

Authorised Version No. 001
Crown Land (Reserves) (Domestic Firewood)
Regulations 2012

S.R. No. 92/2012

Authorised Version as at
1 September 2012

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
PART 1—PRELIMINARY	1
1 Objectives	1
2 Authorising provision	1
3 Commencement	1
4 Definitions	1
5 Nomination of another person to cut and take away fallen or felled trees for firewood	2
PART 2—OFFENCES	3
6 Offences relating to conduct in a firewood collection area during a firewood collection season	3
7 No offence if authorised by licence or authorisation etc.	4
<hr/>	
SCHEDULE	5
Form 1—Nomination Form—Collection of Firewood for Domestic Use	5
<hr/> <hr/>	
ENDNOTES	6
1. General Information	6
2. Table of Amendments	7
3. Explanatory Details	8

Authorised Version No. 001
Crown Land (Reserves) (Domestic Firewood)
Regulations 2012

S.R. No. 92/2012

Authorised Version as at
1 September 2012

PART 1—PRELIMINARY

1 Objectives

The objectives of these Regulations are—

- (a) to regulate or prohibit certain conduct in a firewood collection area during a firewood collection season in certain regional parks; and
- (b) to prescribe offences; and
- (c) to prescribe a nomination form for the purposes of section 21M of the **Crown Land (Reserves) Act 1978**.

2 Authorising provision

These Regulations are made under section 32 of the **Crown Land (Reserves) Act 1978**.

3 Commencement

These Regulations come into operation on 1 September 2012.

4 Definitions

In these Regulations—

heavy machinery includes any bulldozer, crane, excavator, forwarder, hydraulic log splitter, saw bench, skidder, skid steer loader, tractor and heavy vehicle;

heavy vehicle has the same meaning as in the
Road Safety Act 1986;

impermeable surface means any surface which
would prevent oil or fuel from being
absorbed into the ground if spilled and
includes a tarpaulin, tray or trailer;

the Act means the **Crown Land (Reserves) Act
1978**;

watercourse has the same meaning as in
section 384 of the **Land Act 1958**.

**5 Nomination of another person to cut and take away
fallen or felled trees for firewood**

For the purposes of section 21M(2)(a) of the Act,
the prescribed form is Form 1 in the Schedule.

PART 2—OFFENCES

6 Offences relating to conduct in a firewood collection area during a firewood collection season

- (1) A person must not, in a firewood collection area during a firewood collection season, cut or take away fallen or felled trees within 20 metres of a watercourse.

Penalty: 20 penalty units.

- (2) A person must not, in a firewood collection area during a firewood collection season, tow or winch fallen or felled trees along the ground.

Penalty: 20 penalty units.

- (3) A person must not bring heavy machinery into a firewood collection area during a firewood collection season.

Penalty: 20 penalty units.

- (4) A person must not operate heavy machinery in a firewood collection area during a firewood collection season.

Penalty: 20 penalty units.

- (5) A person must not, in a firewood collection area during a firewood collection season, fill a chainsaw with oil or fuel unless the chainsaw is situated on an impermeable surface.

Penalty: 5 penalty units.

7 No offence if authorised by licence or authorisation etc.

- (1) Regulation 6(1) and (2) do not apply to a person who cuts or takes away fallen or felled trees in a regional park in accordance with a lease, licence, permit or authorisation held by the person under the Act or any other Act or regulations under any other Act.
- (2) Regulation 6(3) and (4) do not apply to a person who carries out an activity referred to in regulation 6(3) or (4) in accordance with a lease, licence, permit or authorisation held by the person under the Act or any other Act or regulations under any other Act.

SCHEDULE

FORM 1

Regulation 5

**NOMINATION FORM—COLLECTION OF FIREWOOD FOR
DOMESTIC USE**

Name of nominating person

Address of nominating person

Telephone number of nominating person

I, the undersigned, under section 21M of the **Crown Land (Reserves) Act 1978**, nominate [*name and address of nominated person*] to cut and take away fallen or felled trees on my behalf for domestic use as firewood.

The maximum amount of fallen or felled trees to be cut and taken away by [*name and address of nominated person*] is [*amount of fallen or felled trees*] cubic metres.

Signed

Date

Note—maximum amount

The specified maximum amount of fallen or felled trees must not exceed 16 cubic metres for the current financial year when added to the following amounts—

- the maximum amounts specified in any other nomination made by you or a member of your household (whether the nomination is made under the **Crown Land (Reserves) Act 1978** or the **Forests Act 1958**);
 - the amounts of fallen or felled trees already cut and taken away in this financial year by you or members of your household as firewood (whether cut or taken away in a firewood collection area determined under the **Crown Land (Reserves) Act 1978** or the **Forests Act 1958**).
-
-

ENDNOTES

1. General Information

The Crown Land (Reserves) (Domestic Firewood) Regulations 2012, S.R. No. 92/2012 were made on 28 August 2012 by the Governor in Council under section 32 of the **Crown Land (Reserves) Act 1978**, No. 9212/1978 and came into operation on 1 September 2012: regulation 3.

The Crown Land (Reserves) (Domestic Firewood) Regulations 2012 will sunset 10 years after the day of making on 28 August 2022 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Crown Land (Reserves) (Domestic Firewood) Regulations 2012 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

In accordance with section 11 of the **Monetary Units Act 2004**, the value of a penalty unit for the financial year commencing 1 July 2012 is \$140.84.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.