

Submission and survey responses: Regional Forest Agreements, Victoria 2019

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COMMENTS on the Independent Consultation Paper by Dr William Jackson, May 2019, *Modernisation of the Victorian Regional Forest Agreements (Jackson 2019)*

INTRODUCTION

My interest in forest management began while I was studying architecture. During that time, protests at Terania Creek prompted NSW premier Neville Wran to end rainforest logging in NSW. Consequently, many Australian rainforest timbers listed in standard reference texts became unavailable, although a few were specifically sourced for the new Parliament House in Canberra.

My family also has a background in the timber industry.

To help raise awareness of sustainability issues among architects and other consumers, I contributed to the *Good Wood Guide*: Victorian editions 1994 & 1996, and NSW edition 1994¹. Since then I have written periodically in an advisory role, answering queries arising from the on-line *Good Wood Guide* (NSW). Further research has given me a broader understanding of the failure of land management in Australia to maintain our native forest resource.

What changes have you seen in the RFA regions?

Changes since the signing of Victorian Regional Forest Agreements:

East Gippsland, 3 February 1997

Central Highlands, 27 March 1998

North East Victoria, 23 August 1999

West Victoria, 31 March 2000

Gippsland, 31 March 2000.

Since the introduction of the RFAs, changes include:

Over-cutting to the point that the Western Victorian RFA ground to a halt.

Recycled paper products have become harder to find. Apart from toilet paper, other items, such as diaries, calendars and exercise books were available 100% recycled, now they are rarely more than 60%. After the OREN "don't wipe your bum on the Otways" campaign (1996-1998)², one would have expected the market to respond to consumer demand for recycled paper products. Instead, unsustainable levels of pulpwood were written into the RFAs, as "residual" to the modelled sustained yield of sawlogs. Was this a response to quotas set by the Forests (Wood Pulp Agreement) Act 1996 to supply Amcor / APM, now Australian Paper, owned by Nippon Paper Industries, Japan? Perhaps it was after Amcor was bought by Nippon that recycled paper products became less common, but any talk back then of ceasing the supply of pulplogs from native forest seems to have come to nothing. Under the Wood Pulp Agreement the State is currently committed to supply 350,000 cu.m./year until 2030, 70 times the amount made available to APM Ltd in 1937-38 (5000 cu.m. under the Wood Pulp Agreement Act 1936), before the 1939 fires³.

Regulatory responses to Leadbeater's Possum detections have been blamed for a drop in forecast sustainable wood production levels, but unsustainable logging has reduced future timber supplies across the state, not just in regions where the Leadbeater's Possum occurs, and incremental growth of the next cohort of trees is typically over-estimated, seldom reaching projected targets.

In 1999 neither the Leadbeater's Possum nor the Greater Glider were listed as threatened species. The Leadbeater's Possum (presumed extinct due to its scarcity and clearing in the late 1800s of its known habitat, until rediscovered at Cambarville on 3 April 1961)⁴ was listed as "endangered" on 11 July 2000. It was transferred to the "critically endangered" category on 2 May 2015. The Greater Glider was listed as "vulnerable" on 25 May 2016.

¹ "Selecting & specifying timber, making an environmentally sound choice", Good Wood Advisory Centre, Melbourne and Rainforest Information Centre, Lismore NSW, now on-line at www.rainforestinfo.org.au/good_wood/contents.htm

² www.oren.org.au/campaign/kleenex.html

³ Victorian Environmental Assessment Council (VEAC) 2017, Fibre and Wood Supply Assessment Report

⁴ *Gymnobelideus leadbeateri* (Leadbeater's possum) Conservation Advice, effective 2/5/2015, and www.zoo.org.au/news/sanctuary-celebrates-leadbeaters-possum-rediscovery-day

Logging prescriptions that create zones to protect Leadbeater's Possum habitat are one positive change since the onset of the RFAs. However, a number of listed threatened species occur in the region, and the only other species in the Central Highlands to call up a Criterion for VicForests to do surveys if sighted is the koala. In East Gippsland, 13 other listed threatened species require a survey if found in a scheduled logging coupe ⁵.

This imbalance in survey requirements is a regulatory failure that needs to be addressed.

An outcome of available timber volumes being reduced, by past privatisation and over-exploitation, is that conservation values of public native forest areas that remain have been enhanced as a result. This diminished availability increases the likelihood of old-growth and other high conservation value (HCV) forest being targeted for logging, which is unacceptable, given the current extinction crisis. Fire is another factor, but modelling does not allow for this, until after the fact.

What should the Victorian RFAs aim to achieve over the next 20 years?

A transition out of native forests is the only Modernisation strategy for the Victorian Regional Forest Agreements that should be contemplated.

During transition, a number of improvements are needed, to avoid further destruction of high conservation values.

Current scheduled coupes in VicForests Timber Release Plan (TRP) need to be surveyed on the ground for the presence of threatened species prior to contracts being signed.

Previously only very few coupes have been adequately assessed before logging, and some coupes are the subject of legal action for this reason. Species currently targeted in surveys by DELWP and VicForests are limited to those covered by Prescriptions in the Code.

