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*Submission to VEAC Goolengook Investigation*  
**Rainforest & Rainforest Sites of Significance**

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by  
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(VRN)

*August 2006*

## Background to VRN & submission

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- The Victorian Rainforest Network (VRN) is an independent and politically unaligned network of rainforest enthusiasts, researchers and activists with a shared interest in rainforest conservation and education across Victoria.
- VRN draws from the experiences of the Otway Ranges Environment Network (OREN) rainforest campaign in the Otways.
- The primary aim of VRN is to secure the effective conservation of rainforests on public land throughout Victoria by ensuring rainforests are protected from logging practices.
- This VRN submission provides a background to the RSOS process to help VEAC appreciate the need to review the current way the three RSOS in the Goolengook study area should be managed.
- VRN has attached two reports to this submission which are send as separate pdf files. These are:
  1. CNR 1994 East Gippsland FMP Discussion Paper No. 18. Rainforest Conservation in East Gippsland Forest
  2. 1990 David Cameron, departmental botanists memo on proposed Sites of Significance.

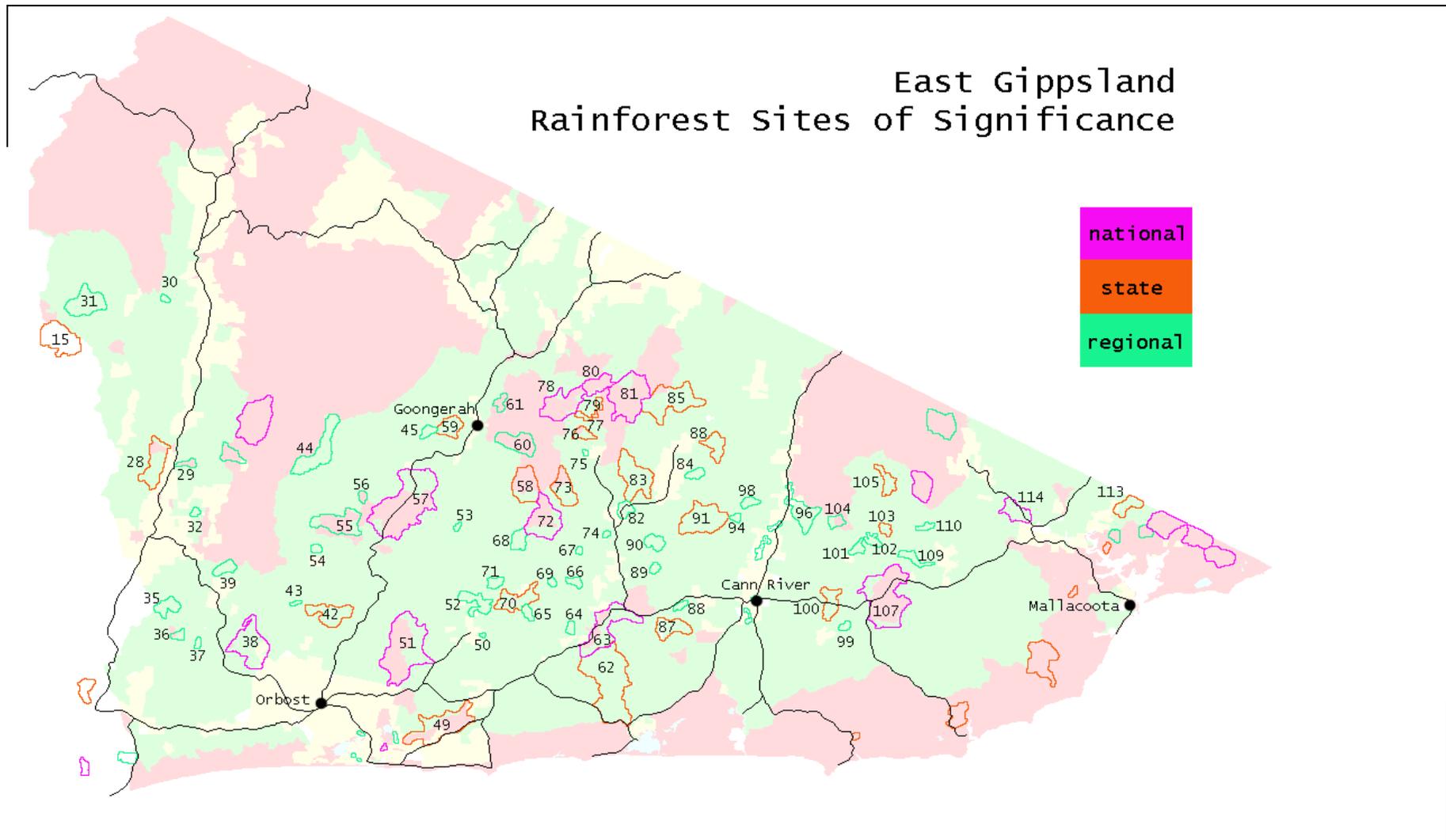
## Goolengook Rainforest

- Rainforest in Victoria is rare. Officially, only 0.14% (15,800 ha) of the total State's land area is currently taken up by mature rainforest communities. (Note: VRN believes there is more.)
- Rainforest communities generally exist in small linear stripes or patches along creeks. Individual sizes range from as small as 0.1ha to the largest stand being 230 ha. There are over 4000 recorded individual stands of rainforest in Victoria, most being less than one hectare in size.
