



Submission from RFPG on Timber Release Plan (TRP) Proposed Changes, August 2020

Since its inception in 2015, the Rubicon Forest Protection Group (RFPG) has been drawing attention to the total unsustainability of logging in the Rubicon State Forest. Now, in the wake of the recent bushfires in northeast Victoria and East Gippsland, an already dire situation has become worse. With 4 massive bushfires this century leaving little of eastern Victoria untouched, we may now be only one fire away from mass extinction of forest dwelling animals. Under these circumstances, native forest logging needs to wind down well before 2024 and cease far sooner than 2030 if the principles and a number of the mandatory provisions of the *2014 Code of Practice for Timber Production* (the Code) are to be met.

Our comments on the latest TRP change proposals focus on their failure to meet the requirements of the Code principally in the Rubicon State Forest, but also other State Forests in the Central FMA including the Mt Disappointment, Tallarook, Kinglake, Toolangi, Black Range, Marysville and Big River State Forests. We cite breaches that call into question not only VicForests' planning failures, but the failure of the VicForests Board to properly discharge its obligations.

While VicForests has largely ignored our past submissions and made few substantive adjustments to its plans, Minister Symes' confirmation that current timber harvesting is indeed unsustainable requires that our criticisms of the latest proposals be properly evaluated. If not, VicForests needs to be ready to face further legal action, including against the Board since it is responsible for managing VicForests' affairs.

Retention of coupes in Immediate Protection Areas (IPAs)

According to the DataVic website, the boundaries of the IPAs were finalised on 7 December 2019 and so unlogged coupes within them should have been removed from the December 2019 and July 2020 TRPs.

Should such coupes be again retained, this will be in contravention of Government policy, in this case with the Victorian Forestry Plan which was adopted on 7 December 2019. This will breach the Board's obligation to comply with Clause 3(7) of the 2003 Order in Council which established VicForests, and so be contrary. This clause requires VicForests to 'operate in a framework consistent with Victorian Government policy',

Retaining unlogged coupes within IPAs on the TRP will breach the statutory obligations of the VicForests Board to comply with Government policy.

Omission of net areas from TRP

RFPG notes that the coupe details published by VicForests as part of the consultation process include estimated net harvest areas. However, we also note that the latest approved TRP omits net harvest areas. The substance of our comments cannot avoid entailing an assessment of the proposed extent of logging in particular coupes, but since these areas are not guaranteed what confidence can we have that VicForests will be bound, even approximately, by these estimates?

For example, the Rubicon coupe Citrine (286-505-0024) originally had a net area of 20 ha, 12 ha of which was logged in 2017-18. The current TRP expands the boundary of this coupe by the inclusion of a small area still regenerating after being logged just 20 years ago. The expanded area (3 ha) is obviously intended to create a new driveway from Old Tom Burns Road to allow the rest of Citrine to be logged as would be permissible if net harvest area limits are not set in the TRP.

Section 37(3) of the *Sustainable Forests (Timber) Act 2004* requires a TRP to be consistent with the Code and with “any condition, limitation, matter or specification” in an allocation order, but failing to set net harvest areas in the TRP opens the prospect that an entire coupe will be logged. Given that the proposed TRP covers in excess of a 5-year period, the omission of net harvest areas makes it inconsistent with the 5-year harvest limits set by the allocation order.

For example, there are more than 600 coupes (excl salvage logging coupes) listed as ‘Current’ with gross areas over 40 ha. This makes the TRP inconsistent with Code Clause 3.1.1.5 and so presumably unlawful.

Moreover, the current (July) TRP contains 911 ash coupes listed as ‘current’ to be logged in the period 2020-2025 with a gross area of 34,686 ha. While about 200 of these totalling over 7,000 ha have already been logged, the remaining gross area figure is still twice the allowable 5-year limit.

The failure to specify net harvest areas is a clear breach of the *Sustainable Forest (Timber) Act 2004* and casts doubt on the lawfulness of all timber harvesting since 27 July 2020 when the current TRP was adopted.

Non-compliance with Code Clause 2.1.1.1

RFPG again insists that the TRP must comply with the provisions of this Clause. Notwithstanding the deletion of the reference to the TRP from the preamble in the 2014 version of the Code, a plan that extends from 2020 to 2025 is unquestionably a long-term planning tool and both the *Sustainable Forests (Timber) Act 2004* and the Allocation Order include an unqualified obligation on VicForests to comply with the Code. We also remind VicForests of the statement made by its former Minister, Peter Walsh, in introducing amendments to the Act in Parliament on 8 May 2003:

While timber release plans will not play a role in vesting timber resources, they will remain a key planning, auditing and consultation tool for VicForests.”

Central FMA specific comments

Failure to comply with Code Clause 2.1.1.1.ii

2.1.1.1 Long-term forest management planning must . . . (ii) . . . provide for the perpetuation of native biodiversity¹.

Our previous TRP submission argued that VicForests has failed to comply with this clause, and in doing so has breached S. 46 of the *Sustainable Forests (Timber) Act 2004* (the Act) and clause 14 of the Allocation Order.

As outlined in our past submissions on earlier VicForests’ TRP change proposals and in our 2016 submission, *Unsustainable!*, to the VicForests Board in 2016, we maintain that continued logging of the ash stands in the Rubicon State Forest is wholly unsustainable. The last TRP doubled the net area to be logged in the Rubicon

¹ ‘biodiversity’ is defined under the Code to mean the natural diversity of all life: the sum of all our native species of flora and fauna, the genetic variation within them, their habitats, and the ecosystems of which they are an integral part.

Forest from 994 ha to 1,920 ha², and the latest proposals add a further 150 ha to this. The ash forest area set to be logged would increase from around 650 ha prior to December last year to around 1,100 ha and the two forest blocks, Snobs and Torbreck, that have so far escaped the extraordinary logging intensity seen elsewhere are now set to suffer the same fate. With ash forest areas logged since 1980 plus areas killed in 2009 totalling around 8,000 ha, and the increased fire risk from climate change and forest structure changes, plus the long-term loss of many flora and fauna species in coupes after logging, Code clause 2.1.1.1.ii is unquestionably contravened.

Moreover, we know from our Freedom of Information request relating to the TRP adopted in December 2019 that VicForests did not consider compliance with this clause when it adopted that TRP.

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.1.1.1.ii breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to comply with Code Clause 2.1.1.1.v

2.1.1.1 Long-term forest management planning must . . . (v) . . . minimise impact on water quality and quantity within any catchment.

The Snobs Creek Fish hatchery and the Rubicon Hydroelectric Scheme are both impacted by large scale logging, either by virtue of reduced water quality (Snobs Creek hatchery) or water quantity (Rubicon Hydroelectric Scheme).

The hatchery was sited where it is because of water quality attributes: low water temperature, low turbidity and high oxygen content. Logging and log haulage is already having adverse effects on water quality (data previously communicated to VicForests) but it now faces an even greater risk with a huge number of new coupes in the Snobs Creek catchment proposed for harvesting by 2025, now with another huge one proposed close to the hatchery (42 ha gross).

In relation to the Rubicon Hydroelectric Scheme we point to Recommendation D22(iii) from the LCC's Melbourne Area 2 review, which was accepted by the Government and remains Government policy, which requires that management of the Rubicon catchment be such that the quality and quantity of water produced meets the requirement of Generation Victoria [AGL] and downstream users. But the impact on water flows that AGL requires to generate clean, renewable energy is unlikely to be minimal.

The combination of declining rainfall due to global warming, and the impact of the 2009 fire and the excessive logging of the Rubicon and Royston catchments since then, will already have locked in a substantial reduction in water yield after canopy closure which occurs within 6-10 years of logging. The logging of the coupes Snifter (286-504-0007), Goblet (286-504-0008), Low Flow (286-512-0022), Red Rag (287-515-0009), Mongoose (287-515-0010), Tijuana (287-516-0005), Santa Cruz (287-516-0006), Bag of Bones (287-518-0007) and 2 proposed new coupes near Mt Bullfight will exacerbate this long-term streamflow loss.

Attachment 1 sets out additional information on these issues.

Unless the development of the TRP fully and properly considered (a) its impacts on the quality of the water in the Snobs Creek catchment, including advice from appropriate experts in native fish breeding at the hatchery (as distinct from VFA executives and managers), and (b) its impacts on the viability of the Rubicon

² Including a net area of 160 ha proposed to be added adjacent to the Rubicon Forest near the Eildon-Warburton Rd

Hydroelectric Scheme based on advice from AGL, it must be found as being in breach of the Code. However, we know from our Freedom of Information request in relation to the proposed TRP adopted in December 2019 that VicForests did not consider compliance with this clause when it adopted that TRP.

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.1.1.1.v breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

However, these losses are small compared with the losses due to the logging of Melbourne's water catchments. We certainly understand that logging initially results in increased streamflows, but from around 7 years after logging forest transpiration rises and streamflows fall. We attach here an analysis of the multimillion losses in water yield as a result of the continued logging of the Thomson catchment (attachment 2). While Government policy may permit the logging of the Thomson catchment, and the Code allows up to 150 ha/year of ash forest to be logged, the *State Owned Enterprises Act (1992)* requires the VicForests Board to maximise VicForests' contribution to Victoria's economy and its well-being.

