

Crown Land (Reserves) Act 1978

Crown Land (Reserves) (Great Ocean Road Coast and Parks) Interim Regulations 2023

Set Aside(s) for temporary closures (planned burns)

The *Crown Land (Reserves) (Great Ocean Road Coast and Parks) Interim Regulations 2023* have been made under section 13 of the *Crown Land (Reserves) Act 1978*.

Regulation 10 provides that the Great Ocean Road Coast and Parks Authority may make a determination to set aside an area as an area in which an activity or conduct is permitted, required, restricted or prohibited. The Great Ocean Road Coast and Parks Authority may include in the determination any conditions subject to which the activity or conduct must or must not be carried out.

Additional temporary determinations and set asides are put in place from time to time for purposes such as planned burning, seasonal road closures or pest animal control programs. These temporary determinations and set asides operate in conjunction with ongoing determinations for general reserve management and, where there is a conflict or perceived conflict, the temporary determinations take precedence.

This Set Aside Determination, for the purpose of general reserve management, does not replace those current Set Aside Determinations for the temporary closure of a reserve.

Signed at Torquay

by



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Name Leia Howes

Title Director of Environment and Coastal Operations

Date 11/03/2025

Areas set aside as prohibited for planned burns

Regulation(s)		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
18(1)(a)	Areas where access is prohibited or restricted	To set aside an area to which access for a person or class of persons is prohibited without a permit.	The 'Closed Public Safety Area' ¹ within Crown Land Reserves proposed for planned burning in the approved Joint Fuel Management Program for 2024-2027 (Attachment 1).	<p>From March 2025 to March 2026 for the period during which all access to a 'Closed Public Safety Area' is prohibited during the period from commencement of 'Fire Operations'² in a 'Closed Public Safety Area' to the cessation of 'Fire Operations' in that 'Closed Public Safety Area' as determined by the following 'Fire Operations':</p> <ul style="list-style-type: none"> a. commence or commenced in a 'Closed Public Safety Area' upon a notice being displayed on or near that 'Closed Public Safety Area'; and b. will cease upon a notice of the completion of 'Fire Operations' in that 'Closed Public Safety Area' being displayed on or near that 'Closed Public Safety Area' by an employee of the Department of Energy, Environment and Climate Action, the Great Ocean Road Coast 	All access to the areas set aside is Prohibited ³ for the full 24 hours of each day during the Fire Operations period as described in a and b of specified conditions.

¹ 'Closed Public Safety Area' means all access is prohibited in the 'Fire Operations Area' including a buffer of 150m. 'Fire Operations Area' means any area of land managed by the Great Ocean Road Coast and Parks Authority as a 'burn', 'planned burn' or 'non-burn fuel treatment' in any 'Fire Operation Plan' or in any map approved from time to time under a 'Fire Operations Plan'.

² 'Fire Operations Plan' means any plan that has been or is:

- a. prepared from time to time in accordance with the *Code of Practice for Bushfire Management of Public Land* prepared from time to time under Part 5 of the *Conservation, Forests and Lands Act 1987*;
- b. issued or published and applies from time to time during the period of this approval; and
- c. related to the role of the Secretary under Section 62(2) of the *Forests Act 1958*.

³ 'Prohibited' means:

- a. a person may not enter a 'Closed Public Safety Area' or contingency area on foot or on a bicycle or other vehicle.
- b. a person may not remain in or be present in a 'Closed Public Safety Area' or contingency area.
- c. a person must not place an obstruction within a 'Closed Public Safety Area or contingency area.'

Regulation(s)		Purpose of set aside determination	Area set aside	Specified conditions	
				Times or period	Other conditions
				and Parks Authority, Parks Victoria or VicForests	
18(1)(a)	Areas where access is prohibited or restricted	To set aside an area to which access for a person or class of persons is prohibited without a permit.	The 'Contingency Area' ⁴ within Crown Land Reserves adjacent to the 'Closed Public Safety Area' proposed for planned burning in the approved Joint Fuel Management Program for 2024 – 2027 (Attachment 1).	<p>From March 2025 to March 2026 for the period during which access to a 'Contingency Area' is prohibited when control lines fail to contain the planned burn in the 'Fire Operations Area'⁵ and/or the 'Closed Public Safety Area' as the 'Fuel Treatment Delivery Plan'⁶ and determined by the following:</p> <p>'Fire Operations' (extended to and undertaken in the 'Contingency Area'):</p> <ul style="list-style-type: none"> a. commence or commenced in a 'Contingency Area' upon a notice being displayed on or near that 'Contingency Area'; and b. cease upon a notice of completion of 'Fire Operations' in that 'Contingency Area' being displayed on or near that 'Contingency Area' by an employee of the Department of Energy, Environment and Climate Action, the Great Ocean Road Coast and Parks Authority, Parks Victoria or VicForests. 	All access to the areas set aside is prohibited for the full 24 hours of each day during the Fire Operations period as described in a and b of specified conditions.

