



# Victoria Government Gazette

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## **Safety on Public Land Act 2004**

### DECLARATION OF PUBLIC SAFETY ZONES

I, Michael Timpano, Regional Director, Gippsland, 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 zone' means the area declared under clause 2 of this declaration;
- (c) 'the Schedule' means the Schedule to this declaration; and

#### **2. Declaration of Public Safety Zones**

- (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 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).
- (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. These use the Geodetic Reference System 1980 (GRS80) spheroid.

#### **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 18 January 2013 and ending on 1 March 2013 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**

Access is prohibited to the declared public safety zone throughout the period of the declaration.

#### **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 Sustainability and Environment engaged in carrying out their functions.
- (b) Employees, agents, volunteers and contractors of the Country Fire Authority engaged in carrying out their functions.

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- (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.
- (f) Employees, agents and contractors of the Department of Human Services engaged in carrying out their functions.
- (g) Employees, agents, volunteers and contractors of an Emergency Management Services engaged by the Department of Sustainability and Environment or the Country Fire Authority to carry out an emergency management functions.
- (h) Employees, agents, volunteers and contractors of Networked Emergency Organisation partners engaged by the Department of Sustainability and Environment 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 18 January 2013

MICHAEL TIMPANO

Regional Director, Gippsland

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) Area Offices at Ballarat, Bendigo, Benalla, Traralgon and Bairnsdale and at DSE'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: <http://www.dse.vic.gov.au/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.

#### Schedule: Public Safety Zones

Extent of Public Safety Zone				MGA Zone
South-west limit		North-east limit		
437384	5793825	491710	5847970	55

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