

<b>Policy Reference Number:</b>	2.32
<b>Classification:</b>	Legislative
<b>Last Reviewed:</b>	11 October 2016 (Res 143/2017) 9 March 2022 (Res 237/2022)
<b>Next Review Date:</b>	March 2026
<b>Responsible Officer:</b>	Chief Executive Officer
<b>Approved by:</b>	Council Resolution
<b>Applicable Legislation:</b>	<i>Environmental Protection Act 1993</i> <i>Environment Protection (Air Quality) Policy 2016</i> <i>Fire and Emergency Services Act 2005</i>

## 1. Introduction

- 1.1 In July 2016 the new Environment Protection (Air Quality) Policy 2016 (the Air Quality Policy) came into effect. The Air Quality Policy, created by the Environment Protection Authority (EPA) regulates air emissions including those from wood heaters and burning in the open. The intent of the Air Quality Policy is to better protect and improve the health of South Australians and the environment through improved air quality.
- 1.2 The introduction of the Air Quality Policy results in a number of changes to controls relating to burning in the open. In regard to townships within the District Council of Robe area, the burning that was previously permitted without the requirement for any approval, Monday to Saturday, 10am to 3pm, now requires a burning permit from Council.
- 1.3 The purpose of the Township Burning Permit Policy is to establish a set of criteria to be considered by Council's delegated officers when assessing permit applications for burning within townships.

## 2. Objectives

- 2.1 The objective of the Policy is to establish a set of criteria that Council's delegated officers can consider when assessing permit applications for burning within townships in the District Council of Robe.

## 3. Definitions

- 3.1 **"Agriculture Waste"** means waste produced in the course of agriculture and includes dead stock, diseased crops, crop stubble or other crop waste and waste resulting from the clearing of land for farming.

- 3.2 **“Authorised Officer”** means an employee of Council delegated with the authority to issue a Burning Permit in accordance with the provisions of the Environmental Protection Act 1993 and the Delegations by the Board of the Environment Protection Authority to Employees of Councils.
- 3.3 **“Burning Permit”** means a permit issued by an Authorised Officer of the District Council of Robe, issued in accordance with the provisions of the Environment Protection (Air Quality) Policy 2016, to carry out one or more of the following burning activities outside of a fire danger season:
- burning agriculture or forestry waste; or
  - burning off vegetation for fire prevention or control; or
  - burning vegetation for any other purpose.
- 3.4 **Permits for lighting or maintaining a fire during the Fire Danger Season are covered under the Fire and Emergency Services Act 2005 and subject to a separate application and permit.**
- 3.5 **“Township”** means a township as declared and gazetted by the District Council of Robe.

#### 4. Policy Statement

- 4.1 In assessing Burning Permit applications, Council's Authorised Officers, will use their discretion, taking into account the following criteria, in determining whether a permit will be issued or not:
- Bushfire risk of the area
  - Purpose of the proposed burning
  - Amount of material to be burnt
  - Fuel load present on adjoining properties
  - Properties in close proximity or adjoining reserves or national parks
  - Proximity and potential impact to neighbouring residents
  - Availability of other reasonable means to dispose of the vegetation
  - Legitimacy of the proposed burning – i.e. is this genuine fire hazard reduction or rubbish removal
  - Nature of material to be burnt
  - Size of the Allotment
  - Terrain of the allotment and locality
  - Accessibility to the allotment and area where the vegetation is to be burnt
  - Is the material declared and or woody weeds
  - Is the material diseased plant material
  - Requirements of the Country Fire Service Broad Acre Burning Code of Practice
  - Requirements of the Country Fire Service Vegetation Pile Burning Code of Practice
  - Religious or Cultural purposes

#### 5. Delegation

- 5.1 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

## **6. Further Information**

- 6.1 This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.robe.sa.gov.au](http://www.robe.sa.gov.au)
- 6.2 3 Royal Circus, Robe SA 5276
- 6.3 Copies will be provided to interested parties upon request. Email [council@robe.sa.gov.au](mailto:council@robe.sa.gov.au)
- 6.4 Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

## **7. Policy Review**

- 7.1 This policy may be amended at any time and must be reviewed at least every four years since its latest amendment.