

BURNING PERMIT

ADELAIDE HILLS COUNCIL

Environment Protection (Air Quality) Policy 2016

INTERPRETATION

The following definitions apply for the purposes of this burning permit:

- **fire danger season** means the fire danger fixed pursuant to the *Fire and Emergency Services Act 2005*;
- **metropolitan Adelaide** has the same meaning as in the *Development Act 1993*; and
- **township** has the same meaning as in the *Local Government Act 1999*;

PERMITTED BURNING ACTIVITIES

This burning permit is issued under clause 6(3)(a)(ii) of the *Environment Protection (Air Quality) Policy 2016* ("the Policy") by the Chief Executive Officer of the Adelaide Hills Council. It authorises any person,

subject to the conditions below, to carry out any of the following burning activities, outside of the fire danger season:

- A. burning agriculture or forestry waste;
- B. burning off vegetation for fire prevention or control;
- C. burning vegetation comprising dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating;
- D. lighting or maintaining a fire in the open to burn vegetation comprising dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.

For the avoidance of doubt, the burning activities listed above are in addition to those burning activities that may be carried out in the open within metropolitan Adelaide or, within a township outside of metropolitan Adelaide pursuant to clause 5 of the Policy without the need to obtain a burning permit. This includes:

- lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages; and
- burning charcoal in a brazier, chiminea or fire pit for domestic heating.

CONDITIONS

1. The burning activities described in paragraphs A-D above are only authorised to be carried out on land that is within metropolitan Adelaide **and** any one of the following zones (as defined in the Adelaide Hills Council Development Plan adopted pursuant to the *Development Act 1993*) **but excluding** any land within a township other than the township of Greenhill;
 - 1.1. The Watershed (Primary Production) Zone;
 - 1.2. The Hills Face Zone;
 - 1.3. The Public Purpose Zone, excluding those areas with a Medium Bushfire Risk classification in a Bushfire Protection Area; and
 - 1.4. The Tourist Accommodation Zone,
2. This burning permit does not (and cannot) authorise a person to carry out any of the burning activities described under paragraphs A and B above on land if the person is not the owner or occupier of the land or, does not have the consent or authority of the owner or occupier.
3. A person carrying out a burning activity described under paragraph A and B above must:
 - 3.1. comply with any mandatory measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service; and
 - 3.2. have regard to any recommended measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service.
4. This burning permit is effective from the end of the 2017/2018 fire danger season and remains in force until the start of the 2022/2023 fire danger season unless revoked on an earlier date by further notice of the Council.
5. All burning must occur in accordance with any verbal or written directions given by a Council officer.
6. All reasonable steps must be taken to mitigate any nuisance or adverse effects on occupiers of nearby land arising from the smoke from a fire authorised by this permit.

TAKE NOTE

- This permit does **NOT** authorise the burning of *prohibited substances* as listed in schedule 1 of the *Environment Protection (Air Quality Policy) 2016*, including:
 - waste listed in Part B of Schedule 1 of the *Environment Protection Act 1993*;
 - copper chromium arsenate or other timber preservation chemicals;
 - plastics;
 - tyre waste; and/or
 - a substance of material containing, or contaminated with, any substance listed above.

Causing or permitting the burning of a prohibited substance is an offence that may attract a maximum penalty of \$30 000 (see clause 7(1) of the *Environment Protection (Air Quality Policy) 2016*).

- In accordance with clause 6(5) of the Policy, compliance with this permit does not:
 - relieve a person from liability for any loss, damage or harm caused by a fire lit under the authority of the burning permit; or
 - prevent proceedings for enforcement of the general environmental duty under Section 25 of the *Environment Protection Act 1993*, or for any offence under the *Environment Protection Act 1993*, in relation to the burning activity.
- This permit applies subject to any ban, prohibition, restriction, or other requirement under the *Fire and Emergency Services Act 2005*, the *Native Vegetation Act 1991* or a prescribed act (as that term is defined under the Policy).

Failure to comply with a condition of this permit is an OFFENCE that may attract a maximum penalty of \$30 000

Clause 5(1) of the *Environment Protection (Air Quality) Policy 2016*

For general information and Frequently Asked Questions on Burning in the Open in the Adelaide Hills Council area, please visit Council's website www.ahc.sa.gov.au.

Andrew Aitkin
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Adelaide Hills Council