

# FACT SHEET 3 –

## LOCAL LAWS RELATING TO FIRES IN OPEN AIR

Community Living Local Law No 1 states:

### 2.5 Fires in Open Air

- (a) No person may on a property in a residential, commercial or industrial area, light or allow to be lit or to remain alight any fire, save and except:
- (i) a fire in a barbeque while being used for the purpose of cooking food;
  - (ii) a fire in a chimenea, potbelly stove, or small open fires in a suitable container for heating, cooking, cultural or social purposes, which in the opinion of an authorised officer, is not offensive;
  - (iii) a fire generated by a tool of trade while being used for the purpose for which it was designed;
  - (iv) a fire contained within a properly constructed fireplace within a dwelling for the purpose of heating;
  - (v) a fire lit by a member of the Country Fire Authority in the course of his or her duty or a member of the public who holds a permit under the provisions of the Country Fire Authority Act.
- (b) On any land within the municipality owned or managed by Council or in any public place it is an offence for a person to light and maintain any campfire or barbeque using solid fuel unless:
- (i) the fire is contained in an approved fireplace or trench of at least 30 centimetres deep;
  - (ii) the ground and airspace within a distance of 3 metres from the outer perimeter and uppermost point of the fire are clear of all potentially flammable material;
  - (iii) the fire does not occupy an area exceeding 1 square metre; and
  - (iv) the dimensions of any solid fuel used are the minimum necessary for the purpose.



### Penalty

First offence – 2 penalty units (\$200.00)

Second or subsequent offence – 4 penalty units (\$400.00)

**Greater Shepparton City Council**  
Animal Management / Local Laws Branch  
Locked Bag 1000, Shepparton 3632  
90 Welsford Street, Shepparton 3630

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ABN 59 835 329 843

## **2.6 Burning of Offensive Materials**

No person may burn or cause to burn any offensive materials including any substance which contains:

- (a) any manufactured chemical;
- (b) any rubber or plastic;
- (c) any petroleum or oil;
- (d) any paint or receptacle which contains or contained paint;
- (e) food waste

unless in accordance with a licence issued by the Environment Protection Authority or a permit issued by Council.

### **Penalty**

First offence – 5 penalty units (\$500.00)

Second or subsequent offence – 10 penalty units (\$1,000.00)

***If you have received a Caution Notice-Notice to Comply please ensure that you follow the compliance details. Failure to comply may result in an infringement being issued.***

If you have waste that needs to be disposed of you can deliver this to the Shepparton Transfer Station at 125 Wanganui Road, Shepparton or the Ardmona Transfer Station on the corner of Midland Hwy and Turnbull Rd, Ardmona.

If you wish to obtain further information or advice in relation to this please contact the Local Laws Branch on (03) 5832 9741.