

**THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON FORESTS MET IN  
COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON WEDNESDAY  
23 JANUARY 2013**

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**Mr VICA BAYLEY**, WILDERNESS SOCIETY, WAS RECALLED AND RE-EXAMINED.

**CHAIR** (Mr Harris) - Welcome back, Vica. There is no need for you to be sworn because the previous taking of the oath suffices and I'm looking at my list from last time, I didn't have anybody queued up except Mr Mulder. Can you give him that information when he comes back?

**Mr BAYLEY** - I certainly will.

**CHAIR** - Thank you. Vica, we are happy to make the time for you to give some assessment of, we understand, the amendments which the government was circulating.

**Mr BAYLEY** - Sure. Before I do that, thanks for the opportunity to come back. I think probably the most important thing I did take away a question on notice from Mike Gaffney around my assessment of the ramifications of failure of this agreement, failure of the legislation therefore and look to be frank I did welcome the opportunity to do that. I wouldn't normally volunteer this because it could be perceived as a threat as to what will happen and what we will do and so forth, but as I have been asked it, so I will honour that question.

I think as a flag last week the ramifications for failure to my mind are not pretty at all. They are not pretty for anybody. They are not pretty from a forest perspective, they are not pretty from an industry perspective and certainly not pretty from a community perspective. I do believe that this is a unique opportunity to actually move beyond what's been a divisive debate for a long time, there is this great opportunity and I believe we need to embrace it and take that opportunity. I think there is the equal opportunity that things actually get worse should this fail. Should this not go through the continued collapse of the industry, the continued advocacy of the ENGOS, the continued I guess what we would call destruction of values in the forest would mean that that division is magnified and from a community perspective I can't see how that is a healthy way forward.

Last week I opened with this newspaper headline, which I tried to use last week as an illustration of the failed past processes, this was published a year to the day after the last Tasmanian Community Forest Agreement, 'Loggers Left Out on a Limb.' I put it again to you today in the context of the ramifications of failure because we run the risk of repeating history. History will repeat. There are statements in here that I read out last week such as:

Senate Abetz said there were no plans to address the problem of having too many timber workers and not enough logging work by offering industry assistance to encourage the industry to shrink.

I think we would see a picture for industry where it has unsupported change. I spoke last week about the fact that change had come and it has been coming for a long time. The fact that this agreement, the money that is on the table, the legislation offers and opportunity for us as Tasmanians to manage to shape that change and more than anything to support that change in a compassionate way, support people through what will be, what has been, what is and what will continue to be a really challenging time financially, personally and etcetera. We can do that by this process.

On the other side of the ledger here it has a quote that says:

However, he said hundreds of forest workers were tired of coping criticism from outside forces such as the Wilderness Society and then getting no support for their businesses and job security from within their industry.

So, I guess we see a resumption of the conflict, potentially an escalation of the conflict. We've had three years where we, as the biggest environment groups in the state, have pretty much backed off from active campaigning and focused all our resources, energy and hearts not into advocacy aimed at destroying industry but advocacy aimed at reaching a negotiated settlement at protecting forests. Clearly, we will explore other options and ongoing engagement from a market perspective, a community perspective and so forth is an option. We started to go down that line back in October or November when the negotiations collapsed. We felt a justification for going to the retail marketplace and we gave a factual update of our assessment as to why these negotiations were collapsing and what that means.

This is a real world situation that my colleagues in the environment movement need to realise. From an environment perspective there is very limited forest protection by a no agreement, no legislation, no resolution solution. We're faced with a situation where there's ongoing politics at a state and federal level around our forests and we've seen how, even if we do get limited protection and a minor extension to the world heritage area, it's not going to be anything like what conservationists would call a comprehensive and a necessary resolution to the debate. We'll still see ongoing logging in places that people want to protect such as Bruny Island, the Tasman Peninsula, all the way up the eastern highlands, the north-east highlands and, of course, across the central north and the Tarkine.

There's obviously a live debate going on about the world heritage extensions and we fully support the extension to the existing world heritage area and have done for 25 years. Aside from that, it's very difficult to see how there can be any forest protection delivered by a failure scenario.

Similarly, industry and Ta Ann, have made their position very clear. I think they're hanging on by their fingernails in terms of trying to stay in the state while this committee process runs its course. They have made their position very clear that if there is no implementation of this agreement they see little future for their company in this state. The sawmillers, big and small, are clogged up with residues and financial and other issues. We'll see banks start to come down on sawmillers and other small businesses. I think you heard a very powerful representation from the contractors' association and how dire some of their members' situations are, how the banks are looking very closely at

them and many are just hanging on by their fingernails over the course of this next couple of months to see if there is going to be support and what kind of support that ultimately is. They flagged it will directly impact the whole industry because if they don't survive, if they can't cut logs, there are no logs, no jobs and no material. I can see the whole supply chain collapsing.

I think for other stakeholders, including stakeholders advocating rejection of this legislation; the negative impacts will flow to them as well. I don't accept many of the arguments that they run around the impacts of the implementation of this legislation on their businesses or their members. For example, the farmers have had a 90 per cent reduction in logging on private land over the last number of years. Is that a result of any decision that we have made as signatories or government has made? The answer is no; it's a symptom of the collapse in the industry.

Gunns has exited the industry; this is the real world situation of the impacts and if we see a continued collapse of the industry, we're going to see that perhaps go to 100 per cent. I think farmers are playing a very dangerous advocacy role in terms of their membership because in the interests of farmers and private foresters they need an ongoing native forest industry that is stabilised.

Similarly, local government have made representations about loss of rates and other issues but, again, I would argue that as a consequence of not getting stabilisation within the industry, and not getting resolution around land tenure issues and so forth, many of those issues are going to continue. They have pointed to things like roads; they cannot manage the upkeep of roads. How many times have we heard about Wielangta road being closed over the last three or four years? That is not because someone is trying to protect Wielangta or that Wielangta has been protected; that is because the industry does not have the money to manage that road. Gunns did not have the money to manage that road. Again, via a coordinated and a structured change that addresses a lot of these concerns, we can see an opportunity to fix some of these problems and address everybody's concerns.

Investment in the state - the political football issue - all of these things will continue. As an environmentalist, I feel deeply for the forests and the impact on forests. We will still see roads being pushed into remote forests. Even the though the industry will collapse, we will still see logging going on. As a Tasmanian, I fear for the ramifications of the failure of this because if we think there has been deep division in our community over forests for the last 20 or 30 years, given we have an opportunity to take it in a different direction, I think the reaction to failure will be even deeper division again. I do not relish, welcome, or like the sound of that but that is my real-world assessment as to what will happen.

**CHAIR** - Mike, you have the first question. I indicate to members that I intend to limit questions to one per member and see how we get around this because we have had people banked up in the past and this is likely to be his last presentation to the committee. We will go with one question per member.

**Mr GAFFNEY** - When I started my teaching career down on the west coast when the dams question was on, the angst that was created within communities and families took years to resolve. That is the thing that worries me about this one as well. Here is a chance for

it to come to an agreement, so that those families can heal. I know there are communities in this state, particularly down in the south, where there is a lot of community division. From a local government perspective, I think that needs to be put on the table.

A lot of people out in the community believe that 504 000 hectares of land is suddenly going to be locked up that has not been spoken about before. The everyday person is saying, 'Why are they locking all this up?'. Of that 504 000 hectares, do you have a breakdown of what land was already identified as never going to be locked up anyway? Over the years, people - including industry and the community - have recognised that there are valuable tracts of land out there that were not going touched. Of that 504 000, what would you have said was never going to be touched anyway?

**Mr BAYLEY** - It is hard to answer that in absolute precision because even in production forests there are areas that were never going to be touched. I think environment groups consistently throughout this process have tried to deal with it as a whole-of-landscape approach from a public land perspective. We have not just narrowed in on coupes or technically threatened forests that are going to be logged and said, 'We need that'. We have taken a bigger picture approach to conservation in Tasmania - whole of landscape conservation, connectivity, et cetera. As a result, included in the 504 000 and in the original 570 000 hectares, there are many areas that were never going to be logged because they are already reserved. They are already in formal reserves under legislation or other mechanisms in Tasmania.

Areas such as informal forestry reserves - we have included them. They are already protected and never going to be logged unless Forestry Tasmania make an alternative decision than the one that they have made in terms of protecting them, because these reserves do not have the imprimatur or the protection of parliament. We have included them because informal reservation, from our perspective, is not an adequate level of protection. In terms of delivering a comprehensive, connected conservation outcome across public land in Tasmania, they should be wrapped up into the new reserves.

Included in the maps you are seeing is around 174 000 hectares of informal reserves, so these areas arguably have never been logged. We haven't tried to argue this publicly over the last two-and-a-half years because it looks as though we're trying to downplay our claim or up-play our claim; it just gets wrapped up in the politics. We just try to deal with the real world - this is what is needed to satisfy conservationists to deliver an outcome that we can put our hands on our hearts and say, 'We think this is a comprehensive conclusion to this debate' and it includes 170 000-odd hectares of informal reserves. It also includes roughly 40 000-odd hectares of commonwealth land or other tenures that arguably were never going to be logged.

Jim has flagged once or twice in his debate things such as the Buckland and Stony Head military areas. They are in our reserve plan; they are on public land. They happen to be on commonwealth public land but we have included them because to deliver a comprehensive conservation outcome on public land, we should see those areas protected. There is another 40 000-odd hectares there that would never be logged. That leaves roughly 460 000 hectares or thereabouts, minus roughly 174 000 hectares of the informal reserves of state forest, which is roughly 280 000-odd hectares of production

forest, of which some may not have ever been able to be logged because they are too steep or because of other prescriptions from the code.

**Mr GAFFNEY** - I think it makes it more community-friendly if people can understand that a lot of that was never intended to be protected.

**Mr BAYLEY** - Perhaps that's a failure of us as communicators through the course of this process of trying to correct the record and making sure it's not locking up a full half-million hectares - that we are just improving the conservation status of a significant portion of that, a 174 000 hectare portion.

**Mr MULDER** - When you look at the maps we have finally been provided with - and I understand you have only recently seen them yourself - a lot of the high order stuff, such as the conservation areas, the national parks and the regional reserves - a lot of those dark areas are adjacent to existing national parks or conservation areas. Picking up on Mike's point, a lot of those areas are probably protected now because of the Nature Conservation Act where most of these reserves have criteria about needing to preserve the values in areas adjacent to the national parks - almost as buffer zones around the national parks. What is your view on that?

**Mr BAYLEY** - I don't think that is correct. We have had logging right up to the boundary of the World Heritage area and national parks. There may be some limited issues around buffers and so forth. We have long argued that these are areas of state forest; they have no other protections apart from those applied by the Forest Practices Code or Forestry Tasmania's informal reservation program.

**Mr MULDER** - So as they come on stream and are incorporated into parks, you wouldn't see the areas now adjacent to the new boundaries as being prohibited from logging right up to the new boundaries of the national park? You wouldn't see a problem with that?

**Mr BAYLEY** - No, we have put this forward as our agreement around a definitive conservation outcome on public land in Tasmania.

**Mr MULDER** - So we're not going to create a new buffer zone to extend it?

**Mr BAYLEY** - No, we are aware and working through a range of infrastructure issues. There are logging roads that pass through these reserves. Places such as the Florentine Road, for example, cut straight through this reserve. In a real world, we need to work out an arrangement so that is still a logging road and can be used to access areas further up the Derwent Valley. I think I heard Forestry Tasmania refer to some other issues. These are issues we will work through as signatories as part of the signatories group. We may have issues - I am not saying this is a blank cheque and we won't have some issues, but we now feel as though we have alternative mechanisms to resolve those issues. In short, we are not proposing a creep-type approach to this where there will be an additional claim and then another additional claim from a buffer perspective.

**Mr MULDER** - So there won't be an argument for logging adjacent to a national park in the future simply because it is adjacent to a national park?

**Mr BAYLEY** - No, I don't believe so, not in the context of this agreement.

**CHAIR** - My question goes to the World Heritage Area extension nomination. The map you have in front of you, Vica, we received yesterday. I am presuming -

**Mr BAYLEY** - It looks like the same one.

**CHAIR** - Yes, we just got that yesterday from the department. Then they further tabled map C, which was the ENGOs' claim for World Heritage extension. It appeared to some at the committee table that there was in fact an incompatibility between the government map and map C and we challenged the department on that. The department's map suggests that you're not going to get the world heritage areas which you have nominated on map C. What tension does that bring to the circumstance of the agreement, because it seems that if this is what the department proposes and that is what Minister Burke accepts, then between the two governments they have cherry-picked your claim for World Heritage Area extensions.

**Mr BAYLEY** - Our claim for World Heritage extensions is incredibly important from our perspective and from a durability and constituency perspective, so I think I answered pretty clearly last week that yes, it would be cherry-picking and very problematic if anything other than that map was implemented or nominated.

My understanding is that World Heritage is an additional overlay over state legislative protections so there is no inconsistency with adding a World Heritage overlay over these proposals from the state government. From our perspective, this is a lowest common denominator in terms of the reserves. As conservationists we are advocating the highest possible nature conservation status, as you would appreciate, but there is no inconsistency with putting a World Heritage overlay over the top of this map, even if this is what is delivered.

**CHAIR** - I think the committee understands there is no problem with an overlay. The question really is that map C is your claim after the negotiations through the last two and a half years. If minister Burke puts forward less than that, as is being proposed by the state departments, what potential is there for that to be a deal-breaker?

**Mr BAYLEY** - I think you misunderstand maybe what is being proposed. This can be proposed and this can go through and an additional overlay of World Heritage goes over the top, so there is no inconsistency. Map C is not our claim, it is actually what has been agreed should be nominated via the agreement and there is no inconsistency. The department, at a state level, and the legislation with the reserves that come through your House will presumably look like this unless from our perspective there is some improvement around the nature conservation protections delivered there, but the World Heritage is an additional overlay over that. There is an inter-relationship and the land underneath it needs to be protected but I do not believe there is any inconsistency with World Heritage nomination for the reserves as they are outlined in this map.

**CHAIR** - I do not misunderstand but there is a timing issue here. Minister Burke indicates that the timing for the World Heritage nomination to go forward this year is February, then assessment in June. We were advised yesterday that minister Green has had discussions with minister Burke and indicated to him that any threat to the mining opportunities as a result of the World Heritage nomination won't find favour with this

state, so we have the maps produced by the department which are not consistent with map C. I understand the overlay opportunity but minister Burke's nomination may well precede what we agreed as a parliament. If minister Burke puts forward anything less than the 123 000 hectares - and it seems that if minister Green is able to prevail upon him he may put forward less than 123 000 hectares - what capacity does that have to be a deal-breaker?

**Mr BAYLEY** - It is problematic. We have consistently said that the agreement is the agreement and needs to be implemented. We have accepted, whether by amendment or other issues, that if you can pick up elements of the agreement that aren't in the legislation or in other elements, if you can add value that is run past the signatories and accepted by them, that is fine, but the agreement is the agreement and it is the expectation of the signatories for it to be delivered. From our perspective it would be similar to the parliament moving an amendment to increase or decrease the wood supply commitment that has been agreed.

This is a significant issue for us and I think everybody involved in this agreement. The World Heritage claim has been a very long-running, divisive icon of the forest campaign. As a signal to the community, to markets, or to a whole range of people dealing with that in a comprehensive way that has environment group support at probably all levels, that is a very significant signal to everybody that we are on track to delivering the resolution that we believe is held within these papers and is available to us.

**CHAIR** - You have indicated twice that it is problematic. Would your durability reporting indicate that there is a durability compromise here?

**Mr BAYLEY** - I would imagine so. I can't pre-empt what minister Burke or minister Green or what this nomination is going to do. All I can say is our durability report will be measured against the agreement we signed. If there is a different outcome, whether it is from a wood supply, conservation, or any other perspective, then we are obliged to report on that accurately and our response to it how problematic it will be I can't pre-empt; we will have to determine that at the time. I would imagine it would be very problematic for us as signatories and indeed very problematic for some of our constituencies who are sitting on the outside and are very sceptical about the process we have been in and the role that some of you as Legislative Councillors would play in terms of delivering and implementing our agreement, and this is a massive signal that something is happening and that this is real.

