



VICTORIA  
GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 872]

THURSDAY, OCTOBER 25.

[1956

COUNTRY FIRE AUTHORITY ACT 1944.

At the Executive Council Chamber, Melbourne, the  
twenty-third day of October, 1956.

PRESENT:

His Excellency the Governor of the State of Victoria.

Mr. Chandler  
Mr. Reid

Mr. Cameron  
Mr. Porter.

COUNTRY FIRE AUTHORITY.—REGULATIONS.

WHEREAS by the *Country Fire Authority Act 1944* it is amongst other things enacted that the Governor in Council may make Regulations for prescribing the conditions and restrictions to be contained in permits granted under the said Act and for prescribing any matter or thing authorized or required to be prescribed by the said Act or necessary or expedient to be prescribed for the purposes of the said Act: Now therefore His Excellency the Governor of Victoria in the Commonwealth of Australia by and with the advice of the Executive Council of the said State and in pursuance of the powers conferred by the *Country Fire Authority Act 1944* doth hereby make the Regulations following (that is to say):—

1. These Regulations may be cited as the "Country Fire Authority (Permits) Regulations 1956". Citation.
2. On the commencement of these Regulations the "Country Fire Authority (Permits) Regulations 1945", made by the Governor in Council on the seventeenth day of July, 1945, and published in the *Government Gazette* of the eighteenth day of July, 1945, and all amendments to the said Regulations shall be and are hereby revoked. Revocation.
3. In these Regulations unless inconsistent with the context or subject matter— Interpreta-  
tion.

"Act" means the *Country Fire Authority Act 1944*, as amended by any Act. "Act."

"Authority" means the Country Fire Authority. "Authority."

Nomination  
of proper  
officer of  
municipality.

4. The council of every municipality the municipal district of which lies wholly within or partly within the country area of Victoria shall nominate from time to time an officer or officers of such municipality to be proper officer for the purposes of the Act, and shall forthwith notify the Authority of every such nomination in the form of the First Schedule hereto. Any vacancy in the office of proper officer shall be filled by a nomination as aforesaid within thirty days of the occurrence of such vacancy.

Nomination  
of proper  
officer of  
public  
authority.

5. Every public authority shall nominate from time to time for every fire control region within which is situated any land vested in or under the management or control of such public authority an officer or officers to be proper officer of such public authority for that fire control region and shall forthwith notify the Authority of every such nomination in the form of the First Schedule hereto. Any vacancy in the office of proper officer shall be filled by a nomination as aforesaid within thirty days of the occurrence of such vacancy.

Advertise-  
ment of  
nomination  
of proper  
officer.

6. Notice of the nomination of every proper officer shall be advertised forthwith by the council or public authority which made such nomination in at least one issue of a newspaper circulating in the relevant municipal district or fire control region.

Burning off  
by the  
Railways  
Department.

7. It shall be the duty of the proper officer appointed by the Victorian Railways Commissioners when granting permits under section 38 of the Act to their servants to carry out burning off operations on land vested in or under the control of the said Commissioners to require that such burning off operations shall be carried out in accordance with the conditions and restrictions contained in the book of instructions of the Way and Works Branch of the Victorian Railways dated the first day of August 1955 or such other conditions and restrictions as may hereafter be approved by the Authority but save as aforesaid no provisions contained in these Regulations shall apply to burning off operations carried out on land vested in or under the control of the said Commissioners.

Permit to  
burn  
vegetation or  
charcoal.

8. (a) Every permit granted pursuant to section 38 of the Act to the officer in charge of a fire brigade for the purpose of enabling such fire brigade to carry out burning as authorized by the Act shall be in the form of the Second Schedule hereto.
- (b) Every permit granted pursuant to section 38 of the Act to a person other than the officer in charge of a fire brigade shall if such permit be granted by a proper officer be in the form of the Third Schedule hereto.
- (c) Every permit granted pursuant to section 38 of the Act by a Chief Officer, Deputy Chief Officer, Assistant Chief Officer or Regional Officer shall be in the form of the Fourth Schedule hereto.
- (d) Every permit granted pursuant to section 39 of the Act shall be in the form of the Fifth Schedule hereto.
- (e) No permit shall be valid unless signed by the authorized officer by whom it was granted.
- (f) Notwithstanding anything contained in the Second, Third, Fourth and Fifth Schedules hereto, any officer authorized to issue a permit pursuant to these Regulations may insert therein such further conditions and restrictions as he thinks fit.

Revocation  
of permit.

9. Any permit issued pursuant to these Regulations may be revoked at any time by the Authority, a Chief Officer or other officer exercising the powers of Chief Officer, or by the officer by whom the permit was granted, and shall be surrendered to any one of such officers forthwith upon demand by him.

Conditions  
and  
restrictions in  
permits  
granted to  
fire brigades.

