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## **Submission to RFA 14 year review** **supported by GEG and GECO**

Thank you for the opportunity to take part in another public consultation process.

We are astonished that in its 14<sup>th</sup> year of logging native forests since the East Gippsland RFA was signed, the governments are belatedly and without any apparent embarrassment, setting up a review process that was promised to have been done 9 years ago. Logging has continued at an unsustainable rate, regeneration failure is ongoing, reports are late or non-existent, sustainability figures are still based on very questionable data or/and guesswork, and as the Auditor General's review of the FFGA pointed out last April, there is next to no information on the health or whereabouts of Victoria's flora and fauna, especially the rare and endangered species.

The RFA has dishonoured its many promises. Scientists and lawyers have detailed its many failings. Conservation groups decided this agreement was a waste of public money and time as soon as it was signed. The government and DSE have received this feedback and detailed comments over the past 14 years so we request that it uses them in this process. It will avoid wasting more precious time.

The CRA process was also shown up to be extremely poor; highlighting the deficiencies in knowledge but then going ahead regardless and making grand promises of more jobs and better balance of all needs – the 'final solution' to quote one media release. In fact jobs have since decreased, conflict has remained, woodchip volumes have remained as high as ever and the government's logging monopoly VicForests is about to face the Supreme court for what EEG believes is planning to illegally log.

It is absurd to claim the RFA has met any of its environmental obligations – especially when funding for Flora and Fauna and environmental research and has been cut back repeatedly.

Below is a summary of the current status of the 'sustainability indicators' as researched by one of our colleagues. This has already been submitted but we will include this as well to reinforce this point.

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## SUSTAINABILITY INDICATORS

One of the key undertakings made when the East Gippsland RFA was signed was the establishment of a program to measure and report on a wide range of indicators so that the Federal Government and public could monitor the delivery of sustainable forestry. From documents obtained under FOI, it appears that at the outset, the Victorian Government white-anted this process by insisting that “performance against EFSM indicators will not invalidate the agreement” (i.e. as there would be no required standards to meet, the Victorian Government was under no pressure to actually deliver sustainable forestry).

So far, the Victorian Government has reported their sustainability indicators in two State of the Forests reports. In the first report, released in 2005, Minister Thwaites stated that “the community is entitled to scientifically robust and transparent information” and that the reports were designed to allow the public to assess whether our forests were being sustainably managed. This report was also introduced as a benchmark report providing baseline data that could be used as a comparison with later years. This first report was heralded as a document that would provide information on forests to improve transparency and accountability.

When the second report was released in 2009, the Government had changed the indicator framework and some of the methods for data collection, so that for many indicators, it was not possible to make comparisons with the earlier report. In any case, when the second report was released, it was clear that some areas of reporting had been ignored by the Government. For the key area of conservation of biological diversity, over half the indicators still had no data available.

Indicator	Name	Data Status
1.1a	Area by forest type and tenure	Data not comparable with previous years
1.1b	Area by forest type by growth stage	Data not comparable with previous years
1.1c	Area by forest type by growth stage distribution in protected zones	Data not comparable with previous years
1.1d	Fragmentation of native forest cover	Some preliminary data available
1.2a	The status of forest dependent species at risk of not maintaining viable breeding populations	Partial data only
1.2b	Indicator 1.2b Area of habitat available for forest dependent indicator species	No data
1.2c	Indicator 1.2c Representative indicator species from a range of habitats monitored at scales relevant to regional forest management	No data
1.2d	Indicator 1.2d Degree of disturbance to native forest species caused by invasive species	No data
1.3a	Indicator 1.3a The number of forest dependent species at risk from isolation that may lead to loss of genetic variation	No data
1.3b	Indicator 1.3b Number of in situ and ex situ conservation efforts for forest dependent species	Data available

**Table 1. Data availability for DSE Biodiversity indicators used in the State of the Forest report**

The below table also shows that original sustainability indicators, even the easier Category A list, have still not been developed or implemented.

