



Victoria Government Gazette

No. S 57 Wednesday 21 March 2007

By Authority, Victorian Government Printer

Safety on Public Land Act 2004

AMENDMENT TO DECLARATIONS OF PUBLIC SAFETY ZONES

I, Janine Haddow, Executive Director of Land and Natural Resources, as delegate of the Secretary of the Department of Sustainability and Environment, amend the following declarations of public safety zones made under section 4(1) of the **Safety on Public Land Act 2004**:

Special Gazette No. S 19 of 2 February 2007

The Declaration of Public Safety Zones published on pages 1 to 13 of Special Gazette No. S 19 of 2 February 2007 is amended to omit the zones specified in Table 1 below, effective from the date this notice is published in the Government Gazette.

Table 1

Extent of Zone				Forest Management Area	District	Description	MGA zone
651875	5877060	652823	5878085	East Gippsland	Bendoc	891-515-0002	55
650434	5875904	651686	5876784	East Gippsland	Bendoc	891-515-0004	55
653600	5876209	654611	5877493	East Gippsland	Bendoc	891-516-0004	55
671342	5872986	672473	5874217	East Gippsland	Bendoc	892-522-0006	55
670619	5871401	671822	5872547	East Gippsland	Bendoc	892-522-0009	55
672272	5854448	673629	5855899	East Gippsland	Cann River	885-513-0011	55
640758	5870371	641764	5871757	East Gippsland	Orbost	846-503-0006	55

Special Gazette No. S 271 of 12 October 2006

The Declaration of Public Safety Zones published on page 4 of Special Gazette No. S 271 of 12 October 2006 is amended to omit the zones specified in Table 2 below, effective from the date this notice is published in the Government Gazette.

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Table 2

Extent of Zone				Forest Management Area	District	Description	MGA zone
651465	5877840	652679	5878368	East Gippsland	Bendoc	891-515-0009	55

Special Gazette No. S 168 of 3 July 2006

The Declaration of Public Safety Zones published on pages 3 to 57 of Special Gazette No. S 168 of 3 July 2006 is amended to omit the zones specified in Table 3 below, effective from the date this notice is published in the Government Gazette.

Table 3

Extent of Zone				Forest Management Area	District	Description	MGA zone
307785	6005746	311088	6007345	Mid Murray	Nathalia	103-502-0001	55
312681	6003767	315128	6006697	Mid Murray	Nathalia	103-502-0002	55
317572	5999959	321035	6002476	Mid Murray	Nathalia	103-502-0003	55
309755	6003668	310438	6004279	Mid Murray	Nathalia	103-502-0004	55
319402	6020642	323228	6024857	Mid Murray	Nathalia	105-506-0005	55
317919	6016884	321133	6020027	Mid Murray	Nathalia	105-507-0001	55
327672	6031045	330089	6033795	Mid Murray	Nathalia	105-513-0007	55
329985	6026122	332671	6030580	Mid Murray	Nathalia	105-515-0004	55
700157	5940368	701657	5942376	Bendigo	St Arnaud	143-003-0006	54
733868	5936965	735322	5938722	Bendigo	Inglewood	146-006-0006	54
730501	5928649	731242	5930157	Bendigo	Inglewood	146-010-0009	54
733773	5892017	734930	5893253	Bendigo	Mary-borough	149-014-0007	54
314872	5934298	315567	5935722	Bendigo	Rushworth	153-003-008A	55
319797	5941605	320248	5942596	Bendigo	Rushworth	156-005-002A	55
667486	5871148	667872	5871518	East Gippsland	Orbost	837-505-0003	55
654342	5873535	654971	5874346	East Gippsland	Bendoc	840-502-0006	55
651528	5856079	652420	5856688	East Gippsland	Orbost	841-504-0003	55

Extent of Zone				Forest Management Area	District	Description	MGA zone
651639	5857327	652373	5858084	East Gippsland	Orbost	841-504-0015	55
649756	5856506	650514	5857221	East Gippsland	Orbost	841-504-0018	55
653800	5857376	654747	5858069	East Gippsland	Orbost	841-505-0020	55
631189	5853273	631939	5853846	East Gippsland	Orbost	844-512-0010	55
631283	5852415	631801	5853338	East Gippsland	Orbost	844-512-0011	55
642620	5866179	643108	5866795	East Gippsland	Orbost	846-504-0011	55
642137	5866166	642643	5866866	East Gippsland	Orbost	846-504-0012	55
641734	5866086	642292	5866853	East Gippsland	Orbost	846-504-0013	55
661378	5875629	662380	5876617	East Gippsland	Bendoc	890-502-0017	55
648449	5875836	649078	5876267	East Gippsland	Bendoc	891-514-0012	55
652114	5876442	652757	5877424	East Gippsland	Bendoc	891-515-0001	55