We have, as conservationists and as a process, consistently failed, if you like, to deliver a tangible conservation outcome via this process. Moratoriums have failed, interim conservation agreements have had holes in them where coupes and so forth are. We have persisted with this process because we believe it is a long gain, not a short one, and we need to persist with it because this is the only way of getting protection. That has made it very hard in the conversations we have had with our colleagues about why we are so persistent in this process. A World Heritage nomination that is in line with the agreement is a massive signal that we're on the right track and that this is going to deliver some tangible benefits from a conservation perspective.

**Ms FORREST** - Vica, the maps are difficult to line up because they are not the same size and not to the same level of detail. Do you have a more up-to-date map of this that you

could easily overlay with the other one? To the naked eye there are areas in the south-west that appear to be the same areas on the World Heritage map and on the map provided by the department yesterday. On map C provided by your organisation there is an oddly-shaped little red bit, I think near Lake Pedder.

**CHAIR** - Yes.

**Ms FORREST** - The exact oddly-shaped little red bit is on this map supplied by the department that would indicate it would be reserved as a regional reserve. It is clearly in my mind the same area because of the shape of it. The department is saying this area and others in the vicinity would be reserved as regional reserve. With the regional reserve you can continue to mine and explore, and a range of other activities; under a regional reserve you can't harvest the trees but you can do other activities.

My understanding is if it is World Heritage listed, as requested by the signatories, that you can't mine in a World Heritage area - am I wrong on that?

**Mr BAYLEY** - I think you are wrong, but it does make it very difficult.

**Ms FORREST** - So effectively what it means is that you can mine but you have to go through so many hoops and challenges that it would be uneconomic to do so?

**Mr BAYLEY** - There are strategic prospectivity and other zones inside the existing World Heritage area at the moment. As you are aware there has been Cox Bight and Melaleuca, and places like that, recently added but it would be make it very difficult, yes.

We went through this a little last week. We have done an analysis of the prospectivity and the leases and licences across the minor extension to the World Heritage area. If you unpick and look underneath the large assessments of the prospectivity for the World Heritage area extensions - it is possible to paint a different picture with weighted versus maximum indexing in terms of mineralisation and so forth. An argument or analysis in that context will show that many of those areas that overlap with the World Heritage minor extension are not as prospective as they look in some of the reports. Indeed some of them are under several hundred metres of dolerite that makes it utterly unfeasible. Similarly the licences and leases analysis shows that there is very little issue between the minor extension and exploration licences.

We have said that there are several very small quarrying licences that you would imagine could be dealt with very easily. Some of them are very small portions of massive gas and geothermal exploration licences where it is hard to imagine it would make any difference. Others have expired, pending renewal or the company is bankrupt. There are serious real world complications with the mining prospectivity underneath the World Heritage minor extensions, and we had conversations last week around the Tarkine being a very different picture -

**Ms FORREST** - The Tarkine area is not such a concern to me in this area because there is no claim for World Heritage listing in most of the area of high prospectivity. The south end is more of an issue. It is the levels of prospectivity that you are suggesting. What you are saying is that if there is no conflict between a proposal to be a regional reserve and a



World Heritage listing over the top of that - doesn't the World Heritage listing prevail over a state-based reservation?

**Mr BAYLEY** - Yes, it is an additional layer of protection.

**Dr GOODWIN** - For clarification, I think some of the area proposed for future reserve land that is also on the map C provision is proposed to be a conservation area and I am pretty sure I was told yesterday that mining is allowed in the conservation areas as well. Is that your understanding?

**Mr BAYLEY** - That's right.

**Dr GOODWIN** - So it is the same issue - there are bits that are earmarked for regional reserves and bits that are earmarked for nature?

**Mr BAYLEY** - That's right. You might like to correct Mr Brooks on that, his claims around a third of the reserve area being off limits for mining are incorrect if you look at the permitted uses of regional and conservation areas.

**Ms FORREST** - They're not off limits but it makes it much more difficult and much more difficult to be economically feasible.

**Mr BAYLEY** - Possibly so. Let us remember that these are areas of the Tasmanian landscape publicly owned that have had their conservation significance long contested and indeed verified over many years.

**Mrs TAYLOR** - I was really concerned yesterday when these maps were produced, along with map C. I just go back, and I'm not splitting hairs, but you said at the beginning of today that this agreement is about protecting forests from your point of view - they were your words 'protecting forests'. Last week, a number of the people we heard from talked about being left out of the process and it became clear during the week that they are left out of the process because it wasn't between them; it was about stopping logging in extra native forests or allowing logging. So it was between ENGOs and the public forest industry.

That made sense to me to say okay, I understand now why mining, tourism, local government authorities were not involved because it isn't about them; this is about whether you log or whether you don't log in these areas. However, protecting forests is slightly different; in fact, it could be vastly different from stopping logging because when you protect forests, you are not necessarily only stopping logging. You could be stopping all sorts of other things as well, which is why the world heritage area. Are you about protecting forests or are you about stopping logging in these areas?

**Mr BAYLEY** - We are a conservation group so -

**Mrs TAYLOR** - Sorry, I don't mean you, I mean the agreement. What is the agreement about? Is the agreement about stopping logging in those areas or is it about protecting forests? It appears to be about stopping logging.

**Mr BAYLEY** - The agreement is a bit of both. This is a negotiation with the logging industry, so as a result, it's about protecting forests from logging.

**Mrs TAYLOR** - From the logging industry with that proviso; protecting forests from the logging industry. This agreement is not about protecting from anything else because the only people who are involved in this are the loggers and the protectors, if you like.

**Mr BAYLEY** - Conservationists, yes.

**Mrs TAYLOR** - Okay.

**Mr BAYLEY** - That's right. It's also about delivering on people's needs. One thing we have consistently done throughout this agreement is try to understand each other's needs, in terms of walking in each other's shoes and sharing problems and resolving them. We, with things like the question of world heritage extension, is a claim that's been there for 30-odd years. It's about delivering on long held conservation claims from our perspective and delivering on our needs to be able to demonstrate that there are comprehensive outcomes here. As part of the agreement, the world heritage area is a component of that. Ultimately, it's up to governments to deliver on those elements but as far as the agreement goes, it is something that we have repeatedly articulated. We need to be able to bring constituencies along to demonstrate proper protection for the forests and for those landscapes and, as a result, it was negotiated and agreed.

**Mrs TAYLOR** - Yes but can you try to see my point that a lot of people who have come to us have said they've been left out of the process? I thought they shouldn't have been left out of the process but, when I look at this agreement, they should have been left out of the process because it's not about them; it's about conservationists wanting to stop logging in native forests and the logging industry saying how can we survive and it's a negotiated agreement between the two; it's not about beekeepers or miners or private forests or any of that sort of stuff.

**Mr BAYLEY** - I think some of those -

**Mrs TAYLOR** - Setting aside the world heritage area, if you're talking about protecting forests, then with the rest of it you should have, and from all those things or negotiating with people about who could have access to what, then they should surely have been around the table. The fact that they're not around the table is that this is an agreement between two very distinct parties.

**Mr BAYLEY** - We should make sure and make it clear from our perspective that many who are feeling left out and making representations because they were left out, have indeed had some involvement throughout this process. The farmers and graziers, for example, who were involved in the very original statement of principles conversation.

**Mrs TAYLOR** - But this is different from the statement of principles.

**Mr BAYLEY** - But they were involved; they had a chance to participate; we've all participated; we've all represented our members' views. They chose to step out. The TCCI, for example, have also been very critical but we maintained a dialogue, a very friendly and supportive conversation about this agreement for the first several years with

Robert Wallace in his role as CEO of the TCCI, until he left his role. He was broadly very supportive about this as an opportunity. FIAT, for example, is a member of the TCCI. We've been meeting with the Tourism Industry Council to try to address their concerns about access to these new reserves since Daniel Hanna was in the chair of the Tourism Industry Council. We have made some really good progress, established some really good relationships and I think we have broadly been on track of reaching a very good understanding about how to address those problems. I have been involved at the table necessarily but -

**Mrs TAYLOR** - That is not my point, though. My point is, is this between the conservationists and logging in public forests or is it broader?

**Mr BAYLEY** - This agreement is between conservationists and elements of the logging industry, be they worker representatives, industry representatives, community representatives.

**Mrs TAYLOR** - Yes, in public forests?

**Mr BAYLEY** - In public forests.

**Mrs TAYLOR** - Yesterday when we got these maps DPIWE said to us pretty clearly, I think, that we should not worry too much because of that 504 000 hectares or 514 000 or however you like to do the figures, more than 300 000 of it they were proposing be in regional reserves. In regional reserves all of those other people that are not part of this agreement probably would not be stopped from doing a fair number of things because regional reserves are pretty open. That seemed to be fine. Then we see map C which in fact then talks about World Heritage area and there is a pretty fair overlap. So it is not realistic to say that if this goes into World Heritage - and I have no problems with that - it then does not mean that you have got 300 000 hectares in regional reserves, however you classify them, because it is an additional layer on top so that the people who might have fairly simple access to regional reserves are no longer going to have access to that.

I know what you are saying - that we can organise it - but tourism and mining and everybody tells us there are so many additional steps that it is so much harder and so much more expensive. There is a serious difference between accessibility in regional reserves and in World Heritage.

**Mr BAYLEY** - Many of these are management plan issues. For example, in the existing World Heritage area there are parts of it that are still available for recreational shooting, for example. It is obviously still open for tourism and other perspectives and many of these issues are addressed under the management plan for that property.

**Mrs TAYLOR** - You do not have a problem with these two maps not being much the same?

**Mr BAYLEY** - No, I don't. The problem I as a conservationist and as -

**Mrs TAYLOR** - The bits where it is dark green, for instance, which are national park and where they coincide with World Heritage you say well that is [inaudible] but there are lots of others.

**Mr BAYLEY** - There are elements of this. Conservationists have national park proposals for many of these areas that have not achieved that status via this process or at least via this map, whether it be the north-east highlands national park or the Tarkine national park - a long-held claim - or the Great Western Tiers national park, so this map does not necessarily address the aspirations of the conservation community. It ticks a box in terms of giving legislative protection, and we welcome that; that is the minimum that our agreement requires. We have aspirations about high levels of protection but according to this map it is not achievable and many members would probably -

**Mrs TAYLOR** - Obviously you would like more but you are satisfied that this map does not breach the agreement?

**Mr BAYLEY** - That is right. We are satisfied that this map does not breach the agreement. It is consistent with the agreement. We agreed for the highest level of protection to be delivered to these reserves. Clearly our range of officials have, in their assessment, given the constraints they have, given the highest level of assessment for some of these areas.

**Mr MULDER** - Some of us are having trouble here because lots of references are being made to this map, that map and another map. I think for the record we actually need to identify which particular map is being referred to.

**Mrs TAYLOR** - Yes. We are just talking about the future reserve land map and map C.

**Mr BAYLEY** - And the tenure map, tenure equivalent to existing purposes and values.

**Mrs TAYLOR** - The future reserve land map doesn't appear to be consistent with map C.

**Mr BAYLEY** - Both maps are consistent with the agreement, though.

**Mrs TAYLOR** - As long as you are satisfied that the future reserve land classifications, as they have indicated here, don't breach the agreement.

**Mr BAYLEY** - They don't breach the agreement but they don't meet some conservation groups' aspirations - for example, those groups that have been advocating for a north-east highlands national park or a Tarkine national park. That is an element that hasn't been resolved by this process.

**Mrs TAYLOR** - So is that going to be a deal breaker?

**Mr BAYLEY** - No, it is not going to be a deal breaker. This meets the agreement, but you may have representations from some of your constituents who support a north-east highlands national park and want you to try to deliver it for them, as will we.

**Mr DEAN** - My question is on durability. As a signatory to the TFA, you support native forest logging and you support to some extent clear-felling. I just want to refer to your submission, which you were part of, to the inquiry into the Australian forest industry. I think that was submitted last year, from memory. I just want to make a couple of comments from that document to see whether or not your position has now changed in accordance with that submission and what is in the new TFA. Under biodiversity, you subscribe to and you support the position that most native forest logging in Australia in

public forest it is clear-fell logging and remains most controversial. You then under the same heading of biodiversity support or make this statement:

Even Forestry Tasmania acknowledges the issue and have said that the issue of waste raises interesting issues. As we now understand the importance of maintaining coarse woody debris on the forest floor for future maintenance of forest biodiversity, therefore the retention of logging residues is seen as environmentally necessary.

You then under a heading of 'Meeting our Wood Product Needs' stated:

Hardwood plantations can now entirely replace native forest woodchip production.

If I go through to recommendations, your last recommendation is:

Support the protection of all remaining native forests across the continent to maintain and enhance its quality and extent and facilitate the management required to optimise biodiversity, water amenity and carbon values of these forests.

What now is your position because it would seem that a number of the issues that you have signed off on in the TFA are contrary to your views supported in that submission to that committee inquiry?

**Mr BAYLEY** - Our position is the agreement we have signed. It is the position that we will be backing in strongly and that we will be supporting going forward. What this negotiation has been, as we discussed last week, is a genuine compromise, a genuine exercise in understanding each other's needs, issues, challenges, problems and trying to resolve them collectively. We had aspirations, as you would be aware by the statement of principles, of immediate protection for high conservation value forests, a rapid transition out of native forests, aside from specialty timber, but that hasn't entirely been delivered by this agreement. But I can reassure you that this agreement is our position.

If you are asking whether we've changed our minds, changed our opinions, we've realised that we operate in a real world and that from a range of perspectives those views were legitimate back then, are legitimate in other jurisdictions and are I think still legitimate, but in the context of Tasmania, in the context of the negotiation we've just been through, and it's been a long and difficult one, our position is very clearly the Tasmanian Forest Agreement and that's what we're going to take forward.

**Mr DEAN** - This position was put forward at the time we were in the middle of your negotiations in relation to TFA.

**Mr BAYLEY** - What's the date of that?

**Mr DEAN** - I think it was November 2011, I suspect - there is no date on the submission.

**Mr BAYLEY** - It preceded the actual negotiations; if we wanted to dissect the negotiations, I think by the time we got through the early part of last year, some incidents and

withdrawals from signatory groups and so forth, we formally commenced negotiating this agreement around March, April or May. That would have preceded those negotiations.

**Mr DEAN** - Just to clarify the point, you will support the cable logging and clear felling that became a necessity because of the now-reserved areas and the need to produce 137 000 cubic metres of logs?

**Mr BAYLEY** - We went over this last week.

**Mr DEAN** - I know that, and in view of your comments in that submission, I want to clarify it.

**Mr BAYLEY** - It's not a blank cheque and we have a process where we will raise our concerns. That is the agreement we've signed; we don't resile from that agreement. Those views are different to that submission; I accept that.

**Mr DEAN** - What is your current relationship regarding all this with Markets for Change and the Jenny Weber group?

**Mr BAYLEY** - I would describe them as conservation colleagues within the conservation movement but our relationship at a personal, professional and communication level has broken down systematically over the last months. I think we share some common goals around protecting forests but we diverge around strategies, behaviours and so forth. Our relationship is a strained one at the moment. We still have some conversations across that sector of our constituencies. We still hold a level of respect for those people and what they do and how they do it but I don't believe some of the strategies they are pursuing are the best way to protect forests in Tasmania.

As I indicated in answering Mike's question, I think the only way to deliver a conservation outcome for Tasmania's forests is by this agreement. The spin-off benefits of that are that it delivers an outcome for the industry and the community as well. We are in a strained relationship with those colleagues but I hope we can get an opportunity to sit down and explain in more detail about the agreement, why we supported it, why we are taking the actions we are, what we will do in the future to support this agreement and convince them that this is the only way forward and worth their support. I can't guarantee that -

**Ms FORREST** - Didn't we cover this in a fair bit of detail last week? I don't think there have been any changes since.

**Mr DEAN** - Vica was answering a question and I wasn't cutting him off.

**Ms FORREST** - There are other things we need to get onto, such as the amendments.

**CHAIR** - I am listening to the exchange and it is different from last week. Ivan's gone down a path of challenging Vica about that relationship.

**Mr BAYLEY** - We take our commitment to this agreement very seriously and we are conscious that this agreement has put us at loggerheads with some of our colleagues in

the past and undoubtedly it will in the future, if you choose to implement it. We have chosen to advocate strongly for this agreement and that's what we will do. We are in the process of undertaking a comprehensive market update to give an update to a whole range of domestic markets, international markets, the banks, et cetera, which have loan facilities with small contractors as to exactly where we are at with this agreement.

