

# **CANTERBURY & WEST COAST REGIONAL RURAL FIRE COMMITTEE**

## **Conditions Applying to Fires in the Open Air**

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### **Statutory conditions applying to fire permits.**

Every permit, special permit, authority, approval, consent, or other fire control measure issued pursuant to the Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations 2005 shall be deemed to have been issued subject to the following conditions

1. No fires shall be lit where it is likely to present a fire hazard or when an adverse long-range weather forecast has been issued.
2. No fires for cooking, camping, comfort or warmth shall be lit within 3 metres of any combustible material unless and until all combustible material has been removed from within 3 meters of the site of the fire.
3. The permittee must continuously patrol the fire until it is completely extinguished or cannot spread beyond the area of the permit.
4. The permittee must give such notice to neighbours as the permit provides for.
5. The permittee must provide adequate equipment for the control of the fire.
6. No fires are to be lit during strong winds or when conditions are such that the fire may spread beyond the area of the permit.
7. Permits are suspended during a Prohibited Fire Season (Total Fire Ban) or periods of extreme fire danger. In certain circumstances special permits may be issued by the Rural Fire Authority.
8. The permit must be produced on demand by a member of the Police or a Fire Officer.
9. If the fire gets out of hand, try to extinguish it. **Ring 111**
10. A permit is not a legal defence against claims for damage caused by the fire
11. It is an offence to light an open air fire during a restricted fire season without the appropriate permit or authority, or to break permit conditions

In addition to the above statutory requirements, a fire authority may impose any other conditions it considers necessary in the public interest for the purposes of fire control.

## Restricted Fire Season Notice

### RESTRICTED FIRE SEASON

Pursuant to provisions of the Forest and Rural Fires Act 1977, a **RESTRICTED FIRE SEASON** is extended over the area administered by the Waimakariri District Council Rural Fire Authority from midnight: .....until further notice.

During a Restricted Fire Season it is an offence to light any fires in the open air within the Fire District unless a fire permit has been obtained from a Rural Fire Officer for the:-:

#### **Waimakariri District Council Rural Fire Authority**

**All fire permits must be countersigned by the permittee before becoming valid.**

Conditions pertaining to a fire permit are printed on the permit and must be observed.

Up to **five (5) working days** may be required to carry out site inspections and to process a permit.

**Crop Residue** (stubble) burning may be covered by a seasonal permit, obtainable on application from the Principal Rural Fire Officer. Conditions apply.

**Fires in drums** may be lit without a permit providing the Fire Authority is notified prior to lighting and the relevant rules are observed.

**Property owners within hill and high country zones, neighbouring Rural Fire Districts, Public Conservation Land, and the associated Fire Safety Margins, are reminded that these areas have fire control measures in place all year round. Advice on burning within these areas should be sought from the relevant Authority.**

## Establishing the Current Fire Season

### 1. Fire Seasons

'Open air' means not in a fire place, incinerator, gas barbeque or other place, duly approved in each case.

- a. **Open Fire Season**- Fires may be lit in the open air without a permit. Persons lighting fires during an open fire season are reminded they have a duty of care to their neighbours and a responsibility to prevent the spread of fire. The Council has a bylaw (Fire Control Bylaw 2009) in place which specifies the conditions which must be observed when lighting fires in the open during an Open Fire Season.
- b. **Restricted Fire Season** – Permits are required for the lighting of fires in the open air. As well as the statutory conditions which apply to permits, a Rural Fire Authority may impose further conditions which it considers to be in the public interest.
- c. **Prohibited Fire Season** – Total fire ban. The lighting of fires in the open air is prohibited. (Special Permits may be issued under certain circumstances. Contact your Rural Fire Authority).

The Rural Fire Authority and Federated Farmers undertake to inform and encourage farmers to adopt good and safe fire management practices within the conditions and guidelines agreed to by the Canterbury/West Coast Regional Rural Fire Committee and Federated Farmers of Canterbury. Responsibility for good fire management is shared between rural fire authorities and farmers. Decisions must be made with the best interests of the community in mind.

### 2. Current Fire Season Status

- a. When conditions warrant, and Restrictions or a Total Fire Ban are declared, notices will be published as required, setting out the dates and provisions of the Fire Control Measures.
- b. Fire Danger Indicator boards, placed at strategic locations throughout the region, advise the public of current local fire danger status.
- c. No person shall light a fire in the open air until the current fire season status has been ascertained. Check with your Rural Fire Authority if in doubt.
- d. Ignorance of the current fire season status is no defence against the consequences of an illegally lit fire.

