



RFPG Newsletter

September 2021

1. Annual General Meeting on September 12

Members and supporters of the Rubicon Forest Protection Group are warmly invited to our AGM to be held by Zoom on Sunday September 12 at 3 pm. We will report on our recent activities, in particular our contestation with DELWP over breach reports and the latest Timber Release Plan. Bring along your issues and questions to feed into the discussion.

If you plan to attend, please email us at admin@rubiconforest.org for the Zoom link. Please also advise if you need to appoint a proxy for the AGM.

See [Attachment 1. Agenda](#).

See [Attachment 2. Financial report](#).

2. Species Seekers at work in coupes planned for logging

RFPG continues to focus on protecting what forest is yet unlogged in the Snobs Creek Valley and on the Torbreck Range. Members and friends of the RFPG have been going into coupes along the Dry Creek Hill Road near Snobs Creek to film endangered wildlife. The coupes are in a rare, pristine tract of wet forest containing huge old trees that are home to a large colony of greater gliders, owls, and other arboreal wildlife. The detection work involves tramping through thick forest with ropes and thermal imaging videos and climbing trees to attach and remove them.





Species Seekers placing thermal video cameras in trees in Kinabalu and Gulmarg coupes in the Snobs Valley to record endangered species. They have already recorded over 40 endangered Greater Gliders, which will hopefully save these two precious coupes from logging.

Not far away, in a coupe (Snobs 13) on Snobs Creek Road, VicForests ran a very steep snig track (see below) through a patch of shining gum forest that was earmarked as protected habitat and probably also officially qualified as 'old growth'. RFPG lodged a breach report about this coupe citing various Code provisions we said had been breached but to no avail.



We also lodged a report about the logging of an adjacent coupe (Snobs 14) on scenic grounds (see below), including failing to leave a buffer along Snobs Creek Road, but again to no avail.



3. Timber Release Plan breaks Code of Practice long-term planning rules; threatens biodiversity and scenic hotspots

VicForests are ignoring the long term planning principles of the Code of Forest Practice in their latest revision of its Timber Release Plan ([draft TRP](#)). In this, they have the co-operation of DELWP'S Office of Conservation Regulation who have determined that VicForests is not responsible for long-term issues such as biodiversity retention in its publication of planned new coupes.

The [Code of Practice for Timber Production 2014](#) mandates that forest management planning must "provide for the perpetuation of native biodiversity", "maintain a range of forest age programs and structures" and "minimise adverse visual impact in landscape- sensitive areas". But the draft TRP released in July reveals that the opposite is in fact happening.