10. (1) The following conditions and restrictions shall apply to every permit in the form of the Second Schedule hereto granted to the Officer in charge of a fire brigade, that is to say:—

- (a) Such permit shall authorize only the officers and members of a fire brigade named therein to burn firebrakes or remove fire hazards by burning upon land which is vested in or under the control or management of a department public authority or municipality and which is described in such permit or upon a highway road street lane or thoroughfare the maintenance of which is charged upon a department public authority or municipality and which is described in such permit.

- (b) The currency of such permit shall not exceed twenty-eight (28) days.
- (c) The officer in charge of the brigade shall cause notice of intention to burn in accordance with the Seventh Schedule hereto to be given to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than twenty-one days before the time at which the fire is to be lighted, and where the area to be burned is within two miles from a State forest or National Park notice shall be given likewise to the appropriate Forest Officer.
- (d) Burning shall not be commenced before two o'clock p.m. on any day and the fire shall be extinguished before sunrise on the day following the day upon which such fire was lighted.
- (e) The officer in charge of the brigade shall cause the perimeter of the burnt area to be patrolled continuously until either the fire is completely extinguished or the officer in charge is satisfied that the area is safe to be left unattended.
- (f) No burning shall be commenced until after base firebreaks and check firebreaks have been prepared as specified hereunder, that is to say:—
  - (i) a base firebreak comprising a road or other space not less than ten feet wide clear of all inflammable material; or
  - (ii) a base firebreak comprising a ploughed or rotary hoed strip not less than ten feet wide; or
  - (iii) a base firebreak at least five feet wide either cleared of all inflammable material, ploughed or rotary hoed together with a strip thoroughly wetted with water and five feet wide contiguous to such base firebreak but on that side of it which is nearest to the main area to be burned;
  - (iv) in every case there shall in addition be a check firebreak at least five feet wide on the sides of the area to be burned other than those on which the base firebreak is constructed and either cleared of all inflammable material, ploughed, rotary hoed or thoroughly wetted with water.
- (g) All stumps logs posts and trunks of trees within the area to be burned and which it is not intended to burn shall be thoroughly wetted with water before burning round them.
- (h) At least one officer and five men equipped with adequate fire fighting appliances shall be in attendance at all times.
- (i) Burning pursuant to this permit shall not be carried out if the shade temperature in the vicinity exceeds 90 deg. Fahrenheit and if the wind velocity exceeds that of a light breeze.
- (j) If there be at least one fire fighting truck equipped with a water tank and power pump available at the fire together with at least one officer and five firemen, an area not exceeding four hundred yards by not exceeding two hundred feet may be permitted to be alight at any one time; for each additional fire fighting truck equipped with a water tank and power pump and manned by at least one officer and five firemen an area not exceeding an additional two hundred yards by two hundred feet may be permitted to be alight at any one time. Provided that if there be no fire fighting truck, but if an officer and not less than five firemen are present with fire appliances, the maximum area which may be allowed to be alight at one time shall not exceed two hundred yards by two hundred feet.

Conditions  
and  
restrictions  
in permits  
granted to  
persons  
other than  
officers of  
fire brigades.

(2) The following conditions and restrictions shall apply to every permit in the form of the Third Schedule hereto granted by a proper officer to a person other than the officer in charge of a fire brigade, that is to say:—

- (a) Such permit shall authorize only such burning of grass stubble weeds scrub undergrowth or other vegetation as will enable every fire lighted thereunder to be completely extinguished before sunrise on the day following the day on which such fire is lighted.
- (b) The currency of such permit shall not exceed fourteen (14) days.
- (c) The person to whom such permit is granted shall give notice of intention to burn in accordance with the Seventh Schedule hereto to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than seven days before the time at which the fire is to be lighted, and where the area to be burned is within two miles from a State forest or National Park, notice shall be given likewise to the appropriate Forest Officer.
- (d) No fire shall be lighted before four o'clock p.m. on any day except during the months of March or April where for the purpose of burning stubble the proper officer may endorse the permit to allow burning to commence not earlier than three o'clock p.m.
- (e) The person to whom such permit is granted shall prepare or cause to be prepared round the whole of the area to be burned a firebreak at least fifteen feet wide at least twenty-four hours before the main fire is lighted and either ploughed, completely cleared of inflammable material, rotary hoed or burnt in accordance with sub-clause (f) or constructed by a combination of these means.
- (f) Every permit to burn shall incorporate permission to burn a firebreak round the area to be burned, and any such firebreak may be burned as follows:—
  - (i) not exceeding five feet wide between two strips each five feet wide either ploughed, rotary hoed or cleared of all inflammable material, or one of either each side;
  - (ii) not exceeding ten feet wide between one strip not less than five feet wide either ploughed, rotary hoed or cleared of all inflammable material and one wetted strip five feet wide.
- (g) A space of ten feet in diameter round every tree log post or stump within the area to be burned and within one hundred feet from the boundary thereof shall be cleared of all inflammable material before burning takes place.
- (h) The person to whom such permit is granted shall cause the perimeter of the burnt area to be patrolled continuously until the fire is completely extinguished.
- (i) At least three men with adequate fire fighting appliances shall be present the whole time the fire is alight and the fire shall not be left unattended until completely extinguished.
- (j) Burning pursuant to this permit shall not be carried out if the shade temperature in the vicinity exceeds 90 deg. Fahrenheit and if the wind velocity exceeds that of a light breeze.
- (k) The fire shall be lighted first from the leeward side before it is lighted from the windward side.
- (l) The proper officer may at his discretion send any permit he has issued to the officer in charge of the fire brigade in the district in which the area to be burned is situate for transmission by such officer in charge to the person named in such permit. If a permit is not so sent to the officer in charge of such brigade a duplicate copy of such permit shall be sent to him.