We have an agreement; it presents the best way forward; there are these conservation outcomes on the table; there are these industry and community outcomes on the table. So we are in the process of formulating a market update report. Hopefully, we will have something to table to the committee to that effect and we are undertaking a range of meetings with some of those customers. We will be meeting with Bunnings, K&D and others over the coming weeks to deliver that message to them face-to-face. We are writing to the banks which have loan facilities with contractors, to say, 'Please hold tight; stick with this process; let us see where it goes. There have been some delays; there is some new uncertainty but we are confident it is best way forward'. We will meet with international customers of organisations and companies like Ta Ann, whether they be in the UK or whether they be in Japan, to give exactly that message. Things are on track; we have an agreement; there are conservation outcomes on the table; there is a World Heritage outcome that is hopefully progressing and we are going to move forward in that context. We will be doing that literally from now onwards.

There are a couple of us conservationists who are heading to Japan over the next week to discuss these issues with some of Ta Ann's customers to say, 'We have this agreement; we are committed to this agreement; we want it to work; do not do anything that is going to adversely affect the customers here'. It is very similar to the letters we have already written but we are prepared to do that in person with international and domestic customers, and the banks.

**Mr DEAN** - My other question was on the government amendments.

**CHAIR** - No other question; there is one question per member for the moment.

**Ms FORREST** - I want to go back to the government amendments that we did not have time to consider last week. I would like you give us a briefing on your understanding of how that will impact on the intent of the agreement, on FIAT and possibly other signatories from the industry side. There is a range of concerns about the initial durability report which is no longer part of the process, unless they further amend that amendment to somehow include that. We would like your perspective on that.

**Mr BAYLEY** - There are two elements of the amendment the government has put before you. One is to effectively roll the protection order into the legislation. The other is giving the ability to segment it, to knock off or to choose some element -

**Ms FORREST** - Individually assessed, I would like to put it.

**Mr BAYLEY** - Yes, thank you. To deal with the first issue, which is probably the one that concerns Terry the most. I flagged last week that we have a different perspective. I do not think it is as significant an issue. But in saying that, I accept that Terry has an issue and we are in the process of working that through. We have had some conversations. We are going to have some continued conversations later today. Government are

coming back with some ideas. But, from my perspective, all that amendment does is to try to restore some of the time-lines that were originally available once we signed this agreement and acknowledging that signing the agreement took a long time. But rolling the protection order into the actual legislation, in my view, tries to address the challenge of the two to three-month delay or hiatus period while this committee undertakes its business.

In terms of durability reports, for example, I do not see a massive issue. I accept that Terry does and so I hear that.

**Ms FORREST** - Only if we can guarantee the initial durability report.

**Mr BAYLEY** - We can still, as signatories, write an initial durability report for the minister. The minister can still table that durability report out of session before parliament. Parliament will still have regard to it as it would for any report from an auditor-general or an ombudsman. I do not see a huge issue. What this is trying to do is honour the original time-line opportunities on signing of the agreement and -

**Ms FORREST** - Terry is concerned that durability report prepared in such a manner would not have the statutory weight of a report prepared under a legislative process.

**Mr BAYLEY** - It can still be tabled before your House out of session, as many reports are tabled. I think it still has a statutory basis. You, as members, can still consider it and make your decision accordingly, whether it is formed as part of the legislation or not. I do not see he has a huge issue. One of the issues may be timing and the fact that some industry folk believe that maybe there was going to be an opportunity between passage of the legislation and passage of the protection order to test durability, etcetera.

We had long discussions about this within the negotiations and we painted a picture where it was absolutely possible that you could have the passage of the legislation on one day, which creates the mechanism of a protection order, and you can have a positive motion brought on to debate that protection order that afternoon or the next day. So we actually painted a picture that it may only be a matter of hours between legislation and protection order. We argued strongly that we may not have a lot to report on and we said we'll just report on where we are at; it'll pretty much be a progress report from a durability perspective. I hold concerns.

My perspective and the argument we've run consistently through the agreement, is that the protection order and the protection of the forests is what we used to describe as the snowball rolling down the hill to deliver momentum, to deliver support for this agreement. Certainly from our constituency's perspective, the longer we delay this, the more equivocal people are. These market updates we're talking about, whether it's domestic or international retailers, we're going to be talking factually as to where we are at that very moment. So, if the protection order is not passed, we'll have to say that we're at this point; the protection order is there and we're still waiting on a vote.

It would be so much more powerful and so much more significant, I guess, if we could say legislation has passed, the protection order has passed, the forests are legally protected and we are well and truly on track to delivering this agreement. That's what we



want. We want to be able to give a definitive signal that our agreement, in which we believe very deeply, is being implemented but -

**Ms FORREST** - Having it subject to line-by-line scrutiny when we get to the schedules, if the government members end up debating it in parliament and every schedule is effectively debated - although in reality it probably won't be that but for argument's sake - you expressed some concern initially about that last week. Having reviewed it, and time to look at it, what are your views now on that?

**Mr BAYLEY** - I guess it depends on the intentions of the members. Debating each parcel individually, in my mind, is fine; if you're going to debate the values and purposes, if you've got a criticism with what the official staff put up as the values and purposes or the description and so forth, well then amend it; that's fine. As indicated last week, if it's a matter of debating that parcel and basically saying it's actually not eligible and you don't like it for a protection order for this, that or the other reason and you'll knock it off then suddenly Butlers Gorge or the north-east highlands or some other area is not part of the protection order, that's when we run into problems.

**Ms FORREST** - Vica, you said, in the agreement it says the areas should be reserved at the highest appropriate - I'm not sure of the exact wording.

**Mr BAYLEY** - Yes.

**Ms FORREST** - The vast majority of land is being protected at regional reserve level, which is much lower down the chain, so to speak, with national parks being at the top. If members are of a mind to say 'we don't think any of them should be national parks and they should just be regional reserves', that would cause an issue for you in terms of durability, wouldn't it?

**Mr BAYLEY** - You mean downgrading those national parks that have been allocated to regional reserves?

**Ms FORREST** - Yes, for argument's sake.

**Mr BAYLEY** - You're going over some old ground. We're disappointed with this map. We would love to see a north-east highlands national park and Wielangta national park and so forth. Undoing what's already here and what is before us and is the best analysis of the officials working under the constraints that they have would further disappoint us but, technically, under the context of the agreement, it's formal legislative reservation and it's under the Nature Conservation Act as per the original draft legislation.

**Ms FORREST** - And stops trees being cut down.

**Mr BAYLEY** - Yes.

**Ms FORREST** - Okay, that's fine, thanks, Mr Chairman.

**Dr GOODWIN** - A couple of quick questions, Vica. Map C - do you have a bigger version of it that we could take to the DPIPWE representatives? Because what we asked them to

do is to overlay that map over the future reserve land map and they said they needed a bigger version to be able to do that.

**Mr BAYLEY** - They would be electronic with the digital vector base and so forth. I'm sure they already have them.

**Dr GOODWIN** - No, they said they don't have the digital.

**Mr BAYLEY** - I trust that could be provided.

**Dr GOODWIN** - Terrific, thank you. Last week, I asked in relation to the amendment whether you had any concerns about schedule A, I think, of the amendments, with the individual lots - column 3 and which bits mentioned mineral exploration. Have you been through them all and -

**Mr BAYLEY** - That information is already published. The Ross Large assessments produced a map such as this - a simple read of this and cross-referenced with the maps in schedule A will tell you exactly what Ross Large's prospectivity analysis was as part of the IVG report. As I have mentioned a couple of times to Paul, there is a level of analysis that sits underneath that that maybe suggests that elements of this are enhanced. I am not saying deliberately but it is just the way the methodology worked out, but that information is publicly available and has been since March last year.

**Dr GOODWIN** - Basically you are happy with the descriptions? Are you happy with schedule A as it currently reads?

**Mr BAYLEY** - No, as I said before, we are disappointed with this; there are people in our constituency who have national park aspirations for the north-east highlands or the Tarkine or the Great Western Tiers, Wielangta et cetera. Some people have had their aspirations met; Bruny Island looks pretty comprehensive in terms of national park, the Tasman Peninsula et cetera but I could not describe myself as being happy. I can say it is consistent with our agreement in that the officials have given the highest level of protection in their analysis that is available to them given the constraints that they are under but for conservationists who represent people who have long wanted national park status for some of the forest areas in their neck of the woods, we are disappointed. We would like to see far more national parks.

Let's be clear though, we don't, and never have had, claims for national park status over all of these reserve areas; some of them don't meet the values and purposes, we acknowledge that; some of them are small, some of them are dislocated et cetera but we certainly have aspirations that are greater than this map but in saying that, it is consistent with the agreement.

**Dr GOODWIN** - One final related matter. Last week I raised with Dr Pullinger the possibility of getting a further description of these lots around the conservation values that they have from the perspective of the ENGOS - the reasons why you think that they are particularly special and worthy of this increased reserve status. He was going to go away and have a think about it. I raised it with the DPIPWE representatives yesterday and they said it really is a matter that needs to be raised with the ENGOS so I am asking whether you think that is something that is possible, to provide us with a bit more

information about these individual lots as to what it is that makes them special in terms of threatened species, tall trees, wilderness, whatever.

**Mr BAYLEY** - Dr Pullinger will answer the question that he took away on notice but I guess my take is that the information is public; it is part of the independent verification group's report that was published in March last year. It went through and broke up these reserves into probably even finer polygons than the ones that are in - I haven't had a chance to look at the overlap - is each polygon exactly the same? I suspect not but they broke the state up into hundreds of polygons and looked at the conservation values in each of them. So that information is available; we could do it at the risk of reinventing the wheel but that information is there.

Likewise conservationists, and I think Phil mentioned this, we have published numerous articulations as to the claim - whether it be community group reports, scientific reports, et cetera about exactly why these areas are special. There are comprehensive reports, there are smaller papers in support -

**Dr GOODWIN** - With respect, Vica, what I am thinking of is, it would be useful for members of the community who are asking what is special about that particular lot, if we had a ready reckoner, not something about that size, but something to give us a bit of a summary of lots. If it is not possible that's fine but -

**Mr BAYLEY** - The question is how much detail or is it things like we have already put on the record numerous times such as this which we can very quickly articulate some of the areas - the north-east highlands, Ben Lomond, Western Tiers, Wielangta, [inaudible] - these have been out for a long time. We could do that work if you like but much of it is already out there on the public record.

**Dr GOODWIN** - I appreciate that. I will go back to my original point. Is it possible to get a description of the individual lots without a huge amount of effort that just fleshes out a bit more about what is special about those particular lots?

**Mr BAYLEY** - I would say it is possible and I would say it is a huge amount of effort.

**Mrs TAYLOR** - Almost like another column to the comments we have.

**Dr GOODWIN** - Yes, like another column. What is your suggestion, and I will raise it again with Dr Pullinger.

**Mr BAYLEY** - Raise it, if it is significant, if you are happy to go offline and have a look at these for yourself and see whether any of these address your concerns because that information has been on the record for quite some time but if it is something that is necessary then someone would be able to do it, I would imagine. It is an administrative task of looking and cross-checking one polygon with another and articulating what the values are.

**Mr VALENTINE** - With respect to the Forest Practices Code, we've heard from the Conservation Trust about the importance to them of a review of the code. How important to you is the review of that code for the long-term success of this agreement?

They place a fair degree of importance on that code being reviewed. Is that part of the agreement from your perspective?

**Mr BAYLEY** - A review of the code is necessary and our agreement agrees it should proceed. In the context of the agreement, it is important. We have long held that the code is deficient, particularly around protecting areas of high conservation value. We have argued, and that's why we're here, that you can't properly protect areas of significant conservation value by prescription here or there, protection is the way to do it and that's why you have the maps in the agreement before you at the moment. We would like to see that code review continue, and we have agreed on that.

**Mr VALENTINE** - There's no timeline on it, per se.

**Mr BAYLEY** - It has been delayed for a significant amount of time. There have been recommendations dating back I think to 2009 and there hasn't been any action on it. We need to see action around the code review.

**Mr VALENTINE** - Sooner than later?

**Mr BAYLEY** - Absolutely. These are all elements that are necessary to help bolster confidence in the agreement and the way forward. Any improvements to the code improve a range of things - market perceptions, community perceptions and acquiring FSC.

**Mr VALENTINE** - Some of the nitty-gritty areas such as cable logging and things like that.

**Mr BAYLEY** - And biodiversity management and so forth, so there are elements there. We have agreed that the code review continue, but in the context of this agreement.

**Mr VALENTINE** - But there is no timeline that has been set as to when it will be done by?

**Mr BAYLEY** - No.

**Mrs TAYLOR** - The Conservation Trust was very concerned that most of its concerns about biodiversity values - masked owls, swift parrots et cetera - are not in public forests, which is why it is saying very strongly that the Forest Practices Code needs to be reviewed sooner rather than later, and also there is no Tasmanian forest policy. What is your comment on that?

**Mr BAYLEY** - I think there are significant areas of biodiversity value in this public land conservation outcome but, as we have consistently represented to you and publicly, biodiversity is not the only criteria that was measured or by which we have worked up a claim around these areas. There are areas of significant biodiversity on this public land claim but there are also areas of significant biodiversity on private land as well. That is an issue that needs to be dealt with by the code.

**Mrs TAYLOR** - The Forest Practices Code would cover all that?

**Mr BAYLEY** - That's right, as it does at the moment. As we discussed before, this is an agreement around public land. We are keen to see protections maintained across the

landscape for off-reserve management. In the vision section of our agreement it says exactly that. Under point 8, conservation, it says, 'We need a long-term approach to land and resource management which optimises conservation functions at a landscape level'. That is tenure-blind. We need a landscape scale plan to look after these species. For a range of reasons, including the hostility of the private forest growers, the TFGA et cetera deliberately said, 'This is around public land, we are not delving into private land.'. We support increased protections on private land but we also recognise you can't mandate protection for a private landowner, as a government can for public land. We support protections via the code.

**Mrs TAYLOR** - If you have a strong Forest Practices Code it would protect private forests.

**Mr BAYLEY** - That would help. We are conservationists who believe in protectionism, I suppose, and as a result we've got a reserve agenda here. There are voluntary protection mechanisms on private land, covenanting programs, et cetera, and we absolutely support additional funding going into the facilitation of those programs, education and outreach to farmers, biodiversity studies, et cetera, to increase protections on private land, but we recognise that it is voluntary. Farmers voluntarily cut down their forests in accordance with the code or voluntarily protect it via the other mechanisms. That's why we've constrained this agreement to public land.

**Mr MULDER** - I am going to focus on the issue of the first tranche, which I think yesterday we heard was about 80 per cent. Which particular lots are in that first tranche?

**Mr BAYLEY** - There is a map. I think map A identified those areas and I'm sure the government officials have delivered a map.

**Mr MULDER** - I'll take your word for it; I've got maps C and D and two other large maps, but I don't have a map A.

**Mr BAYLEY** - Okay. Map A is the one that's been published since the agreement was signed. What did you get from the Tasmanian officials that have been working up the reserve categories?

**Mr MULDER** - Are we talking about the black and whites now?

**Mr BAYLEY** - No, this feature reserve land map - is that the only one you got from them?

**Mr MULDER** - No, we got two from them.

**Mr BAYLEY** - What's the second one?

**Mr MULDER** - Future reserved land and then future reserved land and existing -

**Mr BAYLEY** - I'm sure there is a map that would show tranche 1 and tranche 2.

**Mr MULDER** - Chair, can you verify that? I certainly haven't seen it, but maybe I didn't get it.

**Mr BAYLEY** - There is certainly a layer that was agreed as part of the agreement, but I'm not sure what's been made available.

**CHAIR** - Just for explanation, Tony, there is nothing that has been tabled for the committee's use on tranches 1 and 2.

**Mr MULDER** - Thank you very much. Perhaps that is why we are in confusion. Let us run down that line. I will take it from your word that there is information available although it hasn't been tabled. I think that's the position, is it?

**Mr BAYLEY** - It was a component of the agreement. The agreement doesn't only say 395 000 hectares in the first tranche, it identifies where those areas are.