Failure to adequately review and update the RFAs every 5 years has left listed threatened species and plant communities at risk. Old-growth and the Leadbeater's Possum have had a response, but there has otherwise been a failure of reviews to bring about more stringent protections on a regional basis.

The flawed RFA legislation means the necessary protections for some species have slipped out of reach of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

This is unacceptable, as the past 20 years have shown, threatened species are suffering embarrassing losses. The review process should assess the most up-to-date scientific research on the ecological state of the forests, and no further logging should be allowed where known habitat occurs for rare or threatened species. Special attention should be paid to recently listed species or communities.

The Forest Protection Survey Program, on its website, advises:

"The aim of the program is to survey at least 80% of coupes planned for harvest each year. VicForests is also required to undertake its own assessment of biodiversity values on coupes prior to harvesting." ⁶

However, even if it were to achieve its goal of 80%, which it has not, the program is limited in its effectiveness, because: *"VicForests is accountable for determining management actions and applying operations prescriptions to protect values on coupes planned for harvest."*

VicForests have shown themselves not to be accountable. There is a culture of denial when the forestry industry is confronted with their breaches of conservation prescriptions, leading to legal challenges.

The Government should not allow the careless destruction of high conservation values to continue.

Protection should be increased for Rainforest and Cool Temperate Mixed Forest types and more stringent controls put on **Human activity which results in artificially elevated or epidemic levels of Myrtle Wilt within Nothofagus-dominated Cool Temperate Rainforest** ⁷. *The Rainforests and Myrtle Wilt Action Statement* (2009) pre-dates the listing by the Flora and Fauna Guarantee Act 1988 (FFG) of Cool Temperate Mixed Forest (October 2012), so consideration must be given to Myrtle Wilt as a threatening process across a wider range of landscapes than previously assessed. This is essential for habitat protection and restoration. The Mixed Forest is regarded as a seral or successional stage in development of Cool Temperate Rainforest.

⁵ VicForests 24 June 2016, Pre-Harvest Biodiversity Survey Instruction

⁶ www.forestsandreserves.vic.gov.au/forest-management/forest-protection-survey-program

⁷ Department of Sustainability and Environment (DSE) 2009, Rainforests and Myrtle Wilt, Flora and Fauna Guarantee Act, Action Statement No. 238

Mountain Ash (*Eucalyptus regnans*), Shining Gum (*E. nitens*), Myrtle Beech (*Nothofagus cunninghamii*), Blackwood (*Acacia melanoxylon*) and Silver Wattle (*A. dealbata*) are Mixed Forest species that may be present in adjacent Wet Sclerophyll forest, so the logging of such areas for eucalypt species requires further precautions for cleaning vehicles and machinery, which have the potential to spread Myrtle Wilt.

Fire should not be used as a management tool in any Modernised RFA. Logging of large areas followed by burning is a most destructive method of getting logs, impacting on all forest values other than log production, and should not be allowed to continue. Clearfell logging is cited as the safest system for forest workers in tall Ash forests. But there is no safety benefit in burning.

What are the potential improvements you think should be made?

Australia is facing a Faunal extinction crisis, so maintaining areas of intact native forest for nesting and browsing habitat should be of high priority.

Added to this, the whole planet is facing a climate emergency. Majestically large trees are best conserved for their benefits as a carbon sink. Carbon storage in forests, biodiversity, water catchments and climate moderation should be given high priority.

Pulplog supply contracts should not drive logging quotas.

High Conservation Value forests should not be logged. Their best value is for conservation, *obviously*.

Re-generation burns should be stopped.

The reserve system should be expanded, for example the Great Forest National Park, outcomes for which were assured by the Andrews Labor Government before the 2014 election. Why is it taking so long? The industry is going for all it can get while there is still access to forest areas that should not be logged.

High Conservation Values surviving after the 2009 fires need protection, if not with a national park, then as regional parks, and involving a dialogue with indigenous communities about how best to manage these areas for future generations.

Wildlife corridors should be an integral part of future management, and maintained for biodiversity, weed and predator control, and provision of browsing and arboreal movement habitat, with the same care as the maintenance of road reserves.

An inventory-based approach to reforestation and plantations in strategic locations on former forested land should be adopted as a long term strategy for future timber supply.

Rainforest species, depleted by former forest management, should be given priority for forest restoration in sensitive areas where they were part of the landscape in the past.

How could the potential improvements in the consultation paper help modernise the Victorian RFAs?

Biodiversity: On p.43 (Jackson 2019) under the heading: **Audits by the Victorian Auditor General's Office**, we are informed: "*DELWP has improved its approaches ... including:*

- "*building its seed store*", but this is to very narrow goals, targeted to commercial species, and does not seem to extend sufficiently to rare and threatened species.

