

Version No. 001
Forests (Miscellaneous) Regulations 2000

S.R. No. 66/2000

Version as at 4 July 2000

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
PART 1—PRELIMINARY	1
1. Objective	1
2. Authorising provisions	1
3. Definitions	1
PART 2—BRANDING OF FOREST PRODUCE	2
4. Brands for forest produce	2
5. Use of crown brand	2
6. Use of broad arrow brand	3
7. Licensee's brand	3
PART 3—OFFENCES	4
8. Offences within reserved forest	4
9. Traps, poisons and firearms in special purpose reserves	5
10. Entry of cattle into reserved forest	5
11. Offence to obstruct road or track in State forest	5
PART 4—CAMPING IN STATE FORESTS	7
12. Camping in State forests	7
13. Camping in areas which are subject to special camping restrictions	8
PART 5—STATISTICAL RETURN	10
14. Sawmiller's return	10
 SCHEDULE 1—Areas subject to special camping restrictions	 11

<i>Regulation</i>	<i>Page</i>
ENDNOTES	17
1. General Information	17
2. Table of Amendments	18
3. Explanatory Details	19

Version No. 001
Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Version as at 4 July 2000

PART 1—PRELIMINARY

1. Objective

The objective of these Regulations is to make provision for certain matters concerning forests and forest produce.

2. Authorising provisions

These Regulations are made under sections 50 and 99 of the **Forests Act 1958**.

3. Definitions

In these Regulations—

"**Act**" means the **Forests Act 1958**;

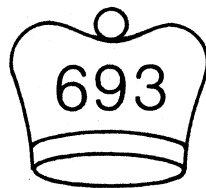
"**Central Plan Office**" means the Central Plan Office maintained under the **Survey Co-ordination Act 1958**.

PART 2—BRANDING OF FOREST PRODUCE

4. Brands for forest produce

The ordinary brands to be used by authorised officers for the purpose of branding forest produce are—

- (a) a crown brand with a number as illustrated:



; or

- (b) a broad arrow brand as illustrated—



5. Use of crown brand

If forest produce is branded by an authorised officer, the crown brand is to be used—

- (a) to mark trees as an indication that felling of those trees is approved; or
- (b) to indicate the release of forest produce which has been seized under the Act; or
- (c) to indicate that the removal of forest produce from State forest has been authorised under the Act; or
- (d) to indicate that a log has been graded by an authorised officer.

6. Use of broad arrow brand

If forest produce is branded by an authorised officer, the broad arrow brand is to be used—

- (a) to mark trees in a timber harvesting area which are not to be felled; or
- (b) to indicate forest produce which has been seized under the Act; or
- (c) to indicate that forest produce lawfully cut or obtained is not to be removed until the brand is obliterated with the crown brand by any authorised officer.

7. Licensee's brand

A licensee, when required to do so by the Secretary, must submit a distinctive brand for registration with the Secretary.

PART 3—OFFENCES

8. Offences within reserved forest

- (1) Within a reserved forest, a person must not, without the authority of the Secretary—
- (a) leave without being properly closed and fastened any gate, slip, panel or portion of any fence within or on the boundary of the forest; or
 - (b) damage, destroy or remove any gate, panel, rail, cattle ramp, cattle pit or the hinge, lock, catch or fastening on any gate or gate post.

Penalty: 20 penalty units.

- (2) Within a reserved forest, a person must not, without the authority of the Secretary, fell any tree which bears an inscribed survey mark or deface the mark.

Penalty: 20 penalty units.

- (3) Within a reserved forest, a person must not, without the authority of the Secretary, enter into and upon any experimental area, tree nursery, plantation or portion thereof which is fenced if the person knew or ought reasonably to have known that entry was prohibited.

Penalty: 20 penalty units.

- (4) Within a reserved forest, a person must not, without the authority of the Secretary, damage or interfere with or hinder the operation of any experimental equipment used in connection with research activities.

Penalty: 20 penalty units.

- (5) Within a reserved forest, a person must not, without the authority of the Secretary, sell or offer for sale any goods, things or services.

Penalty: 20 penalty units.

9. Traps, poisons and firearms in special purpose reserves

- (1) In any part of a reserved forest set aside under section 50(1) of the Act, a person must not—
- (a) shoot, trap, catch or otherwise destroy or interfere with any animal or bird; or
 - (b) carry or possess any poison, trap, snare, net, gun, rifle or other firearm.

Penalty: 20 penalty units.

- (2) This regulation does not apply if specific provision is made to the contrary in any other regulation made under this Act.

10. Entry of cattle into reserved forest

An owner or person in charge of travelling cattle—

- (a) must not enter any part of a reserved forest with the cattle without a permit in writing from the Secretary; and
- (b) must comply with the restrictions and conditions contained in that permit.

Penalty: 20 penalty units.

