



## Department of Environment, Land, Water and Planning

Nick Legge  
Rubicon Forest Protection Group Inc.  
By email only: [info@rubiconforest.org](mailto:info@rubiconforest.org)

Ref: 2020-0052

Dear Mr. Legge,

### **ASSESSMENT OF INFORMATION RECEIVED REGARDING VICFORESTS PROVISION OF COUPE INFORMATION TO STAKEHOLDERS**

Thank you for your supplying information to the Timber Harvesting Compliance Unit (**the THCU**) of the Office of the Conservation Regulator (**the Conservation Regulator**) on 8 April 2020 in relation to the information VicForests makes available to stakeholders regarding its planned timber harvesting operations. The reference for this matter is **2020-0052**.

The information has been assessed by the THCU and it has been determined that the reported matter is not a breach of clause 2.2.1.1 of the *Management Standards and Procedures for timber harvesting operations in Victoria's State forests 2014 (the MSPs)*, which are an incorporated document to the *Code of Practice for Timber Production 2014* (the Code) for the following reason(s):

- VicForests Timber Release Plan 2019 and the associated interactive map available on the VicForests' website shows the location of coupes and major access roading where it intends to undertake timber harvesting operations during the period 2019 – 2024. The interactive map base layer also shows forest roads and other public land reserves.
- VicForests makes a monthly schedule available on its website that identifies coupes that are planned to be operational during that month. When forest coupe plans and operational maps are completed for operational coupes, those documents are also made available.
- Clause 2.2.1.1 does not require VicForests to make forest coupe plans or operational maps available for scrutiny by the public.

If you have any questions or would like to discuss this matter further, please contact the THCU at [forest.reports@delwp.vic.gov.au](mailto:forest.reports@delwp.vic.gov.au).

Yours sincerely,

**MATT ZANINI**  
Acting Manager, Timber Harvesting Compliance Unit  
**Office of the Conservation Regulator**

Date: 17 / 04 / 2020

**nick**

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**From:** "nick" <nlegge@bigpond.net.au>  
**Date:** Monday, 4 May 2020 9:52 AM  
**Subject:** Fw: Schedules and coupe plans

**From:** [Rubicon Forest Protection Group](#)  
**Sent:** Wednesday, April 08, 2020 4:15 PM  
**To:** [Forest.Reports@delwp.vic.gov.au](mailto:Forest.Reports@delwp.vic.gov.au)  
**Cc:** [liz.langford@vicforests.com.au](mailto:liz.langford@vicforests.com.au) ; [alex messina](#)  
**Subject:** Re: Schedules and coupe plans

Good afternoon forest reports

I wish to report a new legal compliance breach following VicForests' adoption of new arrangements (see email below) for providing coupe schedules, map and plan information to stakeholders.

Making schedules available for the current month only at the start of the month, and providing coupe plans and maps coupe plans available only after coupes have started is clearly aimed at preventing stakeholders from independently assessing coupe plans while still permitted to enter a coupe. Such an approach differs from that in place previously where stakeholders, including the Rubicon Forest Protection Group, were generally provided with draft coupe plans and maps ahead of a THSZ being declared and ahead of tree felling operations commencing.

This greatly limits the possibility of well-informed feedback on proposed harvesting operations to VicForests, whether based on the results of citizen science coupe surveys or expert local knowledge, ahead of the commencement of tree felling. It is thus contrary to the **Sustainable Forests (Timber) Act 2014**, S.5 of which requires VicForests to have regard to the principles of ecologically sustainable development which includes the need to facilitate community involvement in decisions and actions on issues that affect the community.

Actions designed to deliberately hamper community input into coupe plan development are therefore illegal.

A secondary problem is that the approach will mostly be contrary to MSPs Clause 2.2.1.1 which requires plans, maps and schedules to be made available for public scrutiny before the commencement of timber harvesting operations. Timber harvesting operations are defined to include any works ancillary to the main business of felling, carting timber and regenerating sites. Marking trees in coupes, and posting THSZ signs on trees are ancillary works of this kind, and so plans maps and schedules must be released ahead of such actions. However it is not sufficient that they are released immediately prior to these actions, since that would give insufficient time for the required scrutiny to occur, given that scrutiny necessarily entails very close examination and the ability to ground truth the matters encompassed.

I therefore invite you to formally determine that VicForests new method is therefore illegal on two counts.

4/05/2020

Yours faithfully

Nick Legge  
Rubicon Forest Protection Group



**From:** [Liz Langford \(VF\)](#)

**Sent:** Tuesday, April 07, 2020 11:45 AM

**Subject:** Schedules and coupe plans

Good Afternoon

Monthly update for VicForests schedule and coupe plans and maps will now be provided via <http://www.vicforests.com.au/planning-1/coupe-maps-and-plans>

The schedules will be updated in the first week of each month. April's update is now available.

Coupe plans and maps for coupes started on or after April 1 will also be available via the same link. The coupe plans and maps will remain online until harvesting is complete (ie when contractor signs out of coupe)

Any coupes that we reasonably believe may be associated with current court proceedings will not be part of this process

VicForests reserves all rights to amend, vary or remove any of this information from time to time


Regards

Liz

**Liz Langford** | Regional Engagement Manager

VicForests | 7-9 Symes Road, Woori Yallock, 3139

Tel: (03) 5954 4106 | Mob: 0428 831 085 | [liz.langford@vicforests.com.au](mailto:liz.langford@vicforests.com.au) | [www.vicforests.com.au](http://www.vicforests.com.au)

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