Dated 16 March 2007

JANINE HADDOW
 Executive Director
 Land and Natural Resources
 as delegate of the Secretary of the
 Department of Sustainability and Environment

Notes:

1. A map showing the public safety zones affected by this Amendment is held at the Department of Sustainability and Environment (DSE) Regional Offices at Benalla, Bendigo, Traralgon and Bairnsdale, and at DSE's head office at 8 Nicholson Street, East Melbourne Vic. 3002. The map is also available at the following web site: <http://www.dse.vic.gov.au>.

Safety on Public Land Act 2004**DECLARATION OF PUBLIC SAFETY ZONES**

I, Janine Haddow, Executive Director of Land and Natural Resources, as delegate of the Secretary of 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**.

Areas:

1. The area of State forest contained within the following location coordinates is declared to be a public safety zone.

Extent of Zone				Forest Management Area	District	Description	MGA zone
699697	5938250	700900	5941386	Bendigo	St Arnaud	143-003-0003	54
322106	5944172	323178	5945126	Bendigo	Rushworth	156-002-0005	55
347060	5984358	350456	5986849	Mid Murray	Shepparton	122-507-0005	55
319468	6025652	324542	6030521	Mid Murray	Nathalia	105-504-0004	55
320756	6028586	324708	6032348	Mid Murray	Nathalia	105-504-0005	55

2. The extent of the public safety zone 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).
3. The public safety zone is limited to all areas that contain State forest within an area identified by the above coordinates.
4. The coordinates in Column 1 are provided in Map Grid of Australia (MGA) Universal Transverse Mercator (UTM) Zone number 55 or 54. These use the Geodetic Reference System 1980 (GRS80) spheroid.

Purpose:

5. The purpose for which the areas have been declared public safety zones is for the purpose of timber harvesting operations and the maintenance of public safety.

Period of the declaration:

6. The period for which these areas are public safety zones is the period from the date of gazettal of this declaration to 30 June 2007 inclusive.

Activities permitted, prohibited or restricted:

7. Within a public safety zone a person shall not undertake any activity that interferes with the activities of a person to whom an exemption under this Declaration or section 9 of the **Safety on Public Land Act 2004** applies.

Periods when access is restricted/prohibited:

8. Subject to clause 7 and 10 of this declaration, access to the public safety zones is prohibited at all times.

Further restrictions or conditions (if any):

9. There are no further restrictions or conditions applying to the public safety zones.

Exempt persons or classes of person

10. Pursuant to section 5(2) of the **Safety on Public Land Act 2004** the following persons or classes of person are exempted from the operation of this public safety zone declaration:
- a) Persons undertaking timber harvesting operations which are authorised operations within the meaning of section 45 of the **Sustainable Forests (Timber) Act 2004** including:
 - (i) VicForests and its employees, agents and contractors;
 - (ii) persons who have an agreement with VicForests to harvest or sell timber resources and their employees, agents and contractors;
 - (iii) holders of licences or permits under section 52 of the **Forests Act 1958** and their employees, agents and contractors.
 - b) Persons undertaking timber harvesting operations in accordance with an approved Plan of Utilization as defined in the **Forests (Wood Pulp Agreement) Act 1996**.
 - c) Holders of licences or permits under section 52 of the **Forests Act 1958** granted by the Secretary to thin, cut and remove timber, to cut forest produce specified in the licence, to dig forest produce specified in the licence or to take away forest produce specified in the licence and their employees, agents and contractors.
 - d) Holders of Bee Farm licences, Bee Range area Licences, Apiary Occupation Rights under Subdivision 2 of Division 9, of Part 1 of the **Land Act 1958**, granted by the Minister on Crown Land.
 - d) Employees, agents and contractors of the Department of Sustainability and Environment engaged in carrying out their functions.
 - e) Employees, agents and contractors of the Country Fire Authority, WorkSafe, Environment Protection Authority and the State Emergency Services engaged in carrying out their functions.
 - f) Members of the police force of Victoria engaged in carrying out their functions.
 - g) Persons appointed as environmental auditors under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.
 - h) Persons who have been selected by the Environment Protection Authority to act as audit observers and who are participating in this activity exclusively. Audit observers must be in the company of an EPA employee or an environmental auditor appointed under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.
 - i) Holders of leases, licences, permits or other authorities (and associated employees, agents and contractors) under the **Mineral Resources Development Act 1990**, **Extractive Industries Development Act 1995** and **Petroleum Act 1998**, other than holders of miners' rights and tourist fossicking authorities under the **Mineral**