Section 18 of the State Owned Enterprises Act requires the Board:

to perform its functions for the public benefit by—

- (a) operating its business or pursuing its undertaking as efficiently as possible consistent with prudent commercial practice; and*
- (b) maximising its contribution to the economy and well being of the State.*

Despite the short-term streamflow increases, how can the Board preside over long-term losses of water into Melbourne's dams when we face a drying climate, potentially requiring water to flow from irrigators north of the Great Divide to Melbourne in the midst of drought and raising water prices for Melbourne consumers? We estimate the cost of past water losses to 2100 from logging in the Thomson catchment since 1980 to be around \$700 million, and future losses likely to be around \$170 million. Since the water flowing into the Thomson dam is all profit (it has no collection cost) the comparison with the economic value of VicForests' logging must be with VicForests' posted profit attributable to these coupes until 2030, which might be as much as \$20 million (\$2 million pa).

How can a loss of around \$140 million, or \$14 million per annum, be seen as maximising VicForests' contribution to the economy and well-being of the State?

The Board's approval of continued logging in the Thomson Catchment breaches its obligations under section 18 of the *State Owned Enterprises Act (1992)*.

Failure to comply with Code Clause 2.1.1.1.vi

2.1.1.1. Long-term forest management planning must . . . (vi) . . . minimise adverse visual impact in landscape sensitivity areas³.

On top of the calamitous impacts of the existing TRP, the proposed changes will exacerbate the continued failure of the TRP to comply with landscape protection requirements (also covered by MSPs clause 5.3.1.5) in the Rubicon State Forest and elsewhere. We have submitted numerous Code breach reports to the Timber Harvesting Compliance Unit in DELWP, however it was not until Justice Debra Mortimer's finding in the

³ 'landscape sensitivity area' is defined as 'areas identified as having a high scenic quality and visual sensitivity. They are usually areas that are readily visible from high-usage recreational facilities such as look-outs, walking tracks, tourist roads, or campsites'.

recently concluded Federal Court case (VicForests v. Friends of Leadbeaters Possum) and the subsequent case in the Victorian Supreme Court (VicForests v. Kinglake Friends of the Forest) that VicForests was obliged to take its landscape protection requirements seriously.

In a letter of 28 February 2020 responding to our submission on the December 2019 TRP, [REDACTED], VicForests' manager of tactical planning, stated that:

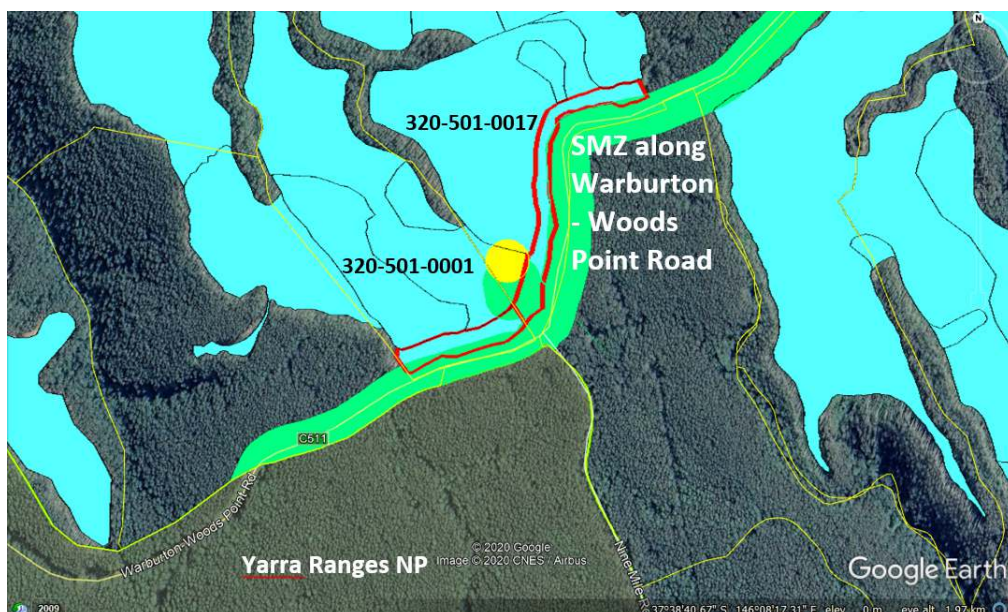
In respect to everything raised in your submission that is coupe specific, all comments and information provided will be recognised in the coupe planning process.

We were pleased to receive this assurance since Nick Legge had specifically raised the issue of buffers on key scenic roads (also raised in our TRP submission) with [REDACTED] and VicForests' Northeast regional manager, [REDACTED], at a public consultation session on the TRP in Traralgon. At that meeting, in the course of discussing the importance of protecting major tourist routes (as required by clause 2.1.1.1.vi and MSPs clause 5.3.1.5), [REDACTED] had also assured Dr Legge that things not ultimately reflected in the TRP, in particular the buffers we sought for coupes along the Eildon-Warburton Road and the Big River Road, would be considered at the coupe planning stage.

We naively imagined that we could rely on these assurances from senior VicForests officials but, like the assurances given to Ken Deacon by VicForests in 2014 regarding the logging of the Flea Creek catchment, we were disappointed. Despite the coupe plan for Barcelona (313-503-0002) under the heading 'Identified social issues' citing the 'Big River area – high amounts of public traffic, nearby multiple camp grounds', the plan made no further mention of this and failed to establish a buffer along the Big River Road. It was only after Kinglake Friends of the Forest commenced legal action against VicForests that the plan for Barcelona was adjusted to establish a 20m buffer along Big River Road.

In the case of the coupe Rampart on Dom Dom Saddle which is readily visible to leisurely passing traffic along the Maroondah Highway, VicForests' original coupe plan protected the view, but later adjusted it to allow an extra 1 ha to be logged so exposing it to view.

But nowhere is VicForests' disregard for this key Code provision more evident than in its decision in November 2016 to return to coupes Roadhouse (320-501-0017) and Dirty Dancing (320-501-0001) to log a roadside buffer that had previously been deliberately retained – in accordance with these provisions – when these coupes were logged several years earlier. But some eagle-eyed planner observed that the SMZ established along this road to protect the views from the Warburton-Woods Point Road had long ago been



cleared, probably as a fire break. So, despite the clear intent of the adjoining SMZ and the tourism value of this road, the retained buffer was logged.

The map at left shows logged areas shaded blue, with the logged scenic protection buffer outlined in red.

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.1.1.1.vi breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to comply with Code Clause 2.2.2.2

2.2.2.2 *The precautionary principle must be applied to the conservation of biodiversity values. The application of the precautionary principle⁴ will be consistent with relevant monitoring and research that has improved the understanding of the effects of forest management on forest ecology and conservation values.*

We have long argued, for the same reasons as set out under Code clause 2.1.1.1.ii (see p. 2), that VicForests has failed to comply with this clause in the Rubicon State Forest. We also know from our Freedom of Information request in relation to the proposed TRP adopted in December 2019 that VicForests did not consider compliance with this clause when it adopted that TRP.

We are also aware, as is VicForests, that the Federal Court has found that VicForests failed to comply with this clause in its approach to dealing with the threatened greater glider.

Moreover, unlisted species cannot simply be ignored when considering how the precautionary principle must be applied to the protection of biodiversity. We know, for example, that lyrebirds were once common throughout the Rubicon State Forest, particularly in mountain ash coupes, but this is no longer the case. While the Forest Protection Program Surveys do not specifically target lyrebirds, detections are still recorded. There are currently only 5 lyrebird records in the FPSP database! The practice of clearfelling with massive soil disturbance and hot regeneration burning ensures that not only do lyrebirds vanish from logged coupes, but their food source has gone up in smoke.

We are also obliged to draw your attention to the findings by DELWP in relation to the biodiversity impact of this summer's fires to threatened species whose habitat was destroyed, but which are also known to inhabit the Rubicon State Forest and other parts of the Central Highlands as shown below⁵:

Common Name	Scientific Name	% of modelled habitat in Victoria within the fire extent	% of modelled habitat in Victoria impacted by high severity fire	Genetic Risk
Spotted Tree Frog	<i>Litoria spenceri</i>	22%	13%	Very high
Powerful Owl	<i>Ninox strenua</i>	26%	13%	Moderate
Sooty Owl	<i>Tyto tenebricosa</i>	47%	24%	High
Broad-toothed rat	<i>Mastacomys fuscus mordicus</i>	23%	14%	Very High
Feathertail Glider	<i>Acrobates pygmaeus</i>	22%	11%	High
Greater Glider	<i>Petauroides volans</i>	32%	16%	High
Smoky Mouse	<i>Pseudomys fumeus</i>	20%	11%	High
Spot-tailed Quoll	<i>Dasyurus maculatus maculatus</i>	36%	19%	Very High
White-footed Dunnart	<i>Sminthopsis leucopus</i>	36%	18%	High
Yellow-bellied Glider	<i>Petaurus australis</i>	35%	18%	High
Yellow-bellied Glider	<i>Petaurus australis</i>	35%	18%	High
Caddisfly	various	na	na	na

Despite the high risk of future fires affecting the Central Highlands habitats of these species we see no evidence that Cl. 2.2.2.2 has been carefully considered.

⁴ 'precautionary principle' is defined under the Code to mean when contemplating decisions that will affect the environment, careful evaluation of management options be undertaken to wherever practical avoid serious or irreversible damage to the environment; and to properly assess the risk-weighted consequences of various options. When dealing with threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

⁵ Extracted from Table 8, Victoria's Bushfire Emergency: Biodiversity Response and Recovery Version 2, August 2020

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.2.2.2 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to satisfactorily comply with Code Clause 2.2.2.3

2.2.2.3 The advice of relevant experts and relevant research in conservation biology and flora and fauna management must be considered when planning and conducting timber harvesting operations.

