

Legislative Council Select Committee on the Tasmanian Forests Agreement Bill 2012

Submission of the Meander /Liffey Branch, Timber Communities Australia



A deep attachment to forests, the environment and to our people

“Each community living below the Great Western Tiers has an extremely strong attachment to the part of the mountain closest to them. This attachment has been forged through past social and economic exploitation of the area and a continuing use of the area as a recreational resource.”¹

Compared to a denial of the heritage of these same communities:

“the plateau surface of the Central Plateau, being mostly unsuitable for agriculture or timber harvesting, was protected for conservation...”²

The basis for the claim to lock up State forest of the Great Western Tiers

It is recommended that... part of the Great Western Tiers Conservation Area between Mole Creek and Drys Bluff ... together with associated area of State Forest and Mole Creek Karst National Park be added to the Tasmanian Wilderness World Heritage Area³.

¹ Knowles Joan N, 1997, Traditional Practices in the Tasmanian world Heritage Area- a study of five communities and their Attachment to the Area, Hexis consulting, Hobart

² Hitchcock P, 2012, Independent Verification Group Forest Conservation Report 5A -Verification of the Heritage Value of ENGO-Proposed Reserves

³ Hitchcock P, 2008, Tasmanian Wilderness World Heritage Site Review And Evaluation of Critical Forest Issues, OC Consulting for the combined environment groups

Introduction

The image and three quotations on the front page of this submission demonstrate the flawed basis of the Legislation, the agreement reached on 22 November 2012 and of the processes that has led to its development.

The welcoming photograph shows members of the community displaying great pride and attachment to the forests and the environment of the Great Western Tiers. They stand next to a sign for a lookout that provides a panoramic vista of the development and shows the care the community has taken over generations of the Meander region. The lookout was built by volunteers in cooperation with Forestry Tasmania in multiple use State forest that will be converted to a conservation reserve if this legislation is passed, and handed to a land manager that is likely to be under resourced with an inadequate management plan that does not value the hopes and aspirations of the local community.

This forest has been 'verified' as containing wilderness values of claimed World Heritage by an 'Independent expert', who in his tax payer funded report ignores the heritage and the attachment of the community to the Central Plateau and the forests of the Great Western Tiers.

This attitude by the independent expert, Peter Hitchcock, is hardly surprising in that in 2008 he documented the claim for an extension of the World Heritage Area on behalf of the Environmental groups. His appointment to verify his own work compares to the promise of the Prime Minister and Premier "this process will provide an independent and robust assessment of the definition of high conservation values and recommendations of the areas that should be protected in permanent reserve." (Joint Media release 7 Aug 2011).

The assessment by the Independent Verification Group and thus the data relied upon to reach the November 2012 agreement not only lacked independence it excluded the community view, despite our community and others making written submissions:

"the systematic acquisition and analysis of community views was beyond the scope and capacity of the IVG process. There is a need to capture this type of information on a State-wide basis for future forest and reserve planning and decision-making."⁴

This quote is from a report co authored by Sean Cadman of Jackey's Marsh, a key member of the ENGO's negotiation team on the Statement of Principles to lead to this agreement and active participant in forest protest and actions since the mid 1980's. Rather than be independent, Mr Cadman has been a vocal critic of the values and aspirations of members of the Liffey/Meander Resource Management Groups.

This submission requests that the Select Committee examine the following issues:

- Location of reserves
- interface with private property
- History of disturbance

⁴ Lockwood M & Cadman S 2012 Independent Verification Group Report Social Values and Considerations for Effective Reserve Establishment and Management

- fire management
- What is high conservation value
- World Heritage
- social assessment - Attachment to the forest
- Economic Impacts
- Process flaws, lack of independence and bias

Executive summary

This submission documents our concerns on the proposed Legislation, and the process that has led to it. This process has already been partly examined by the Legislative council in its committee reports of Government Administration Committee 'A': The Impact of the Proposed Transition out of Public Native Forest Management and Harvesting in Tasmania and IGA Independent Verification Group – Report of the Chairman.

The Meander Community has been on the front line of the “war” waged by the greens to get rid of industrial forestry from Tasmania. A war whose early battles included “National Estate” forests around Jackeys Marsh, where Sean Cadman then leader of the protests was advised by Bob Brown and the then Wilderness Society National director Jonathan West “There is only one thing that is going to save this, and that’s if everyone in the valley gets arrested⁵”

Amazingly 30 years later these three activists are still prominent in the development of this Legislation. The same uncertainties still abound, just what are the conservation values of the forests, and are they high enough to override the provision of jobs and a strong regional economy, does harvesting destroy or regenerate the forest? Should there be a transition from native forest to plantation, or is sustainable timber production from native forests better for the environment.

The Tasmanian Forest Agreement has been developed against a background of escalating market campaigns involving defamation, propaganda and action that has been described as ‘blackmail’ as well as threats of industry disruption and job destruction if key environmental groups demands are not met.

Therefore we request that the Legislative council ensures that there not be any additional reserves of native forests without Parliament’s consideration of:

- community attachment to the forests
- A definition of HCV forest be settled and based on scientific methodology and community consultation
- The social and economic impact of any new reserves should be provide to Parliament together with an agreed management plan, and the identification of existing forest reserves that have lesser conservation value to be released for timber production.
- That the full range of stakeholders by consulted not just those identified as signatories to the agreement
- Parliament must ensure certainty of long term wood supply and reduce sovereign risk
- Elements of the agreement must be legally binding upon the signatories
- Management of new reserves must address fire risks and pest control measures and seek agreement with neighbouring private property owners.
- That the forest practice code be reviewed to take into account all future increase in HCV forest reservation

⁵ Helen Gee, 2001, For the Forests : A History of the Tasmanian Forest Campaigns, The Wilderness Society

However to ensure these actions and decisions are not made under duress, no new reserves should be created unless the market campaign against Tasmanian timber products ceases. 12 Legislative councillors made this public commitment on 13 February last year, including the Member for the Wester Tiers, who faced the people in May and was returned with an overwhelming majority and mandate for his stand with 73% of the formal vote!

The submitters

The Meander/Liffey Branch, the second largest of TCA's Tasmanian branches, is the result of the merger of two resource management groups based in the Liffey and Meander districts.