**Dr GOODWIN** - It's in map B.

**Mr BAYLEY** - Have you got map B?

**Mr MULDER** - So it's in the black and whites. What criteria was used to identify tranches 1, 2 and 3? In other words, how was the first tranche prioritised?

**Mr BAYLEY** - It was prioritised from a range of perspectives and I guess the conservation significance from our constituency perspective. We tried to prioritise the national park and other proposals or aspirations people have and I'm sure they were in there with a cross-reference basically trying to deliver something for everybody, recognising that we had accepted that there needed to be tranching.

**Mr MULDER** - Could I suggest that you've picked the higher conservation values, to use a phrase that has gone out of fashion lately, that these had higher conservation values than the other tranches?

**Mr BAYLEY** - There is an element of that, but they all have significant or high conservation values, we would argue. I talked before about a snowball rolling down the hill. We sought very much to deliver a relatively widespread conservation outcome in the first instance as being necessary to really bring our community's support along. For example, if you left the whole of the north-east out and just did the southern forests, what does that say to the people in the north-east? We employed the principle throughout this process, both in the tranching and indeed in the compromises we made and the bits of our reserve agenda that we carved out to allocate back to the industry, that basically everybody shares a bit of the pain and, as a result, in terms of tranche 1 we were trying to deliver something for everybody to bring them on and give them confidence.

**Mr MULDER** - Did you rely much on Professor Mackie's work to identify the tranches?

**Mr BAYLEY** - There was an element of that. There was an element of Professor Mackie's work but largely it was about long held conservation claims, the constituency in those areas and so forth.

**Mr MULDER** - Did the signatories or yourselves for example when you went to National Parks, the parks service, when they were given the job of trying to map up these areas, did you provide any of the criteria or values that you people have used to select it?

**Mr BAYLEY** - No we didn't.

**Mr MULDER** - What activity is going on in these areas now or what is planned in terms of forestry? Is any forestry activity going on in these areas now?

**Mr BAYLEY** - There is. Part of the agreement is the transitional schedule section.

**Mr MULDER** - I am talking about the first tranche, not all of the reserves, just the first tranche. Is there some activity going on?

**Mr BAYLEY** - Yes, absolutely.

**Mr MULDER** - That of course would come to an immediate halt once the reserves are in?

**Mr BAYLEY** - Well this is where the transitional schedule comes in. We have agreed that in the real world situation we are trying to turn around the FT planning steamship it does take some time. We have had frustrations in this space for several years but we are feeling like we are collectively making some really good progress. It is not going to happen immediately although we would like it to happen immediately. It is going to happen over some months or indeed a year or so.

Logging may continue in there for some time but we are still working on minimising the amount of logging and I guess shifting it into the production forests as rapidly as possible. That is where the transitional schedule section of the agreement comes into play and some of the funding around transitional funding et cetera.

**Mr MULDER** - For consistency would it not have been better off to have had a tranche where there is no activity going that you can deal with without impact? Just roll straight into a thing without any further durability issues and put the current coups and things that are planned, that you are prepared to tolerate, into the second tranche so that this is provided.

**Mr BAYLEY** - I guess this comes back to trying to deliver a comprehensive conservation outcome. You are talking a coup or a couple of coups within a block of forest. The logging activity is limited to those couple of coups so what do you do? Do you exclude those coups and put them in the second tranche, the rest of the forest goes to the first?

**Mr MULDER** - What I am trying to get at is the scale of what is happening there now. If it is just a coup here or there it is a great argument but if there is a lot of logging going on in this area that has to be pulled out?

**Mr BAYLEY** - There is currently about 52 coups - not in tranche one - across the reserve area, 52.

**Mr MULDER** - How many of those are in tranche one?

**Mr BAYLEY** - I have not done the analysis on how many are in the first tranche and how many in the second. I dare say probably the majority of them are in the first tranche but this is where we are still constructively working with Forestry Tasmania and the other

signatories to work out a plan to get those logging coups rescheduled or get alternative coups prepared so that there is a finite time line on logging in these reserves.

We cannot tolerate logging in these reserves forever otherwise we defeat the purpose of our agreement but we have accepted that in the real world of reschedule and planning and so forth that it is going to take some time to get these coups out. We want to minimise that time and we want to minimise the number of coups.

**Mr MULDER** - Going back to the values by which these things are selected, if you heard the evidence yesterday of Parks, which is basically saying that they assigned the prospective kind of nature conservation reserves really based on Google Earth whereas you have all these criteria that Professor Mackie has put to you that you guys have used that you have done to assess the values so what is your take on the rigour of that process?

**Mrs TAYLOR** - I do not think that is quite fair.

**Mr BAYLEY** - Professor Mackie's work is publicly available, our work is publicly available. When I say in answer to your question were you consulted, did you feed in your information, let me be clear -

**Mr MULDER** - No, no, you answered that question. My question was what did you think of Parks' assessment?

**Mr BAYLEY** - Of this?

**Mr MULDER** - The way Parks went about deciding what kind of nature conservation status would be granted to these areas.

**Mr BAYLEY** - I am sure they did more than just a Google Earth analysis. I have met with some of those officials. They have explained some of the constraints they were under in terms of how they arrived at these reserve categories.

I have faith that they did what they needed to satisfy themselves that they were putting before the parliament accurate information. It is not in anyone's interest to put inaccurate information because, as we know, if the minister finds that it is inconsistent with what was originally put up it obviously has to come back before both Houses. I wasn't part of that process, I'm not 100 per cent sure who they referred to, but Professor Mackey's work is on the record, our work is on the record, they have their own data sets and lists, research, et cetera, and I am sure they fed it all in and came up with values and purposes.

At the end of the day, they are very constrained about values and purposes because they have to do it under the schedule in the Nature Conservation Act, so it is a relatively straightforward process. Now we have a gazettal process that more definitively maps those boundaries, ensures all the issues are addressed and ultimately prepares those reserves for gazettal. Our hope is they were accurate in their initial assessment so that as few as possible - preferably zero of them - have to trouble yourselves before this House again.

**Mr WILKINSON** - There have been a couple of comments in relation to residues. It is a problem, as you know, for Southern Forests because they can't get rid of the residue



without paying much higher costs than previously. What have you done in relation to that?

**Mr BAYLEY** - Nothing at this point. In terms of formal structure we have been focussing on the legislation and this process, so nothing formal has been convened in terms of the process that we have agreed to look at the residue issue and solutions.

**Mr WILKINSON** - But the IGA agreement says that Triabunna could be open at any time, or words to that effect, and that was part of the original agreement. But we have seen that nothing has been done in relation to that leaving people with jobs in the Southern Forests at a loss to understand why there hasn't been any assistance in relation to residues.

**Mr BAYLEY** - Triabunna is a privately-owned entity and similar to the conversation about private land conservation, certainly no-one has been prepared to force Triabunna into reopening -

**Mr WILKINSON** - But you realise the comments surround it, don't you - it would be opened, could be opened, can be opened by government?

**Mr BAYLEY** - Everyone would use their best endeavours to see it opened but no-one can force that to happen, that is a decision for Triabunna Investments.

**Mr WILKINSON** - Have you endeavoured to have it opened?

**Mr BAYLEY** - People have organised for both industry and Triabunna Investments to get together and talk.

**Mr WILKINSON** - Have you endeavoured yourself -

**Mr BAYLEY** - As a member of our ENGO negotiation team I would say yes; on a personal level, in terms of making the phone calls, no. But I have utterly prepared to see those conversations happen and I have been aware that my colleagues in the negotiation team have accurately facilitated conversations between industry and Triabunna Investments.

**Mr WILKINSON** - Because there has been talk, and talk by you, of the problems with the loss of jobs and you would be well aware that the loss of jobs is as a result of the millers being unable to get rid of the residues, being unable to stay afloat and having to get rid of people as a result.

**Mr BAYLEY** - I am not aware of any mill that has closed because of the residue problem. I acknowledge it is putting severe financial challenges on mills - practical challenges on people. I am not aware of any that have actually closed in terms of job ramifications. We have agreed that there needs to be short, medium- and long-term residue solutions. We will stand by that and will work within the processes we have agreed to and try to reach those solutions. Whether it is Triabunna or one of the other export facilities, I don't know, but certainly there have been endeavours to ensure that industry and the owners of that facility talk. I am one of the last people who can control that facility. All we, as negotiators, can do is ensure that the right people have the conversations and then ultimately it is up to them to take it further.

**Mrs TAYLOR** - Over the last week or so I have become more aware of how much you personally, and each one of the signatories - personally the people representing your organisations - have invested in this process? There has not been one who hasn't convinced me how absolutely committed they are - how much time, effort, energy and passion and all that you put into it. I suppose my concern is a little that you personally have driven it, for instance, for your own organisation in a sense and you've had to convince your own members and deal with other NGOs who may not feel the same way. How much does the durability of this depend on you people as individuals, because you're not always going to be here? You would be so fed up with this - 'Let's get the agreement signed and maybe I'll go on six months' leave', or retire or get a life back. How much does the Wilderness Society's view depend on your being there? What will happen if you go?

**Mr BAYLEY** - The Wilderness Society is bigger than me.

**Mrs TAYLOR** - Absolutely.

**Mr BAYLEY** - In terms of my organisation, I have a membership and a management committee and they have all agreed and supported this. At the end of the day people do move on and that's one of the challenges. Terry, for example, is open about his impending retirement. He can't wait to go fishing every day. I think we have to put some faith in the integrity and credibility of the organisation. It is them that have signed this. I have signed this on behalf of the Wilderness Society, not on behalf of myself. We have to put some investment in the integrity of our organisations that we will honour our commitments. I don't know I can answer it any more than that because I can't promise you I am going to hang around for the next 15 years to see this through.

**Mrs TAYLOR** - No, indeed not, and that is exactly the point. I understand you are speaking for your organisation but you people have invested so much in this. It has been very hard, I know.

**Mr BAYLEY** - It has been incredibly hard and it is going to continue to be hard but hopefully it is not only our signature and what we've invested but also our actions will speak and will endure over time. This is unprecedented times and an unprecedented opportunity and we are doing, have done and will continue to do unprecedented things to give this an opportunity. Hopefully those actions and words will endure as well in adding to durability.

**Mrs TAYLOR** - I have to express my admiration for all of you for the task you've done and the commitment you've put into it. I think it has been extraordinary and that you have been able to come to this agreement, but the special council will need to go on. It is not just this one-off.

**Mr BAYLEY** - That's right, and it's incumbent upon us as a signatory organisation to ensure if and when I leave and leave that council we nominate a suitable replacement who understands. In my responsibility in handing over that role I need to make sure that person understands the context as much as possible and is able to maintain a consistent thread.

**Mrs TAYLOR** - Do you have reasonable confidence that both your own and the other signatories as far as you can see -

**Mr BAYLEY** - I don't see why not. We have signed it as individuals on behalf of the organisations. It has been challenging; it has challenged every fibre in our bodies collectively, but I think that's a testament as to the genuine compromise and goodwill that underpins this agreement and why we are so convinced it is the best and only way forward.

**CHAIR** - Vica, thanks for appearing again.

**THE WITNESS WITHDREW.**

**Dr SIMON GROVE WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.**

**CHAIR** - You would be aware that you are protected by parliamentary privilege while appearing before a committee such as this. Outside of the committee proceedings you are not afforded that protection. We indicate to you that you need to exercise caution in what you say to the media and that is the primary area where people can be pursued for suggested inaccurate comments or whatever.

With that, we thank you for your written submission and we would ask you to provide some opening comments as to your submission that will inevitably raise questions.

**Dr GROVE** - I will read some notes that I made as a submission. I am pleased to be here. It is the best manifestation of real democracy that I have witnessed during this entire process. I wrote my submission purely as a concerned citizen. I no longer have any connection with the sectors that we are talking about.

I am deeply concerned about science, sustainability, climate change and, above all, nature conservation. I am also deeply concerned about democracy, social inclusion and due process. I believe that the TFA bill, in its current form, fails Tasmanians and the planet on all these counts. I have never, seriously, previously encountered such a perversion of science, used in the development of public policy. It is way behind the times when it comes to good conservation practice, it rewards bad behaviour and I think it rewards those that engage in bad behaviour. It sends the wrong signals to the protagonists and to the public. It sets up the rest of the Australia's forested regions for similar processes. It allows us to abrogate our global responsibilities towards sustainable wood production. It risks exporting deforestation and the conservation benefits, I believe, are largely delusional.

I can imagine that if it becomes law, it will be quoted by future educators and their students of science and public policy as an excellent case study in how not to do science and how not to do public policy. It provides further fodder for those who would portray Tasmania as a basket case.

I contend that we need to find another way that takes us forwards and not backwards.

**CHAIR** - In terms of context, Simon, I thought it might be useful if you were to state your credentials because every other witness who has appeared before the committee up to this stage has been a representative of one of the signatories or government departments. You are the first person, by my best memory, to appear before the committee as a private individual.

**Dr GROVE** - I am very privileged; thank you. My credentials: I no longer work in the sector and what I currently do is not relevant. But up until early 2012, I worked at Forestry Tasmania and had done for 11 years at that stage. The best part of a decade of that was as a conservation biologist on the research side, so science was what drove me. The aim of my position was to continue doing the research that enabled forestry to continue to improve its practices in regard to nature conservation.

In the last year or two that I was there, I took on the role first as a conservation planner and then as manager of the sustainability branch of Forestry Tasmania. In those roles I was more concerned with implementation and, to some extent, policy development. It was in those contexts that I did get to see the developments of the process of where we are today.

Prior to working at Forestry Tasmania I received my PhD in forest ecology from James Cook University in Queensland. Prior to that I was working outside Australia in Indonesia in sustainable forest management training, in Uganda in conservation training for foresters and before that, primarily in the UK in the nature conservation sector. I grew up in the UK and received my undergraduate degree there in biological sciences and my master's degree in forestry in relation to land use there.

**Dr GOODWIN** - Dr Grove, I was interested in table 1 on page 14 of your submission and it is a comparison of the ENGO approach to reserve selection with a conventional scientific approach. It actually touches on something we heard from the Tas Conservation Trust and their concerns about leaving out private forests, which have some very important biodiversity values. I just wondered if you would like to perhaps elaborate on that and the concerns you have around the approach taken?

**Dr GROVE** - I see the ENGO approach has pretty much the reverse of what is good conservation practice. They start with the preconceived idea of the areas that they wanted to see reserved and they worked backwards. Due process really would have said, let's start with an open slate; let's see where the conservation values lie and then we will consider prioritising those and selecting protected areas if we feel reservation is the only way forward for those areas. Had that approach been followed I suggest that very few of the ENGO reserves would currently be considered for reservation. Instead, we would have a different proposal on the table, which would have far more in the way of reservation proposals for private land and far less for public land. That is the essence of it.

**Dr GOODWIN** - Okay. Just on the point you made in your opening remarks about the concern that this approach could extend to other forests in Australia, or the methodology could be picked up, do you want to elaborate a bit on that as well?

**Dr GROVE** - It is my personal opinion, and I don't have any evidence to support it, but I would suggest what are the ENGOs going to do once they have achieved this? They have some place on the special council for a couple of years. Are they going to twiddle their thumbs after that? I suspect not. I think this will embolden the ENGOs and have the national ENGOs say, 'We have achieved what we set out to do in Tasmania to some extent; we can always do more, but now the big gains to be had are in other states' - New South Wales, Victoria and places like that. That's my guess.

**Dr GOODWIN** - You also mentioned the risk of exporting deforestation.

**Dr GROVE** - Yes, to me that's a big deal. We want to have our cake and eat it in our society. We are very sheltered from the rest of the world. I've worked in Indonesian forests. I've seen what happens there. I've seen forestry at work; I've seen corruption there. Actually I haven't seen much forestry because most of what I've seen has been logging, which is different from forestry. Australia for the last couple of decades has

already had a \$2 billion trade deficit in wood products. In other words we import \$2 billion more than we export. To me, what we risk doing is the less we produce domestically the more we will be importing. It may be that some of that importation comes from places that do forestry well, but I suspect that because our near neighbours are places that often don't do forestry well, we're going to be importing timber from dubious sources. Even to the extent that we end up importing wood from places that do forestry well, that is displacing a product that would have been sold to somebody else.

