

Fact sheet – Lighting fires – open-air burning

Important information regarding lighting fires

This information applies to all residents who may wish to light a fire to reduce fuel on their property.

Under the new Local Law, there are changes to the rules around lighting fires and open-air burning. Some of these changes remove the need to apply for an additional permit as long as you follow the conditions set out in the new Local Law.

If you need information about lighting a fire for warmth or food preparation (fire pits, chimineas, barbeques) please go to www.manningham.vic.gov.au/lighting-fires-and-open-air-burning

‘Open-air burning’ means a fire lit in the open air or within an incinerator for the purpose of burning vegetation for fuel control or reduction purposes.

The conditions relating to open air burning are the same as those which have been used on permits issued in previous years. These conditions aim to ensure the activity is done safely and that there is minimal impact on others.

When lighting fires you cannot light a fire

- on a road, Council, Crown land or in a public place
- on vacant land
- on a smog alert day declared by the Environment Protection Authority
- on a day of Total Fire Ban declared by the Country Fire Authority
- during the Fire Danger Period declared by the Country Fire Authority.

As the person lighting the fire you must ensure

- the fire is always supervised by an adult
- you have equipment and can put the fire out if required or directed
- the material burning is dead and dry, and the wind is not exceeding 20km/h
- there is a three-metre clearing around the fire for safety
- that the smoke from the fire is not hazardous to health, excessive, offensive or a nuisance
- that you do not burn anything which is offensive, noxious, or toxic.

Additional requirements for open-air burning

You must comply with the previous provisions and all the following requirements:

- you cannot light a fire on a Sunday,
- the land must be greater than 2501 square metres,
- if your land is located on the west side of Mullum Mullum Creek you may only light a fire in **May, October, and November**
- the fire is not lit within 10 metres of any neighbouring property
- the maximum diameter of any material to be burnt is 200mm
- only one pile of material is lit at any time and can be no greater than two cubic metres in size,
- you must notify ESTA (Emergency Services Telecommunications Authority) prior to the burn on **1800 668 511**.

A more detailed list can be found in Section 33 and 34 of the Community Local Law 2023.

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Frequently Asked Questions

When do I need a permit?

If you are unable to comply with all the requirements but still want to do open-air burning you will need obtain a permit from Council before burning.

How do I know if I am eligible for a permit to burn?

There may be exceptional circumstances where Council will issue a permit to landowners that cannot comply with some of the requirements as listed.

Council considers 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 and any potential smoke nuisance.

How do I apply for a permit to conduct open air burning?

- You can contact Council and we will discuss the application with you.
- As part of an application an inspection of the burn site and material to be burnt will need to occur.
- If a permit is issued it will only be issued for prescribed date/s.
- Where the permit is for vacant land, a fee is required to be paid prior to a permit being issued.
- Please allow up to 10 business days for any application to be processed. Note that a longer period may be required should further information be required.

Can I light a fire on Council land, such as a reserve, nature strip or road reserve?

No, you are not permitted to light any fires on Council land, Crown Land or in a public place without first getting written approval. See Clause 32 of the Manningham Community Local Law 2023

Do I have to put out my fire if told to?

Yes, you need to put out your fire if directed to by an authorised officer of Manningham Council, member of Victoria Police, Country Fire Authority or Fire Rescue Victoria. See Clause 35 of the Manningham Community Local Law 2023

Addition information

You can go to the CFA Website for any information about the Fire Danger Rating or whether the Declared Fire Danger Period is in place <https://www.cfa.vic.gov.au/warnings-restrictions>

Additional information will be updated on the Manningham Council webpage. Please visit www.manningham.vic.gov.au/lighting-fires-and-open-air-burning or scan the QR Code.