For the last eighteen years since the branch's inception we have supported community members, local small businesses, farmers and land owners as well as forest companies, estate managers, contractors, private foresters and saw millers that have harvested the renewable resources of the Great Western Tiers forests. We played a key role in representing the community during the Regional Forest Agreement process and during the implementation of the Tasmanian Community Forest Agreement, particularly in relation to the management of Karst at Mole Creek.

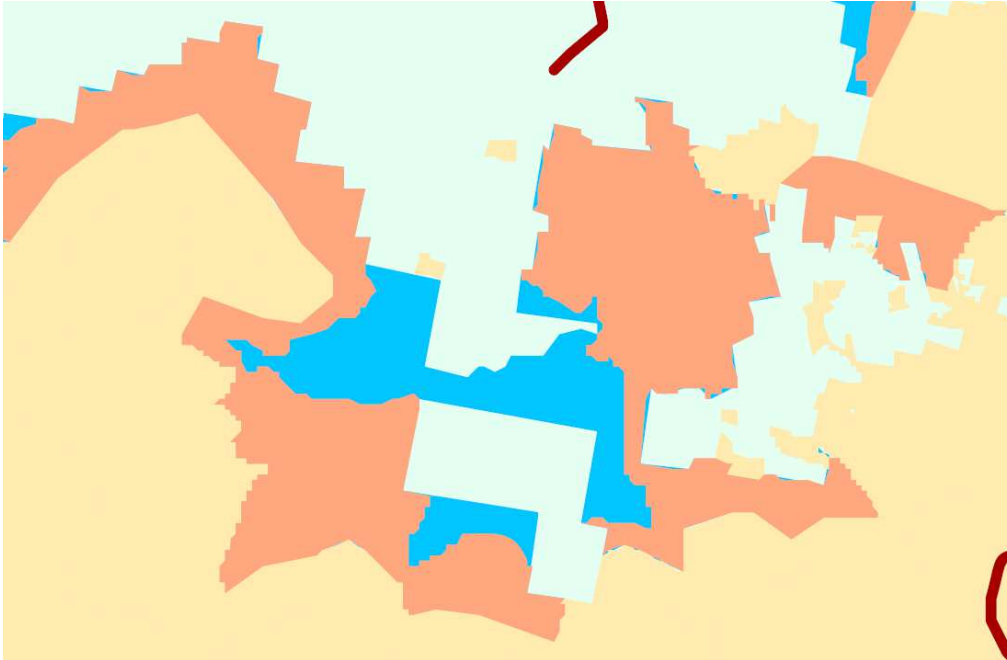
Our members have been involved in other debates on resource management including the successful development of the Meander Dam and Huntsman Lake, policies related to agricultural land, increased bush fire risk and sustainable development. As a group we have also tried to balance the claims of groups such as the forest activists in Jackeys Marsh and the protest actions that they and their allies have taken for the last 30 years.

Whilst we are proud to be part of the grass roots network known as Timber Communities Australia, the branch condemns the action taken by the National Board in signing the Tasmanian Forests Agreement against the wishes of its membership.



PROPOSED RESERVES

The legislation seeks to give effect to a reservation order to reserve 504,000 ha detailed in the Tasmanian Forest Agreement signed by industry, community and ENGO representatives. These are shown on one of four attached maps to the Agreement printed on A3 size paper. A section of map 'A' showing the reserves proposed in the vicinity of Meander and Jackeys Marsh is reproduced:



Extract at 400% from Map A of the Tasmanian Forest Agreement showing the forests of Meander divided into Private (light green), new proposed reserves (orange/brown) and existing reservation (yellow) and State forest either plantation or regenerated from 1960⁶s (Blue). The road (red) in the north is in the vicinity of the township of Meander.

The distinctive horse head shape of existing formal reserves around Mother Cumming's Peak is now surrounded by proposed new reserves of claimed High Conservation Value forest, these areas are also recommended for addition to the Tasmanian Wilderness World Heritage Area despite including many harvested coupes including Smoko Creek and Huntsman HU307, both subject to political and media stunts by green groups to claim that the areas were 'destroyed'.

"Smoko Creek, Mr Speaker, was one of the woodchip industry's first victims. ...that sanctuary blasted and burnt as if a nuclear holocaust had occurred. Smoko Creek was ... reduced to ashes"⁷ [Harvesting commenced in 1966 – the Woodchip export facility in the Tamar commenced in 1972]

The harvesting of Coupe HU307 was claimed at the time to "question the validity of the "ecologically sustainable forest management" process of the Regional Forest Agreement"⁸.

⁶ See map 3 of Hitchcock P, 2012, Independent Verification Group Forest Conservation Report 5A -Verification of the Heritage Value of ENGO-Proposed Reserves

⁷ Booth K MP, Inaugural speech: 25 September 2002, House of Assembly available at <http://www.parliament.tas.gov.au/ha/ISBoothKim.htm> accessed 30 December 2012

⁸ Cadman T, Tasmania's RFA: A case study in industrial pragmatism in "Regional Forest Agreements and the public interest" forum ANU, at <http://fennergchool-associated.anu.edu.au/rfasymposium/speakers/forestnetwork.html> accessed 30 December 2012

The proposed reserves in our 'backyard' are not pristine, primary, old growth ancient wilderness forests, but well maintained and sustainable production forests managed for triple bottom line outcomes encompassing social economic and environmental values.

Attachment 1 to this submission includes current and historic photographs on the Huntsman forest.

Interface with Private property

As can be seen from the straight edge property boundaries they are proposed to adjoin private property, mainly farmland. There will be no buffer of State forest between private and conservation reserve, creating conflict and significant commercial issues (such as fire and pest control) between productive and non production use goals and management strategies.

Currently there is a gradual change in land use from private property, state forest, conservation area and the World Heritage area. The Agreement proposes that the State forest to be reserved in this area be nominated for inclusion in the Tasmanian Wilderness World Heritage Area together with the existing Great Western Tiers Conservation Area.

Private landowners are clearly concerned at the impacts on their activities and the conduct of their businesses. Will the new managers require fencing, and if not how will they manage wildlife encroaching on private property? Currently there is a protocol between Forestry Tasmania and Parks and Wildlife, but with the conversion of State forest to World Heritage will there be the resources or the commitment to actively manage the fire risk that private landowners have faced over many generations?

