



NSW RURAL FIRE SERVICE



# BEFORE YOU LIGHT THAT FIRE

Advice for landowners that are planning to burn vegetation on their property





This publication provides a guide for what steps you need to take before lighting a fire.

You will need to make sure you have:

- gained environmental approval (if required)
- been issued a Fire Permit (if required)
- notified all adjoining landowners/occupiers and your local fire authority
- checked to make sure it's not a Total Fire Ban Day.

Fire can be a useful tool for reducing bush fire hazards, removing vegetation, or conducting agricultural activities. It can also be used for ecological purposes to assist in the regeneration of some plant species. However, inappropriate use of fire can endanger lives, property and the environment.

An environmental approval and a Fire Permit may be required before you can light a pile burn (backyard burning) or a vegetation management burn and there are significant penalties for failing to obtain these approvals or comply with their conditions.

*Note: if you plan to mechanically clear native vegetation and burn it in a pile, then you may also need to obtain an environmental approval for the clearing.*

*Cover photo: Carwoola workshop series, Hotspots Fire Project, 2017*

# STEP 1

## Seek environmental approval (if required)

The type of environmental approval that may be required depends on whether the burning you plan to conduct is for bush fire hazard reduction or whether it is for another purpose (for example clearing, garden maintenance or agriculture).

### **BUSH FIRE HAZARD REDUCTION BURNING**

If your burn is for bush fire hazard reduction purposes, you may obtain an environmental approval (Bush Fire Hazard Reduction Certificate) free of charge from the NSW Rural Fire Service (NSW RFS). This approval may also cover the clearing of vegetation for bush fire hazard reduction purposes.

CONTACT YOUR LOCAL NSW RFS FIRE CONTROL CENTRE TO APPLY.

### **BURNS THAT ARE NOT BUSH FIRE HAZARD REDUCTION**

If your burn is not for bush fire hazard reduction purposes (for example agricultural burning or burning to remove or clear vegetation), there are two primary types of environmental approval that you may need:

1. an approval for burning native vegetation
2. an approval for burning in the open.

#### **Approval for burning native vegetation**

Contact your Local Land Services (LLS) office or local council for advice on whether you need an approval for burning native vegetation and how to obtain an approval.

Burning standing native vegetation is considered 'clearing' under the *Local Land Services Act 2013* and your LLS will need to determine whether your burn triggers the need for an approval.

#### **Approval for burning in the open**

Smoke from your burn can negatively impact your community and can contribute to local and regional air pollution.

In many council areas, burning vegetation is prohibited except with an approval from the local council or the NSW Environment Protection Authority.

Whether you need an Open Burning (smoke) approval under the *Protection of the Environment Operations (Clean Air) Regulation 2010*, will depend on how your council has chosen to be identified in the Regulation (Schedule 8).

### **Protection of the Environment Operations (Clean Air) Regulation, 2010 - Schedule 8**

#### **Part 1**

If your council is identified as Part 1 (commonly densely populated areas), then open burning is prohibited unless you obtain an approval from the NSW Environment Protection Authority.

#### **Part 2**

If your Council is identified as Part 2, then you may obtain an Open Burning approval from your council office.

#### **Part 3**

If your council is identified as Part 3 or not identified at all (usually farming areas), then you do not require an Open Burning approval for burning vegetation.

 CONTACT YOUR LOCAL COUNCIL TO ENQUIRE HOW THEY HAVE BEEN IDENTIFIED IN THE REGULATION AND WHETHER YOU NEED AN APPROVAL FOR OPEN BURNING.

## STEP 2

### Obtain a Fire Permit (if required)

A Fire Permit (fire safety approval) is required during the Bush Fire Danger period. The Bush Fire Danger Period generally runs from 1 October to 31 March, however it may vary due to local conditions.

A Fire Permit is also required if your burn is likely to endanger a building or if it is in a Fire & Rescue NSW district.

The aim of the Fire Permit is to ensure your fire will be managed safely. A Permit imposes conditions on the way a fire is lit and maintained. It also informs the authorities exactly when and where landowners intend to burn, to ensure adequate and appropriate measures are in place so that fires remain under control.

A Fire Permit will only be issued if you can demonstrate that you have appropriate environmental approval (if required) for the burning.

