

### 3.4 Code for Establishing Forestry Activities

#### PURPOSE

The purpose of this code is to:

- encourage forestry on suitable land including unproductive, under-utilised or environmentally degraded private land;
- promote long term security of harvest for forests planted with the intent of harvest;
- allow for the selective harvest of existing native forests for timber production in ways which retain the ecological and land resource values of the forests and avoid harm to protected species;
- ensure all forestry operates in an ecologically sustainable manner, and in accordance with the National Principles of the National Forest Policy Statement and the State Codes of Practice; and
- Ensure that forestry does not adversely impact on neighbouring land uses.

#### NOTE

This code is supported by Section 8 of Volume 1 of this Planning Scheme which establishes a Register of Forestry Activities to assist in long term security of harvest for lawfully established forestry activities in the Shire.

### 3. CODES FOR RURAL DEVELOPMENT AND USE

#### (1) Element: Establishment of Plantation Forestry

##### PURPOSE

To provide for the establishment of Plantation forests so that significant environmental impacts can be avoided and activities managed to ensure any impacts remain within acceptable levels and impacts on adjacent premises are minimised.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 The use must be established in a manner that:</b></p> <ul style="list-style-type: none"> <li>• Does not result in unacceptable impacts on environmentally sensitive areas,</li> <li>• Protects and manages soil values and minimises erosion;</li> <li>• Does not impact upon water quality, ecological values and land resources,</li> <li>• Uses species that are not disruptive to local ecosystems and protect the landscape character and scenery of the locality,</li> <li>• Minimises fire risk, and</li> <li>• Is in accordance with best environmental management practice.</li> </ul>	<p><b>A1.1</b> Establishment of Plantation forestry does not require clearing of vegetation in an area:</p> <ul style="list-style-type: none"> <li>(a) within the Nature Conservation Management Area, (as shown on Regulatory Map No 1.1 of this Planning Scheme);</li> <li>(b) within 100 metres of a major waterway or 40 metres of a smaller creek or stream; or</li> <li>(c) that includes an Environmentally sensitive area (as defined by this Planning Scheme).</li> </ul> <p><b>AND</b></p> <p><b>A1.2</b> A vegetated buffer is provided of the following width, as measured from the top of the defining bank (refer Figure 4-2.1.2(c) in the Code for Waterways and Wetlands):</p> <ul style="list-style-type: none"> <li>(a) 25m for a waterway shown as stream order 3 or above; or</li> <li>(b) 10m for a waterway shown as stream order 1 or 2 as shown on Figure 4-2.1.2(a) in the Code for Waterways and Wetlands</li> </ul> <p><b>AND</b></p> <p><b>A1.3</b> A buffer of established natural vegetation is to be provided of the following widths:</p> <ul style="list-style-type: none"> <li>(a) A minimum 100m buffer between developments and Significant Coastal Wetlands or Declared Fish Habitat Areas shown on Figure 4-2.1.2(b) in the Code for Waterways and Wetlands; or</li> <li>(b) A minimum 50m buffer between developments and Local Wetlands shown on Figure 4-2.1.2(b) in the Code for Waterways and Wetlands.</li> </ul> <p><b>AND</b></p> <p><b>A1.4</b> All existing native vegetation within the buffer established under A1.2, A1.3, A5.1 or A5.2 is retained and, is supplemented using locally indigenous plant species so that a locally representative community is provided.</p> <p><b>AND</b></p> <p><b>A1.5</b> Planting for commercial harvest does not occur on slopes over 25°(2:1).</p> <p><b>AND</b></p> <p><b>A1.6</b> Internal roads are constructed so as to:</p> <ul style="list-style-type: none"> <li>• minimise the number of watercourse crossings and the extent of interference with natural drainage systems;</li> <li>• have a maximum gradient on roads for extraction of 7° (8:1) and, on roads used for management purposes, of 14° (4:1); and</li> <li>• ensure spoil or sediment is not deposited in any waterway or within the waterway buffer.</li> </ul>