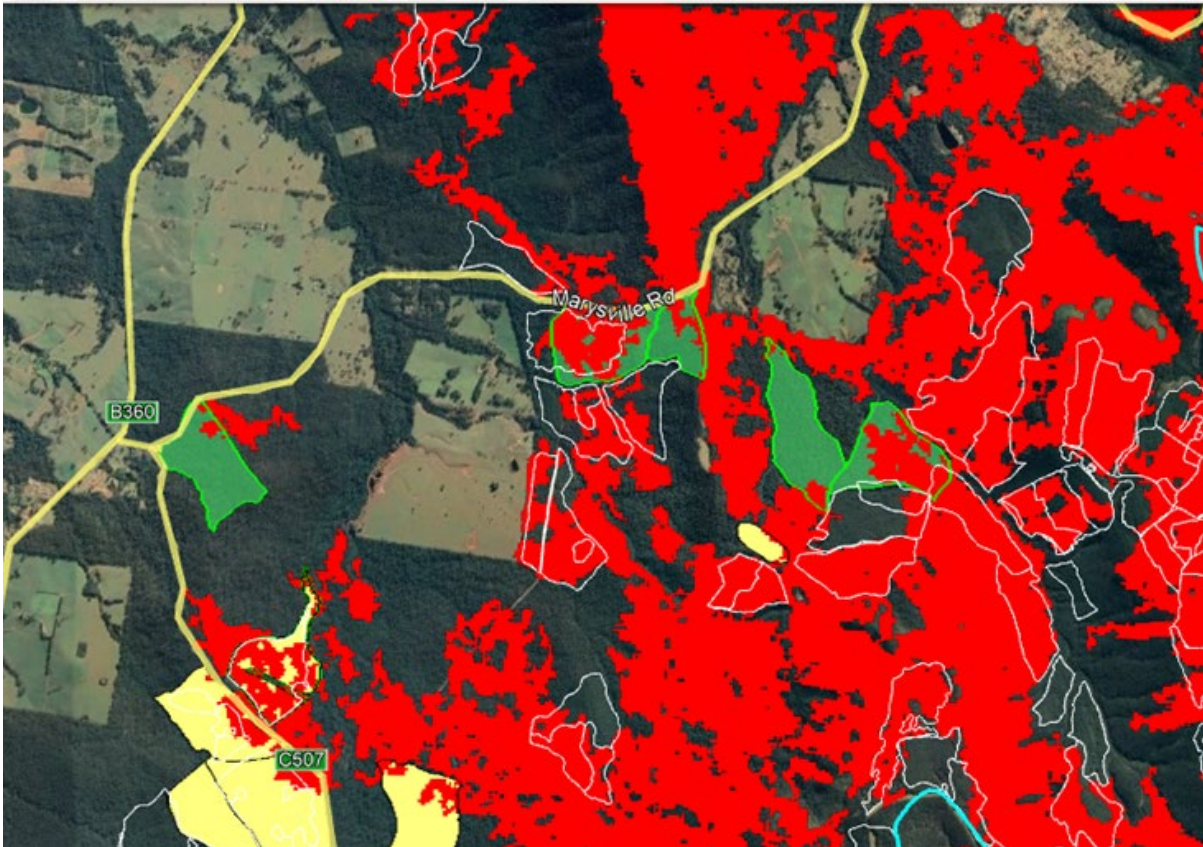
In the [RFPG submission](#) to VicForests regarding their latest revision of the Timber Release Plan we have identified:

- 11 blocks with coupes where to proceed with logging would carry an unacceptable biodiversity risk including coupes which currently serve as wildlife refugia which can serve as staging posts for recolonisation and coupes in regions which already have a highly skewed age class;
- 4 blocks where to proceed with logging the proposed coupes would have a highly detrimental impact on the possible development of forest based tourism;
- 6 blocks with coupes where logging would have a highly detrimental impact on scenic values from a range of highly traversed viewpoints;
- 2 blocks where several coupes proposed for logging are in bushfire moderation zones.

4. Rich biodiversity in forests near Narbethong at risk

Last year we objected strongly to the addition of many new coupes in the Narbethong area that had largely survived the Black Saturday fire. Four coupes in this area along White Hill Track area have been logged in the past year, with rich biodiversity recorded in nearby coupes along Fisher Creek Road. The 21 coupes we are asking to be removed from the TRP includes four new coupes near Marysville. All of these coupes are virtually surrounded by areas of high severity Black Saturday burning that killed a huge number of arboreal animals. Logging of the Marysville coupes would therefore likely be in breach of the biodiversity provisions of the Code as well as the Flora

and Fauna Guarantee Act. VicForests has ignored Government data transparency guidelines for forests by failing to provide net area estimates, which makes it impossible to fully assess the biodiversity and scenic landscape impacts of logging in these highly sensitive areas. We have therefore requested that all of the Marysville coupes be removed from the TRP ahead of landscape scale biodiversity and scenic assessments being conducted across the Narbethong/Marysville area.



The above Google image shows the proposed coupes along Marysville Road at Granton and Acheron. The newly listed coupes are in green, coupes already listed for logging in the current TRP in yellow, coupes that have been logged since 1980 outlined are in white, and Severity 1 fire areas in red.