While this clause only requires that the advice of experts and relevant research be considered, the clear expectation is that such consideration will occur in a relatively dispassionate and balanced way.

RFPG is concerned that this is not always the case and that VicForests can be selective about the experts and evidence on which it relies. For example, we were alarmed by the comment by VicForests' CEO, Monique Dawson, earlier this year saying in a letter to the Goongerah Environment Centre about salvage logging that "we do not accept the published opinions of David Lindenmayer as reflective of evidence".

One area where such selectivity is especially worrying concerns the evidence that young ash forests (from around 7 to around 36 years) are particularly flammable, as found in the thorough and detailed study by Dr Chris Taylor, Dr Michael McCarthy and Professor Lindenmayer⁶. VicForests' website includes a supposed rebuttal of the evidence about the flammability of young forests, yet the rebuttal is essentially a literature review and predates the publication of the work of Taylor et al. it seems no attempt has been made by VicForests to reassess its stance in the light of this more recent work.

There are other examples too, such as VicForests apparent acceptance in successive Sustainability Reports of the importance of the *IUCN Red List* but following the inclusion of the mountain ash ecosystem on IUCN's Red List it has remained silent. Had proper consideration been given to this, the proposed TRP amendments would have seen a net shrinking of the areas on the TRP, rather than maintaining the same area in the harvesting pipeline as in the past.

RFPG realises that VicForests is obliged by the Government to meet its contractual commitments, particularly the pulpwood supply agreement for Maryvale, but the Board is also obliged, as noted above, to act in the interests of all Victorians. It should be more cautious before dismissing unfavourable evidence.

Failure to comply with Code Clause 2.2.2.8

2.2.2.8 Long-term (strategic) forest management planning must incorporate wildlife corridors, comprising appropriate widths of retained forest, to facilitate animal movement between patches of forest of varying ages and stages of development, and contribute to a linked system of reserves.

Within the Rubicon and Royston Valleys and adjoining ranges, there are now no linear reserves of the kind envisaged by the *1998 Central Highland Forest Management Plan* such as⁷:

- establishing a system of linear reserves with an average width of 200 m
- ensuring that linear reserves link areas of high conservation value forest and include areas of riparian vegetation, mid-slope and ridge vegetation
- ensuring that some linear reserves cross altitudinal gradients

We argued in a recent Code breach report, copied to VicForests, that the Royston coupe 'Mongoose' should be left unlogged to serve as a wildlife corridor, but were again ignored by both DELWP and VicForests. The

⁶ Taylor, C. et al. (2014) Nonlinear Effects of Stand Age on Fire Severity. *Conservation Letters*, 7(4), 355–370
Jown below⁷ P. 28

proposed new TRP again fails to meet this Code provision with an east-west line of coupes just north of Mt Bullfight which if left unlogged could serve as a wildlife corridor of the kind the FMP envisages.

We know from our December Freedom of Information request in that VicForests did not consider compliance with this clause when it adopted that TRP and we urge the Board to not repeat this error.

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.2.2.8 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to comply with Code Clause 2.2.2.9

2.2.2.9 Modify coupe size and rotation periods to maintain a diversity of forest structures throughout the landscape.

We argued, with abundant evidence, in our previous TRP submission that VicForests has failed to comply with this clause due to the intensity of logging of the ash forests in the north end of the Rubicon State Forest, especially since 2009, coming on top of extensive areas killed on Black Saturday. The situation is particularly severe in the Rubicon and Royston Blocks.

However the same problem occurs elsewhere, for example in the Big River State Forest, and will only get worse if logging continues as the Government plans. Take the case Forest Block 320, Oaks, southwest of Matlock. Between 1 July 2009 and now, a total of 958 ha of ash forest has been clearfelled and if the latest TRP proposals are adopted, by 2025 a further 300 ha net will have been logged taking the area of forest 15 years or younger to 1,258 ha. The area of State Forest in this block is 4,357 ha, so almost 30% of the forest will be too young to set seed. In ecological terms, the logging over this period can be regarded as leaving a single age class, which means that the area has just two age class structures: juvenile and '39 regrowth. Apart from the risk of the regenerating ash forest being killed in a fire before it sets seed, for a forest with a natural life span of many centuries such an age imbalance cannot be considered to constitute a 'diversity' of forest structures across the landscape

The failure of the current TRP and the proposed changes (if adopted) to comply with Code clause 2.2.2.9 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to comply with Code Clause 2.2.2.10

2.2.2.10 Retain and protect habitat trees or habitat patches and long-lived understorey species to provide for the continuity and replacement of old hollow-bearing trees and existing vegetation types within each coupe.

VicForests is aware, through the many Code breach reports submitted by WOTCH and Warburton Environment to the Timber Harvesting Compliance Unit, of its failure to plan to protect many tree geebungs. So lamentable is this failure that it is now the subject of legal action.

Even more widespread is the routine loss of tree ferns, especially in mountain ash forests, and especially near creek and rainforest margins. While tree ferns may not be listed threatened species, they serve a critical ecological role, both as host for a myriad of epiphytes and as shelter for the recovery of other understorey species. They also perform a critical role in protecting rainforests from bushfires by preventing

the margins from becoming excessively dry. While the Code specifies a minimum buffer width of 40m for rainforest and 20m for water courses, these are quite insufficient for the requirements of this clause to be met. For tree ferns to be adequately protected, for their own sake and to safeguard rainforest and streamside communities, and their dependent fauna, far larger buffers are needed.

Failure to comply with MSPs Clause 3.5.1.5(a)

3.5.1.5(a) In addition to Appendix 3 Table 11 (Water supply protection areas), in the Bunyip, Thomson and Tarago special water supply catchments and the Yarra Tributaries State forests the area harvested must not exceed the following limits measured as a rolling average: Thomson - Ash forests 150 ha/year, Mixed species forests 15ha/year; [other catchment limits specified in (b), (c) and (d)]

The Thomson catchment includes all of Forest Blocks 457, 458, 480, 492 and four compartments in Block 481 (501-504).

We have analysed the coupe information packages accompanying the current TRP and the proposed TRP as well as the logging history in the catchment from 2010-11 to 2018-19. The table below records the results.

	Gross coupe area (ha)	Indicative net areas in info packs (ha)	Actual logged area (ha)	Number of coupes
Ash coupes listed as 'current' on July 2020 TRP	2,871	1,429		87
<i>less</i>				
Ash coupes on July TRP completed by 30 June 2019	544	279	207	16
Ash coupes starting in 2018-19 but only partly logged so stretching into 2019-20	236	146	64	5
Balance to be logged over period 2020-21 to 2024-25	2,091	1,004		
<i>less</i>				
July TRP coupes with proposed amended boundaries	92	49		6
<i>plus</i>				
Proposed new boundaries of coupes with amendments proposed in August	172	85		6
New coupes proposed in August	154	59		7
Balance to be logged over period 2020-21 to 2024-25	2,324	1,100		

In 2024-25, the 5-year rolling average requirement will mean that the maximum area to be logged in the Thomson catchment is 750 ha. Yet this analysis indicates that the proposed new TRP, as a consequence of not specifying net areas, will be sanctioning logging more than 3 times higher than is permitted. And in the unlikely event that legal advice found that the indicative net areas could be deemed to form part of the TRP, it still provides for logging 50% higher than is permitted.

The failure of the current TRP and the proposed changes (if adopted) to comply with MSPs clause 3.5.1.5(a) in the Thomson catchment breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Failure to comply with MSPs Clause 5.8.1.5(a)

5.8.1.5(a) In any five year period the area harvested using clearfall or seed tree harvesting must not exceed 1% of the GMZ or SMZ in that Bushfire Management Zone measured as a rolling average from 1 July 2012.

We have identified 5 bushfire management zones, all designated as bushfire moderation zones, where the existing TRP, or proposed new coupes to be added to those already listed, will breach this clause. In the case of Mohican East, the breach will occur if further logging occurs before 2023-24.

Moreover, since VicForests no longer includes net areas in the TRP, the only figures that can be relied upon for statutory compliance of the TRP with the Code are the gross coupe area figures. In the analyses below we report both gross and the indicative net area figures released as part of the coupe information packages.

Main Forest Block	State Forest	Location	BMZ (ha)	FMZ type	FMZ (ha)
282: Glendale	Black Range	eastern slopes	1,643	GMZ	1,531
284: Mohican East	Black Range	eastern slopes	1,971	GMZ	1,579
289: Torbreck	Rubicon	eastern slopes	708	GMZ	664
301: Disappointment	Mt Disappointment	western slopes	4,258	SMZ	843
302: Tallarook	Tallarook	eastern slopes	404	GMZ	404
307: Narbethong	Toolangi	eastern slopes	880	SMZ	880

Forest Block 282: Glendale

With a total GMZ area of 1,531 ha, the maximum area that can be harvested in the period 2020-21 to 2024-25 is 76.6 ha of which approximately 5 ha in Charmander has already been harvested. Yet based on the unchanged elements of the existing TRP and the new or adjusted proposed coupes, a total net area of 286.2 ha is due to be cut as set out in the following table.