Really the only way that extra wood can be found to offset lost production here is through increasing production somewhere else. You cannot suddenly turn the tap on for plantations. Plantations have been growing with existing markets anyway, not with the prospect that suddenly someone is going to say, 'We want some more wood'. The only places where you can turn the tap on are the so-called green banks, which are existing native forests that weren't otherwise going to be harvested - people hadn't incorporated them into harvesting plans. To my mind that is largely places like tropical forests.

**Dr GOODWIN** - You talk about rewarding bad behaviour. What do you mean by that?

**Dr GROVE** - I see this entire process as being driven by bad behaviour of unelected, unrepresented groups, primarily the ENGOs, perhaps to a lesser extent the industry groups as well. That is what I mean by bad behaviour. I see that their tactics have been about bullying, about getting people to negotiate under duress, about portraying forestry using terminology and using comparisons that are just not fair, not valid and not right - dirty tactics. To now say that, 'We will honour this agreement if you do this and if you do this and if you do this,' that just seems like further bullying. It's not what it should be based on.

**Dr GOODWIN** - In the section about the author, you do mention that you were a member of the Wilderness Society until you moved to Tasmania in 2001 and noted the disparity between their version of reality and yours. What do you actually mean by that?

**Dr GROVE** - The disparity between those different versions of reality. If I read the material coming out of the Wilderness Society at that time or even now, it's very down on anything to do with forestry, particularly native forestry. It has often equated it with deforestation and destruction. It gives no credit for any kind of continuing improvement process. It gives no credit for the contribution that native forestry can make towards conservation. It's all plain negative. I worked in forestry as a conservation biologist for a decade and the version of reality that I saw there was that the place is full of dedicated professionals trying to do their best collectively with hundreds if not thousands of years of experience of managing forests and managing complex management issues including conservation. All that apparently counts for nothing in the eyes of the Wilderness Society, at least in what they present publicly.

**CHAIR** - Can you provide for the committee your view about environmental/conservation outcomes that you, from your experience, would suggest are going to be delivered through what the parliament now has in front of it? In association with that, would you like to bend your mind to plantation versus natural forests in that equation please?

**Dr GROVE** - In my mind there's no doubt that reservation is usually the best option if you want to look after nature for the areas that get reserved, but it's the consequences of that

reservation for other areas that don't get reserved that concern me. It's the priority setting that decided which areas were to get reserved that concerns me. For areas that don't get reserved under this process, my concern is that those areas may actually include some areas of higher conservation value than the areas that have been reserved. I've detailed in my submission that I have a concern that forestry activities will intensify in areas that aren't conserved.

I know we still have a forest practices code so we're not talking about free-for-all logging, but I feel there will be increasing resistance to, if you like, further progression and tightening of the code and to more enlightened views of forest management - as a conservation biologist, I think in terms of landscape-scale approaches to conservation. I think those will be resisted more and more by the more hardcore forestry profession, which I think will come to dominate forestry in the foreseeable future if we have this massive reservation. I think it's going to further polarise the landscape into areas which are reserved where there is no active management and areas where the forestry profession and the industry will say, if you've got all those reserves out of the way, leave us to do what we need to do with the rest to maximise production.

Regarding plantation versus native forestry, I think it's all part of a continuum but I think you get the best conservation outcomes through integrating conservation as much as possible into production systems. You can do that far more effectively in a native forestry setting than you can in a plantation forestry setting. Plantations are effectively long-lived agricultural commodities. They're grown to maximise productivity. They're normally high input because you want to get the high outputs. They're not some kind of environmentalist panacea, because of those inputs. They often compete with other productive land uses, for instance, food production. To the extent that it is possible to do that without competing, then they are often competing with residual nature conservation values on non-forested land. In areas that were not good for agriculture, now someone decides to put them down for plantation. Well, those areas that were not any good for agriculture may well have been the last few areas that still have native vegetation or semi-natural vegetation.

**Ms FORREST** - I am not sure how much of the evidence you have listened to or read; perhaps it has been available online.

**Dr GROVE** - Some of it.

**Ms FORREST** - Some, yes. It was made very clear by the signatories and others that the industry is facing enormous challenges at the moment for a variety of reasons - changing markets, the global financial crisis, the high Australian dollar, as was the bad behaviours that you spoke of in market places, and things like that.

The claim has been made that unless we do something, the forestry industry will continue to decline as a sustainable, ongoing industry and that is a major concern to all of us. Some people would be quite happy with that but they are absolutely a minority.

We heard time and time again, from the signatories particularly, that this is a negotiated agreement. It is the act of compromise; it is not all about conservation and they made that very clear - the conservationists admitted that. It is not all about conservation but it

is an agreement that could be reached to try, so to speak, to put the brakes on the decline of the industry so that it actually has some breathing space and has something to build on.

When you hear, time and time again, that it is not all about conservation but about trying to shore up an industry for a future that is different from the industry we have had in the past, what do you say to that?

**Dr GROVE** - I would contend that the industry has largely negotiated under duress. I would contend that, yes, there is a real crisis in the industry.

**Ms FORREST** - You agree there is a real crisis?

**Dr GROVE** - Yes. I am not an expert on the causes but I would contend that the environmental campaigns have been a larger part of it than many are prepared to say at the moment because of the negotiation positions that they are prepared to take.

**Ms FORREST** - I think they have made it pretty clear that it has been a big part. Others like Ta Ann and people like that have made it very clear that it has been a major factor.

**Dr GROVE** - I am trying to remember what else was in the thread of your question there.

**Ms FORREST** - It is not all about conservation.

**Dr GROVE** - No.

**Ms FORREST** - It is about a negotiation to try and preserve an industry as much as to protect.

**Dr GROVE** - Absolutely. I see these as two very different camps that both have their constituencies and their reasons for being engaged. I do not see either as speaking particularly for a sensible way forward for forestry in Tasmania.

**Ms FORREST** - Is there another alternative?

**Dr GROVE** - I would say there is, and I did try and mention some approaches that could be adopted in my -

**Ms FORREST** - I will take you down that path then because what you were suggesting, I think - and correct me if I am misinterpreting what was said - is that if you had a different approach, as you were contemplating, if you were architect of it, there would be much more preservation of private land and the values of private land.

That clearly is not part of this discussion because it is about public forest and a public asset. We step into very dangerous territory if we start coming over the top and saying to any land-owner, 'You will not do this with your land, or you will do this with your land'.

In a utopian world, everyone agrees that there are a lot more biodiversity values and conservation values on private land, but are you seriously considering that is the only way forward - that we take in the whole state and impose the same sorts of restrictions on



private land-owners by legislation that is effectively what we are doing here on public land?

**Dr GROVE** - No, I am not suggesting that at all.

**Ms FORREST** - How do you do it then? How do you achieve the outcome you are suggesting is the way forward?

**Dr GROVE** - One approach is to do that state-wide analysis, a tenure-blind analysis, and then you could actually determine where the conservation or the reservation priorities lie. I think if you did that, you would find very little need for additional reservation on public land. Let us ignore what is being said about private land from now; on public land it is saying we can get good conservation outcomes through extensive management with perhaps some additional reservation - I don't know; I wouldn't pre-empt the outcomes of that.

That process was done for the Regional Forest Agreement and so I think the remaining issue for public land is more about the understanding that is in the community and environmental groups - that what goes on on public land is a perception issue and there is a lack of community engagement issue, far more than there is a real conservation issue.

Further than that, I say that the ENGOs have done a very good job of simplifying the argument that conservation is all about reservation. That is not the case; it is not consistent with current conservation biology. Current conservation biology thinking is that you certainly need reservation but it is far better integrated with production. That, to me, would argue that we should not be establishing large reserves willy-nilly. We should be thinking strategically about if we need reservation to maintain integrity for the entire state native area, how do we do that in a grown-up, joined-up way. For me, it is a matter of integrating conservation and reservation with production.

If you spread production over a broader area, you can afford to do it less intensively than if you are constrained spatially because of massive reservations in the wrong place.

**Ms FORREST** - You would agree that the forestry act has 300 000 cubic metres as the legislative timber supply and with the withdrawal of Gunns that will go to 150 000 in one action. That is basically where the signatories started, with the 155 000 cubic metres, then they had various dummy spits and came back. They negotiated the agreement down to 137 000 hectares but currently Forestry Tasmania is harvesting significantly less than that. There is some concern about intensification but when we are harvesting less than is even being proposed, if you could get it up to 155 000 - forestry has made it quite clear that they couldn't achieve that now - but the ask is 137 000. So because you would be reducing the amount of timber significantly, as well as the area, does that not reduce that pressure?

**Dr GROVE** - I don't believe it does. Hans Drielsma said when he was here that we think we can live with 137 000 and the headroom that has been given - but it is tight, and that is with the reservation proposal. What that says to me is that with a smaller estate available for production, forestry is still going to be pretty intense; it is not going to have the possibility to become less intense, it is still going to be relying as much, if not more, on the clearfell.

**Ms FORREST** - But all under a forest practices code.

**Dr GROVE** - Yes, certainly.

**Ms FORREST** - The agreement also requires support, an FSC certification - we already have PEFC certification. Does that give not some degree of comfort because you don't get certification at those levels - let's ignore FSC but we certainly have PEFC - unless you have a fairly sustainable forest practice?

**Dr GROVE** - You get some comfort. The research I have been involved in and the way conservation science generally is going is more towards extensification as the way forward for forestry and conservation, rather than constraining and polarisation and then intensification. So this type of agreement will do nothing to help forestry down that direction; it will do everything to entrench an existing way of doing forestry which is what people do not like.

**Ms FORREST** - That's true; public perception is part of this whole problem. Do you agree that it is a negotiated agreement with the purpose of stopping the demise of an industry?

**Dr GROVE** - I do.

**Ms FORREST** - It is a long-term impact.

**Dr GROVE** - Under duress, but I do, yes. I'm not under duress; I believe the agreement has been negotiated under duress.

**Ms FORREST** - They have signed an agreement.

**Dr GROVE** - Yes.

**Mr GAFFNEY** - Were you involved with the 1998 RFA at all in your role?

**Dr GROVE** - No, I started in 2000.

**Mr GAFFNEY** - We heard from one of the representatives who thought it was a comprehensive, adequate and representative report based on the scientific evidence of what was agreed to then. We also had somebody who was part of that process say it did not deliver and has not delivered, and over the last 15 years from the industry's point of view 10 000 people have exited the business. With 44 per cent of the state already locked up, you are saying that perhaps we have done the wrong thing already by going down that track.

**Dr GROVE** - No, I'm not saying that. I'm saying that I consider the RFA due scientific process. There was some political horse-trading which was enough to irk quite a few people at the time but, in general principle, having a scientific process that identifies where those reserves should be, the extent of those reserves and that they should be comprehensive, adequate and representative, is spot-on.

**Mr GAFFNEY** - Yes. The person who was heavily involved with that also believed that because it was so far disconnected from the community and the reality of what was happening it did not achieve its desired result. I understand you have a science-based background and I was really impressed with your paper. You were not overly complimentary about Brendan Mackey from Griffith University -

**Dr GROVE** - He is now, but he was at ANU.

**Mr GAFFNEY** - Yes. I noticed that you had issues with the way he started and whatever but, with all due respect, he would have similar degrees and scientific qualifications that you outlined in your presentation earlier on.

**Dr GROVE** - He would, but I would suggest that if you put what he has produced out to independent scientific peer review it would not cut the mustard; it is a perversion of science.

**Mr GAFFNEY** - Okay.

**Dr GROVE** - As to why he has gone down that route I won't guess in public.

**Mr GAFFNEY** - I could not find anything on Brad Potts and Paul Tilyard; have you any understanding of their backgrounds?

**Dr GROVE** - Brad Potts is a professor at the University of Tasmania who is primarily a eucalyptus population geneticist.

**Mr GAFFNEY** - For the record of *Hansard*, you were very complimentary to quite a few other authors in your presentation to us, so I had better weigh that up -

**Dr GROVE** - I am not negative.

**Mr GAFFNEY** - No. While you were supportive of the RFA process 14 or 15 years ago in 1998 because you thought that was based on scientific evidence, you are obviously not at all impressed with what has happened here -

**Dr GROVE** - It is a parody of the scientific process.

**Mrs TAYLOR** - Chair, may I interrupt? Would you mind speaking up, Dr Grove? It is a bit soft for the audio.

**Dr GROVE** - I will try.

**Mr GAFFNEY** - It is great to have the science background but if it does not get the results that the community and industry and everybody want it is sort of stuck in limbo, so do you think the signatories around the table, even though they were looking after the NGOs and the industry, have come up with what they believe is the best assessment process?

**Dr GROVE** - I don't know. I think you would have to ask them but I clearly do not think it is the best solution. I agree that science should not necessarily have primacy but the ENGOS in particular have taken this agreement down a route that claims to have

scientific legitimacy and it does not. Had they started out by saying, 'We're not going to get into all that RFA scientific sort of stuff, we just have some favourite places and we'd like to see them reserved', I could have lived with that a lot more easily than the process they have gone down, which has really dragged science through the gutter.

**Mr WILKINSON** - Simon, you know what we have before us, and I know what you think of what we have before us. Do you think there is any way, if you were sitting in our position that there could be amendments to enable the legislation to be passed, or would you say to go back to square one and start again? How would you deal with it?

**Dr GROVE** - I am glad that's your job and not mine, but I have said in my submission that I think the best approach is to go back to square one and start again.

**Mr WILKINSON** - The legislation doesn't fully mirror the agreement, as you probably realise, so that is a problem we have. Is there any way you believe we can come to a proper decision in maybe the short term for a long-term outcome with what we have? I know it's hard to build something if you don't have a proper foundation, but is there any way at all you believe that you can resurrect the legislation before us to enable it to work?

**Dr GROVE** - I'm afraid I don't think so; that is my personal view. I think it has such bad and inappropriate foundations that it's like a house of cards.

**Mr DEAN** - Evidence has been given to this committee that the provision of 137 000 cubic metres of sawlog is going to be 'super-tight'. It is tight now and it is going to be absolutely super-tight, so we have been told. That will entail cable logging and clear-felling in some of those areas. Would you like to make a comment on that? From your position, is that a desirable course because of the future reservations that have been identified under this process?

**Dr GROVE** - I don't think it's a desirable course. As I said before, I would rather see softer, more extensive forestry rather than more intensive forestry. The research I've been involved in over the years at Forestry Tasmania has demonstrated that we can very often do better than clear-felling if we have the space and capacity to do it. Clear-felling will long have a role for wet eucalypt forests, but there are alternatives such as the aggregated retention form of silviculture which I helped develop, but that's really been squeezed out of this whole debate.

The ENGOs don't like it because it is the sort of middle ground of softer forestry and they really want to object to all modes of forestry. The industry doesn't particularly like it because it is harder and less productive, but in terms of conservation outcomes it is better and it is doable. It has been demonstrated that it is doable, but it won't be if conditions are so tight that every hectare counts.

**Mr DEAN** - Regarding the proposed areas for reservation and the two tranches, the first is quite a large percentage of the whole thing. Have you had a look at those?

**Dr GROVE** - I haven't looked at those two tranches, no.

**Mr GAFFNEY** - When you say 'doable', does that mean economically viable and feasible so that the industry can still make a profit and survive?

**Dr GROVE** - Yes.

**Mr GAFFNEY** - Or is it only doable from a science perspective?

**Dr GROVE** - For the double bottom line in an environmental and economic sense, it is doable.

**Mr GAFFNEY** - Do you have some sort of paper somewhere that -

**Dr GROVE** - Forestry Tasmania has a report it produced a few years ago that outlined that as a way forward for old-growth harvesting in wet eucalypts.

**Mr VALENTINE** - Do you have any experience in calculating headroom and the like? Do you think 10 per cent is a feasible figure?

**Dr GROVE** - I don't have experience in calculating headroom but I do have concerns that 10 per cent isn't very much, given what other witnesses have said about the tightness of the area that will be available for production and the expectation of what we have to produce in that area. I do support a comprehensive forest practices code and a forest practices authority that maintains but keeps moving forward, not necessarily -

**Mr VALENTINE** - Are you saying the Forest Practices Code should be reviewed?

**Dr GROVE** - I believe it should be in constant review and I believe it generally is. But it will not translate to immediate changes to the code. I think if we ever end up with a static code, perhaps through an agreement, it is not a good outcome. Active management requires that we continually revise our knowledge and understanding, revise our expectations and respond accordingly both with regulation and management. In that context I do have concerns that we are pushing ourselves into a corner.

