

2/3/2022

General Manager  
Latrobe Council  
PO Box 63  
Latrobe TAS 7307

To the General Manager

In response to the request for representations to the Latrobe 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 2,000ha of land within the Latrobe municipality).

All titles for plantation timber production under our management within the Latrobe Municipality currently have a registered Private Timber Reserve, which allows for forest practices to be undertaken without local government planning approval if the land continues to be used for establishing forests, growing and harvesting timber. All natural forest areas within the reserves are managed for conservation and biodiversity values.

We do have concerns and wish to raise the following points for consideration in the final draft of the Local Provisions Schedule:

#### **Landslip code**

Forico Pty Limited manages several titles that are classified by 'Landslip Hazard Code/Bands' throughout the Latrobe council municipality.

Our present practice is to harvest and replant plantation resource in accordance with forest practices plan certified under the Forest Practices Act within these areas. The assessment of landslip zones is undertaken as part of the Forest Practices planning process, with engagement where required with the specialists at the Forest Practices Authority.

We request clarification that forestry operations that are undertaken within an area covered by a certified Forest Practices Plan, are exempt in the land slip code. As predominantly harvesting of our managed plantation resource would require harvesting of an area >1,000m<sup>2</sup>.

#### **Exemptions**

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 clarification 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 to 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 as a 'disturbance' of a vegetation community and therefore be exempt from the planning scheme.



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

Regards



**Mark Chopping**  
**Land Manager**