In 2003, Forestry Tasmania had 570 direct employees and 600 contractors; 400 of the employees were trained, equipped and physically fit for fire suppression duties. Contractors were also trained and had the equipment to assist in fire fighting. Will trained staff and appropriately equipped contractors be available for fire duties as a result of this legislation?

Landowners and community members also had a proud tradition of being part of the local fire brigade. Member Neil Johnston was part of the Meander Fire Brigade for 25 years, (Neil has served on the Meander Dam Committee, Meander Hall Committee for 51 years, Meander Football Club for over 60 years, associated with local cricket, basketball and badminton clubs and the Tasmanian Axemen's Association, Meander Progress Association for 21 years and served on the Deloraine Council for 7 years and was awarded an Order of Australia medal in the 2012 Queen's Birthday Honours for his exemplary service to the Meander community).

The protection of crops from native animals and fire escapes from these new reserves is a major concern. Landowners are concerned that there will be a lack of fuel reduction burning in the new reserves. Increased fuel loads result in increasing the intensity of the inevitable wild fire making the protection of assets including human lives more difficult.

The new reserves proposed between Mt Franklin to the south east around to King Solomon in the west, are in the order of 35,000 ha, and could have over 100 kilometres of common boundaries with private land owners.

Community Attachment to the Forests

The forests have been important to the community of the Great Western Tiers since settlement in the 1830's. Farms being established from and adjacent to the forests in the foothills of the Tiers, and by 1900 a system of tramlines and snig tracks through the forests supplying sawmills strung along

the foot of the Tiers. Pulp wood was harvested from the late 1930's to supply the Burnie pulp/paper mill. By the 1950s seven to eight timber companies were operating in the vicinity, including the Cummings Bros Huntsman Mill.

Many locals had a lifelong participation in the regions timer industry. Commencing with bullock teams and cross cuts saws through today's modern and highly technical industry, as this account in 1981 retells:

N. Tasmania Journal
10—The Northern Scene, August 5, 1981

Half a century working in the bush

FROM the days of bullock teams hauling logs in the remote bush to the big high-powered chainsaws and bulldozers of today, Jack Stagg (65), of Meander, has seen it all.

Mr Stagg, a bushman for 50 years, recently retired and looked back on his many years of felling and hauling timber from the Huntsman region in the Western Tiers foothills behind Meander. Born into a bush family in the district, Mr Stagg followed his father's and brother's footsteps into the woodcutting business.

"I guess I had just left school and was about 15 when I first started work in the bush," Mr Stagg recalled. He said he began his bush work in the days when bullock teams were still in use to haul big logs, but their use was gradually passing. "In those days it was a very tough and harsh life; it was real hard work then."

"We used an axe and a big cross-saw to cut the timber — much harder than today's modern chainsaws and bulldozers," the bushman said.

He said that in all his bush days he had never been seriously injured. He had suffered a broken leg or two and a few cuts and abrasions, but that was all.

"It was hard work in the early days in all types of weather, and with just a bluey to keep out the cold you could get pretty wet and stay wet if it rained."

By
PAUL WHITTLE

Mr Stagg said he used to either ride a pushbike or walk the four miles from Meander to the bush where he worked, and once there a good hard day's eight hours would be put in by all.

"You got to work by pushbike or walked in the early days. Then as years went by you graduated to a motorbike, and later still an old ute or truck."

He said the first chainsaws used in the bush were so heavy that it took two men to carry and use them, compared with today's chainsaws which were very light and took only a few minutes to fell a big tree.

"There was always an element of danger in the bush in those days, too, because a big limb or part of a tree could suddenly snap and fall for no apparent reason, and you had to keep your wits about you all the time."

Mr Stagg said that over the years he had had several "close calls," and about 15 years ago one large log had rolled on to his leg, breaking it in a number of places.

That same leg had been broken years before when playing football for the local town side, and it had never been the same since, the bushman added.

In later years Mr Stagg reckoned he would have seen some 2,000,000 super feet of timber a year carted out of the Huntsman region — and that's a lot of wood!

"I reckon I've seen a lot of good trees come out of the area here, and the biggest one I've come across was a 50ft long, 25ft across the girth log, cut down by a 7ft cross-saw."

Mr Stagg said chainsaws, tractors and crawlers had revolutionised the timber industry.

"Woodchipping has done much for the industry, too. Lots of good roads have been put in everywhere, and the majority of the timber taken out of the bush for chips has been old trees or scraps."

"One thing, though, if reforestation had been started earlier there would be much more timber around today."

"I think that there will be a break between the new generation of harvestable hardwood, and the old generation that is now rapidly decreasing," the bushman said.

Mr Stagg said he believed woodchipping had certainly given many more men employment, and was not as devastating to the environment as many people thought.

In his younger days Mr Stagg was a keen cricketer and footballer. He played for the Meander cricket seniors, and at 12 played for Devonport A grade in the NTCA.

He also had a stint with the Westbury seniors and at one stage had the third highest batting average in the NTCA.

For a while Mr Stagg took part in competitive chipping.

● Former bushman, Jack Stagg, holds one of his chainsaws ... a far cry from the simple axe and cross-saw of 50 years ago. Photo: DON TOWELL.

a sport at which he was a natural, because of his woodcutting background.

But now he is retired, Jack Stagg just likes to potter around his garden, do a little fishing and rest up after a hard life of half a century in the bush.

JOHN ZANEVRA,
21 Elizabeth St,
George Town



By the 1980s, virtually all accessible State forest had been logged and roaded at some time⁹. However an Environment Impact Study, in 1982, into the forests from Projection Bluff to Mother Cummings Peak allocated the State forest into three zones, 35% production, 28% recreation and 37% conservation.

The forest, like the Tiers and the Central plateau, has become important to the community, not only for their economic wealth and job generation capacity, but as part of the communities' own heritage.