## Conditions Applying to Crop Residue Burning

### 1. Best Practice

- a. The “Best Practice for Crop Residue Burning” is attached to this document and should be observed. (see below)

### 2. Period of Burning

- a. Fires may be lit at any time during the hours of daylight, providing all other conditions are met. Fires must not be lit, or allowed to burn after dark, unless permitted by an authorised officer.

### 3. Before the Fire

- a. Ensure that a continuous non-combustible **firebreak** of not less than **10 metres** exists or has been established around the area to be burnt.
- b. Obtain a **weather forecast** (NZ Met Service, 0900 999 25 Canterbury Plains, or 0900 999 26, Canterbury High Country).
- c. No fire shall be lit while a **strong wind** is blowing or when conditions are such that the fire is likely to spread beyond the area for which the authority was issued. Maximum allowable wind strength is **19 kph (Beaufort 3)**.
- d. Notify occupiers of neighbouring properties likely to be affected by smoke drift.
- e. Have on site at all times during the fire a minimum of two adults (adequately dressed and briefed) with hand tools, a supply of water and a means of delivery, adequate to deal with any outbreak of fire.
- f. Ensure a suitable means of **communication** is on site to notify emergency services should they be required.

### 4. During the Fire

- a. The practice of **‘burning-out’** is considered a good fire management strategy and should be encouraged. Burning-out serves to increase the width of firebreaks.
- b. The fire is to be **patrolled and supervised** at all times. Remain in attendance until the fire is completely out. .

### 5. After the Fire

- a. **Check** to ensure all fire edges are safe. Rake out if necessary. (Re-ignition can occur some hours later after a wind change).
- b. **Keep a lookout** over surrounding areas for outbreaks of fire.

## 6. Ensure the fire is out

- a. Please note that any permit or authority issued is **not a legal defence** against claims for damage or costs which may arise from the fire. The responsibility for its control and the liability for any damages or costs which might arise, lie with the person lighting the fire.

# Best Practice for Crop Residue Burning

## 1. Before Lighting

- a. A supply of water, and means of delivery, adequate to control the fire, must be on hand at all times during a crop residue fire. It is recommended that a high pressure spray unit and knapsacks be on site. It is also advisable that other fire fighting equipment, eg tractor, cultivator, grubber, beaters, fire extinguishers etc are also available on site.
- b. There must be a minimum of two adults on hand at all times during the fire
- c. Ensure that those assisting are adequately dressed and briefed on safety aspects.
- d. Ensure there is a suitable means of communication on site to enable notification to emergency services should they be required
- e. Notify immediate neighbours, (landowners/occupiers), and those who are likely to be affected by smoke drift, of the intention to light a fire.
- f. A weather forecast must be obtained for the burn area. Weather forecasts are available by ringing NZ Met Service, 0900 999 25, Canterbury Plains; or 0900 999 26, Canterbury High Country.
- g. Good fire management practices must be observed at all times. No fire shall be lit when a strong wind is forecast or is blowing, or when conditions are such that the fire is likely to spread beyond the limits of the area for which the permit was issued. The maximum allowable wind speed is 19kph (Beaufort 3), leaves and small twigs in constant motion; light flags extended.
- h. Before lighting any fire, regard must be given to clean air and smoke nuisance issues. The appropriate authority (Ecan) should be contacted for advice.
- i. Before lighting any fire, regard must be given to road user safety in particular smoke hazard across roadways. The appropriate roading authority should be contacted for advice.

## 2. Lighting, During and After the Fire

- a. Burning out is considered a good fire management practice and should be encouraged at all times. Initial light-up must commence across the downwind end of the paddock allowing the fire to back into the wind, thus extending the fire break width. Lighting should then progress to

the fire edges, moving towards the upwind end and finishing off across this end.

- b. Remain in attendance until the fire is completely out or cannot spread, as re-ignition of a controlled burn can occur some time later, after a wind change. Always check both the fire ground and surrounding area after a strong or sudden wind change.
- c. Check to ensure all fire edges are safe. Rake out if necessary.
- d. Immediately following the burn, it is recommended that the fire-break and adjacent burnt area and windrow be cultivated to minimise the risk of re-ignition.
- e. Check the surrounding area for outbreaks of fire.
- f. The Rural Fire Authorities of the region reserve the right to take prosecutions against a person or persons lighting fires that breach these permit conditions (or other conditions imposed by the Fire Authority), lighting fires in inappropriate conditions or with inadequate fire-breaks.

