

CONSERVATION FORESTS AND LANDS ACT 1987

VARIATION OF THE CODE OF PRACTICE FOR BUSHFIRE MANAGEMENT ON PUBLIC LAND (2012)

I, Lily D'Ambrosio, Minister for Energy, Environment and Climate Change, vary the Code of Practice for Bushfire Management on Public Land 2012, in accordance with Part 5 of the *Conservation, Forests and Lands Act 1987*, in the manner set out in this instrument.

Dated: 21 / 06 / 2022

Responsible Minister:



HON. LILY D'AMBROSIO MP

MINISTER FOR ENERGY, ENVIRONMENT AND CLIMATE CHANGE

Part 1—Preliminary

1 Purposes

The purpose of this instrument is to vary the *Code of Practice for Bushfire Management on Public Land 2012*, notice of the making of which was published in *Victoria Government Gazette G 27* on 5 July 2012.

2 Commencement

This instrument comes into operation on the date this instrument or notice of the variation effected by this instrument is published in the *Government Gazette*.

3 Principal Code

In this instrument, the *Code of Practice for Bushfire Management on Public Land 2012* is called the Principal Code.

4 Construction of this instrument

In this instrument, if a clause requires more than one instance of a term or expression to be substituted with another term or expression, unless the clause otherwise requires:

- (1) It applies to each relevant instance of that term or expression in the section of the Principal Code identified in that clause, whether or not the term is bolded or capitalised; and
- (2) It applies so that the term or expression is bolded or capitalised in the same manner as the term for which it is substituted.

Part 2—Variation of the Code of Practice for Bushfire Management on Public Land 2012

5 Style

- (1) Unless otherwise provided by this instrument, amendments to be made to the Principal Code by this instrument are intended to be made in the same style as the relevant section of the Principal Code currently appears in that Code;
- (2) Unless otherwise provided by this instrument, including by being shown in a different font than the balance of this instrument, text that is to be inserted or substituted into the Principal Code by this instrument:
 - (a) is to be in font type Frutiger-Light, size 11, if it is in the body of the Principal Code;
 - (b) is to be in font type Arial, size 7, if it is within a Table;
 - (c) is to be in font type Frutiger-Light, size, 7, if it is a footnote.

6 Minister's Foreword

- (1) **Omit** the Minister's Foreword to the Principal Code.

7 Contents

- (1) In the Contents section **omit** '*Minister's Foreword*'.

8 Introduction

- (1) In paragraph 3 for "*Sustainability and Environment*" **substitute** "*Environment, Land, Water and Planning*".
- (2) For the note at the foot of the definition of "major", for "*Fire Services Commissioner Act 2010*" **substitute** "*Emergency Management Act 2013*".
- (3) In paragraph 13 for "*ten years from its approval*" **substitute** "*on 31 December 2024*".

9 Section 1 Risk-based bushfire management and planning

- (1) In paragraph 56 for "*Fire Services*" **substitute** "*Emergency Management*".
- (2) In paragraph 60—
 - (a) for "*Strategic bushfire management*" **substitute** "*bushfire management strategies*";
 - (b) for "*Fire operations planning*" **substitute** "*The Joint Fuel Management Program*".
- (3) In paragraph 64 for "*fire operations planning*" **substitute** "*the Joint Fuel Management Program*".
- (4) In paragraph 66 for "*strategic bushfire management plans*" **substitute** "*bushfire management strategies*".

- (5) In paragraph 67 for “*Strategic bushfire management plans*” **substitute** “*Bushfire management strategies*”.
- (6) In paragraph 69—
 - (a) for “*fire operations plan*” **substitute** “*a Joint Fuel Management Program*”;
 - (b) for “*Fire operations plans*” **substitute** “*The Joint Fuel Management Program*”;
 - (c) for “*strategic bushfire management plans*” **substitute** “*bushfire management strategies*”.
- (7) In paragraph 70 for “*Fire operations plans*” **substitute** “*The Joint Fuel Management Program*”.
- (8) In paragraph 71 for “*fire operations plans*” **substitute** “*Joint Fuel Management Program*”.
- (9) In paragraph 72 for “*proposed fire operation plans*” **substitute** “*the proposed Joint Fuel Management Program*”.
- (10) In Figure 3—
 - (a) for “*State fire management*” **substitute** “*Bushfire Management Sub-Plan*”;
 - (b) for “*strategic fire management plans*” **substitute** “*Bushfire Management Strategies*”;
 - (c) for “*Fire operations plans*” **substitute** “*Joint Fuel Management Program*”.