(3) The following conditions and restrictions shall apply to every permit in the form of the Fourth Schedule hereto granted by a Chief Officer, Deputy Chief Officer, Assistant Chief Officer or Regional Officer, that is to say:—

Conditions and restrictions, permit issued by a chief officer, &c.

- (a) Such permit shall be issued only for the purpose of authorizing burning on land not vested in or under the management or control of any department or public authority.
- (b) No burning pursuant to such permit may be carried out when the shade temperature in the vicinity exceeds 90 deg. Fahrenheit or when the wind velocity exceeds that of a light breeze.
- (c) The person to whom such permit is granted shall give notice of intention to burn in accordance with the Seventh Schedule hereto to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than seven days before the time at which the fire is to be lighted and where the area to be burned is within two miles from a State forest or National Park, notice shall be given likewise to the appropriate Forest Officer.
- (d) The officer by whom the permit is issued shall insert thereon before issue dates indicating clearly the currency of such permit, particulars of the area to be burned and the precautions which shall be taken to ensure that the burning may be carried out safely.
- (e) The officer by whom the permit is issued shall forward the duplicate copy of such permit forthwith to the officer in charge of the brigade in the district of which the area to be burned is situated.
- (f) Subject to the foregoing the officer by whom the permit is granted shall insert thereon such further conditions and restrictions as he considers necessary and desirable.

11. (1) The conditions and restrictions contained in sub-clause (2) of this clause shall apply to every permit in the form of the Fifth Schedule hereto granted, pursuant to section 39 of the Act, to any person to light a fire in the open air for the purpose of converting wood into charcoal.

Permit to burn charcoal.

(2) Every person to whom a permit as aforesaid is granted shall—

- (a) Clear the ground within a radius of fifty feet (or such further distance as the proper officer may require in writing) of the site of any kiln retort or pit used for the purpose aforesaid of any inflammable material whatsoever, whether growing or not growing, before a fire is lighted.
- (b) Maintain in suitable containers in a readily accessible position at the site of any such kiln retort or pit such volume of water not being less than forty gallons as may be endorsed on the permit in writing by the proper officer.
- (c) Have in his possession at such site and maintain in an effective condition not less than three fire rakes, one two-gallon bucket, one knapsack spray pump, and such additional equipment as may be endorsed on the permit in writing by the proper officer.
- (d) Comply with any special conditions or restrictions endorsed on the permit in writing by the proper officer.
- (e) Cease operations whenever required to do so by the Chief Officer, Deputy Chief Officer, Assistant Chief Officer, Regional Officer or proper officer.
- (f) In the event of an outbreak of fire in the vicinity of the said kiln retort or pit do everything that is reasonably within his power to prevent such fire from spreading and as soon as possible report the existence of such fire to the nearest fire brigade or member of the Police Force.

12. Any officer empowered to grant a permit may impose such further conditions and restrictions as he shall think fit: Provided that no such condition or restriction shall be inconsistent with the provisions of the Act or the regulations thereunder, and that every such condition and restriction shall be inserted in writing upon the permit in the space provided.

Power of proper officer or chief officer to impose further conditions and restrictions.

Permit to be produced.

13. The holder of a permit to burn shall produce such permit upon demand to a Chief Officer or other officer exercising the powers of Chief Officer, to a proper officer or to the captain of any brigade, or to a member of the Police Force.

Direction to remove fire hazards or clear fire breaks.

14. (a) Every notice to an owner or occupier to remove fire hazards or to clear fire breaks pursuant to section 42 of the Act shall be in the form of the Sixth Schedule hereto.

(b) Every notice aforesaid shall be signed by the proper officer by whom it is issued and such officer shall—

(i) post a duplicate copy thereof forthwith upon the issue of the notice to the officer in charge of the fire brigade the headquarters of which are nearest to the land from which the hazards are to be removed or upon which the firebreaks are to be cleared; and

(ii) retain in his possession a triplicate copy which he shall produce for inspection forthwith on demand by the Authority or any officer or servant thereof.

FIRST SCHEDULE.

Country Fire Authority Acts.

NOTIFICATION OF THE NOMINATION OF A PROPER OFFICER.

The Secretary,  
Country Fire Authority,  
206 Clarendon-street,  
East Melbourne, C.2.

