



Submission regarding the renewal of Regional Forest Agreements

I am writing this submission as a biologist concerned about future biodiversity; as a family member who considers we have responsibilities towards our children and grandchildren; and as a concerned citizen.

I am strongly and totally opposed to the renewal of *any* twenty-year-long Regional Forest Agreements (RFA's) in the state of Victoria. These RFA's are agreed to by both the Victorian and Commonwealth Governments and lock in special treatment for the native forest timber industry: to wit, exemptions from national environmental laws. The inability of the somewhat inadequate environmental laws we currently possess to be applied to the operation of logging in RFA coupes has already meant that Australia's extinction crisis has accelerated greatly over the recent decades.

Indeed I am appalled by the very suggestion that the RFA's should be renewed, given the sitting of the Federal Senate Committee in 2018 into the acknowledged extinction crisis Australia is currently facing¹. Habitat destruction, particularly of forests, is a major factor that is currently driving many of our flora and fauna towards extinction, and climate change impacts shall simply speed up the risks faced by our indigenous species. Yet the RFA's exemptions from obeying even the limited national environment laws we do possess just means the RFA process itself forms a dire threat to our native flora and fauna when forest ecosystems are considered.

¹ We are already a world leader in extinction rates, with worse to follow unless we reverse the decline of our biodiversity.

Moreover there is strong *empirical* evidence to show the over-riding destruction such exemptions cause. The previous RFA's have been operating in Victoria over the last twenty years and the empirical evidence indicates *none* of these RFA's has met their stated objectives; the five RFA's being the Central Highlands, East Gippsland, Gippsland, North East, and West Victoria RFA's. Indeed the continuing decline in the health of our forest flora and fauna populations over this time simply reflects how the exemptions the logging industry has had from the application of national environmental laws is *extremely* deleterious when conservation issues are considered.² It is no wonder the number of threatened species continues to rise; yet extinction is forever. Furthermore the health of *entire ecosystems* like Mountain Ash forest is declining rapidly and even Melbourne's catchment areas are under threat if the relevant forest systems collapse.

In fact the International Union for the Conservation of Nature (IUCN) listed mountain ash forest, one of the key target species for logging, as critically endangered on the Red List of Ecosystems in **2015**. Moreover the reduction in both the health, and the areas covered, by these forest ecosystems is also reflected in what is happening to the native fauna that live within (and depend upon) them. Leadbeater's possum is now critically endangered, despite being Victoria's faunal emblem, and the greater glider is listed as vulnerable to extinction both at federal and state level. Indeed, in the East Gippsland region, whilst the last RFA operated, populations of the greater glider

¹ Unlike other industries, RFAs do not have to obey national environmental laws. The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the main piece of federal environmental legislation, yet the *Regional Forest Agreements Act 2002* provides that RFAs, and by extension the native forest industry, are exempt from the EPBC Act.

decreased by 50 per cent. The latter figure, alone, indicates the extensive failure of the RFA's to meet stated official conservation objectives and government policies. Furthermore the changes in the conservation status of the 2 faunal species mentioned above indicates that both state and federal governments are aware not only of the massive failure of the RFA's to adhere to officially stated objectives and policies but also of the inability of RFA's to protect our biodiversity in any meaningful way whatsoever.

Given the extensive failure of the Victorian RFAs to protect our native flora and fauna, I now intend to briefly consider some of the reasons why the RFAs have been so inadequate in providing any meaningful protection for our native species. Following a brief discussion of this conservation failure of RFAs, I shall then indicate why I am also concerned about some aspects of the independent consultation paper provided by Dr W. Jackson, as it seems to me that Dr Jackson's paper presents a more positive outlook on RFA operation than much of the available empirical evidence allows.

Historically, the RFA's were designed decades ago, and many relevant scientific, social and economic findings have accrued in various academic publications since then. Issues like climate change and pollution have now been recognized for the dangers they represent to both our natural environment (and us) whereas the original RFA's did not consider them at all. Indeed even the major ecological criterion – the JANIS criteria - used in RFA's is now considered obsolete and out-dated by contemporary peer-reviewed environmental scientists and international organizations.