11. Offence to obstruct road or track in State forest

- (1) A person must not in a State forest—
- (a) construct or place any object, device or other thing that—
 - (i) obstructs, or is designed to obstruct, passage on a road or track constructed or maintained by the Secretary; or

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Part 3—Offences

r. 11

- (ii) damages, or is designed to damage, a road or track or a vehicle on that road or track; or
- (b) dig a hole, pit or trench in a road or track constructed or maintained by the Secretary; or
- (c) obstruct a road or track constructed or maintained by the Secretary in a manner that prevents safe passage on such a road or track.

Penalty: 20 penalty units.

- (2) Sub-regulation (1) does not apply to a person who—
- (a) is acting in accordance with a licence or permit issued under section 52 of the Act; or
 - (b) is acting in the course of his or her duty as—
 - (i) an authorised officer or member of the police force; or
 - (ii) an employee of the Department; or
 - (iii) an officer or member of a brigade within the meaning of the **Country Fire Authority Act 1958**; or
 - (c) is carrying out works in a State forest on behalf of the Secretary.

PART 4—CAMPING IN STATE FORESTS

12. Camping in State forests

- (1) A person must not, in any State forest—
- (a) pitch a tent; or
 - (b) erect or make use of a structure for shelter;
or
 - (c) park or use a vehicle or caravan for shelter—
- for the purpose of camping, unless—
- (d) that tent or shelter referred to in paragraphs (a), (b) or (c) is situated more than 20 metres from any well, bore or waterway within the meaning of the **Water Act 1989**; and
 - (e) if the person is camping in a fire protected area, the area within 2 metres of that tent or shelter referred to in paragraphs (a), (b) or (c) is clear of all flammable material; and
 - (f) in areas where toilet facilities are not provided and portable toilet facilities have been brought, the portable toilet facility must be situated not less than 100 metres from any well, bore or waterway within the meaning of the **Water Act 1989**.

Penalty: 10 penalty units.

- (2) A person who contravenes sub-regulation (1) must, if directed to do so by an authorised officer—
- (a) if the contravention relates to a structure or tent, dismantle and remove it from the site; and

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Part 4—Camping in State Forests

r. 13

- (b) if the contravention relates to a vehicle or caravan, remove it from the site.

Penalty: 10 penalty units.

- (3) An authorised officer may by written notice given to a person—
 - (a) grant a partial exemption for the purposes of sub-regulation (1)(e);
 - (b) specify conditions regarding fire prevention in relation to the exemption given for the purposes of sub-regulation (1)(e);
 - (c) revoke the exemption given for the purposes of sub-regulation (1)(e).

13. Camping in areas which are subject to special camping restrictions

- (1) A person must not camp or erect a tent or use a caravan or other mobile structure for the purpose of camping in an area described in Column 1 of Schedule 1 during the period of restriction that is specified in Column 2 of Schedule 1.

Penalty: 10 penalty units.

- (2) Despite sub-regulation (1), a person may camp or erect a tent or use a caravan or other mobile structure for the purpose of camping in an area described in Column 1 of Schedule 1 during the period of restriction that is specified in Column 2 of Schedule 1 if that person—
 - (a) camps in an area set aside by the Secretary or committee of management of that land for camping; or
 - (b) camps in accordance with a permit or other authority issued by the Secretary or the committee of management of that land.

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Part 4—Camping in State Forests

r. 13

-
- (3) The Secretary or the committee of management may, in respect of land of which it has management and control—
- (a) by notice given to a person grant an authority for the purposes of sub-regulation (2);
 - (b) specify conditions in relation to the authority;
 - (c) revoke the authority.
- _____

PART 5—STATISTICAL RETURN

14. Sawmiller's return

For the purposes of section 94(1) of the Act, the prescribed manner in which information and particulars are to be furnished is to return the form sent to or left with the sawmill owner to an address of the Department specified on the form—

- (a) within 21 days after receipt of the form from the Department; and
 - (b) in any of the following ways—
 - (i) by post;
 - (ii) by hand delivery;
 - (iii) by facsimile transmission;
 - (iv) if the form is sent to the owner in electronic form to an electronic mail address, by electronic transmission to a specified electronic mail address of the Department.
-