This attachment to the forests and to the Central plateau was explored by Dr Joan Knowles in her study of traditional practices in the Tasmanian World Heritage, in 1997. She found the community formed attachment through a number strands, economic importance and transhumant pastoralism, including the pride the community took in managing the environment, practices such as fuel reduction burning creating both healthy stock and wildlife. Dr Knowles also identified the attachment created by a luminal space that is ambiguous, both threatening and a place of solace. Such spaces became specific to the communities along the Tiers, such as Mothers Cummings Peak to Duncansons Rivulet being the Meander Area, Western Bluff to Lake McKenzie for Mole Creek folk.

The central plateau is traditionally accessed by the community by specific tracks, with the Meander folk usually use Johnstons, Stagg or Dixons track, named after prominent families within the community. The study found that "each community living below the Great Western Tiers has an extremely strong attachment to the part of the mountain closest to them."¹⁰

This attachment had been tested by the increasing regulation and the banning of traditional activities on the Central plateau, and due to the expansion of the World Heritage Areas after the government chose Peter Hitchcock's minority report of the Helsham Inquiry and coupled with the Green –Labor Accord and backroom deals done by the Hawke Federal Cabinet, resulted in the inclusion of the Central Plateau.

Many in the community saw this expansion of the World Heritage area as both unnecessary and done by a series of deals between the ALP Federal Government and the Green movement, it was a process that excluded the community, but ironically was a back handed compliment of the care and management of the community being responsible for ensuring value. However making it world heritage disenfranchised the community and the value of their tradition practice. Hence the commissioning of the Knowles' study to better incorporate the community's aspiration.

Multiple use of State forest has enabled this attachment to continue and to be presented to new communities of interest such as bushwalkers and tourists. Yet when bridges were washed out in flooding of the Meander Falls Road, vehicular access was lost to the Meander Falls Track, Split Rock Track, Dickson's Track, Stone Hut Track, Croft Track, Bastion Cascade Track and the Meander Picnic Area. Bushwalkers wanting to access Smoko Creek and Falls, as well as the Mothers Cummings peak complained that the two bridges would not be replaced by Forestry Tasmania due to the proposed moratorium on forestry in the area. The proposed legislation abolishes the multiple use concept, and appears not to provide funding for replacements of road and bridge assets.

⁹ Bennett R, Felton K, Cubit S, 2006, Seeing is believing... Regenerating Tasmanian forests, Richard Bennett Photography, Kingston, Tasmania

¹⁰ Knowles Joan N, 1997, Traditional Practices in the Tasmanian world Heritage Area- a study of five communities and their Attachment to the Area, Hexis consulting, Hobart

Economic vulnerability of the community

A report¹¹ by the Centre for Research and Learning in Regional Australia, University of Tasmania, found Meander Valley is one of the most vulnerable communities in Australia. Its socio-economic disadvantage stems from an ageing and declining population, loss of youth, lower education and training levels, and high unemployment. If this disadvantage is not urgently addressed, it is likely that it will increase.

The municipality of Meander Valley can be divided into three distinct population groups. These have been described as the Launceston region, rural centres and other rural areas.

Those affected most by the proposed creation of reserves of the Meander forests could be expected to live in the rural centres and other rural areas. This report was commissioned for the Meander Dam development that has addressed some of the vulnerability issues identified, however it is likely that this vulnerability will return if the sustainable harvest of the Meander forests is curtailed. As yet no social impact study has been published in relation to the Forest Agreement.

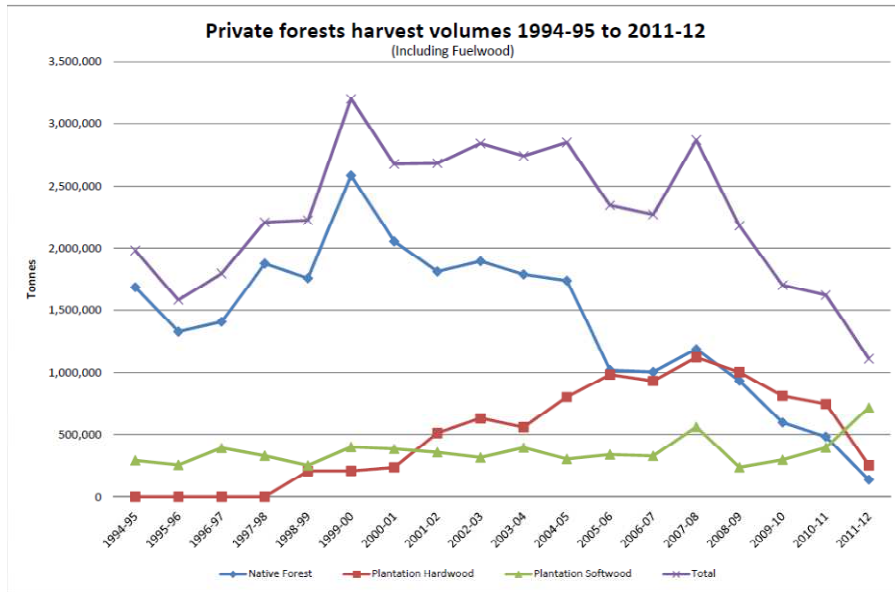
Economic vulnerability is not restricted to the use of public forests. Private forest owners have also taken a massive hit on their financial viability due to the downturn in the forest sector both before and during the “peace negotiations”. The TFGA estimate that \$2 billion has been wiped off the asset value of private forests throughout Tasmania.¹² The article also outlines the decimation of levies paid to fund Private Forests Tasmania. The Annual reports of PFT show that in 2008 levies collected were \$441,000.00 and for 2012 only \$42,000.00 The levy is calculated on the nett area of a forest operation permitted pursuant to the certification of a forest practices plan by the Forest Practices Authority.¹³

This graph from Private Forests Tasmania shows the dramatic loss of State wide sales since 2007-08, in all timber products

¹¹ Kilparick S et al, 2003, Meander Dam: Social and community impacts, Centre for Research and Learning in Regional Australia, University of Tasmania, Launceston

¹² The Examiner 28 Jul 12, \$2bn wiped off farm valuations, article accessed at <http://www.examiner.com.au/story/159081/2bn-wiped-off-farm-valuations-tfga/> 30 Dec 12

¹³ Private forests Tasmania, 2012, Annual report see page 43



This devaluation makes it more difficult to obtain finance. Similarly forest contractors and even home owners in timber communities are now finding it difficult to obtain finance. The Legislative Council needs to consider how, if at all, the Legislation will reduce financial risk. The devaluation is likely to flow onto rates from private properties to local Councils, on top of the impact from reducing rateable public production forest.