Moreover the high value of forests with respect to other factors than timber extraction is not included in the RFA's and yet these other forest values have become increasingly important over the years. Despite this, the loss through logging and

forest destruction of such ongoing community forest resources is still not included or accounted for in RFAs or their reviews. Yet many of these non-timber extraction forest values are already important in both the economy and social well-being of Victoria and could well become even more so in the future, particularly as our population grows. It is not just tourists who benefit from natural environments to visit but also all Victorian residents. Not only is modern research showing that exposure to natural environments is necessary for psychological health and well-being, recreational activities do not just benefit those who undertake them but also change and develop local economies. Yet our natural areas are shrinking even as our population rapidly increases.

Indeed the inability of the RFA process to consider *any* non-timber-extraction forest value clearly indicates how deeply flawed the RFA process is in evaluating the importance and significance of our forests to Victoria. Social and economic factors apart from those of timber should be included when forest use is planned, particularly given the declining nature of the logging industry as other materials replace native timbers whose supply is already so limited due to the poor management of timber extraction over the decades.³ Years of non-sustainable timber management have helped destroy the very industry which now tries to blame others for its own failures.

Moreover the case for not renewing RFAs becomes even stronger when scientific, rather than social or economic, factors and research are considered, especially when the focus is on the conservation of our indigenous species. The RFA's standards for the protection of ecosystems no longer meet contemporary international and national

³ So inadequate has timber extraction management been that several Victorian court cases have ruled against illegal managerial practices in the past and Victorian taxpayers had to recently buy out, at great expense, the Heyfield Timber Mill.

benchmarks, and *current* scientific research and advice should be adhered to rather than being neglected when decisions are made. As scientific knowledge accrues, both government and management should increase their use of contemporary ecological and scientific findings, rather than pretend the research does not exist as they currently seem to do. The protection of our indigenous forest species cannot be left to the RFA process, as has already been shown.⁴

Furthermore our forest ecosystems play a crucial role in both our water resources and in their action as carbon sinks. As Geoffrey Craggs, Research Analyst Northern Australia and Land Care, states:

“The loss of old growth forest has the dual, detrimental effect in regard to efforts to halt and reverse global warming. The capacity to extract greenhouse gas from the atmosphere is lost and vast quantities of carbon currently locked in forest are made available for release into the atmosphere.”

Given how we are already aware of the damaging, life-threatening and expensive effects of climate change, we should be protecting our old growth forests and their carbon-sink trees (trees which may even be aged in the hundreds of years), not logging them. Plantation timber, already widely available, should be used for all our timber requirements instead.

Moreover, as climate change renders our landscape fire risk ever higher and more frequent, the RFAs ignore the roles fire plays in our forests. Fires have become more frequent and more disastrous as both the temperature and other factors like water availability change along with our climate. The impact of more frequent and successive fires, and their cumulative effects (e.g. upon tree age and seed development), has not been considered in the RFAs, despite the importance of these factors to the survival of our native species and our ecosystems.

⁴ I shall return to the question of biodiversity loss later in this submission as I consider RFA's as extremely detrimental to our biodiversity.

Furthermore Philip Zylstra, Research Fellow, flammability and fire behaviour, University of Wollongong, engaged in extensive research into fire behaviour⁵ and found that, contrary to much accepted opinion:

“Regardless of which forest I examined, it became dramatically less likely to burn when it matured after 14 to 28 years.”

Logging old growth forests thereby increases the risk of drastic and life-destroying fires that ravage local communities as well as our native species. Younger forests burn more. Given the extensive fires occurring over the last 10 years, and the likelihood these shall increase in frequency, impact and duration, the inability of RFA’s to include fire considerations such as those listed above is inexcusable, especially as the water resources used to fight fires are also diminishing.

Most significant and crucial of all RFA impacts however is the role they have played in helping reduce our native biodiversity, leaving many of our indigenous forest species at risk of extinction. So much research has been done on habitat destruction and forest ecosystems that I cannot even bring myself to detail this yet again.⁶ I will simply state that government at both state and federal levels has been informed continually over the decades as to what is happening and what needs to be done.

