



## Burning in the Open Information Sheet

Burning in the open and undertaking activities that involve fire, heat and the burning of materials is a concern to community safety, due to the potential threat of bushfire and the impacts of smoke and odour on air quality, amenity and health.

The Environmental Protection (Air Quality Policy) 2016 outlines the conditions and controls that are imposed on burning in the open and seeks to improve the health and safety of communities and the environment through improved air quality. In addition the Local Nuisance and Litter Control Act 2016 provides for the control and abatement of local nuisances which includes a nuisance caused by smoke, odour and fumes, all of which can be created through activities involving fire, heat and the burning of materials.

A person must not cause or permit the burning of matter by a fire in the open on any residential premises, street, road or laneway, except for:

- any fire within a dwelling;
- any fire used principally for the preparation of food or beverages or the heating of a potable liquid;
- the burning of charcoal within a brazier principally for the purpose of heating an area used for outdoor entertainment;
- burning off by a person for the purpose of reducing the hazard of bushfires, provided that the Council has permitted the burning-off by notice in writing.

Further and most importantly is the threat of bushfire, which requires strict controls over activities that involve fire, heat and the burning of materials. The following table lists the restrictions during the **Fire Danger Season** and on **Total Fire Ban** days and provides additional information relating to the specific controls for **Non-Fire Danger Season** and under other applicable legislation and the City of Salisbury By-Laws.

Please refer to the following tables on the controls how these apply to you and what restrictions are in place in your area, in or outside of these times. If you are unsure please contact the City of Salisbury's Fire Prevention Officer on 8406 8222.

## **Further Information**

### **City of Salisbury**

Web: [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

Phone: Fire Prevention Officer on 8406 8222.

### **CFS**

Web: [www.cfs.sa.gov.au](http://www.cfs.sa.gov.au)

What Can I Do / What Can't I Do?

[http://www.cfs.sa.gov.au/site/fire\\_bans\\_and\\_ratings/what\\_can\\_i\\_do\\_what\\_cant\\_i\\_do.jsp](http://www.cfs.sa.gov.au/site/fire_bans_and_ratings/what_can_i_do_what_cant_i_do.jsp)

CFS Code of Practice for wood fired pizza ovens -

<http://www.cfs.sa.gov.au/public/download.jsp?id=64018>

### **EPA**

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

Burning in the open -

[www.epa.sa.gov.au/environmental\\_info/air\\_quality/assistance\\_and\\_advice/burning-in-the-open](http://www.epa.sa.gov.au/environmental_info/air_quality/assistance_and_advice/burning-in-the-open)

Environment Protection (Air Quality) Policy) 2016 <https://www.legislation.sa.gov.au>

### **Local Nuisance and Litter Control Act**

<https://www.legislation.sa.gov.au>

## What Can I Do / What Can't I Do?

### Can I use a fire for the preparation of food and beverages?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

##### YES

Fire must be contained in a fire place, portable cooking appliance, or trench 30cm deep.

Clearance of 4m from flammable material.

Max size of 1 metre square.

Extinguishing agent on hand.

Fire supervised at all times.

Fire must be of size adequate for preparation of food or beverage. Dry wood, charcoal or dry plant material may be used.

#### On a Total Fire Ban Day

##### NO

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

##### YES

As per “Within Fire Danger Season”

#### Other Legislation / Comments / Further Information

Even though a fire can be permitted for the purposes of cooking, you cannot create a condition that causes Environmental Harm or a Local Nuisance.

Environment Protection (Air Quality) Policy

Clause 8—Environmental harm

For the purposes of section 5(1)(b) of the Act, the emission to the environment of ash or other residual matter caused by burning a prohibited substance by fire in contravention of clause 7 is declared to constitute environmental harm.