Rates on Productive forest

The Local Government Association of Tasmania found that as a ratepayer, Forestry Tasmania is a significant contributor to the economic wellbeing of local government areas around Tasmania¹⁴. Since 2002/03 Forestry Tasmania has paid more than \$15 million in rates. For the financial year 2010/11, more than \$2.7 million will be paid by Forestry Tasmania to Tasmanian councils. This includes some significant contributions to some municipalities relative to overall rating income. Meander Valley received \$845,671 and Northern Midlands \$490,827. In 2011 MVC was paid \$159,881 to May 2011.

Rates are only levied on production forest, not on reserves. The Meander Valley municipality currently has 73,600 ha of State Forest managed by Forestry Tasmania of which only 42,000 ha is available for wood production and subject to rates. The northern midlands 61,500 ha of state forests, with 23,400 ha already reserved and exempt from rates. Just how much extra forest reserves are created in these two municipalities by this Bill, and how many services to the community will be lost be this fall in rates income?

Assets on Productive Forests

Access to bushwalking track in the conservation and world heritage areas rely on access via roads and bridges , built and maintained for timber harvesting, these assets will be difficult to maintain once timber harvesting is excluded, already due to the moratorium on recent harvesting, bridges to the Meander Falls lost in flooding have not been replaced.

¹⁴ LGAT, 20011, The Future of Tasmanian Forests Socio-economic Implications at the Community Level

There needs to be an inventory and asset register of the roads and bridges within the proposed reserves. Emergency access needs to be maintained for bushfire fighting and other emergency situations of lost tourists or flooding.

An important biological asset is the regrowth forest being managed future sawlog production. Funds have already been committed on thinning and other silvicultural which needs to be appropriately recognised.

The Regional Forest Agreement

In an attempt to overcome the weakness of back room deals and in an attempt to involve the community in the next major forest lock up initiated by the Commonwealth to appease the Greens, the Regional Forest Agreement (RFA) attempted to provide an open and transparent process, that invited the community, ENGO's and Industry to make written and verbal submissions, and contracted the Public Land Use Commission (later the Resource Planning and Development Commission) to conduct a series of open and transparent inquiries to develop options for Tasmania and subsequently to determine reserve boundaries and classifications.

The RFA process was informed by the National Forest Policy Statement with stated objectives:

- A Comprehensive, Adequate and Representative (CAR) reserve system,
- Ecologically Sustainable Forest Management outside these reserves, and
- Industry development based on certainty created by a fixed forest policy for 20 years.

The reserve system was to be measured against a set of criteria known by the acronym JANIS which set targets for biological diversity, old growth reservation and the protection of high quality wilderness. Endangered and threatened species are protected by the reserve system and the prescriptions of ESFM (as confirmed by the Full Bench of the Federal Court¹⁵). Whilst Australia is a party to the Convention of Biological Diversity that had at the time a target to manage for conservation 10% of current biological diversity, the JANIS criteria adopted a 15% target based on an estimated forest extent in 1750, before European settlement, as well as a 60% target for existing old growth and 90% for high quality wilderness.

The 2012 State of the Forest for Tasmania published in November 2012 provides the latest statistics on the success of the RFA implementation.

- The CAR reserve system was 1,513,000 hectares, an increase 55 per cent since 1996. These reserves now include 49.2 per cent of Tasmania's native forests.
- 97 per cent of high quality wilderness areas reserved
- 982,000 ha of old growth or 80.4% were reserved.

The Regional Forest Agreement should continue to be seen as Plan 'A' for Tasmania's forest management and industry development for the immediate, medium and long term future, and the current Bill under consideration (the so-called "peace" deal) should be seen as no more than a very poor Plan 'B'.

¹⁵ Forestry Tasmania v Brown [2007] FCAFC 186 (30 November 2007) available at <http://www.austlii.edu.au/au/cases/cth/FCAFC/2007/186.html> accessed 30 December 2012

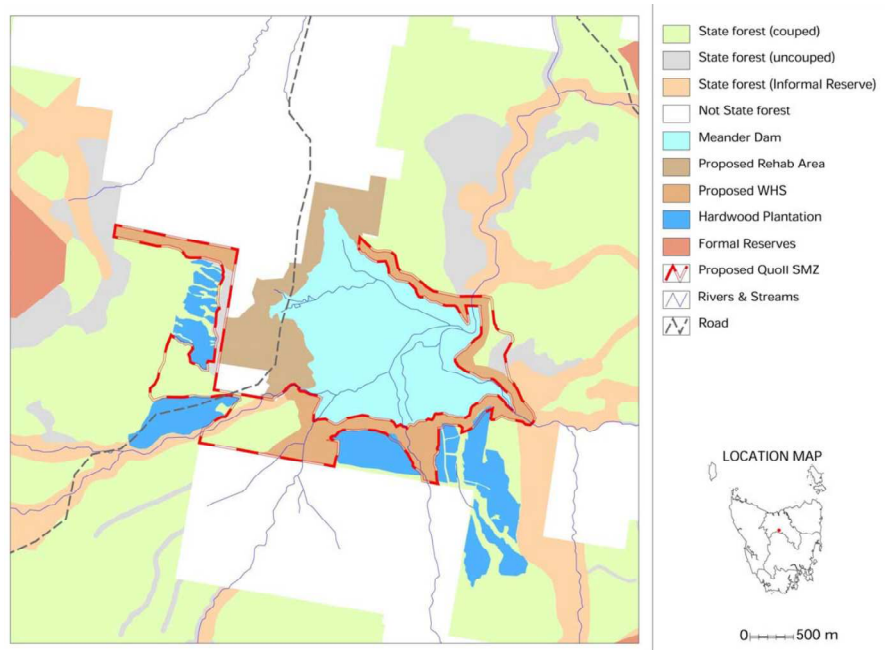
The CAR reserve system is made up of formal and informal reserves on public land as well as reservation on Private Land. However not all elements are part of the National Reserve System. The IVG reported the NRS in Tasmania at 30 June 2011 consisted of 2.8 million hectares in comparison to the CAR reserve system area of 3.2 million hectares. Tasmanian reserves that do not meet the NRS perpetuity requirement consist mainly of informal reserves on State Forest and some on Private land. Mackey (2012) noted that of the “~330,000 ha of informal reserves on public land, about 188,000 ha fall within the ENGO forest”¹⁶

At present there has been no figures published of how much existing formal or informal reserves are within the 504,000 ha proposed to be reserved by the November Agreement, but it would be expected that the vast majority, if not all, of the 188,000 ha would be included.