Coupe address	Gross area (ha)	Proposed net area (ha)	TRP status
282-507-0003	26.0	20	existing coupe
282-507-0004	32.7	11.6	proposed new coupe
282-510-0002	34.3	12.5	proposed amended boundary
282-510-0003	48.4	21.2	proposed new coupe
282-510-0005	12.7	2.4	proposed new coupe
282-511-0007	20.1	28	existing coupe
282-511-0008	60.3	35	existing coupe
282-511-0010	24.5	13.4	proposed new coupe
282-512-0007 (see note)	44.2	25	existing coupe
282-512-0010	37.0	26.3	existing coupe
282-512-0012	32.5	11	existing coupe
282-512-0013	5.0	17	existing coupe
282-512-0014	22.8	17.9	existing coupe
282-512-0015	52.5	39.9	proposed new coupe
Total	453.1	281.2	

Note: It is assumed that 5 ha of 282-512-007 was logged in 2019-20

Based on the proposed net areas the excess logging over the lifetime of this TRP amounts to a staggering 210 ha or a whopping 382 ha based on gross coupe areas. Clearly VicForests must adjust its plans to rectify this shocking excess, however we consider that none of the coupes in this zone should be logged.

The failure of the current TRP and the proposed changes (if adopted) to comply with MSPs clause 5.8.1.5(a) in forest block 282 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 284: Mohican East

With a total GMZ area of 1,579 ha, the maximum area that can be harvested in the period 2020-21 to 2024-25 is 79 ha. The following table, based on actual harvest areas up to 2018-19 and December TRP areas thereafter, shows that the limit in this block has already been exceeded by 39.5 ha. This Code breach has been reported to DELWP's Timber Harvesting Compliance Unit.

		2016-17	2017-18	2018-19	2019-20 to 2020-21	5 year total
New Whiteback	284-503-0009	13.0	12.2			25.2
Glendale	284-002-0008			30.6		30.6
Herring	284-503-0010			7.4	18.6	26.0
Mackerel	284-502-0016				11.0	11.0
Pilchard	284-502-0017				13.4	13.4
Anchovy	284-502-0019				12.3	12.3
		13.0	12.2	38.0	55.3	118.5

Rolling forward the harvest limit to the period 2018-19 to 2022-23 shows that the 79 ha limit will still have been exceeded by 14.3 ha, meaning that the earliest that any coupes can be logged in this block is 2023-24. Accordingly, the remaining two unharvested coupes in this block must be left untouched for at least 3 years.

Forest Block 289: Torbreck

With a total GMZ area of 664 ha, the maximum area that can be harvested in the period 2020-21 to 2024-25 is 33.2 ha. Based on the existing TRP, the proposed revised net area for 289-506-0002 (assuming it all lies within the BMZ) and the proposed new coupe, 289-504-0017, this will be exceeded by 15.4 ha based on indicative areas and 154 ha based on gross areas. Relevant coupe details are shown below:

coupe	Gross area (ha)	Indicative net area (ha)	Status
289-504-0007	41.2	15.9	existing TRP
289-504-0011	43.5	8.6	existing TRP
289-504-0012	40.4	10.6	existing TRP
289-504-0017	38.5	9.9	proposed new coupe
289-506-0002	23.8	3.6	proposed amendment
	187.4	48.6	

The failure of the current TRP and the proposed changes (if adopted) to comply with MSPs clause 5.8.1.5(a) in forest block 289 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 301: Mt Disappointment

With a total SMZ area of 843 ha, the maximum area that can be harvested in the period 2019-20 to 2023-24 is 42.2 ha. However, based on the four proposed new coupes and the logging of coupe Phone (301-562-0001) this limit will be exceeded by 65.8 ha (based on net areas) or 162 ha (based on gross areas). Relevant coupe details are shown below.

Coupe	Gross coupe area (ha)	Indicative/actual net area (ha)	Status
301-562-0001		18	Logged 2019-20
301-559-0006	66.6	22.6	proposed new coupe
301-563-0002	34.5	20.2	proposed new coupe
301-563-0003	51.9	23.5	proposed new coupe
301-563-0004	33	23.3	proposed new coupe
	204	108	

Given the major exceedance in the adjoining GMZ (already reported to the THCU), the catastrophic effect on the Mt Disappointment State Forest and adjoining Kinglake National Park of the 2009 fire, not to mention the historic over-logging of this area, all these coupes must be removed.

The failure of the current TRP and the proposed changes (if adopted) to comply with MSPs clause 5.8.1.5(a) in forest block 301 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 302: Tallarook

With a total GMZ area of 404 ha, the maximum area that can be harvested in the period 2020-21 to 2024-25 is 20.2 ha. However, based on the coupes on the current TRP being logged as planned, this limit will be exceeded by a massive 159.6 ha (205.5 based on gross areas) as per the following table.

coupe	Gross coupe area (ha)	Indicative net area (ha)
302-008-0001	36.4	32
302-008-0006	48.3	33.5
302-008-0008	52.9	49.7
302-008-0009	43.4	31.4
302-007-0001	44.7	33.2
	225.7	179.8

VicForests may be trying to compensate for coupe losses following the Government's decision to end logging in the Strathbogie Forest, but this is no reason to ignore bushfire protection requirements.

The failure of the current TRP to comply with MSPs clause 5.8.1.5(a) in forest block 302 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 307: Narbethong

With a total SMZ area of 880 ha, the maximum area that can be harvested in the period 2020-21 to 2024-25 is 44 ha. However, based on the coupes on the current TRP being logged as planned, this limit will be exceeded by a 46 ha (69 ha based on gross coupe area) as the table below shows.

coupe	Gross coupe area (ha)	Indicative net area (ha)
307-501-002	45.6	34
307-501-003	41.3	31
307-501-004	26.2	25
	113.1	90

The failure of the current TRP to comply with MSPs clause 5.8.1.5(a) in forest block 307 breaches section 37(3) of the *Sustainable Forest (Timber) Act 2004*.

Other block-specific issues

In addition to these general Code breaches, we make the following comments on specific new and amended coupes, plus those remaining unchanged when they should be either removed or reduced in size.

Forest Block 281: Ginters

The proposed coupe aggregate in the area bounded by North Eastern Road, Ingrams Road, Black Range Road and 37°17'40" south is an area of astounding beauty, and biodiversity having been barely touched by modern industrial-scale clearfelling and its depleted legacy. Apart from "Northeast Spur" it has not seen a chainsaw for over 20 years, and only selective logging before then. North Eastern Rd provides access to the Ault Beeac Falls and the magnificent creek environs along the SPZ. The area has huge future tourism potential, especially given its proximity to the extremely popular Murrindindi Scenic Reserve via either Ginter Rd or SEC Rd and North Eastern Rd. This will be lost if logging proceeds as planned.

281-512-0012

According to the available data this coupe has never been logged. WOTCH has detected high densities of yellow-bellied and southern greater gliders in this coupe and although designated mixed species, it contains many mountain ash in the more sheltered aspects. The SPZ along Ault Beeac Creek that adjoins it is an unusually biodiverse area, including large Austral King Ferns which is a long-lived, slow growing species indicating the relatively undisturbed nature of this area. Access to this coupe via North Eastern Rd is impossible due to it being an SPZ, and the only possible access without breaching a streamside buffer would be to a small 5 ha part of it via the southern edge of the coupe where it adjoins Ingrams Road. However, Ingrams Rd is unsuitable for log truck traffic and should certainly not be upgraded due to its proximity to the SPZ and streamside buffers for its entire length.

281-512-0006

This coupe shares many of the attributes of 281-512-0012, also never having been logged. While it could, in theory, be accessed via North Eastern Rd which at that point is outside the SPZ, this would compromise the ecological integrity and beauty of the wider area and should not proceed, especially given the provisions of MSP clause 5.3.1.5. While access is possible via the coupe to the north, 281-512-0013, this would only give access to 6 ha unless the buffer zone along the tributary of Ault Beeac Creek is breached, which we oppose. However as set out below, we also oppose the excessive logging of 281-512-0013.

281-512-0013

This coupe is obviously designed to allow access to the adjoining coupes in what will become a large coupe aggregate. Given that 10 ha was clearfelled in 1997-98, barely 20 years ago, and around 4 ha is in streamside buffers, the relatively undisturbed nature of the remaining area, despite some selective logging in 1978, means that the proposed net area of 29 ha is far too high.

281-506-0011

26 ha of the coupe was logged via group selection in 1977-78 and the same method should be used in this case, not seed tree retention as proposed. Moreover a substantial buffer of at least 40 m should be left along its boundary with North Eastern Rd, given the provisions of MSP clause 5.3.1.5 and the importance of this road for future tourism. To minimise forest disturbance coupe access could be via 281-506-0012, however it is argued (below) that the scenic value of coupe 281-506-0012 means it should not be logged.

281-506-0013

Most of this coupe appears to have never previously been logged and so is likely to have a very high biodiversity. Given the importance of North Eastern Rd for future tourism and the provisions of MSP clause 5.3.1.5, a substantial buffer of at least 40 m should be left along its boundary with this road, with no coupe access via this road. To minimise forest disturbance coupe access could be via 281-506-0012, however it is argued below that that the scenic value of this coupe alone means it should not be logged. Yet the proposed net area indicates that almost the entire area outside streamside buffers is set to be logged.

281-506-0012

Most of this coupe appears to have never previously been logged and so is likely to have a very high biodiversity. Logging it on the scale proposed will run counter to the provisions of section 4.2 of the Central Highlands Forest Management Plan, and hence of the Code, given the high visibility of this coupe from parts of the Melba Highway and the skyline scar that will create. Yet the proposed net area indicates that almost the entire area outside streamside buffers is set to be logged.

