

## FACT FILE

### Local Laws - Open Air Burning

(General Purposes Local Law – Part 7)

#### **IMPORTANT INFORMATION REGARDING OPEN AIR BURNING**

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This fact file applies to all residents undertaking Open Air Burning on the Mornington Peninsula.

This Fact File along with the General Purposes Local Law Part 7 **is not valid** during the **Declared Fire Danger Period**, or on days of **Total Fire Ban** or **Smog Alert**. No Open Air Burning can be undertaken during these times.

The VicEmergency Hotline 1800 226 226 can provide information on fire restrictions applying during these periods. Please note: the Mornington Peninsula is in the Central Fire District.

#### **I AM ON LAND OF LESS THAN 1,500 SQUARE METRES CAN I BURN OFF?**

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No, Open Air Burning is **not** permitted on land of this size unless it is for:

- A barbecue, pizza oven or other properly constructed appliance while it is being used for cooking food;
- A fire in a brazier or chimnea while it is being used for heating;
- A tool of trade while being used for the purpose for which it was designed.

Any Open Air Burning would require a permit from Council; these will only be issued in **very specific circumstances** (see over page for eligibility).

#### **I AM ON LAND OF MORE THAN 1,500 SQUARE METRES CAN I BURN OFF?**

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Yes, Open Air Burning is permitted on Fridays and Saturdays between 9:00 am and 4:00 pm provided that:

- No more than 10 cubic metres of vegetation is burnt at any one time;
- The fire is more than 10 metres from any neighbouring dwelling;
- General Fire Safety Provisions are followed at all times.

Open Air Burning outside these general regulations will require landowners to obtain a permit from Council before burning off (see over page for eligibility).

#### **I AM ON LAND OF MORE THAN 40,000 SQUARE METRES CAN I BURN OFF?**

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Yes, Open Air Burning is permitted provided that:

- No more than 100 cubic metres of vegetation is burnt at any one time;
- The fire is more than 100 metres from any neighbouring dwelling;
- General Fire Safety Provisions are followed at all times.

Open Air Burning outside these general regulations will require landowners to obtain a permit from Council before burning off (see over page for eligibility).

## WHAT ARE THE GENERAL FIRE SAFETY PROVISIONS WHEN I AM BURNING OFF?

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The Mornington Peninsula Shire asks **ALL RESIDENTS** undertaking Open Air Burning to do so in accordance with the following:

- Give notice to adjoining landowners/occupiers 24 hours prior to the burn
- Give notice to ESTA (Emergency Services Telecommunications Authority) 2 hours prior to the burn by calling **1800 668 511 (Prevents unnecessary response from fire brigades)**
- Establish a fire break of no less than 3 metres cleared of all flammable material
- Ensure the fire is supervised by an adult at all times
- Ensure there is sufficient fire protection equipment available on site at all times
- Ensure the vegetation to be burnt is dead and dry prior to lighting (no green waste)
- Ensure at the site of the fire, the wind speed does not exceed 20 kilometres per hour (11 knots)

## HOW DO I DETERMINE THE SIZE OF MY PROPERTY?

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You can contact the Shire's Customer Service team on 1300 850 600 or 5950 1000 to confirm the correct size of your property, so you are aware of the regulations that may apply to your land.

## HOW DO I KNOW IF I MAY BE ELIGIBLE FOR A PERMIT TO BURN?

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There may be circumstances whereby Council will issue a permit to burn to landowners that cannot comply with the general open air burning regulations. Council gives due regard to the following when assessing permit applications:

- The size of the land
- That the land is in a designated bushfire risk area
- That the burn off is strictly for fire prevention purposes only
- The ability of the landowner to remove the vegetation via more appropriate methods
- The proximity to neighbouring assets and property
- The risk of smoke nuisance

Landowners who are unsure as to their eligibility should contact the Shire's Customer Service team on 1300 850 600 or 5950 1000 before submitting a permit to burn application.

## HOW DO I APPLY FOR A PERMIT TO BURN?

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You can obtain a permit to burn application from one of the four Shire Customer Service Centres. The Customer Service Centres are located at:

- Hastings Shire Office, 21 Marine Parade, Hastings
- Mornington Shire Office, 2 Queen Street, Mornington
- Rosebud Shire Office, 90 Besgrove Street, Rosebud
- Somerville Shire Office, 1085 Frankston-Flinders Road, Somerville (within Somerville Library)

Alternatively obtain a permit application online by visiting the Shire's website at: [www.mornpen.vic.gov.au](http://www.mornpen.vic.gov.au)

## WHAT IS THE COST FOR A PERMIT TO BURN APPLICATION?

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The cost of a permit to burn application is \$90 which is non-refundable. Please allow up to 10 business days for your application to be processed.