

From: [Tom](#)
To: [TPC Enquiry](#)
Subject: Direction 20 zoning
Date: Thursday, 29 February 2024 12:38:14 PM
Attachments: [SplitZoneOptions.zip](#)
[FPAdviceLetter_Mistry \(1\).pdf](#)

Hi there,

Apologies, I'd meant to email this through last night.

Please find attached further documentation in regards to proposed split zoning on my block at 136 Rocky Crk Rd, Crabtree TAS 7109

This is in response to direction 20

Please also find attached a letter which I employed Amy Robertson through her capacity as a Forestry Practises Officer to produce for me to help guide my planned and current forestry practises and private timber use on my land.

This letter was produced on the 16/10/2023

Please let me know if you have any questions, concerns or require any clarification on anything I've stated and provided.

Kind regards,

Thomas Mistry

Dear Tom,

Thanks for inviting me to explore your property in Crabtree under titles 168351/2 and 252686/2. It's an interesting and special place, and I'm glad to be able to share some further information with you which should help you to manage the timber and natural values of the property.

I'll go through several aspects relating to your potential harvest of timber or clearing of trees on this property.

Approvals

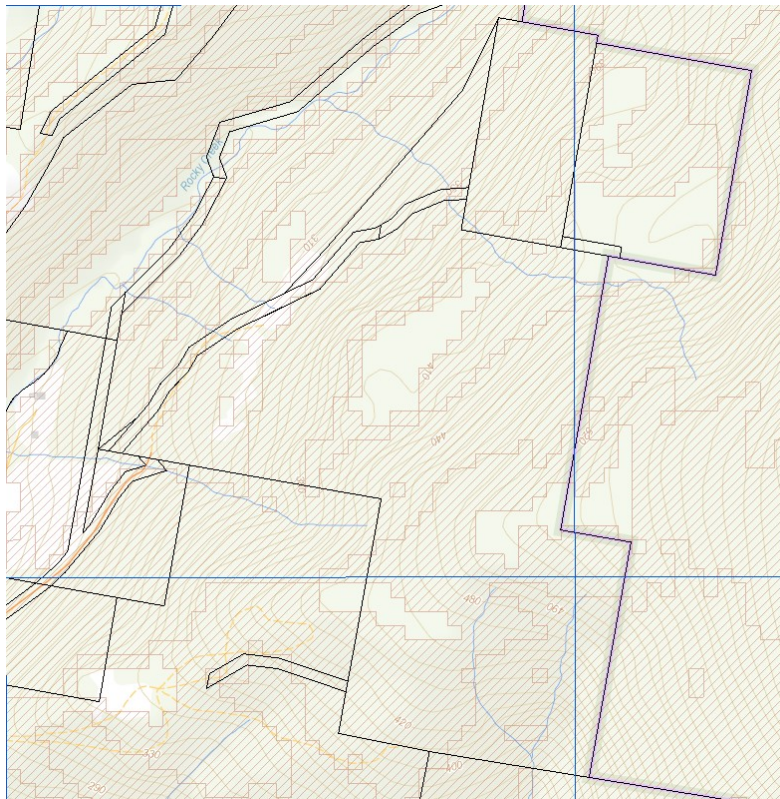
There are two – or perhaps three – main systems applying to the harvest of trees on your property, administered by our three tiers of government.

- The Planning Scheme – currently the Huon Valley Interim Planning Scheme 2015 (but due to change to a Local Provisions Schedule under the Tasmanian Planning Scheme in around February next year)
- The state's Forest Practices system, implemented under the Forest Practices Act 1985 and its Forest Practices Code and often administered by a Forest Practices Plan (FPP)
- A federal Environmental Protection and Biodiversity Conservation (EPBC) Act managing listed threatened species and ecosystems.