Local Nuisance and Litter Control Act 2016

Section 17—Meaning of local nuisance

(1) For the purposes of this Act, local nuisance is—

(a) any adverse effect on an amenity value of an area that—

(i) is caused by—

(A) noise, odour, **smoke**, fumes, aerosols or dust; or

and

(ii) unreasonably interferes with or is likely to interfere unreasonably with the enjoyment of the area by persons occupying a place within, or lawfully resorting to, the area;

Environment Protection (Air Quality) Policy 2016 <https://www.legislation.sa.gov.au>

Local Nuisance and Litter Control Act - <https://www.legislation.sa.gov.au>

## What Can I Do / What Can't I Do?

### Can I burn-off on my property for fuel reduction and or bushfire management purposes?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

**NO**

Unless you have obtained a Schedule 9 Permit from Council.

#### On a Total Fire Ban Day

**NO**

Unless you have obtained a Schedule 10 permit from Council.

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

**NO**

Burn off is not permitted in any Council area without a permit

#### Other Legislation / Comments / Further Information

See, "How to apply for permit" below

For Schedule 9 and 10 Permits please contact Fire Prevention Officer

### Can I burn grass clippings and agricultural wastes?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

**NO**

For any burning of rubbish or vegetation clippings, a Schedule 9 permit is required from your Council.

#### On a Total Fire Ban Day

**NO**

Unless you have a Schedule 10 Permit from your Council.

**The lighting of incinerators is banned during days of Total Fire Bans.**

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

**YES**

Permits can be issued for non-domestic properties.

However, burning of vegetation clippings is not permitted in any Residential Zone of the City of Salisbury.

#### Other Legislation / Comments / Further Information

See, How to apply for permit" below

For Schedule 9 and 10 Permits please contact Fire Prevention Officer

## What Can I Do / What Can't I Do?

### Can I burn rubbish?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

**NO**

#### On a Total Fire Ban Day

**NO**

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

**NO**

Permits will not be issued for burning of rubbish, including but not limited too plastic, tyres, treated timber, liquid wastes, furnishings etc. These are prohibited under the Air Quality Policy.

### Can I use a gas or electric barbecue?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

**YES**

Providing:

- The BBQ is clear of all flammable material to a distance of at least 4 metres;
- A person who is able to control the fire is present at the site of the fire until it is extinguished;
- An appropriate extinguisher is at hand.

#### On a Total Fire Ban Day

**YES**

A gas or electric barbecue can be used:

- within 15 metres of a domestic premises, OR
- on a coastal foreshore

Providing:

- The BBQ is clear of all flammable material to a distance of at least 4 metres;
- A person who is able to control the fire is present at the site of the fire until it is extinguished;
- An appropriate extinguisher is at hand.

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

**YES**

Providing:

- The BBQ is clear of all flammable material to a distance of at least 4 metres;
- A person who is able to control the fire is present at the site of the fire until it is extinguished;
- An appropriate extinguisher is at hand.

#### Other Legislation / Comments / Further Information

Council Reserves:

Under Council By-Laws a person must not without the permission of the Council, light a fire except in a place provided by the Council for that purpose; or in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres.

The use a kettle barbeque during fire danger season is **not** permitted

## What Can I Do / What Can't I Do?

### Can I use a Kettle BBQ?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

##### YES (other than Council Reserves)

Provided that:

- The BBQ is clear of all flammable material to a distance of at least 4 metres;
- A person who is able to control the fire is present at the site of the fire until it is extinguished;
- An appropriate extinguisher is at hand.

#### On a Total Fire Ban Day

##### NO

**A solid fuel burning kettle BBQ** (one that uses fuel such as wood, charcoal or heat beads) cannot be used unless you obtain a Schedule 10 Permit from your Council.

**A gas-fired kettle BBQ can be used if used** within 15 metres of a domestic premises or on a coastal foreshore, providing that:

The BBQ is clear of all flammable material to a distance of at least 4 metres;

A person who is able to control the fire is present at the site of the fire until it is extinguished;

An appropriate extinguisher is at hand.

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

##### YES (other than Council Reserves)

Provided that:

- The BBQ is clear of all flammable material to a distance of at least 4 metres;
- A person who is able to control the fire is present at the site of the fire until it is extinguished;

An appropriate extinguisher is at hand.