You are hereby informed that

of \_\_\_\_\_ (Full name)  
\_\_\_\_\_ was nominated on the  
(Postal address) \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
to be the Proper Officer of the \* \_\_\_\_\_  
within the \_\_\_\_\_ Fire Control Region(s)  
for the purposes of the above-mentioned Act, in the place of  
M \_\_\_\_\_ whose appointment was terminated  
on the \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_  
Signature \_\_\_\_\_  
Title \_\_\_\_\_

\* Insert appropriate municipality or public authority.

† Strike out if not applicable.

NOTE.—Please refer to Regulations on the back hereof.

(Reverse Side of Form.)

EXTRACT FROM COUNTRY FIRE AUTHORITY (PERMITS)  
REGULATIONS 1956.

Nomination of proper officer of municipality.

4. The council of every municipality the municipal district of which lies wholly within or partly within the country area of Victoria shall nominate from time to time an officer or officers of such municipality to be proper officer for the purposes of the Act, and shall forthwith notify the Authority of every such nomination in the form of the First Schedule hereto. Any vacancy in the office of proper officer shall be filled by a nomination as aforesaid within thirty days of the occurrence of such vacancy.

Nomination of proper officer of public authority.

5. Every public authority shall nominate from time to time for every fire control region within which is situated any land vested in or under the management or control of such public authority an officer or officers to be proper officer of such public authority for that fire control region and shall forthwith notify the Authority of every such nomination in the form of the First Schedule hereto. Any vacancy in the office of proper officer shall be filled by nomination as aforesaid within 30 days of the occurrence of such vacancy.

Advertisement of nomination of proper officer.

6. Notice of the nomination of every proper officer shall be advertised forthwith by the council or public authority which made such nomination in at least one issue of a newspaper circulating in the relevant municipal district or fire control region.

SECOND SCHEDULE.

COUNTRY FIRE AUTHORITY ACTS

Permit granted to the officer in charge of a fire brigade for the purpose of enabling such fire brigade to set fire to Grass, Stubble, Weeds, Scrub, Undergrowth or other vegetation, during a "Summer Period" in the Country Area of Victoria.

(NOTE.—THE HOLDER IS DIRECTED TO READ CAREFULLY THE CONDITIONS AND RESTRICTIONS SET OUT ON THE BACK OF THIS PERMIT BY VIRTUE OF THE COUNTRY FIRE AUTHORITY ACTS. THIS PERMIT IS INOPERATIVE ON ANY DAY IN RESPECT OF WHICH THE AUTHORITY HAS CAUSED A WARNING TO BE BROADCAST OF THE LIKELIHOOD OF WEATHER CONDITIONS CONDUCTIVE TO THE SPREAD OF FIRES.)

(Full name) of (Postal address)  
 being the (1) of the (2)  
 fire brigade being a fire brigade registered by the Country Fire Authority and having received in respect of the land highway road street lane or thoroughfare within the municipal district of the hereinafter described the consent so to do of or a request so to do by the  
 \*(a) owner or occupier of the land  
 \*(b) municipality or public authority in which the said land is vested or which controls or manages the said land or upon which is charged the maintenance of the said highway road street lane or thoroughfare

is hereby authorized subject to the conditions and restrictions appearing on the reverse side hereof to burn acres of vegetation between the hours of two o'clock in the afternoon on any one day and sunrise of the day next following during the period commencing on the day of 19 and ending on the day of 19 (not exceeding twenty-eight (28) days).  
 Description of land highway road street lane or thoroughfare:—

Dated at the day of 19 (Signed)

†Proper Officer.

Description of Municipality, department or public authority for which he is proper officer:—

(1) Office in brigade (2) Name of brigade.

\* Strike out whichever is inapplicable.

† If issued by an authorized officer other than a proper officer, delete the printed title and insert the correct title.

(Original, white; duplicate, pink; to be endorsed:—"Original—For issue to applicant." "Duplicate—For retention by issuing officer.")

NOTE.—This permit shall not be issued otherwise than to the officer in charge of a fire brigade for the purpose of enabling burning to be carried out by the officers and members of such fire brigade.

(Reverse Side of Form.)

#### CONDITIONS AND RESTRICTIONS TO BE OBSERVED.

The following conditions and restrictions shall apply to every permit in the form of the Second Schedule to the Country Fire Authority (Permits) Regulations 1956 granted to the officer in charge of a fire brigade, that is to say:—