⁵ Zylstra *Austral Ecology* August 2018. He also states” Old forests need to be protected. We should nurse older regrowth into its mature stages.” And his findings are similar to others arising across the dry eucalypt forests of southeast Australia. Indeed: ‘The message from many ecosystems across the world is that while we’ve been assuming otherwise, fire has been breaking their defences and feeding more fire,’ says Dr Zylstra.

‘This may not be universal, but as climate change gives us a drier landscape, we can no longer afford to simplify these communities into a fuel load. There is vast complexity at work.’

⁶ The government’s own State of the Environment reports and other publications have been describing the situation faced by our indigenous species for decades. Continual decline merely reflects government response at both state and federal levels: politicians do not care!

What is *actually* done is usually the formation of another consultation or committee. Our biodiversity continues to decline.

Indeed the only practical result that I expect from the recent senate inquiry into our extinction crisis is that the politicians involved shall pocket the extra thousands and thousands they receive for being on the committee. It is a pity the money is not spent on helping our indigenous flora and fauna – alas, the massive federal environmental budget cuts of 2018 (the same year as the inquiry) indicate how easy it is to see our politicians as hypocrites. It is not scientific knowledge that is lacking in the fight to save our indigenous species but merely any political will to do so – special interests and ‘mates’ are more important than the wishes of the electorate who have indicated time and again that they want our native species to be saved. I fear politicians will only value our forest ecosystems when it is too late because they no longer exist.

In fact the political nature of the failure to protect our native forest ecosystems is amply demonstrated by the way recommendations relating to improved threatened species outcomes, from the previous RFA five-yearly review in **2009**, have still not been complied with.⁷ Nor has the Victorian or Federal Governments initiated any adequate action following the release of the latest state and federal reports into the seriousness of our extinction crisis⁸. Indeed, over the decades, numerous government reports at both state and federal levels, university peer-reviewed reports, and local community statements have all reiterated what is wrong with our biodiversity protections (especially with respect to forests), and what must be done to render them effective. Yet the number of our native species facing extinction continues to

⁷ VNPA analysis and research

⁸ Another example of the Victorian Government’s disregard for our indigenous species or the rights of the electorate is given by the racehorse training occurring on seabird breeding beaches. The horse training can easily be done elsewhere and the risks presented to the Hoodies (and public beach users) should not be allowed.

increase as no effective action is taken despite the numerous, science-based recommendations that have been made. Instead those departments supposed to protect our native species face ever-larger budget and staff cuts, or are placed under the control of those with non-conservation interests. It is no wonder politicians are viewed with ever increasing contempt and the whole institution of democracy is being weakened. The wishes of the electorate are placed underneath those of 'mates' who give political donations or who have political influence. The concepts of the common good, and of considering our biological future, are now ones that seem alien to Australia. Yet the seriousness of the RFA threat to maintaining our forest biodiversity cannot be over-estimated!

Having now given some of my concerns with respect to how RFA's have helped create social, economic and biodiversity disadvantages for the overall Victorian community, I am going on to comment about some of my concerns with the independent consultation paper and its view of the RFA's. The paper does not appear to rely upon a comprehensive and up-to-date review of current research with respect to our forest ecosystems⁹ and it is concerning that the findings of so many different and peer-reviewed university scientists do not seem to have had their published papers and reports adequately included in its conclusions and discussion. Indeed, as recently as May 2018, a paper by Lindenmayer and Sato in the influential and highly respected PNAS journal indicates that Victoria's Mountain Ash ecosystem has already begun to undergo a 'hidden collapse'. Since this study was based on 35 years of research, and the Victorian Government was warned of the possibility of ecosystem collapse by the ANU as far back as 2015, I consider the discussion paper should have been somewhat less positive in its view of RFA s and more inclusive of contemporary research (especially given the crucial importance of the Mountain Ash forest to Melbourne's water supply).