All coupes in compartments 512 and 506 in block 281 must be removed from the TRP or will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 282: Glendale

The proposed coupe aggregate in the area bounded roughly by Black Range Road, Old SEC Rd, Crystal Creek Road and Junction Break is another area of astounding beauty, and biodiversity. It includes all the coupes previously listed in the discussion of the breach of MSPs Clause 5.8.1.5(a) above.

While there are several recent large coupes on Black Range Rd (The Kennel and Doghouse), plus the partial logging this year of Charmander, apart from some selective logged in the 1970s in the north of the area, this area is unspoilt by logging. However the surrounding forest to the west has been heavily logged over the past 50 years (ca. 11,000 ha) and to the east there was extensive clearing of the lower eastern slopes of the Black Range (ca. 7,000 ha) for pine plantations in the 1970s. It is thus critical that the remnant biodiversity of this area, as revealed by WOTCH and the FPSP is preserved.

It is also close to two major camping grounds, the Cathedral Range State Park and the Taggerty caravan park, which make it imperative that the forest drives along Cameron Road and Billy Creek Road remain unspoilt by logging. The proximity of several coupes to private properties, one of which runs a business relying on the surrounding natural environment, is also a critical concern.

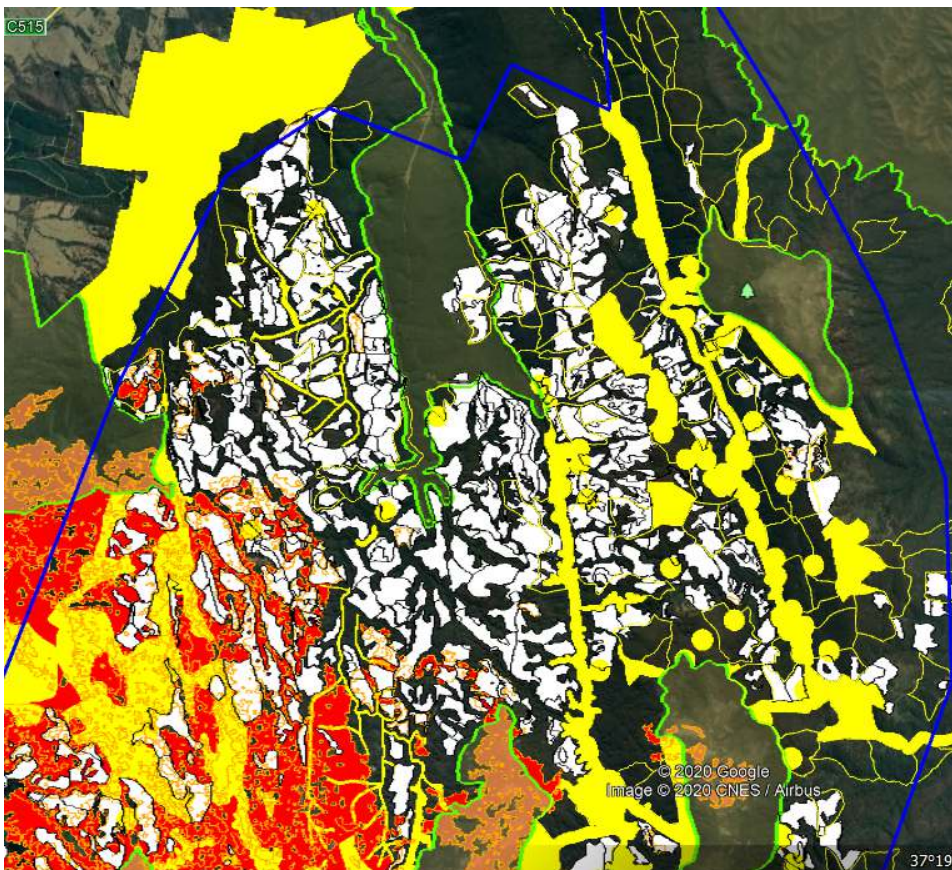
All coupes in block 282 in the vicinity of Cameron Road, Billy Creek Road and Glendale Lane must be removed from the TRP or it will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Rubicon State Forest Blocks 285 -289

A combination of the Black Saturday fires, which killed 13,500 ha of 'available' ash forest in the Central Forest Management Area and intensive clearfell logging since 1980, particularly since 2000, has created a predominantly young forest throughout the ash forests of the Central FMA. The impact on the biodiversity, ecology and non-timber values of this remarkable forest has been calamitous. Compounded by the impoverishment of the understory by logging and the extensive fragmentation of the remaining forest, this poses serious threats to the ecological integrity, processes and resilience of these complex and dynamic, biodiversity-rich mountain ecological communities, especially given the known trajectory of climate change and high risk of future landscape-level wildfires.

The Rubicon State Forest, especially its northern end, has been particularly hard hit. We have made numerous entreaties to VicForests and the State Government – all documented on [our website](#) - to recognise what is being lost and halt the logging, but so far to little avail.

Only from an aerial perspective can one begin to adequately convey the scale of the disaster. The map below endeavours to do this. It encompasses the five northern forest blocks, with the ash forest extent within them roughly outlined in dark blue outlined. Within that area, the red/orange area (bottom left) represents the approximate extent of ash forest killed in 2009 (mainly in the Cathedral (285) and Rubicon (286) blocks). The yellow shaded areas are special protection zones (SPZs) and the white shading shows



areas logged since 1980. Green outlined areas are conservation reserves of which only the Rubicon Historic Area is unburnt ash forest. Unlogged coupes on the TRP are outlined in yellow.

The area depicted represents about 0.1% of Victoria's land area and the ash forest outside reserves amounts to around one fifth of the ash forest available for harvesting in the Central Highlands RFA region. As can be seen, there is little mature forest, ie 1939 regrowth, left to log except on the Torbreck Range.

Forest Block 285: Cathedral

Chitty Chitty Bang Bang (285-502-0001)

In line with our Code breach report on this coupe, Case 2019-0053, and our previous TRP submission, we request that this coupe be removed from the TRP. It cannot be logged to any extent without compromising the views from the Cathedral Range State Park and the Maroondah Highway which is listed in Table 9, Appendix 5 the Planning Standards. In this case its 'landscape sensitivity' qualities defined by the Code also encompass the Blue Range Road, the major tourist road for people accessing the Blue Range. The unequivocal requirement of MSP Clause 5.3.1.5 is for a minimum buffer of 20m on Blue Range Road. Given that the log landing would also inevitably be placed on this road, logging this coupe is totally precluded.

And the biodiversity values of this coupe are also obvious, with both greater and yellow-bellied gliders recorded in it, as well as a koala with the koala populations in the vicinity decimated on Black Saturday.

Coupe 285-502-0001 must be removed from the TRP or it will breach the biodiversity and landscape provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 286: Rubicon

As we have repeatedly argued to VicForests, so far to no avail, the excess logging in the Rubicon State Forest, particularly in the Rubicon and Royston Blocks, and particularly since 2009, contravenes the principles of the Code, several mandatory long-term planning clauses and clause 2.2.2.2 (the precautionary principle).

			Gross	Net
286-503-0003	Ash	Haywire	53.2	15.5
286-503-0004	Ash	[adj Haywire - added Dec 2019]	55.9	20.7
286-504-0007	Ash	Snifter	47.9	3.6
286-504-0008	Ash	Goblet	19.4	11
286-504-0009	Ash	[Snifter driveway 1 - added Dec 2019]	17.2	6.7
286-505-0024	Ash	[Snifter driveway 2 - added Dec 2019]	15.7	5.6
286-504-0011	Ash	Citrine (amended)	40.6	1.9
286-507-0015	Mixed Species	Huckleberry Finn	37.5	13
286-512-0022	Ash	Low Flow	18.4	14
286-512-0022	Ash	Low Flow Driveway	2.35	1
286-512-0023	Ash	Alternative Low Flow Driveway	19.8	1.3
			328	94

Blue Range coupes (Snifter, Goblet, Haywire and 286-503-0004)

The southerly extent of the Blue Range was massively impacted by the 2009 fire, with most of the ash forest area completely killed. The remaining forest in the Rubicon Valley and most of the eastern side of the Blue Range is now completely logged out. Apart from the Rubicon Historic Area, the Blue Range ridge along its extent from just north of the Cathedral Range State Park in the south is the only remaining significant area of largely intact 1939 alpine ash regrowth forest in Block 286. Its extensive branching and open acacia understorey that makes it ideal sooty owl, leadbeaters possum and greater glider habitat.

The proximity of the Blue Range to the Cathedral Range State and its accessibility via Parks Rd make it particularly important that this area be spared to allow the establishment of a viable forest tourism sector once logging ends before the Rubicon State Forest is completely ecologically devastated. Further north, Haywire and the adjoining coupe added last December are very steep and that alone should rule them out.

These two coupes are also close both to the Camp Jungai and the Rubicon River camping areas and readily seen from the Rubicon River Road, which is popular with walkers and within the RVHCFR. Pursuant to MSP Clause 5.3.1.6 and Code Clause 2.1.1.1.vi they should be left unlogged.

Citrine amended (286-504-0011)

As outlined on page 1, the amended boundary of this coupe seems designed to allow a far greater area to be logged than the 1.9 ha claimed. Assuming it is not a simple mistake, such deceptiveness is unacceptable.