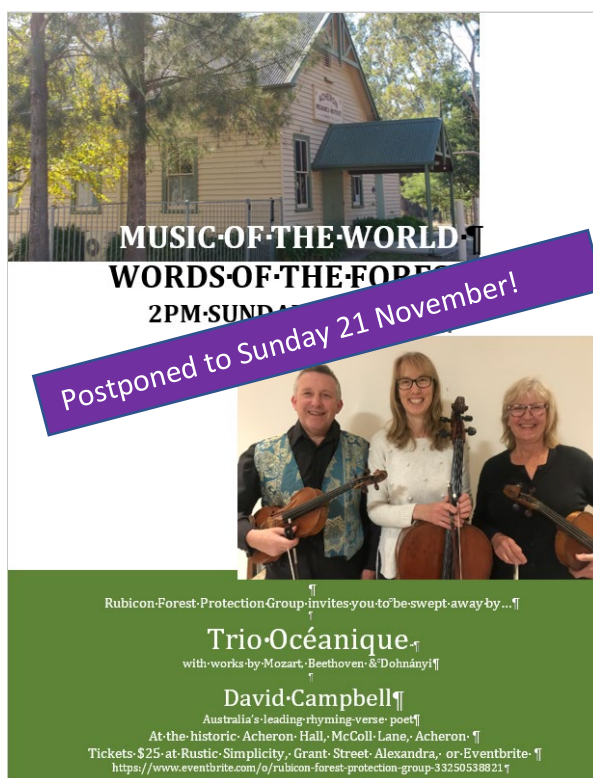
Note the large coupe near the junction of the Maroondah Highway, Marysville Road and the Acheron Way. This junction is at the gateway to Marysville and the iconic scenic road to Warburton, a prime touristic position. The forest here is recovering from low severity burning in 2009, is close to large recently logged coupes along the Acheron Way and should be spared for biodiversity recovery and wildlife refugia. It is totally inappropriate for logging to take place right at the gateway into Marysville, particularly without any guarantee of what kind of buffers might be left to shield tourists from views of forest devastation.

Further towards Marysville at Granton, there are two coupes, adjacent to Marysville Road in high severity burn zones. The remaining trees in these coupes are relatively small and could only be used as wood chips or pallets.

The Google map gives a stark picture of the vast extent of logging over the last 20 years (outlined in white). It can clearly be seen how the proposed coupes will strip bare remaining patches that escaped the most severe burning on Black Saturday

5. Concert postponed until November 21

Our 'Music of the World and Words of the Forest' concert, planned for June 6, was unfortunately postponed due to Covid restrictions. We have re-scheduled for Sunday November 21, when we look forward to welcoming the 'Trio Oceanique' musicians and poet David Campbell to the Taggerty Town Hall. More information to follow.



6. Collaboration with other forest conservation groups

As well as Species Seekers, RFPG continues to collaborate with and support other forest conservation groups, including WOTCH, Kinglake Friends of the Forests (KFF) and Melbourne Friends of the Earth (FoEM). In July we participated in a statewide meeting of forest conservation groups to help reach a consensus position on the Stage 1 review of the Code (which resulted in an agreed letter signed by all) and participated in a webinar organised by FoEM encouraging people to make submissions to the Review.

7. Australian Forest Summit Position Statement

On July 26 the RFPG joined over 80 forest activists from dozens of local and national forest protection organisations in the Australian Forest Summit. Participating organisations have produced the following statement:

We call on the Federal and State Governments to immediately stop logging and all other forms of degradation in our public native forests.

Australia now faces the existential crises of catastrophic climate change and biodiversity loss. Species are hurtling towards extinction as they face a rapidly changing climate and habitat destruction. Forest-dependent species are especially under threat following the catastrophic 2019/2020 bushfires in eastern Australia.

Scientists and economists around the world are calling for immediate and far-reaching action to address climate change and biodiversity loss. One action, that has strong support from experts, as well as overwhelming community support, is to stop the logging of native forests.

Australia's native forests are ecologically unique and provide invaluable benefits to our society. These benefits include carbon storage, water supply, erosion control, pollination, nutrient recycling and biodiversity. Native forests are culturally, economically, and spiritually significant to First Nations Peoples and provide all Australians with recreational and spiritual benefits.

A significant area of Australia's native forest is on public land. That is, land directly under the responsibility and management of governments on behalf of the public.

Forests on public land must be managed in the public interest and for the public good and not logged and degraded to benefit a few.

