

Our Ref: A3857 C410
Your Ref:

Enquiries: Environmental Health Department
Phone: (03) 6323 9300
Fax: (03) 6323 9349

6th January 2014

C Stott
[REDACTED]
[REDACTED]

Dear Clive

RE: BURNING OFF AT ALPINE CRES, GRINDELWALD

I'm writing to you in regards to your phone call to Council on Monday 23rd December 2013. This was in relation to the occupant of [REDACTED] Alpine Crescent, Grindelwald burning off garden waste.

As advised to you by phone, this activity is permitted. Part 5, Regulation 11(2) of the *Environmental Management and Pollution Control (Distributed Atmospheric Emissions) Regulations 2007* (the Regulations) permits this activity on blocks of 2 000m² or greater in size. [REDACTED] Alpine Crescent exceeds this requirement.

Under the *Environmental Management and Pollution Control Act 1994* Section 53 both (1) and (2) specifically require the offence of causing a nuisance to be unlawful. Due to the activity being permitted under the Regulations, this is not an unlawful activity and action under this section can not be taken.

If you have any queries regarding this matter, please contact Council's Environmental Health Department on (03) 6323 9300.

Yours faithfully



Megan Whalley
ENVIRONMENTAL HEALTH OFFICER