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Sustainable Forests (Timber) Act 2004

ALLOCATION TO VICFORESTS (AMENDMENT) ORDER 2010

I, Gavin Jennings MLC, Minister for Environment and Climate Change, make the following order to amend the Allocation to VicForests Order 2004 (as already amended).

1. Title

This Order may be cited as the Allocation to VicForests (Amendment) Order 2010.

2. Objectives

The objective of the Allocation to VicForests (Amendment) Order 2010 is to amend the Allocation to VicForests Order 2004 (the 2004 Order) as already amended by the Allocation to VicForests (Amendment) Order 2007, following a review of the allocation of timber resources conducted in accordance with section 18(1) of the **Sustainable Forests (Timber) Act 2004**.

3. Authorising provision

This amendment is made under section 17(1)(c) of the **Sustainable Forests (Timber) Act 2004**.

4. Amendments

For paragraph 3 of the 2004 Order (as already amended) substitute the following:

‘This Order is made under section 13 of the **Sustainable Forests (Timber) Act 2004**. This Order covers the period from 1 August 2009 to 31 July 2024 and may be extended in accordance with the **Sustainable Forests (Timber) Act 2004**.’

For paragraph 4 of the 2004 Order (as already amended) 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, or harvesting or selling, timber resources.

The map at Attachment 1 shows the gross extent and location of the forests stands to which VicForests has access under this Order. A current version of the map will be maintained on the Department of Sustainability and Environment website (www.dse.vic.gov.au, Interactive Maps, Forests Explorer Online).

The gross area (in hectares) of each forest stand to which VicForests has access for the purpose of harvesting and selling, or harvesting or selling, timber resources over the 15-year period of this Order is divided into three 5-year periods.

- (a) Table 1 sets out the gross area available for timber harvesting in the first 5-year period of this Order (Period 2).
- (b) Table 2 sets out the gross area available for timber harvesting in the second 5-year period of this Order (Period 3).
- (c) Table 3 sets out the gross area available for timber harvesting in the third 5-year period of this Order (Period 4).

SPECIAL

The types of forest stand described in Tables 1 to 3 and referred to in Attachment 1 of this Order include the types of forest stand identified in earlier forms of this Order. The following table details this relationship:

Forest stand types	Forest stand types in earlier forms of this Order
Ash	<ul style="list-style-type: none"> ● Ash ● Ash pre-1950s/unevenaged ● Alpine Ash pre-1920s/unevenaged ● Alpine Ash 1920s, 1930s or 1940s ● Alpine Ash pre-1950s ● Mountain Ash pre-1950s ● Ash pre-1950s (low merchantability) ● Unstocked/understocked (Ash component) ● 2003 fire salvage (Ash component) ● Ash (fire affected)
Mixed species	<ul style="list-style-type: none"> ● Mixed species ● Mixed species pre-1920s/unevenaged ● Mixed species 1920s,1930s or 1940s ● Mixed species pre-1950s/unevenaged ● Alpine/Mountain Mixed species pre-1950s/unevenaged ● Coastal/Foothill Mixed species pre-1950s/unevenaged ● Mixed species pre-1950s (low merchantability) ● Unstocked/understocked (Mixed species component) ● 2003 fire salvage (Mixed species component) ● Mixed species (fire affected)

At the end of paragraph 5 of the 2004 Order (as already amended) insert the following:

‘VicForests is permitted to undertake any activities identified in any Working Forest Plan that may be agreed between the Secretary to the Department of Sustainability and Environment and VicForests and approved by the Minister for the Environment and Climate Change and the Minister for Agriculture.’

For paragraph 6 of the 2004 Order (as already amended) substitute the following:

‘In accordance with section 15(1)(c) of the **Sustainable Forests (Timber) Act 2004**, in undertaking authorised activities VicForests is required to comply with the following conditions:

- VicForests must divide the total available area of the forests stands to which it has access into contiguous harvesting units (coupes) and assign each harvesting unit a coupe number by 30 June 2012. A map(s) of these harvesting units must be made publicly available.
- In each 5-year period, the total area (gross area) of coupes on an approved Timber Release Plan must not exceed the available area for timber harvesting for that period.
- In each 5-year period, timber harvesting in any part of a coupe on an approved Timber Release Plan will result in the total area of that coupe (the gross area) being attributed to the available area for timber harvesting for that period.
- VicForests must advise the Secretary to the Department of Sustainability and Environment of the long term sustainable harvest level that it has calculated from the forest stands to which it has access, and provide to the Secretary to the Department of Sustainability and Environment quality assured data, models and assumptions that it has used in making the calculation for the purposes of audit for compliance with the framework for sustainable forest management in Victoria.