Conservation of privately owned forests needs to be encouraged with financial incentives.

By protecting our remaining forests, and restoring degraded areas, we can actively address the biodiversity and climate change crises. Protecting and restoring forests will significantly reduce Australia's greenhouse emissions and help to store and sequester carbon. It will also secure and improve habitat for Australia's unique wildlife and create numerous job opportunities.

We call on State and Federal Governments to:

1. Immediately stop the logging and all other forms of degradation in our public native forests;
2. Develop stronger regulations and incentive programmes to encourage private landholders to protect and restore forests;
3. Invest in the management of forests for biodiversity, carbon storage and catchment integrity, including the restoration of degraded native forests. This will create a wide range of regional jobs in forest management;
4. Recognise the rights and interests of First Nations in the public forest estate and genuinely consult and negotiate on future forest management;
5. End public subsidies across the logging industry;
6. Ban the use of native forest wood as biomass for electricity generation;
7. Invest in ecologically-sensitive farm forestry plantings for biodiversity and timber.

Signed by over 40 conservation groups.



8. Open Letter from RFPG to Victorian Labor Members of Parliament

Following the release of the proposed revisions to the Code, RFPG wrote to all Labor members of State Parliament.

9 August 2021

Dear Labor MP,

Why does the Andrews Government want to make it easier for VicForests to flout the long-term planning principles enshrined in the 2014 Code of Practice for Timber Production?

Do Victorians really want to see an escalation of unsustainable timber harvesting?

I write on behalf of the Rubicon Forest Protection Group Inc, a small community-based forest conservation group in the Shire of Murrindindi (about). Since Black Saturday we have watched a dramatic escalation of logging in the Toolangi, Marysville, Black Range, Big River and Rubicon State Forests. The more forest we lose from megafires, the more VicForests harvests from the remaining unlogged areas (data).

The Department of Environment, Lands, Water and Planning (DELWP) is proposing changes to the Code of Practice for Timber Production which would constitute a significant deregulation of timber harvesting in native forests in Victoria, freeing VicForests from some of the most elementary planning obligations through the removal of the long-term planning provisions of the Code.

Yet the decisions that VicForests make in its long-term planning (in preparing their Timber Release Plan or TRP) have profound implications for biodiversity, scenic landscapes and preserving other uses of our forests.

While much of the forest estate is protected in National parks and other reserves, the resilience of all our forest ecosystems is under threat from global warming, including recurrent megafires. When European settlers arrived in Victoria forests and woodlands covered 90% of the State and most of the forest estate was probably old growth. It has been estimated that some 30–60 per cent of Victorian Mountain Ash forests were old-growth when Europeans first arrived; this figure is now just over one per cent. About 65 per cent of East Gippsland's wet and damp old-growth forest was lost between 1995 and winter 2020.

Today, the extreme youthfulness of Victoria's native forests destabilises entire ecosystems through its impact on habitat and on the understorey. It is more flammable and is less able to recover from bushfires. Saturation logging further fragments habitat, and reduces genetic diversity, and water yield and quality. Around half Victoria's ash forests are now under 20 years of age leaving them vulnerable to regeneration failure in a future megafire. Most of the rest is 1939 regrowth, so barely 80 years old.

In the Central Forest Management Area (which includes the Toolangi, Marysville, Black Range and Rubicon State Forests), despite the devastation caused by the 2009 Kilmore East and Murrindindi fires, logging has actually increased since Black Saturday.

The Code of Forest Practice sets out six principles which should guide long term planning for native forests logging. These deal with biodiversity, water, landscape sensitivity and cultural heritage.

In 2007 the Bracks-Brumby Labor Government insisted that these principles would apply to VicForests' Timber Release Plan (the TRP) and mandated the Secretary of DELWP to ensure that they did.

