

# BEFORE YOU light that fire...



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**NSW RURAL FIRE SERVICE**

*...for our community*

# Have you thought about alternatives to burning?

## BEFORE YOU LIGHT THAT FIRE

### Introduction

Fire can be a useful tool for reducing bush fire hazards, removing rubbish and agricultural activities. Landholders are legally required to reduce bush fire hazards on their land under the *Rural Fires Act 1997*. You can do this by hand clearing, mowing, slashing, or by using fire. If you decide fire is the best method then follow the steps in this document.

Inappropriate use of fire can endanger lives, property and the environment. Every year, a significant number of fires have damaging impacts on peoples' lives and the environment. You can help avoid this by following some basic guidelines and obtaining the correct approvals. There are only two types of approvals you may need, a permit to burn safety and/or an environmental approval.

A person who lights a fire without the required approvals is guilty of an offence with a maximum penalty of \$110,000 and/or imprisonment for 14 years. Further substantial penalties may be incurred if environmental regulatory legislation was breached, or where a fire causes substantial damage, injury or death.

If you are in a NSW rural fire district contact your local NSW Rural Fire Service (RFS) fire control centre for advice and applications for permits and approvals. To find your local RFS go to the RFS website [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au).

For any open fire on land, whether you require approval or not, you must give 24 hours notice to all adjacent landholders and your local RFS or NSW Fire Brigade station.

**At all times you are required to ensure that a fire is safe and under control. If you become aware that a fire is out of control (whether you lit it or not) you must take all possible steps to extinguish the fire. If you are unable to do this you must immediately call 000 to alert the nearest rural fire brigade or NSW Fire Brigade. Failure to do so may result in a fine of over \$2000 and or six months in prison.**

### Before you light a fire checklist

Think about why you are lighting the fire. Is it for hazard reduction, cooking, stubble or pile burning? This may affect what permits and approvals you need. See the table attached for further advice. If the fire is for hazard reduction purposes, then consider these points.



Assess fuel levels and other risks such as the location of structures on your property (see NSW RFS Fireguard Pamphlet 15 Hazard Reduction for advice).



Consider the best method of reducing bush fire hazards (fire is not the only option, think about clearing by mowing, slashing, hand clearing etc).



Can the burn be easily contained, and limit the burn by pile burning



Consult the RFS's *Guidelines for Pile Burning* or the *Guidelines for Low Intensity Hazard Reduction Burning* for practical advice on how to conduct the burn.



Consider what permits and approvals you might need.



Consult your local RFS to determine what environmental approval is required. You will probably require a Bush Fire Hazard Reduction Certificate.

 If you need a Bush Fire Hazard Reduction Certificate you must gain this before applying for a separate permit to burn.

 If the fire could threaten a building contact your local RFS or NSW Fire Brigade station for a permit to burn.

 If you are planning to light a fire during the Bush Fire Danger Period contact your local RFS or NSW Fire Brigade station for a permit to burn.

 Find out if you live in a council area that requires a permit to burn all year round. Contact your local RFS for advice.

 Ask your local RFS for advice on whether your council requires a smoke permit.

 When a Total Fire Ban or No Burn Day are declare in your area you cannot light a fire in the open, even if you have a permit and approvals.

 Advise your closest local RFS or NSW Fire Brigade when you are conducting the burn.

 When you conduct the burn you must have the approval and/or permit with you and comply with all its conditions.



## **A permit is a fire safety approval**

If you are planning to light a fire in the open during the Bush Fire Danger Period you are required to obtain a permit. The Bush Fire Danger Period is normally from October 1 to March 31 but may vary due to local conditions. Permits are required in some council areas all year round. Permits are also required at all times when fire is likely to endanger a building. If in doubt ring your local RFS or closest NSW Fire Brigade Station to determine if any of these apply.

Permits are not required during the Bush Fire Danger Period for fires that are lit for the purpose of heating or cooking provided the following conditions are met:

- The fire is in a permanently constructed fire place with at least two metres cleared of combustible material, or it is at a site with at least three metres cleared of all combustible materials.
- An adult must be in attendance.
- The fire must be completely extinguished before leaving.

Even if you have a permit, the lighting of open fires is prohibited during a Total Fire Ban. The permit will be suspended or cancelled on days of 'High Fire Danger' to 'Extreme Fire Danger' or when the NSW Environmental Protection Authority (EPA) declares a No Burn Day.