**Mr VALENTINE** - Very tight. With your comment on that and the connection with cable logging that happens at the moment, does the absence or otherwise of cable logging reduce the headroom argument or increase it in terms of needing a big area?

**Dr GROVE** - I am no expert in these areas but I would say that increasingly, forestry is going to be moving into areas where cable harvesting is pretty much the only option because of the steepness of the ground. It is harder to incorporate innovative and retention forestry in cable harvesting areas for very good reasons including health and safety. That will make it harder.

**Mr WILKINSON** - Simon, we have heard a lot of people saying, if this is not agreed, the industry is going to die. There have been a lot of threats and untruths stated in this whole issue. What is your experienced view in relation to the industry if you do not agree with this bill?

**Dr GROVE** - I cannot speak with authority on that. My gut feeling is that the industry will continue to be put under pressure regardless of this bill. My feeling on durability is that

it is a dream. Even if the ENGOs that are party to this agreement support durability, that does not mean that durability will happen. I believe that the industry will come under a lot more pressure from environmentalists if this agreement does not go ahead. But I do not think that should be held up as a reason for not having the agreement. I think it could be used as a signal to the wider Tasmanian public that things have been able to get really out of hand with this. We really do need to go back to basics and look at what is driving this antagonism because I do not feel this agreement has been able to get to the bottom of that.

**CHAIR** - I go to your opening comments, Simon, along the lines that reserves are a good measure for conservation outcomes. What about the comparison of scientifically and environmentally managed forests, taking account of ecology in concert with that? Your paper discusses high conservation values. Are you aware of high conservation values in our forests? It is a bit of a two part. If we do not get time, we will deal with the first one.

**Dr GROVE** - I am sorry, I am not quite sure what the question was.

**CHAIR** - You mentioned that reserves were a good conservation management tool as a general concept. Are scientifically managed production forests equally as good for conservation/ecological outcomes?

**Dr GROVE** - I do not see it as two alternatives, I see that they work together and that that is the basis of the Regional Forestry Agreement and of the Forest Practices Code that they all work in the context of there being reservation for the areas that need it most and sympathetic management for the production forest land, those areas where reservation is not required or not possible, but those areas still contribute to the overall vision of conservation.

Conservation is far broader than reservation. Reservation is, if you like, the gold standard for conservation if you can afford it and if not thereby making things worse for other areas. If you can't, and it's quite legitimate that you can't reserve everywhere because we have other demands on the forests, doing forestry well can have a major contribution to conservation. There are occasions where reservation probably isn't the best option for some species that are disturbance-dependent, but they are a relatively minor component.

**CHAIR** - From your long involvement with the forest industry, because your paper mentions matters about high-conservation-value forests, where are they? Who can tell us where the real HCV forests are?

**Dr GROVE** - I would say the government's own scientists in DPIPWE have a fairly good handle on that. They wouldn't call them high-conservation-value forests, but forests that are most in need of reservation or conservation management. They have already had long-standing processes to identify those sorts of areas.

**CHAIR** - Would that be in concert with FT?

**Dr GROVE** - Mostly not. The reserves on state forests were largely established through the regional forest agreement anyway and the remaining reservation priorities are not on

state forests by and large. Through the RFA the state was divided into bioregions and multiple vegetation communities and the notion of comprehensiveness, adequacy and representativeness was played out across that estate but priority was always given to finding those reserves on public land first. Only where they couldn't be found on public land, because of its particularly rare forest type for instance, would the regional forest agreement have said, 'We've identified a gap here on private land for reservation'. Since then, there have been various government policies and programs that have tried to formalise those reserves on private land, with some success, but there are still plenty of gaps there.

**Dr GOODWIN** - In the ENGO submission to this committee they talk about some positive experiences in other places and suggest the process we have had here is not carving new ground and effectively draws on those experiences. One of the Australian examples they cite is the south-east Queensland forest agreement. I noted you have referred to that in your submission as well, so I am interested in your observations on how well that process went?

**Dr GROVE** - My observations on the south-east Queensland forest agreement are second-hand in that I gained my understanding from reading the scientific peer-reviewed papers that have come out of that process. My understanding from reading those is that the process was deeply flawed. It was doubly flawed in that there was not a regional forest agreement as a back up to the south-east Queensland forest agreement, so all the reservation that arose in that part of the world was through that agreement. Areas that were chosen for reservation were largely dictated by the ENGOs own priorities, so they reserved more rainforests and more wet eucalypt forest.

Those communities were already relatively well reserved in south-east Queensland. What they didn't reserve well was dry eucalypt forests, which tend to not look as impressive but often have higher conservation values. They were largely ignored by the ENGOs and hence by the Queensland forest agreement. Furthermore, the agreement sanctioned an intensification of logging activities on unreserved land, partly as a transition towards future reservations. 'You're not going to have this for long so you might as well log it hard and then we'll turn it into reserve'. That to me is not good conservation policy or practice.

There was also meant to be a complementary plantation estate established to supply the timber that wasn't coming off the native forests. I understand that has largely failed, or at least has not been very successful and that is for good ecological reasons as well as socioeconomic reasons. People generally, perhaps also in Tasmania, have been rather upbeat about the potential for plantations to supply wood and often those potentials aren't realised. That's certainly been the case in south-east Queensland. So, instead, presumably the people of south-east Queensland are getting the timber from someone else's forest.

**Dr GOODWIN** - You cite from a 2007 study and you suggest that, in layman's terms, what it found was that nature conservation lost out to politics and the public was duped.

**Dr GROVE** - Yes. I will say that again if you like, in layman's terms. Conservation lost out to politics. The public was duped.

**Mr WILKINSON** - As a supplementary question, I notice in one of your comments talking about the science aspect of it, Simon, when you kindly wrote to us to assist us with our thoughts, with the Forestry Tasmania's critique of what Mackey had come back with as I understand it, you said one pertinent observation of it was that, had the verification group applied their so-called verification methodology to almost any land of a 10 000 hectare polygon in Tasmania, including one centred in Hobart's CBD, then they would have had to conclude that it too was HCV and ipso facto warranted reservation.

**Dr GROVE** - Absolutely. That's how flawed their methodology is. Every patch of Tasmania, of a certain size at least, will have conservation values. Brenda Mackey didn't do anything other than say that effectively the areas that the ENGOs have selected have conservation values. Had they selected different areas, he would have had to say the same.

**Dr GOODWIN** - Dr Grove, when you talked about the process that happened in south-east Queensland and you said something like the rainforest and the wet eucalypt forest, it sounded to me like what happened there was that they had more aesthetic value and that was what was appealing about them rather than it being based on their conservation value, so it's more of a subjective or different sort of value being placed on -

**Dr GROVE** - Yes, I suspect it was based more on aesthetics. There's nothing wrong with that but it's not really what they said they were doing. The other element is that largely that's what's been reserved in the past through government processes, partly for the same reasons.

**Dr GOODWIN** - Do you see elements of that occurring here in this process?

**Dr GROVE** - Absolutely.

**Dr GOODWIN** - The same sort of issue?

**Dr GROVE** - Yes. If you look at where the ENGOs want their reserves, a large proportion of them are adjacent to the World Heritage Area or in the Tarkine and rainforests and wet eucalypt forests. They are beautiful forests and there's nothing wrong with liking those forests but in terms of identifying gaps in reserves, it's not very strategic.

**Ms FORREST** - Simon, you made the comment about durability being a dream. I think all parties agreed that this is not going to stop all forestry protests and no-one is deluding themselves to suggest that it is. I'm certainly not. With that being the case, the signatories have signed an agreement. Knowing that the ENGOs who are signatories have made a number of commitments on the record here as well as, by signing the agreement, there are a number of requirements for them to act in certain ways. As you said, part of the problem here has been the community perception of what's going on in our forests and there are a lot of reasons why that has been the case. Without laying any fault, it's on both sides; mistruths are being told that perhaps the industry is not doing as well as they could in demonstrating good practice and an industry doing very bad practice. I'm sure if you've worked in forestry long enough, as you say you have, not only have you seen bad practice in Indonesia, you would have seen bad practice in Tasmania.



**Dr GROVE** - Not on the same scale.

**Ms FORREST** - No, not to the same scale but this is the criticism we hear from forestry workers themselves about some of the terrible things that were done in the past in our forests so both sides there. Everyone agrees that it will not completely stop adverse activity in our markets or our forests or wherever, but I support the right to voice a protest.

I think if they were going to build a nuclear waste dump outside my front door I would probably have something to say about that and I hope I would be able to have that right to do so. I come back to the point about it being a negotiated agreement here that is not just about science but it is not even just about conservation, it is more about social acceptance.

You talk about the double bottom line with your economic and environmental or conservation values but the social issue is really important as well. Is it not important to get to a point where people play nicely together who are normally at war and parties throwing sand in the sandpit and are now agreeing that they will not throw any more sand, they will actually work together and try to influence - not control but influence - some of those fringe elements on both sides, potentially.

**Dr GROVE** - It would be nice. I cannot see it happening.

**Ms FORREST** -What can't you see happening?

**Dr GROVE** - Those two extremes continuing to get on well into the future. Maybe it will, maybe it won't.

**Ms FORREST** - Give it a chance?

**Dr GROVE** - I would still say it is missing the elephant in the room, which is the broader Tasmanian public who have been excluded from this process. I am very lucky to be able to present to you now but most people have not and those two extremes have dominated the media for so long that most people really have no understanding of what actually does constitute forestry or conservation.

They pick up ideas from the media and align themselves one way or the other by and large. That is actually not how it is and I do not think it is fair to further entrench the view that this problem will be solved through allowing these two groups to continue to dominate the political process.

**Ms FORREST** - Would you not agree though that these two groups have more corporate knowledge of the industry and their areas than the average person in the street, the general public person, as we do through this process. I believe we are much better informed than the average person in the street and most average persons in the street will admit that.

Many people have talked to me about it. There are very intelligent people out there in the community who are very well informed in many areas but they say I do not know about this, I am leaving this to you guys to sort this out because it is in our lap now, we are the

elected representatives who are privy to a whole heap of information and expertise like yourself and others to put their case and then we will make a decision.

Do we have to actually speak to every Tasmanian to get a consensus on this? If we did that shouldn't we do that on the energy reform we have just passed, the water and sewerage reform we have just passed, a whole range of other things. That is a bit how democracy works, is it not?

**Dr GROVE** - I would say it is a little bit different in that these are unelected and unrepresentative bodies.

**Ms FORREST** - They are. It is with us now, it is with us.

**Dr GROVE** - Yes and by all means listen to what they have to say but I think it would be wrong to assume that they are the fount of all knowledge on these issues.

**Ms FORREST** - Listen to people who have expertise in the area because a lot of people out there say they do not want to voice an opinion here because they do not have the information or the knowledge that someone else may have. At the end of the day we have to make a decision based on the views of a range of people, including experts on both sides - some who support the agreement, some who do not.

**Dr GROVE** - It is quite proper that you do. I am not quite sure what you are getting at.

**Ms FORREST** - You said durability is a dream and it is not going to work but surely through this process we need to give it a chance if there is a lot of goodwill from traditionally warring parties. I hate using the term 'warring parties' because it creates an image we are trying to get rid of, but adversarial parties who have not seen eye to eye. In the context they say that it is not necessarily all about conservation; it's a negotiated agreement to try to stop the decline of an industry to the point where there is no future for it. Whether that happens or not, we don't know if that is going to happen as long as we don't know whether the durability is going to be maintained, but what else do we have?

**Dr GROVE** - I will go back to my opening statement and I will read it again if you like, or I will just refer to it. I gave a whole list of reasons why I thought that this was not a good way to proceed. I have suggested some things that we could do as an alternative.

**Ms FORREST** - Which includes looking at private land.

**Dr GROVE** - Revisit some old agreements, consider the findings of any further credible conservation planning processes, consider other institutional models and devise a permanent forest estate, set some appropriate sustained yield targets, develop best-practice afforestation, help our neighbours in the near Pacific, and engage with the community.

**Ms FORREST** - Can't those things happen in concert with this?

**Dr GROVE** - I think this makes it harder.

**Ms FORREST** - It might make it hard, but not impossible.

**Dr GROVE** - That's the judgment call. I would say this makes it harder.

**Mr DEAN** - I didn't record it all, your position with Forestry, you said you were there 11 years?

**Dr GROVE** - For the most part of 10 of those years I was a researcher as a conservation biologist and for perhaps a year I was a conservation planner, and for several months I was the manager of their Sustainability Branch.

**Mr DEAN** - And as part of that responsibility would that have been field work, field exercises and so on?

**Dr GROVE** - For the research, yes.

**Mr DEAN** - For research purposes and so on, so you come with that background as well. Have you submitted any other works or papers in relation to the work of Forestry? I think you mentioned one document.

**Dr GROVE** - Submitted to this inquiry?

**Mr DEAN** - Yes.

**Dr GROVE** - No, I haven't, but I could.

**Mr DEAN** - And other work, have you submitted other papers to Forestry Tasmania, I suspect, in relation to the work that you have carried out?

**Dr GROVE** - In terms of internal reports and a few journal articles, yes, very many. One I could draw your attention to because I think it is relevant.

**Mr DEAN** - I'm trying to see if there is anything significant for this matter.

**Dr GROVE** - One I think is significant and it's fresh off the press. You can download it from the Forest and Wood Products website and this document is called *Persistence of mature-forest biodiversity elements in a production-forest landscape managed under a Regional Forest Agreement*. It is the result of pretty intensive and extensive field-based research in the southern forests that goes a long way to demonstrating the effectiveness of the model that I have talked about for integrating conservation into production. It really demonstrates that distant reserves have very little impact on the conservation and on the integrity of production-forest landscapes, but informal reserves, local reserves within a few hundred metres of a production-forest landscape are what really matters. That's what keeps the integrity of the entire landscape going and that is what I fear will be squeezed out.

**Mr DEAN** - You have done an enormous amount of work and your submission identifies that as well. That document, Mr Chair, could be of interest to this committee and I don't know if there is a summary -

**Dr GROVE** - There is a summary in my submission, also this is publicly available on the Forest and Wood Products Australia website or I can certainly leave a copy here.

**CHAIR** - If you wouldn't mind, Simon, if you could either leave it or forward it electronically to us, whatever you prefer. Thank you. Simon, thank you very much for taking the time to appear before the committee. At this stage this hearing is suspended for 15 minutes and we won't be far off being back on track.

**THE WITNESS WITHDREW.**

**Dr SUSAN BAKER WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.**

**CHAIR** - While you are before the committee you are protected by parliamentary privilege; but you are not protected so outside the processes of committees, so we would encourage caution in what you say publicly as to the proceedings of this committee. Of course you can speak about whatever you want in your own capacity. Would you mind stating your credentials and then speaking to your paper, please.

**Dr BAKER** - I am representing myself as an individual based on my experience of forestry and forest science. My first degree is a Bachelor of Forest Science from the University of Melbourne. After completing that I moved to Tasmania as a research assistant. I have been working in research for my 20-year career in forestry.

I was interested in becoming more of an academic researcher so I went to the University of Tasmania and I have a Bachelor of Science with first class honours in the area of forest conservation biology and then I did my PhD with the School of Zoology here and that again was about conservation of forest beetles in a forest management context. After completing my PhD I got my dream job because my interest is in research and improving forest management practices, and that is why I did my forestry degree, to recognise the need to have an industry that science can guide and improve.

Under the Tasmanian Community Forest Agreement there was a job was available at Forestry Tasmania for a biodiversity researcher with their rollout of variable retention harvesting. It was looking for an alternative to clearfelling of old-growth forest and I was a part of that through biodiversity research.

In the last two years I have shifted to the University of Tasmania and I am a postdoc in the School of Plant Science on the Australian Research Council-funded project where we are continuing to collaborate with Forestry Tasmania and it is again trying to understand how biodiversity responds to forestry. Current research is about making sure that species can re-establish into areas that have been logged in the past and how modern retention of forestry practices can help the soil.

I have also been very fortunate in the last few years to have a lot of international experience. I had a one-year fellowship at the World Forest Institute in Portland and I spent that year studying variable retention across the whole of the western US and western Canada. I interviewed private companies, public agencies, government, small landowners and native forest land managers about how they use variable retention and the benefits that they see of that.