**Table 1: Agreed phased implementation of indicators**

Category A—Largely implementable now	Category B—Require some development	Category C—Require longer-term R&D
<p><b>1.1.a</b> Extent of area by forest type and tenure. (Amended to include 1.1.c)</p> <p><b>1.1.b</b> Area of forest type by growth stage distribution by tenure. (Amended to include 1.1.d)</p> <p><b>1.2.a</b> A list of forest dwelling species.</p> <p><b>1.2.b</b> The status (threatened, rare, vulnerable, endangered, or extinct) of forest dwelling species at risk of not maintaining viable breeding populations, as determined by legislation or scientific assessment.</p> <p><b>2.1.a</b> Area of forest land and net area of forest land available for timber production.</p> <p><b>2.1.d</b> Annual removal of wood products compared to the sustainable volume.</p> <p><b>2.1.f</b> Area and per cent of plantation established meeting effective stocking one year after planting.</p> <p><b>2.1.g</b> Area and per cent of harvested area of native forest effectively regenerated.</p> <p><b>3.1.a</b> Area and per cent of forest affected by processes or agents that may change ecosystem health and vitality. (A narrative as interim)</p> <p><b>4.1.a</b> (Interim) Area and per cent of forest land systematically assessed for soil erosion hazard, and for which site-varying scientifically-based measures to protect soil and water values are implemented.</p> <p><b>6.2.c</b> Number of visits per annum.</p> <p><b>6.5.a</b> Direct and indirect employment in the forest sector and forest sector employment as a proportion of total employment. (Direct)</p> <p><b>7.1</b> (Narrative) <i>Extent to which the</i></p>	<p><b>1.1.e</b> Fragmentation of forest types.</p> <p><b>5.1.a</b> Total forest ecosystem biomass and carbon pool, and if appropriate, by forest type, age class, and successional stages.</p> <p><b>6.1.a</b> Value and volume of wood and wood products production, including value added through downstream processing.</p> <p><b>6.3.a</b> Value of investment, including investment in forest growing, forest health and management, planted forests, wood processing, recreation and tourism.</p> <p><b>6.4.a(i)</b> (priority areas) Area and per cent of forest land in defined tenures, management regimes and zonings which are formally managed in a manner which protect Indigenous peoples' cultural, social, religious and spiritual values, including non-consumptive appreciation of country.</p> <p><b>6.4.a(ii)</b> Proportion of places of non-Indigenous cultural values in forests formally managed to protect these values.</p> <p><b>6.5.a</b> Direct and indirect employment in the forest</p>	<p><b>1.2.c</b> Population levels of representative species from diverse habitats monitored across their range.</p> <p><b>1.3.a</b> Amount of genetic variation within and between populations of representative forest dwelling species.</p> <p><b>3.1.a</b> Area and per cent of forest affected by processes or agents that may change ecosystem health and vitality.</p> <p><b>3.1.c</b> Area and percentage of forest land with diminished or improved biological, physical and chemical components indicative of changes in fundamental ecological processes.</p> <p><b>4.1.c</b> Per cent of stream kilometres in forested catchments in which stream flow and timing has significantly deviated from the historic range of variation.</p> <p><b>4.1.d</b> Area and per cent of forest land with significantly diminished soil organic matter and/or changes in other soil chemical properties.</p> <p><b>4.1.d</b> (Interim) The total quantity of organic carbon in the forest floor (&lt; 25 mm diameter components) and the surface 30 cm of soil.</p> <p><b>4.1.e</b> Area and per cent of forest land with significant compaction or change in soil physical properties resulting from human activities.</p> <p><b>4.1.f</b> Per cent of water bodies in forest areas (e.g. stream kilometres, lake hectares) with</p>