In 2013 the Coalition Naphthine Government revised the Code and removed the explicit stipulation that the long-term planning principles must apply to the TRP. However, they did not

explicitly exempt VicForests from complying with these principles. Indeed, the Parliament was assured that the Bill:

“provides for conditions in the allocation order to ensure that the obligation of VicForests to comply with all relevant regulatory mechanisms, includes but is not limited to the code of practice for timber production 2007 and action statements under the Flora and Fauna Guarantee Act 1988”. (Hansard, pp2254)

Notwithstanding this commitment, DELWP's Office of the Conservation Regulator (OCR) insists, against all logic, on applying VicForests' preferred interpretation of the 2014 Code, rejecting allegations which assume that the TRP ought to comply with the long-term planning principles. (Our submission to VicForests regarding the latest TRP variation (here) highlights a range of instances where the latest TRP fails to comply with the long-term planning principles.)

However, the industry remains wary that a judge might find that the principles do apply to the TRP. Now the Andrews Government is stepping in to remove all doubt; proposing a new Code of Forest Practice which is explicitly designed to exempt VicForests from having to abide by these principles.

This would constitute a major deregulation of timber harvesting and leave VicForests with no enforceable obligations to guide its formulation of timber release plans.

We urge members to reconsider this change.

The Bracks Brumby Government required the TRP to comply with the long-term planning principles in 2007 because they assumed that ongoing timber supply would be sufficient to both preserve biodiversity and scenic values as well as supporting the timber industry.

It is now evident that maintaining timber supply is not consistent with preserving biodiversity, water catchments, shared forest usage and scenic values. Continued unsustainable logging at the cost of sacrificing these values will leave a severely damaged legacy to future generations.

Since that time many undertakings have been made regarding transition to plantation timber sources. Fire, poor growth, drought, and the rorting of tax/investment schemes seem to have diminished this promised transition. The details of the Victorian Forest Plan have still not been published.

The Rubicon Forest Protection Group urges the Government to:

- (i) amend the Sustainable Forests (Timber) Act to restore the original sections of the Act (see Ss 39-40 of SF(T)Act 2007) requiring a TRP to be approved by the Secretary of DELWP, and
- (ii) transfer the long term planning clauses, now in the Code, into the Act, as matters the Secretary must consider when approving a TRP.

We would be pleased to provide further information as needed.

Yours sincerely

Ken Deacon
Convenor, Rubicon Forest Protection Group

We have had two acknowledgements, one of whom indicated that he had referred our letter to the Minister.

9. RFPG submissions

We have been active in the past year researching and drafting various public submissions including to:

- [VicForests on proposed changes to its Timber Release Plan](#) (see above),
- [DELWP on the 'Stage 1' Review of 2014 Code of Practice for Timber Production](#) (see above),
- the [Major Events Review Panel](#) arguing for a speedier phase-out of native forest logging in the light of the 2019/20 fires, and
- to [Murrindindi Council on its draft 2021/22 Budget](#).

These and many more useful documents are all available on our [RFPG website](#).

10. Code breaches by VicForests reported to Office of Conservation Regulator

We maintain close watch on what is happening in the Rubicon, Black Range and Marysville State Forests and have been reporting any observed or imminent breaches of the *2014 Code of Practice for Timber Harvesting* to the Timber Harvesting Compliance Unit in the Office of the Conservation Regulator (OCR) in DELWP. In most cases these have been rejected due to what we believe is a mistaken view of the relevant provisions, and which on numerous occasions we have challenged. However, there is no process for an independent review of OCR's decisions and in all cases our challenges have fallen on deaf ears.

This is why many other groups have felt obliged to take VicForests to court, so far with considerable success in either halting logging in many coupes or forcing VicForests to modify its plans, while cases are being heard. It is also why the Government is currently endeavouring to alter the Code to prevent litigation.

While the main reason the OCR was established (in 2019) was to improve the enforcement of the Code, our experience is that there was better enforcement prior to that as the table below shows:

	2016	2017	2018	2019	2020	2021
RFPG Reports	2	3	12	11	14	12
Breach confirmed by OCR	1	1	1	0	0	0
Cases still open	0	0	0	0	1	2

11. Time to renew

If you have not yet done so, please renew your membership for 2021-22 [here](#).



