

## **PROOF OF EVIDENCE**

On behalf of: Meander Valley Council.

PO Box 102 Westbury 7303

To be submitted to: Forest Practices Tribunal

GPO Box 2036 Hobart 7001

### **Private Timber Reserve POR 1698 Appeal**

Meander Valley Council v. Forest Practices Authority and EE & IC Porter

J & M Hawkes v. Forest Practices Authority and EE & IC Porter

N Hoffmann v. Forest Practices Authority and EE & IC Porter

PA Elkin v. Forest Practices Authority and EE & IC Porter

J Leis v. Forest Practices Authority and EE & IC Porter

J King v. Forest Practices Authority and EE & IC Porter

**1 January 2006**

Prepared by: Tara Berry

101 Wadleys Road

Reedy Marsh 7304 Tasmania

I wish provide evidence for the submission to the Forest Practices Tribunal that the granting of the Private Timber Application by EE and IC Porter (PTR 1698A & 1698B) would not be in the public interest.

Our family moved into this area three and a half years ago from Adelaide, South Australia. My partner and I both left professional careers in the Social Welfare Sector with a view to raising our young children in a peaceful, rural, bush setting in Tasmania. Our family is made up of two adults and four children aged 3, 5, 7, and 10 years old. We previously lived on a suburban block of land, though in my childhood I have fond memories of "living on the land" when my own parents chose to buy a hobby farm in the Adelaide Hills.

When we purchased our property at 101 Wadleys Road, Reedy Marsh we had no understanding of the ramifications of living adjacent to a Private Timber Reserve. in fact we did not know that it was a PTR behind us and would not have known what this was anyway.% Had I known then what I now know about living next to a plantation I would never have purchased this property. The promise of living in this peaceful bush setting has been soured by our experiences of the practices of the forestry industry in three separate incidents, involving three separate neighbouring properties.

On the 10/ 07/03 I was notified in writing, a letter dated 8th of July of a neighbour's intention to spray "Round Up" to the north west of our boundary and was invited to request notification of the actual day of spraying. I received this letter on the 10th of July, telephoned to request such notification on the 11th of July as was informed that spraying had in fact taken place the previous day. (see attachment 1)

A subsequent and separate incident dates from the week proceeding Thursday 12/02/04, when we received a unannounced visit from a contractor employed by Gunns Limited to inform us that the plantation approximately fifty metres directly behind our house, was to be sprayed for a "bug infestation". This Private Timber Reserve runs along our south western boundary and we have never met the owners of this property. I was informed spraying would commence after "9:00am, sometime around 10:00am."

On the 12/2/04, in an effort to protect the safety of my family, I removed my washing from the line, disconnected rainwater tanks, closed up the house and had my four young children in the car at 8:15am when we heard a helicopter approaching. We left immediately and

remained away from the house until 4:00pm, when we returned for the remainder of the evening.

The following morning however, Friday 13/02/04, we heard a helicopter approaching again. At 8:15am I telephoned Gunns Limited Office in Hobart. I provided my location and requested to know if aerial spraying was happening this day, for if so I would plan to vacate my home immediately. At 8:30am Nick Mainwarring returned my call from Gunns Limited Tamar Office and asked if the helicopter was "less than 500m away?". I let him know that this was easily the case and he said a representative would call at my home in the next few minutes to assess the situation.

At 8:45am I called Mr. Mainwarring to inform him that a helicopter had just flown straight over the house and sprayed directly behind, us over the plantation, about 50m from our back door. I, and my children, were upset at this point and Mr. Mainwarring said he would call off the pilot until we could leave the premises for the day. Two representatives did arrive on my doorstep shortly thereafter. They admitted that we ought to have been informed of the apparent rescheduling and it would seem that (in their words) "we had fallen through the crack". They assured me that the helicopter would not have sprayed less than 100m from the house, though it looked to me that they sprayed much closer than that. Then they put out testing papers around the house.

They offered to provide written confirmation of "G. Sat. Data" to verify this and I requested such. On the 22/04/04 I received a letter from Christopher Barnes from Gunns Limited. (see attachment 3 ) In this letter he claims that water sensitive papers were placed around my property prior to spraying which was a lie, as spraying had already been underway for 15minutes when I initiated their response. He also claims that they abided by the terms of the Aerial Spraying and the Forest Practices Code (2000) If indeed, that were so I felt entirely unprotected by such a code. At that time I felt completely mistrustful of anything that Gunns Limited might claim or promise. I concluded that it was hopeless to push for further action.

These events caused much distress to our family as detailed in the attached letter. (attachment 2) Our experiences have left me convinced that the Forestry industry is unable to manage itself within its legal requirements and secondly that these minimum requirements

provide little safety for communities who live alongside them. Private Timber Reserves and residential communities do not mix.

