



Backyard Burning

FACT SHEET

This fact sheet provides information on Council's adopted policy that prohibits backyard burning in urban areas.

Why is backyard burning prohibited in urban areas?

To prevent air pollution and associated health concerns from backyard fires. Backyard fires create annoying smoke which results in numerous calls to Council regarding air pollution and smoke complaints.

What is the regulation prohibiting backyard burning in urban areas?

The *Protection of the Environment Operations (Clean Air) Regulation 2010* lists Clarence Valley Council in Schedule 8 of the regulation. This prohibits backyard burning in urban areas across the local government area without approval.

Full details of the *POEO Clean Air Regulation* can be viewed at the NSW Legislation website at www.lawlink.nsw.gov.au/Lawlink

Exemptions

There are a number of exemptions allowed under the regulation which include:

- Lighting a fire for cooking, recreation such as camping, picnicking and for fire fighting instruction.
- Burning of vegetation for carrying out agricultural operations or
- Lighting a fire for the purposes for instruction of methods of fire fighting
- Bushfire hazard reduction work under the Rural Fires Act (i.e. hazard reduction work with a hazard reduction certificate issued by the Rural Fire Service)

Who can and cannot burn?

Only properties that are zoned as rural or large lot residential not located in or adjacent to an urban area are allowed to burn (subject to the Rural Fires Act and Regulations). Generally this includes all zonings as shown in table.

Exempt areas include;

CVC LEP 2011	Rural and Rural Residential LEP zones given general approval to burn
	RU1, RU2, RU3, R5

*NB – These exempt areas must not be located within or adjacent to urban areas and must comply with the Rural Fires Act and Regulations i.e. permits required during bushfire danger period.

All burning on land subject to other zonings will require approval from Council.

Penalties for non compliance

Under the POEO (Clean Air) Regulation 2010 there is a fine of 50 penalty units for an individual and 100 penalty units for a corporation for breaches of the regulation (a penalty unit is currently \$110 per unit i.e. \$5,500 for an individual and \$11,000 for a corporation).

Any burning outside urban areas must notify the Rural Fire Service on (02) 6644 5127.

Further information

Please contact Council's Waste and Sustainability Section for information regarding other waste disposal options.

For further information regarding backyard burning in urban areas contact Council's Environment, Development and Strategic Planning section on 6643 0200.