⁹ For example Prof Lindenmayer's concerns about the collapse of the entire Mountain Ash ecosystem simply reflects the concerns of international organizations like IUCN and others – a wealth of scientific analysis describes how concerned we should be about our forests.

Indeed the consultation paper indicates a level of success in RFA operation in Victoria that is rather contradicted by the empirical evidence of declining biodiversity and the increasing 'extinction crisis' to be found in our forests (a crisis that *official government* listings of threatened/endangered demonstrates). One is inclined to ask, if success is measured by empirically measured but greatly decreasing forest biodiversity¹⁰, then what represents failure – no forests at all?

Again, I am dubious about the claims that RFA's protect the environment as logging helps create parks and reserves. Historically the RFA process does not seem to have much impact in creating new parks and reserves but instead has often seemed to be a hindrance to the creation of protected areas. Indeed not only did 84% of Victoria's reserve system exist before the RFA process was even started, new protected areas (formed after RFA's were developed) are often outside RFA areas or required extremely strong community support (and campaigns) to overcome resistance to their formation from the RFA process. A mere 8% of areas identified for protection in the Victorian RFAs are formally protected in parks and reserves, whereas similar agreements in NSW protect 23%. Such figures do not present a strong argument for the success of RFAs in Victoria in providing effective protection for our forest biodiversity. In fact formal protection through the creation of new national parks is the lowest it has been in over 4 decades, despite the desirability of this given our rapidly increasing population. Nor does the consultation paper give any evidence of the promotion or funding of private land conservation by RFAs. The definition of

¹⁰ Such decline being contrary to the stated official policy and objectives of operating RFA's

success seems to have a very low threshold indeed when conservation values are considered.

However it is now time to consider what *should* be done in this submission:

Firstly **no RFAs should be renewed**, given both their failure to meet stated policies and objectives and that no consideration to other social or economic issues is given. Instead the RFA process should be abandoned, as it has not delivered on any of its promises, particularly with respect to conservation issues. Indeed RFA's have not even managed timber extraction well, as the current state of the industry shows – not surprising after decades of mismanagement concerning sustainability. Reality must intrude on human wishes – if an extensive timber supply is no longer there, it cannot be conjured up. Instead we should be protecting what forest remnants are left.¹¹ This also means the current Western Regional Forest Agreement should be ended immediately, with the as-now proposed logging plans being comprehensively reviewed.¹²

Secondly **the timber industry's exemptions from national environment laws should be discontinued**. Other industries must obey the law: the timber industry should not be given license to disobey national environmental laws as all RFAs are currently allowed to do. Indeed the *empirical* results of these exemptions demonstrate how little the exemptions protect our native forest species and how,

¹¹ For the extent of forest loss since European settlement, see FOREST COVER CHANGES IN VICTORIA 1869-1987 A report and map describing the extent of forest cover in Victoria in 1987, the change in forest cover since 1869, and the change in forest cover over the period 1972-1987. Peter Woodgate & Peter Black

¹² The Western Forest Agreement displays much of what is wrong with the RFA process. – see appendix.

instead, they have accelerated the race towards extinction for many of our native flora and fauna.

Thirdly new mechanisms for managing our timber industry **must include the consideration of other forest values** and the wishes of the Australian people. Furthermore any future timber extraction agreements must be more rigorously regulated, and adherence to such regulations monitored more closely and effectively, than has ever occurred with RFAs. The overdue 5 year review, if undertaken at all, should include judicial experts as well as conservation-trained current university scientists (the latter being more independent than those who need continual contracts to earn their money) and it should also cover contemporary issues relevant to forest use. It would be better if no review occurred, and no new RFAs were issued at all, as reviews only tell us how bad the RFA process has been, and we already have a large body of empirical evidence describing their poor conservation outcomes. To set up a review now is simply a further waste of taxpayer money and a means of delaying any effective conservation action being taken.