I recently had a friend visit with her new baby and we could hear the approach of helicopters and both her, myself and my own children anxiously looked up and wondered where the spraying was happening and would we be safe. I do not like to live this way. I believe that the approval of the Porter's application would increase this negative experience both for myself and the other residents of Reedy Marsh.

In a third series of events we have suffered yet another neighbour's forestry operation in the last twelve months when the property across the road from our eastern boundary conducted "forest harvesting". The noise and disruption that ensued had a great negative impact upon each of us. In regard to that application to strip the natural bush, we were not aware that we could have objected and felt uncomfortable about criticizing, in the first instance our neighbour's decision. Given our subsequent experiences I regret that we did not find away to prevent the noisy destruction of that native habitat. What remains, many months later, is a major eyesore in the approach to our home, one that I am convinced has lowered our own property value. Visitors to our home, especially those new to the sight of forestry practices, inquire "what happened at the bottom of your driveway?" I am convinced that the Porter's plan would also decrease the property values in Reedy Marsh and the scale of the proposal would permanently change our place in the real estate market from 'rural residential' to houses locked into a 'forestry industrial zone'.

We arrived keen to make a positive contribution to the Reedy Marsh community. We were surprised to hear stories from local residents about a meeting ground that was once used by the local children for a kick of soccer which was now under plantation and likewise a cricket ground. We have tried to connect with our neighbours and have been shocked at the depth of feeling between those who support forestry and those who hold concerns for the practices of this industry. I believe that the Porter's Private Timber Reserve would further divide our community.

One of the attractions of living in Reedy Marsh was its proximity to Deloraine which means that we can manage with one vehicle and rely on cycling into town for business and recreation. I am very frightened for the safety our children and ourselves should we have to

share, what are already treacherous bends on River Road, with log trucks and other vehicles necessary to the operations of forestry, let alone our vehicle safety.

We home educate our children and regularly hold meetings in our home for the purpose of bringing together other home schooled families in the wider area. They come here to share in our enjoyment of the natural bush surroundings and wildlife. Our family delights in wombat, echidna, wallaby, even bettong and spotted quoll sightings. Together we participate in bush walks and nature studies. Many of the other home educators signed the initial petition to council regarding the Porter first PTR application no.1597. Although not actually residents, they too have a legitimate claim on preserving the quality of life we have remaining here.

My partner and I grew up in the Adelaide hills and have watched the degradation of that environment, where once we could swim in the creeks by our homes, now that would be dangerous, given the pollution of the water ways. When we first came here I allowed my children to explore their environment without fear of exposure to chemicals and poisons. I do not do that now. We do not permit them to walk through the neighbouring plantation even though it would give access to the local creek. I have been saddened by the apathy for the local environment we have experienced here. I believe that the voice of civil society should be at least as much heard and valued as the voice of business and government. I add my voice to the others who challenge this application.

I strongly wish that our children may grow up free to swim in the creeks and free to appreciate the abundance of natural beauty in the knowledge that the animal and plant life are safe from poisons and that their habitat may be preserved. The Porter's application is a direct contradiction to our hope for the future. I swear this statement is a true and accurate representation of my and my family's experiences.

Tara Berry B.A. B.Soc.Admin.

**Attachment 3.**

17 March 2004

Ms T. Berry  
101 Wadleys Road  
REEDY MARSH TAS 7304

Dear Tara,

I am in receipt of your letter dated the 22<sup>nd</sup> March 2004 to Chris Mitchell and in response to your request I have enclosed a copy of the GPS data associated with the spraying event. For your reference I have also enclosed a copy of the Code of Practice for Aerial Spraying.

The yellow (and green) areas on the enclosed map represent eucalypt plantation while the black lines represent where the helicopter has actually sprayed. The distance between spray application and our property boundary is at the nearest point approximately 70 metres, while the distance between spray application and your premises at the nearest point is approximately 125 metres.

I note your concerns that the helicopter was spraying very close to your house. It is important to realise that this map highlights sprayed areas and not flown areas.

Weather condition were monitored throughout the spraying operation and deemed to be ideal (westerly at 2.4 km/hr). Prior to the spray operation Gunns field staff deployed water sensitive cards around your property and these cards did not detect any chemical.

Under the Code of Practice for Aerial Spraying and the Forest Practices Code (2000) it is a requirement to advise occupiers of properties within 100m of the intended spray area. Although we have clearly abided by these terms I appreciate your concerns with respect to our notification process. In response to this I have initiated a review of our Policy and Procedures Manual to ensure a process exists to advise neighbours when a spray event has been postponed and for neighbour re-notification.

*A joint venture between:*

*Associated Forest Holdings Pty Ltd (ABN 48 004 352 078)  
Tas Forest Holdings Pty Ltd (ABN 79 071 356 244)  
Managed by: Wesley Vale Engineering Pty Ltd (ABN 61 006 955 568)*

Registered Head Office: PO Box 572 Launceston Tasmania 7250 • 58 Cimitiere Street Launceston Tasmania Australia 7250  
Telephone: 03 6335 5201 Int: +613 6335 5201 • Fax: 03 6334 7909 Int: +613 6334 7909

If you would like to discuss this matter further please feel free to give me a call on either 0419 427217 or 63945555.