### 3. CODES FOR RURAL DEVELOPMENT AND USE

	<p><b>AND</b></p> <p><b>A1.7</b> Planting and road construction does not increase the incidence of erosion and manages soil disturbance (ie. exposure of mineral soil and its loosening to a depth of 10 cm or more such that the risk of soil capture in surface run-off is increased) and road track drainage by the use of any or all of the following methods:</p> <ul style="list-style-type: none"> <li>• trash retention;</li> <li>• constructing contour banks;</li> <li>• cultivating on the contour and/or using strip or spot cultivation rather than broadacre cultivation;</li> <li>• facilitating drainage by having roads follow ridges and avoid steep slopes, and by intercepting and redirecting run-off away from exposed areas;</li> <li>• installation of erosion control and sediment collection structures prior to start of site disturbance and construction;</li> <li>• retaining natural vegetation in sensitive areas such as gullies, water way corridors and steep slopes;</li> <li>• stabilisation and rehabilitation of disturbed areas; and</li> <li>• scheduling earthworks to avoid wet seasons.</li> </ul> <p><b>AND</b></p> <p><b>A1.8</b> Establishment of the plantation does not result in the loss of habitat of any rare or threatened species under the Nature Conservation Act and its regulations.</p> <p><b>AND</b></p> <p><b>A1.9</b> Establishment of the plantation does not result in destruction or degradation of, or damage to, any public recreation resource or scenic, landscape or heritage site.</p> <p><b>AND</b></p> <p><b>A1.10</b> Habitat trees (being those trees alive or dead that are greater than 80cm diameter and have hollows over 10cm diameter) are identified, retained and protected within buffers and discrete areas of remnant vegetation as part of the plantation layout.</p> <p><b>AND</b></p> <p><b>A1.11</b> Species to be planted in new plantations are consistent with the Tree Note Series published by the Department of Primary Industries and for Tree Facts Notes published by the Department of Natural Resources.</p> <p><b>AND</b></p>
	<p><b>A1.12</b> Fire breaks are constructed between the plantation and adjacent premises and/or between the plantation and areas of existing native forest and constructed as if they were roads in accordance with the road construction, erosion and sediment control measures required in A1.3 and A1.4 above.</p> <p><b>AND</b></p>

### 3. CODES FOR RURAL DEVELOPMENT AND USE

	<p><b>A1.13</b> The boundary of any plantation compartment within the site is not closer than 50 metres to any neighbouring dwelling.</p> <p><b>AND</b></p>
	<p><b>A1.14</b> The area under cultivation for plantation forestry does not exceed 30 hectares.</p>
<p><b>P2 Establishment of an assessable plantation forestry activity must be consistent with the relevant provisions of the <i>Code of Practice - Plantations For Wood Production</i>.</b></p>	<p><b>A2.1</b> For assessable development, establishment of plantations is in accordance with an approved Forestry Management Plan prepared by a suitably qualified person and which, at a minimum, addresses the matters outlined in the <i>Code of Practice - Plantations For Wood Production</i>.</p>

**(2) Element: Management and Harvesting of Plantation Forestry**

**PURPOSE**

To provide for the management, harvesting and rehabilitation of Plantation forests so that significant environmental impacts can be avoided and activities managed to ensure any impacts remain within acceptable levels.

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE MEASURES</b>
<b>P1 Management and harvesting of plantation forestry must be consistent with the state</b> <i>Code of Practice - Plantations for Wood Production.</i>	<b>A1.1</b> For assessable development site specific measures apply.