- (a) Such permit shall authorize only the officers and members of a fire brigade named therein to burn firebreaks or remove fire hazards by burning upon land which is vested in or under the control or management of a department public authority or municipality and which is described in such permit or upon a highway road street lane or thoroughfare the maintenance of which is charged upon a department public authority or municipality and which is described in such permit;
- (b) The currency of such permit shall not exceed twenty-eight (28) days;
- (c) The officer in charge of the brigade shall cause notice of intention to burn in accordance with the Seventh Schedule of the said Regulations hereto to be given to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than twenty-one days before the time at which the fire is to be lighted, and where the area to be burned is within two miles from a State forest or National Park notice shall be given likewise to the appropriate Forest Officer;
- (d) Burning shall not be commenced before Two o'clock p.m. on any day and the fire shall be extinguished before sunrise on the day following the day upon which such fire was lighted;
- (e) The officer in charge of the brigade shall cause the perimeter of the burnt area to be patrolled continuously until either the fire is completely extinguished or the officer in charge is satisfied that the area is safe to be left unattended;
- (f) No burning shall be commenced until after base firebreaks and check firebreaks have been prepared as specified hereunder, that is to say:—
  - (i) A base firebreak comprising a road or other space not less than ten feet wide clear of all inflammable material, or
  - (ii) A base firebreak comprising a ploughed or rotary hoed strip not less than ten feet wide; or

- (iii) A base firebreak at least five feet wide either cleared of all inflammable material, ploughed or rotary hoed together with a strip thoroughly wetted with water and five feet wide contiguous to such base firebreak but on that side of it which is nearest to the main area to be burned.
- (iv) In every case there shall in addition be a check fire-break at least five feet wide on the sides of the area to be burned other than those on which the base firebreak is constructed and either cleared of all inflammable material, ploughed, rotary hoed or thoroughly wetted with water.
- (g) All stumps logs posts and trunks of trees within the area to be burned and which it is not intended to burn shall be thoroughly wetted with water before burning around them.
- (h) At least one officer and five men equipped with adequate fire fighting appliances shall be in attendance at all times.
- (i) Burning pursuant to this permit shall not be carried out if the shade temperature in the vicinity exceeds 90 deg. Fahrenheit and if the wind velocity exceeds that of a light breeze.
- (j) If there be at least one fire-fighting truck equipped with a water tank and power pump available at the fire together with at least one officer and five firemen, an area not exceeding four hundred yards by not exceeding two hundred feet may be permitted to be alight at any one time; for each additional fire-fighting truck equipped with a water tank and power pump and manned by at least one officer and five firemen an area not exceeding an additional two hundred yards by two hundred feet may be permitted to be alight at any one time. Provided that if there be no fire-fighting truck, but if an officer and not less than five firemen are present with fire appliances, the maximum area which may be allowed to be alight at one time shall not exceed two hundred yards by two hundred feet.

Further conditions and restrictions.

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.....  
.....

THIRD SCHEDULE.  
COUNTRY FIRE AUTHORITY ACTS

Permit granted to a person other than the officer in charge of a fire brigade for the purpose of enabling such person to set fire to grass stubble weeds scrub undergrowth or other vegetation during a "Summer Period" in the Country Area of Victoria.

(NOTE.—THE HOLDER IS DIRECTED TO READ CAREFULLY THE CONDITIONS AND RESTRICTIONS SET OUT ON THE BACK OF THIS PERMIT BY VIRTUE OF THE COUNTRY FIRE AUTHORITY ACTS. THIS PERMIT IS INOPERATIVE ON ANY DAY IN RESPECT OF WHICH THE AUTHORITY HAS CAUSED A WARNING TO BE BROADCAST OF THE LIKELIHOOD OF WEATHER CONDITIONS CONDUCTIVE TO THE SPREAD OF FIRES.)

Subject to the Country Fire Authority Acts and the Regulations thereunder and to his having accepted and undertaken to observe the conditions and restrictions printed and written on the back hereof

of \_\_\_\_\_ (Postal address) \_\_\_\_\_ (Full name) being the \*owner of the land described hereunder within the municipal district of the \_\_\_\_\_ of \_\_\_\_\_ \*occupier

is hereby authorized subject to the conditions and restrictions appearing on the reverse side hereof to burn \_\_\_\_\_ acres of vegetation between the hours of four o'clock in the afternoon of any one day and sunrise of the day next following during the period commencing on the \_\_\_\_\_ day of \_\_\_\_\_

19 \_\_\_\_\_ and ending on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ (not exceeding fourteen (14) days.)

Description of land:—

Dated at \_\_\_\_\_ 19 \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ (Signed) \_\_\_\_\_ †Proper Officer.

Description of Municipality, department or public authority for which he is proper officer:—

NOTE.—This permit may be revoked at any time by the Authority, a Chief Officer, or other officer exercising the powers of Chief Officer or by the proper officer by whom the permit was granted, and shall be surrendered to any such officer forthwith upon demand by him.



The attention of the person to whom this permit is granted is directed to sub-sections (3) and (4) of section 38 of the *Country Fire Authority Act 1944*, which read:—

- "(3) Any person who contravenes or fails to comply with the provisions of this section or the conditions or restrictions contained in any permit granted under this section shall be guilty of an offence and liable to a penalty of not more than One hundred pounds or to imprisonment to a term of not more than twelve months or to both such penalty and imprisonment.
- (4) Nothing in this section or in any permit granted under this section shall be deemed to relieve any person from liability for any actionable damage sustained by any other person in consequence of any act matter or thing done by such first-mentioned person under any such permit."

\* Strike out if not applicable.

† City, town, borough or shire.