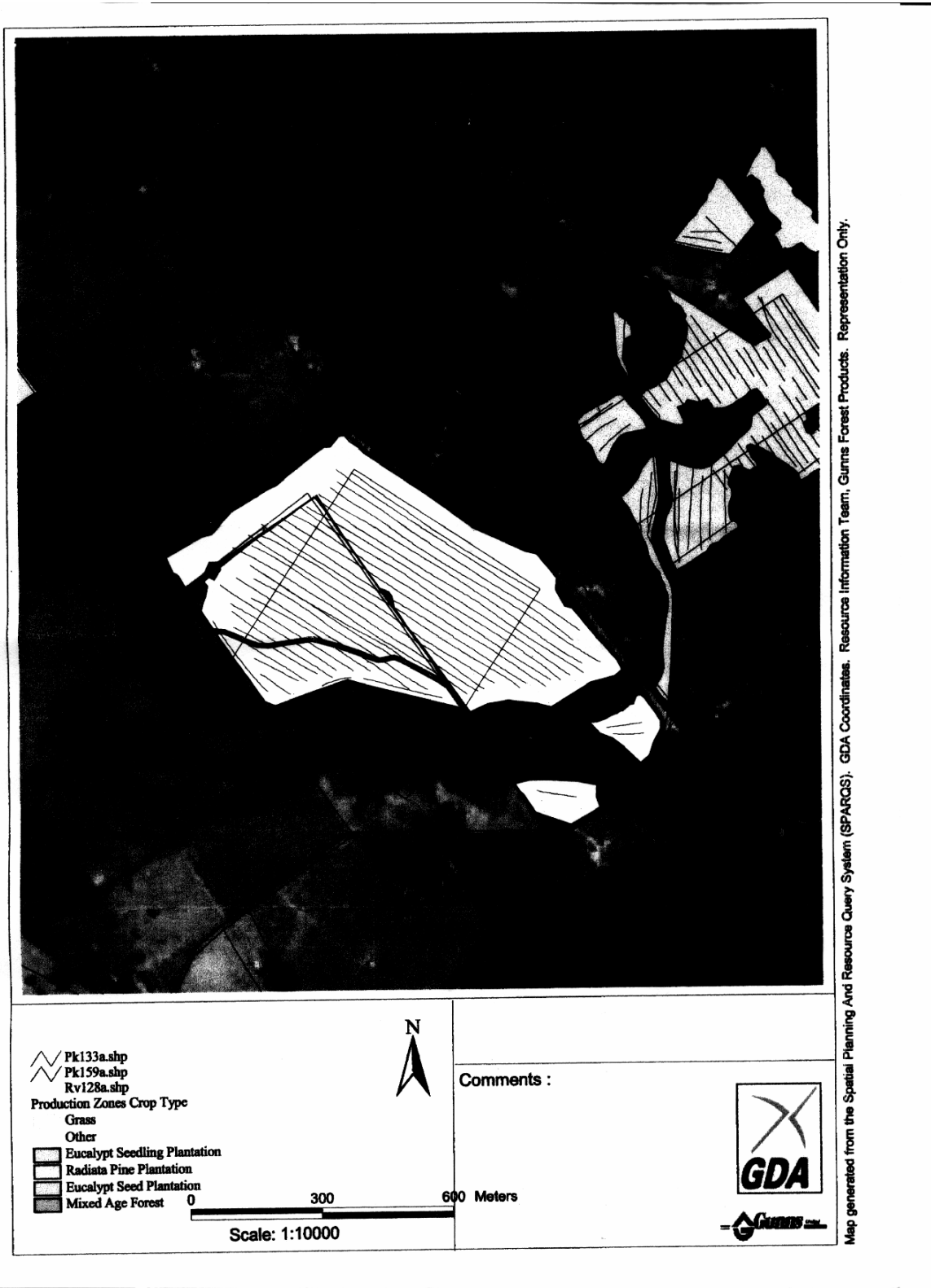
Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Barnes'.

Christopher Barnes





Manager - North East Plantations

cc: Chris Mitchell (FPB), David Parsley (DPIWE)



Pk133a.shp  
Pk159a.shp  
Rv128a.shp

Production Zones Crop Type

- Grass
- Other
-  Eucalypt Seedling Plantation
-  Radiata Pine Plantation
-  Eucalypt Seed Plantation
-  Mixed Age Forest



Comments :

0 300 600 Meters

Scale: 1:10000



Map generated from the Spatial Planning And Resource Query System (SPARQS), GDA Coordinates, Resources Information Team, Gurrns Forest Products. Representation Only.