

VICTORIA

GOVERNMENT GAZETTE.

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[1940

NATIONAL SECURITY (EMERGENCY POWERS) ACT 1939.

At the Executive Council Chamber, Melbourne, the second day of September, 1940.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Bailey Mr. Mackrell Mr. Tuckett.

PETROLEUM STORAGE REGULATIONS.

PURSUANT to the powers conferred by the National Security (Emergency Powers) Act 1939 His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth make the following Regulations, that is to say:—

- 1. These Regulations may be cited as the National Security Citetion. (Petroleum Storage) Regulations.
- 2. In these Regulations unless inconsistent with the context or Interpretation. subject-matter—
 - "Petrol" means any fluid product of petroleum which will flash or emit an inflammable vapour below a temperature of 73 degrees Fahrenheit when tested in an Abel closed test apparatus, and includes a mixture of any fluid product of petroleum with any other fluid if such mixture will flash or emit an inflammable vapour below a temperature of 73 degrees Fahrenheit when tested in an Abel closed test apparatus.
 - "Petroleum" means any fluid product of petroleum, and includes petrol.
- 3. (1) No person shall erect or construct any tank for the storage against of more than 10,000 gallons of petroleum—
 - (a) within a radius of fifteen miles from the post office at the corner of Bourke and Elizabeth streets, Melbourne; or
 - (b) beyond that radius except with the approval in writing of the Chief Secretary.
- (2) Any person who proposes to erect or construct any such tank consent of the storage of petroleum shall make application in writing to the Chief Secretary for his approval to the erection or construction of such tank.

Prohibition against erection or construction of certain tanks for storage of petroleum within certain metropolitan radius or without consent of Chief

- (3) Every such application shall be accompanied by-
 - (a) three copies of proper plans and specifications of the tank (including safety devices) proposed to be erected or constructed;
 - (b) three copies of a plan showing the proposed site of such tank; and
 - (c) a fee of Five pounds.

Keeping or storage of more than fifty gallons of petrol above ground in or upon any buildings or premises without licence granted by Chief Secretary prohibited.

- (4) If the Chief Secretary is satisfied that the storage of petroleum in the tank proposed to be erected or constructed on the site proposed would be likely in the event of enemy action to be an undue menace to public safety or to result in the interruption of the maintenance of transport navigation locomotion light heat or power services or other services necessary or conducive to the life or health of the community he shall refuse to approve the crection or construction of such tank.
- (5) Before approving or refusing to approve any such application the Chief Secretary may obtain reports on the proposed erection or construction of any such tank from—
 - (a) the Chief Officer of the Metropolitan Fire Brigades or the Chief Officer of the Country Fire Brigades (as the case may be):
 - (b) the council of any municipality within the municipal district of which such tank is proposed to be erected or constructed;
 - (c) any public statutory corporation whose interests are in the opinion of the Chief Secretary likely to be affected;
 - (d) any officer in any Government department.
- (6) Such Chief Officer council public statutory corporation and officer shall upon being required by the Minister so to do submit a report as aforesaid.
- 4. (1) No person shall except in a fixed underground tank keep or store in or upon any buildings or premises in any city town or township more than Fifty gallons of petrol—
 - (a) unless he is the holder of a licence granted by the Chief Secretary in that behalf; or
 - (b) otherwise than in accordance with the conditions of such licence.
- (2) Every application for such a licence shall be addressed in writing to the Chief Secretary and shall be accompanied by—
 - (a) a description of the buildings or premises in or upon which the petrol is to be kept or stored;
 - (b) a statement of the maximum amount of petrol proposed to be kept or stored in or upon such buildings or premises;
 - (c) a description of the containers or tanks in which the petrol is to be kept or stored; and
 - (d) a fee of Two shillings and six pence.
- (3) Upon receipt of such application the Chief Secretary may grant a licence to keep or store in or upon the buildings or premises specified in the licence a quantity of petrol not exceeding that specified in the licence:

Provided that if the Chief Secretary is satisfied that the keeping or storage of such petrol in or upon such buildings or premises—

- (a) would constitute a menace to public safety or the life or health of the community; or
- (b) would be in contravention of regulations for the storage of petroleum under Part XXVII. of the Local Government Act 1928—

he shall refuse to grant the licence.

- (4) Before granting or refusing to grant or revoking such licence the Chief Secretary may obtain reports in that behalf from-
 - (a) the Chief Officer of the Metropolitan Fire Brigades or the Chief Officer of the Country Fire Brigades (as the case may be);
 - (b) the council of the municipality within the municipal district of which such buildings or premises are situate;
 - (c) any public statutory corporation whose interests are in the opinion of the Chief Secretary likely to be affected;
 - (d) any officer in any Government department.

- (5) Such Chief Officer council public statutory corporation or officer shall upon being required by the Chief Secretary so to do submit a report as aforesaid.
- 5. The Chief Secretary may revoke any licence granted by him under Power to revoke licences. these Regulations upon being satisfied that petroleum or petrol has been kept or stored in or upon any buildings or premises otherwise than in accordance with the licence or in contravention of the said Regulations under Part XXVII. of the Local Government Act 1928.

6. (1) For the purpose of ascertaining whether the provisions of Right of these Regulations or the conditions of any licence granted thereunder officers to are being complied with any officer authorized in writing whether premises. generally or in any particular case by the Chief Secretary may enter into or upon any buildings or premises.

(2) No person shall obstruct or hinder any officer so authorized in Obstruction of authorized execution of his duty under these Regulations.

Obstruction of authorized officers. the execution of his duty under these Regulations.

7. These Regulations shall be read as in aid of and not in Regulations to derogation from any Regulations made under Part XXVII. of the Local Government Act 1928.

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And the Honorable Albert Arthur Dunstan, His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

> C. W. KINSMAN, Clerk of the Executive Council.