

18 May 2018

Ken Deacon
Rubicon Forest Protection Group
Via email: info@rubiconforest.org



Dear Mr Deacon,

Thank you for your detailed submission on behalf of the Rubicon Forest Protection Group regarding the December 2017 Timber Release Plan (TRP) Proposed Changes.

We have carefully considered your submission and note your assertion that the proposed TRP would be in breach of five mandatory actions required by the Code of Practice for Timber Production (the Code). Our response to each of these five actions is set out below for your information.

1. Clause 2.1.1.1 (ii), (v) and (vi) of the Code

This section of the Code sets out some mandatory actions for long term forest management planning. Long term forest management planning is the responsibility of the State Government through the Department of Environment, Land, Water and Planning (DELWP), through instruments such as Regional Forest Agreements and the Forest Management Zoning Scheme. As such it would not be appropriate for VicForests to comment further on this allegation.

2. Clause 2.2.2.2 of the Code

This section of the Code does require VicForests to apply the precautionary principle to its operations. The precautionary principle is defined in the glossary of the Code. As you may be aware the precautionary principle has been considered by the courts on a number of occasions. As Justice Osborn said in the MyEnvironment case, "The more generalised the threat, the more indirect and less immediate the damage to a sensitive aspect of the environment, the more difficult it will be to be satisfied that the precautionary principle requires abstinence from a particular action."

The precautionary principle does not require detailed surveys by wildlife specialists in all remaining unlogged coupes as claimed in your submission. Rather it is a matter which is considered during operational planning at a coupe level.

3. Clause 2.2.2.3 of the Code

As required by the Code, VicForests considers relevant research in conservation biology and flora and fauna management, during planning and conducting harvesting operations.

We hope that this response is helpful. At this stage we have removed coupes 287-505-0004, 287-508-0010 and 287-509-0006 from the TRP submission but we have no plans to remove any more, as requested on page 5 of your submission. If you would like to discuss anything in this letter further, we would invite you to please contact Andrew McGuire Regional Manager North East Region at andrew.mcguire@vicforests.com.au or Liz Langford, Regional Engagement Co-ordinator at liz.langford@vicforests.com.au to arrange a meeting with the most appropriate person to discuss any concerns further.

Yours sincerely,

A handwritten signature in black ink, appearing to read "A Wandek".

Andrea Wandek
Manager Tactical Planning