



Victoria Government Gazette

No. S 69 Friday 20 March 2009
By Authority of Victorian Government Printer

Safety on Public Land Act 2004

DECLARATION OF PUBLIC SAFETY ZONE

I, Janine Haddow, Executive Director Natural Resources, as delegate of the Secretary of the Department of Sustainability and Environment, make the following declaration of a public safety zone under section 4(1) of the **Safety on Public Land Act 2004** –

1. Definitions

In this declaration –

- (a) ‘the Act’ means the **Safety on Public Land Act 2004**;
- (b) ‘the declared public safety zone’ means the area declared under clause 2 of this declaration; and
- (c) ‘the Schedule’ means the Schedule to this declaration.

2. Declaration of Public Safety Zone

- (1) The area of State forest contained within the location coordinates in the Schedule is declared to be a public safety zone.
- (2) The extent of the public safety zone is described by the minimum planimetric extent using a North South orientated rectangle that encloses the area bound by:
 - (a) the south-west limit described by the first two metric coordinates (Easting and Northing); and
 - (b) the north-east limit described by the next two metric coordinates (Easting and Northing).
- (3) The public safety zone is limited to all areas that contain State forest within an area identified by the coordinates in the Schedule.
- (4) The coordinates in Column 1 are provided in Map Grid of Australia (MGA) Universal Transverse Mercator (UTM) Zone number 55 or 54. These use the Geodetic Reference System 1980 (GRS80) spheroid.

3. Purpose for which the area has been declared

Pursuant to section 5(1)(b) of the Act, the purposes for which the declared public safety zone has been declared to be a public safety zone are specified as –

- (a) fire operations;
- (b) timber harvesting operations; or
- (c) the maintenance of public safety.

4. Period of the declaration

Pursuant to section 5(1)(c) of the Act, the period for which the declared public safety zone is declared to be a public safety zone is specified to be the period commencing from the date on which this declaration is published in the Government Gazette and ending on 30 June 2009 inclusive.

5. Activities prohibited

- (1) For the purposes of section 5(1)(e) of the Act, the activities that are prohibited in the declared public safety zone are specified to be –
all or any activity occurring or taking place in the declared public safety zone, other than an activity that does not interfere with any activity of an exempt person.

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- (2) In clause 5(1) of this declaration –
- (a) ‘activity’ includes –
 - (i) entering the declared public safety zone;
 - (ii) remaining in or being present in the declared public safety zone;
 - (iii) walking in the declared public safety zone; and
 - (iv) camping or setting up a camp in the declared public safety zone.
 - (b) ‘exempt person’ means any person or person within a class of person specified in –
 - (i) clause 8 of this declaration; and
 - (ii) section 9 of the Act.
 - (c) ‘interferes with’ includes any circumstances in which the presence of the person in the declared public safety zone would prevent or hinder an exempt person from carrying out an activity.
- 6. Periods when access is prohibited**
- For the purposes of section 5(1)(d) of the Act, the times during which access to the declared public safety zone is prohibited is specified to be at all times.
- 7. Further restrictions or conditions (if any)**
- For the purposes of section 5(1)(f) of the Act, no further restrictions or conditions are specified to apply to the declared public safety zone.
- 8. Exempt persons or classes of person**
- Pursuant to section 5(2) of the Act, the following persons or classes of person are exempt from the operation of this declaration-
- (a) Persons undertaking timber harvesting operations which are authorised operations within the meaning of section 45 of the **Sustainable Forests (Timber) Act 2004** including:
 - (i) VicForests and its employees, agents and contractors;
 - (ii) persons who have an agreement with VicForests to harvest or sell timber resources and their employees, agents and contractors;
 - (iii) holders of licences or permits under section 52 of the **Forests Act 1958** and their employees, agents and contractors.
 - (b) Persons undertaking timber harvesting operations in accordance with an approved Plan of Utilization as defined in the **Forests (Wood Pulp Agreement) Act 1996**.
 - (c) Holders of licences or permits under section 52 of the **Forests Act 1958** granted by the Secretary to thin, cut and remove timber, to cut forest produce specified in the licence, to dig forest produce specified in the licence or to take away forest produce specified in the licence and their employees, agents and contractors.
 - (d) Holders of Bee Farm licences, Bee Range area Licences, Apiary Occupation Rights under Subdivision 2 of Division 9, of Part 1 of the **Land Act 1958**, granted by the Minister on Crown Land.
 - (e) Employees, agents and contractors of the Department of Sustainability and Environment engaged in carrying out their functions.
 - (f) Employees, agents and contractors of the Country Fire Authority, WorkSafe, Environment Protection Authority and the State Emergency Services engaged in carrying out their functions.
 - (g) Members of the police force of Victoria engaged in carrying out their functions.
 - (h) Persons appointed as environmental auditors under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.