Low Flow (286-512-0022) and Huckelberry Finn (286-507-0015)

The proposed logging these two coupes which abut the RVHCFR shows how little regard VicForests has for the communities it works within. In the past decade, VicForests has already logged the following coupes which are within or abut this remarkable, and popular, historic area: Calvin, Rio, Berlei, Ralf, Cortez, Little Jacqui, Archibald, High Voltage, Sutcliffe, Alexander, Lubra Dam, Julius Caesar, etc. And beyond these coupes are far more coupes – almost all only one or two decades old - creating a devastated landscape within its former biodiversity lost.

All coupes in block 286 must be removed from the TRP or it will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 287: Royston

Like the Rubicon Block, the damage done to the forests of the Royston Block, in contravention of multiple Code provisions is appalling, as our previous TRP submissions and other communications have shown:

- No screening buffers left along roads
- Coupe aggregates greater than 120 ha
- Further reduction in Royston River flows, with long-term impacts on the Rubicon hydroelectric scheme, contrary to Code Clause 2.1.1.1.v.
- Blackberry infestations exacerbated by logging left unchecked
- No east-west wildlife corridors linking existing reserves

Bag of Bones (287-518-0007)

This coupe is surrounded by reserves and, as we have said before, should continue to be left untouched. The only impacts it has experienced since at least 1960, probably since 1939, is some selective logging in a small northern part and a small area, again in its north, killed in 2009. The idea that VicForests should ask DELWP for permission to push a road through the adjoining rainforest SPZ to access just 12 ha is outrageous.

Tijuana (287-516-0005) and Santa Cruz (287-516-0006)

Like Bag of Bones these coupes are almost totally surrounded by reserves and again, as we have repeatedly said before, they should continue to be left untouched with the selective logging of them in the 1960s doing no ecological harm. And, again like Bag of Bones, the idea that VicForests should ask DELWP for permission to push a road through the adjoining rainforest SPZ, and through two regenerating coupes logged in the 2000s just for 11 ha is outrageous.

Coupes abutting the north end of the Mt Bullfight reserve

Like Tijuana and Santa Cruz, apart from some selective logging in the 1960s this area is largely untouched since 1939. Collectively this group of coupes (below), along with Gnu (288-520-007) and the northern tip of the Mt Bullfight reserve, provide the only decent habitat link through alpine ash forest between the Snobs Creek and Royston River Valleys. Given the vast excessive logging to the north in the past 20 years, Code Clauses 2.1.1.1.iii and 2.2.2.9 both indicate the need for these coupes to be left unlogged.

		Gross	Net
287-515-0009	Red Rag	51.6	13
287-515-0011	<i>Proposed RDC amendment</i>	27.6	5.3
287-515-0014	New 2019	15.7	5.9
287-515-0015	RDC added 2019	6.2	3.1
287-515-0007	<i>Proposed new 2020</i>	14	9.8
287-516-0004	<i>Proposed new 2020</i>	14.5	3.8

Moreover, Stillmans Lookout is located in proposed coupe 287-515-0007 and the views from it must be protected, as well as the views from Bullfight Road East which is the main access road not only to Stillmans Lookout and proposed new coupe 287-516-0004 but to the north end of the Mt Bullfight Reserve itself. Thus, the provisions of MSP Clause 5.3.1.5 make logging of proposed new coupe 287-516-0004 impossible.

Top Cat (287-505-0002)

The retention of Top Cat (287-505-0002) and the implied expectation that the logging of the remaining 17 ha (net) proceed is shocking and a repudiation of VicForests' claim to heed the concerns of affected local communities. In 2014 eight VicForests officials met local Rubicon residents concerned about the prospect of logging the Flea Creek catchment at the north end of the Royston Range - - a prelude to the catastrophic overlogging of the Range which continues to unfold - - and were promised that the ridgeline vista would be protected. As we know this did not occur and a scar has been created that undermines the visual appeal of the entire area and is at odds with established Government policy. The logging of the rest of Top Cat will make the existing scenic breach far worse.

All coupes in block 287 must be removed from the TRP or it will breach the landscape, biodiversity and streamflow provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 288: Snobs

The Snobs and Torbreck Blocks are the only two remaining areas in the north of the Rubicon State Forest that have not yet been quite so excessively logged. As RFPG has been arguing since our inception if logging in the Rubicon State Forest is not to further breach all the key planning provisions of the Code, the logging of the remaining coupes in the Snobs Creek catchment must cease.

		Gross	Net
288-503-0005	<i>Proposed new unnamed coupe</i>	42.1	33.4
288-506-0003	Laundry	18.4	15
288-506-0004	Hills Hoist	37.6	14
288-506-0005	Washboard	51.9	37
288-509-0002	Turnbuckle	37.3	21
288-509-0004	Chainlink	50.6	15
288-514-0005	Superficial	33.4	19
288-514-0006	Conn Gap RdRDC	12.1	2
288-514-0007	Aristocrat	21.9	4
288-517-0005	Fruit Fly	42	8
288-517-0006	Dragonfly	43.8	18
288-517-0008	Shadefly	21.7	13
288-517-0009	Damselfly RDC	33.3	1
288-519-0001	Toorak	59.1	12
288-519-0003	Mayfly	36.7	15
288-519-0005	Sawblade Saddle	50.3	10
288-519-0006	Ratso	19.6	3
288-519-0008	Fishfly	54.7	17
288-520-0007	Gnu	62.9	18
288-520-0009	Baker Street (proposed amendment)	27.4	3.8

Add to this its importance as habitat for Leadbeater possum, the scenic quality of the catchment seen from Snobs Creek Road – a tourist road if ever there was one, its steepness, and its role as the supplier of water to the Snobs Creek Fish Hatchery and the arguments against further logging are overwhelming. Yet not only has VicForests proposed leaving all existing coupes in place, it has even proposed a massive new coupe of 33 ha, 288-503-0005, running between Snobs Creek Road and No. 6 Track, the main access road to the north end of the Royston Range.

Just as the streamflow impacts in the Royston River are contrary to Code Clause 2.1.1.1.v, so will be the water quality impacts due to coupes up and down Snobs Creek, especially given the fragility of the soils – as evidenced by the major erosion in the coupe Rio and also being investigated by THCU in case 2020-0055.

Coupes along Snobs Creek Rd south of Snobs 14

A further reason for the removal of all the coupes south of where Snobs Creek Rd crosses Snobs Creek, including Snobs 13 and Snobs 14, relates to the alleged breach (Snobs 14) and expected breach of Code Clause 2.1.1.1.vi by virtue of the proposed logging of these coupes along Snobs Creek Rd. This is the subject of a further breach report (Case 2019-0060) provided to VicForests on 26 August. (Att 4)

This imminent breach is a particular issue for the coupes Aristocrat and Superficial whose areas fall almost entirely within the zone that should have been SPZ if Government policy had been properly implemented. To a lesser extent it also applies to many of the coupes further south, specifically Fruitfly, Shadefly, Fishfly, Sawblade Saddle and Toorak. In addition to the water quality issues and biodiversity issues this is a further reason for the removal of these coupes from the TRP.

The inclusion of these coupes is an example of VicForests treating key tourist roads in the Rubicon State Forest as mere coupe access roads with no scenic values warranting protection at all. This is unacceptable.

All coupes in block 288 must be removed from the TRP or it will breach the landscape, biodiversity and water quality provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 289: Torbreck

Northern coupes on Mt Torbreck

The impact on the area's scenic values caused by the harvesting of K2 and Everest was the subject of a Code breach report (Case 2019-0052), although given its lamentable track record we were not surprised DELWP's rejection of our arguments. However the same issues applying to Kinabalu and Gulmarg. Everest and K2 should never have been logged, Gulmarg and Kinabalu should all be removed from the TRP.

In addition, we consider the logging of Torbreck Plains and Gremlin, which span the walking track to the Avro Anson crash site memorial, would violate the commemoration for which the memorial was established.

Easterly coupes on Mt Torbreck

We note that the net areas for Gremlin and Torbreck Plains have been reduced to protect the track to the Avro-Anson memorial, however this is insufficient to protect the walking track to the memorial. And as we have long argued RFPG considers that the overlogging in the north end of the Rubicon State Forest requires that all the coupes in this block be removed from the TRP.

Torbreck Station environs, Eildon-Warburton Road, and Eildon- Jamieson Road

The December 2019 TRP amendments were clearly at odds with section 5.3.1 of the Management Standards and procedures (MSPs) and this is now compounded by the addition of another 4 coupes.

The general requirement under Code mandatory action 2.1.1.1.vi to minimise adverse visual impacts on landscape sensitivity areas is in addition to those landscape protection requirements in the Code that may be specified elsewhere, as in section 5.3.1 of the MSPs and clause 6.1.1.1 of the Planning Standards. The omission of the Royston River Road, the Snobs Creek Road, the Eildon-Jamieson Rd, the Eildon-Warburton Rd, the Big River Rd and the Warburton-Woods Point Rd from Table 9 in Appendix 5 (the Planning Standards) does not mean that their importance as landscape vantage points can be ignored.

These roads are all significant and popular tourist routes with high scenic value and tourist potential and certainly meet the definition of ‘landscape sensitivity areas’ specified in the Code.

By virtue of the net areas indicated, it appears that the proposed TRP envisages logging will occur along the edge of these key tourist roads treating them as if they were mere coupe access roads. The retention of these coupes on the TRP should only be permitted if the net areas are revised to ensure that the coupes comply with MSP clause 5.3.1.