- "*using biodiversity research to underpin its management actions*", however, the goal of surveying 80% of coupes prior to logging has not been achieved, and

- "*introducing a risk-based approach to managing environmental compliance*", but it would be better to **avoid risk altogether by not logging in High Conservation Value forest.**

This is what they are purported to have achieved, but the department: "*has more to do, including:*

- a "*goal for State forest management, in collaboration with stakeholders*",

- "*reviewing the forest management zoning .. where harvesting can occur*",

- "*managing threatened species*"

- "*ensuring there is adequate seed supply for forest regeneration*". sadly, this refers to commercial species only.

Conservation organisations have been involved as stakeholders, but this has not halted the decline in threatened species populations. And yet Mr Jackson gives a report of "*Satisfactory*" (ie. as expected,

with opportunities for improvement) qualified with: *"Further improvements to the transparent reporting on the outcomes of, and responses to, forest audits may help build public awareness and confidence in forest management planning and enforcement of the regulatory framework"*.

This is not really satisfactory, given the rate of decline in threatened species populations. Continued logging in High Conservation Value forest will not help build public awareness and confidence.

Matters of National Environmental Significance: on p.46 under **"Conserve forest biodiversity and maintain ecosystem health"**, despite efforts by the RFA to expand the CAR reserve system and *"focus on threatened species"*, *"biodiversity continues to be lost from Victoria and further effort is needed to halt and reverse the decline"*. In other words, *"Matters of National Environmental Significance under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)"*, etc. have not been successfully protected.

Therefore, (p. 47) *"reforms to forest management planning" need improvement. For example:*

- *"Updating, and where possible simplifying, forest management plans"* - it would certainly be **simpler** if coupes containing threatened species or ecosystems were not put on the TRP in the first place. While the next few dot points serve to complicate the forest management planning system, it is clear that *"managing risks including" ... "assessments of likely future impacts"* should never have been left to forestry workers, as they inevitably weigh the consequences in favour of increased log extraction.

"Enhancing consultation, reporting and communicating to build awareness in the community" has previously failed to get results, so what has changed?

One very noticeable outcome is an inverse reaction: the growth of citizen science efforts by conservation volunteers, leading to a series of court cases putting the RFA legislation to the test.

Among the **"Actions to be considered in the RFA modernisation process"**, is found: *"Expand efforts to engage people in monitoring and citizen science in State forests, parks and reserves"*. The mention of this trend in the community is a callous suggestion that the government can shamelessly continue to shirk its own responsibility for doing surveys, It is a loss of social licence on the part of the logging industry that has brought conservation volunteers into the field to do surveys. The government has been capitalising on this, using data accumulated through this means to boost its environmental credentials, while undervaluing the hard work done by volunteers.

All the same it is an improvement to see citizen science encouraged rather than the taking of individuals to court for trespass, despite the fact the government failed in its duty to protect conservation values. This important work should be further encouraged with financial support.

Do you have any views on which potential improvements are most important?

The most important things are: to transition logging out of High Conservation Value forests, and: to stop taking pulplogs out of native forests for paper.

Determining High Risk for High Conservation Values is currently inadequate, as it depends on surveys which have not been done. The DELWP Forest Protection Survey Program no doubt means well, but better results seem to be achieved by citizen science.

A Desktop Assessment can lead to targeted surveys, but only coupes identified as High Risk in the model are actually surveyed on the ground. Not all coupes get this attention. Actual (or alleged) detections by community volunteers inform DELWP and are entered in the Victorian Biodiversity Atlas, leading to incorporation into the modelled Desktop Assessment, but a recent Detection Report only calls for a Coupe Transect. DELWP newsletters from February and April this year report (respectively): *"\$3.2 million to update mapping of old growth forests and rainforests, supported by a major new acquisition of Light Detection and Ranging (LiDAR) data in East Gippsland and areas of the Central Highlands not captured in 2015"*, and *"Commencement of one of Australia's largest ever acquisitions of Light Detection and Ranging (LiDAR) data to enable much more accurate mapping of forest values, including old growth forest and rainforest."*

While this technology is helpful, there are limitations when habitat is modelled from this data. There is no substitute for knowledge of the **actual presence of threatened species**. Habitat modelling for the Leadbeater's Possum can be based on the presence of suitably large potential habitat trees paired with an understorey of *Acacia* species, but cannot anticipate where in fact the possum will live and forage. There

may be competition for nesting hollows from more aggressive fauna, or the possum may browse a range of carbohydrate-rich plant and invertebrate food sources, and get sap from incisions in paperbarks and tea trees as well as wattles.

Any amount of habitat modelling in one part of the forest cannot make up for the loss of actual threatened species in another part of the forest, simply because their presence was not detected.

Skimping on survey work and leaving it to citizen science, when a logging is imminent, is irresponsible, and improvement is needed.

Where surveys have not been done, in potential High Conservation Value forest, no forest operations should be scheduled.

ECOLOGICALLY SUSTAINABLE FOREST MANAGEMENT

How do you use forests in your region?

I have been in the forest during a solar eclipse. I heard the good-night calls of numerous birds, as the darkness fell and there was only a glow on the horizon. When the light started coming back, I heard the morning bird-songs. I had not known in advance that it would be like this, I just wanted to be in the forest at that time.

I have walked through a forest area burnt by bushfire only weeks before, and been amazed to hear a frog calling from deep in a rock crevice.

