

Backyard Burning Policy

Section: 5.1.1 - Health and Building/Public Order and Safety

Subject : Backyard Burning

Description: This document describes Council's policy towards backyard burning.

Objectives: To implement provisions to better control backyard burning in the Uralla Shire.

Policy:

Overview:

- Home incinerators are prohibited in urban areas.
- Total prohibition of burning items that will pollute including tyres, coated wire, solvent containers and residues, paint containers and residues and treated timber – copper chromium arsenate (CCA) and pentachlorophenol (PCP).
- A general obligation for any person to prevent or minimise pollution when burning.

Policy Statement:

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

Exemptions: This policy allows Council to prohibit burning of vegetation with the following exceptions:

- As part of an agricultural operation, prunings, thinnings, diseased plant material or any other legitimate agricultural activity.
- Cooking and barbequing.
- Training in methods of fire fighting by an appropriate person.
- In a licensed incinerator meeting specified requirements.

Other Matters: *Health and Other Issues*

Note: There are provisions in the *Protection of the Environment Operations Act 1997* that enable Council's authorised officers to require extinguishment of any fire, which the officer can confirm is causing a serious risk to the health of any person. A similar provision applies where it can be confirmed that a fire is not conducted in such a manner as to minimise air pollution.

This Policy does not relate to the safety aspects of burning off – this is covered by the *Rural Fires Act 1997*.

Penalties

Council authorised officers and Department of Environment Climate Change and Water officers, are empowered to serve penalty infringement notices where it can be established there has been a breach of the *Protection of the Environment Operations (Clean Air) Regulation 2010*. Penalties are set by the *Protection of the Environment Operations (General) Regulation 2009*.

Responsibility: **Councillors** are responsible for adopting the Policy and ensuring that appropriate resources are allocated.

The **General Manager** is responsible for authorising the Policy.

Directors and Managers are responsible for reviewing, updating and implementing the Policy.

Employees are responsible for following the Policy.

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Review: This Policy will be reviewed as necessary or every four (4) years from date of adoption.

Last review: October 2013

Reviewer: Manager of Planning

Resolution # 475/01, 94/05 (March 2005), 249/13 (August 2013)

Authorised by:

General Manager

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Date