

Hello Forest Reports

We wish to report yet another major ongoing breach of the 2014 *Code of Practice for Timber Production* in the Rubicon State Forest.

Clause 2.2.2.14 of the Code requires VicForests to *implement appropriate control actions where **timber harvesting operations** have introduced or exacerbated a pathogen or weed.*

Blackberries infest most of the coupes logged by VicForests in the Rubicon State Forest. We have repeatedly maintained that VicForests has neglected its lawful duty to comply with Clause 2.2.2.14, although we have mostly done so in the wider context of its failure to protect biodiversity generally.

We acknowledge that the presence of this invasive species – which smothers many of the regenerating understorey species – predates VicForests. We know that in 1858, Ferdinand von Mueller began cultivating blackberries at the Melbourne Botanic Gardens, and scattered their seeds in the bush, not realising how wildly they would grow. We imagine that the impetus for the blackberry proliferation in the Rubicon State Forest probably came early last century when timber getters and their families lived in the forest and would have relied on and encouraged this species as a local food source.

However the longstanding origins of the problem do not excuse VicForests from its Code obligations.

We realise that spraying inside a coupe would do more harm than good however this is not the case along roadsides where spraying is definitely possible and appropriate.

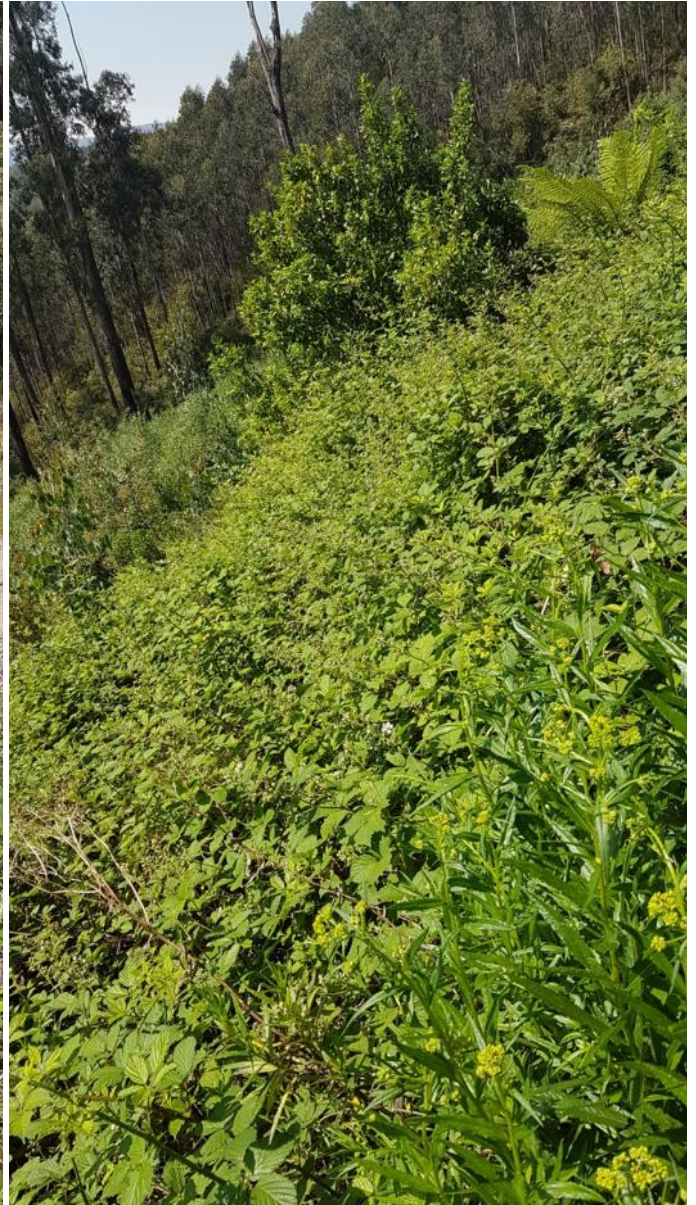
The Blue Range –an area of significant biodiversity, including old growth, and of great scenic value - is one of many areas (Royston Valley is another) where blackberries are in near-plague proportions. Infestations are particularly severe along Parks Road, with roads an important source of further infestations, in part due to roadworks spreading them and in part due to the increased light on the forest floor that roads allow.

This means that when coupes are opened alongside roads, existing infestations are turbocharged and without spraying their unchecked spread accelerates.

We attach five pictures taken in 21 December 2019 along Parks Road adjacent to coupes Beeline (286-503-0001) and Hairline (286-505-0012) which were both logged in 2015-16. These infestations are massive and extend well into the coupes but despite having clearly been released by the logging itself no action to check them has been taken. Other areas long Parks Road are also heavily infested.

RFPG therefore requests that:

- THCU finds that Code Clause 2.2.2.14 has been breached
- THCU requests VicForests to divulge its expenditure on blackberry spraying in the Rubicon State Forest for every year since 2004
- THCU require that all logging in the Rubicon State Forest be halted until VicForests presents to it a satisfactory fully-funded plan for blackberry control across the Rubicon State Forest where its actions have exacerbated the problem.
- THCU obliges VicForests to publish a prominent notice in the local press acknowledging its past wrongdoing in this regard and outlines its plan to begin to remedy this.





Yours faithfully,

Nick Legge

Rubicon Forest Protection Group

6 January 2020





Department of Environment,
Land, Water and Planning

Nick Legge
Rubicon Forest Protection Group
Via email: info@rubiconforest.org

Ref: 2020-0001

Dear Mr Legge,

**ASSESSMENT OF INFORMATION RECEIVED REGARDING
VICFORESTS COUPES 286-503-0001 (BEELINE) AND 286-505-0012 (HAIRLINE)**

Thank you for providing information to the Office of the Conservation Regulator (**the OCR**) on 6 January 2020 in relation to VicForests' Coupes 286-503-0001 (Beeline) and 286-505-0012 (Hairline). The reference for this matter is **2020-0001**.

The Timber Harvesting Compliance Unit (**THCU**) of the OCR has assessed the allegations and it has been determined that the reported activity is not a breach of the Code of Practice for Timber Production 2014 (which incorporates the Management Standards and Procedures for timber harvesting operations in Victoria's State Forests 2014).

Assessment included an inspection of the reported locations and surrounding areas; and consultation with DELWP Weeds and Pests on Public Land Program Officers ([program link](#)). Information obtained demonstrated that the blackberry infestation in the Rubicon State Forest is a landscape scale issue, and insufficient evidence is available to substantiate the allegation that VicForests' operations have introduced or exacerbated the blackberry infestation at the reported location.

This matter will be referred to the OCR's Regulatory Strategy and Guidance Unit to consider additional regulatory guidance to VicForests for enhanced data collection concerning invasive weed prevalence to support a more comprehensive assessment of compliance.

If you have any questions or would like to discuss this matter further, please contact the OCR at forest.reports@delwp.vic.gov.au.

Yours sincerely,

STEPH ANDREATTA
Manager, Timber Harvesting Compliance Unit
Office of the Conservation Regulator

Date: 21/02/2020