 **CONTACT YOUR LOCAL NSW RFS FIRE CONTROL CENTRE OR FIRE & RESCUE NSW STATION TO OBTAIN A FIRE PERMIT.**



## STEP 3

### Provide notifications

At least 24 hours before burning, you must notify your local NSW RFS Fire Control Centre or Fire & Rescue NSW Station of your intention to burn (unless specified otherwise in your permit). The fire authority will record the information and monitor weather conditions.

You must also notify any adjoining neighbours including those separated by a road, lane or waterway at least 24 hours before burning (unless specified otherwise in your permit). Your neighbours may be exposed to the smoke from your burn and may need to make preparations to avoid any negative impacts (medical conditions, impacts on sensitive crops, livestock and pets).

 IF YOU DO NOT PROVIDE NOTIFICATION, YOUR NEIGHBOURS MAY CALL EMERGENCY 000 TO REPORT YOUR FIRE AND THE LOCAL FIRE AUTHORITY MAY TAKE ACTION.



# STEP 4

## Check if it's a Total Fire Ban Day

On Total Fire Ban Days the lighting of fire is prohibited and your Fire Permit will be automatically suspended.

The NSW RFS Commissioner declares Total Fire Bans based on weather forecasts from the Bureau of Meteorology and other additional information. For public safety, a Total Fire Ban is declared on days when there is a combination of dry vegetation and hot, dry and windy weather. On these days fires will be difficult to contain and are likely to escape.

Suspended Fire Permits may resume after the Total Fire Ban is lifted.

**i** BE AWARE, THERE ARE SIGNIFICANT PENALTIES FOR LIGHTING A FIRE ON A TOTAL FIRE BAN DAY. CHECK TO SEE IF IT IS A TOTAL FIRE BAN BY CALLING THE BUSH FIRE INFORMATION LINE 1800 679 737 OR GO TO [WWW.RFS.NSW.GOV.AU](http://WWW.RFS.NSW.GOV.AU)



### Further information

If you are planning to burn a small pile of vegetation you should read the NSW RFS publication *Standards for Pile Burning*.

If you are planning to conduct a hazard reduction or vegetation management burn you should read the NSW RFS publication [Standards for Low Intensity Bushfire Hazard Reduction Burning](#).

For information on how to apply for a Bush Fire Hazard Reduction Certificate, you should read the NSW RFS publication [Application Instructions for a Bush Fire Hazard Reduction Certificate](#).

These documents will provide you with additional information that will assist you to prepare for and safely conduct your burn. They are available at your local NSW RFS Fire Control Centre or on the NSW RFS website.

### Contacts

#### NSW Rural Fire Service Bush Fire Information Line

1800 679 737 (ask to be put through to your local Fire Control Centre)

[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

#### Fire and Rescue NSW

Phone: 9265 2999

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

#### Local Land Services

[www.lls.nsw.gov.au](http://www.lls.nsw.gov.au)

#### NSW Environment Protection Authority

Environment Line: 131 555

[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

# Before you light that fire

## 1. Do you need an ENVIRONMENTAL APPROVAL?

**Sometimes!** An approval is usually required to clear the vegetation you intend to burn and to conduct the burn.

If your clearing and burning is for hazard reduction purposes you can apply for an environmental approval (Hazard Reduction Certificate) through the NSW RFS.

If your burning is not for hazard reduction purposes (garden maintenance etc), you need to contact your Local Land Services office and Council to see if you require an environmental approval for vegetation clearing or burning in the open (air pollution).

## 2. Do you need a FIRE PERMIT?

**Sometimes!** You will need a Fire Permit if:

- you are burning during the Bush Fire Danger Period (usually October to March)
- your burn is likely to endanger a building, or
- your fire is in a Fire & Rescue NSW area.
- You can obtain a Fire Permit from your local NSW RFS Fire Control Centre or Fire & Rescue NSW Station.

## 3. Do you need to NOTIFY anyone before burning?

**Yes!** It is a legislative requirement to provide a minimum of 24 hours notice (unless specified otherwise in your Fire Permit) to:

- your local fire authority (Rural Fire Service or Fire & Rescue NSW), and
- all adjoining landowners (or occupiers).

## 4. Can you light your fire on a TOTAL FIRE BAN DAY?

**No!** Burning is not permitted on Total Fire Ban Days.

Check to see if it is a Total Fire Ban by calling the Bush Fire Information Line 1800 679 737 or go to [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

Total Fire Ban Days will also be announced in the media.

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