

**nick**

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**From:** "nick" <nlegge@bigpond.net.au>  
**Date:** Monday, 4 May 2020 9:21 AM  
**Subject:** Fw: Regarding your recent correspondence

**From:** [Rubicon Forest Protection Group](#)  
**Sent:** Monday, February 10, 2020 9:19 PM  
**To:** [Roger Chao \(DELWP\)](#)  
**Cc:** [Hamish Webb](#)  
**Subject:** Re: Regarding your recent correspondence

Dear Mr Chao

We are glad that the zoning error regarding Snobs Creek may yet be rectified but astonished that DELWP does not plan to rectify the error regarding Chitty Chitty Bang Bang. Like the rest of the forested escarpments seen from the Maroondah and Goulburn Valley Hwys which are protected in SPZs it is not possible to log any part of Chitty Chitty Bang Bang without compromising the scenic vista that Government policy requires be protected. The current zoning as SMZ is therefore in error since it presumes some logging can occur. Worse still, logging any part of this coupe will also wreck the view from the summit of The Cathedral and most of the Cathedral Range Ridge □ □ □ a very highly visited area. DELWP □ □ □ s decision is plainly wrong and we will be taking this matter further.

In several earlier emails to DELWP we also asked about the location of the sooty owl management areas in the Central FMA, and whether action is being or has been taken to review their status in the light of the 2009 Murrindindi and Kilmore East fires. Your email below does not address these questions. This matter now has added importance in the light of the East Gippsland and North East Victorian fires and the vital need to ensure that the remaining good quality habitat is protected throughout its range.

Given the time since we first inquired, we look forward to a response to these questions as soon as possible, especially as VicForests continues to log the least vestiges of intact unburnt forest on the Blue Range which is prime sooty owl habitat.

We would also appreciate advice on the status of the upcoming review of the Code of Practice for Timber Production,.

kind regards

Nick Legge  
Rubicon Forest Protection Group  
0403 035 224



**From:** [Roger Chao \(DELWP\)](#)

**Sent:** Monday, February 10, 2020 9:39 AM  
**To:** [info@rubiconforest.org](mailto:info@rubiconforest.org)  
**Subject:** Regarding your recent correspondence

Dear Mr Legge,

Thank you for your correspondence regarding a number of regulatory matters. I apologise for the delay in getting back to you.

Whilst your correspondence included several emails to the Department, I have provided a response to all your enquiries in this one email for ease of reference.

Regarding the historical forest management zoning along Snobs Creek, Strategic Policy & Coordination Unit has assessed the information included in your email, as well as the current zoning status of Snobs Creek and relevant regulatory guidance. It has been determined that a zoning amendment may be required for Snobs Creek. Strategic Policy and Coordination Unit is currently engaged with Regional DELWP counterparts in investigating and formulating this possible amendment. VicForests have been notified of this to ensure that their planning for any coupes to be harvested takes into account any future zoning amendment.

On the issue of the zoning of the Chitty Chitty Bang Bang (285-502-0001) coupe, the Forest Regulation Unit has assessed the information in your email, consulting the Land Conservation Council Melbourne Area 2 report (1994), the Code of Practice for Timber Production (2014), the forest management zoning scheme in addition to colleagues in the Office of the Conservation Regulator. We have determined that the coupe does not require a zoning amendment. The current Special Management Zone designation allows for both the conservation and protection of specific features while catering for sustainable timber production and other utilisation activities. We believe this adequately meets the purpose of the recommendation of the LCC 1994 report, that the landscape values of the forested escarpments (as viewed from the Maroondah Highway) be protected through the implementation of management prescriptions.