Resources Development Act 1990, whilst undertaking works associated with that lease, licence, permit or authority in the areas covered by the declaration provided that:

- (i) those works do not interfere with or hinder timber harvesting operations;
- (ii) those classes of person have made prior arrangements with the forest manager to be in the area for the purpose of undertaking those works;
- (iii) those classes of person abide by the Occupational, Health & Safety requirements established by the Department of Sustainability and Environment, VicForests or the contractor in charge of the site.

Dated 16 March 2007

JANINE HADDOW
Executive Director
Land and Natural Resources
as delegate of the Secretary of the
Department of Sustainability and Environment

Notes:

1. A map showing the public safety zones is held at the Department of Sustainability and Environment (DSE) Regional Offices at Benalla, Bendigo and at DSE's head office at 8 Nicholson Street, East Melbourne Vic. 3002. The map is also available at the following web site: <http://www.dse.vic.gov.au>.
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 to be in the public safety zone.

Sustainable Forests (Timber) Act 2004

ALLOCATION TO VICFORESTS ORDER – 2007 AMENDMENT

I, John Thwaites, Minister for Water, Environment and Climate Change, make the following order to amend the **Allocation to VicForests Order 2004**.

1. Title

This order may be cited as the Allocation to VicForests (Amendment) Order 2007.

2. Objectives

The objective of this order is to amend the Allocation to VicForests Order 2004 (the 2004 order) to implement changes which derive from a review of the allocation of timber resources conducted under section 18 of the **Sustainable Forests (Timber) Act 2004** as a result of fire in 2003 and 2006/7 and other events and matters which have a significant impact on timber resources in State forests.

3. Authorising provision

This amendment is made under section 17 of the **Sustainable Forests (Timber) Act 2004**.

4. Amendments

For paragraph 4 of the 2004 order substitute the following:

“VicForests is allocated timber in the forest stands described in Tables 1–3 of this Order and has access to those stands for the purposes of harvesting and selling timber resources. The map at Attachment 1 shows the Forest Management Areas in which the forest stands that can be accessed by VicForests under this Order are located.

These forest stands, including those affected by fire in 2003 and 2006/07, are made available to VicForests for timber harvesting. In accordance with section 12 of the **Sustainable Forests (Timber) Act 2004**, VicForests are required to demonstrate that timber harvesting, including salvage, and other operations will be conducted in accordance with the Sustainability Charter, and in such a way to minimise the impact of the 2006/07 fires on the long-term environmental, social and economic values of State forest.

Approval of coupes within the fire affected area for the purposes of fire salvage harvesting will be subject to an assessment of the extent and severity of fire damage.

The maximum area (in hectares) of each forest stand that can be harvested for timber in the 15-year time frame of this Order is divided into three 5-year periods. Forest stands not harvested in the 5-year period identified in Tables 1–3 may be harvested in a subsequent 5-year period, unless a review of this Order specifies otherwise.

Table 1 sets out the maximum area that can be harvested in the first five-year period, including fire salvage. Table 2 and Table 3 define an area of forest available for harvesting in the second and third five-year periods after allowing for the impact of fires in 2006/07. Allocations made for the second and third five-year periods have been made using the best available data but are only indicative.

VicForests is also allocated timber in the forest stands described in tables 4–6 of this Order and has access to those stands for the purposes of thinning and selling timber resources.

The maximum area (in hectares) of each forest stand that can be thinned in the 15-year time frame of this Order is divided into three 5-year periods. Table 4 sets out the maximum area that can be thinned in the first five-year period, Table 5 sets out the maximum area that can be thinned in the second five-year period and Table 6 sets out the maximum area that can be thinned in the third five-year period.

The map at Attachment 1 shows the Forest Management Areas in which the forest stands that can be accessed by VicForests under this Order are located.

Timber allocated under this Order excludes the pulpwood obtained from forest stands which is required to meet supply commitments specified in the **Forests (Wood Pulp Agreement) Act 1996**.

In accordance with section 18(1) of the **Sustainable Forests (Timber) Act 2004**, a review of the Allocation Order will be completed prior to 30 June 2009. The 2009 review will determine future resource allocations for VicForests, taking into consideration the extent and severity of fire damage caused in 2006/07.”

