



**APPLICATION TO LIGHT A FIRE IN THE OPEN AIR ON
A RESIDENTIAL PROPERTY
LOCAL LAW PART 5**

Our Ref: LL SF 0 18
Contact: Stephen Nicholson

APPLICATION DETAILS:

Name of Applicant: _____

Address of Applicant: _____

Telephone No (BH): _____ **Mobile:** _____

Email: _____

Purpose for making application: _____

Type of Material to be burnt: _____

Days and Hours of proposed burning:

Days from: _____ **To:** _____

Time from: _____ **To:** _____

Notwithstanding the grant of a permit, a person shall not:-

- a) Light; or
- b) Allow to be lit or remain alight a fire in the open air on a day declared by the Country Fire Authority to be a Total Fire Ban Day.

I undertake to comply with all the terms and conditions of any such permit which may be granted to me.

Application Fee: \$36.00

Ledger Ref: 11173/0119/1300

Applicant's Signature: _____ **Date:** _____

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DIVISION 5.2 – OPEN AIR BURNING AND INCINERATORS

BURNING GENERALLY

520. Unless permitted to do so by an Act or Regulations or by a Council permit, a person must not burn, or cause or allow to be burned on any land or road and in the open air any:

- (a) rubber or plastic substance;
- (b) petroleum oil or material containing petroleum oil;
- (c) paint or receptacle which contains or has contained paint;
- (d) manufactured chemicals;
- (e) pressurised cans;
- (f) textile fabrics; or
- (g) food waste.

Note: this provision does not apply where that person is a member of the staff of, or a person authorised by a public authority, and is lawfully engaged in an activity for or on behalf of Council or that public authority.

FIRES IN THE OPEN AIR IN RESIDENTIAL AREAS

521. A person must not, without first obtaining a permit or otherwise than in accordance with the conditions of any such permit light a fire or allow a fire to be lit or remain alight in a residential area and in the open air.

522. Nothing in Clause 521 shall restrict or otherwise affect the right of a person to light or use a barbeque, provided that the day is not a day declared under the *Country Fire Authority Act 1958* to be a day of “total fire ban” in any part of Victoria that includes the municipal district.

INCINERATORS

523. No person shall light or allow to remain alight any incinerator in a residential area.

524. In a non-residential area no person shall light or allow to remain alight any incinerator which is likely to ignite a fire in the open or constitute a nuisance.

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FIRE HAZARDS

525. All owners or occupiers of residential land must ensure that all necessary steps are taken to prevent fires and minimise the possibility of the spread of fire and at all times vegetation and any other flammable material or substance be kept at such a length and in such a condition to minimise the possibility of the spread of fire.

DIRECTIVE POWERS

526. If in the opinion of an authorised officer or a member of the Victoria Police a fire has been lit otherwise than in accordance with this Local Law or any permit issued under this Local Law, he or she may direct the owner, occupier, or person in charge of the land on which the fire is alight to extinguish the fire.

Penalty for offences under Division 5.2: 10 Penalty Units