More recently I have gone through the forest in the Rubicon River area, and come to a place that was blackened and ashen after a "regeneration burn". Unlike a natural fire, where the intensity builds up, and the damage depends on the time of day when the fire front passed through, in this instance everything was totally annihilated, rocks had been heat shattered and there was nothing left alive. The wildlife would not have had a chance. **This is what VicForests tries to pass off as Ecologically Sustainable Forest Management (ESFM). This is wrong.**

I have also gone into plantations of introduced pine, where there had previously been native forest.

I was shocked at how quiet it was, no birds singing.

Concurrent with the original RFA agreements, the March 1998 sale of pine plantations and native forest on public land to Hancock Victoria Plantations (HVP) from the former Victorian Plantations Corporation (VPC) allowed their operation of plantations on public land in perpetuity. The areas were reported: "VPC stated that the overall statewide landholding of the Corporation in 1998 was 167,921 hectares. The 1998 Corporation annual report however stated a net statewide plantation area of 106,976 hectares, meaning that almost 61,000 hectares of land vested in the VPC is not plantation."⁸

Native forest handed over to HVP included koala habitat, but has not been managed appropriately⁹.

Well before Regional Forest Agreements, pine plantations replaced native forest over large swathes of the landscape (eg. in Wombat State Forest). Introduced pines invade other landscapes. I have seen pine trees popping up as weeds on our property, on roadsides and elsewhere.

Exotic pine should have only ever been regarded as a short-term remedy to supply timber while plantations of suitable native species were established. Adopted as a stop-gap after over-exploitation of native timber trees by logging and farm clearing, the trend in Victoria was much the same as that documented in the lead-up to the (unsigned) South-east Queensland RFA: **in 1924 it was estimated: "At the then current rate of harvest of native hoop, bunya and kauri forests, the native softwood resource would be exhausted by 1938."**¹⁰ In Queensland the RFA was discarded and a different strategy taken, rather than further destroy native forests. The same kind of approach is needed now in Victoria.

Exotic species plantations are not an acceptable long-term solution for timber supply deficiencies.

⁸ hancockwatch.nfshost.com/docs/companyinfo.htm

⁹ Strzelecki koala deaths story at hancockwatch.nfshost.com/docs/koala2005.htm and certification compliance issues at fsc-watch.com/2009/02/23/fsc-hancock-and-smartwood-selling-out-the-gippsland-environment/

¹⁰ Queensland Department of Natural Resources 1998, SE2.5 Wood and Wood Products Industry Background and Situation Analysis Final Report, prepared for Steering Committee for Comprehensive Regional Assessment (CRA) of forests, South East Queensland CRA region, for Regional Forest Agreement (RFA), Queensland Government & Commonwealth of Australia - citing Carron 1985, , www.agriculture.gov.au/SiteCollectionDocuments/rfa/regions/qld-south-east/resources/qld_se_se25.pdf

There was no RFA for north-west Victoria, where most of our native Murray pine (*Callitris gracilis*) used to grow, because they were so heavily exploited historically, once the railways went in, that there is no longer a viable resource of these trees.

The sale of VPC to Hancock, a USA based company, led to a monopoly of pine timber supplies, with the result that sawmills claimed to be over-charged for logs:

'Job losses from Hancock, 21 June 2012, Source: ABC News; Carter Holt Harvey said that the Hancock Timber Resource Group is charging too much for its logs, making Australian timber uncompetitive on the world market. Hancock is the only supplier of wood to mills in Queensland and Victoria and is trying to acquire all of South Australia's plantations. Ian Tyson from Carter Holt Harvey told the ABC that Hancock's pricing structure would eventually send sawmillers broke. *"We're competing with imports, it's now an open free-traded market and yet the fibre, the logs that we buy, we buy from essentially monopolistic organisations who price our logs on an ever increasing cost basis while in the market we're continually reducing prices to be competitive,"* he said¹¹.

Examples like this back up the comment (Jackson 2019, p.7): "The RFAs have not provided long-term stability of supply for the timber industry. There have been considerable reductions in the area available for harvest from native forests."

The current state Government distanced itself from the privatisation of pine plantations when Carter Holt Harvey recently shut down another sawmill:

*"The plantations from which Carter Holt Harvey sources its wood were privatised and sold to Hancock Victorian Plantations (HVP) by the Kennett Government in 1998." and "In contrast to hardwood timber supply, the Government does not own any softwood plantations and is therefore unable to impact the market between softwood growers and timber processors."*¹²

However, a step in the right direction is noted by Jackson 2019 (p.32), where *"the Victorian Government allocated \$110 million in 2017 to establish a timber plantation in the Latrobe Valley, to support the long term sustainability of Victoria's timber harvesting industry"*, together with the *"Australian Government's Growing a better Australia - A billion trees for jobs and growth plan includes funding to: ... transform farm forestry ... "* and *"enable the identification, improvement and use of existing forest resources on Indigenous owned and managed land, and privately owned land"*, among other things.

But the sad truth is that eucalyptus plantations have not provided an adequate timber supply, because they are generally managed on short rotations, solely for paper pulp.