‡ If issued by an authorized officer other than the proper officer, delete the printed title and insert the correct title.

(Original, buff; duplicate, green; triplicate, pink. To be endorsed: "Original—For issue to applicant." "Duplicate—For issue to officer in charge of fire brigade." "Triplicate—For retention by issuing officer.")

(Reverse Side of Form.)

#### CONDITIONS AND RESTRICTIONS TO BE OBSERVED.

The following conditions and restrictions shall apply to every permit in the form of the Third Schedule to the *Country Fire Authority (Permits) Regulations 1956* granted by a proper officer to a person other than the officer in charge of a fire brigade, that is to say:—

- (a) Such permit shall authorize such burning of grass stubble weeds scrub undergrowth or other vegetation as will enable every fire lighted thereunder to be completely extinguished before sunrise on the day following the day on which such fire is lighted.
- (b) The currency of such permit shall not exceed fourteen (14) days.
- (c) The person to whom such permit is granted shall give notice of intention to burn in accordance with the Seventh Schedule of the said Regulations to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than seven days before the time at which the fire is to be lighted and where the area to be burned is within 2 miles from a State forest or National Park, notice shall be given likewise to the appropriate Forest Officer.
- (d) No fire shall be lighted before Four o'clock p.m. on any day except during the months of March or April where for the purpose of burning stubble the proper officer may endorse the permit to allow burning to commence not earlier than Three o'clock p.m.
- (e) The person to whom such permit is granted shall prepare or cause to be prepared round the whole of the area to be burned a firebreak at least 15 feet wide at least twenty-four hours before the main fire is lighted and either ploughed, completely cleared of inflammable material, rotary hoed or burnt in accordance with sub-clause (f) or constructed by a combination of these means.
- (f) Every permit to burn shall incorporate permission to burn a firebreak round the area to be burned, and any such firebreak may be burned as follows:—
- (i) not exceeding 5 feet wide between two strips each 5 feet wide either ploughed rotary hoed or cleared of all inflammable material, or one of either each side.
  - (ii) not exceeding 10 feet wide between one strip not less than 5 feet wide either ploughed rotary hoed or cleared of all inflammable material and one wetted strip 5 feet wide.
- (g) A space of 10 feet in diameter round every tree log post or stump within the area to be burned and within 100 feet from the boundary thereof shall be cleared of all inflammable material before burning takes place.
- (h) The person to whom such permit is granted shall cause the perimeter of the burnt area to be patrolled continuously until the fire is completely extinguished.
- (i) At least three men with adequate fire-fighting appliances shall be present the whole time the fire is alight and the fire shall not be left unattended until completely extinguished.
- (j) Burning pursuant to this permit shall not be carried out if the shade temperature in the vicinity exceeds 90° Fahrenheit and if the wind velocity exceeds that of a light breeze.
- (k) The fire shall be lighted first from the leeward side before it is lighted from the windward side.

- (l) Where the proper officer considers it necessary he may issue any permit in the care of the officer in charge of the fire brigade in the district of which area to be burned is situated. If a permit is not so issued the proper officer shall forward forthwith to the officer in charge of such brigade the duplicate copy of such permit.

Further conditions and restrictions.

FOURTH SCHEDULE.  
COUNTRY FIRE AUTHORITY ACTS.

Permit granted by a Chief Officer, Deputy Chief Officer, Assistant Chief Officer or Regional Officer for the purpose of enabling the applicant to set fire to grass stubble weeds scrub undergrowth or other vegetation during a "Summer Period" in the Country Area of Victoria.

(NOTE.—THE HOLDER IS DIRECTED TO READ CAREFULLY THE CONDITIONS AND RESTRICTIONS SET OUT ON THE BACK OF THE PERMIT BY VIRTUE OF THE COUNTRY FIRE AUTHORITY ACTS. THIS PERMIT IS INOPERATIVE ON ANY DAY IN RESPECT OF WHICH THE AUTHORITY HAS CAUSED A WARNING TO BE BROADCAST OF THE LIKELIHOOD OF WEATHER CONDITIONS CONDUCIVE TO THE SPREAD OF FIRES.)

Subject to the Country Fire Authority Acts and the Regulations thereunder and to his having accepted and undertaken to observe the conditions and restrictions printed and written on the back hereof—

of being  
(Full name) (Postal address)  
the \*owner of the land described hereunder within the municipal district  
\*occupier of thef is hereby authorized subject  
of to the said conditions and restrictions to burn acres of  
vegetation during the period commencing on the  
day of 19 and ending on the  
day of 19 both days inclusive, and no longer  
upon such land.

Description of land:—

Dated this day of 19  
at (Signed)  
(Office)

NOTE.—This permit may be revoked at any time by the Authority, a Chief Officer or other officer exercising the powers of Chief Officer or by the officer by whom the permit was granted, and shall be surrendered to any such officer forthwith upon demand by him.