#### Other Legislation / Comments / Further Information

##### Council Reserves:

Under Council By-Laws a person must not without the permission of the Council, light a fire except in a place provided by the Council for that purpose; or in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres.

The use a kettle barbeque during fire danger season is **not** permitted under Council By-Laws

The use of Kettle or solid fuel BBQ's is also subject to the following:

EP(AQ)Policy, Clause 8—Environmental harm, and

Local Nuisance and Litter Control Act 2016, Section 17—Meaning of local nuisance

See, "How to apply for permit" below

For Schedule 9 and 10 Permits please contact Fire Prevention Officer

Environment Protection (Air Quality) Policy) 2016 <https://www.legislation.sa.gov.au>

Local Nuisance and Litter Control Act - <https://www.legislation.sa.gov.au>

## What Can I Do / What Can't I Do?

### Can I use a pizza oven?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

##### YES

Provided it is a gas or electric - see above for barbeques.

If wood fired, it must comply with [CFS Code of Practice](#) for wood fired pizza ovens or obtain a Schedule 9 Permit from Council.

#### On a Total Fire Ban Day

##### NO

Unless it is gas or electric - see above for barbeques - or you have obtained a Schedule 10 Permit from your Council

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

##### YES

Provided it is a gas or electric - see above for barbeques.

If wood fired, it must comply with [CFS Code of Practice](#) for wood fired pizza ovens or fire must be contained in a fire place, portable cooking appliance, and

Clearance of 4m from flammable material.

Extinguishing agent on hand.

Fire supervised at all times.

#### Other Legislation / Comments / Further Information

##### Council Reserves:

Under Council By-Laws a person must not without the permission of the Council, light a fire except in a place provided by the Council for that purpose; or in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres.

The use a kettle barbeque during fire danger season is **not** permitted under Council By-Laws

The use of pizza oven or solid fuel BBQ's is also subject to the following:

EP(AQ)Policy, Clause 8—Environmental harm, and

Local Nuisance and Litter Control Act 2016, Section 17—Meaning of local nuisance

See, "How to apply for permit" below

For Schedule 9 and 10 Permits please contact Fire Prevention Officer

Environment Protection (Air Quality) Policy) 2016 <https://www.legislation.sa.gov.au>

Local Nuisance and Litter Control Act - <https://www.legislation.sa.gov.au>

## What Can I Do / What Can't I Do?

### Can I have a campfire, bonfire or light a fire for warmth or comfort?

#### Within the Fire Danger Season (usually 1st Dec – 30 Apr)

**NO**

Within the City of Salisbury open campfires and bonfires are not permitted. Comfort heating must be in a chiminea and only charcoal used.

**Please note that only charcoal** is allowed to be burnt for comfort fires within a metropolitan area or within township boundaries by the EPA Legislation. Check with Council before lighting a comfort fire.

#### On a Total Fire Ban Day

**NO**

Unless you have a Schedule 10 Permit from your Council.

#### Non-Fire Danger Season (usually 1st May – 30 Nov)

**NO**

Within the City of Salisbury open campfires and bonfires are not permitted. Comfort heating must be in a chiminea and only charcoal used.

**Please note that only charcoal** is allowed to be burnt for comfort fires within a metropolitan area or within township boundaries by the EPA Legislation. Check with Council before lighting a comfort fire. Even though a fire can be permitted for heat and comfort you cannot create a condition that causes Environmental Harm or a Local Nuisance.

#### Other Legislation / Comments / Further Information

EP(AQ)Policy Clause 8—Environmental harm

Local Nuisance and Litter Control Act 2016, Section 17—Meaning of local nuisance

See, “How to apply for permit” below

For Schedule 9 and 10 Permits please contact Fire Prevention Officer

Environment Protection (Air Quality) Policy) 2016 <https://www.legislation.sa.gov.au>