I have been on the Princes Highway and seen how many loaded log trucks are leaving Victoria, probably headed to the Eden woodchip export facility.

I cannot accept that the native forestry industry is ecologically sustainable.

In short, I try not to use forests in my region except for recreation, while I acknowledge they are very important for the quality of our air and water.

For paper, I prefer to use recycled paper products.

As for timber, particularly Victorian Ash, my advice is that the timber supply under the RFAs is compromised by the high output of logs going to paper pulp, and therefore unsustainable. There are few other choices, but my recommendation is to source timber where possible from small sawmills using logs from privately owned forests.

How could the RFAs better provide for multiple forest uses (i.e. recreation, conservation, livelihood and economy)?

Firstly, threatened species protections should be made enforceable, or else we will lose an important component of our multiple forest values.

To achieve a long term supply of timber into the future, a different economic model is needed. Higher valuation of future forest products would move us away from turning out pulp-logs for short-term gain.

¹¹ www.timberbiz.com.au/job-losses-from-hancock/

¹² Andrews Labor Government 16 May 2017 Media Release, Statement Regarding Carter Holt Harvey, www.premier.vic.gov.au/statement-regarding-carter-holt-harvey/

A realistic allocation of funds for native timber plantation establishment is needed, on land strategically located to provide habitat links. Such links should be wide enough to enable periodic removal of trees for timber, without compromising their ability to shelter arboreal mammals from predation.

Conservation is the most blatant area where the current Regional Forest Agreements have failed. Both the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and the State Flora and Fauna Guarantee Act 1988 (FFG) contain listed species for which the situation has worsened in the 20 years the RFAs have been in place.

Since there is no proven way that forestry operations such as log extraction and regeneration burning can be compatible with protection of threatened species, logging should unambiguously be kept out of High Conservation Value forests.

20 years ago, The Commonwealth and Queensland Governments completed a Comprehensive Regional Assessment for South East Queensland, but did not sign a Regional Forest Agreement. Instead, they determined to "*phase out old growth logging on public forest estate and in wilderness forests*" and to "*double the conservation estate in South East Queensland. The Queensland industry will be entirely plantation-based by 2025*"¹³. The Victorian government would do well to follow this example.

One of the stated objectives for the RFA process was to reduce uncertainty. By pulling out of High Conservation Value forests, and working towards improved forest restoration, through plantations and planned regrowth in bush corridor networks, improved certainty can be achieved.

The stopping and starting of forestry operations based on inadequate survey information can reduce the logged areas of coupes down to 15% of their scheduled area. This is the result of uncertainty, yet current prescriptions that protect habitat areas in this way are still inadequate in High Conservation Value forests.

Transitioning out of native forest is the best way for the industry to move forward. Logging in native forest should not be exempt from the EPBC Act. It is not an activity to be taken for granted.

What are your views on existing environmental protections afforded across the entire forest estate (including parks, reserves and State forests) through the RFAs?

The many listed threatened species are not in fact afforded existing environmental protections across the forest estate. The VicForests document *Pre-Harvest Biodiversity Survey Instruction* (24 June 2016) has a chart for **Target species** (Table 2). This shows Criterion 1, 2 and 3, being:

1. Coupes in East Gippsland, Tambo or North East FMAs with >1 ha. Modelled Old Growth Forest mapped within the Gross Coupe Boundary (MOG2009),
2. Coupes located within the Central Highlands (target: Leadbeater's Possum colonies) and
3. Coupes in known high density koala population area with confirmed presence of Koala forage tree species (listed).

The only species listed for the Central Highlands (Criterion 2) is Leadbeater's Possum, *Gymnobelideus leadbeateri*, and it is only expected to be found there, although historically its range extended to Mt Willis (North-east RFA region, north of Omeo in Gippsland region) and south to the Westernport region. The Koala, *Phascolarctos cinereus*, is the only species listed for Criterion 3.

Otherwise, the 13 species listed are only targeted for surveys if they appear mapped in Modelled Old Growth Forest with more than a hectare within the coupe boundary (an arbitrary measure) in the East Gippsland, Tambo or North East FMAs. These Criterion 1 fauna include native predatory species:

Masked Owl, *Tyto tenebricosa*

Powerful Owl, *Ninox strenua*

Sooty Owl, *Tyto novaehollandiae*

Spot-tailed Quoll, *Dasyurus maculates*

In other words, none of these threatened species are considered worthy of a targeted species survey unless they occur in strictly defined patches, and some threatened species rely on others for food.

¹³ Jan McDonald 1999, Regional Forest (DIS) Agreements: The RFA Process and Sustainable Forest Management - BondLRev 20; (1999) 11(2) Bond Law Review 295

Conservation is even more of a hit-and-miss process for threatened species other than the Leadbeater's Possum or Koala **outside East Gippsland.**

This is not acceptable in a strategy for protection of High Conservation Values, especially when the current prescription-based methodology has failed to protect species from known threats.