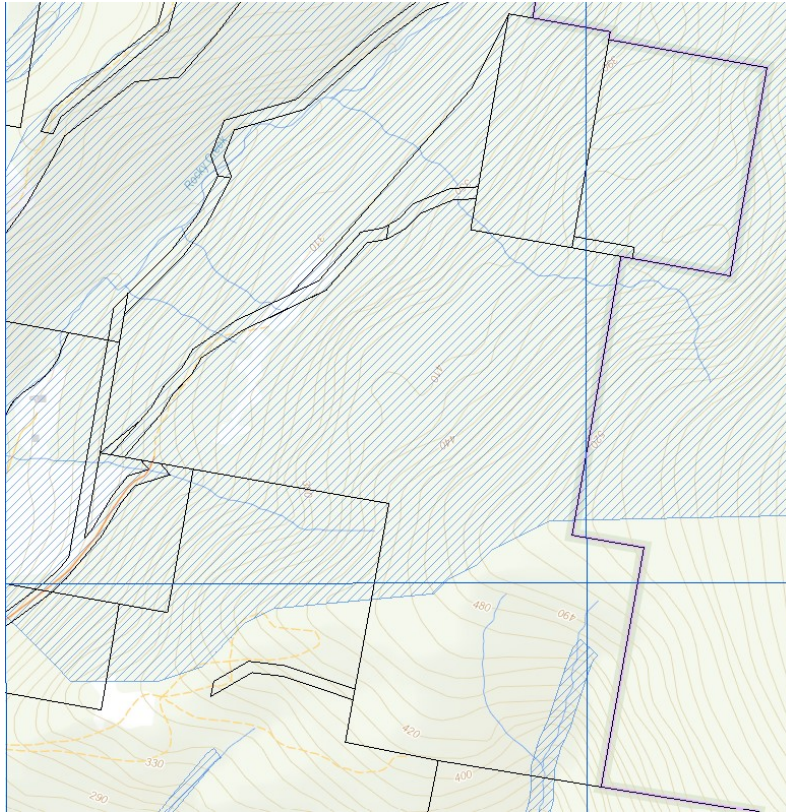
Planning Scheme

In the current planning scheme this land is zoned as Rural Resource Zone and has a number of overlays:

- Across your full titles there's Biodiversity Protection Area and Bushfire Prone Area overlays.
- Landslide Hazard Area covers most land in Low and Medium classes (see below).



- Waterway and Coastal Protection Areas covering Rocky Ck catchment and a single gully in the SE (see below).



- You're not currently covered by a Scenic Landscape overlay, though adjacent land to the south is.

Forest operations are a 'No Permit Required' use in this current zone when conducted in accordance with an FPP, or 'Permitted' without an FPP.

The overlays may impose other requirements under their relevant Codes. Landslide and Bushfire overlays aren't an issue as your proposed uses aren't relevant to these (buildings & vulnerable/hazardous uses). The Waterway overlay similarly applies just to development and not use.

The Biodiversity overlay exempts forest operations, including clearing for agriculture, when in accordance with an FPP. Other exemptions from the Biodiversity overlay include:

- (j) works within 2 m of existing infrastructure including roads, tracks, footpaths, cycle paths, drains, sewers, pipelines and telecommunications facilities for the maintenance, repair, upgrading or replacement of such infrastructure;
- (m) clearance and conversion or disturbance of an area no more than 750 m²;
- (n) clearance and conversion or disturbance of previously cleared agricultural land;

-
- (p) clearance and conversion or disturbance requiring assessment under the *Forest Practices Act 1985*, the *Threatened Species Protection Act 1995* and/or the *Nature Conservation Act 2002*.

I think (p) above would likely apply if you were to conduct forest practices without an FPP, under the exemptions available in the Forest Practices Regulations and after assessment by a Forest Practices Officer. This is what I'll aim to provide in this letter.

Forest Practices System

The Forest Practices Act requires a certified Forest Practices Plan (FPP) for activities including establishing forests, harvesting timber and clearing trees (and roading or quarries associated with this). There are some exemptions under the Regulations, including:

4. Circumstances in which forest practices plan, &c., not required

For the purpose of [section 17\(6\)](#) of the Act, the following circumstances are prescribed:

- (a) the harvesting of timber or the clearing of trees, with the consent of the owner of the land, if the land is not vulnerable land and –
 - (i) the volume of timber harvested or trees cleared is less than 100 tonnes for each area of applicable land per year; or
 - (ii) the total area of land on which the harvesting or clearing occurs is less than one hectare for each area of applicable land per year –

whichever is the lesser;

- (b) the clearing of trees or native vegetation, with the consent of the owner of the land, to provide a reasonable buffer for existing infrastructure if the clearing is necessary to maintain the infrastructure or for public safety;

- (c) the clearing of trees or native vegetation regrowth, with the consent of the owner of the land, from an area of previously cleared and converted land;

'Vulnerable land' has its own definitions here:

vulnerable land means land that –

- (a) is within a streamside reserve or a machinery exclusion zone within the meaning of the *Forest Practices Code*; or
- (b) has a slope of more than the landslide threshold slope angles within the meaning of the *Forest Practices Code*; or
- (c) is within the High or Very High Soil Erodibility Class within the meaning of the *Forest Practices Code*; or
- (d) consists of, or contains, a threatened native vegetation community; or
- (e) is inhabited by a threatened species within the meaning of the [Threatened Species Protection Act 1995](#) ; or
- (f) contains vulnerable karst soil within the meaning of the *Forest Practices Code*; or
- (g) contains an area of trees reserved from the harvesting of timber or the clearing of trees under a forest practices plan where the period specified in the plan has expired.