Last year, in 2012, I was awarded a Fulbright Scholarship to do field research in Washington, USA, and I did biodiversity surveys, again trying to understand the benefits of retaining patches of forest for biodiversity and how that pans out in the longer term. I have some international experience that I think gives me perspective on the Tasmanian situation. I have also visited South America and Sweden and been on study tours there and while I was in North America - that was when this process started - I saw parallels with Tasmania, particularly in British Columbia and in the area of the Northwest Forest Plan in the US. They have had similarly fraught disputes over the timber industry with logging versus community aspirations for the forest and environment. I talked to a

number of people about the different processes they have gone through to try to resolve those disputes and what were the aspects of the successes or failures of them. That is my background.

With my submission, as much as anyone I would love to see a resolution to the conflict in Tasmania. Unfortunately I don't believe that the reserve areas that have been put forward are necessarily the best way to achieve this. I think the ENGOs have a different idea of what areas deserve protection than a conservation biologist such as myself. Simon went into this in quite a lot of detail. My feeling is that the proposed reserve areas represent areas that are of high intrinsic value to environmental groups. They are beautiful and special but they are not necessarily of the highest conservation value. The assessment process was unable to compare the conservation value of those reserves to the rest of the land tenure in Tasmania, whether that be private forests or state forests outside the proposed reserve areas. I think if you were to do an objective, science-based assessment of that you would most likely come up with different areas to protect.

That's only half my argument. My other concern is that by permanently reserving a very large proportion of state forest you will end up intensifying management on the areas that remain to be harvested. That to me is contrary to all the work, science and the understanding of the best way to manage forests. You need a backbone of permanent reserves but you also need to be able to manage the areas available for harvesting so you can retain habitat trees on site. You need to have a good network of small, informal reserves between the logging areas and that allows connectivity for species to move around the landscape.

I would like to see in some cases, instead of shortening the rotation length to harvest very intensively, a smaller area of overall reservation but to enable to softer management practices, including longer rotations in some cases, and that would allow for the species to re-establish following the natural succession they would have following fire. My belief is that some additional reservation is possibly valid but that would need to be done through a different conservation-based assessment process. Instead of reserving an additional 500 000 hectares you would be better spending your conservation units by reserving less area and doing much softer management over those areas that are available for harvesting.

There is one final point which I didn't include in my submission but I want to highlight. I have been working at the Warra long-term ecological research site for a number of years and it's informing us about forest management practices and their effects on biodiversity. A few years ago I wrote a 100-year plan for how we would continue the long-term monitoring there. The Warra LTER site was in the areas to possibly be put into a World Heritage area and that would undermine our ability to continue our long-term science there. It's an area that I think should still be available for research and in some cases that includes management intervention.

**Dr GOODWIN** - Why would it undermine your access there?

**Dr BAKER** - It wouldn't undermine access, but when you are doing research into harvesting practices there may be a need for further disturbance to the -

**Dr GOODWIN** - So you need to continue harvesting to continue doing the research?

**Dr BAKER** - Maybe, maybe not. Even the permit system to be allowed to research in the World Heritage Area makes it very difficult.

**Dr GOODWIN** - So it is difficult to get a permit even to do research?

**Dr BAKER** - Yes.

**Ms FORREST** - Does it depend on the nature of the research?

**Dr BAKER** - It depends on the nature of the research. I am not really an expert on that side; I am more passing on the concerns of other colleagues that this will undermine their ability. I think Forestry Tasmania may have covered this in their submission, although I have not read it.

I have covered the gist of my submission. I would like to see peace but if the current reserve thing is ratified I think that needs to be done in recognition that it is not based on the areas that are necessarily of highest value for conservation of biodiversity and I feel that an alternative process could achieve that. That would involve some reservation, less reservation, and that modern ecological forestry principles involve softer management over a broader area, so you take out less timber overall but you have a larger area that you are able to manage.

**Dr GOODWIN** - What I see as a theme running through the evidence that we have received over the last week and a half is tension between environmentalists and conservationists. There is obviously a difference in terms of what environmentalists want to protect and what conservationists want to protect. Is that a fair assessment?

**Dr BAKER** - I think the environmental groups that are a party to this would call themselves conservationists but I think there may be two definitions of conservation here.

**Dr GOODWIN** - Do you agree with them calling themselves conservationists or do you think they are more environmentalists?

**Dr BAKER** - I would call them environmentalists but people can call themselves whatever they want. I think it is important to recognise that their value system is what is possibly driving their submission.

**Dr GOODWIN** - What is the difference then between the value system of the environmentalists and that of conservationists?

**Dr BAKER** - Conservation biologists would take a very objective view of the forests. They would do an assessment based on the current knowledge base and define certain areas as having high conservation value. Often they might be the ugliest patches of the forests on state land but they may be habitat for a threatened species. We also need to consider archaeological and other values. There may be reasons why a site is of very high value to protect but it does not mean that it is iconic and beautiful and captures the public's imagination. I feel that the environmental groups bias their lobbying efforts towards the areas that are of high iconic beauty and spiritual value. I do not have a problem with that

at all. We should protect areas for those values but I think it needs to be recognised that this is what they are talking about.

**Dr GOODWIN** - I wanted to ask about the issues around more-intensive harvesting and you flagged that in your preliminary comments. You have a statement in your submission; I will read from it and then perhaps you could explain it. It says:

This intensive harvesting means there is more frequent soil disturbance and forests are not allowed to follow their natural successional pathway where different species of plants and animals become established as the forest ages.

What does that mean? Does it mean that the downside of intensive harvesting is that we will not see the diversity of plants and animal species occurring as a result? Is that what is meant or does it mean something else?

**Dr BAKER** - On those areas of forest that are intensively harvested. Our eucalypt forests are adapted to wild fire as a natural disturbance. The periodicity between the fires is very variable but in many cases, it may be up to several hundred years between fire events. Some of our current research shows in previously harvested areas, the succession of species. Immediately following either a wild fire or following harvesting you get a suite of species coming in and 10 years later it will be different species, 50 years later it will be different species again. We do not fully understand that process yet. But if you harvest every 40 years the mature forest species are not going to be re-establishing into that forest. If you were to harvest every 100 or 200 years, they would have that capacity. You will still have a native forest ecosystem with more intensive harvesting but it will be bias towards to the younger age spectrum.

You may have the opposite extreme in national parks where, depending on the success of fire intervention, you may end up with the bias towards very old forest and not so much intermediate age and there is probably a set of species that rely on them as well.

**Dr GOODWIN** - You want to try to get a balance between them.

**Dr BAKER** - Yes. That is something that I feel can be achieved through a softer silviculture that most species will have the capacity to re-establish, either because of the time scale which you harvest or because you are making sure that you have reservation and mature forest in the very nearby landscape. The report that Simon tabled here previously and the focus of our research team is currently emphasising that nearby forest has a very important role. Things like retention forestry or abrogated retention can help achieve that. You can leave behind patches of forest within a harvesting area and we are expecting that will enable species to re-establish and follow a much more natural successional trajectory.

**Dr GOODWIN** - Following on from that. Are you suggesting that rather than decreasing the rotation, the TFA should reduce the total area allocated to reserves to allow the rotation link between harvests to be increased in some cases?

**Dr BAKER** - Yes.



**Dr GOODWIN** - You understand that this 504 000 hectares has been a negotiated outcome and there is not, as far as we understand, any room to manoeuvre and the whole thing will fall over if that amount is not delivered?

**Dr BAKER** - Yes, and I am concerned about that. In the current situation I wish I knew what the best thing to do was.

**Ms FORREST** - So do we.

**Mr WILKINSON** - If it was done properly from the start, we might have been able get what you believe the most appropriate outcome.

**Dr BAKER** - If this process did resolve peace in the forests, I hope that with the forest practices legislation there would not be a disastrous outcome for biodiversity. I do not think it would optimal. The risk is that we find more threatened species, for example, because we have a very incomplete knowledge of biodiversity. It may be that the threatened species authority and the Forest Practices Authority in the future are put into a situation where they have to impose more and regulation. I do not know whether they would be able to meet the timber that's been agreed to with tighter regulation -

**Dr GOODWIN** - And the 10 per cent head room?

**Dr BAKER** - Yes.

**CHAIR** - Susan, I go to the matter that you addressed as to the Warra and the proposal to include that in world heritage area. I hear what you say about your continuation of the work that has been done. Is the intention for Warra to continue harvesting when new methods or other methods are developed? We have the aggregated retention and dispersed retention so with that, that's been harvested; there's now monitoring as to the scientific impacts of all of that. Was the intention to expand that process of harvesting in the Warra to further scientifically research?

**Dr BAKER** - I think that's really a question for Forestry Tasmania. I'm not the best person to answer that question.

**CHAIR** - I was then going to go to the point that if it was intended to further harvest and therefore monitor the scientific outcomes then that would be problematic, wouldn't it, in terms of world heritage area as there'd be no forestry in there? You can continue to monitor what's been done up to now and the impacts of that?

**Dr BAKER** - Yes, I really would refer you to Forestry Tasmania on that.

**CHAIR** - We can go to John Hickey on that because he's been there for years.

**Ms FORREST** - I'm trying to get my head around what you say about the conservation values may be different if you took a different approach. As I said to Simon previously, it's agreed this is a negotiated outcome; it's not all focused on conservation. It's about the only agreed position that the various parties could reach after nearly three years of sitting around the table. Knowing the people around that table, you would expect they would have talked about and raised those issues about classification of the harvesting, about

value of the areas that the ENGOs wanted reserved in being beautiful nice places not necessarily having the highest conservation value because that seemed to change over time. It became conservation value and that's what I understand the independent verification group was asked to do; to see if there was conservation value.

I think it's pretty clear there is conservation value in just about every plant and area of vegetation. Even the gorse we have on the west coast. They're creating a whole new place for biodiversity of their own. So, those things, as they've alluded to in their contributions to us, were considered and this was the best position or the only position they could agree to. The reduction in the available land for active forestry management has been partly offset by the reduction in the amount from 300 000 to 155 000 hectares and now it's down to 137 000. Yes, they've accepted it will be very tight with only a 10 per cent headroom allowance.

However, in view of all those things and the fact that the parties around the table don't appear to have ignored those issues, they have chosen a path where they can actually reach an agreement acknowledging that it's not all about conservation. Many others claim that without this agreement the industry will be on its knees to a greater extent than it is now and it's almost got a handbrake on to try and stop it, I wonder if you could comment on the real detriment of supporting an agreement because of all those factors, but also the points that you rightly make about other options and other opportunities to consider conservation values in a different sense? Is there any reason why that can't continue in tandem once we get this handbrake on and get people being nice to each other in areas that perhaps have not traditionally been so.

**Dr BAKER** - My first comment is I don't think the timber industry groups and the environment lobby groups are really able to do an objective conservation assessment and I do not feel that that has happened in this process.

**Ms FORREST** - I agree with that - what they say.

**Dr BAKER** - Okay. If we recognise that, my fear for what could prevent this happening in the future is that if you very soon protect an additional 500 000 hectares of forest and if that is irreversible, then you do not have any room to move.

**Ms FORREST** - It is not irreversible; there are mechanisms to reverse it.

**Dr BAKER** - I suspect it would be -

**Ms FORREST** - It would be a challenge.

**Dr BAKER** - I do not know that that could get public buy-in, personally.

**Ms FORREST** - What do we do if this is not going to have total public buy-in either, whichever way it goes.

**Dr BAKER** - Yes but saying this was protected but we have changed our mind it may not go down well.

**Ms FORREST** - No but that is part of the durability of the whole process.

**Dr BAKER** - The durability clauses - it is very short-term as well.

**Ms FORREST** - What do you mean?

**Dr BAKER** - I think it will probably take a couple of years to do an objective assessment. This really should have been done at the outset of this process and then we would have a credible agreement.

**Ms FORREST** - I do not think anyone disputes that; that has been acknowledged, but we are where we are now and we have to move forward from here.

**Dr BAKER** - Okay.

**Ms FORREST** - Can these things continue - the positive aspects of what you suggest as other ways of trying to get better outcomes?

**Dr BAKER** - I think that could continue if areas that have been nominated for reservation are thrown open for reconsideration with the possibility that a very large proportion of that either may be allocated elsewhere or may not be allocated at all.

**Ms FORREST** - So, a review in 10 years' time?

**Dr BAKER** - I think the process should stay moving.

**Ms FORREST** - There is no reason why an assessment could not be undertaken, so that if and when there is a future review, that evidence and information that probably should have happened on this occasion - and has not - would be available. What I am trying to get from you is that it would not stop that happening.

**Dr BAKER** - No, it would not stop that happening, as long as the areas that have been nominated for reservation can be considered for -

**Ms FORREST** - Don't you think it is fair that the process we have seen here has led to an assessment by the independent verification group of some areas of land in Tasmania without taking into context what is already reserved, to see whether that was really important on a quantity aspect of a certain value? Would it not be fair and reasonable, if this is supported or not, that that process and perhaps even more so if it is supported that you look at the whole state including all the reserved public land now. Private land is problematic, even though there is a lot of biodiversity there, but at least look at all the public estate so there is no reason why that could not happen in tandem with this to try and plan for the future.

**Dr BAKER** - I would totally support that.

**Ms FORREST** - Thank you.

**Dr BAKER** - That seems to me how the process should have been done from the start.

**Ms FORREST** - But it did not and we are where we are.

**Dr BAKER** - It did not but if we have the capacity to do that and re-draw -

**Ms FORREST** - Inform into the future.

**Dr BAKER** - Yes, that would be ideal. We should still recognise the Regional Forest Agreement that looked at this previously as well.

**Ms FORREST** - Yes, that is all part of the whole process. On the point you raised about the World Heritage listing, you said you were not fully informed about that, but are you able to provide any clear direction on that as to what implications there may be for World Heritage listing as far as access and ongoing research in the area of research you are doing?

**Dr BAKER** - No, I am sorry, I am really not the best person.

**Ms FORREST** - Who would be able to provide that information?

**Dr BAKER** - I suspect Forestry Tasmania, and if not Forestry Tasmania, the state government.

**CHAIR** - John Hickey, amongst others.

**Dr BAKER** - John Hickey, amongst others would be an ideal person.

**CHAIR** - He is coming before the committee.

**Mr VALENTINE** - I am interested in some of your experience across the board in this area. Do you see clear fell and burn as a sustainable long-term way of maintaining biodiversity or not? It's going to impact, isn't it, at the end of the day, but with the degree of clear fell and burn that they want to do, is that sustainable from a microbiological point of view, given the species that are involved?

**Dr BAKER** - It's a difficult question. Clear felling certainly isn't nearly as bad for biodiversity as the general public would imagine. In my honours research, which I've published, I compared the forest floor beetles in areas that had either been burnt in the 1967 wildfire or were clear felled in the same year and I was suspecting the beetles to be different and they weren't. There have been studies of the mosses and the higher plants that have shown some slight differences, but not very much. The differences were for a species that were relying on all the forest structures. Or in the logged area you would have a higher abundance of a few disturbance-adapted species, like cutting grass.

In general, clear felling ends up with very similar species than you get following the natural disturbance. The things that don't fare so well tend to be the ones that rely on either much older forest in general -

**Mr VALENTINE** - Dead trees, perhaps.

**Dr BAKER** - Yes, that rely on structures such as either large old growth trees or dead trees or -

**Mr VALENTINE** - Hollows in the trees.

**Dr BAKER** - Things like that, or undisturbed forest soils. That is something with all our work with variable retention that we have been trying to incorporate into the log landscape. I would prefer to see more variable retention forestry and less clear felling. I think there is probably still a place for some clear felling.

**Mr VALENTINE** - Cable logging?

**Dr BAKER** - Cable logging isn't necessarily as bad environmentally as people might think because it can have less impact on the soils. What cable logging does to allow access to steeper sites that you can't harvest conventionally. It is more a matter of allowing access to additional areas and I think that's why it has a bad name. The environmental impacts of cable logging aren't necessarily bad at all.

With a much smaller area available for timber harvesting, they are likely to do more clear felling and on a shorter rotation, so it will be a much more intensified forestry at the site. I just don't believe that that is the best way forward. The international trend on forest ecology is to do less intensive forestry in the harvested landscape and to leave more patches, and use retention forestry and that sort of thing.