Predators rely on other native species for survival. When there is not enough food to support these species, it is an indication that **the whole system is on the verge of breaking down.**

These predator species and any further regional FFG or EPBC listed fauna species should be equally important in all regions to require protection from forestry activities where they are found. Species to be considered include the Giant Gippsland Earthworm, *Megascolides australis*, which has a known range overlapping the area most impacted by the Australian Paper (Nippon Paper) mill at Maryvale.

How could the environmental protections be improved?

Cease logging in High Conservation Value forest, ie where rare and threatened species, or listed threatened Ecological Vegetation Classes (EVCs) occur.

Put stringent controls in place to avoid Human activity which results in artificially elevated or epidemic levels of Myrtle Wilt within Nothofagus-dominated Cool Temperate Rainforest. This should include generous buffer areas around Myrtle Beech (*Nothofagus cunninghamii*) trees or regrowth, and the recognition of small or linear areas of **Cool Temperate Mixed Forest** for protection.

Improve weed control, and feral animal control.

Apply Clean Air policy as it is enforced for industrial burning elsewhere in the state. Burning forest debris is not ecologically essential for eucalypt regeneration.

Creating ashbeds with planned burns is currently done for economic reasons, but if the same level of compliance with Clean Air policy were applied as for other industrial scale burning, this practice could no longer be considered economically feasible.

The volumes of material burnt are such that using air curtain burners (ACBs) could cost 10 times as much, although it has been considered in Tasmania ¹⁴.

What opportunities could the RFAs provide to support access to and traditional use of forests by Traditional Owners and Aboriginal people?

Aboriginal people are likely to feel they do not have "sufficient capacity to participate effectively in western-based planning systems". This has been studied¹⁵. And with **no "influence or power, including any legal or administrative framework"**, a reluctance to participate is understandable.

In the absence of a treaty, or recognition of indigenous people as a sovereign nation, consultation can only be token.

However, in the creation or extension of reserves, it is appropriate to seek advice from indigenous communities about restoring landscapes with edible native plants, and conserving areas such as those proposed for the Great Forest National Park and the Emerald Link.

How could RFAs enable the legal rights of Traditional Owners to partner in land management and seek economic and cultural opportunities to be realised in future forest management?

Clearfell logging is not a traditional activity. Management of native forest for timber and pulp products needs to be stopped, and as much intact forest as possible protected.

Forest areas need to be reserved in order that traditional stakeholder groups can have custodianship restored for multiple forest uses in future indigenous land management.

¹⁴ Forest Practices Authority (R. Chuter) 2009, Air Curtain Burners, leaflet (www.fpa.tas.gov.au/__data/assets/pdf_file/0017/110276/Air_curtain_burner_leaflet.pdf)

¹⁵ Lloyd, DJ, van Nimwegen, P & Boyd, WE 2005, Aboriginal perceptions of a government consultation process: a case study of the Queensland Regional Forest Agreement process, eubs.scu.edu.au/esm_pubs/290/

THE LONG-TERM STABILITY OF FORESTS AND FOREST INDUSTRIES

How could the RFAs consider climate change and other large-scale natural disturbances (including bushfires)?

Mountain forests are some of the most important to protect against climate change. Plants at high altitudes around the world have survived the millennia when lower altitude species often do not.

In the Amcor agreement of 1996, "mountain forest" was defined as "any eucalypt forest in which the predominating species is *Eucalyptus regnans* or *Eucalyptus delegatensis* or both of them", and a minimum annual pulpwood supply of 300,000 cubic metres from such forests was promised until 2030.

But VicForests submitted to a Parliamentary Inquiry that:

- their estimated sustainable level of D+ ash sawlogs in the 2013 Resource Outlook was down to 220,000 cu.m./year.

- by late 2016 it decreased to 175,000cu.m./year, and that

- regulatory impacts were expected to further reduce expectations to a forecast sustainable level of 132,000cu.m./year of D+ ash sawlogs.

(figures from VicForests' Submission 30 May 2017, Parliamentary Inquiry into VicForests' Operations)

The government should be well aware of these figures, but there continues to be a frenzied effort to strip as much as possible out of the forest before it is made impossible by new regulations.

The "modernised" RFAs are being put forward as the new regulatory regime, but if it does not deal with the unsustainable practices we have seen so far, it will be of no help to address species extinctions and climate change.

How could the RFAs better address industry sustainability?

There has not been any logical explanation why residual logs should outnumber the "sustainable" sawlog supply by about 3 to 1 (from data in VicForests 2009, *Sustainability Report 09*), while estimated sustainable levels of D+ sawlogs have been plummeting.

Modelled sustainable levels of D+ sawlogs dropped from 497,000 cu.m. / year in 2008¹⁶ to 132,000 cu.m. / year after the 2009 fires¹⁷.

And yet, Jackson (2019) advises that: "In 2016-17 wood products produced from State forests included 544,700m³ of sawlogs". This figure exceeds the modelled sustainable amount of D+ sawlogs, set at 497,000 cu.m. / year in 2008 in the Department of Sustainability and Environment (DSE) and VicForests *Joint Sustainable Harvest Level Statement*.