The inclusion of these informal reserves has made it fairly easy to state conservation values worthy of reservation are within the polygons as a third of the area is already reserved! However the Tasmanian Forest Agreement seeks to change the status and the land manager of these informal reserves, inevitably leading to restrictions of use: e.g., horse riding, walking the dog; practices identified by Knowles 1997 as part of the community’s strong attachment to the area.

A major reservation target for the RFA was in old growth forests, however Knowles identified that to an environmental activist “Old Growth forests can vary in age” but found some of them, including the along the Great Western Tiers, have been extensively logged and burnt.

The informal reserves in the vicinity of the Meander Dam are shown in light brown on this map produced and published¹⁷ during the Meander Dam community consultation open and transparent process:



As a sign of success of ESFM the map above shows the inundation area of the Meander Dam, much of which had been clear felled in the early 1990’s as preparation of build building the dam when originally proposed. By 2003, the site was identified by the Tasmanian Conservation Trust as

¹⁶ Mackey B, 2012, Tasmanian Forest Agreement Summary Report of Conservation Values

¹⁷ Rivers & Waters, Quoll Mitigation Map, 2003

providing prime foraging habitat and supporting a high density population of quolls. Informal reserves provided ideal mitigation alternatives when the dam was completed for the quoll that is listed as vulnerable under Commonwealth Legislation. Applying commonsense this finding demonstrates that the quoll benefits from forest harvesting as well there is no need for the reserves to be converted to formal to provide habitat for endangered species.

Elements of ESFM have become more prescriptive since the signing of the RFA, with the completion and review of management plans, recovery plans for endangered species and changes to the requirements of the forest practices code. Such changes are estimated by Forestry Tasmania to have a 10% reduction in harvested volume since the last major review of sustainable yield in 2007. However the IVG speculated that these and future changes would be more in the order of 20 to 40% "Headroom"¹⁸

The effectiveness and resources implication of the EFSM system has not been incorporated into any study for the need for the proposed new reserves. Nor does the legislation allow for an assessment of the need for 140,000 ha of informal reserves remaining on State forest outside the proposed formal reserves.

SFM

A key element of the Regional Forest Agreement, National Forest Policy statement and third party forests certification schemes such as Forest Stewardship Council (FSC), Program for the Endorsement of Forest Certification (PEFC) and the Australian forest Standard is SFM (sustainable forest management).

This is a concept that is reported upon by Governments every 5 years under the RFA, and annually by both Forestry Tasmania and the Forest Practices Authority, yet it has not informed the current legislation as the focus has been on the creation of protected areas. The latest 5 year review of the SFM, the State of the Forests reported:

That certification systems are voluntary schemes which provide assurance to the public that certified organisations have met the required standards of management.

Most of Tasmania's commercial forest managers are able to demonstrate their sustainable management credentials through independent certification under national and international standards such as the International Standards for Environment Management Systems (ISO 14001) and the Australian Forestry Standard (AFS).

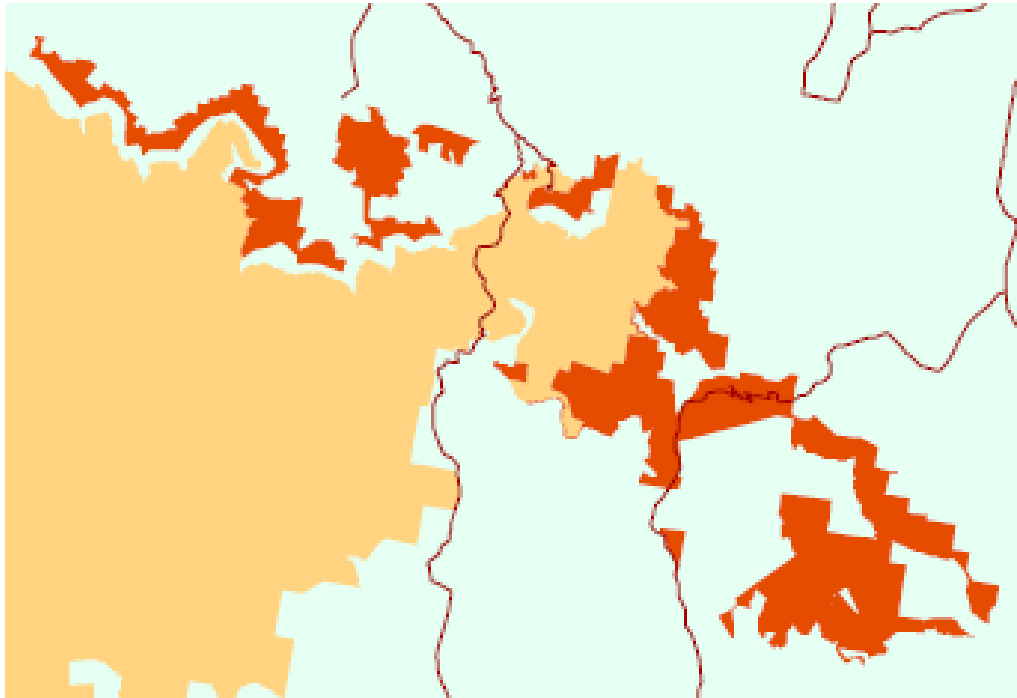
The area under Australian Forestry Standard certification was 1,864,266 hectares in 2011, an increase of eight per cent since 2006. Two companies and one private landowner have gained Forest Stewardship Council certification since 2006 for a total of 33,481 hectares. All of these certification schemes are subject to external assessment and all organisations have maintained their certification.

The TFA states that the Signatories will actively support Forest Stewardship Council certification for the Permanent Timber Production Zone Land managed as intended under this agreement, as a matter of priority. Yet the legislation is silent on how this is to be achieved.