10 Section 3 Preparedness

- (1) In paragraph 101—
 - (a) for “*Fire Services*” **substitute** “*Emergency Management*”;
 - (b) for “*Fire Services Commissioner Act 2010*” **substitute** “*Emergency Management Act 2013*”.

11 Section 4 Fuel management including planned burning

- (1) In paragraph 121 for “*strategic bushfire management plans*” **substitute** “*bushfire management strategies*”.
- (2) In paragraph 124 for “*strategic bushfire management plans*” **substitute** “*bushfire management strategies*”.
- (3) In paragraph 125 for “*2007*” **substitute** “*2014 (amended 2021)*”.
- (4) In paragraph 137 for “*strategic bushfire management plans*” **substitute** “*bushfire management strategies*”.
- (5) In paragraph 142 for “*fire operations plan*” **substitute** “*Joint Fuel Management Program*”.

- (6) In paragraph 143 **omit** “Burn”
- (7) In paragraph 148 **omit** “by the Department”

12 Section 5 Response

- (1) In paragraph 151—
 - (a) for “*Emergency Management Manual Victoria*” **substitute** “*State Emergency Management Plan*”;
 - (b) for “1986” **substitute** “2013”;
 - (c) for “Secretary” **substitute** “Department”.
- (2) In paragraph 152—
 - (a) for “1986” **substitute** “2013”;
 - (b) for “Fire Services” **substitute** “Emergency Management”;
 - (c) for “Fire Services” **substitute** “Emergency Management”;
 - (d) for “Fire Services Commissioner Act 2010” **substitute** “*Emergency Management Act 2013*”;
 - (e) for “State control priorities” **substitute** “*State emergency management priorities*”;
 - (f) for “by the fire Services Commissioner” **substitute** “*in the State Emergency Management Plan*”.
- (3) In paragraph 160—
 - (a) for “*Emergency Management Manual of Victoria (including State Emergency Response Plan)*” **substitute** “*the State Emergency Management Plan (including relevant sub-plans)*”;
 - (b) **omit** “and relevant guidance from the Fire Services Commissioner”.
- (4) In paragraph 167 for “Fire Services” **substitute** “Emergency Management”.

13 Section 6 Recovery

- (1) In paragraph 181—
 - (a) for “recovery of public land” **substitute** “a range of recovery activities”;
 - (b) for “*Emergency Management Act 1986*” **substitute** “*State Emergency Management Plan*”.

14 Section 7 Monitoring, evaluation and reporting

- (1) In paragraph 217 for “strategic bushfire management plans” **substitute** “bushfire management strategies”.
- (2) In paragraph 225—
 - (a) for “Fire Services” **substitute** “Emergency Management”;

- (b) for “*Fire Services Commissioner Act 2010*” **substitute** “*Emergency Management Act 2013*”.

15 Definitions

- (1) In the definition of “*Department*” in the Definitions to the Principal Code, for “*Sustainability and Environment*” **substitute** “*Environment, Land, Water, and Planning*”.
- (2) In the definition of “*Secretary*” in the Definitions to the Principal Code, for “*Sustainability and Environment*” **substitute** “*Environment, Land, Water, and Planning*”.

16 Index

- (1) After “*Burn Plans 20*” **insert** “*Bushfire Management Strategies 9, 10, 31*”.
- (2) After “*Engagement 9-11*” **insert** “*Emergency Management Commissioner 15, 22, 23, 24, 32*”.
- (3) After “*Fire Protected Area 12, 33*” **omit** “*Fire Services Commissioner 15, 22, 23, 24, 32*”.
- (4) After “*Smoke management 21*”, **omit** “*Strategic Bushfire Management Plans 9, 10, 31*”.