Concerning the extent of regrowth retention harvesting within the range of the Leadbeaters Possum, the proportion of regrowth retention harvesting is reported in the Leadbeater □ □ □ s Possum Advisory Group (LPAG) progress reports. It is important to note that there are specific conditions in determining the extent of regrowth retention harvesting. Specifically □ □ □ the areas to be considered are those that are ash-dominant, and within the range of the Leadbeaters Possum - which includes the area covered by the Leadbeaters Possum Land Management Units. Additionally, it is important to note that the extent of regrowth retention harvesting is not reported annually, as regrowth retention harvesting can only be determined to have been achieved once the coupe is harvested (which can some time take place over a number of years) and regenerated (which can also take additional time). Considering the above, the reported average area harvested using regrowth retention harvesting over the 2014/15 □ □ □ 2015/16 period was 54% of the total area harvested in the range of the Leadbeaters Possum; since this time, the rolling average area harvested using regrowth retention harvesting has been above 50%. The next LBPAG evaluation report is being finalised and will include the extent of regrowth retention harvesting over the 2017 □ □ □ 2019 period.

Thank you for your continued interest in forest regulation.

Kind regards,

Roger Chao | Director | Policy Branch  
Forest, Fire and Regions | Department of Environment, Land, Water and Planning

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## Department of Environment, Land, Water and Planning

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Nick Legge  
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Email: [info@rubiconforest.org](mailto:info@rubiconforest.org)

Forest Report:  
2019-0053

SENT BY EMAIL ONLY TO: [INFO@RUBICONFOREST.ORG](mailto:INFO@RUBICONFOREST.ORG)

Dear Mr. Legge,

### ASSESSMENT OF FOREST REPORT 2019-0053 REGARDING COUPE 285-502-0001 (CHITTY CHITTY BANG BANG)

Thank you for your Forest Report received by the Timber Harvesting Compliance Unit (THCU) of the Department of Environment, Land, Water and Planning (DELWP) on 20 August 2019 in relation to Coupe 285-502-0001 (**Chitty Chitty Bang Bang**). The Forest Report reference number is **2019-0053**.

Your report has been assessed and it has been determined that the reported activity is not a breach of the Code of Practice for Timber Production 2014 (the Code) for the following reason(s):

- Code prescription 2.1.1.1 vi) states that (*applicable to Long term forest management planning must*) minimise adverse visual impact in landscape sensitive areas. The inclusion of a coupe on the Timber Release Plan that occurs within a landscape sensitive area (**Chitty Chitty Bang Bang** in this instance) does not equate to a breach of the Code.
- Section 5.3.1 of the Management Standards and Procedures for timber harvesting operations in Victoria's State forests 2014 (the MSP) outlines to VicForests the requirements for managing landscape values across the Central Highlands FMAs. Table 9 of the Planning Standards for timber harvesting operations in Victoria's State forests 2014 (Appendix 5 to the Management Standards and Procedures), outlines that prominent views of Black Range and Blue Range from the Maroondah and Goulburn Valley Highways are to be maintained, and VicForests must develop and comply (or comply with an existing) plan which outlines how timber harvesting operations will consider this value and be conducted in a manner consistent with the SMZ designation to satisfy the requirements of the MSP.

**Chitty Chitty Bang Bang** is located wholly within the area defined by Special Management Zone 285/02, which was established to manage visual amenity, from viewpoints of the Maroondah and Goulburn Valley Highways. No evidence has been provided to THCU that identifies any planning or timber harvesting operations which are in contravention of the relevant MSP prescription, therefore this allegation does not constitute a breach of the Code.

More generally, the designation as SMZ forest in this circumstance still allows for timber harvesting upon the condition that the prominent views are maintained. Prescriptions for managing such values are drawn from MSP 5.3, which outlines the steps which must be followed regarding the management of landscape values. This management action is common for SMZ forest, a forest zoning class which by definition is to be managed to conserve/protect specific features while catering

for sustainable timber production and other utilisation activities. This is different to the intent and purpose of Special Protection Zone (SPZ) forest, which are managed for conservation objectives and timber harvesting is to be excluded.

If you have any questions or would like to discuss this matter further, please contact the Timber Harvesting Compliance Unit at [forest.reports@delwp.vic.gov.au](mailto:forest.reports@delwp.vic.gov.au).

Yours sincerely,



**STEPH ANDREATA**

Manager Timber Harvesting Compliance Unit

Date: 23/08/2019