In the VicForests Sustainability Report for 2014-15 (p.6), the modelled sustainable amount given is: "over 500,000m³ of sawlogs". Exact figures are more difficult to find, but going back to the 2013 Sustainability Report, the amount of sawlogs was "approximately 500,000 m³ of logs" to sawmills.

While the figures 497,000 cu.m. and 500,000 cu.m. are often used interchangeably, from the 2014-15 report it is clear that the modelled sustainable amount was exceeded, and now in 2016-17 it was exceeded again.

What is the point of the modelling, when the limit is to be so glibly exceeded?

A quota for a sustained yield of pulplogs has not been given, but amounts have increased substantially since 1937-38 when, 5000 cu.m. was made available to APM. More recent yearly figures are:

VicForests Sustainability Report 2013: "nearly 750,000 m³" of "residual" logs, and

VicForests Sustainability Report 2014-15: "over 750,000m³ of residual logs, and nearly 60,000m³ of firewood and other products" (ie. pulplogs comprised 57.25% of products).

After sawlogs Jackson (2019) gives further data for 2016-17 as: "757,300m³ of pulpwood ... and 14,000m³ of other products". Note that: "Other products include firewood, low quality sawlogs, posts and poles, fire salvage logs and specialty craft timbers".

Calculation from the vague ball-park figures for 2013 and 2014-15 indicates roughly 38.17% of forestry output going to sawlogs. The 2016-17 figures indicate a sawlog percentage of 41.39% (excluding low quality sawlogs), and pulplogs at 57.55%.

¹⁶ Department of Sustainability and Environment and VicForests May 2008, Joint Sustainable Harvest Level Statement (JoSHL)

¹⁷ VicForests' Submission 30 May 2017, Parliamentary Inquiry into VicForests' Operations

Data in VicForests 2009, *Sustainability Report 09* shows higher pulplog percentages:

Product (m ³)	2006-07	2007-08	2008-09
B grade VicForests]	133,347	126,462	121,146 [B grade is the highest quality product sold by VicForests]
C grade	209,180	222,986	219,796
D grade	49,758	56,587	62,388
E grade	114,169	138,859	142,579
Poles/Piles/Posts	55	27	-
Thinning small sawlog operations]	6,406	3,763	8,632 [Additional D+ sawlog recovered from thinning operations]
Sawlog Total	512,915	548,684	554,542
Pulplog	1,161,257	1,415,313	1,131,998
D+ sawlogs including small thinnings:			
	398,691	409,798	411,962
D+ sawlog %age totals	23.81%	20.87%	24.43%
	1,674,172	1,963,997	1,686,539
Pulplog percentage	69.36%	72.06%	67.12%

Giving sawmills priority over paper production would change the balance of logs that go to paper pulp and make recycled paper products a more viable alternative.

A long term supply of timber into the future is desirable, ideally achieved through a planting program for native species.

Introduced pine plantations were established with tax incentives on many farm properties, but they can be more volatile in a bushfire than eucalypts. Similar incentives could be used to assist the planting of native timber species. Victorian rainforests include many species that are suitable for timber, with the advantage that they discourage the progress of fire.

Success has been achieved with blackwood but unfortunately many timber species (myrtle beech, sassafras, wilga, Murray pine) **are not readily available in nurseries.** An industry that supports native forest restoration could be developed through a government incentive scheme.

In north-west Victoria there are other species needed to restore threatened ecosystems.

Regional Forest Agreements need to transition out of high conservation value forests, and develop a production forestry industry for regional sawmills with **a new supply chain using plantations and replicated native forests.** This could happen in rural areas that have, for example, lost a local dairy industry. Of course, care must be taken not to further impact the vulnerable Giant Gippsland Earthworm.

SUPPORT THE DEVELOPMENT OF FOREST DEPENDENT INDUSTRIES

How could the RFAs encourage investment and new market opportunities for forest-based industries (including the forests and wood products industry, tourism, apiary and emerging markets such as carbon)?

As Jackson (2019) reiterates: "*The Victorian RFAs have not achieved long-term stability of supply for the timber industry. Without certainty of supply, it is difficult for the timber industry to invest with confidence*".

In the first instance, the supply of timber into the future is a **responsibility of Government,** and **while past management has been unsustainable, this is no excuse to shirk responsibility for the future.** This responsibility will not be met by continuing the current rate of unsustainable exploitation of native forest.

The living forest is an important seed-bank, not just for the few commercial species the industry prefers, but for other plants which have been over-exploited in the past and are now starting to be visible again.

It can take an estimated 400 years for Mountain Ash forests to develop their full biodiversity. The science of ecology has been around for less than 100 years, and of course white people are unable to qualitatively assess what has been lost, when forests destroyed by early settlers have not yet had a chance to grow back.

To make up for past clearing, new plantations of native species should be established linking other areas of forest. The allocation of areas known to have once produced tall trees would be appropriate for planning such plantations.

In the short-term, the export of low-value forest products needs to be stopped, and there should be an end to the practice of down-grading sawlogs to be sold as pulplogs. In the report by Jackson (2019), he refers to ABARES 2018: "*The value of wood imports into Australia exceeds the value of exports*". We also import furniture made of plantation-grown Australian *Acacia* species from other parts of the world.