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P2 Management and harvesting of the plantation must ensure that initial on-site processing (stripping, milling and chipping):</b></p> <ul style="list-style-type: none"> <li>• is carried out in manner that avoids environmental harm;</li> <li>• only involves timber harvested on the same site,</li> <li>• is carried out as a temporary activity, on a suitable location on the site, and</li> <li>• is in accordance with best practices.</li> </ul>	<p>A2.1 Initial on-site processing is to be limited to the delimiting, debarking, milling and chipping of harvested logs into sawn timber and other products by temporary machinery located on the site and the air drying of such products. It does not include kiln drying or additional value adding to the timber such as but not limited to preservative treatment, charcoal production and commercial product manufacture;</p> <p><b>AND</b></p> <p>A2.2 Machinery for initial on-site processing is located on the premises not closer than 100 metres to any neighbouring dwelling and for use not lasting more than 2 weeks in any 6 month period and not outside the hours of 7am to 6pm on any day;</p> <p><b>AND</b></p> <p>A2.3 No tree products from other sites are to be processed on the land.</p>
<p><b>P3 The land must be rehabilitated following harvest.</b></p>	<p>A3 The site is rehabilitated following harvest to a condition consistent with its approved future use.</p>
<p><b>P4 Management and harvesting of the plantation must be carried out in accordance with best available and most current advice on plantation forest practices.</b></p>	<p>A4 Management and harvesting of the plantation is carried out in accordance with advice provided by the relevant state agency.</p>
<p><b>P5 Native forest harvest must be established in a manner that:</b></p> <ul style="list-style-type: none"> <li>• retains the dominant existing landscape character;</li> <li>• protects significant ecological values;</li> <li>• demonstrates it can be carried out to be ecologically sustainable;</li> <li>• does not result in unacceptable impacts on neighbouring premises or environmentally sensitive areas (as defined by the Planning Scheme);</li> <li>• does not impact upon water quality, ecological values and land resources due to earthworks, fertiliser and chemical use;</li> <li>• uses species in any enrichment planting that are not disruptive to local ecosystems and protect the landscape character and scenery of the locality;</li> <li>• minimises fire risk; and</li> <li>• prevents conflicts with surrounding land uses.</li> </ul>	<p>A5.1 For assessable development, an approved ecological assessment and report prepared by a suitably qualified person which includes:</p> <ul style="list-style-type: none"> <li>• an evaluation the site’s vegetation and habitat significance in accordance with the procedures described in Council’s relevant Planning Scheme Policies;</li> <li>• classification of the site’s vegetation into the vegetation management units as shown on Figure No.4-2.1.1A and described in the Schedule to Code 2.1.1 of this Planning Scheme;</li> <li>• an assessment of the local and regional linkage and connectivity values of the site, including potential links in relation to any other remnant vegetation areas;</li> <li>• identification of constrained areas such as steep land and land adjacent to waterways which are likely to have particular management requirements;</li> <li>• an assessment of fire risk within the site and in relation to adjacent premises including areas of Native forest;</li> <li>• identification of any other environmentally sensitive areas which may potentially be impacted by the proposed use;</li> <li>• identification of any likely conflicts between the proposed Native forest harvest use and any adjacent or nearby premises or places;</li> <li>• identification of suitably benign species for enrichment planting if required as part of the Native forest harvest activity; and</li> <li>• determination of appropriate selective harvest rate cycles and management regimes relative to the various parts of the site, both for timber and any non-timber products, that will achieve sustainable yields over the life of the proposed use and retain</li> </ul>

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P5 continued</b></p>	<p>existing significant landscape character, ecological values and land and water values.</p> <p><b>AND</b></p> <p><b>A5.2</b> Assessable development is established in accordance with a Forestry Management Plan, based on the findings of the ecological assessment report referred to in A2.1, which demonstrates that the use can be established, and its ongoing use managed and harvested, consistent with the State Code of Practice for Native Forest Timber Production, and additionally:</p> <ul style="list-style-type: none"> <li>• demonstrates that the Native forest harvest will not result in clearing of any vegetation community classed as “Highly significant”, “Significant”, “Endangered” or “Of Concern” in the Schedule to Code 2.1.1 of this Planning Scheme;</li> <li>• real property description;</li> <li>• description of the neighbouring properties including their current use and tenure;</li> <li>• species of existing trees;</li> <li>• species proposed for any enrichment planting;</li> <li>• location of access tracks and roads;</li> <li>• treatment of any environmentally sensitive areas and measures for the protection of their values including the maintenance of linkages and connectivity values;</li> <li>• treatment of constrained areas such as land adjacent to water-courses and steep land;</li> <li>• proposed pest control measures;</li> <li>• proposed harvest cycle and regime consistent with the findings of the ecological assessment report;</li> <li>• nature of harvesting of tree products other than timber; and</li> <li>• rehabilitation/regeneration measures.</li> </ul> <p><b>AND</b></p> <p><b>A5.3</b> In any event the harvest rate cycle identified in the assessment does not allow for removal of more than 50% of the canopy of a particular management unit at any one time and retains and protects habitat trees (being those trees alive or dead that are greater than 80cm diameter and have hollows over 10cm diameter) in accordance with the requirements of the Habitat Tree Schedule of the Code of Practice for Native Forest Timber Production, except where it conflicts with the vegetation protection and buffer requirements of Council’s Code For Nature Conservation Management and Biodiversity Protection, Code For Waterways and Wetlands and/ or Code For Water Resources Catchment Areas, in which case Council’s Code provisions have precedence.</p> <p><b>AND</b></p> <p><b>A5.4</b> Species to be planted for enrichment planting are of the same species found naturally within the existing forest.</p>

