



Victoria Government Gazette

No. S 21 Tuesday 31 January 2012
By Authority of Victorian Government Printer

Safety on Public Land Act 2004

DECLARATION OF PUBLIC SAFETY ZONES

I, Luke Wilson, Executive Director, Industry and Rural Policy Division of the Department of Primary Industries, as delegate of the Secretary to the Department of Sustainability and Environment, make the following declaration of public safety zones 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 zones' means the areas declared under clause 2 of this declaration; and
- (c) 'the Schedule' means the Schedule to this declaration.

2. Declaration of Public Safety Zone

- (a) The areas of State forest contained within the location coordinates in the Schedule are declared to be public safety zones.
- (b) The extent of the public safety zones are described by the minimum planimetric extent using a North South orientated rectangle that encloses the area bound by:
 - (i) the south-west limit described by the first two metric coordinates (Easting and Northing); and
 - (ii) the north-east limit described by the next two metric coordinates (Easting and Northing).
- (c) The public safety zones are limited to all areas that contain State forest within an area identified by the coordinates in the Schedule.
- (d) 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 zones have been declared to be public safety zones are:

- (a) timber harvesting operations; and
- (b) 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 zones are declared to be a public safety zones is specified to be the period commencing from 1 February 2012 and ending on 30 June 2012 inclusive.

5. Activities prohibited

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

SPECIAL

- (b) In clause 5(a) of this declaration –
- (i) ‘activity’ includes:
 - (a) entering the declared public safety zones;
 - (b) remaining in or being present in the declared public safety zones;
 - (c) walking in the declared public safety zones; and
 - (d) camping or setting up a camp in the declared public safety zones.
 - (ii) ‘exempt person’ means any person or person within a class of person specified in:
 - (a) clause 8 of this declaration; and
 - (b) section 9 of the Act.
 - (iii) ‘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 zones is prohibited is specified to be at all times for the period of the declaration.

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 zones.

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 granted under section 52 of the **Forests Act 1958** 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 granted under Subdivision 2 of Division 9, of Part 1 of the **Land Act 1958**, on Crown Land.
- (e) Employees, agents and contractors of the Department of Primary Industries and 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 engaged by the Department of Sustainability and Environment.

- (i) Persons who have been selected by the Department of Primary Industries and the Department of Sustainability and Environment to act as audit observers and who are participating in this activity exclusively. Audit observers must be in the company of 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 (Sustainable Development) Act 1990** and **Petroleum Act 1998**, other than holders of miners' rights and tourist fossicking authorities under the **Mineral Resources (Sustainable Development) Act 1990**, may undertake 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 or the protection of natural values;
 - (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 and Safety requirements established by the Department of Primary Industries, VicForests or the contractor in charge of the site.

Dated 25 January 2012

LUKE WILSON
Executive Director,
Industry and Rural Policy Division of the Department of Primary Industries,
as delegate of the Secretary of the Department of Sustainability and Environment

Notes:

1. Maps showing the public safety zones are available at the Department of Primary Industries (DPI) Area Offices at Bairnsdale, Benalla, Box Hill and at DPI's head office at Level 16, 1 Spring Street, Melbourne. The maps are also available on the following website: <http://www.dpi.vic.gov.au/forestry/public-land-forestry>
 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 of the **Safety on Public Land Act 2004** to be in the public safety zone.
-