⁴ 'Contingency Area' means an area adjoining a burning unit for which burning is an acceptable option should control lines around the planned area fail to contain the burn. It is identified within the Fuel Treatment Delivery Plan for a burn to assist in managing the risk of a planned burn breaching control lines.

⁵ 'Fire Operations Area' means any area of land managed by Parks Victoria as 'burn', 'planned burn' or 'non-burn fuel treatment' in any 'Fire Operation Plan' or in any map approved from time to time under a 'Fire Operations Plan'.

⁶ 'Fuel Treatment Delivery Plan' Fuel Treatment Delivery Plan or Burn Plan means the plan which is in the required format of the Department of Energy, Environment and Climate Action (DEECA), is approved for the conduct of prescribed burning and contains a map identifying the area to be burned and incorporates the specifications and conditions under which the operation is to be conducted.

Notes

Regulation 7 Disapplication of Regulations to holders of a permit, lease, licence or other authority

Any provision in these Regulations that provides for an offence does not apply to a person who is acting in accordance with the terms and conditions of any lease, licence, permit or other authority granted under the Act, or agreement entered into under the Act, or another Act governing Crown land to the extent that the activities authorised by the lease, licence, permit, authority or agreement are inconsistent with these Regulations.

Regulation 8 Disapplication of Regulations to certain persons acting in the course of their duties

The following persons do not commit an offence under these Regulations –

- (a) the land manager or an employee of the land manager acting in the course of their duties;
- (b) a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of the land manager;
- (c) an authorised officer acting in the course of the authorised officer's duties;
- (d) a police officer or protective services officer within the meaning of the Victoria Police Act

Regulation 9 Disapplication of Regulations to traditional owner group entities

(1) If a traditional owner group entity has entered into a traditional owner group agreement, any provision of these Regulations (other than a provision of these Regulations specified in the Table in subregulation (2)) that provides for an offence for carrying out an activity or doing anything that is an agreed activity does not apply to a member of the traditional owner group

- (a) who is bound by the traditional owner group agreement; and
- (b) who carries out the agreed activity to which the offence relates in accordance with the traditional owner group agreement and on land to which that agreement applies.

Table

<i>Column 1</i> <i>Specified regulation</i>	<i>Column 2</i> <i>Extent to which specified regulation applies</i>
Regulation 12	The whole
Regulation 16(3)	To the extent that it relates to a fee imposed under regulation 16(1)(b) or (1)(c)
Regulation 17(6)	The whole
Regulation 19(3), (4) and (5)	The whole
Regulation 21	The whole, except for the undertaking of cultural activities
Regulation 24(2)	The whole, except ochre or similar material used at a cultural event
Regulation 25(3)	The whole, except if the animal has been brought into the reserve for a cultural event
Regulation 27	The whole
Regulation 28(1)	The whole
Regulation 29(3), (4), (5), (6), (9) and (11)	The whole

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<i>Column 1 Specified regulation</i>	<i>Column 2 Extent to which specified regulation applies</i>
Regulation 30(1)	The whole
Regulation 31(4) and (5)	The whole
Regulation 32(3) and (4)	The whole
Regulation 33(1) and (2)	The whole
Regulation 34(1), (2) and (3)	The whole
Regulation 35	The whole
Regulation 36(2) and (3)	The whole
Regulation 37(2) and (3)	The whole
Regulation 38(1), (2), (4), (5), (6) and (7)	The whole
Regulation 39(1) and (3)	The whole
Regulation 40(1)	The whole
Regulation 41(1)	The whole
Regulation 42(1)	The whole
Regulation 43(4) and (5)	The whole
Regulation 44(2) and (3)	The whole
Regulation 45(1)	The whole
Regulation 46(1) and (4)	The whole
Regulation 48(1) and (2)	The whole
Regulation 49(1), (2) and (3)	The whole

Regulation 11 Publication of set aside determinations

(1) The land manager must cause, as soon as practicable after making a set aside determination under the Regulations, the determination to be published on its internet site.

Regulation 13 Signs and notices

(1) The land manager must cause a sign or notice under these Regulations to -

- (a) be displayed in a place and manner that is likely to be seen by any person affected by the determination; and

Example

A sign placed at each entry to an area set aside.

- (b) indicate the area of the reserve that is temporarily closed or set aside by the determination under these Regulations; and
 - (c) if applicable, state the activities that are prohibited, restricted, or permitted by the determination under these Regulations; and
 - (d) if applicable, state any conditions specified in the determination.
- (2) If the land manager revokes or amends a determination made under these Regulations, the land manager must as soon as practicable cause any sign or notice that has been displayed under these Regulations to be removed or amended to reflect the revocation or amendment of that determination.

