

Burning Off and Smoke Emissions

Enforcement Structure

Queensland Fire & Rescue Service (QF &RS) fulfils a supervisory role in relation to lighting fires in the open. However, even with QF&RS permission to burn off in the open air, Council is responsible for regulating environmental nuisance within the community, so you still may not be able burn off in open air even with QF&RS approval. This fact sheet can help guide you on when you burn off in open air.

The Criteria

1. Obtain QF&RS approval for burning accumulated material larger than two meters or two meters in area and observe fire restrictions or bans.
2. You will need to comply with Council Local Laws if applicable,
3. You also must comply with nuisances' provisions of the *Environmental Protection Act 1994*.

Note: Exemptions from criteria no. 2 & 3 may apply to a Council-approved pit burn (ERA 61 – waste incineration and thermal treatment).

Procedure

1. Obtain authorisation by receiving either: notification, notice or a permit from the Queensland Fire and Rescue Services (*section 63 of Fire and Emergency Services Act 1990*).
2. If the fire is small enough to not need a permit, any burning must be undertaken without causing any nuisance through smoke or odour.
3. Always consider your neighbours and find out what concerns they might have or ask for suggestions to solve problems. Solutions can often be found which satisfy everyone. If further complaints are made, Council will investigate the matter.

The Law

If burning results in creating nuisance of any of the above types, the Environmental Health Services Unit of Mount Isa City Council has an obligation to investigate the complaint under the *Environmental Protection Act 1994, Regulations and Policies*. A Direction Notice can be issued to the occupier of the land to cease the nuisance within a given period of time.

When investigating a spray drift complaint, Council will consider:

- the amount of smoke
- the duration of smoke, rate of emission and the emission's characteristics and qualities
- the sensitivity of the environment and the impact that it has had or may have, and
- the views of any other neighbors or complainants, and other relevant criteria.



Handy Hints

- Recycle or reuse wastes where possible.
- Regular composting reduces the need for burning in the open air.
- Take large branches or trees to Council waste tips or transfer stations.
- Avoid burning paints, hazardous chemicals, wet paper or cloth and sanitary napkins, as they release hazardous chemicals.
- Avoid burning wet or green vegetation which smoulders and causes excessive smoke.
- Give fires maximum air flow for efficiency, resulting in less smoke.
- Ensure adequate fire-control for safety.
- Observe weather conditions before lighting fires. If possible choose a calm day

CONTACT DETAILS – QUEENSLAND FIRE AND RESCUE SERVICE

Queensland Fire and Rescue Service - Community Safety Unit - Mount Isa

Address: Corner West and Helen Streets / PO Box 2193, Mount Isa QLD 4825

Phone: 07 4743 2398

CONTACT DETAILS – MOUNT ISA CITY COUNCIL

Environmental Health Services

Address: 23 West Street / PO Box 815, Mount Isa QLD 4825

Phone: 07 4747 3200

