



# Victoria Government Gazette

No. S 343 Tuesday 1 October 2013  
By Authority of Victorian Government Printer

## **Sustainable Forests (Timber) Act 2004** Section 13

### ALLOCATION ORDER 2013

I, Peter Walsh, Minister for Agriculture and Food Security, make the following Order.  
Dated 1 October 2013.

#### **TITLE**

1. This Order may be cited as the Allocation Order 2013.

#### **OBJECTIVES**

2. The objectives of this Order are to:
  - a. Allocate specified timber in State forests to VicForests for the purposes of harvesting and selling, or harvesting or selling, timber resources;
  - b. Permit VicForests to undertake associated management activities in relation to that allocated timber and additional activities in the areas to which this Order applies; and
  - c. Specify the conditions and limitations that apply under this Order.

#### **AUTHORISING PROVISION**

3. This Order is made under section 13 of the **Sustainable Forests (Timber) Act 2004** (SFT Act). This Order commences on 1 October 2013.

#### **ALLOCATION TO VICFORESTS**

4. Pursuant to section 15(1)(a)(i) of the SFT Act, this Order applies to the forest stands described in Item 4 of Table 1 and the map at Appendix 1 of this Order.
5. Pursuant to section 15(1)(a)(ii) of the SFT Act, the map at Appendix 1 shows the extent and location of the forest stands described in Item 4 of Table 1. (Also see Note to Clause 5 of this Order.)
6. Pursuant to section 15(1)(a)(iii) of the SFT Act, the total area (in hectares) available for harvest in each forest stand to which this Order applies is described in Item 4 of Table 1 (subject to the conditions and limitations referred to in this Order).
7. Pursuant to section 13(a) of the SFT Act, timber in the forest stands described in Item 4 of Table 1 and the map at Appendix 1 of this Order is allocated to VicForests for the purposes of harvesting and selling, or harvesting or selling, timber resources (subject to the conditions and limitations in this Order).
8. Pursuant to section 15(3) of the SFT Act, the total area harvested (in hectares) in any five year period must not exceed the limit shown in Item 5 of Table 1 (known as the five year harvest area limit).

#### **AUTHORISED ACTIVITIES**

9. Pursuant to section 13(a) of the SFT Act, VicForests is permitted to harvest and sell, or harvest or sell, the timber allocated by this Order.
10. Pursuant to sections 13(b) and 15(1)(b) of the SFT Act, VicForests is permitted to carry out associated management activities in relation to that allocated timber and additional activities in coupes described in any timber release plan (TRP) as defined in the SFT Act, including:
  - a. preparation of sites for timber harvesting;
  - b. construction of access roads to coupes;
  - c. site rehabilitation;
  - d. forest regeneration;
  - e. seed collection;

**SPECIAL**

- f. harvest of non-eucalypt species (such as Acacia species);
  - g. monitoring; and
  - h. tending of forest stands (e.g. thinning).
11. Pursuant to section 15(3) of the SFT Act, any area in which timber is harvested for the purposes of the authorised activities referred to in clause 10 of this Order is not included in the relevant five year harvest area limit.

#### **SPECIFIED CONDITIONS**

12. Pursuant to section 15(2), (3) and (4) of the SFT Act, VicForests is required to comply with the following conditions:

#### **Legislative and regulatory obligations**

13. VicForests must comply with all relevant laws including, but not limited to, the **Sustainable Forests (Timber) Act 2004**, the **Forests Act 1958**, the **Conservation, Forests and Lands Act 1987**, the **Flora and Fauna Guarantee Act 1988**, the **Road Management Act 2004** and the **Traditional Owner Settlement Act 2010**.
14. VicForests must comply with all relevant Codes of Practice and other relevant documents as determined by the Secretary to the Department of Environment and Primary Industries (DEPI) (and any predecessor or successor thereto) and as prepared and amended from time to time, including, but not limited to, the Code of Practice for Timber Production 2007, the Code of Practice for Bushfire Management on Public Land 2012, and the Management Procedures for Timber Harvesting, Roading and Regeneration in Victoria's State Forests 2009.
15. VicForests must comply with any public land planning instruments in place, including forest management plans, prepared by DEPI from time to time, for the Forest Management Areas to which any TRP applies.

