

Backyard Burning

Local Law No.3 (Community and Environment Management) 2011

FACT SHEET

Smoke and particles from open-air fires can cause a nuisance to neighbours and interfere with their normal daily activities. If severe, it can also have health impacts.



The Criteria

Backyard fires are permitted within the Fraser Coast Region, pursuant to Council's Local Law, in prescribed circumstances, including where they are contained within a fire pit or an apparatus used for cooking food, such as a barbecue, pizza oven, food smoker or similar device. In all cases, the fire must not present a fire hazard, and the fuel source must be suitable so as to not cause a smoke impact (i.e. clean and dry firewood).

The burning of commercial, domestic, green and recyclable waste is strictly prohibited in non-rural areas. Green waste may be burnt in a controlled manner on rural area land, provided the fire is not in contravention with the Fire and Emergency Services Act 1990 (i.e. a Permit to Burn is obtained where required).

For the purpose of the Local Law, rural area land is defined as land that is greater than 20,000sqm and designated rural or rural residential under the Fraser Coast Planning Scheme.

Where an intended fire will be greater than two metres in any direction (i.e. larger than 2m in height, length, or width), regardless of land zoning, a Permit to Burn must first be obtained from the Queensland Fire Department (QFD).

All fires must comply with any associated permit conditions, fire restrictions, or bans declared by the State Government from time to time. Complaints or enquiries regarding fires that are more than 2 metres in any direction are to be directed to the Queensland Fire Department as Council does not have any legislative jurisdiction over these matters.

Managing Complaints

When investigating a smoke nuisance complaint under the Local Law and/or Environmental Protection Act 1994, Council will consider the following:

- The amount of smoke,
- The duration, rate of emission and characteristics,
- The sensitivity of the environment and impact that it has had or may have,
- Views of other neighbours or complainants, and
- Any other relevant criteria

Council may take enforcement action if fires are:

- Prohibited under the Local Law; and/or
- not contained within a firepit, brazier or similar apparatus; and/or
- causing a smoke impact or fire hazard.

Be a Good Neighbour

Talk to your neighbours. Find out what concerns they have or ask for suggestions to solve problems. Solutions can often be found which satisfy everyone.

Handy Hints

- Use clean dry firewood.
- Recycle or reuse wastes.
- Take large branches, palm fronds or trees to Council waste tips or transfer stations.
- Give fires maximum airflow for efficiency, resulting in less smoke.
- Ensure adequate fire-control for safety.
- Observe weather conditions before lighting fires. If possible, choose a calm day.

Additional Information

To obtain further information about Backyard Burning, please feel free to reach out to Council using any of the following methods:

- Visit the website:

<http://www.frasercoast.qld.gov.au>

- Contact us by phone at 1300 79 49 29
- Send an email to:

enquiry@frasercoast.qld.gov.au

For information about your local fire warden or and State Government fire bans or restrictions visit:

www.fire.qld.gov.au

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