Insert the following paragraph into paragraph 5 of the 2004 order:

“VicForests are permitted to harvest wattle (*Acacia spp.*) where these occur in conjunction with allocated forest stands identified in Tables 1–6.”

In paragraph 6 of the 2004 order:

Insert reference to the following document as the first dot point:

“The Sustainability Charter, 2006. Department of Sustainability and Environment”.

Substitute for the document referred to as “The Code of Practice for Fire Management on Public Land 1995. Department of Conservation and Natural Resources” reference to the following document: “The Code of Practice for Fire Management on Public Land, Revision No. 1 2006. Department of Sustainability and Environment”.

Substitute for the document referred to as “The Management Procedures for timber Harvesting and Associated Activities in State Forests in Victoria 2004. Department of Sustainability and Environment” reference to the following document: “The Management Procedures for Timber Harvesting and Associated Activities in State Forests in Victoria 2005. Department of Sustainability and Environment”.

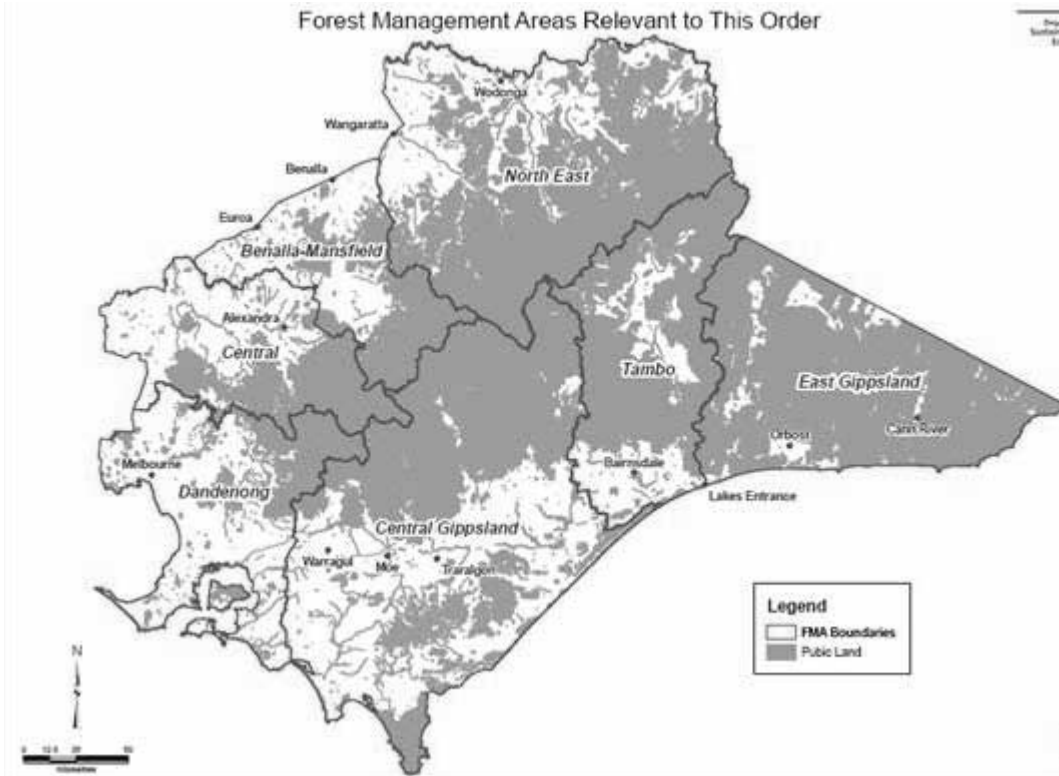
Substitute for the document referred to as “The Utilisation Procedures for all Commercial Harvesting in State Forests in Victoria, 2001. Department of Natural Resources and Environment” reference to the following document: “Salvage Harvesting Prescriptions 2007. Department of Sustainability and Environment”.

For Tables 1, 2 and 3 of the 2004 Order substitute the attached tables 1, 2 and 3.

For note 1 to all tables substitute the following note:

“The extent and location of forest stands to which VicForests has access have been amended to incorporate the effects of 2006/07 fires and to allow timber harvesting of fire affected stands to occur. Future resource allocations will be reviewed by 30 June 2009 and will be based on detailed analysis and modelling incorporating fire severity mapping.”

The attached map is substituted for the map attached to the 2004 order.