Forest Block 309: Acheron

The Acheron Way

This word ‘iconic’ is certainly overused but The Acheron Way is, or rather was, without doubt an iconic tourist drive. It runs from Mt Donna Buang to Narbethong and before Black Saturday was spectacular. The fire took a huge toll on the surrounding forest, mainly on the east side, and intensive clearfell logging since then has spoilt much of the remaining scenic vestiges. So it was with great concern that RFPG noted the inclusion of new coupes at the north end of The Acheron Way in the 2017 TRP and again in December 2019, with a further two now proposed.

The coupes currently listed have remarkable biodiversity values as arboreal animal habitat as the table below shows. Part of the reason for this may be countless numbers of mammals and birds that have been displaced by logging nearby and the 2009 fire. And one of the coupes (309-507-0014) has astoundingly high numbers of tree geebungs, large numbers of which have been destroyed by logging elsewhere as the work by WOTCH and Warburton Environment has shown.

Fisher Creek Road itself deserves special mention, being one of the few remaining forest tracks and roads in the Central FMA. Not only is it part of the National Bicentennial Trail and well-used by horse riders, but it is also used by the local bushwalking club, Marysville Walks. It is quite narrow, winding through tall forest, with many large trees close to the track. All of these will be felled to widen the road if logging proceeds and an enchanting walk will be converted into a barren landscape akin to its counterpart on the opposite side of the Acheron Way, Granton Road.

And to make matters even worse unnamed coup 309-502-0001 will destroy the eastern end of the Hermitage Walking Track, which is also a key attraction for visitors and locals alike.

Coupe	TRP	Gross	Net		Location	Arboreal animal detections (FPSP)	
309-507-0012	April 2019	31	20	65%	Fisher Creek Rd	tree geebung: 173	greater glider: 153
309-507-0013	April 2019	34	29	86%	Fisher Creek Rd	koala: 4	yellow-bellied glider: 46
309-507-0014	April 2019	41	25	62%	Fisher Creek Rd	powerful owl: 4	southern boobook: 21
309-002-0002	December 2019	39	35	89%	Fisher Creek Rd	sooty owl: 3	eastern ringtail possum: 5
309-507-0010	December 2019	39	14	37%	Fisher Creek Rd	sugar glider: 2	feathertail glider: 2
309-003-0001	April 2019	47	43	91%	on Acheron River		
309-503-0003	2020 proposed	56	15	26%	on Acheron River	not yet surveyed	
309-505-0002	2020 proposed	58	34	59%	on Acheron River		
309-502-0002	April 2019	38	21	55%	on Acheron Way	sooty owl: 2	yellow-bellied glider: 19
309-502-0003	April 2019	52	39	75%	on Acheron Way	greater glider: 14	sugar glider: 5
309-502-0001	December 2019	36	27	76%	on Acheron Way	feathertail glider: 2	eastern ringtail possum: 7
309-507-0007	January 2017	44	32	73%	on Acheron Way		
309-507-0008	December 2019	22	16	73%	on Acheron Way	not yet surveyed	
309-507-0009	December 2019	29	22	77%	on Acheron Way		

All coupes in block 309 in the vicinity of Fisher Creek Road and The Acheron Way must be removed from the TRP or it will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 312: Torbreck River

Keppel Ridge and Messmate Ridge (Compartment 510)

This is a remarkable area of around 700 ha encompassing ash and mountain mixed species forest and apart from around 70 ha in the south east corner has barely even been logged. The proposed logging of a further fifth of the compartment over the next 5 year is totally at odds with the Codes' planning provisions.

Aerial imagery suggests this area contains many big old trees and logging it will entail two major creek crossings of Koala Creek. A large area is steeper than 30°, with much of the remainder over 25°. Given the fragility of the granitic-type soils, the damage that the creek crossings will entail and their obvious biodiversity values all the coupes in this compartment should be removed from the TRP.

		Gross	Net	Comments
312-510-0002	[Proposed]	30.2	12.8	
312-510-0005	Huggy Bear	28.8	7	
312-510-0007	Bromance	34.5	18	logged 2017-18
312-510-0009	Lovers Lane	34.6	21	logged 2017-19
312-510-0010	Rumba	39.4	18	currently injuncted
312-510-0011	Pumba	37.4	11	currently injuncted
312-510-0012	Kumba	44	20	currently injuncted
312-510-0013	[added Dec 2019]	44.4	21.1	
312-510-0015	[added Dec 2019]	33.8	4.8	
312-510-0016	[added Dec 2019]	41.3	17.9	
312-510-0017	[added Dec 2019]	38.8	13.6	
312-510-0018	[added Dec 2019]	25.6	6.3	
312-510-0019	[added Dec 2019]	49.7	4.8	

All coupes in compartment 510 in block 312 must be removed from the TRP else it will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Forest Block 313: Stockmans

Warburton-Woods Point Road and Big River Road junction

On the east side of the Big River road near its junction with the Warburton-Woods Point roads is a group of seven coupes added in December 2019, one of which (Barcelona, 313-503-0002) is now logged, which entail clearfelling a total of around 200 ha. From the indicative net areas proposed it appears that much of the forest bordering these roads will be lost.

We argued in our December TRP submission that for two roads so significant for forest tourism, including access to the Big River Valley and its many camping areas, this would be unacceptable. However as discussed

above our request went unheeded and it took legal action by Kinglake Friends of the Forest for VicForests to abide by the Code. Yet while better than nothing, a 20 m buffer is far from adequate for an area as popular as this and it should be at least double this.

And biodiversity issues are at stake as well with the area being another biodiversity hotspot. Collectively, within the seven coupes surveyed in this block there are 18 lyrebird detections (see below), representing more than a quarter of all lyrebird detections by the FPSP in the Central Highlands.

	Gross coupe area (ha)	Indicative net area (ha)	lyrebird detections
313-503-0001	43.2	27.0	9
313-503-0002	40.6	15.0	1
313-503-0003	58.7	30.0	1
313-503-0009	43.0	20.0	2
313-503-0011	50.1	27.0	3
313-503-0012	46.6	24.0	2
313-503-0013	57.4	37.0	0

The area is clearly another biodiversity hotspot with the full list of detections is as follows:

Southern Greater Glider	79	Pygmy possums	3
Agile Antechinus	58	Brown Treecreeper	2
Bush Rat	36	Eastern Spinebill	2
Mountain Brush-tailed Possum	33	Feathertail Glider	2
Mainland Dusky Antechinus	27	Golden Whistler	2
Antechinus	23	Sooty Owl	2
Superb Lyrebird	18	Tawny Frogmouth	2
White-browed Scrubwren	18	White-footed Dunnart	2
Lewin's Honeyeater	14	Yellow-tailed Black-Cockatoo	2
Eastern Whipbird	10	Yellow-tufted Honeyeater	2
Southern Boobook	10	Australian Owlet-nightjar	1
Sugar Glider	10	Bassian Thrush	1
Eastern Ring-tailed Possum	8	Brown Thornbill	1
Pied Currawong	8	Common Blackbird	1
Eastern Yellow Robin	7	Olive Whistler	1
Grey Shrike-thrush	7	Powerful Owl	1
Leadbeater's Possum	7	Rose Robin	1
Crimson Rosella	6	Sambar Deer	1
Satin Bowerbird	5	Silvereye	1
White-throated Treecreeper	5	Striated Thornbill	1
Eastern Pygmy-possum	4	Superb Fairy-wren	1
Bare-nosed Wombat	3	Swamp Rat	1
Black-tailed Wallaby	3	White-plumed Honeyeater	1
Crescent Honeyeater	3	Wonga Pigeon	1
feather-tailed glider species	3	Yellow-bellied Glider	1

All coupes in compartment 503 in block 313 must be removed from the TRP or it will breach the landscape and biodiversity provisions of the Code and section 37(3)(b) of the *Sustainable Forest (Timber) Act 2004*.

Water issues in the Rubicon Royston/Rubicon and Snobs Creek Catchments

Snobs Creek supports Victoria's only native fish hatchery at its confluence with the Goulburn River. The decision to site the hatchery at this point was made in the mid-1940s when the Snobs Creek catchment would have been covered with 1939 regrowth barely 6 years old. At that time the prospect of future massive logging of the catchment, as the proposed TRP amendments foreshadow, would have been an insignificant consideration in the decision.

In the mid-1960s, well before there was any prospect of logging the Snobs Creek valley, the then Fisheries and Wildlife Department which managed the hatchery, had major concerns about the prospect of riverside camping on private land upstream⁸. Were the players alive today, they would have been horrified by what the TRP and its current amendments entail.

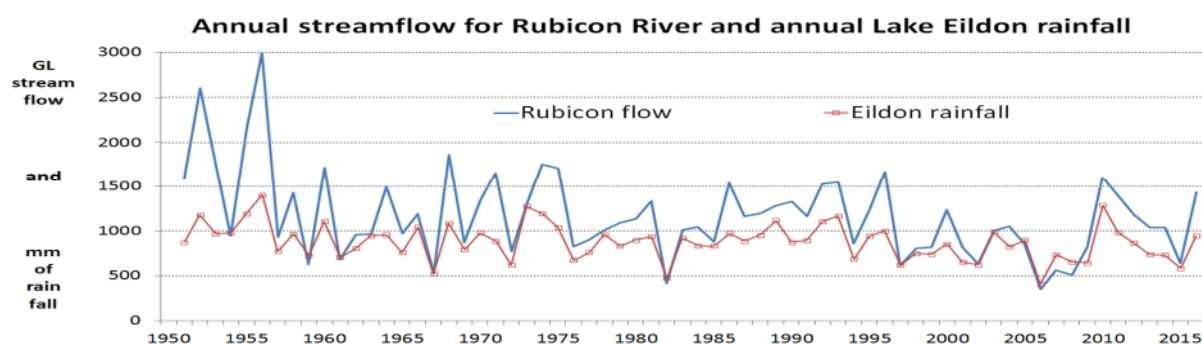
The proposed TRP amendments pay no regard to:

- the increased siltation at the hatchery that has already followed road capacity improvements along Snobs Creek Road and connecting roads, such as No.5 track,
- the inevitable further increase in turbidity, despite even the most stringent abatement (which recent practice shows to be most unlikely) with watercourse protection obligations under the Code⁹,
- the inevitable increase in water temperature at the hatchery that will follow the opening up of the many coupes (proposed and existing) along the Snobs Creek valley.