You can check if a Total Fire Ban is in force in your area by ringing the RFS Information Line on 1800 654 443 or by going to [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au). You can check if a No Burn Notice is in force by ringing the EPA Pollution Line on 131 555 or by going to [www.epa.nsw.gov.au/airqual/aqupd.asp](http://www.epa.nsw.gov.au/airqual/aqupd.asp).

All permits are issued by the Commissioner of the RFS or his/her delegate in rural fire districts or officers of the NSW Fire Brigades in fire districts. To obtain a permit contact your local RFS or your nearest NSW Fire Brigades station to arrange an inspection by a permit issuing officer. Read the conditions carefully and abide by those conditions. A fire permit is valid for up to 21 days only.

**Hazard reduction work involves reducing the fuel load to make it easier to control wildfires**

When you undertake any burning during the Bush Fire Danger Period you must have the permit with you and comply with the conditions on the permit.

## Bush Fire Hazard Reduction Certificates

The Bush Fire Hazard Reduction Certificate is the **environmental approval** for bush fire hazard reduction work only. Bush fire hazard reduction work involves reducing fuel loads to make it easier to control wildfires and protect assets such as homes. Burning is commonly used to do this but it may also be possible to achieve the desired outcomes by other methods such as mowing, slashing or hand clearing. This certificate is required if the bush fire hazard reduction is done in native vegetation, could threaten endangered species, or result in air or water pollution or soil erosion.

Your local RFS can issue a Bush Fire Hazard Reduction Certificate or provide advice on where to get another environmental approval. This certificate cannot be used in cases where an area is particularly environmentally sensitive, such as a rainforest or wetland. A more detailed environmental assessment may then be required. The local RFS will be able to tell you if this is the case. If a Bush Fire Hazard Reduction Certificate is issued no other form of environmental approval is required.

A Bush Fire Hazard Reduction Certificate becomes effective for a period of 12 months from the date of issue. Read the conditions carefully and abide by them. If environmental approval is required, you must have a valid Bush Fire Hazard Reduction Certificate before you apply for a fire permit. The application for Bush Fire Hazard Reduction Certificate is to be made in writing on the application form supplied by the RFS.

Bush Fire Hazard Reduction Certificates are not required for agricultural activities such as stubble burning, burning sugar cane, burning diseased crops, orchard pruning and grazing.

In cases where burning is not for the purpose of hazard reduction, other environmental approvals may be required, as summarised in the table below.

### Examples of environmental approvals required for different burning activities.

Type of Fire	Type of Environmental Approval Required	Where to go to get the approval
hazard reduction burn	Hazard Reduction Certificate or other environmental approval as advised	Rural Fire Control Centre
pile burn	Control of Burning Approval	Rural Fire Control Centre
bonfire	Control of Burning Approval	Local Council/EPA*
burning of windrows	DA, Control of Burning Approval	Local Council/EPA*
agricultural burning of material such as stubble, sugar cane, orchard pruning or diseased crops	Not Required	-
burning in an incinerator	Control of Burning Approval	Local Council/EPA*
burning charcoal	Not Required	-
burning domestic waste	Control of Burning Approval (not permitted in some areas)	Local Council/EPA*
burning to demolish a building or other building materials	Control of Burning Approval (not permitted in some areas)	Local Council/EPA*
burning to destroy sawmill waste material	DA, Control of Burning Approval	Local Council/EPA*
lighting fires to produce charcoal	Control of Burning Approval	Local Council/EPA*
burning animals that have died or have died due to disease	Not Required	-
Camp fire for cooking or heating	Not Required	-
Burning of <ul style="list-style-type: none"> <li>- tyres (except for the purpose of giving fire fighting instruction)</li> <li>- coated wire;</li> <li>- paint containers and residues</li> <li>- solvent containers and residues</li> <li>- treated timber</li> </ul>	Prohibited	-
Burning to clear native vegetation	Approval under the <i>Native Vegetation Conservation Act</i>	DIP&NR/Local Council

\* These approvals will only be required in areas listed in the schedules in the Protection of the Environment Operations (Control of Burning) Regulation 2000. DIP&NR - Department of Infrastructure Planning and Natural Resources.

**The Bush Fire Hazard Reduction Certificate does not allow you to light a fire during the Bush Fire Danger Period. Fires lit during this period require a permit.**

For further information contact your local RFS or the RFS Information Line 1800 654 443 (Mon-Fri 9-5) or go to [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)