Attachment 1

Details of planned burn(s) and non-burn fuel treatments (approved as at September 2024) listed for Crown Land Reserves in the approved 'Fire Operations Plan' in accordance with the Joint Fuel Management Program for 2024/2025-2026/2027

*JFMP year indicative

Public Land Name	Fuel Treatment Name	*JFMP Year	Area Hectares
Planned Burns			
Anglesea Bushland Reserve	Anglesea - Ellimatta Road	Year 1 (2024/2025)	7.13
	Anglesea - Inverlochy Street	Year 1 (2024/2025)	2.66
	Anglesea - Webb Street	Year 1 (2024/2025)	1.55
Anglesea - Hurst Road	Anglesea - Hurst Road	Year 1 (2024/2025)	22.86
Anglesea Pt Addis Coastal Reserve	Anglesea - Inverlochy Street	Year 1 (2024/2025)	6.09
Lorne - Allenvale Campground	Lorne - Allenvale Campground	Year 1 (2024/2025)	41.35
Queens Park	Lorne - Allenvale Campground	Year 1 (2024/2025)	6.64
	Lorne - Francis Street	Year 2 (2025/2026)	9.54
	Lorne - Green Break Track	Year 1 (2024/2025)	8.61
Lorne - Green Break Track	Lorne - Green Break Track	Year 1 (2024/2025)	0.01
Cumberland River Coastal Camping Reserve	Lorne - Cumberland Track	Year 1 (2024/2025)	0.50
North Lorne Parklands	Lorne - Golf Club	Year 1 (2024/2025)	0.71
	Lorne - Treatment Plant	Year 1 (2024/2025)	38.52
	Lorne - Stony Creek	Year 2 (2025/2026)	1.71

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Lily Pond Bushland Area	Lorne - Stony Creek	Year 2 (2025/2026)	1.61
Non-Burn Fuel Treatments (NBFT)			
Anglesea Pt Addis Coastal Reserve	Anglesea - Fairy Lands Reserve	Year 1 (2024/2025)	0.16
	Anglesea - GOR Camp Road	Year 1 (2024/2025)	0.04
	Anglesea - GOR Harvey Street	Year 1 (2024/2025)	0.18
	Anglesea - Inverlochy Street	Year 1 (2024/2025)	1.25
	Anglesea - SLSC	Year 1 (2024/2025)	0.06
Anglesea Recreation Reserve (Netball Court)	Anglesea - Fairy Lands Reserve	Year 1 (2024/2025)	0.07
Anglesea Recreation Reserve (Netball)	Anglesea - Fairy Lands Reserve	Year 1 (2024/2025)	0.08
Coogoorah Park Recreation Reserve	Anglesea – Fraser Avenue	Year 1 (2024/2025)	0.08
Anglesea - GOR Harvey Street	Anglesea - GOR Harvey Street	Year 1 (2024/2025)	0.26
Optus Tower Mt Ingoldsby Anglesea	Anglesea - Harvey Street North	Year 1 (2024/2025)	0.02
Telstra Tower Mt Ingoldsby Anglesea	Anglesea - Harvey Street North	Year 1 (2024/2025)	0.03
Anglesea Bushland Reserve	Anglesea - Inverlochy Street	Year 1 (2024/2025)	1.16
Anglesea - Lookout Reserve	Anglesea - Lookout Reserve	Year 1 (2024/2025)	0.53
Anglesea - SLSC	Anglesea - SLSC	Year 1 (2024/2025)	0.60
Lorne Coastal Reserve	Fairhaven - GOR Painkalac	Year 1 (2024/2025)	0.61
Apollo Bay Coastal Reserve	Kennett River - Grey River Road NBFT	Year 2 (2025/2026)	0.23
Queens Park	Lorne - Allenvale North	Year 1 (2024/2025)	2.46

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	Lorne - Caravan Park - SFB	Year 1 (2024/2025)	0.30
	Lorne - Queens Park	Year 1 (2024/2025)	1.90
Lorne - Queens Park	Lorne - Queens Park	Year 1 (2024/2025)	1.09
Lorne - Allenvale South	Lorne - Allenvale South	Year 1 (2024/2025)	1.69
North Lorne Parklands	Lorne - Dorman Street	Year 1 (2024/2025)	2.30
	Lorne - Heath Street - SFB	Year 1 (2024/2025)	0.01
	Lorne - Powerline Easement	Year 1 (2024/2025)	0.80
Lily Pond Bushland Area	Lorne - Lily Pond Reserve	Year 1 (2024/2025)	0.16
Marengo Nature Conservation Reserve	Marengo - Telford Street NBFT	Year 3 (2026/2027)	0.52
Marengo - Telford Street NBFT	Marengo - Telford Street NBFT	Year 3 (2026/2027)	0.66
Angahook Bushland Area	Moggs Creek - Boyd Avenue	Year 1 (2024/2025)	0.37
	Moggs Creek - Tallawalla NBFT	Year 1 (2024/2025)	0.40
Tallawalla Girl Guides Camp	Moggs Creek - Tallawalla NBFT	Year 1 (2024/2025)	3.87
Breamlea Flora and Fauna Reserve	Queenscliff - Breamlea Break	Year 1 (2024/2025)	0.65
Wye River - Karingal Drive NBFT	Wye River - Karingal Drive NBFT	Year 1 (2024/2025)	0.60