Fourthly, and crucially, **management prescriptions for threatened species, climate change impacts, and fire must be determined by current scientific, peer-reviewed research; and science (directed by stated policy and objectives) should be the final determinant in management decision-making.**

Following the scientific evidence, **action must be taken to reduce or eliminate the current gaps in Victoria's reserve system**, even though the RFA review, by ignoring or not recognizing these gaps, fails to recognize the importance of a complete and better functioning reserve system. Yet, elsewhere, state government policy clearly states that there is a gap of over 2 million hectares in the formal reserve system in

Victoria. The discrepancy between government policy and RFA functioning shows how flawed the RFA process is. Indeed, given the failures of the RFA system in protecting our forest biodiversity, a significant proportion of the informal reserve system should be immediately included in Victoria's formal reserve system and protected under the National Parks Act. Our forest species need the protection the RFA process has been unwilling or unable to provide.

Finally, the scientific evidence as to what is wrong with our forest management, why we are failing to adequately protect our forest biodiversity, and what needs to be done to stop native species population declines and to prevent forest ecosystems collapse has been known for decades. **It is time for science to underlie government and managerial decisions concerning forest management, not the special interests of 'mates'.**

Appendix 1: the Failure of the RFA system through an examination of the Western Regional Forest Agreement.

Despite the creation of the Great Otway National Park in 2005 ending broad-scale commercial logging in the area, the Western Regional Forest Agreement still exists and any current review would include this agreement.

The failure of the RFA process in assessing or managing conservation risks can be seen by the fact that the 2010 independent review recommended that the Western RFA be cancelled yet, in 2019, this has not yet occurred and the scientific evidence as to what should be done has once more been over-ridden or ignored. As recently as 2017, the targeted logging of woodlands has been proposed, with the coupes extending right across the west despite the previously demonstrated ecologically destructive effects of clear felling.¹³Hence biodiversity around the Grampians, in the

¹¹ The harvesting of native forest through clear fell logging has continued for over 30 years despite its dramatic impact on both native habitats and drinking water production. The amount of saw timber used in construction has dropped dramatically and supply is shaky, to the point that the Victorian Government had to buy out the main native hardwood sawmill in 2017.

Wombat Forest near Daylesford, and in the Mt Cole area west of Ballarat is at risk from poor timber management practices and even poorer decisions concerning the protection of our flora and fauna.

Indeed, right across our western Victorian forests, 70% of the area targeted for logging contains native vegetation types that are classified as either endangered (19%) vulnerable (11%) or depleted (40%). Specific areas are even more at risk of the total destruction of specific vegetative types. For example, in the Horsham Forest Management Area 54% of the vegetation is already described as endangered.

Moreover, even after the documented (and rapid) biodiversity decline that has occurred over the last decades of unsustainable and mismanaged timber extraction using the RFA process, there is still little concern with conservation issues arising from the ever decreasing area of unlogged forests remnants that remain, and the 2017 targets still do not include any consideration of the changing factors that are influencing biodiversity risks (e.g. water availability, climate change, increasing population pressures and activities).

Yet the 2017-targeted areas provide crucial habitats for more than 20 threatened native animals and 14 threatened native plants in at least 60 of the proposed coupe areas. In fact, according to the VNPA and local community action groups, threatened species are found within, or very nearby, at least 33% of planned logging coupes overall and an even higher percentage in some regions. In many cases it is the actions of dedicated local community groups that has provided the empirical evidence

required¹⁴: the RFAs have not even provided for adequate monitoring as to what biodiversity is even present in a given area before logging is proposed. It is a total disgrace that local community citizens have to perform the functions of government in this way.

In fact, the Western Regional Forest Agreement displays much of what is wrong with the RFA process. As late as 2017, biodiversity risks were inadequately considered, if at all; empirical evidence 'on the ground' was not collected or examined but left to community groups to establish; other forest values or community inputs were neglected. Biodiversity continues to rapidly decline through habitat loss and human activity and our politicians continue to fudge the issues by holding yet more reviews or consultations rather than taking any responsibility for effective action.

¹⁴ Camera placements and spoor analysis are only 2 of the empirical methods used to track faunal and flora species in our forests. Few government funds are made available for such vital monitoring as to what species are actually present in an area.