(3) Element: Establishment of Native Forest Harvest

**PURPOSE**

To provide for the establishment of Native forest harvest on appropriate sites such that it can retain the dominant existing landscape character, protect significant ecological values, sustain land and water resources, and prevent conflict with surrounding land uses.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Establishment of Native forest harvest use must be substantially consistent with the State Code of Practice for Native Forest Timber Production.</b></p>	<p>A1 For assessable development site specific measures apply.</p>
<p><b>P2 Native forest harvest must be established in a manner that:</b></p> <ul style="list-style-type: none"> <li>• retains the dominant existing landscape character;</li> <li>• protects significant ecological values;</li> <li>• demonstrates it can be carried out to be ecologically sustainable;</li> <li>• does not result in unacceptable impacts on neighbouring premises or environmentally sensitive areas (as defined by the Planning Scheme);</li> <li>• does not impact upon water quality, ecological values and land resources due to earthworks, fertiliser and chemical use;</li> <li>• uses species in any enrichment planting that are not disruptive to local ecosystems and protect the landscape character and scenery of the locality;</li> <li>• minimises fire risk; and</li> <li>• prevents conflicts with surrounding land uses.</li> </ul>	<p>A2.1 For assessable development, an approved ecological assessment and report prepared by a suitably qualified person which includes:</p> <ul style="list-style-type: none"> <li>• an evaluation the site’s vegetation and habitat significance in accordance with the procedures described in Council’s relevant Planning Scheme Policies;</li> <li>• classification of the site’s vegetation into the vegetation management units as shown on <a href="#">Figure No.4-2.1.1A</a> and described in the Schedule to Code 2.1.1 of this Planning Scheme;</li> <li>• an assessment of the local and regional linkage and connectivity values of the site, including potential links in relation to any other remnant vegetation areas;</li> <li>• identification of constrained areas such as steep land and land adjacent to waterways which are likely to have particular management requirements;</li> <li>• an assessment of fire risk within the site and in relation to adjacent premises including areas of Native forest;</li> <li>• identification of any other environmentally sensitive areas which may potentially be impacted by the proposed use;</li> <li>• identification of any likely conflicts between the proposed Native forest harvest use and any adjacent or nearby premises or places;</li> <li>• determination of appropriate selective harvest rate cycles and management regimes relative to the various parts of the site, both for timber and any non-timber products, that will achieve sustainable yields over the life of the proposed use and retain existing significant landscape character, ecological values and land and water values; and</li> <li>• identification of suitably benign species for enrichment planting if required as part of the Native forest harvest activity.</li> </ul> <p><b>AND</b></p> <p>A2.2 Assessable development is established in accordance with a Forestry Management Plan, based on the findings of the ecological assessment report referred to in A2.1, which demonstrates that the use can be established, and its ongoing use managed and harvested, consistent with the State Code of Practice for Native Forest Timber Production, and additionally:</p> <ul style="list-style-type: none"> <li>• demonstrates that the Native forest harvest will not result in clearing of any vegetation community classed as “Highly</li> </ul>

