

These notes are provided in response to a request from the Tasmanian Farmers and Graziers Association (TFGA) and land managers on King Island for a plain English explanation of the rules that relate to the clearing of native vegetation.

Landowners are advised to check the requirements under the [Forest Practices Act 1985](#) and the [Forest Practices Regulations 2007](#) and to seek advice before undertaking any clearing of native forest or vegetation.

Forest vegetation

Forest vegetation is defined as native trees or other woody plants that are or have the potential to grow to a height of five metres or more.

Forest vegetation includes all trees, shrubs, seedlings and regrowth, whether dead or alive. Forest vegetation on King Island includes all woody native species and radiata pine.

Forest vegetation cannot be cleared unless the landowner has a certified forest practices plan that permits the clearing, or the clearing is small scale and exempt from the requirements for a forest practices plan (see Exemptions below).

Clearing includes felling, cutting, pushing, rolling, slashing or otherwise removing or destroying forest vegetation in any way.

Forest practices plans are prepared and certified by Forest Practices Officers (FPOs) on a fee for service basis. An FPO consultants list can be downloaded from the [FPA's website](#).
<www.fpa.tas.gov.au/fpa_services/fpo_consultants>

The Tasmanian government regulates the clearing of native forest and vegetation on King Island through the provisions of the *Forest Practices Act 1985* and the [Policy for the Maintenance of a Permanent Native Forest Estate](#). The policy seeks to ensure native vegetation on King Island does not fall below 30% of the original cover. Current figures (2011) indicate that the cover has reached 30% and, consequently, further broad scale clearing will not be permitted unless exemptions apply as detailed below.

Exemptions

Small scale clearing is exempt from the requirements for a forest practices plan on non-vulnerable land, providing the landowner has given consent and the clearing does not exceed 1 hectare or 100 tonnes in volume (whichever is the lesser) per property¹ per year.

This exemption does not apply on vulnerable land. Vulnerable land on King Island includes any land that contains:

- high or very high erodible soils; or
- steep slopes as defined in the *Forest Practices Code*; or
- vulnerable karst soils; or
- areas within streamside reserves as defined in the *Forest Practices Code*; or
- threatened species habitat; or
- threatened native vegetation communities; or
- areas previously reserved under a forest practices plan.

Other small scale clearing that may be conducted without a forest practices plan:

- **maintaining existing fences, roads and firebreaks** – clearing of a reasonable buffer is exempt, providing that the clearing width is limited to that area that is necessary to provide safe vehicular access, or to protect the infrastructure from being damaged by falling timber.
- **clearing for new fences, roads and firebreaks** – clearing up to 1 hectare per property per year is allowed for new infrastructure on non-vulnerable land, but clearing is not exempt for new infrastructure within vulnerable land. This means that fences and roads should avoid vulnerable land such as streams and threatened species habitat. Where stream crossings are required, the FPA is prepared to adopt practical tolerances and will not require a forest practices plan for cases where the fence or road crosses a stream at right angles, and clearing width is minimised, and there is no obstruction to the stream. Landowners should seek advice from the FPA where clearing may exceed these practical tolerances.
- **drainage channels** – a channel created by the diversion of a natural stream is regarded as a stream, and clearing is not permitted within the streamside reserves as specified in the *Forest Practices Code*. An artificial channel created to drain land is regarded as linear infrastructure and is covered by the same provisions that relate to fences, roads and firebreaks (above).
- **previously cleared land** – may be re-cleared only where the owner can demonstrate that the land has been used for non-forest use and has been maintained in a cleared state for a consecutive period of at least five years since 1985.

Other exemptions

Clearing may be carried out without a forest practices plan for public roads, gas pipelines, easements for powerlines by electricity companies. Other clearing may be exempt if it is covered by approval under other legislation (seek advice with respect to clearing related to dam works¹, construction of buildings and associated development², mineral exploration or mining activities³.)

Broad scale clearing

Any clearing in excess of the exemptions noted above is not permitted unless authorised under a forest practices plan. New forest practices plans for broad scale clearing will only be certified in exceptional circumstances and where the loss of the native vegetation can be offset, for example, through the rehabilitation or revegetation of other land.

Further information

For further information contact the FPA – email info@fpa.tas.gov.au; phone (03) 6233 7966.

Major forest communities on King Island

Eucalyptus globulus King Island forest*

Melaleuca ericifolia swamp forest*

Acacia melanoxylon swamp forest

Scrub complex on King Island

Melaleuca squarrosa scrub

Leptospermum scrub

* identified as threatened under schedule 3A of the *Nature Conservation Act 2002*

¹ Dam works authorised by a dam permit granted under the *Water Management Act 1999*.

² Buildings as defined and authorised under the *Land Use Planning and Approvals Act 1993* (LUPAA).

³ Mineral exploration or mining activities as defined under the *Mineral Resources Development Act 1985*, and authorised under this Act or under LUPAA.