You have some areas of vulnerable land on your property alongside streams, on the steeper banks, and potentially in sites inhabited by threatened fauna (animal) or flora (plant) species. More on this later.

Federal Environment Protection and Biodiversity Conservation (EPBC) Act

The EPBC Act provides a framework to protect and manage matters of national environmental significance – nationally threatened species and ecological communities are the key issues concerning your land.

I've run a Protected Matters report through the EPBC system's search tool, and the species and communities highlighted are ones which I'd become aware of through the Forest Practices system, so I'm reasonably confident this level won't be an issue at present.

Access

Access is much more interesting.

If you wish to harvest timber, you'll need to either have the capacity to process and/or use it on-site, or the capacity to transport it off-site. The condition of road access to your property and the series of steep embankments up your site are a challenge to this.

Your road (on public road reserve, not sure of Council's view on maintenance priority) is relatively accessible for small to medium-sized vehicles with a gentle gradient and no sharp bends, but evidently hasn't been well-maintained in recent years. There were several broken culverts which would need replacing, and deep rutting on the driveway inside your property boundary would need fixing with the addition of coarser road base and attention to adequate drainage. The drainage is especially important to stabilise investment into the road surface and protect the water catchment below you. Fortunately you are situated close to a quarry – carting costs are a large contribution to the cost of roading.

Within your property, access between 'benches' – or the flatter areas between embankments – is a challenge to address. I've prepared a map for you with colours representing the slope classes as identified through the Forest Practices Code, and this could be useful to assist some on-ground exploration. You'd be looking for a route that climbs steadily and avoids tight corners (switchbacks are often used to change direction across a slope to stay away from steeper areas).

The steepness of a truck-suitable road would best be a maximum of 15m elevation in every horizontal 100m (called a 15% grade), but if the route were used by timber harvesting machinery to bring logs individually or in small bunches, then the grade for short distances could increase up to around 48%. The less steep, the better.

We walked up and then down the western embankment, and I can see three possible routes to explore for that climb:

1. Just north of our ascending walk, the bank appears quite steep – mostly shaded in light pink (less than the steepest red category) on the slope map.
2. Just south of our descending walk, and just inside the boundary of your property.
3. If access via the Crown Land block apparently being sold to TasWater were available, then just north of our descending walk there may be a route which could turn back towards this mid-title flat area.

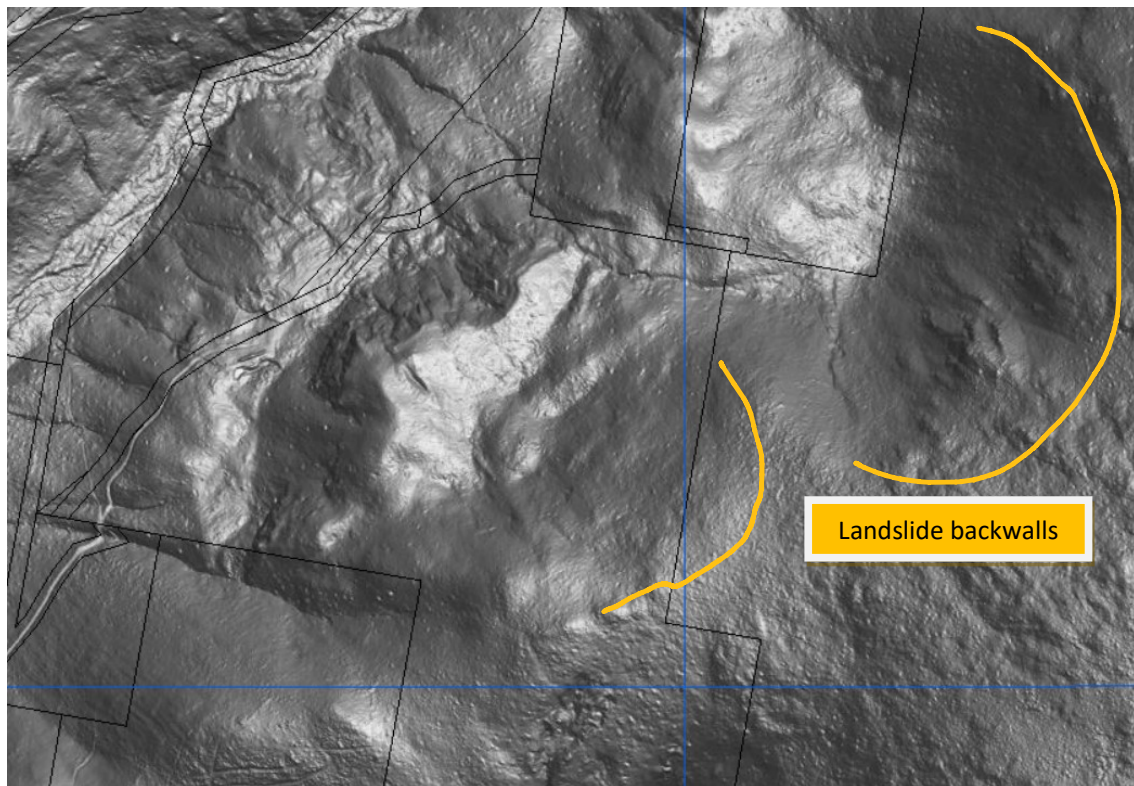
Once on the mid-title flat area, it should be straightforward to find a gently-graded route across to your other north-eastern title. The embankment to the south-east of the mid-title flats has a couple of more obvious access routes where red/pink slope shading is scarce, which would also be worth exploring to establish access to the south-eastern end of your title. We also discussed that other old tracks apparently reach your southern boundary across other properties.