20 March 2007

JOHN THWAITES, MP
Minister for Water, Environment and Climate Change

Table 1 – Timber Resource Allocation

Period 1		Extent and location of forest stands to which VicForests has access						
Forest stands	*Total available area of forest stands	Benalla-Mansfield	North East	Central	Dandenong	Central Gippsland	Tambo	East Gippsland
Ash pre-1950s/unevenaged	14,220	150	910		650			210
Alpine Ash pre-1920s/unevenaged	1,210						430	
Alpine Ash 1920s, 1930s or 1940s	4,570						750	
Alpine Ash pre-1950s	13,630			920		330		
Mountain Ash pre-1950s	22,820			1,400		1,410	80	
Mixed species pre-1920s/unevenaged	35,190		240			370		
Mixed species 1920s, 1930s or 1940s	4,690					260		
Mixed species pre-1950s/unevenaged	6,210	330		660	310		480	
Alpine/Mountain Mixed species pre-1950s/unevenaged	12,690							2,060
Coastal/Foothill Mixed species pre-1950s/unevenaged	67,170							10,000
Ash pre-1950s (low merchantability)	3,140		70	60	20	120	200	100
Mixed species pre-1950s (low merchantability)	212,980	680	830	340	100	1,000	1,500	2,500
Unstocked/understocked	28,350	100		225	60	400	200	200
2003 fire salvage	1,200		1,200					
Ash (fire affected)	19,610	4,600	2,450	760		7,900	3,900	
Mixed species (fire affected)	35,730	12,300	3,170	660		6,800	11,600	1,200

* The total available area for each forest stand is extended to include any coupe identified on an existing Wood Utilisation Plan approved (category 1, 2, 2a or 2b) by the Secretary before the commencement of this Order.

The total available area of allocated forest stands has been adjusted to allow for the impact of 2006/07 fires.

Table 2 – Timber Resource Allocation

Period 2		Extent and location of forest stands to which VicForests has access						
Forest stands	*Total available area of forest stands	Benalla-Mansfield	North East	Central	Dandenong	Central Gippsland	Tambo	East Gippsland
Ash pre-1950s/ unevenaged	14,220		810		580			210
Alpine Ash pre-1920s/ unevenaged	1,210						120	
Alpine Ash 1920s, 1930s or 1940s	4,570						670	
Alpine Ash pre-1950s	13,630			850		210		
Mountain Ash pre-1950s	22,820			1,200		1,250		
Mixed species pre-1920s/unevenaged	35,190	330	500			330		
Mixed species 1920s, 1930s or 1940s	4,690					280		
Mixed species pre-1950s/unevenaged	6,210			710	310		370	
Alpine/Mountain Mixed species pre-1950s/ unevenaged	12,690							1,780
Coastal/Foothill Mixed species pre-1950s/ unevenaged	67,170							10,160
Ash pre-1950s (low merchantability)	3,140				20	120	200	50
Mixed species pre-1950s (low merchantability)	212,980	680	900	400	200	700	1,500	2,500
Unstocked/ understocked	28,350	100		225	100	400	200	200
2003 fire salvage	1,200							
Ash (fire affected)	19,610							
Mixed species (fire affected)	35,730							

Table 3 – Timber Resource Allocation

Period 3		Extent and location of forest stands to which VicForests has access						
Forest stands	*Total available area of forest stands	Benalla-Mansfield	North East	Central	Dandenong	Central Gippsland	Tambo	East Gippsland
Ash pre-1950s/unevenaged	14,220		770		550			190
Alpine Ash pre-1920s/unevenaged	1,210						190	
Alpine Ash 1920s, 1930s or 1940s	4,570						400	
Alpine Ash pre-1950s	13,630			860		180		
Mountain Ash pre-1950s	22,820			1,250		1,130		
Mixed species pre-1920s/unevenaged	35,190	310	500			310		
Mixed species 1920s, 1930s or 1940s	4,690					250		
Mixed species pre-1950s/unevenaged	6,210			760	310		370	
Alpine/Mountain Mixed species pre-1950s/unevenaged	12,690							1,780
Coastal/Foothill Mixed species pre-1950s/unevenaged	67,170							10,160
Ash pre-1950s (low merchantability)	3,140				10	120	200	50
Mixed species pre-1950s (low merchantability)	212,980	680	900	400	200	700	1,500	2,500
Unstocked/understocked	28,350	100		225	100	400	200	200
2003 fire salvage	1,200							
Ash (fire affected)	19,610							
Mixed species (fire affected)	35,730							

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