



# Victoria Government Gazette

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## Safety on Public Land Act 2004

### DECLARATION OF PUBLIC SAFETY ZONES

I, Chris Hardman, Chief Fire Officer, 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 State forest south of the Hume Highway extending to (not including) the Yarra Ranges are declared to be public safety zones.

Any areas that might be subject to a State of Disaster declaration by the Premier of Victoria are also included, for the period of the declaration.

#### 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 5.00 pm on 3 January 2020 and ending on 10.00 am on 6 January 2020 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 5.00 pm on 3 January 2020 and ending on 10.00 am on 6 January 2020 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.

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- (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.
- (f) Employees, agents and contractors of the Department of Health and Human Services 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 assisting the Department of Environment, Land, Water and Planning or the Country Fire Authority in their emergency management functions operating in accordance with an agreement or arrangement to provide this assistance.
- (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 401 of the Occupational Health and Safety Regulations 2017, 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 433 of the Occupational Health and Safety Regulations 2017, are in place which address the risk of bushfires.
- (l) Employees, agents and contractors of VicForests engaged in carrying out their functions.

Dated 3 January 2020

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 3 January 2020

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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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