Special values protection

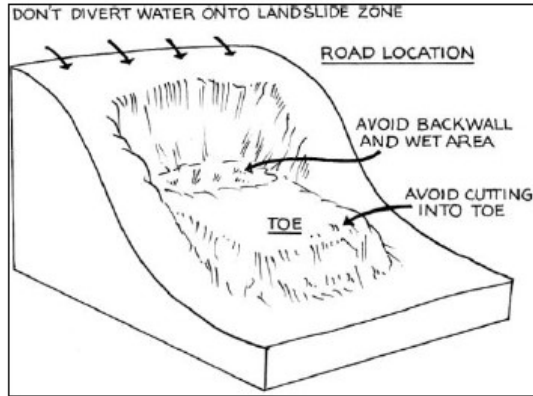
The Forest Practices Code and its system provide mandatory protection to soil and water values, plus a range of protective measures for various biodiversity, geoscience, cultural heritage and visual landscape values.

Harvesting is generally not permitted by the Forest Practices Code on slopes greater than 27°, which excludes the 'cliff' embankments occurring on your property.

These **steep landforms** appear to have originated from very old landslips where sections of an evenly-graded hillside have slipped downhill, forming a series of steep slopes and flatter benches up the hillside in the vicinity of your property (most evident using the Hillshade Grey basemap on LISTmap, as below). A consequence of this is that drainage patterns across the hill will have been disrupted and be largely hidden underground, with a number of gully features reappearing below slope deposits that have buried their previously-surface streambeds.



There is a risk of re-activating these landslides if water and vegetation on these slopes are not managed carefully. Forest practices activities on slope angles over 19° are regarded as being above the safe landslide threshold on this rock type (Triassic sandstone) and would need assessment by a soils or other geotechnical specialist before proceeding. The upper slopes of your property are mapped as Jurassic dolerite but were not visited to check.



We saw several **drainage features** on your property, the most significant being an apparently dry cobbled stream bed descending alongside your northern boundary. I suspect this stream is an overflow channel which carries water when the subsurface conduits below the landslip material, reach their capacity. We saw little other evidence of surface water flow, apart from a small channel emerging from the base of cliffs and flowing into a small dam just north of your cabin.

These features illustrate that there are at times substantial water flows from the long hillside above the 320m elevation of your cabin area. Reaching over 790m elevation, this height also catches significantly more rain and snowfall than the lower slopes.

It will be important for the stability of this hillside – including above and below your property – for any change to water drainage flows to be managed carefully so as not to add weight or lubrication to areas with less stability. Vegetation removal – timber harvesting – can likely be undertaken within the constraints of the Forest Practices Code, but will have less impact when dispersed and undertaken at smaller scale. It will be important to establish and maintain adequate drainage for roads and tracks, and to revegetate promptly where clearing is not maintained.