The attention of the person to whom this permit is granted is directed to sub-sections (3) and (4) of section 38 of the *Country Fire Authority Act 1944*, which read:—

- " (3) Any person who contravenes or fails to comply with the provisions of this section or the conditions or restrictions contained in any permit granted under this section shall be guilty of an offence and liable to a penalty of not more than One hundred pounds or to imprisonment to a term of not more than twelve months or to both such penalty and imprisonment.  
" (4) Nothing in this section or in any permit granted under this section shall be deemed to relieve any person from liability for any actionable damage sustained by any other person in consequence of any act matter or thing done by such first-mentioned person under any such permit."

\* Strike out if not applicable.

† City, town, borough or shire.

(Original, red; duplicate, green; triplicate, pink. To be endorsed: Original—"For issue to applicant." Duplicate—"For issue to officer in charge of fire brigade." Triplicate—"For retention by issuing officer.")

(Reverse Side of Form.)

CONDITIONS AND RESTRICTIONS TO BE OBSERVED.

The following conditions and restrictions shall apply to every permit in the form of the Fourth Schedule to the Country Fire Authority (Permits) Regulations, 1956, granted by a Chief Officer, Deputy Chief Officer, Assistant Chief Officer or Regional Officer, that is to say:—

- (a) Such permit shall be issued only for the purpose of authorizing burning on land not vested in or under the management or control of any department or public authority.  
(b) No burning pursuant to such permit may be carried out when the shade temperature in the vicinity exceeds 90° Fahrenheit or when the wind velocity exceeds that of a light breeze.  
(c) The person to whom such permit is granted shall give notice of intention to burn in accordance with the Seventh Schedule to the said Regulations to each owner or occupier of land contiguous to the land upon which burning is to take place not less than twenty-four hours and not more than seven days before the time at which the fire is to be lighted, and where the area to be burned is within 2 miles from a State forest or National Park, notice shall be given likewise to the appropriate Forest Officer.

- (d) The officer by whom the permit is issued shall insert thereon before issue dates indicating clearly the currency of such permit, particulars of the area to be burned and the precautions which shall be taken to ensure that the burning may be carried out safely.
- (e) The officer by whom the permit is issued shall forward the duplicate copy of such permit forthwith to the officer in charge of the brigade in the district of which the area to be burned is situated.
- (f) Subject to the foregoing the officer by whom the permit is granted shall insert thereon such further conditions and restrictions as he considers necessary and desirable.

..... Further conditions and restrictions.  
 .....  
 .....

FIFTH SCHEDULE.

Country Fire Authority Acts.

PERMIT TO LIGHT A FIRE IN THE OPEN AIR DURING A "SUMMER PERIOD" FOR THE PURPOSE OF BURNING WOOD INTO CHARCOAL IN THE COUNTRY AREA OF VICTORIA.

Subject to the Country Fire Authority Acts and the Regulations thereunder, and to his having read, accepted, and undertaken to observe the conditions and restrictions printed and written on the back hereof

of  
 (Full name) (Postal address)  
 being the owner or occupier of land situated within the municipal district of the\* of section being allotment Parish of is hereby authorized subject to the said conditions and restrictions to light a fire for the purposes indicated above during the period commencing at Four o'clock on the day of 19 and ending at sunrise on the day of 19, both days inclusive, and no longer, upon such land.  
 Dated at the day of 19

Section 39 of Act No. 5040 (Penalties).

Address of proper officer—

(Signed)

Proper Officer.

Description of Municipality, department or public authority for which he is the proper officer:—

Section 39 of Act No. 5040.

(3) Any person who contravenes or fails to comply with the provisions of this section or the conditions or restrictions contained in any permit granted under this section shall be guilty of an offence and liable to a penalty of not more than One hundred pounds or to imprisonment for a term of not more than twelve months or to both such penalty and imprisonment.

(4) Nothing in this section or in any permit granted under this section shall be deemed to relieve any person from liability for any actionable damage sustained by any other person in consequence or any act matter or thing done by such first-mentioned person under any such permit.

NOTE.—This permit may be revoked at any time by the Authority, a Chief Officer or other officer exercising the powers of Chief Officer, or by the proper officer by whom the permit was granted, and shall be surrendered to any such officer forthwith upon demand by him.

Permit to burn charcoal.

\* City, town, borough or shire.

(Original, yellow; duplicate, green; triplicate, pink. To be endorsed: "Original—For issue to owner or occupier." "Duplicate—For issue to officer in charge of fire brigade." "Triplicate—For retention by issuing officer.")

(Reverse Side of Form.)

CONDITIONS AND RESTRICTIONS TO BE OBSERVED.

1. The conditions and restrictions contained in clause 2 hereof shall apply to every permit in the form of the Fifth Schedule to the Country Fire Authority (Permits) Regulations 1956 granted, pursuant to section 39 of the Act, to any person to light a fire in the open air for the purpose of converting wood into charcoal.