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

SCHEDULE 1

AREAS SUBJECT TO SPECIAL CAMPING RESTRICTIONS

PART 1

Column 1	Column 2
Description of Areas	Period of Restriction
All the reserved forest in the Parish of Kimbolton being the land delineated and shown as reserved forest on Parish Plan No. 2879 lodged in the Central Plan Office.	The period commencing on 15 November in each year and ending on 30 April in the following year.
All the reserved forest in section 13, Parish of Lyell, in the Shire of Strathfieldsaye delineated and shown as reserved forest in section 13 on Parish Plan No. 3023 lodged in the Central Plan Office.	The period commencing on 15 November in each year and ending on 30 April in the following year.
All State forest which is—	The period commencing on 15 November in each year and ending on 30 April in the following year.
(a) in the Shire of Bright, in the Parish of Bright and bounded in the north and east by the Ovens River, in the west by Hawthorn Lane and in the south by Mountbatten Avenue, Delaney Avenue and that section of the Harrietville road between the eastern end of Delaney Avenue and the Ovens River at Germantown Bridge;	
(b) in the Shire of Bright in the Parish of Porepunkah and—	
(i) bounded by the Ovens River in the south, Roberts Creek in the west and the Everton to Bright railway line in the north and east; and	

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

Column 1	Column 2
Description of Areas	Period of Restriction
<p>(ii) bounded by the Ovens River in the south, the western boundary of allotment 3 of section 1A and the eastern boundaries of allotments 13, 12 and 3 of section F2 in the west, by the Ovens Highway in the north and in the east by a line due south via the south-west boundary of allotment 9 of section 1A to the Ovens River;</p> <p>(c) in the Shire of Bright, in the Parish of Wandiligong and bounded by the Ovens River in the north, the Buckland River in the east for 240 metres upstream from its junction with the Ovens River thence via the north and west boundaries of allotment 2B of section VII and the south and west boundaries of allotment 1 along the east and north boundaries of allotment 6A, along the east boundary of allotment 6 to the Ovens River.</p> <p>All State forest in the Shires of Alexandra and Mansfield being within 400 metres of the edge of the water on the southern shore of the big Eildon Reservoir extending from the Eildon Dam on the west to the Goulburn River on the east.</p> <p>All State forest in the Shire of Benalla within those parts of the Parishes of Toombullup and Toombullup North shown hatched on the plan numbered (1) in Part 2 of this Schedule.</p>	<p>The period commencing on 15 November in each year and ending on 30 April in the following year.</p> <p>The period commencing on 15 November in each year and ending on 31 May in the following year.</p>

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

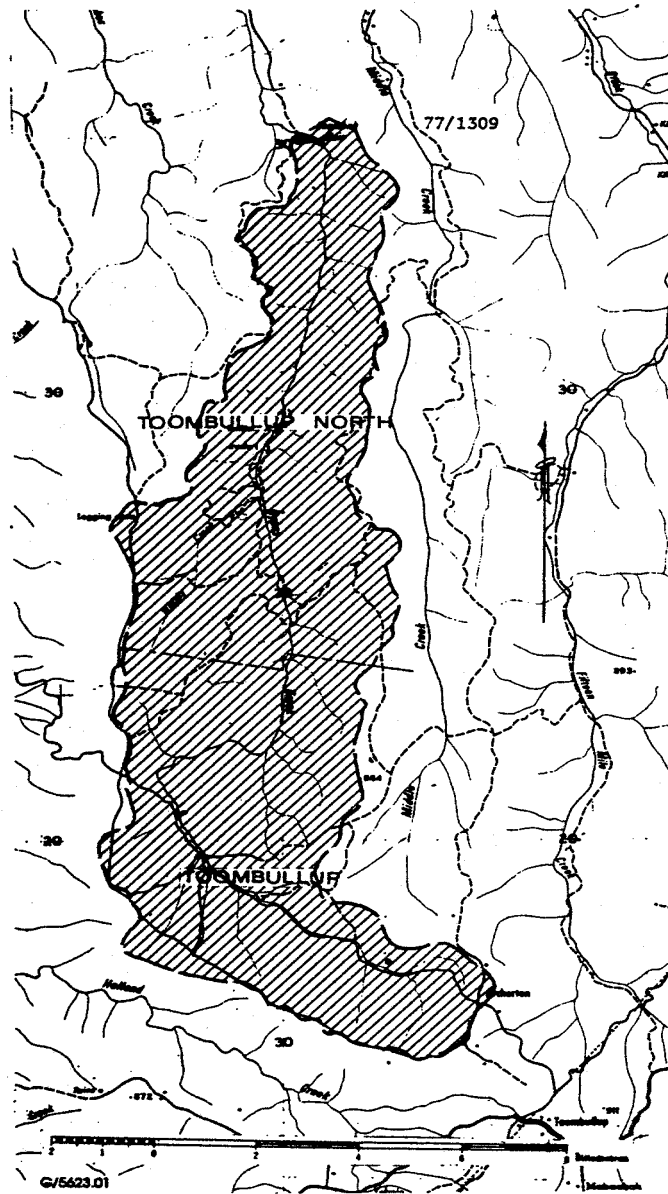
Column 1	Column 2
Description of Areas	Period of Restriction
All State forest in the Shire of Rochester within that part of the Parish of Patho shown hatched on the plan numbered (2) in Part 2 of this Schedule.	The whole of the year.
All State forest within the Township of Echuca shown hatched on the plan numbered (3) in Part 2 of this Schedule.	The whole of the year.