12. Agenda for AGM

1. Welcome, acknowledgement, apologies, proxies, agenda, etc;
2. Confirmation of minutes of 2020 AGM (minutes to be tabled)
3. Report of Committee on work undertaken in 2020-21
4. Financial report for 2020-21 (report to be tabled)
 - a. Draft resolution. "This AGM accepts the Financial Report as a true and fair view of the financial position of the RFPG Inc."
 - b. Draft resolution. "This AGM determines that the membership fee for 2021-22 will remain at \$20 per person"
5. Discussion of program for 2020-21
6. Elections
 - a. President
 - b. Vice president
 - c. Secretary
 - d. Treasurer
 - e. Committee
7. General business
8. Close

13. RFPG Financial Report for 2020-21

Rubicon Forest Protection Group Inc						
Receipts & Payments RFPG Operating Account for the Financial Year Ended 30-Jun-21						
		Current Financial Year, 1 July 2020 - 30 June 2021				Last Year
		Unrestricted Funds		Restricted Funds	Total	Total
RECEIPTS	Notes	\$		\$	\$	\$
Voluntary Income	1	3,890			3,890	3,485
Charitable Income	2			15,200	15,200	500
Advance Receipts	3	140		0	140	320
TOTAL RECEIPTS		4,030		15,200	19,230	4,305
PAYMENTS						
Funded activities						\$
Project One	2			2,000	2,000	0
Other Activities		0			0	1,250
Administration	4	3,549		0	3,549	2,852
Advance payments					0	-17
TOTAL PAYMENTS		3,549		2,000	5,549	4,085
NET RECEIPTS-PAYMENTS		482		13,200	13,682	220
Movements in Funds for the Financial Year Ended 30-Jun-21						
Cash Assets		Bt'Fwd at 01-July-20	Receipts in Period	Payments in Period	Transfers in Period	Cd'Fwd at 30-Jun-21
Cash at Bank & in Hand						
In-kind Receipts and Payments		0				
Bank, Current Account		1,391	19,230	5,549	0	15,073
Total		1,391				15,073
Comprising:						
General (Unrestricted) Fund		1,391	4,030	-3,549		1,873
Project 1. Life of a leaf	2		15,200	-2,000		13,200
Total Funds		1,391				15,073
NOTES						
1. Memberships and donations						
2. Grant for Life of a Leaf						
3. Memberships paid in advance						
4. Includes transfers to Fund Account (\$3,170 in 20/21)						

Rubicon Forest Protection Fund						
Receipts & Payments RFP Fund Account for the Financial Year Ended 30-Jun-21						
		Current Financial Year, 1 July 2020 - 30 June 2021				Last Year
		Unrestricted Funds		Restricted Funds	Total	Total
RECEIPTS	Notes	\$		\$	\$	\$
Donations	1	3,170			3,170	2,285
Charitable Income						
Advance Receipts						
TOTAL RECEIPTS		3,170			3,170	2,285
PAYMENTS		\$		\$	\$	\$
Transfers to Op'g Acc						
Project One						
Project Two						
Project Three						
Other Activities	2	1,780			1,780	
Administration	3	718			718	
TOTAL PAYMENTS		2,498			2,498	
NET RECEIPTS-PAYMENTS		672			672	2,285
Movements in Funds for the Financial Year Ended 30-Jun-21						
Cash Assets		Bt'Fwd at 01-July-20	Receipts in Period	Payments in Period	Transfers in Period	Cd'Fwd at 30-Jun-21
Cash at Bank & in Hand						
In-kind Receipts and Payments		0			0	0
Bank, Fund Account		2,285	3,170	2,498	0	2,957
Total		2,285	3,170	2,498	0	2,957
Comprising:						
General (Unrestricted) Fund		2,285	3,170	2,498	0	2,957
Total Funds						2,957
NOTES						
1. Transferred from Operating Account						
2. Publicity: ads in Triangle (\$80) and Standard (\$176). Research: drone services retainer (\$400); camera (\$753) and FOI expenses (\$371)						
3. Internet services: domain name (\$135) and Google (\$98). Meetings: Acheron Hall (\$300). Other: CAV 4 rule change (\$185)						