In **biodiversity**, forest communities can relate to important conservation values. On your property I observed:

- Dry Eucalyptus obliqua forest (DRY-shOB/O code) on the solid spurline near your SW boundary, possibly with some Peppermint and Blue Gums.
- Wet Eucalyptus obliqua forest (WET-OB0110/OT code) across the middle flats with occasional individuals or patches of E. globulus (Blue Gum), Acacia dealbata (Silver Wattle), Acacia melanoxylon (Blackwood) and Eucalyptus regnans (Swamp Gum).

Tree size varied widely with site characteristics, but some individuals exceeded 1m diameter. Few trees contained hollows, and most showed an excellent regrowth stem form without signs of previous fire scarring. This area is not mapped as having been impacted by the broadscale 1967 fire event, but with little coarse woody debris evident across the site it is possible that this forest has regenerated from a fire 60-100 years ago.



Threatened species potentially present on your property include:

Chaostola shipper	Potential range	No suitable habitat observed
Eastern Quoll	Core range	Suitable habitat; minimise disturbance to coarse woody debris.
Grey goshawk	Core range	Suitable habitat exists in the denser forest stands on flats and alongside gullies. Nests are readily apparent and should be reported asap.
Masked owl	Core range	Little suitable habitat observed, but any larger hollows that occur may be suitable for nesting
Mt Mangana stag beetle	Known range	Low coarse woody debris load but suitable habitat.
Spotted-tailed quoll	Potential range	Suitable habitat; minimise disturbance to coarse woody debris.
Swift parrot	SE potential range	Outside main breeding area and minimal nesting

		habitat, but some potential foraging resource from larger Blue Gums. Any larger (>1ha) patches of greater (>20%) Blue Gum density may need advice from FPA prior to harvest. [TSA Rec 9]
Tasmanian devil	Potential range	Suitable habitat; minimise disturbance to coarse woody debris.
Wedge-tailed eagle	Potential range	Some potential nesting habitat in SE corner of property, but this is likely inaccessible to harvest.
White-bellied sea eagle	Potential range	Unlikely to be present; >5km from major water bodies.

In terms of **cultural heritage**, I observed few signs that there could be important values on your site to manage. I did see:

- A tall shoed stump near the southern boundary indicating commercial harvest <1960s
- A sandstone cave without debris features indicative of previous human use, and distant from water sources or food supplies.
- Possible sidecutting near a suitable stream crossing point on the northern gully which may indicate an older track line.

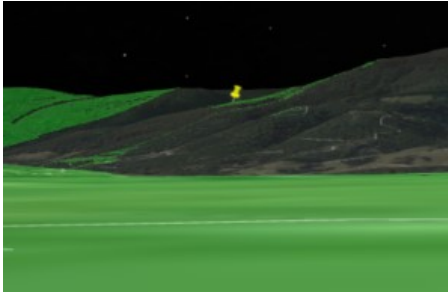
An aerial photo from 1967 indicates some areas of the property being cleared with most debris removed, consistent with on-ground observations of sparse coarse woody debris and less treed areas. Smaller crowns may indicate a younger forest or a shorter (eg. dry) forest type. It's useful to zoom in on a digital copy of this aerial photo to explore where old tracks or clearings may have occurred.