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

PART 2

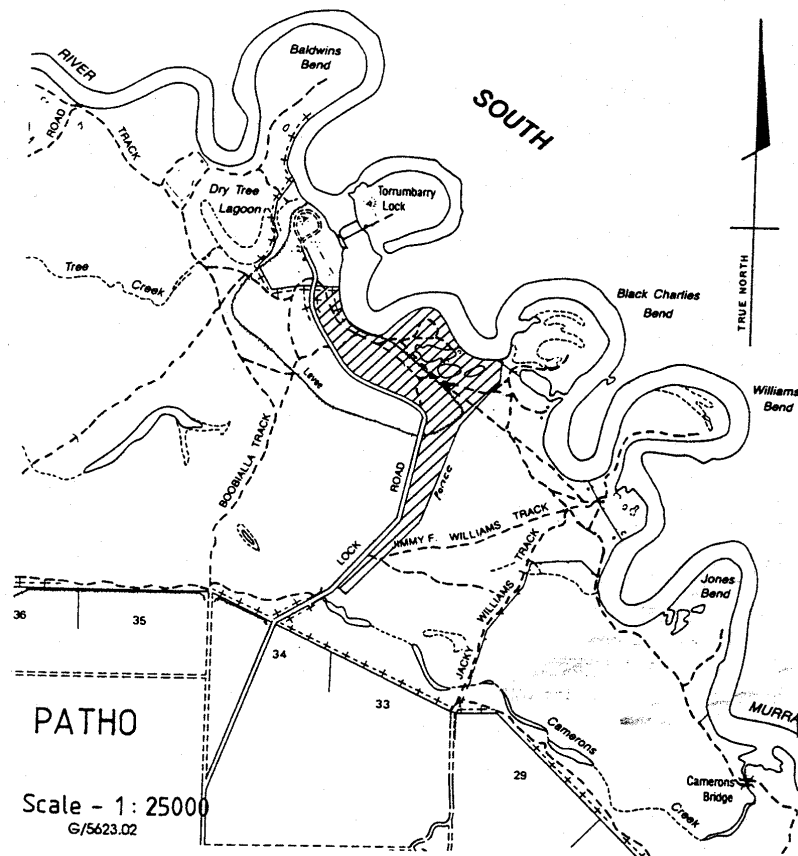
PLAN (1)



Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

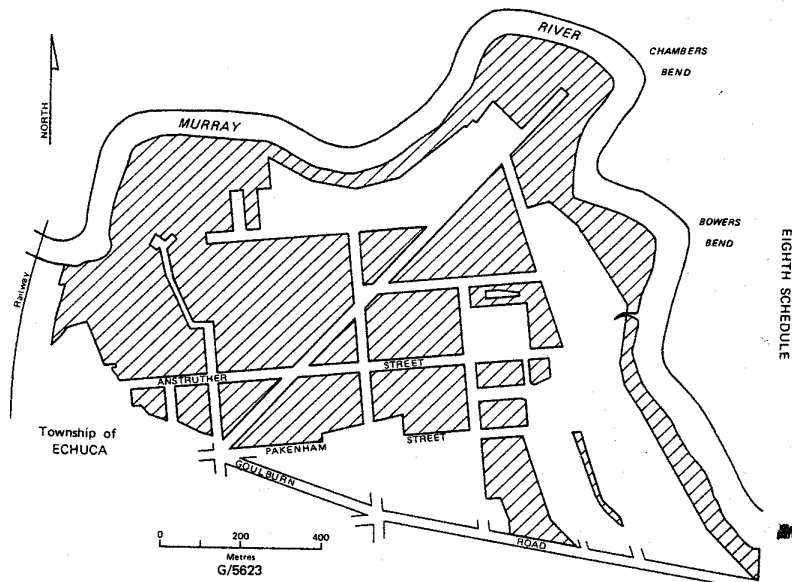
PLAN (2)



Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Sch. 1

PLAN (3)



Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Endnotes

ENDNOTES

1. General Information

The Forests (Miscellaneous) Regulations 2000, S.R. No. 66/2000 were made on 4 July 2000 by the Governor in Council under sections 50 and 99 of the **Forests Act 1958**, No. 6254/1958 and came into operation on 4 July 2000.

The Forests (Miscellaneous) Regulations 2000 will sunset 10 years after the day of making on 4 July 2010 (see section 5 of the **Subordinate Legislation Act 1994**).

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Endnotes

2. Table of Amendments

There are no amendments made to the Forests (Miscellaneous) Regulations 2000 by statutory rules, subordinate instruments and Acts.

Forests (Miscellaneous) Regulations 2000
S.R. No. 66/2000

Endnotes

3. Explanatory Details

No entries at date of publication.