2. Every person to whom a permit as aforesaid is granted shall—

- (a) Clear the ground within a radius of 50 feet (or such further distance as the proper officer may require in writing) of the site of any kiln retort or pit used for the purpose aforesaid of any inflammable material whatsoever, whether growing or not growing before a fire is lighted.
- (b) Maintain in suitable containers in a readily accessible position at the site of any such kiln retort or pit such volume of water not being less than 40 gallons as may be endorsed on the permit in writing by the proper officer.
- (c) Have in his possession at such site and maintain in an effective condition not less than three fire rakes, one two-gallon bucket, one knapsack spray pump, and such additional equipment as may be endorsed on the permit in writing by the proper officer.
- (d) Comply with any special conditions or restrictions endorsed on the permit in writing by the proper officer.
- (e) Cease operations whenever required to do so by the Chief Officer, Deputy Chief Officer, Assistant Chief Officer, Regional Officer or proper officer.

(f) In the event of an outbreak of fire in the vicinity of the said kiln retort or pit do everything that is reasonably within his power to prevent such fire from spreading and as soon as possible report the existence of such fire to the nearest fire brigade or member of the Police Force.

Further conditions and restrictions.

SIXTH SCHEDULE.

Country Fire Authority Acts.

DIRECTION.

(a) To remove from the land described below, within the time and in the manner specified in this notice, all grass stubble weeds scrub undergrowth or other material, whether of like kind to the foregoing or not, which in the opinion of the proper officer constitutes or is likely to constitute a fire danger to neighbouring properties; or

(b) To make or clear, within the time and in the manner specified in this notice, such fire-breaks on such land and in such positions as such proper officer considers necessary for the protection of neighbouring properties.

In pursuance of the powers conferred by section 42 of the *Country Fire Authority Act 1944*, and on behalf of the municipality of the municipality

of the \_\_\_\_\_ of \_\_\_\_\_  
I hereby direct \_\_\_\_\_ of \_\_\_\_\_  
(Full name) (Postal address)

being the owner or occupier of land being allotment(s) of section \_\_\_\_\_ Parish of \_\_\_\_\_ County of \_\_\_\_\_ to carry out the work specified hereunder, subject to the provisions of the said Act and the Regulations thereunder, and to the full observance of the precautions and provisions endorsed hereon, that is to say:—

\* (a) To remove from the parts described hereunder the inflammable material specified herein in the manner specified:—

† (i) \_\_\_\_\_

\* (b) To make or clear a fire-break in the manner specified herein upon the said land or parts thereof indicated:—

‡ (i) \_\_\_\_\_

All such work shall be completed before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_. (Attention is directed to the provisions of section 42 (3) of the aforesaid Act, which appears on the back hereof.)

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Proper officer for the municipality of the \_\_\_\_\_ of \_\_\_\_\_ Signature \_\_\_\_\_

\* Strike out whichever is not applicable.  
† Specify material to be removed, manner of removal, and parts from which it is to be removed.  
‡ Specify width and extent of fire-break, manner of constructing it, and parts of land affected.

(Original, white; duplicate, green; triplicate, pink. To be endorsed: "Original—For issue to owner or occupier." "Duplicate—For issue to officer in charge of fire brigade." "Triplicate—For retention by issuing officer.")

(Reverse Side of Form.)

Section 42, sub-section 3 of the *Country Fire Authority Act 1944*.

42. (3) If within the time specified in the notice the owner or occupier to whom it is directed fails to comply with the direction therein contained he shall be guilty of an offence and liable to a penalty of not more than Twenty pounds and any servants agents or workmen of the municipality or any officers or members of any brigade authorized by the proper officer of the municipality may, without prejudice to the liability of the owner or occupier, enter upon the land and do all such acts matters and things as the owner or occupier was directed to do, and the expenses of doing such acts matters or things shall be borne by and may be recovered from such owner or occupier by the municipality or by the Authority (as the case requires) in any court of petty sessions as a civil debt recoverable summarily.

SEVENTH SCHEDULE.

Country Fire Authority Acts.

NOTICE OF INTENTION TO SET FIRE TO ANY GRASS STUBBLE  
WEEDS SCRUB UNDERGROWTH OR OTHER VEGETATION  
DURING A "SUMMER PERIOD."

I \_\_\_\_\_ of \_\_\_\_\_  
(Full name) (Postal address)  
being the holder of a permit in writing from (insert name and address of  
authorized officer) hereby give notice that it is my intention to burn off  
between Four o'clock p.m. on the \_\_\_\_\_ day of  
19 \_\_\_\_\_ and sunrise on the following day, upon that portion of my property  
described hereon, that is to say:—(Insert description of land)

.....  
.....  
.....

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of  
19 \_\_\_\_\_

(Signature)

(This notice must be given not less than twenty-four (24) hours before  
the time at which burning is to take place to the owner, occupier, or person  
in charge of all adjoining land or buildings.)

And the Honorable Murray Victor Porter, for and on behalf of  
Her Majesty's Chief Secretary for the State of Victoria, shall give  
the necessary directions herein accordingly.

A. MAHLSTEDT,  
Clerk of the Executive Council.