**Mr VALENTINE** - My question is around the maintenance of the ecology and the need for some of those methods to be able to make the 10 per cent headroom work. Do you see that it is possible to make that 10 per cent headroom work, and is it essential that cable logging and clear felling are used in order to be able to make that 10 per cent headroom work?

**Dr BAKER** - I'm not an expert on yield and supply, but that would be my assessment or my impression. My impression is that you would end up with intensified logging, with clear felling and possibly cable logging.

**Mr VALENTINE** - With obvious care for the minor species.

**Dr BAKER** - I am fearful that pressure will be placed on the industry to produce volumes of wood that make that more challenging. In the 20 years I have been watching forestry evolve in Australia and around the world the trend is always for more and more protection because we are continually gaining a better scientific understanding of what's needed and what can be done. I am fearful we will take a step backwards and the timber industry will potentially consider that that is what is expected of them, that they have to get these volumes. They will be assuming the reserve system can provide for the needs of all the species. I think that is kind of an implicit assumption in this agreement, that by adding to the reserve system it is adequate to protect all forest biodiversity, and I don't believe that is the case.

**Mr WILKINSON** - Sue, at the moment there seems to be a bit of a dichotomy. On one side people are asking, 'What about the social aspect?' and the other side asking, 'What about the scientific aspect?' Some might say, 'If you look after the science the social will look after itself', and some may argue the opposite. What are your views as to what should be

uppermost in our thoughts in relation to looking at the scientific and social aspects and if there can be a coming together of the two?

**Dr BAKER** - I feel your responsibility is to address all those issues, also the economic aspect. It is a balancing act and there is probably not going to be a perfect outcome for everything, so that's the challenge.

**Mr WILKINSON** - It's probably an unfair question, but no doubt you have thought about the best ways around it. If you were in our position, what would your views be, without hearing all the evidence, although no doubt you have kept up to date with it?

**Dr BAKER** - I am not totally up to date, I'm afraid. Some days I am optimistic and think that even though the process has been flawed, maybe this could work, maybe they should sign it, maybe the other groups that are still protesting can be ostracised and marginalised so people don't give them credence. Other days I am less optimistic. We've had the Helsham inquiry, the RFA, the Tasmanian Community Forest Agreement and we have stopped clear-felling old-growth forests. All these things that have happened in the past were meant to stop the war in the forests, but hasn't.

Can we really expect this process to do the same? Maybe not. The fighting will continue, we will have potentially additional pressure on localised areas of forest and we will have additions to the reserve system that may not give us additional conservation value. I don't know what you should do because I think it's so challenging.

**Mr WILKINSON** - From the outset, I agree with you; we should have a holistic approach in relation to this. Let's look at the whole of Tasmania, private and public, and determine what is of conservation value and what is not, what is high or low et cetera, so we have a complete map of what our environmental and ecological values are. My view is that still should happen and from what I understand from your answer to Ruth's question was that it still should happen. Are you therefore saying to do what you can to get the best out of this agreement but then let's get the proper work done to get a proper result? Alternatively are you saying you should be doing the proper work first as opposed to getting this agreement signed? Of course if you do not get this agreement signed there are going to be issues surrounding that.

**Dr BAKER** - I am afraid I do not understand the strengths of this agreement to be able to answer that question. I would like to see a pause in this agreement while we try and redo the conservation thing. I think it would be a very different process to the validation one that we have just done. I think I would reject it as it was not designed in the right way.

If we could have a pause go back to the drawing board on that and then in a year or two years then come back to this agreement that would be the best situation, but I do not know whether that is possible.

**Mr WILKINSON** - Are you saying that we should consider the world heritage aspect of things now and then put a pause on the rest or are you saying pause the lot or pause it after the first tranche?

**Dr BAKER** - The first tranche is so large that it would make it impossible to do what I am suggesting.

**Mr WILKINSON** - What do you say about the world heritage aspect of things, which is around about 104 000 hectares?

**Dr BAKER** - I do not know that I know enough about it to be able to make an assessment on the spot.

**Mr WILKINSON** - Some would argue that by chopping these forests down within that 137 000 hectares it may be threatening species like the masked owl and in years to come people are going to smack us on the backside a lot harder if we do that rather than have a proper look at our forests. Have you done any studies in relation to threatened species and just how threatened they are?

**Dr BAKER** - No. There is a huge focus by other scientists on threatened species. I have always taken the opposite approach with my work, which is to focus on the whole breadth of biodiversity. I might have 300 beetles, different species of beetles, in the sampling that I am doing whereas if I was looking at other species I would only be able to focus on one and I think they are complementary approaches. I have always worked to try and protect all of forest biodiversity rather than just the one or two that we know are threatened because our understanding is so limited and the money for research is so limited. There are probably forest species that are truly threatened that we have not even added that name to the list. There is so little that is known about some of the groups.

I think it is very important to focus on those species that we do know that are threatened but it is also important to focus on the rest of the species and improve our understanding of them and develop management practices that do not negatively impact on general forest biodiversity.

**Ms FORREST** - Jim was talking about the process of the RFA, Helsham and all those other agreements and that some days you feel optimistic and some days you do not but the difference has been, and it has been talked about by all the signatories, that this is unique. You have the warring parties who have reached an agreement, which is unique. Also this is not a government-imposed solution. It is the government taking on board the agreement reached by the signatories as a policy then reflecting that in legislation. So the claim that it is different, does that give you any greater hope that it may be successful?

**Dr BAKER** - That is hard because there are enough environmental groups in Tasmania that don't unfortunately support this agreement.

**Ms FORREST** - There are minority ones, but we are talking about the key ones, the major ones?

**Dr BAKER** - I wonder about the Greens' political party as well.

**Ms FORREST** - We all wonder about them.

*Laughter.*

**Ms FORREST** - Sorry, that was a personal opinion.

**Dr BAKER** - Can I give a comparison to a similar Canadian process? In Vancouver Island they had 900 protesters arrested in one year -

**Ms FORREST** - A big year.

**Dr BAKER** - It was a big year, but you know it was fought. The logging company involved, MacMillan Bloedel, realised that they needed to do something different. They were losing buyers.

**Ms FORREST** - Like what is happening here?

**Dr BAKER** - Like what's happening here.

**Ms FORREST** - We are not arresting as many, perhaps, but we are losing buyers.

**Dr BAKER** - They engaged with environmental groups, but they used a very different process. They had a scientific committee that went to the recommendations for what was to change. Half of the scientists on the committee, nominated by the environmental groups, had to be recognised credible scientists. Other scientists on the committee were nominated by either government or the logging company itself and they worked together. The logging company and the environmental groups could witness the discussion, but they couldn't intervene apart from a brief period where they could ask questions. It resulted in a very substantial additional reservation and the company, MacMillan Bloedel, was clear felling and they committed to moving to 100 per cent variable retention and they did that very quickly. That has been enduring in Vancouver Island.

MacMillan Bloedel was bought out by Weyerhaeuser, which was bought out by Western Forest Products and they are still doing mostly retention forestry and they are still not having issues with protesters.

In that case there were a few environmental groups that didn't -

**Ms FORREST** - A fringe element?

**Dr BAKER** - Yes, there was a fringe element and they were marginalised.

**Ms FORREST** - So could that happen here? You are talking about a similar process, but not the same.

**Dr BAKER** - It is similar but the key difference is the process that they had with their independent scientists brought everyone on board. Everyone could see that they were coming up with a credible solution and I don't believe that we have that here in Tasmania at the moment. I think that could undermine the credibility of this agreement, unfortunately.

**Ms FORREST** - If you kept that process that you talked about previously going then that could support it for the future maybe? It's a difficult one.

**Mr DEAN** - Can I ask, variable retention means select logging -



**Dr BAKER** - No.

**CHAIR** - Rather than take the time with that at the moment, there is a lot of information on the FT site.

**Dr BAKER** - One of the key differences with retention forestry is that the retention is for the long term with the objectives of biodiversity. With selective logging the trees you retain now you might log in 50 years time, so it doesn't have the same biodiversity benefits.

**Mr DEAN** - You talked about the proposed reserve areas are special but not necessarily of high conservation value. A science-based position would most likely come up with different areas and different situations. Have you considered or looked at the proposed areas to be reserved at this stage – there are 295?

**Dr BAKER** - I haven't looked at them on a case-by-case scenario. I have looked at the map and I don't have the statewide expertise to make a conservation assessment about any of them, to say whether they are of a high or a lower conservation value.

**Mr DEAN** - With the positions you have held, are there any examples you're aware of where that might be the case?

**Dr BAKER** - No, I don't feel that I have the expertise to comment on that.

**Mr GAFFNEY** - Susan, I appreciate what you've been talking about. I'm going to present a case and then ask you whether this is better than the current situation we find ourselves in. For example, if there was a market and there could be 300 000 cubic metres taken out each year, 500 000 and then we [inaudible] 155 so we negotiated to 137 so there's 163 000 potentially less cubic metres that can be taken out of our public forest. There's an extra 500 000 hectares now going into reserves through the TFA. It was pointed out to us this morning that about 134 000 of that was in formal reserves and another 44 000 from Hydro or commonwealth, so that comes to about 220. From the 500 000 you're left with 280 000 hectares. Out of the 280 000 hectares, which is the new reserves, there's 137 000 cubic metres taken out of that. If this agreement wasn't signed and the markets are there, 300 000 cubic metres a year can be taken out of that amount of forestry which would be all that amount of land which would be unusable or untenable.

I note what you said about the conservation areas. So, if there's 280 000 hectares and we need to spread that out so it's not as intense, with your biodiversity and conservation hat on, is it possible to find other lands that are non-wooded areas that have high conservation values with biodiversity with the animals, beetles, snails, et cetera, that are not heavily wooded that could be traded for some of the heavily wooded areas that they are trying to put under reserves. If the conservation area could have a look at the plains areas that are not going to be protected but still have biodiversity values, then wouldn't that help achieve a longer length rotation for the 137 000 cubic metres that needed to be - that's a really long question, sorry.

I'm trying to set it up from your point of view, where biodiversity and conservation is not just seen to be bush and trees as valuable areas You see plains, other areas in Tasmania

that have high conservation value. If we want to make sure we don't over-log our wooded areas, surely there's a way we can identify some thousand hectares of plains that can still sustain the value but then we're increasing our capacity -

**Dr BAKER** - Swap.

**Mr GAFFNEY** - Yes so there are some trade-offs about still keeping our wooded areas available for selective logging but identifying other plains and other areas that have high conservation values that could be a trade-off so we don't, through this process, intensify our logging of 137 000 cubic metres and 280 000 -

**Dr BAKER** - So, take out some of the proposed reserve and swap it for a non-forested area?

**Mr GAFFNEY** - Yes. Let's say you take out 100 000 hectares of wood or trees of beautiful high conservation value and replace it with 100 000 hectares of buttongrass plains and grass that has no wood but still has high conservation value, which means that at the end you have a greater proportion of land going back into it so it would be less intense cutting and you can have a greater rotation length.

**Dr BAKER** - I think I see what you're getting at. This agreement has just been about forests. In my final comments I highlighted the fact that there's so much emphasis on reservation of forests in Tasmania but we do that while we're ignoring other ecosystem types. The best process would be to do an assessment of conservation values of every single ecosystem type, including estuarine and freshwater and marine ecosystems and set reservation targets and a comprehensive, adequate representative and replicated reserve system for them. That is an ideal world. My feeling is that is beyond the scope of this.

**Mr GAFFNEY** - I am not sure. Forty-four per cent of our state is locked up and a lot of that has traditionally been the beautiful timber forests and valleys, the vision values. From a biodiversity point of view in the state, we probably have a greater percentage of the wooded forest areas locked up because flying above in a helicopter that looks nicer, that looks green and whatever.

**Dr BAKER** - There are certain forest types too. There are forest types that are not as well represented. Unfortunately, the ones that are least well represented are on private land and I think are beyond the scope of these discussions.

**Mr GAFFNEY** - But if there were tracts of public land that were not forested that had biodiversity values that were important to the landscape, estuarines and things like that, there could be some way for that to be negotiated.

**Dr BAKER** - If those were not already well represented in reserves. I think it would be well worth considering perhaps. You do not want to swap forest for more buttongrass plain that is already -

**Mr GAFFNEY** - That there are copious amount of. But if one of the issues from the presentation you made was the overcutting or the more intense cutting of forest because it is going to be damaging and there is not the longer rotation, that could be -

**Dr BAKER** - That is an interesting thought.

**Mr MULDER** - On that point that in relation to the forest areas, there is about 20 per cent of it, some 100 000 hectares that has to go through a process before it goes into the forest. I am recognising that this is a political compromise, social values. But it is a political compromise in which both sides are using science to back up the rationale for what they have. I think you will find both sides are quite happy not to hang all their hats on the science. Your suggestion is that managed forestry, appropriate to the forest you are in, is a good way of managing diversity. The other thing that I thought I heard you say was that just locking them up in the forest is making assumptions about biodiversity that may or may not be correct.

When it comes to the forests that are being logged, including the private forests, because biodiversity is not just biodiversity in state forests, isn't it under your own practices and your own research and the Forest Practices Authority before you can go in and harvest that those biodiversity assessments must be made on virtually a coupe-by-coupe basis anyway? If they identify habitat for the swift parrot, basically that goes into an unofficial reserve, at least a reserve from forestry. Aren't your objectives being met anyway?

**Dr BAKER** - There is always room for improvement. The forest practices system involves adaptive management and continuing improvement and continuing improvement usually results in additional protections. I noticed when I was skimming through the amended legislation that it talks about omitting the definition of 'multiple-use forest land' and substituting the definition 'permanent timber production zone land'.

**Mr MULDER** - Which basically looks like tree farming, doesn't it?

**Dr BAKER** - That is my concern. It sounds like the Forest Practices Authority is seeking advice on where their stance needs to be in the future in terms of balancing the economic and the environmental because it is always a balancing act. I am worried that on the permanent timber production zone land the emphasis on production may mean that there is less emphasis on the environmental.

**Mr MULDER** - With your knowledge of the practices codes and the way they are developed when it comes to approving a forest harvesting plan, is that not a question of, well, that might be the public perception that it is a tree farm, but it is wrong because there is this other safeguard underneath it about the way the practices occur. The idea you are going to overfell or over-produce in an identified timber production zone actually will not happen in practice because of the forest practices code and the sustainability requirements therein.

**Dr BAKER** - I am nervous that that ability may start to become undermined.

**Mr MULDER** - Your scenario only comes true if there is an undermining of the practices code and the research and the science that goes into that.

**Dr BAKER** - Yes. At the moment they have conservation values as the primary consideration. If that continued to be their role then that would overcome some of my concerns but how you are able to achieve that and also achieve 137 000 cubic metres of timber I think -

**Mr MULDER** - This is where we are going. There are assumptions built into the reserve system and there are assumptions built into the timber supply system. From your experience around the world - and I recognise it is pretty extensive - eventually how would the balance be struck between how much you can take out of a managed forest area compared to retention of the environmental, and I will not use the word 'conservation' because I think the two are different? Conservation is keeping things as they are; environmentalism is living within our environment. How is that balance arrived at where you say, this is what must be left for biodiversity values, yet this is the maximum amount of production. Somewhere along the line there has to be a tipping point. How is that arrived at?

**Dr BAKER** - In different countries I guess it is through different political processes. It depends on the land tenures as well because in countries like Sweden and Finland most of the forest is privately owned. When you include all the informal reserves, more than 50 per cent of forest in Tasmania is unavailable for harvesting, whereas there are countries where there may be only 5 per cent on reservation and much much more intensive forestry over much longer periods of time. Their ecologists are trying to encourage them to move towards softer management but with resistance from the land owners, so that is one case.

**Mr MULDER** - What I am picking up is that with 50 per cent of forests across Tasmania basically in reserve now, that is enough conservation and what is left should be environmentally managed in a sustainable way and that the only thing that limits the amount that should be taken off is the science which says how much can be taken out of those areas in a sustainable, environmental way.

**Dr BAKER** - There may well be arguments for some additional reservation but I do not think it would end up at 500 000 hectares. Based on the RFA assessments, really the areas that are probably of highest priority for reservation are on private land and so they are not available for discussion.

**CHAIR** - Susan, thank you very much.

**THE WITNESS WITHDREW.**