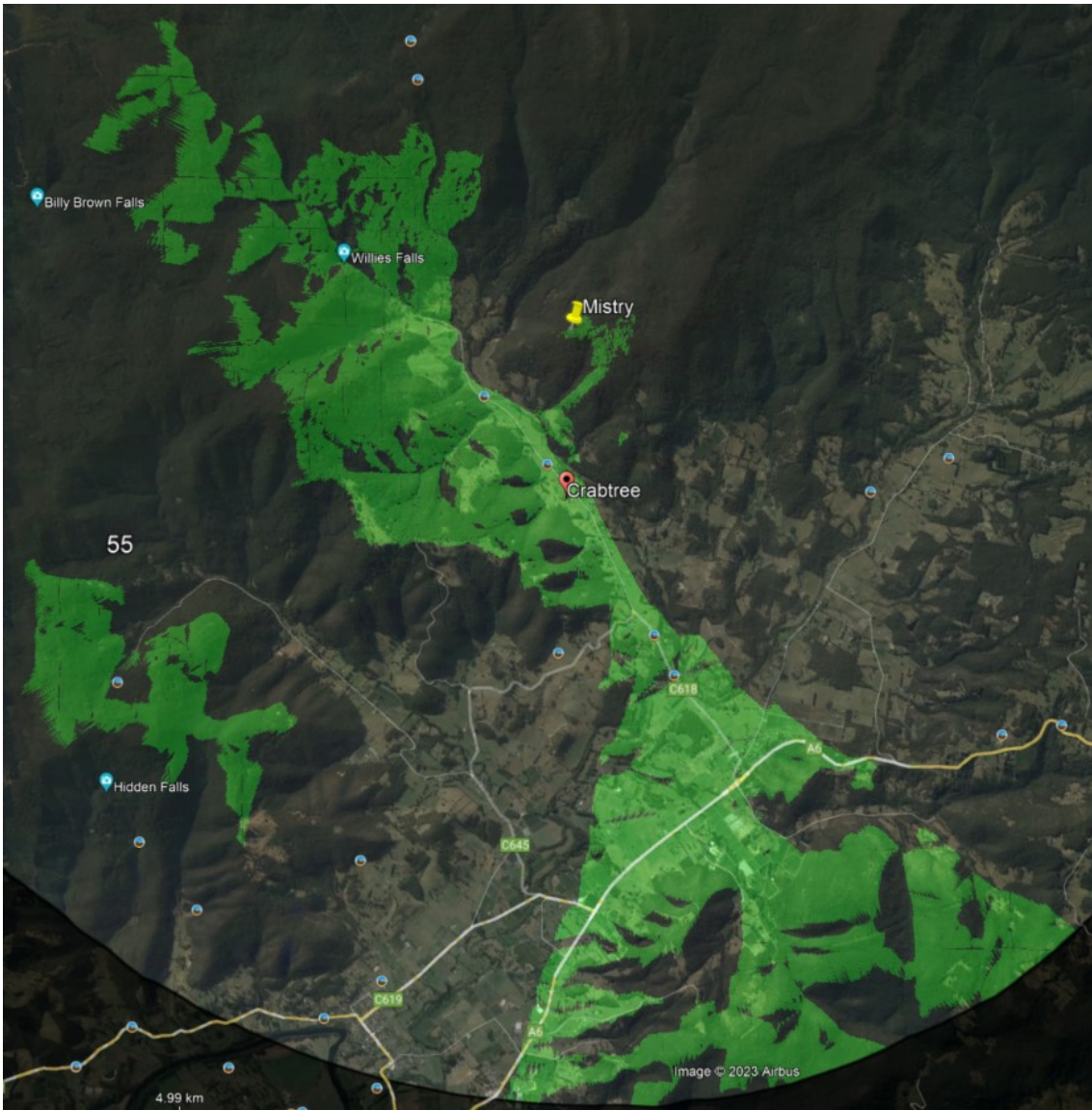
** boundary lines are rough estimates only*

Visual landscape values relate to the visibility of potential harvesting from public and sensitive viewpoints. The property is elevated in the landscape and a Google Earth model indicates that a highpoint on the SE spurline would be visible from further down the valley including the Huon Highway around Grove.

The distant (>7km) background visibility from Grove and the situation below skyline will reduce the apparent nature of any clearfell harvest and make any selective or patch harvest inevident.



Modelled view from Grove



Viewshed

Timber harvesting

Your harvest or clearing of trees around the flat or gently-sloped fringes of the lower habitation clearing within your property, would likely be compliant with Forest Practices Regulations exemption 4(a) if it:

- yields less than 100 tonnes per annum,
- stays >10 metres away from wet areas or streams, and
- does not remove canopy-dominant Blue Gum trees.

Harvesting on the higher flat area would likely need some additional Forest Practices advice to manage any potential risks from an access route up the steep bank or across watercourses.

You could continue your small-scale harvest of trees for firewood, or seek some assistance from a contractor familiar with harvest in these types of forests. There are plenty around, and you could start with referrals from your local quarry operator (Craig Wickham on Liddells Rd) or your nearest sawmill (Andrew Watson on Glen Huon Rd, 0408 748 254). I would encourage you to source some mentoring on falling techniques before tackling larger trees or falling within a stand (rather than edge-outward falling).

All the best with your trees.

Kind regards,



Amy Robertson 16/10/2023

Independent forester

[BEnvSci, DipNRM, GAICD, MFA, FPO \(Planning\)](#)

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UN Intergovernmental Panel on Climate Change (IPCC): "a sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks while producing timber, fibre, or energy, generates the largest sustained benefit to mitigate climate change."



GIS data submitted by the landowner showing split zone boundary options for 136 Rocky Creek Road, Crabtree (folio of the Register 168351/2)