There is a need for value adding in this sector. Jackson goes on to mention investments in plantations and farm forestry. This is the direction needed for future supply of a range of native timber species.

Clearfell and burn activities are not compatible with other forest uses that can generate income.

Tourism, bee-keeping and recreational uses suffer from the large scale industrial logging that has impacted our forests in the 20 years of the RFAs to date. **The critical importance of carbon storage** is only now being understood.

The air and water for the Melbourne region and for rural Victoria have a value that is at risk from the current rate of forest destruction, and the culture of burning after logging.

How can the RFAs support the adaptive management of Victoria's forests in response to emerging issues (e.g. major bushfires) and opportunities (e.g. emerging industries)?

The presence of rainforest species adds value to our forests in slowing the spread of fire.

Rainforest and Mixed forest grow in close proximity to Mountain Ash forests. After clearfelling, the benefit of the rainforest species in the understorey is lost. Eucalypt re-growth is at first very moist, but as the trees grow, they become more liable to catch fire in hot bushfires and crown fires. The loose bark of eucalypts that can be wind blown as much as 30 km ahead of a fire front, and start a new spot fire, is less likely to cause damage if it lands in moist vegetation such as rainforest or the moss-covered understorey of mixed forest.

The natural process of rainforest species spreading into sclerophyll forest will only occur if the practice of short rotations (80 years) for production forests is discontinued. **Cool Temperate Mixed Forest** develops gradually into **Cool Temperate Rainforest** over a lengthy period of time (200 to 400 years)¹⁸.

These damp forest types that are a part of the forest estate are being lost because of current management regimes under the expiring RFAs. It is not acceptable to continue on the same basis, increasing fire risks.

What areas of research would better equip us to sustainably manage Victoria's forests?

Threatened species surveys on the ground (to locate fauna and essential flora in habitat areas), and **tree inventory work** are two main areas needed. We are lucky there is a body of work available already from David Lindenmayer¹⁹ and other researchers. However, at present the most recent available data on threatened species in actual scheduled coupes has often been done by conservation volunteers. This work needs to be backed up by funding from government agencies.

It is cruel and inhumane (not to mention unfair to forestry workers), to schedule coupes in the Timber Release Plan (TRP) without adequate surveys. The loss (or diminished size) of contracts due to reported sightings of threatened species only heightens the conflict between loggers and conservationists.

A good scientific base for forest operations prior to signing contracts, and a policy of not including high conservation value (HCV) forest in the TRP would help address this, during transition.

How could RFA monitoring, review (including five-yearly reviews) and reporting arrangements be improved?

Five-yearly reviews are a joke. The first reporting period for the 5 Victorian RFAs lapsed, and when the second was due, all 5 were reviewed and reported in a single document for 2 five-year periods. In other

¹⁸ FFG Scientific Advisory Committee 2012, Final recommendation for listing:: Cool Temperate Mixed Forest

¹⁹ Professor of Ecology and Conservation Biology at the Fenner School, Australian National University

words, 10 five-year reviews were put into a single report (May 2010). Then having set the precedent of lumping the RFAs together, it was done again: DELWP 2017, *Report on Progress with Implementation of the Victorian Regional Forest Agreements (RFAs), Period 3: 2009-2014*, a title showing it was 3 years late.

Why so slow to do the reviews? The goal of ecologically sustainable forest management has not been achieved. The same issues keep reappearing: Threatened species are becoming more threatened, but only the Leadbeater's Possum has had prescriptions up-graded, and habitat trees protected. Even this has not saved some colonies from having their habitat logged before the protections were in place, or impacted by escaped fire from regeneration burns.

Other threatened species are not protected in logging prescriptions, some only appear in prescriptions in East Gippsland.

Monitoring should be regional, and should include an assessment of species decline.

The reviews should pick up areas where environmental protections need to be strengthened, and protections should be strengthened accordingly.

CONSULTATION

Years ago, when the Regional Forest Agreements were first introduced, I attended the Melbourne public meeting for the first of them, in East Gippsland, when it was promised that they would "**protect native forests for future generations**". What I witnessed there was bullying and intimidation tactics by forestry workers bearing placards. There was no consultation.

Last week there was supposed to be a Melbourne "Drop In" session about the "modernised" RFA agreements. I went there at the appointed time, only to find that it had been cancelled.

There is a real danger that, in the face of such intimidation, **people in regional areas are afraid to voice their concerns about forestry operations destroying the place where they have chosen to live**. If they were to do so, they might suffer harmful repercussions in the community.

Among indigenous people, I imagine these fears are even more of a deterrent to speaking out, given the history of their families being driven from their homes in previous generations.

Consequently, there is potential for a biased result from this community consultation process,

FAIR CONSIDERATION

I urge the State and Commonwealth governments to consider inter-generational justice, not just for people but for native species. We are already a generation who have lost so much of our natural heritage. It is time to restore it.

Respect Forest Animals.

Yours sincerely,


architect

5 July 2019