Schedule: Public Safety Zones

Extent of Public Safety Zone				MGA Zone	Forest Management Area	District	Coupe Number
321206	5931465	322421	5932521	55	Bendigo	Rushworth	153-010-0005
377850	5858714	378961	5860179	55	Central	Alexandra	283-505-0019
395535	5863737	396866	5865754	55	Central	Alexandra	286-505-0016
400357	5858790	401629	5859999	55	Central	Alexandra	287-513-0003
384367	5836878	385506	5837777	55	Central	Marysville	309-009-0016
381940	5834724	383459	5835890	55	Central	Marysville	309-508-0015
491422	5763010	492045	5764039	55	Central Gippsland	Yarram	449-025-0001
474954	5735058	476010	5736452	55	Central Gippsland	Yarram	452-509-0013
422815	5805203	423768	5810050	55	Central Gippsland	Noojee	461-502-0050
500013	5826608	501190	5828071	55	Central Gippsland	Heyfield	543-517-0001
501939	5827106	504494	5829616	55	Central Gippsland	Heyfield	544-515-0001
513869	5817674	515774	5819527	55	Central Gippsland	Heyfield	547-509-0002
472741	5761993	473786	5762933	55	Central Gippsland	Heyfield	557-999-0001
543917	5845216	545038	5846325	55	Tambo	Bairnsdale	725-505-0002
543500	5843447	544374	5844507	55	Tambo	Bairnsdale	725-506-0008
544344	5843932	545225	5844730	55	Tambo	Bairnsdale	725-506-0009
542838	5843353	543845	5844564	55	Tambo	Bairnsdale	725-506-0010
545588	5843310	546998	5844408	55	Tambo	Bairnsdale	736-502-0006
546096	5842470	546899	5843863	55	Tambo	Bairnsdale	736-502-0007
565106	5833807	566596	5834669	55	Tambo	Bairnsdale	739-509-0005
564985	5830826	565999	5831972	55	Tambo	Bairnsdale	739-511-0008
583097	5832787	584465	5833560	55	Tambo	Bairnsdale	742-505-0004
554676	5864401	555871	5865241	55	Tambo	Swifts Creek (tb)	774-503-0013
555361	5864385	556337	5865404	55	Tambo	Swifts Creek (tb)	774-503-0014
555826	5864451	556727	5865622	55	Tambo	Swifts Creek (tb)	774-503-0015
558934	5866849	559933	5868012	55	Tambo	Swifts Creek (tb)	776-502-0007
640948	5839242	642132	5840669	55	East Gippsland	Orbost	829-509-0023
650768	5832958	651564	5833945	55	East Gippsland	Orbost	831-501-0018
660736	5842560	661817	5843267	55	East Gippsland	Orbost	833-512-0014
663674	5845862	665180	5846935	55	East Gippsland	Orbost	833-514-0013
638848	5856259	639998	5857792	55	East Gippsland	Orbost	836-509-0020
649100	5851655	650001	5852918	55	East Gippsland	Orbost	842-510-0012
737297	5854039	738471	5855255	55	East Gippsland	Cann River	849-502-0021
738017	5853943	738787	5855339	55	East Gippsland	Cann River	849-502-0022
728268	5843314	729190	5844943	55	East Gippsland	Cann River	850-501-0004
728424	5842837	729576	5843740	55	East Gippsland	Cann River	850-501-0007
728556	5843218	729677	5844066	55	East Gippsland	Cann River	850-501-0008
689163	5824180	690645	5825443	55	East Gippsland	Cann River	863-507-0003
688698	5824145	689643	5824788	55	East Gippsland	Cann River	863-507-0004
688262	5824822	689850	5825722	55	East Gippsland	Cann River	863-507-0008
689587	5824853	690751	5826063	55	East Gippsland	Cann River	863-507-0009
678382	5825420	679312	5826874	55	East Gippsland	Cann River	866-505-0005
670384	5823471	671703	5825154	55	East Gippsland	Cann River	866-508-0023
669815	5822984	670648	5824716	55	East Gippsland	Cann River	866-508-0024
670117	5824901	671275	5826058	55	East Gippsland	Cann River	866-508-0026
671002	5825700	672181	5826476	55	East Gippsland	Cann River	866-508-0027

Extent of Public Safety Zone				MGA Zone	Forest Management Area	District	Coupe Number
669602	5824142	670785	5825283	55	East Gippsland	Cann River	866-508-0028
670687	5823978	672796	5827662	55	East Gippsland	Cann River	866-508-0030
671349	5822136	673047	5823905	55	East Gippsland	Orbost	866-508-0031
674143	5836736	675353	5837773	55	East Gippsland	Cann River	867-501-0015
673570	5836340	674500	5837656	55	East Gippsland	Cann River	867-501-0021
678180	5841828	679697	5842766	55	East Gippsland	Cann River	868-506-0009
680043	5845313	681173	5846088	55	East Gippsland	Cann River	871-501-0021
699441	5844947	700299	5845926	55	East Gippsland	Cann River	873-504-0007
728778	5859690	730812	5862049	55	East Gippsland	Cann River	878-507-0003
694873	5878749	695856	5879913	55	East Gippsland	Cann River	888-502-0011
694562	5878072	695797	5879049	55	East Gippsland	Cann River	888-502-0012
695342	5879224	696455	5880016	55	East Gippsland	Cann River	888-502-0014
693477	5877654	694426	5878766	55	East Gippsland	Cann River	888-504-0028
694513	5877843	695933	5878944	55	East Gippsland	Cann River	888-505-0007
696089	5878475	696947	5879622	55	East Gippsland	Cann River	888-505-0009
662816	5870251	663333	5871492	55	East Gippsland	Bendoc	890-503-0019
673409	5880317	674707	5882051	55	East Gippsland	Bendoc	892-517-0012
674419	5882062	675209	5883183	55	East Gippsland	Bendoc	892-518-0009
673721	5879309	675170	5880672	55	East Gippsland	Bendoc	892-519-0011
674126	5879327	675527	5881077	55	East Gippsland	Bendoc	892-519-0012
657391	5878024	659069	5879312	55	East Gippsland	Bendoc	893-506-0013
680033	5879337	680769	5880616	55	East Gippsland	Bendoc	894-505-0016
662142	5886876	663134	5888079	55	East Gippsland	Bendoc	895-511-0007
397505	5828113	399784	5834037	55	Dandenong	Dandenong	Armstrong Creek

This page was left blank intentionally

This page was left blank intentionally

bluestar * **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2012

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order

Mail Order **Victoria Government Gazette**
Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001
DX 106 Melbourne



Telephone (03) 8523 4601



Fax (03) 9600 0478
email gazette@bluestargroup.com.au



Retail & Mail Sales **Victoria Government Gazette**
Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001



Telephone (03) 8523 4601



Fax (03) 9600 0478



Retail Sales **Victorian Government Bookshop**
Level 20, 80 Collins Street
Melbourne 3000



Telephone 1300 366 356



Fax (03) 9208 3316

Price Code A