



Victoria Government Gazette

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Safety on Public Land Act 2004

DECLARATION OF PUBLIC SAFETY ZONES

I, Chris Hardman, as delegate of the Secretary to the Department of Environment, Land, Water and Planning, 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 zone' means the area declared under clause 2 of this declaration;
- (c) 'the Schedule' means the Schedule to this declaration;

2. Declaration of Public Safety Zones

All areas of Forest Park and State Forest within the Surf Coast Shire are declared to be public safety zones.

3. Purpose for which the area has been declared

The purpose for which the declared public safety zones have been declared is for the maintenance of public safety.

4. Period of the declaration

The period for which the declared public safety zones are declared is the period commencing from 30 December 2019 and ending on 31 December 2019 inclusive.

5. Activities prohibited

The activities that are prohibited in the declared public safety zones are:

- (a) Knowingly entering a declared public safety zone during a period when access is prohibited; and
- (b) Knowingly remaining in or being present in a declared public safety zone during a period when access is prohibited.

6. Periods when access is prohibited

The times during which access to the declared public safety zone is prohibited is the period commencing 9.00 am on 30 December 2019 and ending on 5.00 pm 31 December 2019 inclusive.

7. 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) Employees, agents and contractors of the Department of Environment, Land, Water and Planning engaged in carrying out their functions.
- (b) Employees, agents, volunteers and contractors of the Country Fire Authority engaged in carrying out their functions.
- (c) Employees, agents and contractors of the Metropolitan Fire and Emergency Services Board, Ambulance Victoria, WorkSafe Victoria and Environment Protection Authority Victoria engaged in carrying out their functions.
- (d) Members of the police force of Victoria engaged in carrying out their functions.
- (e) Employees, agents and contractors of the Local Government Areas engaged in carrying out their functions.

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- (f) Employees, agents and contractors of the Department of Human Service engaged in carrying out their functions.
- (g) Employees, agents, volunteers and contractors of an Emergency Management Service engaged by the Department of Environment, Land, Water and Planning or the Country Fire Authority to carry out an emergency management function.
- (h) Employees, agents, volunteers and contractors of Networked Emergency Organisation partners engaged by the Department of Environment, Land, Water and Planning or the Country Fire Authority to carry out their functions.
- (i) Employees, agents and contractors of Water Authorities engaged in carrying out their functions.
- (j) Members of the public using State forest roads as the most practical access to and from private properties surrounding State forest.
- (k) Employees, agents and contractors engaged in accessing and carrying out functions within a prescribed mine, as defined by regulation 5.3.3 of the Occupational Health and Safety Regulations 2007, where both an approved work plan, as defined by section 40 of the **Mineral Resources (Sustainable Development) Act 1990**, and an Emergency plan, prepared in accordance with regulation 5.3.34 of the Occupational Health and Safety Regulations 2007, are in place which address the risk of bushfires.

Dated 29 December 2019

Executed by the Secretary to the Department of Environment,
Land, Water and Planning by being signed by its delegate
CHRIS HARDMAN
Chief Fire Officer,
pursuant to a delegation made under section 11(2) of the
Conservation, Forests and Lands Act 1987
and dated 29 December 2019

Notes:

1. A map showing the public safety zone is held at the Department of Environment, Land, Water and Planning (DELWP) offices at Ballarat, Bendigo, Benalla, Geelong, Traralgon and Bairnsdale and at DELWP's head office at 8 Nicholson Street, East Melbourne, Victoria 3002 (by appointment with the Policy Officer, Programs, Assets and Risk). The map is also available on the following website: <https://www.ffm.vic.gov.au/permits-and-regulations/closures-of-parks-and-forests>
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.

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