

Q. Why is approval needed from Kiama Council

A.

Kiama Council and the Rural Fire Service are working together to reduce the air pollution impacts on climate change of local burning off practices.

Council has adopted the policy that prohibits the burning of dry or dead vegetation in the Municipality with the exception of burning in accordance with a Bush Hazard Reduction Certificate.

Q. What are the general conditions to Council's approval

A.

- You must notify NSW Rural Fire Service (Fire Control Centre: Albion Park

4230 8200 Monday to Friday) prior to commencement of burning.

- Comply with NSW Rural Fire Service Guidelines for Pile Burning and Before you Light that Fire.

- You must by practicable means prevent or minimise air pollution. This includes:

(a) taking into account the potential for smoke impacting on any person in regard to:

(i) wind direction, and

(ii) weather conditions, and

(iii) the length of time that the vegetation being burnt is likely to burn, (b) taking reasonable measures to ensure that the vegetation being burnt is not wet, (c) burning only vegetation that is suitable for disposal by burning, having regard to possible effects on human health and the environment.

- The approval only applies to the quantity and pile/s as outlined in any permit.

Q. What are the alternatives to burning?

A.

Council strongly recommends the use of alternative environmental practices instead of burning vegetation.

- Onsite chipping and/or composting and mulching of organic materials. Chipping can be done at a shared cost with neighbouring landholders.
- Use of Council's green waste disposal facility at Minnamurra recycling centre. Municipality residents can dispose of unwanted vegetation seven days a week.
- Council offers a range of Hire Services through its Waste Service Department.