### **3. Good Management Practice**

- a. Formulate a 'burn plan' and inform immediate neighbours likely to be affected by fire escape or smoke, of the date and time of the fire. Have an action plan in the event of the fire escaping.
- b. Regularly check machinery for possible build-up of straw and/or other combustible material around manifolds and exhausts. Carry a fire extinguisher.
- c. All crop residue fires, once lit, must be supervised at all times until out.
- d. Seek advice on safe burning practices from the Rural Fire Authority if there is any doubt regarding its interpretation or the safe execution of the burn.
- e. Permittees are advised that Rural Fire Authorities have a policy of fire suppression cost recovery wherever possible. It is recommended that the permit holder has adequate public liability insurance that includes Forest and Rural Fires Act fire suppression cover.

# Prohibited Fire Season (Total Fire Ban)

## Special Fire Permit Guidelines

### 1. Introduction

- a. The Canterbury West Coast Regional Rural Fire Committee has developed guidelines for the issue of special fire permits during a prohibited fire season.
- b. The following explains the minimum conditions that these permits will be issued under.
- c. These conditions are set as a minimum only, and the Rural Fire Authority may increase the requirements to reflect the situation.
- d. A site inspection will be carried out by the Rural Fire Authority before a special fire permit is issued.
- e. A Rural Fire Authority delegate will be required on site (this delegate may be the landowner).

### 2. Questions for Permittee:

- a. Do you urgently **NEED** a Special Fire Permit? YES / NO
- b. Can you comply with all the statutory conditions and the **MINIMUM** conditions listed below? YES / NO
- c. Are you prepared to pay permit costs? YES / NO
- d. If you can answer **YES to all these questions**, you may be eligible for a special fire permit.

### 3. Minimum conditions that will apply to special fire permits.

- a. The following conditions are in addition to those listed in the 'Guidelines for Crop Residue Burning' document.
- b. Where any conflict arises from already specified conditions, the conditions listed here will take precedent.
- c. The fire will be supervised on behalf of the Fire Authority by the Principal Rural Fire Officer, or his delegated representative,
- d. Firebreaks, equipment, patrols, standby resources, and all other fire control measures must meet the special permit conditions.
- e. The prevailing wind at the time shall not exceed **15kph**, (gentle breeze, leaves and small twigs in constant motion, wind extends light flag.)
- f. The area to be burnt shall be completely surrounded by a bare earth or ploughed cultivated and/or non-combustible strip (break) of at least **10 (ten) metres** in width.

- g. The permit holder will contact the Rural Fire Authority on the day of the burn to gain final approval to light the fire. Approval will only be given between 9.00am and 5.00pm and will be based on the FWI indices **(max FFMC.89)**.
- h. A minimum of **three** adult persons, with hand tools and water on site (for the purposes of control of outbreaks), shall be present and remain on site at all times during the burn.
- i. A mobile water source of not less than **400 litres** with a high pressure spray unit shall be present and remain on site at all times during the burn.

#### **4. Important Information**

- a. Burn site preparation is required prior to inspection of the property.
- b. Up to 5 working days may be required to carry out site inspection and process the special fire permit.
- c. Inspections will be carried out to ensure permittee compliance with required conditions prior to any special fire permit being issued.
- d. All special fire permits may be suspended or cancelled on days of extreme fire danger.
- e. The time parameters during which a burn will be allowed will be set by the Rural Fire Authority and no burning will be allowed during the hours of darkness.
- f. For further information or special fire permits please contact your Rural Fire Authority.

## Fires in Drums/incinerators

- Under Environment Canterbury's (Ecan) Air Quality Rules, open air fires are not permitted within Residential Zones nor within Clean Air 2 zones at certain times of the year unless a Resource Consent is first obtained from Ecan.
- Fires may be lit in approved containers during a Restricted Fire Season without a permit being issued, providing notice is given to the Rural Fire Authority (Council) advising the location and timing of the fire beforehand.
- Those lighting fires have a duty of care to their neighbours. Should their actions impinge on the rights of others, further action on the part of the Fire Authority may follow.
- The drum/incinerator in use must be fully contained, having a flue with a spark arrestor adequate to prevent the transfer of embers.
- There must be at least a **five (5) metre** area clear of all vegetation around the proposed drum fire.
- The fire must be serviced by a domestic (high pressure) water supply adequate to extinguish the fire, and the surrounding area should be dampened down before lighting.
- No fires are to be lit in high or gusty winds or when there is an adverse weather forecast.
- The fire must be supervised until it is out, and care should be taken to ensure it is out before leaving.
- Before lighting any fire, regard must be given to any other statutory or regulatory requirements, bylaws or rules, in particular air quality, health and smoke nuisance issues. Your Regional Council should be contacted for advice.