- (i) Persons who have been selected by the Environment Protection Authority to act as audit observers and who are participating in this activity exclusively. Audit observers must be in the company of an EPA employee or an environmental auditor appointed under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.
- (j) Holders of leases, licences, permits or other authorities (and associated employees, agents and contractors) under the **Mineral Resources Development Act 1990**, **Extractive Industries Development Act 1995** and **Petroleum Act 1998**, other than holders of miners' rights and tourist fossicking authorities under the **Mineral Resources Development Act 1990**, whilst undertaking works associated with that lease, licence, permit or authority in the areas covered by the declaration provided that –
 - (i) those works do not interfere with or hinder timber harvesting operations;
 - (ii) those classes of person have made prior arrangements with the forest manager to be in the area for the purpose of undertaking those works;
 - (iii) those classes of person abide by the Occupational, Health & Safety requirements established by the Department of Sustainability and Environment, VicForests or the contractor in charge of the site.

Dated 19 March 2009

JANINE HADDOW
Executive Director Natural Resources
as delegate of the Secretary of the
Department of Sustainability and Environment

Notes:

1. A map showing the public safety zone is held at the Department of Sustainability and Environment (DSE) Regional Offices at Benalla and Traralgon and at DSE's head office at 8 Nicholson Street, East Melbourne, Victoria 3002. The map is also available at the following website: <http://www.dse.vic.gov.au>
2. In addition to the above persons or classes of person exempted under section 5(2), section 9 of the **Safety on Public Land Act 2004** provides that a public safety zone declaration does not apply to the following:
 - the Secretary;
 - an authorised officer;
 - a utility engaged in the carrying out of its functions in a State forest;
 - a transport authority engaged in the carrying out of its functions in a State forest;
 - a person or class of person authorised under section 10 to be in the public safety zone.

Schedule: Public Safety Zones

Extent of Zone				Forest Management Area	District	Coupe Number	MGA Zone
376883	5857457	377947	5858842	Central	Alexandra	283-505-0017	55
377850	5858714	378961	5860178	Central	Alexandra	283-505-0019	55
379811	5858789	380850	5860023	Central	Alexandra	284-505-0001	55
379898	5858071	380906	5859138	Central	Alexandra	284-505-0002	55
379591	5857547	380825	5858520	Central	Alexandra	284-507-0002	55
379400	5857045	380589	5857920	Central	Alexandra	284-507-0003	55
379186	5856595	380794	5857539	Central	Alexandra	284-507-0004	55
379272	5856127	380728	5856961	Central	Alexandra	284-507-0006	55
379194	5854940	380509	5855955	Central	Alexandra	284-507-0009	55
376319	5855232	377922	5856737	Central	Toolangi	299-505-0004	55
376879	5856538	377740	5857844	Central	Alexandra	299-506-0001	55
377119	5855589	378031	5856633	Central	Toolangi	299-507-0001	55
377476	5855591	378478	5856769	Central	Toolangi	299-507-0002	55
378001	5855588	378878	5856796	Central	Toolangi	299-507-0003	55
378908	5855952	379686	5857237	Central	Alexandra	299-507-0004	55
378461	5855514	379739	5856266	Central	Alexandra	299-507-0005	55
378515	5855937	379441	5857275	Central	Alexandra	299-507-0006	55
378139	5854483	379192	5855627	Central	Toolangi	299-508-0001	55
377064	5854076	377981	5855532	Central	Toolangi	299-979-0010	55
370650	5845522	371667	5846800	Central	Toolangi	300-901-0008	55
378481	5853619	379413	5855044	Central	Toolangi	306-503-0001	55
378232	5853941	378935	5855036	Central	Toolangi	306-503-0006	55
377591	5853453	378641	5854326	Central	Toolangi	306-503-0007	55
376784	5851062	378173	5852328	Central	Toolangi	306-504-0008	55
389401	5840870	390285	5842071	Central	Marysville	310-503-0005	55
394277	5800819	394860	5801798	Central Gippsland	Noojee	464-501-0005	55
396562	5800486	397167	5801360	Central Gippsland	Noojee	464-501-0022_1	55
396401	5800014	397001	5800846	Central Gippsland	Noojee	464-501-0022_2	55
394887	5799154	395554	5799952	Central Gippsland	Noojee	464-506-0014	55
398292	5794846	399430	5795937	Central Gippsland	Noojee	465-503-0007	55
438428	5818243	439273	5819282	Central Gippsland	Erica	480-505-0004	55
431253	5821808	432130	5823192	Central Gippsland	Erica	480-511-0003	55

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