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P2 continued</b></p>	<p>significant”, “Significant”, “Endangered” or “Of Concern” in the Schedule to Code 2.1.1 of this Planning Scheme;</p> <ul style="list-style-type: none"> <li>• real property description;</li> <li>• description of the neighbouring properties including their current use and tenure;</li> <li>• species of existing trees;</li> <li>• species proposed for any enrichment planting;</li> <li>• location of access tracks and roads;</li> <li>• treatment of any environmentally sensitive areas and measures for the protection of their values including the maintenance of linkages and connectivity values;</li> <li>• treatment of constrained areas such as land adjacent to watercourses and steep land;</li> <li>• proposed pest control measures;</li> <li>• proposed harvest cycle and regime consistent with the findings of the ecological assessment report;</li> <li>• nature of harvesting of tree products other than timber; and</li> <li>• rehabilitation/regeneration measures.</li> </ul> <p><b>AND</b></p> <p><b>A2.3</b> In any event the harvest rate cycle identified in the assessment does not allow for removal of more than 50% of the canopy of a particular management unit at any one time and retains and protects habitat trees (being those trees alive or dead that are greater than 80cm diameter and have hollows over 10cm diameter) in accordance with the requirements of the Habitat Tree Schedule of the Code of Practice for Native Forest Timber Production, except where it conflicts with the vegetation protection and buffer requirements of Council’s Code For Nature Conservation Management and Biodiversity Protection, Code For Waterways and Wetlands and/ or Code For Water Resources Catchment Areas, in which case Council’s Code provisions have precedence.</p> <p><b>AND</b></p> <p><b>A2.4</b> Species to be planted for enrichment planting are of the same species found naturally within the existing forest.</p>

(4) Element: Management and Harvest of Native Forest

**PURPOSE**

To provide for the management and harvest of native forest such that it retains the dominant existing landscape character, protects significant ecological values, sustains land and water resources, and prevents conflict with surrounding land uses.

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Management and harvesting of the use must ensure that:</b></p> <ul style="list-style-type: none"> <li>• a sustainable balance between timber productivity and maintenance of existing environmental values is achieved;</li> <li>• the values of environmentally sensitive areas (as defined by the Planning Scheme) are retained;</li> <li>• there are no unacceptable impacts on neighbouring premises or environmentally sensitive areas (as defined by the Planning Scheme);</li> <li>• chemical and fertiliser use does not have unacceptable levels of impact on water quality, ecological values and land resources;</li> <li>• fire risks, noxious weeds, vermin and pests can be managed with acceptable levels of environmental impact;</li> <li>• tree products, including products other than timber/ non wood products are managed and harvested in an ecologically sustainable way;</li> <li>• forestry operations are carried out in a best practice manner to minimise adverse environmental impacts, particularly on run-off water quality, and to ensure sustainability of the forest community;</li> <li>• constrained areas on the site are managed in an ecologically sustainable way and retain ongoing environmental values over the land;</li> <li>• constrained areas of the site, being steep land and land adjacent to watercourses, are harvested in a best practice manner to minimise adverse environmental impacts and retain ongoing environmental values over the land;</li> </ul>	<p>A1.1 Management and harvesting is consistent with the Forestry Management Plan required in Element 3 of this code.</p> <p><b>AND</b></p> <p>A1.2 Initial on-site processing is to be limited to the delimiting, debarking, milling and chipping of harvested logs into sawn timber and other products by temporary machinery located on the site and the air drying of such products. It does not include kiln drying or additional value adding to the timber such as but not limited to preservative treatment, charcoal production and commercial product manufacture;</p> <p><b>AND</b></p> <p>A1.3 Machinery for initial on-site processing is located on the land not closer than 100 metres to any neighbouring dwelling, for use not lasting more than 2 weeks in any 6 month period and not outside the hours of 7am to 6pm on any day;</p> <p><b>AND</b></p> <p>A1.4 No tree products from other sites are to be processed on the land;</p> <p><b>AND</b></p> <p>A1.5 The site is to be stabilised and the Native forest is to be regenerated following harvest.</p>

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PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
<p><b>P1 Continued</b></p> <ul style="list-style-type: none"> <li>• operations are carried out in a best practice manner to minimise adverse environmental impacts, particularly on run-off water quality, and to ensure sustainability of the forest community;</li> <li>• initial on-site processing (stripping, milling and chipping) is carried out in manner that minimises environmental harm and nuisance and only in respect of the timber harvested on the same site, as a temporary activity, on a suitable location on the site, and in accordance with best practices; and</li> <li>• the site is to be rehabilitated to a stable state and the native forest regenerated following harvest.</li> </ul>	

