



# Protection of the Environment Operations (clean air) Regulation 2022

APPROVAL FOR PILE BURNING 2022 - 2025

## NOTICE OF APPROVAL FOR PILE BURNS FOR BUSHFIRE FUEL MANAGEMENT

Pursuant to the provisions of the Protection of the Environment Operation (Clean Air) Regulation 2010 The Hills Shire Council hereby grants general approval for the burning of dead and dry vegetation on the premises on which the vegetation grew.

This approval remains in force to 24 September 2025 and is subject to the following conditions.

### CONDITIONS:

#### 1) Land to which the approval applies

- Land zoned Rural Plan 2005 or Land zoned RU1, RU2, RU3 and RU6, under The Hills Local Environmental Plan 2012; and
- On allotments greater than 4,000m<sup>2</sup> in area; and
- On an allotment that contains an approved dwelling; and
- Land located outside the Sydney Fire District (Fire & Rescue NSW Area).

*(Contact Council to confirm the property zoning and to check whether any other approvals are required.)*

#### 2) Material to be burnt

- Only dead and dry vegetation originating on the property shall be burnt on that property.

#### 3) Burning Procedure

- Burning is to be conducted in accordance with the NSW Rural Fire Service "Standards for Pile Burning" February 2006; [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

#### 4) Restrictions on Piles

- Pile burning must be carried out by such practical means as are necessary to prevent or minimise air pollution. The potential for smoke impacting on any person due to wind direction and weather conditions must be taken into account. Pile burns should only take place when weather conditions are calm & predicted to remain so for the time that the fire is active.
- Piles are not to exceed 2m in length or width and must not be greater than 1.5m high.
- A responsible supervising adult over the age of eighteen shall be on site at all times and have enough water and/or fire suppression resources to extinguish the fire, if required, for the time that the fire is active.

#### 5) Notification

- All adjoining neighbours and people likely to be affected by smoke are to be notified at least 24 hours before the fire is lit.
- Written or verbal notice is to be given to The NSW Rural Fire Service-The Hills District at least 24 hours prior to the burn. Such notice must specify the location, purpose, duration and time of the fire proposed to be lit.
- A fire permit issued by the NSW Rural Fire Service is required for burning during the bushfire danger period (October 1st- March 31st unless varied). Please contact - The NSW Rural Fire Service - The Hills District on **Tel- (02) 9658 9000**, **E - [thehills.fcc@rfs.nsw.gov.au](mailto:thehills.fcc@rfs.nsw.gov.au)**.

## CONDITIONS:

### 6) Disposal of residue waste

- a) Any residue waste from the burning must be disposed of in an environmentally satisfactory manner. On completion of the burn, the burnt area must be maintained in a condition that minimises or prevents the emission of dust from the area and prevents sediment or ash from fires being washed from the area into waters.

### 7) This approval does not include

- a) Burning for the purposes of bush fire hazard reduction. Bush fire hazard reduction burns are not covered under this notice. Such burns need to be assessed and approved under the Rural Fires Act 1997 and residents should apply to the NSW Rural Fire Service - The Hills District on **(02) 9658 9000**.
- b) The removal and burning of any tree/s or bush land covered by The Hills Shire Councils Tree and Bush Land Management Provision.
- c) The removal or burning of any native vegetation that comprises an Endangered Ecological Community (EEC) or habitat for threatened species for the purpose of Bush Fire Hazard Reduction unless the material is sourced from an Asset Protection Zone established by a Development Consent.
- d) Ecological/bush regeneration burns to be carried out in vegetation which is listed as an EEC or which is habitat for threatened species will require a licence from the NSW Office of Environment & Heritage.
- e) The burning of vegetation pruned or required to be removed in association with a Development Consent, Complying Development Certificate or associated construction is not permitted.

### 8) General Prohibitions

- a) It is prohibited to burn without a Fire Permit issued by the NSW Rural Fire Service during the bushfire danger period (1st October – 31st March unless varied).
- b) It is prohibited to burn matter other than dead and dry vegetation grown on the property.
- c) It is prohibited to burn vegetation resulting from land clearing. Development consent is required for the clearing of native vegetation which must be obtained from Council.

### 9) Suspension of this approval

- a) This approval is suspended in the event of the total prohibition of lighting of fires (TOTAL FIRE BAN) under section 90 & 99 of The Rural Fires Act 1997; or on days where the fire danger rating is VERY HIGH OR ABOVE. For current Fire Danger Rating Information, please visit **[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)**.
- b) This approval is suspended for the duration of a declaration of a 'No Burn Day' being declared by the Environment Protection Authority (EPA). When a "No Burn" notice is issued, it applies to the lighting of new fires in the declared areas. Existing fires should be allowed to continue as extinguishing the fire will result in more smoke. Please call the EPA on 131 555 to check if a "No Burn Notice" is in place for The Hills Local Government Area, or check via the Internet; **[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)**.
- c) Individuals may have this 'Notice of Approval' revoked by an Authorised Officer of The Hills Shire Council and or NSW Rural Fire Service.

**Failure to comply with this approval may result in an a Penalty Notice or Court Attendance Notice being issued. In the event of prosecution, the maximum penalty is \$5,500 for an individual and \$11,000 for a corporation.**

***If you cannot comply with the conditions specified above you are not permitted to burn without separate approval being issued by Council and/or the NSW Rural Fire Service – The Hills District.***