

21/12/2021

General Manager
Northern Midlands Council
PO Box 156
Longford TAS 7300

To the General Manager

In response to the request for representations to the Northern Midlands Council draft Local Provisions Schedule.

Forico Pty Limited as the business operator and authorised agent for the Trust Company (PTAL) Limited atf the Tasmanian Forest Investment Sub Trust (owner of some 2000ha of land within the Northern Midlands municipality) have concerns and wish to raise the following points for consideration in the final draft of the Local Provisions Schedule:

Section 4.0 of the Tasmanian Planning Scheme sets out general exemptions for use and development, whereby if the terms of the exemptions as described in Tables 4.1 – 4.6 are met, a planning permit is not required for the use or development. The exemptions described in Tables 4.1 – 4.6 are not subject to further qualification.

Exemption 4.4.1 relating to vegetation removal is the most relevant to forestry operations and states:

4.4.1 Vegetation removal for safety or in accordance with other Acts:

If for:

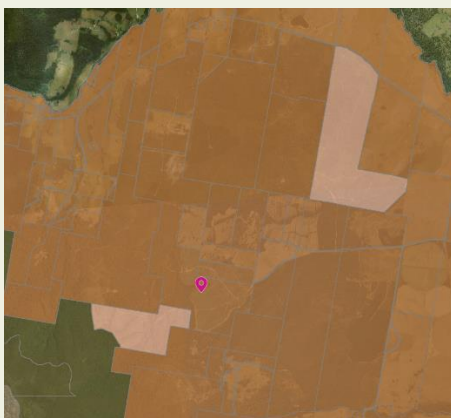
- (a) clearance and conversion of a threatened native vegetation community, or the disturbance of a vegetation community, in accordance with a forest practices plan certified under the Forest Practices Act 1985, unless for the construction of a building or the carrying out of any associated development;*
- (b) harvesting of timber or the clearing of trees, or the clearance and conversion of a threatened native vegetation community, on any land to enable the construction and maintenance of electricity infrastructure in accordance with the Forest Practices Regulations 2007;*
- (c) fire hazard management in accordance with a bushfire hazard management plan approved as part of a use or development;*
- (d) fire hazard reduction required in accordance with the Fire Service Act 1979 or an abatement notice issued under the Local Government Act 1993;*



- (e) fire hazard management works necessary to protect existing assets and ensure public safety in accordance with a plan for fire hazard management endorsed by the Tasmanian Fire Service, Sustainable Timbers Tasmania, the Parks and Wildlife Service, or council;
- (f) clearance within 2m of lawfully constructed buildings or infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, power lines, pipelines and telecommunications facilities, for maintenance, repair and protection;
- (g) safety reasons where the work is required for the removal of dead wood, or treatment of disease, or required to remove an unacceptable risk to public or private safety, or where the vegetation is causing or threatening to cause damage to a substantial structure or building; or
- (h) within 1.5m of a lot boundary for the purpose of erecting or maintaining a boundary fence, or within 3m of a lot boundary in the Rural Zone and Agriculture Zone.

Forico is seeking confirmation that exemption 4.4.1(a) would apply to its operations, noting that Tasveg 4.0 schedules *Plantations for silviculture – hardwood (FPH)* as one of the listed 'vegetation communities'. Given the recognition afforded forestry operations that clear and convert threatened native vegetation communities in accordance with a certified forest plan, it follows that forestry operations for vegetation of a lesser sensitivity in accordance with a certified forest practices plan, would constitute the 'disturbance' of a vegetation community and therefore be exempt from the planning scheme.

Forico notes the apparent inconsistency between the zoning of State forest and adjoining private land that has a high probability of being maintained in the permanent forest estate. An example is shown below at Blackwood Creek whereby two parcels of State forest are zoned Rural Zone and adjoining private land in PTR's and under extensive plantation establishment is zoned Agriculture Zone. Whilst the use of the land is the same, different zoning will inevitably raise issues of inequitable application of land use and development regulation.



For further information or clarification on any of the points raised above I am happy to assist and field any questions or queries.

Regards

A handwritten signature in blue ink, appearing to read 'Mark Chopping'.

Mark Chopping
Land Manager

