

Tabled @ Hearing
24.11.15
Federated Farmers



Mid Canterbury
Provincial District

AGRICULTURAL CROP RESIDUES BURNING CODE OF PRACTICE

2013/2014

The Ashburton District Council, as the rural fire authority for the district, can implement measures to control the lighting of fires in the open air as fire danger levels rise during the summer fire season. These seasons are Open, Restricted or Prohibited:

During an **Open fire season** it is not necessary to obtain a fire permit before burning, although there is still an expectation that any open air burning is conducted in a safe manner, and the person responsible for the fire is still liable for any suppression costs should the fire escape and require control measures.

During a **Restricted fire season** crop residue may be burnt under a blanket Authority (negates the need to obtain a permit). This authority carries with it a set of standard conditions which must be fully complied with. For all other outdoor burning it is necessary to obtain a fire permit from the Ashburton District Council. The only exceptions to this are fires in fully enclosed drums and ethnic cooking fires, and special requirements apply to both of these activities.

During a **Prohibited fire season** no fires are allowed to be lit under any circumstances.

RESTRICTED FIRE SEASON: (Control Measures In Place)

During a restricted fire season crop residue burning is allowed through a rural fire authority blanket authority which has a generic set of conditions which must be complied with. All other outdoor burning must be done through a permit system where a site visit will be carried out and site specific conditions will be applied. In all cases safe practices are expected to be exercised.

PROHIBITED FIRE SEASON: (Total Fire Ban)

Declared in the interests of public safety when the fire danger levels are extreme. It is an offence to light any fire in the open during a **Prohibited Fire Season**.

1. **Check Out the Current Status of Fire Control Measures**
- 1.1 During the summer fire season when **Restrictions or Prohibitions** are declared, notices will be published as required, setting out the dates and provisions of the Fire Control Measures.

- 1.2 Ten Fire Danger Indicator Boards placed alongside major roads within the district keep the public informed of the fire danger status.
- 1.3 No person shall light an agricultural crop residue fire unless he/she has ascertained the current fire season status.
- 1.4 Ignorance of the current fire season status shall not be a defence against any liability for any consequences that may occur from an illegally lit fire.

2. **Fire Break Preparation**

- 2.1 Good practice for non combustible fire break preparation is to closely mow the stubble and rake off all combustible material to leave only bare mineral earth.
- 2.2 A single pass of a tyned cultivator is not considered adequate fire break preparation.

3. **Fire Breaks**

- 3.1 No agricultural crop residue fire shall be lit until a completely non combustible continuous fire break of no less than 5 metres width has been established around the area to be burned. Ensure it remains clean and clear of all combustible material.
- 3.2 Any breach of the fire break requirement under any Ashburton District Council Restricted Fire Season notice will be deemed to be a breach of the open air burning regulations.
- 3.3 The safe practice of burnout from an established firebreak is considered a good fire management strategy and should be encouraged at all times, and should commence at the downwind end of the paddock.
- 3.4 Immediately following the burn the firebreak and adjacent burnt area of windrow is to be cultivated to minimise the risk of reignition.
- 3.5 **Remain in attendance until the fire is completely out**, as reignition of a controlled burn can occur after a wind change. Always check the fire ground after violent wind changes.

4. **Safe Conditions to Light a Fire**

- 4.1 Good fire management practices must be observed at all times. **No fires should be lit in times of strong or gusty winds or unsettled weather.** Weather forecasts are available by ringing "Met Service infoline" 0900 999 25 (plains) or 0900 999 26 (high country). It is also advised that weather conditions existing in other parts of the District should be checked.
- 4.2 Adequate fire breaks should be prepared prior to lighting any fire in the open air.
- 4.3 There must be a portable water supply of no less than 500 litres, with a pump and at least a 20m length of hose of minimum 18mm diameter on hand at all times during any crop residue burnoff.
- 4.4 Other fire fighting equipment, ie tractor, cultivator, grubber, beaters, fire extinguishers, should be available on site.
- 4.5 It is an offence to light any fire where the resulting smoke discharge could cause a nuisance to adjacent towns or neighbouring residences, or compromise traffic safety on roads.
- 4.6 Where smoke from a stubble fire obstructs visibility on any public roadway the person responsible for the fire will be held legally liable for any consequent traffic accidents. Where stubble fires are lit adjacent to any public roadway appropriate road signs should be used to warn motorists of the hazard, and sufficient staff should be on site to temporarily stop traffic if necessary.
- 4.7 It is recommended a minimum of 2 adults be present during the controlled burn
- 4.8 All persons on site should carry cellphones to enable communication at all times.
- 4.9 Stubble burning is only to be carried out during the hours of daylight.

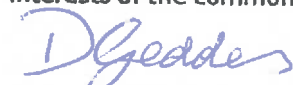
5. **Liability on the Person Lighting an Agricultural Crop Residue Fire**

- 5.1 In the case of a 111 call out to a fire, the person lighting the fire shall be liable for any costs charged by the New Zealand Fire Service or the Ashburton District Council regardless of how or why that fire escaped (Forest and Rural Fires Act 1977 Section 43 (1) (a).
- 5.2 In the case of a 111 call out to a fire where regulations have been breached, all firefighting labour and plant costs will be recovered by the District Council in line with standard rates as set by the National Rural Fire Authority.
- 5.3 The Ashburton District Council reserves the right to take prosecutions against a person or persons lighting fires that breach any Ashburton District Council Restricted Fire Season notice, such as lighting a fire in unsuitable conditions, not having adequate suppression resources on site or with an inadequate fire break. Where no clear blame can be attributed to any one individual there should be no legal liability on the person lighting the agricultural residue fire.

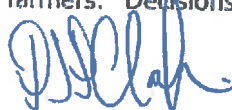
6. Good Management Practice

- 6.1 Formulate a burn plan and inform neighbours of the date and time of the fire. Have an action plan in event of the fire escaping.
- 6.2 Ensure that those assisting are adequately dressed and briefed on safety aspects.
- 6.3 Regularly check machinery for possible build-up of straw and/or combustible material around manifolds or exhausts.
- 6.4 All agriculture stubble fires once lit must be supervised at all times.
- 6.5 Seek advice or training on safe burning practices from the Ashburton District Council Rural Fire Authority, phone 307 7700.

Federated Farmers undertakes to inform and encourage farmers to adopt good crop residue fire management practices, within guidelines laid down by the Ashburton District Council. Responsibility for good fire management has been transferred back to farmers. Decisions must be made **with** the best interests of the community in mind.



D Geddes
Principal Rural Fire Officer
ASHBURTON DISTRICT COUNCIL.



D Clark
Chairman, Grains Section
FEDERATED FARMERS OF NZ
MID CANTERBURY PROVINCE