

52.18

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TIMBER PRODUCTION

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Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the Forests Act 1958 and the Sustainable Forests (Timber) Act 2004, or the Secretary to the Department of Sustainability and Environment, whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

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Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production 2007 (Department of Sustainability and Environment). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

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Removal of native vegetation

If land is to be used for timber production the provisions of Clause 52.17 do not apply and no permit is required for the removal, destruction or lopping of native vegetation if any of the following apply:

- The native vegetation consists of seedlings or regrowth less than 10 years old on land which has previously been cleared.
- The native vegetation is proclaimed as a noxious weed or is bracken (*Pteridium esculentum*).
- The Secretary to the Department of Sustainability and Environment is satisfied that the land receives more than 550mm of rainfall per annum and does not support vegetation in which all the following apply:
 - The number of native plant species exceeds the number of non-native plant species.
 - The cover of native plant species (as measured by projected foliar cover) exceeds the cover of the non-native plant species.
 - The number of native plant species native to the locality exceeds the number of native plant species non-native to the locality.

In determining the above, a site of 5 hectares with a minimum width of 100 metres must be considered. If the land has an area less than 5 hectares the total site must be considered.

52.18-4 Road repairs

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After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

52.18-5 Decision guidelines

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Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
 - Protecting water quality.
 - Conserving flora and fauna.
 - Preventing land degradation, including soil erosion, salinisation and water logging.
 - Preventing adverse effects on groundwater recharge.
- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.