¹⁸ Burgman M, Robinson A, 2012, Review of Tasmanian Forest Estate wood supply scenarios, for the IVG

Extension of the Tasmanian Wilderness World Heritage Area

The signatories to the Tasmanian Forest Agreement in clause 37 recommend for Government to nominate to the World Heritage Committee, for consideration in June 2013, the 123,650 hectares of the proposed “minor” extension to the Tasmanian Wilderness World Heritage Area, as identified in Map C. This map indicates that all proposed reserves along the Great Western Tiers (approx 35, 000 ha) be included in this nomination.



Part of Map C

showing proposed WHA nomination in Red from the proposed reserves and the existing WHA in yellow. The Gap between the two boundaries is the existing GWT conservation area.

The RFA Clauses (39 to 42) provided for extension of the WHA from joint study based on Australian wide themes, after fully considering the social and economic consequences, only from the dedicated reserve parts of the CAR reserves and that a management plan would be in place prior to nomination.

The RFA 10 year review noted the Australian Government has significantly revised the legislative arrangements for National and World Heritage listing. The Commonwealth’s 2003 amendments to the EPBC Act established the National Heritage List. Under the April 2004 National Heritage Protocol it was agreed that, as a general principle, future nominations for World Heritage listing would only be drawn from the National Heritage List¹⁹.

As far as the submitter is aware these areas are not on the National Heritage list or are yet part of the dedicated reserves system and no social and economic study has been completed on the proposed nomination, including the impact on the Conservation Area that currently allows for mining development.

In accordance with Section 14 of the Environment Protection and Biodiversity Conservation Act, the Commonwealth Minister can declare the area to be a World Heritage property, if it has been nominated by him to UNESCO or if he believes there are WHA values and that they are threatened.

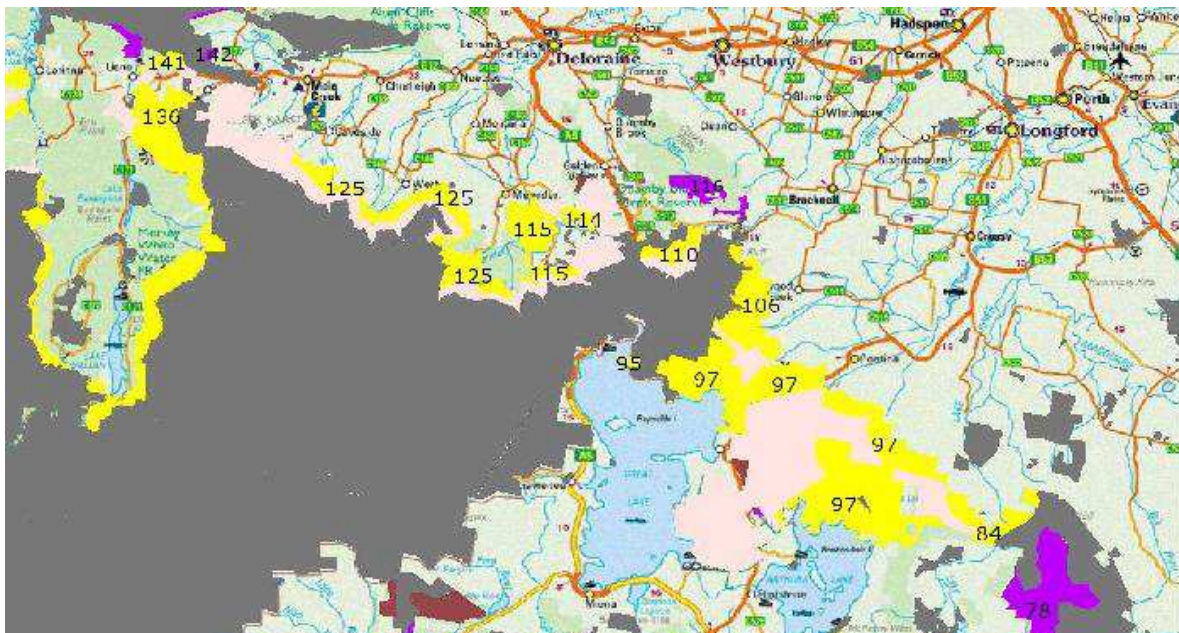
¹⁹ Ramsay J, 2008 Tasmanian RFA Second Five Yearly Review Report

Thus it is possible for the Federal minister to make a declaration prior to the completion of this inquiry and without public scrutiny of the nomination!

Despite this proposed extension being a significant area and issue for Tasmania it has been labelled as 'minor' in accordance with UNESCO rules, thus avoiding a full examination before being added to the List.

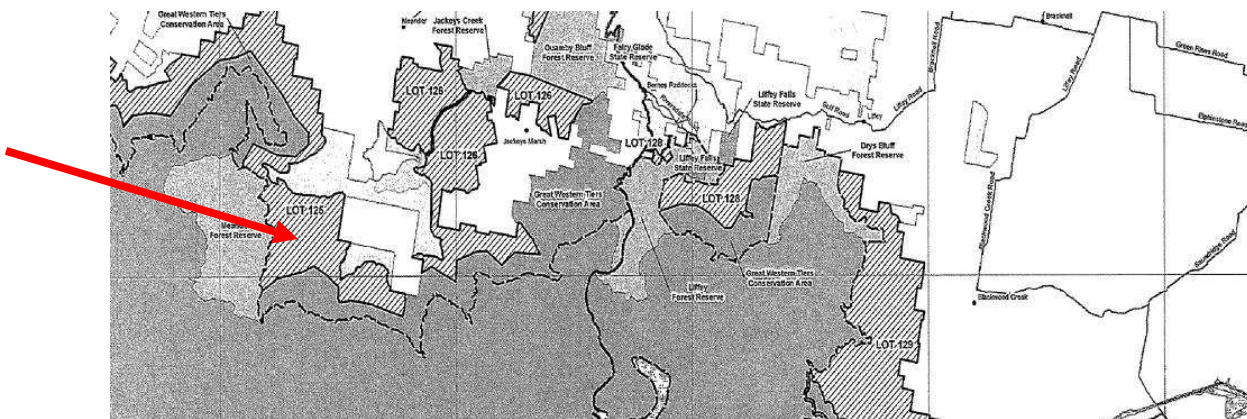
This part of the Tasmanian Forest Agreement signed in November 2012 appears to not have been included in the Legislation, nor has Map C been provided to the Parliament or the general public.

