



1/7/2020

The Rubicon Forest is a hot spot of extraordinarily rich biodiversity, devastated over the last two decades through a combination of mega-fire and intensive wide-scale logging.

But following a number of recent legal decisions VicForests is in trouble. VicForests' legal spokesperson said recently, "further injunctions could become [the straw that will break the camel's back](#)".

The RFPG is now planning a legal action which could provide that straw. However, we need your help!

Declare the TRP Illegal!

The RFPG argues that VicForests' Timber Release Plan (TRP) is unlawful, because it breaches the Code of Forest Practice; logging according to an unlawful TRP is also unlawful.

The Timber Release Plan (TRP), is unlawful because breaches the long term planning provisions of the [Code of Practice for Timber Harvesting](#).

Most of the Code prescribes how the timber harvesting managers, and their contractors, should deal with individual coupes. However, the long-term planning provisions of the Code deal with a wider range of issues, including ecological diversity, cultural heritage, landscape, provision of recreation and educational opportunities. Cl 2.2.2 of the Code deals specifically with biodiversity conservation and includes a provision mandating the precautionary principle (which VicForests was found to have disregarded in the [Possums Case](#)).

RFPG has repeatedly reported breaches of the long-term planning provisions of the Code to DELWP but DELWP has failed to uphold any of these breach reports. VicForests does not believe these provisions apply to them and it appears that DELWP agrees with them.

However, in fact, S.37(3) of the [Sustainable Forests Timber Act](#) creates an unqualified obligation on VicForests to ensure that the TRP is consistent with the Code.

In its closing submission in the [Possums Case](#), counsel for VicForests argued that cl 2.2.2.2 (regarding the precautionary principle), did not apply to the TRP. These arguments were rejected by the court.

Successful appeal against VicForests' secrecy

As part of building our case, the RFPG applied, under Freedom of Information, for access to the advice that the VicForests Board considered when it approved the December 2019 Timber Release Plan. VicForests refused access and we appealed. We have been advised that our claim was successful (although VicForests is likely to appeal). More about the FOI decision [here](#).

Appealing for donations to support this action: Declare the TRP Illegal!

The RFPG is grateful to those who have already contributed to this appeal (and to those members who have renewed for 20/21). However, we are still well short of our target.

Please dig deep to stop the lawless plunder.

Gifts to the RFPG are tax deductible¹. Our bank account details are:

1. RFPG is registered on the Commonwealth Register of Environmental Organisations and is eligible to receive tax deductible donations. ABN: 75 594 595 447

Name: Rubicon Forest Protection Group Inc

BSB: 633000

Account number: 159830272

We are also reminding members to renew your membership for 2020/21. For 2020/21 the RFPG will levy a small membership fee of \$20 per year. For an overview of the work of RFPG in recent years you might wish to browse through our [website](#) or visit our Facebook page (@rubiconforest).

To donate or renew or join please complete the join, renew, donate form here and send it to admin@rubiconforest.org.

<p>1. Dear RFPG,</p> <p>a. I/we are keen to renew my/our membership of the RFPG; <input type="checkbox"/></p> <p>b. I/we are keen to join the RFPG; I/we support the purpose of the Group and agree to comply with the Rules of the Group²; <input type="checkbox"/></p> <p>c. I/we just want to donate to the fund-raiser; <input type="checkbox"/></p> <p style="text-align: right;"><i>Please insert 'Y' for applicable statement/s.</i></p> <p>2. I have transferred to the RFPG account:</p> <p>a. membership: \$.....</p> <p>b. donation: \$.....</p> <p>3. I have authorised my bank to make a monthly transfer to RFPG of \$.....</p> <p>4. Name/s:</p> <p>5. Email address/s:</p> <p>6. Phone number/s:</p> <p>7. Postal address:</p>

2. The RFPG rules are prescribed by Consumer Affairs Victoria and the Commonwealth Charities and Non-Profits Commission. The RFPG Rules are available [here](#).