Salmonids require cold water for hatching, something that the forest planners responsible for the new coupes in the Snobs Creek Valley may not have been unaware of. The extensive previously forested areas adjacent to the creek that will be directly exposed to bare (or almost bare) ground for several years will lead to a significant water temperature increase. Crucially, cold water temperatures was a key reason why the site was originally chosen, something else that the planners may have been unaware of.

While water quantity is not a critical factor in the Snobs Creek catchment, it is certainly a critical factor in the Rubicon/Royston system. The Rubicon Hydroelectric scheme depends on the flows in these two river systems to produce a small but not insignificant share of renewable energy supplied to Victorians.

The climate was much wetter when the Rubicon Scheme was conceived, and as the chart below shows, up until the 1970s, river flow was much higher than at present despite the extra water consumed by the younger forest. But with global warming accelerating lower rainfall and lower streamflows are the new norm. Had the relevant VicForests planners been aware, as they should have been, of these trends, and paid attention to clause 2.1.1.1.v. of the Code, then the TRP amendments would have entailed a net removal of coupes rather than a net addition.



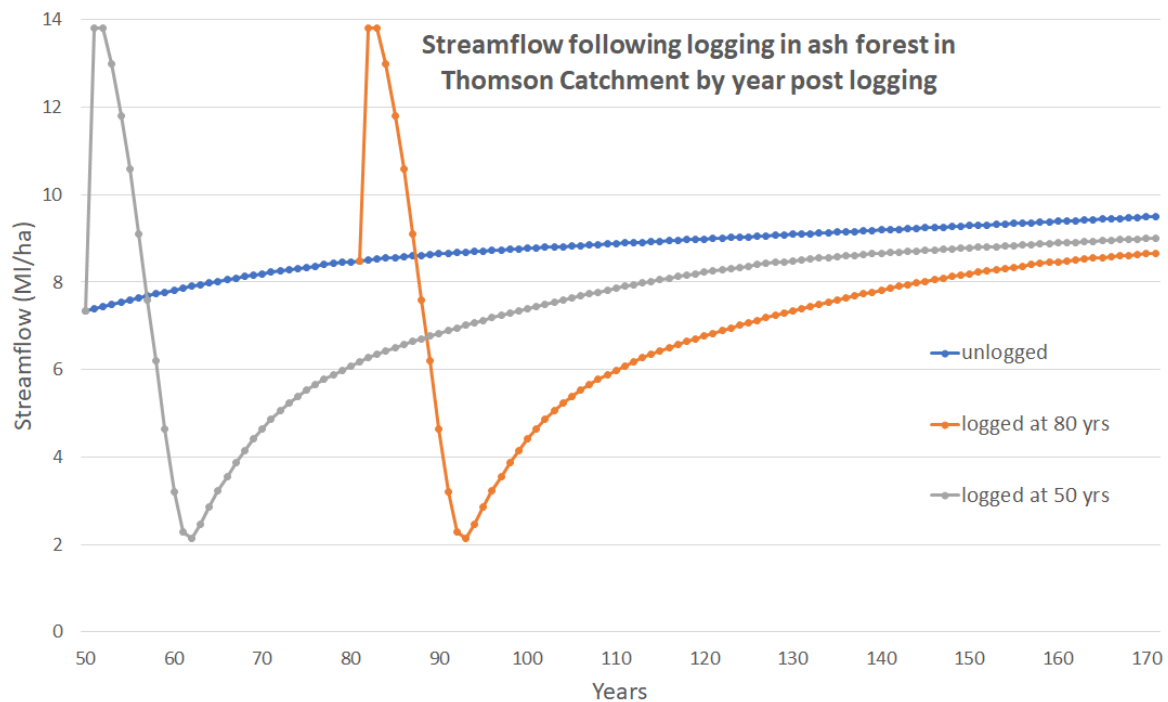
⁸ Town And Country Planning Board 19th Annual Report (1963-64), pp. 23-24

⁹ Ref current legal action by RFPG regarding non-compliant watercourse protection in the coupe "Calvin" on the Royston River

The cost of water loss from logging the Thomson catchment

Decades of research into the hydrology of Melbourne’s water catchments have examined the diminished streamflows that follow the conversion of mature ash forests, whether through logging or bushfire, to dense and thirsty regenerating forests. Thus, for a decade or so after bushfire or logging streamflows rise but as the ash forest and its leaf area grow, flows start to decline.

A report by the CRC for Catchment Hydrology published the modelled water loss profile in the Thomson catchment¹⁰ assuming no intervening bushfires. An adaptation of this profile for alpine ash is shown below¹¹, with the modelled impact of logging in 1939 regrowth at ages 50 years and 80 years.



The difference in areas under the blue line and under the grey line equates to the water lost over 120 years as a result of logging one hectare of 50-year-old ash forest in the Thomson catchment. Similarly, the difference in areas under the blue line and under the orange line equates to the water lost over 90 years as a result of logging one hectare of 80-year-old ash forest in the Thomson catchment. So, knowing the area logged allows the water loss over time to be calculated for any particular forest age.

The area of ash forest logged within the Thomson catchment since catchment logging ramped up has been extracted from data maintained by DELWP in its MapShare application. This is set out below:

Year	Area (ha)	Year	Area (ha)	Year	Area (ha)	Year	Area (ha)
1980-81	33	1990-91	190	2000-01	131	2010-11	168
1981-82	45	1991-92	80	2001-02	130	2011-12	143
1982-83	0	1992-93	108	2002-03	120	2012-13	145
1983-84	29	1993-94	190	2003-04	123	2013-14	216
1984-85	40	1994-95	276	2004-05	122	2014-15	102
1985-86	38	1995-96	185	2005-06	93	2015-16	133
1986-87	52	1996-97	150	2006-07	37	2016-17	152
1987-88	45	1997-98	158	2007-08	49	2017-18	46
1988-89	168	1998-99	93	2008-09	134	2018-19	110
1989-90	268	1999-00	157	2009-10	120	2019-20	na

¹⁰ Peel, M et al. 2000. Predicting the water yield impacts of forest disturbance in the Maroondah and Thomson catchments using the Macaque model. Technical Report 00/14. Cooperative Research Centre for Catchment Hydrology.

¹¹ Ibid. Fig 7.7, p.55

The Code (MSPs clause 3.5.1.5(a)) permits an average of 150 ha of ash forest in the Thomson water catchment to be logged each year and it is assumed that logging will continue at this rate, as it has done over the past three decades.

Thus, if 150 ha of ash forest is logged in 2020 the average annual loss in dam inflows between now and 2100 will be 238 megalitres. This may seem a small amount, just 0.15% of the 150 gegalitres per year that the Wonthaggi desalination plant is slated to deliver, or under 0.1% of Melbourne's annual water consumption, but it nevertheless it has a significant and measurable cost.

An appropriate price for free-flowing river water is to be found in a recent study by researchers in Melbourne University's School of Engineering¹². It priced additional water entering Melbourne's storages at from \$400 - \$1,000 per megalitre, depending on the spare storage capacity. With Melbourne's catchments likely to be well below capacity for the foreseeable future the appropriate figure to use is \$1,000 per megalitre.

Calculations of the 'present value' of losses (or gains) in the future generally requires the use of a discount rate to reflect the uncertainty of the future, including technological changes, and a general preference to forgo a future benefit in order to realise a more certain immediate value. However, with a rapidly growing population, a drying climate, increased bushfire risk, growing demands to maintain environmental flows, and with water having no feasible economic substitute and significant new storage capacity impossible, the use of a discount rate that reduces future value is certainly inappropriate. Indeed the real price of water can only be expected to increase over time.

So continued logging the ash forests in the Thomson catchment at current rates between now and 30 June 2030 will result in reduced streamflows between now and 2100 of 213,700 megalitres valued at \$213 million – more than double the price VicForests will receive for the timber sold.

However, since the water flowing into the Thomson dam is all profit since it has no collection cost the correct comparison is not with the sale price of the wood but with VicForests' profit. Given their proximity to Maryvale and Heyfield, Thomson coupes are probably VicForests' most profitable, but even so this will be a few million annually at most. So, allowing for it to make a profit from these coupes of, say, \$20 million from now until 2030, by far the highest economic benefit to which the ash forests of the Thomson catchment can be put is to be left unlogged.

Clearly a major fire, would change the picture, but given the major bushfires Victoria has already experienced this century, killing vast areas of mature ash forest, preserving the dwindling area of mature ash forest in Victoria must take priority.



¹² Western, A W. et al.2017. The economic value of water in storage. School of Engineering University of Melbourne