



Fire Management – Burning Policy





FIRE MANAGEMENT – BURNING POLICY

Name of Council	District Council of Franklin Harbour
Responsibility:	Environmental Protection
Version:	1.4.1
Effective date:	March 2023
Last revised date:	January 2019
Minutes reference:	20/03/23
Next review date:	February 2027
Applicable Legislation:	<i>Local Government Act 1999</i> Fire & Emergency Services Act 2005 Environmental Protection (Air Quality) Policy 2016 Native Vegetation Act 1991

1. Introduction

The burning of garden refuse, dry grass and materials for bushfire prevention in South Australia is regulated by the Fire and Emergency Services Act 2005, Environmental Protection (Air Quality) Policy 2016 and the Native Vegetation Act 1991.

The District Council of Franklin Harbour recognises the need for residents to utilise the method of burning to clear their properties especially for the purpose of fire prevention.

This does not prevent a person from carrying out a burning activity within council area for the following:

- Lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages,
- Burning charcoal (but not wood or other plant material) in a brazier, chiminea or fire pit for domestic heating,
- Lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.

The purpose of this policy is to provide advice on when permits need to be issued and guidelines to be adhered to for safe and effective burning.

2. Burning – No Permit Required

Pursuant to the EPA (Air Quality) Policy 2016, residents are able to burn dried materials such as wood, garden clippings, cardboard and paper outside of the Fire Danger Season without notifying Council subject to the advice outlined in Section 2.1 of this Policy.

Burning is to only occur between the hours of 12 noon and 12 midnight.

No burning is to occur on a day declared Total Fire Ban.

The Fire Danger Season extends from 1 November to 15 April unless otherwise advised by the CFS or MFS.

2.1. **Requirements**

- Stockpiles of dry vegetation to be no larger than 3m x 3m x 1.5m high
- A four metre break is required around the area to be burned



FIRE MANAGEMENT – BURNING POLICY

- All flammable materials are to be removed from the proximity to the burn
- Ensure that working fire control equipment is with you (refer to the CFS and MFS websites www.cfs.org.au and www.mfs.sa.gov.au for further detail)
- A responsible person must be present at all times and must not leave the site of the burn if smoke/smouldering is still emitting from the burnt materials,
- Minimise the smoke entering another person's property, as not to cause a nuisance
- Do not set fire to multiple stockpiles at once
- Do not attempt to burn materials mixed in with the soil

Do not burn the following materials or any other hazardous waste:

- Tyres
- Green garden waste
- Plastic
- Chemical containers
- Treated timber

No fire may be lit or maintained in the open on any street, road, road reserve, laneway or within the town centre.

Consideration must be given to smoke that may be emitted from any fire lit. If Council was to receive complaints regarding smoke causing nuisance to neighbouring properties, the person in charge of the fire in question may be asked to extinguish the fire.

3. Burning (Stock pile vegetation) – Permit Required

Pursuant to the Environmental Protection (Air Quality) Policy 2016 and the Fire & Emergency Services Act 2005, Council supports applications to undertake controlled burning of stockpiled vegetation for bushfire prevention. This section outlines when permits are required to be issued by Council prior to any burning taking place.

3.1. *Fire Danger Season*

Burning may take place within the fire danger season only upon a permit being granted. No fires shall be lit on days of a Total Fire Ban.

3.2. *Size of Piles*

Pile size must not exceed 3m x 3m x 1.5m high either during or outside the Fire Danger Season.

3.3. *Outside of Hours*

Should a resident wish to burn outside of the hours of 12 noon until 12 midnight Monday to Saturday, during or outside of the Fire Danger Season, a permit may be issued by the Fire Prevention Officer authorised to issue such a permit within the Fire and Emergency Services Act 2005 at the Officers discretion.

If a permit has been issued the requirements above are applicable as well as the following;

- The permit is not valid during total fire ban days.



FIRE MANAGEMENT – BURNING POLICY

- A Council Officer shall inspect the property before the permit is issued.
- Any specific conditions deemed necessary by the Fire Prevention Officer will be stated on the permit

4. **Burning (Stubble) – Permit required**

Pursuant to the EPA (Air Quality) Policy 2016 and the CFS fact sheet safe practices, residents are able to burn stubble paddocks provided relevant approvals have been obtained eg. Schedule 9 permit issued by an approved authorised officer, and subject to the advise outlined in Section 4.1 of this policy.

No burning is to occur on a day declared Total Fire Ban.

Burning of stubble piles and rows (dumps) can only occur after the dates declared locally.

4.1 Requirements

- Stubble dumps must be contained within a 20 metre cleared area and a 4 metre ploughed break around the boundary of the relevant paddock.
- Do not light more piles/dumps that can be managed with the resources on hand.
- Before lighting, current and predicted weather conditions must be considered so as not to create a smoke hazard to road users or nuisance to townships.
- A minimum of 3 able bodied persons to be present at the site of the burn from the time of lighting until the time it is fully extinguished.
- A minimum of 1000 litres of water connected to a working fire-fighting pump and hose must be kept at hand to extinguish the fire. This is to remain at the location for a further 24 hours after the completion of the burn or until the area is ploughed.
- No piles/dumps to be burnt within 25 metres of a boundary fence.
- No piles/dumps should exceed a height of 500mm and a diameter of 1.5 metres
- The fire must be checked between 2 to 3 hours of completion of the burn (especially if a fire ban has been declared for the following day in which case it must be fully extinguished by midnight) and the following morning to ensure the fire is completely extinguished.

The holder of a permit must, not more that 7 days and not less than 2 hours prior to the burn, notify of the intention to burn to:

- Any person who owns, occupies or is in charge of the land adjoining the land holding and who resided with 8 kilometres of the relevant land.
- To an officer of the Council for the area not later than 5pm on the day prior to the intended burn.
- If the land is within 2 kilometres of a government reserve – to the person in charge of the reserve.
- The CFS Chief of the area in which the burn is to take place must be notified prior to the burn taking place.



FIRE MANAGEMENT – BURNING POLICY

5. Definitions

5.1. *Total Fire Ban*

BURNING MUST NOT OCCUR ON DAYS DECLARED A TOTAL FIREBAN, if a permit has been issued it becomes invalid on such days. It is the responsibility of the resident/permit holder to determine if a Total Fire Ban has been declared before burning is commenced.

6. Review

This policy will be reviewed by the District Council of Franklin Harbour within 12 months after each general election of Council. However, Council has the right to review this Policy at any time, if considered desirable.

7. References

Fire and Emergency Services Act 2005, EPA (Air Quality) Policy 2016, Native Vegetation Act 1991
CFS Fact Sheet - Creating Fuel Breaks Around Your Home, CFS Fact sheet – Permits to Burn, Broad Acre Burning – CFS Code of Practice.

SIGNED: _____

Responsible Officer

Date: 20/03/23



FIRE MANAGEMENT – BURNING POLICY

Change History

Version	Issue Date	Change
1.0	June 2013	New Policy
1.1	October 2015	Reviewed and Updated
1.2	October 2017	Reviewed and Updated
1.3	February 2019	Reviewed and Updated (post election)
1.4	February 2023	Reviewed and Updated (post election)
1.4.1	March 2023	Update contact details for permit burns