Local Nuisance and Litter Control Act - <https://www.legislation.sa.gov.au>



# How to Apply for a Burning Permit

## *Environment Protection (Burning) Policy 1994*

1. An application for a permit can be in writing, via email, in person or over the phone detailing:
  - location of proposed fire;
  - name of occupier/owner of property and contact details including phone numbers;
  - reason for wishing to burn in the open;
  - matter or class of matter to be burned;
  - quantity of matter;
  - period of time for which the consent is sought, and
  - payment of permit application fee  
(Note: Payment of permit application fee is required prior to your application being processed)
  - payment of permit application fee (non-refundable) The application fee is set under section 188(1) (f) of the Local Government Act 1999
  - payment does not imply permission, formal written consent and a permit will be issued upon approval
2. A person must not cause or permit the burning of matter by a fire in the open on any non-residential premises without written consent (permit) of the Council, except for:
  - disposal of gaseous wastes;
  - recreational purposes, including barbecuing, picnicking, scouting or similar outdoor activities;
  - instruction in methods of fire-fighting;
  - the prevention and control of bushfires.
3. Where the Council grants consent (permit), the permit must be in writing and be expressed to operate for such periods and subject to such conditions as the Council considers necessary or desirable to control or minimise fire risks and air pollution from the land or premises concerned.
4. The requirements for consent should be restricted to the burning of prescribed pest plants, plants infested with a prescribed pest or disease, agricultural/horticultural green waste that cannot be recycled because of its large volume, or for ecologically accepted land management practices.
5. For Schedule 9 and Schedule 10 Permits under the Fire and Emergency Services Act 2005 please contact the Fire Prevention Officer on 84068222



**APPLICATION FOR A PERMIT  
FOR BURNING ON NON DOMESTIC PREMISES**

City of Salisbury  
P O Box 8  
SALISBURY SA 5108

**Attention: Fire Prevention Officer**

**Applicant**

I (*full name*)

Of (*address*)

Phone: Wk:

Mobile:

Email:

**Location of Proposed Fire**

Site Address:

Name of Responsible Person(s) to be at site to control and completely extinguish fire:

Responsible Person(s) Phone: Wk:

Mobile:

**Proposed Fire Details**

Hereby make application to the City of Salisbury for a permit for burning on non domestic premises for the following purpose (describe reason for fire):

Items/materials or class of materials to be burned:

Quantity of materials:

Period of time consent is sought, from:     /     /     to:     /     /

**Application Fee: \$31.00**

Permit subject to conditions as specified over page:

THE ISSUING OF A PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. The premises and materials must be inspected by a Fire Prevention Officer prior to permits being issued.
2. A permit does not authorise a person to light or maintain a fire contrary to the terms of a total fire ban.
3. Permits will not be issued during the fire danger season.
4. Burning shall only be conducted between the hours of 10.00am and 3.00pm Monday to Saturday. The fire shall be completely extinguished except between those times.
5. Burning is not permitted to be conducted on Sundays and Public Holidays.
6. No Burning shall be within 4 metres of flammable material.
7. Adequate supply of water is to be available to extinguish the fire.
8. That a sufficient number of responsible persons to contain the fire must be present at the site of the fire from the time the fire is lit to the time it is completely extinguished.
9. Burning shall only be conducted so as not to cause nuisance to other properties and in such a manner to minimize the emission of smoke.
10. Only dry vegetation may be burned
11. Only light and maintain one small pile at a time.
12. Compliance with CFS Vegetation Pile Burning and CFS Broad Acre Burning Code of Practices
13. Any other specific conditions for each permit as identified by Fire Prevention Officer
14. If a permit is issued you must:
  - (a) notify the Council on 84068222, and the Country Fire Service 0413940184 prior to lighting the fire.
  - (b) keep your permit with you while the fire is burning in the event of inspections.
15. Non observance of any condition may result in the permit being revoked and may incur a fine of \$300 or category B offence.
16. A permit may be revoked by an authorised officer (Fire Prevention Officer) or by the Chief Officer—
  - (a) if the permit holder fails to comply with a condition of the permit; or
  - (b) if the authorised officer or Chief Officer considers that sufficient reasons exist to justify the revocation of the permit.
17. The fact that the holder of a permit has complied with the conditions of the permit does not of itself relieve the holder from liability for any loss or damage caused by a fire lit under the authority of a permit.

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Applicants Signature

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Date