#### **TRP consultation**

16. VicForests must consult with traditional owner groups, the local community and DEPI in preparing plans under section 37 of the SFT Act or in changing TRPs. The consultation that is required under this condition must give stakeholders a reasonable opportunity to comment on any plan prepared under section 37 of the SFT Act or any changes to a TRP.
17. If there is any uncertainty about identifying the relevant traditional owner groups in relation to an area to be affected by a plan prepared under section 37 of the SFT Act or any changes to a TRP, the relevant traditional owner groups must be identified in consultation with the Office of Aboriginal Affairs Victoria (or its successor).

#### **Planning and reporting of annual harvest and regeneration**

18. VicForests must submit an annual report to the Secretary to DEPI by 30 September each year describing the area of timber harvested and regeneration results for the preceding financial year for Ash and Mixed species forest stand types as described in Table 1. The report must include data demonstrating how VicForests is complying with the five year harvest area limit (as shown in Item 5 of Table 1). The reporting period will be 1 July to 30 June annually.

#### **Contract length**

19. VicForests may not offer timber supply contracts longer than 20 years unless otherwise approved by the Minister for Agriculture and Food Security.

#### **Compliance**

20. VicForests timber harvesting operations and associated activities will be subject to periodic external investigations and audits of compliance with an approved TRP and this Order. VicForests must make available information requested from it by the DEPI, or an auditor appointed by DEPI, within 30 days of receiving that request.

PETER WALSH MLA  
Minister for Agriculture and Food Security

**Table 1 – Forest stands to which Order applies, total area available for harvest and five year harvest area limit relative to total area of public native forest**

<b>1. Forest stands</b>	<b>Ash<sup>1</sup> (ha)</b>	<b>Mixed Species (ha)</b>
2. Total area of forest in Victoria	547,000	6,956,000
3. Total area of State forest in Victoria	286,000	2,722,000
4. Total area of State forest available for harvest	241,000	1,579,000
5. Five year harvest area limit	14,200	70,000

<sup>1</sup> Areas dominated by *E.delegatensis*, *E.regnans* or *E.nitens*

**Note to Table 1**

The total available area available for harvest in each forest stand and the area available for harvesting within the five year harvest area limit are gross areas. No adjustments have been made for areas that are not available for harvesting under relevant Codes of Practice relating to timber harvesting.