<p><i>legal framework (laws, regulations, guidelines) supports the conservation and sustainable management of forests.</i></p> <p><b>7.2</b> (Narrative) <i>Extent to which the institutional framework supports the conservation and sustainable management of forests.</i></p> <p><b>7.4</b> (Narrative) <i>Capacity to measure and monitor changes in the conservation and sustainable management of forests.</i></p> <p><b>7.5</b> (Narrative) <i>Capacity to conduct and apply research and development aimed at improving forest management and delivery of forest goods and services.</i></p>	<p>sector and forest sector employment as a proportion of total employment. (Indirect)</p> <p><b>6.6.a</b> Extent to which the management framework maintains and enhances Indigenous values including customary, traditional and native title use by Indigenous peoples and for Indigenous participation in forest management.</p>	<p>significant variance of biological diversity from the historic range of variability.</p> <p><b>6.1.b</b> Value and quantities of production of non-wood forest products.</p> <p><b>6.2.b</b> Number, range and use of recreation/tourism activities available in a given region.</p> <p><b>6.5.c(i)</b> Viability and adaptability to changing social and economic conditions of forest dependent communities.</p> <p><b>6.5.c(ii)</b> Viability and adaptability of forest dependent Indigenous communities.</p>
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**Total: 12 indicators & 4 sub-criteria**

**Total: 8 indicators**

**Total: 13 indicators**

Our comments on the failings of the Category A list ...

**1.2.b** The status (threatened, rare, vulnerable, endangered, or extinct) of forest dwelling species at risk of not maintaining viable breeding populations, as determined by legislation or scientific assessment. **Auditor General’s report shows this is not known.**

**2.1.d** Annual removal of wood products compared to the sustainable volume. **As the sustainable volume of available sawlogs from public forests has historically been overestimated decade after decade, and as there are still major inaccuracies and unknowns in data being used, this can’t be achieved.**

**2.1.g** Area and per cent of harvested area of native forest effectively regenerated. **As assessments and reports are still way overdue, and as those reports that have been done are very poorly put together, this also can’t be achieved.**

**3.1.a** Area and per cent of forest affected by processes or agents that may change ecosystem health and vitality. **For example, very little research has been carried out on the impacts of the major bushfires in the last 10 years. The full long term impacts of catchment logging and drying out of the landscape is unknown although evidence is clear (Tea-tree Flat), the loss of hollow bearing trees across the forest estate and its impact on dependent species is either unknown, being denied or the government is failing to act on findings. The impacts of feral and invasive species is poorly studied in our forests. Reports generated from ‘Southern Ark’ are not comprehensive and don’t look at cat predation.**

**4.1.a** (Interim) Area and per cent of forest land systematically assessed for soil erosion hazard, and for which site-varying scientifically-based measures to protect soil and water values are implemented. **This is still an area that has not been properly dealt with, let alone implemented.**

**6.5.a** Direct and indirect employment in the forest sector and forest sector employment as a proportion of total employment. (Direct)

No **credible** statistics have been collected on employment. Those supplied by industry are spurious. Study by Monash Uni Gippsland last decade shows logging jobs account for a minor amount of the total employment of Gippsland and East Gippsland. Even the CRA documents showed logging accounted for about 2% of the region's workforce.

7.1 (Narrative) *Extent to which the legal framework (laws, regulations, guidelines) supports the conservation and sustainable management of forests.*

**Laws are inadequate and even these are rarely enforced. This is being tested at present with the EEG vs VicForests Supreme Court case.**

7.2 (Narrative) *Extent to which the institutional framework supports the conservation and sustainable management of forests.*

**Minimal extent - reduced funding and resources over the years makes this virtually impossible to adequately support conservation and sustainable management.**

7.4 (Narrative) *Capacity to measure and monitor changes in the conservation and sustainable management of forests.*

**See Auditor General's Report from April 2009. Capacity isn't there due to lack of funding, resources and will.**

7.5 (Narrative) *Capacity to conduct and apply research and development aimed at improving forest management and delivery of forest goods and services.*

**Capacity is obviously limited, but conversion to industrial tree crops is going ahead nicely, regardless. This conversion is very apparent and could be considered 'improving ... delivery of forest goods and services'. The revised sustainability indicators are no better.**

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See further comments below:

### **The EG RFA requires:**

*Within each **five** year period, a review of the performance of the Agreement will be undertaken. The purpose of the five yearly review is to provide an **assessment of progress** of the Agreement against the established milestones, and will include:*

