

**COLAC OTWAY SHIRE  
SCHEDULE 13 APPLICATION**

**FOR PERMIT TO BURN BY A PRIVATE PERSON** Regulation 109(1)(b)

***(Please allow at least one week from date of application)***

MUNICIPAL OFFICES  
PO BOX 283, COLAC 3250

PHONE: 5232 9400  
FAX: 5232 9586  
Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

**APPLICANT DETAILS: (Please Print)**

Name: .....

Address: .....

Email: .....

Telephone: ..... FAX: ..... DATE ..... /...../.....

To the Fire Prevention Officer at Colac Otway Shire:

I, the applicant as detailed above, being the \*owner / \*occupier (*if you are not the owner of the land you must have the owner complete and sign below*) of the land described hereunder, within the area of the.....Fire Brigade, hereby apply for a permit to burn ~~\*grass~~ \* stubble  
..... (*Other*) on this property, for the purpose of ~~\*firebreak~~ \* preparation for  
**cropping** (\* delete in-appropriate section).

Area to be burnt .....Hectares

The location of the area to be burnt is: Map N°..... Map Ref.....

Road Name and N°: .....

Council Property N°: ..... (*Information from Rate Notice*)

Date from which the permit is to commence .... /.... /....

**I agree to comply with all conditions that may be applied in the permit.**

Name (print)..... Signed .....

**Owner Details** (only complete if the applicant is not the owner)

I the owner of the above mentioned land, provide approval for the applicant to undertake any and all actions on my land that may be approved if a Schedule 13 permit is issued.

Name (print)..... Signed.....

***\* Please allow one week from date of application and ensure all information is correct. Application Forms with incorrect or missing information cannot be issued and will be returned to the applicant for completion.***

**OFFICER IN CHARGE OF THE BRIGADE TO COMPLETE PRIOR TO APPLICATION BEING  
FORWARDED TO M.F.P.O.**

I have read the above application - I have / have not inspected the location of the proposed burn.

Signed.....Officer in charge.....brigade

# Colac Otway Shire Section 38, Schedule 13 Permits

## Frequently Asked Questions

- Q. If I apply for a permit to burn, must I be at the burn?**
- A. Yes, the permit to burn is issued to the individual. The permit holder is then the only person permitted to undertake that burn and must be in attendance during the entire burn with a copy of that permit.
- Q. Can I apply for a permit in a company/partnership name or with two names on the permit?**
- A. No. The Permit can only be issued to a single individual and not to a company or partnership.
- Q. If my schedule 13 permit to burn application does not contain the correct information will I still be issued a permit?**
- A. No. Permits will only be issued if all information on the permit is correct, including property identification for the location of the burn, using the Council property numbering system.
- Q. If I am not the owner of the land where I plan to burn, do I need the landowner's permission?**
- A. Yes. The application form requires the owner's permission if they are not the applicant.
- Q. Do I need to notify adjoining landowners, CFA Captain and ESTA (Emergency Services Telecommunications Authority) prior to the burn commencing?**
- A. Yes. This is a requirement for all Schedule 13 Permits issued. This notification must be between 2 and 24 hours prior to commencement of burning. The Stage conditions also provide timelines for the notification of captains which must be complied with.
- Q. What are 'fire suppression equipment (e.g. mobile fire-fighting equipment) or appliances'?**
- A. These are defined under the CFA Act, CFA Regulations and the CFA Guidelines for Operating Private Equipment at Fires (<http://www.cfa.vic.gov.au>. and publication 'Operating Private Equipment at Fires'). The definitions include, a vehicle suitably equipped for enabling an industry brigade to respond to and fight a fire, appliances which are owned and operated by the CFA (and its volunteers) and equipment and machinery (including tankers) owned or operated by a private individual or body that may be used to help contain, suppress or reduce the effects of a fire. It is expected that permit holders will read these definitions and ensure that they comply.
- Q. What is the duration of the burn?**
- A. The duration of the burn is from first ignition to the point at which the last piece of flammable material has been fully extinguished within the burn area.

**Q. What is an adult?**

A. An adult is a person aged 18 years or older.

**Q. What if I am unable to remove all flammable material that is to be burnt from the break area?**

A. Accumulations (or windrows) of flammable material must be located no closer than 2m from the inside edge of the 5m break.

**Q. Am I responsible for the health and safety of others?**

A. Yes. As the permit holder you are responsible for the health and safety of anyone who is in the vicinity of the burn, even if they are not participating in the burn as part of the minimum numbers required under these conditions.

**Q. Am I liable if a fire escapes from my burn?**

A. Yes. ***Under Section 38(4) of the CFA Act 1958, Compliance with the conditions of a permit does not of itself relieve the holder of a permit from liability for any damage sustained by another person as a result of any fire lit by the holder of the permit pursuant to that permit.***

Note: If the permit holder has any questions in relation to the permit or conditions contained in the permit, they should contact Council's MFPO on 5232 9400.

Further information may also be obtained by referring to the CFA website <http://www.cfa.vic.gov.au> and publication 'Operating Private Equipment at Fires' which can be found at <http://www.cfa.vic.gov.au/plan-prepare/private-fire-fighting-equipment/>.