**Appendix 1 – Map of area allocated to VicForests for timber harvesting**

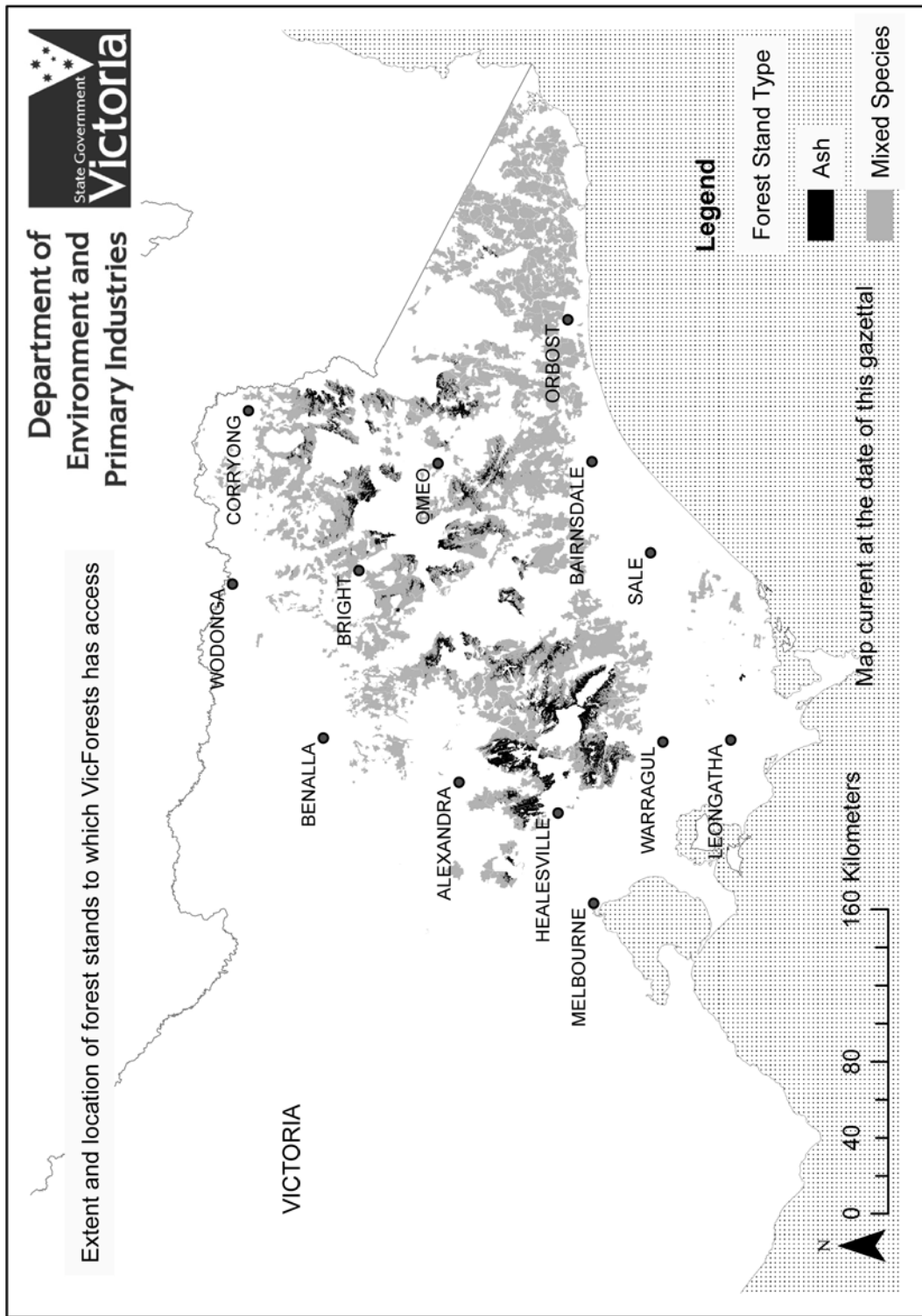
The attached map depicts the extent and location of the types of forest stands referred to in Table 1. A current version of this map will be maintained on the DEPI website ([www.depi.vic.gov.au](http://www.depi.vic.gov.au)).

**Note to Clause 5 of this Order**

The extent and location of the forest stands shaded black or grey on the map at Appendix 1 are exclusive of any coupe or part thereof specified or shown in any wood utilisation plan that:

- a. has been or is prepared from time to time in accordance with the Code of Practice for Timber Production prepared under Part 5 of the **Conservation, Forests and Lands Act 1987**; and
- b. applies from time to time during the period of this Order.

Timber in the forest stands in these coupes is not allocated to VicForests under this Order. A current version of maps showing the extent and location of these coupes will be maintained on the DEPI website ([www.depi.vic.gov.au](http://www.depi.vic.gov.au)).



**Sustainable Forests (Timber) Act 2004**

NOTIFICATION OF A CHANGE TO TIMBER RELEASE PLAN

VicForests hereby give notice pursuant to section 41(1) of the **Sustainable Forests (Timber) Act 2004**, a Timber Release Plan has been prepared and has been approved by the Board of VicForests. The Timber Release Plan takes effect in accordance with its terms as at the date of publication of this notice in the Victoria Government Gazette.

The approved Timber Release Plan may be viewed on VicForests' website at [www.vicforests.com.au](http://www.vicforests.com.au)

ROBERT GREEN  
Chief Executive Officer

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