- *The extent to which milestones and obligations have been met, including the management of the National Estate; **Comment: the National Estate has been systematically obliterated since 1989 onwards. Or is this regarded as acceptable management? National Estate cannot be clearfelled and still have its values maintained.***
- *The results of **monitoring of sustainability indicators**; and **comment - see above***
- *Invited public comment on the performance of the Agreement. **comment - as the original RFA/CRA public consultation process has been very easily demonstrated to be a sham (see the document 'Sweet RFA'), this extremely belated review (almost 3 x 5 year cycles overdue) has shown itself to be contemptuous of public opinion from square one. The government's scornful attitude towards honouring the conservation promises of the Agreement makes a mockery of claims public consultation. These processes legitimise what is already planned to be pushed through – no matter how much hard evidence there is that there are major deficiencies, lack of information, poor record keeping and***

very bad assessment processes. The RFA was based on such poor information and has continued to try and prop itself up with the same.

As a more recent illustration of the contempt with which the government has for the public, refer to recent leaked documents regarding public consultation on the redevelopment of the Windsor Hotel.

*The three main objectives of the Victorian RFAs are:*

- *to identify a Comprehensive, Adequate and Representative (CAR) Reserve System and provide for the conservation of those areas* **comment: the government never properly assessed or researched these areas to determine their values but is now planning to revise and clearfell many SPZs. This is despite their values and those of other areas recently put into reserve, still being unknown. CAR system can't be identified if there is no recent, credible or robust data for any of these areas. There must be reliable, thorough and well resourced research into the conservation values of these areas before they can be revised or handed back to the logging industry. And spin doctoring is not an appropriate resource to throw into such processes.**
  - *to provide for the ecologically sustainable management and use of forests in each RFA region* **Comment – The Auditor General's report into FFGA agrees that there is not enough data available to be able to claim any sort of sustainability of species. This report must be referred to. and**
  - *to provide for the long-term stability of forests and forest industries.* **Comment - in 1995 there were about 22 mills in East Gippsland, it's down to about 6. The sawlog cut and employment has dropped similarly. However the woodchip volumes have not dropped in proportion to the sawlog volumes. The native forest industry in Eastern Victoria is woodchip driven. There are very few jobs in export woodchips – besides in SE Asian paper factories.**
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### **Conservationists expected the East Gippsland RFA would:**

- acknowledge and address the 25 years of mismanagement of the most threatened values of East Gippsland forests. FFGA recovery plans for 8 listed species are mostly for those not impacted on by logging.
- reassess problems such as narrow definitions of old growth and rainforest which has allowed significant areas to be permanently destroyed in conversion management.
- Deal with the lack of information and lack of protection for threatened species. This problem has only been compounded by the RFA (even where species needs and occurrences are known).
- revise the unsustainable level and nature of clearfelling and renegotiate realistic licences with the industry.
- assess the impact of woodchipping and clearfelling in East Gippsland. This is the major issue of contention in the region yet was by-passed in the RFA assessments.
- analyse the economics of logging along with the industry's conflicting effect on other industries in the region. None of this was dealt with.
- Accept that major wildfires would reduce the amount of forest available for logging. Flexibility should have been built into the agreement to take into account such realities; it didn't.

## RFA failings

It did not examine the economics of the logging industry or the effects on tourism. Tourism brings in two and a half times what logging earns for the region. It has a far greater employment multiplier effect. It is also severely impacted on by forest logging and log trucks using tourist roads.

The reports were rushed and often contained poorly presented data. For example, the social report claimed 85% of workers would not leave if the industry declined. Checking the figures showed that the 85% was in fact 6 out of 8 who responded to a questionnaire.

The method of assessing wood resource was looked at and was found back then – 14 years ago - to use *'unreliable data'*, had a *'lack of basic resource data'*, there was a *'concern ...of an overestimate of volume leading to an inability to sustain production'* and *'No allowance is made for loss of resource through fire damage, insect or fungal attack or storms'*. Presumption and guesswork underpinned the calculations for log volumes promised to the industry for the 20 years. However it was signed despite these acknowledged failings. These calculations have been proved wrong and areas of forest have been lost due to fire.

The most glaring oversight in the resource and economics report was the lack of discussion of woodchipping. Grazing on public land received a bigger mention.

