

# NOTICE OF CONDITIONS FOR APPROVAL TO BURN (RURAL AREAS)

1 APRIL TO 30 SEPTEMBER 2021

**This approval applies only to single land parcels that are 4000m<sup>2</sup> (one acre) or greater in area rural zoned properties in Wallacia, Mulgoa, Kemps Creek, Mt Vernon, Londonderry, Llandilo, Castlereagh, Berkshire Park, Cranebrook, Orchard Hills, Luddenham, Agnes Banks, Badgerys Creek and Regentville.**

In accordance with the *Protection of the Environment Operations (Clean Air) Regulation 2010*, Penrith City Council hereby grants general approval for burning in the open of dead and dry vegetation that originated on the property where the burning is to be carried out.

If your property falls within a NSW Fire and Rescue area, a Fire Permit must be obtained from NSW Fire and Rescue prior to the commencement of the burn.

This approval is granted subject to the provisions of the Regulation and the following conditions:

1. Only dead and dry vegetation, where the vegetation originally grew on the same property shall be burnt in accordance with the Rural Fire Service "Standards for Pile Burning" June 2003: [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)
2. All fires are to be pile burns where the pile is not to exceed 2m in length or width and must not be greater than 1.5m high. Any logs over 150mm in diameter are not to be added to the pile.
3. Burning under this approval must at all times be carried out by such practicable means as are necessary to prevent or minimise air pollution. Burning should not be carried out during periods of high wind or when the weather conditions are likely to cause smoke impacts on sensitive receptors such as schools, nursing homes, childcare centres or other residences.
4. All reasonable measures should be taken to ensure that the material being burnt is not wet or green.
5. Only dead and dry vegetation is to be burnt. Plastics, rubber, chemical and pesticide containers, and the following specific prohibited articles are not to be burnt:
  - a. Tyres, plastic coated wire, paint/solvent containers and residues.
  - b. Timber treated with copper chromium arsenate (CCA) or pentachlorophenol (PCP) or painted timber.
  - c. Grass clippings and leaves are not considered suitable due to the excessive smoke and alternative methods of disposal should be sought.
6. All fires are to be a minimum distance of 20m from any building, areas of natural vegetation and 10m from all property boundaries.
7. In the event of a Total Fire Ban being declared this approval is suspended. Any existing fire is to be extinguished and is not to be recommenced until the Total Fire Ban is lifted.
8. In the event of a No Burn Day being declared by the Department of Environment and Climate Change (DECC) this approval is suspended for the duration of the declaration. When a No Burn Notice is issued, it applies to the lighting of new fires in the declared areas. Existing fires are

allowed to continue in accordance with the conditions of the No Burn Notice, as extinguishing the fire would result in more smoke. No Burn Notices are notified in the Public Health section of the Sydney Morning Herald not later than on the day on which the Order is to take effect. Recorded information about No Burn Notices is usually available after 4pm on the day before the notice comes into effect and can be accessed by phoning 131 555 or at the NSW Department of Environment & Climate Change website [www.environment.nsw.gov.au/topics/air](http://www.environment.nsw.gov.au/topics/air)

9. Adjoining neighbours and people likely to be affected by smoke are to be notified at least 48 hours before the fire is lit. This will allow for smoke sensitive people including asthmatics to plan to be away from the area before the burn is conducted.
10. Notice is to be given to the Cumberland Zone Rural Fire Service at least 24 hours prior to the burn. All notifications must be made online at [www.rfs.nsw.gov.au/notify](http://www.rfs.nsw.gov.au/notify) which is the preferred option of the Rural Fire Service.
11. A responsible supervising adult over the age of 18 shall be on site at all times with enough water to extinguish the fire, if required, for the time the fire is active.
12. Burning shall only be conducted between the hours of 8am and 6pm on any day.
13. Any residue waste from the burning must be disposed of in an environmentally satisfactory manner and in accordance with the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 2005. On completion of the burn, the burnt area must be maintained in a condition that minimises or prevents the emission of dust and prevents sediment or ash from fires being washed from the area into surrounding waterways (natural or constructed) including creeks, stormwater drainage lines, dams or ponds.

## LIMITS OF THIS APPROVAL

**This approval remains in force from 1 April to the 30 September 2021 or until the commencement of the Bush Fire Season if declared earlier.**

This approval **does not apply to:**

1. the burning of vegetation resulting from land clearing undertaken without development consent. Vegetation arising from land clearing can only be burnt in accordance with this general approval and if allowed under a development consent issued by Council.
2. the burning of packaging associated with agricultural operations.
3. ecological/bush regeneration burns which are carried out to destroy infestations of noxious weeds, or to clear land for native species regeneration. Prior to any burning of vegetation on any property where there are known threatened species, populations, ecological communities of any known Aboriginal relics, individuals and organisations must obtain advice from the DECC contact below. Individuals and organisations that wish to carry out these burns should apply to the Manager Metropolitan Projects and Support, Department of Environment and Climate Change (NSW), PO Box 668 PARRAMATTA NSW 2124.

Penrith City  
PO Box 60,  
NSW 2751

## PENALTIES APPLY

Conducting open burning that does not comply with the conditions of this approval may result in an on the spot penalty notice exceeding \$500.00 for an individual or \$1000.00 for a corporation. In the event of prosecution for such an offence the maximum penalty is \$5,500 for an individual and \$11,000 for a corporation.

### ENQUIRIES

Phone Council's Coordinator Ranger & Animal Services on 4732 7777.