- VicForests must provide quality-assured data on harvesting extent (logging history) to the Secretary to the Department of Sustainability and Environment by 30 September each year.
- VicForests must provide quality-assured stocking (regeneration) survey results and data to the Secretary to the Department of Sustainability and Environment within 36 months of the completion of timber harvesting in a coupe on an approved Timber Release Plan.
- VicForests timber harvesting operations and associated activities will be subject to independent audit of compliance with an approved Timber Release Plan and this Order. VicForests must make available information requested from it by an auditor appointed by the Secretary to the Department of Sustainability and Environment.’

For Tables 1, 2, 3, 4, 5 and 6 and notes of the 2004 Order (as already amended) substitute the following tables and note:

Table 1: Gross area available for timber harvesting in Period 2 of this Order (1 August 2009 to 31 July 2014).

Forest stands	Total available area (ha)	Area available for timber harvesting (ha)
Ash	239,300	14,400
Mixed species	1,720,200	76,100
Durable species	148,600	3,700

Table 2: Gross area available for timber harvesting in Period 3 of this Order (1 August 2014 to 31 July 2019).

Forest stands	Total available area (ha)	Area available for timber harvesting (ha)
Ash	239,300	14,400
Mixed species	1,720,200	76,100
Durable species	148,600	3,700

Table 3: Gross area available for timber harvesting in Period 4 of this Order (1 August 2019 to 31 July 2024).

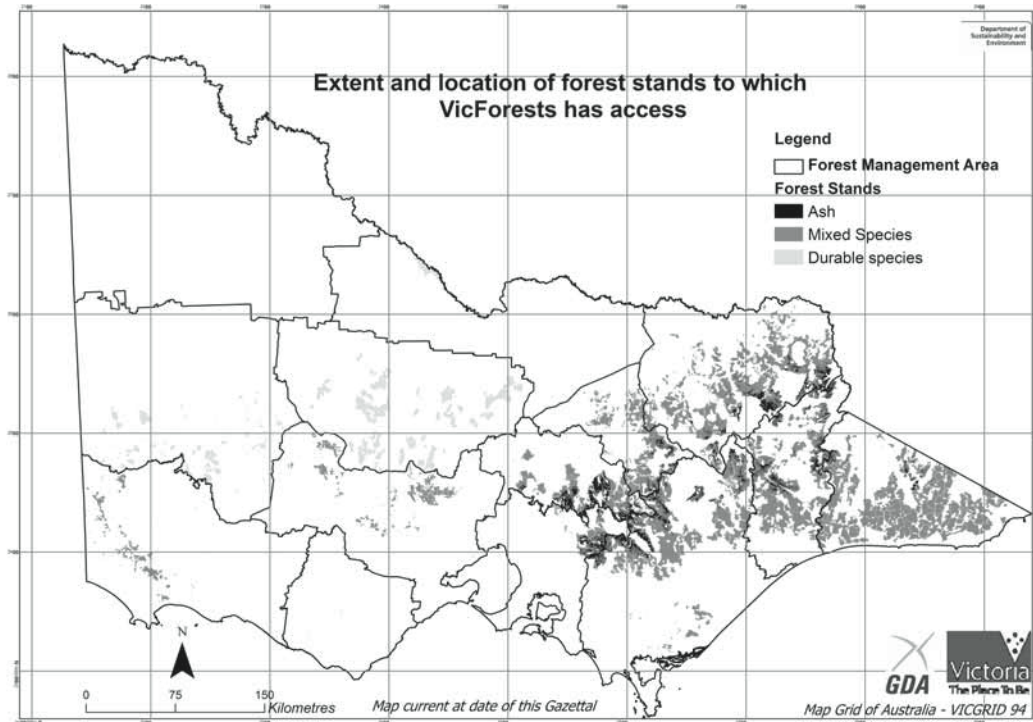
Forest stands	Total available area (ha)	Area available for timber harvesting (ha)
Ash	239,300	14,400
Mixed species	1,720,200	76,100
Durable species	148,600	3,700

Note to Tables 1–3:

1. The total available area for each forest stand and the area available for timber harvesting in each period of operation of this Order is a gross area. No adjustments have been made for areas that are not available for timber harvesting under relevant Codes of Practice relating to timber harvesting.’

For Attachment 1 of the 2004 Order (as already amended) substitute the following attachment:

‘ATTACHMENT 1



- Notes:
1. This map depicts the extent and location of the types of forest stands referred to in Tables 1 to 3.
 2. A current version of the map will be maintained on the Department of Sustainability and Environment web site (www.dse.vic.gov.au, Interactive Maps, Forests Explorer Online).’

Dated 30 April 2010

GAVIN JENNINGS MLC
Minister for Environment and Climate Change

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Level 2 1 Macarthur Street
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Victoria Australia

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