

From: [Official Information](#)
To: [REDACTED]
Cc: [Official Information](#)
Subject: Final response - LGOIMA 476118 - [REDACTED] - Outdoor burning
Date: Wednesday, 21 May 2025 4:01:10 pm
Attachments: [A guide to outdoor fires.pdf](#)
[image001.png](#)
[image002.jpg](#)
[image003.jpg](#)

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

Your request:

Could you please send us a copy of Council rules on outdoor fires and air pollution.

Our response:

Please see the attached flyer which is our “Guide to Outdoor Fires”.

This is covered under the Health Act 1956 – section 29 m) for chimney smoke and n) for burning rubbish.

Which you can read the full section here

<https://www.legislation.govt.nz/act/public/1956/0065/latest/DLM306935.html>

This is also covered in the Waste Management and Minimisation Bylaw 2019 – 5.32 a) *Except as provided for under any Council Bylaw, no person may: a. burn or allow to be burnt on any property they own, occupy or manage any waste except organic matter.*

Link to Bylaw: <https://hamilton.govt.nz/your-council/policies-bylaws-and-legislation/bylaws>

Fire and Emergency has rule and permits on their website about what is authorised which you can read about here: <https://www.fireandemergency.nz/outdoor-and-rural-fire-safety/what-are-the-fire-seasons/fire-types/>

Waikato Regional Council also has information on their website about outdoor burning:

<https://www.waikatoregion.govt.nz/environment/air/outdoor-burning/>

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Ngaa mihi

Keeley Faulkner

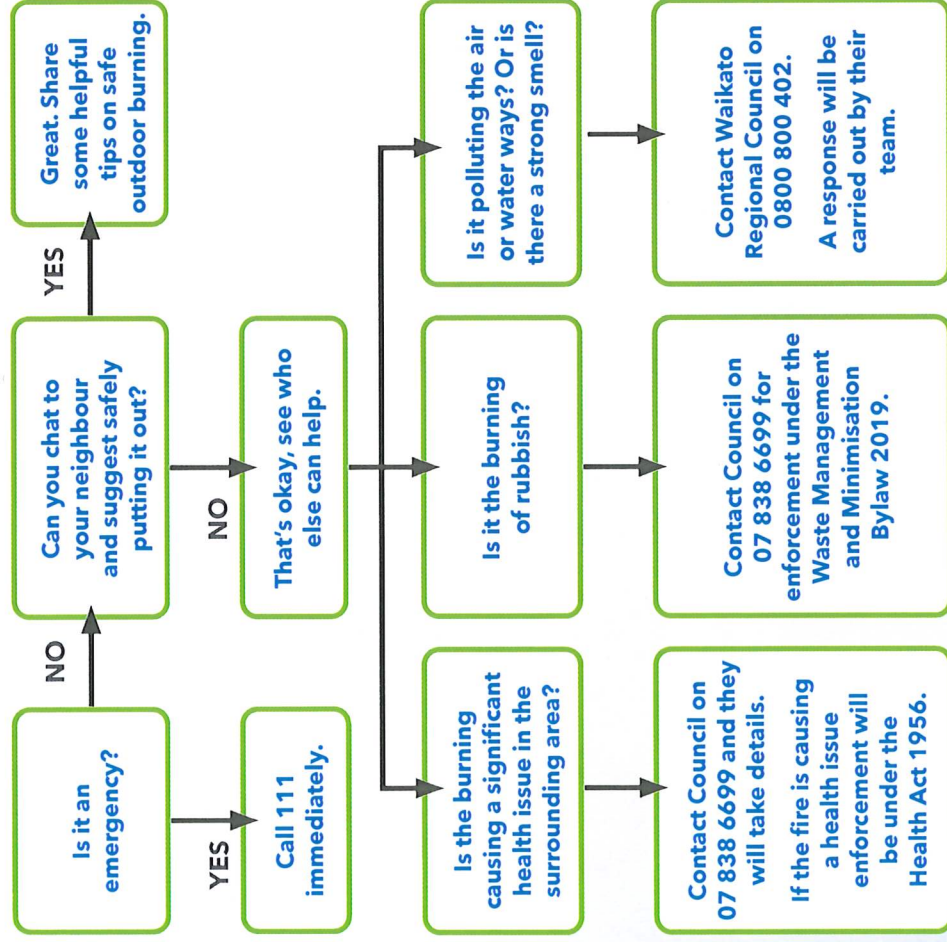
Official Information Advisor & Legal Support Officer

Legal services

Governance & Assurance Team | Partnerships, communication & Maaori

Email: officialinformation@hcc.govt.nz

Who do I call to report a fire?



A guide to outdoor fires

Follow the rules and keep yourself and your neighbours safe.

Smoke from outdoor fires can affect the health and wellbeing of people in the area, especially those who may suffer from asthma or other respiratory conditions. It is the responsibility of the person lighting the fire to ensure that ash, smoke or odour from the fire does not become a nuisance to neighbours. To ensure everyone's safety and wellbeing, it's important to take care around any form of fire and remember the rules around burning outdoors.

REMEMBER:
If you see smoke or fire and believe there's a risk to people or property, call 111 and ask for 'Fire' immediately.

Tips for outdoor fires

- Sort the materials before burning.
- Consider alternatives to burning.
- Burn on dry, clear days when there is a light wind. A light wind is recommended to support the dissipation of smoke and stop it from pooling.
- Allow vegetation to dry before burning. Burning wet material creates more smoke.
- Start the fire with the driest, most combustible materials.
- Burn small amounts to allow the base of the fire to have a supply of air. This will help make a hot fire with less smoke.
- Make sure you put the fire out properly when finished so it doesn't smoulder. Double check the fire is fully out.
- During extremely dry periods, Fire and Emergency New Zealand (FENZ) may need to put a fire ban in place. Visit [checkitsalight.nz](https://www.checkitsalight.nz) for more information.

Rules for safe burning

- Check that fire is not going to be lit close to other flammable material which could catch fire.
- Keep an eye on your fires at all times.
- There should be adequate amounts of water or another fire suppressant on hand at all times.
- Don't light a fire if it's going to cause a nuisance to others through ash, smoke or odour.
- Ash and other debris should not travel beyond your property.
- Outdoor fires, including traditional cooking fires, should not be lit if they could be a danger to people.











Alternatives to burning waste

You may want to consider a different way to dispose of your waste, such as:

- home composting
- taking organic waste to the Hamilton Organic Recycling Centre
- arranging shared bin or green bag services
- kerbside recycling
- using school plastic recycling programmes.

What you can't burn

You're not allowed to burn the following inorganic materials on any fire, including barbecues, braziers, incinerator fires and traditional cooking fires:

 Plastics	 Organic materials that have had an inorganic treatment - i.e. paint, lacquer applied	 Halogenated organic chemicals	 Materials containing heavy metals
 Pitch, paint and paint residues and surface coatings	 Asbestos	 Pathological waste (excluding animal carcasses on production land)	 Agrichemicals and agrichemical containers containing residues
 Polyvinyl chloride (PVC) and plastics containing halogenated material	 Copper chrome arsenic (CCA) treated timber or timber treated with organochlorine (PCP)	 Rubber and tyres	 Waste oil and other waste petroleum products including sludge
 HAZARDOUS	 Hazardous materials from contaminated sites and buildings	 Components of motor vehicles	 Tar and bitumen

What you can burn

You are allowed to burn these organic materials on a fire:

 Untreated wood and vegetative matter	 Paper and cardboard	 Food waste	 Animal carcasses on production land
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