The assessment of World Heritage Values was completed by Peter Hitchcock with the assistance of Sean Cadman for the Independent Verification. His report 5a heritage is based on assessment of clusters of the ENGO proposed reserved and identified as numbered polygons, these are shown on the map below, produced by the Friends of the Great Western Tiers.



Whilst Hitchcock, not surprisingly, endorsed his own 2008 recommendations by concluding that the proposed reserves would add to the integrity of the existing Tasmanian Wilderness World Heritage Area, he failed to identify, as did Brendan Mackey, a definition of High Conservation Value forests.

The State Government provided maps to the Legislative council; this from sheet 10 is a snap shot of the area around Meander and Liffey:



The Government proposed Schedule A to the Bill describes lot 125, that contains Smoko Creek, Hu307, the Scott's Road look out, historic timber tramway and recent harvesting including CBS and variable retention silvicultural as "An area of land predominantly in a natural state"!!!



Smoko Creek, (Lot 125): a photo from the Examiner showing "Holocaust" and today's vibrant regrowth 'High Conservation Value' forest, proposed to be added to the Tasmanian Wilderness World Heritage! [The same log is featured in both photographs]

High Conservation Value forests

The Tasmanian Forests Intergovernmental Agreement between the Commonwealth of Australia and the State of Tasmania dated 7 August 2011 defined High Conservation Value (HCV) Forests to mean those forest areas identified as High Conservation value by the Signatories to the Statement of Principles.

These signatories are yet to formally identify those forests to be HCV, or to articulate a definition of high conservation value in the context of Tasmania.

Three signatories, the combined environment groups, in an attempt to summarize the conservation values of the ENGO forest, evaluated forest areas according to a so-called High Conservation Value (HCV) score of between 0 and 29. The exercise was conducted for State Forest minus Forest Reserves. An area of 1.27 million hectares, only 52,799 ha was found to be in the 19-29 or high range²⁰.

This approach was not used by the IVG as Mackey found collapsing all the conservation values into a single index was not appropriate. Instead Mackey chose not to define HCV, and whilst rejecting this methodology of the ENGOs Mackey found the claims "largely substantiated"²¹. In making this finding Mackey advised a spread sheet is in preparation which will provide information about the specific conservation values and other characteristics of each ENGO forest polygon.

The concept of HCV forest was developed by the Forest Stewardship Council, (FSC) as a principle for their certification scheme of sustainably harvested native forests. The concept was explained in a booklet handed to Japanese pulp and paper manufacturers by then Greens leader Peg Putt, and Professor Peter McQuillan (subsequently part of the Independent Verification group) when briefing international customers in 2007.

HCV1. Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia).

²⁰ ACF,ET and TWS, 2011Tasmania's Native Forests: Places for Protection A background on the ENGO identified high conservation value reserve areas, Section 4.4

²¹ Mackey B,2012Tasmanian Forest Agreement Summary Report of Conservation Values

HCV2. Forest areas containing globally, regionally or nationally significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.

HCV3. Forest areas that are in or contain rare, threatened or endangered ecosystems.

HCV4. Forest areas that provide basic services of nature in critical situations (e.g. watershed protection, erosion control).

HCV5. Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).

HCV6. Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).²²

This publication also contrasted an image of HCV forest and timber harvesting in Tasmania to demonstrate HCV forest and its harvesting:



Whilst these images are not referenced, the tall tree is a standard image of HCV forest, surprisingly the IVG found only 9,544 ha of mature eucalypt taller than 55m in the claimed area, the second image is the Hydro lake King William at low level exposing its shoreline not a harvesting operation!

The Australian FSC is yet to adopt a similar definition of type, nor did the IVG, Mackey considered 10 conservation values including the recent revised target of 17% under the Convention of Biological Diversity (The State of the Forest 2012 confirms that Tasmania already has 49% of its native forest reserved.)

The Legislative Council's Administrative Committee "A" in 2011 noted from the evidence before it that it would be extremely difficult to negotiate any form of agreement without the key definition of HCVF having been defined.²³

The Legislative Council should require the Government to confirm a definition of HCV forest.

Flawed Process

Whilst our branch has limited input into the process to reach this agreement through our National Board, the signing of final agreement was not supported by the majority of members of the Branch. Concern expressed including that the agreement was reached only after threats of market sabotage against industry. In fact during the whole negotiation process there was forest protest, cyber action and "bullying" of stakeholders to agree to a "peace" deal.

²² Rainforest Action Network, 2007, The Truth behind Tasmanian forest destruction and the Japanese paper industry.

²³ Legislative Council Government Administration Committee 'A' 2011 The Impact Of The Proposed Transition Out Of Public Native Forest Management And Harvesting In Tasmania, Parliament of Tasmania

Monies from the Commonwealth were also made conditional with Parliament required to consider incomplete legislation in unrealistic time scales. Any deal made under duress has little likelihood of long term success.

As can be seen by examples in this submission the Independent Verification process designed to assess the claims was also flawed in that it did not meet its terms of reference to provide independent advice on new reserves and boundaries, or in fact that the verification process was independent from the Signatory groups. Yet already the ENGO signatories and other activists are claiming that all areas were independently assessed as having HCV or WHA values!

CONCLUSION

To avoid sovereign risk and to ensure the Government honours its election commitment, there should be no change to the CAR Reserve System or the RFA. There should not be any change in Legislation covering our forest practice without a full social and economic assessment process that includes valuing the attachment to the forest by the local community.

Forest should be managed for everyone not just industry or elitist ENGO's, the withdrawal of Tasmania biggest native wood purchaser should be seen as an opportunity for a lighter footprint on our forest not a demand to lock up and exclude economic activity that will have long term benefit.



The community demonstrating their support for balance in the main Street of Deloraine

Invitation

The members of the Meander Liffey Group invite the Select Committee to inspect the forests of the Great Western Tiers and are willing to provide verbal evidence under oath or affirmation and to answer questions to expand on this brief submission.

Rodney Stagg
President
on behalf of the Liffey/Meander Branch
Timber Communities Australia
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