

Submission to Review of the Flora and Fauna Guarantee Act

I commend the State Government on this important initiative to protect Victoria's precious biodiversity and recognise its exceptional environmental, cultural, social, nature-based tourism and economic values with an effective Flora and Fauna Guarantee Act.

The example of unsustainable forest logging below highlights several issues in relation to the proposed improvements to the FFG Act:

1. There is an urgent need for a landscape scale approach to biodiversity conservation, as proposed in the Review;
2. Under 4.1.2 Principles, the Review proposes "integrating and balancing environment, social and economic objectives". This approach is ineffective and is of serious concern as it will ultimately result in economics dominating decisions. This is especially relevant where commercial operations impact on biodiversity and threatened species/ ecological communities under the guise of sustainability, despite lack of rigorous scientific monitoring and assessment. This particular issue is currently in focus with the Critically Endangered Leadbeater's Possum versus ash logging in the Central Highlands Forest Management Area. In fact, logging data clearly demonstrates it is many years of overlogging combined with extensive bushfires that have created the reduced volume of ash logs available NOT Leadbeater's Possum reserves. Despite this documented evidence, the emphasis is being placed on the already inadequate buffers for Leadbeater's Possum habitat to be further reduced to increase ash log supply.
3. While the Native Vegetation Clearing Regulations apply to private lands they do not apply to Crown Land, in particular, the forests with high biodiversity in State Forests. Similarly, current Regional Forest Agreements bypass essential environmental protection requirements. The revised FFG Act needs to reflect and address these anomalies.

Case example:

A most notable example is native forest logging where significant environmental impacts of clear-fell logging occur over vast, contiguous areas, specifically in the Mountain and Alpine Ash forests and associated rainforest/forest ecotones in the Central Highlands and East Gippsland, despite the Code of Practice.

The Victorian Environment Assessment Council (VEAC) report released on 7 March 2017 confirms the very high conservation values, in particular, the montane ash forests of the Rubicon, Marysville and Toolangi State Forests and those in East Gippsland that are subject to intensive timber harvesting.

On almost all reported measures these forests rank high or very high on the classification scales presented in the VEAC report. The Report also clearly shows the extensive areas of ash forest in these State Forests that were killed by the 2009 fires. Over the past two years, the forests of the Central Forest Management Area have provided well over half of all ash forest areas logged, despite containing only around a quarter of the ash forest areas open to logging.

In particular, the current intensity and extent of forest logging, pulpwood and post-fire salvage logging in the montane ash forests, together with logging roads traversing through rainforests, are having significant impacts on biodiversity, particularly hollow-dependent fauna like the critically endangered Leadbeater's Possum and the threatened Sooty Owl and Greater Glider, despite prescriptions to protect these iconic species. Accordingly, the unique values of these exceptional, yet highly restricted ecological communities, are being rapidly lost to the detriment of biodiversity, climate change, catchment hydrology, cultural heritage and scenic landscapes together with major impacts on local ecotourism operators and also, recreational and educational opportunities.

Importantly also, many coupes fail to regenerate Mountain or Alpine Ash so are subsequently reburnt or the ground is scarified with machinery, then reseeded or planted with ash species, but in the process causing even more soil erosion and vegetation disturbance. This results in dense wattle stands with extensive, impenetrable blackberry and other weed infestations throughout all disturbed areas, including logging road corridors, even rapidly invading remnant pristine forests and choking riparian habitats. Other coupes remain in this state for many years with minimal if any Mountain or Alpine Ash regeneration. In the relatively few instances where aerial seeding or planting does succeed, the result is a monoculture of Eucalypts, certainly not complex ecological community structure and associated biodiversity of the original forest, with consequential significant impacts on environmental services, particularly water quality and quantity, and climate change.

Despite the Code of Practice for Timber Production (2014), the objectives of the Regional Forest Agreement for the Central Highlands and a multitude of other legislation, policies and procedures, compliance with these are not being adhered to, for example, as determined in a recent Court Case. This case highlighted the lack of ecological surveys and consequent lack of protection of known habitats of threatened species, in addition to logging huge contiguous areas and other alleged breaches of the Code currently under investigation over at least 12 months! **Meanwhile, the biodiversity of the montane ash forests and critical habitats of threatened species are rapidly being destroyed forever!**

Significantly also, a recent ecosystem risk assessment, based on the IUCN Red List of Ecosystems criteria, was applied to the Mountain Ash forest ecosystem of the Central Highlands of Victoria (Burns et al, 2014). This assessment determined a rank of *critically endangered* in terms of the risk of ecosystem collapse, including the decline of hollow bearing trees, a critical Leadbeater's Possum, Greater Glider and Sooty Owl habitat characteristic. Accordingly, the IUCN has listed these Mountain Ash forests as a *critically endangered* ecosystem.

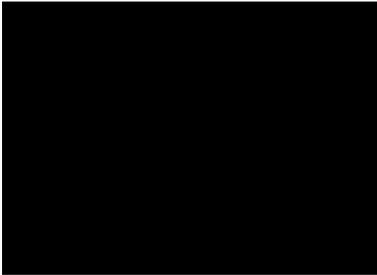
Lindenmayer et al (2015) highlights that Mountain Ash is the tallest flowering plant in the world and it is among the fastest growing tree species. Montane ash communities are integral to ecological processes, biodiversity conservation and carbon storage, yet only 1.16% of old growth montane ash forest remains. Importantly, according to a detailed assessment carried out by Keith et al (2009), "Mountain Ash forests are the most carbon-dense forests on earth. Old growth stands in which there has been no human disturbance can support more than 1800 tonnes of carbon biomass per ha".

The issues highlighted above clearly indicate that exemption of public authorities from the Clearing Regulations, particularly VicForests, with inadequate justification, accountability and monitoring, contribute to the largest loss of native vegetation and associated biodiversity, especially critical habitats of threatened species and ecological communities.

Equally, the current extensive logging operations negate any intended gains from the Native Vegetation and associated pro-active legislative procedures also under review, including the Biodiversity Strategy and Flora & Fauna Guarantee Act in addition to the new Climate Change legislation.

Recommendations

1. All Public Authorities and Crown Lands be subject to the Flora and Fauna Guarantee Act, in addition to the Native Vegetation Clearing Regulations, including Public Authority Management Agreements;
2. Implementation of improved and frequent on-ground monitoring and assessments of “critical habitats” to verify computer mapping and models, and assist with enforcement of the FFG Act;
3. Protection of threatened species and ecological communities critical habitats on private and public lands, including ecological processes and services, is given priority under the FFG Act;
4. Inclusion of the landscape scale approach and reference to associated legislation e.g. new Climate Change Act, as part of the FFG Act review.
5. Under Potential Improvements – Role of DELWP: include a Communication Strategy to inform the community, governments and stakeholders about Victoria’s special biodiversity, why it is important to protect it, protection requirements, actions being taken to protect biodiversity and regular evaluations of progress.



27 March 2017

References

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