The examination of Ecologically Sustainable Forest Management resulted in a damning report which was all but ignored when the RFA was signed. Despite government claims that East Gippsland is the most studied region in Australia, the lack of certainty of the effects of clearfelling was clearly spelled out. Predicting species responses to logging was impossible due to not knowing where species occurred or how they each cope with clearfelling of their habitat. ESFM should *'maintain forest ecosystems and vitality'* and *'protect and maintain biodiversity'* but the RFA was unable to ensure either of these due to lack of scientific data and knowledge.

The preliminary CRA reports admitted there are major gaps in knowledge, poor quality information and limited data, but there was little attempt to fill the gaps or improve the information/data base. Where information was lacking, computer generated species populations were produced from a desk in Melbourne to populate the region. This ignored things such as age of forest and logging history.

Protection zones for threatened species such as owls and quolls are commonly undersized. The RFA defers to the East Gippsland Forest Management Plan for species protection, but it does not protect quolls or owls. Even it's very minimal concession to some species has been interpreted to favour logging (EEG vs VicForests Supreme Court case). Logging was shown to contravene the Heritage Rivers Act and the FMP was at odds with the Flora and Fauna Guarantee Act's action statement for quolls which required 3000 individuals across the state to be given protection. The EGFMP allowed only 50 to receive protection in East Gippsland - its stronghold! Department scientists have also admitted uncertainty about declining owl populations after clearfelling. Threatened species is a very important issue which needs the precautionary principle applied, but this was ignored.

One conclusion read *'old growth forest values are highly sensitive to harvesting, roading and wildfire'* yet the RFA allows significant stands of remaining unprotected old growth to be subject to harvesting, roading and prescribed burning.

## **AFTER THE RFA ...**

As a result of the RFA:

- Licences were issued for unlimited woodchip exports from the region
- a five year blockade of the Goolengook old growth forest cost the government well over a million dollars to oversee and police to allow the destruction of this extremely valuable area in return for a fraction of this in royalties.
- Areas which had previously been identified by the government as having national and state significance for biological values were logged and converted to tree crops.
- An immediate increase of areas placed in secure reserves of less than .02% (2,300 ha). High volume/high conservation value areas supporting threatened species were put back into logging zones, while lower yielding forests with unknown or lesser values were put aside into temporary protection zones (which are now being assessed for zoning back to logging). This made the overall reduction of quality reserved area less obvious while claiming many hectares had been protected.
- The increase of estimated area available for clearfelling from 5,600ha in 1995-96 to 8100ha in 1996-97.

In summary, since the RFA, little has changed to improve forest management. Market forces are still the ruling factor over and above conservation, water, carbon and other public values. The DNRE/DSE still lack credibility as conservation and forest managers, community concern over forest destruction grows and forest conflict rages and protests continue.

## **Changes to SPZ**

The state government cannot claim that the promised 45,000 hectares of State forest that will be put into reserves

*“will not lead to a net deterioration in the protection of identified CAR values, and will be achieved without any net job losses or reduction in available timber resources” or that “Changes to that component of the CAR reserve system in State forest will not lead to a net deterioration in the protection of identified CAR values...”*

There have been no studies or surveys to determine what values these areas have or don't have.

Many species listed under the FFGA are still awaiting an Action Statement. While they have no detailed legislated protection and while there is no recent survey data on many of our native species, changes to the SPZs are based entirely on the lobbying ability of the logging industry on government – as has always been the case.

## **Summary**

These RFA's have effectively facilitated the destruction of many valuable areas that were critical for the survival and ongoing evolution of species. Jobs have been lost due to a downturn in the industry, a preference for pine timber and the increasing dominance of a jobs poor woodchipping industry. If the agreed actions had have been honoured after the RFA was signed off, much less irreparable damage

would have resulted to the public forest estate. The damage done as a result must now be offset with much larger reserves and more resources spent on conservation measures, research and management – if the government is serious about ‘balance’.

Jill Redwood

A handwritten signature in black ink, appearing to read 'Jill Redwood', with a stylized, looped initial 'J'.

Coordinator

***Supporting groups***

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