

Open burning

The burning of rubbish and vegetation in urban areas results in many complaints due to adverse public health effects. It is also a significant contributor to air pollution in urban areas. Some materials commonly burnt within commercial and residential areas (such as paper and cardboard which could be recycled) is unnecessary. However, the burning of vegetation in or near urban areas causes the most community concern.

Why have controls on backyard burning?

The indiscriminate burning of waste in the open increases the level of fine particulate material in the air.

The main health effects of fine particulate material include:

- increased frequency of asthma attacks
- increased activity restrictions due to adverse lung reactions
- increased potential for severe respiratory distress and heart attacks
- increased mortality due to heart disease and respiratory illness

Environmental responsibility

Councils and communities can work together to reduce local environmental damage that occurs when natural vegetation and fauna habitat is burnt. This will also lower the risk of uncontrolled fires which pose a risk to persons and properties.

Green waste service

The disposal of garbage or vegetation by burning is generally not necessary as waste collection services are available in residential areas. Reduced disposal fees apply at landfills for small loads of green waste (delivered by car, trailer or utility). Disposal fees for larger loads delivered by trucks are reasonable and this waste vegetation is often recycled and used for mulching.

Control of burning regulation

The burning of general waste is prohibited under the *Protection of the Environment Operations (Clean Air) Regulation 2010*. An exception to this applies where domestic waste management services are not available.

The Regulation allows Councils to:

- totally prohibit all open burning (Part 1)
- prohibit open burning of vegetation in specific areas (Part 2)
- prohibit open burning of domestic waste (Part 3)

MidCoast Council has adopted to be included in Parts 2 and 3 of the Regulation.

Under the Regulation, only dead and dry vegetation may be burnt which has accumulated on parcels of land during the normal use of the land. An approval to burn does not include approval to burn for bushfire hazard reduction, subject to the Rural Fires Act 1997, or clearing of vegetation for construction activities, subject to development consent.

When is backyard burning allowed?

An application to Council for approval to burn is NOT required to burn dead and dry vegetation on the land which the vegetation grew in the following areas:

- 1(a) – Rural Zones (as defined in the Great Lakes Local Environmental Plan 1996) on premises of 8,000m² or more
- Rural or Rural Residential Zones (as defined in the Greater Taree Local Environmental Plan 2010)
- the former Gloucester Shire Council area

It is not an offence 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.

Application process

An application form must be completed and submitted to Council. There is no administration fee. Approvals are valid for 12 months.

Who can I call if I am not sure?

Rural Fire Service – 1300 643 262
MidCoast Council – 02 6591 7222