- The Goolengook Study area has three main categories:
  - Cool Temperate Rainforest (CTR)
  - Warm Temperate Rainforest (WTR)
  - Warm Temperate Rainforest overlap. (WTR overlap)
- The warm temperate rainforest overlap is rare and largely unique to the Goolengook forest block and nearby forests at the southern end of the Mt Ellery range. This overlap rainforest has elements of both warm and cool temperate rainforest. For more details see *Rainforest and Cool Temperate Mixed Forests of Victoria, Peel 1999, NRE, page 90-92*. (Also Peel has written in detail about the other types of rainforest in the Goolengook block.)

## Background to Rainforest Sites of Significance

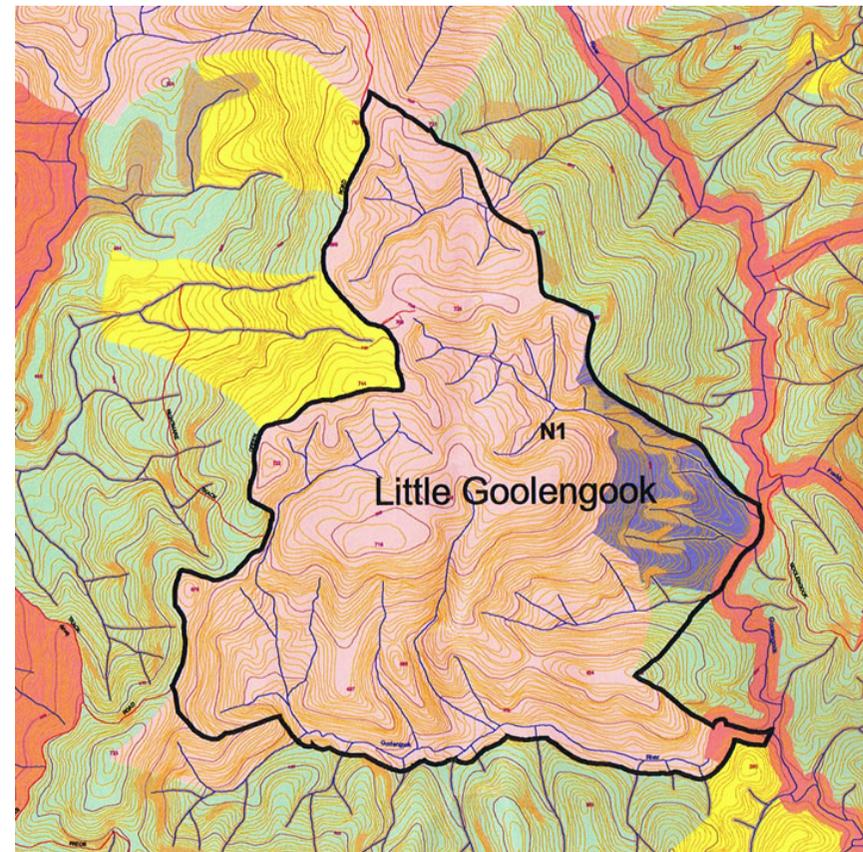
- There are a total of 190 Rainforest Sites of Significance (RSOS) across Victoria. About two thirds of these RSOS are in East Gippsland (*see map 1*). There are three RSOS areas in the Goolengook study area. The unique warm temperate rainforest overlap gives the Goolengook rainforest an extra level of significance and hence is one of the main reasons why so much of the Goolengook block is within highly rated RSOS. The three sites are:
  - **72 Little Goolengook (national)**. Contains the best examples of cool, warm and warm overlap rainforest in East Gippsland. Most of this site is already within the Goolengook Flora reserve but a significant portion of the site to the east and south is State Forest. Past clearfell logging overall is limited to only a small area to the east. There is currently a proposal to exclude future logging from the east area under proposed changes to the *Code of Forest Practices for Timber Production*. (*See map 2*).
  - **73 Upper Goolengook (State)** Also contains excellent examples of cool, warm and overlap rainforest. Only the upper cool temperate rainforest component of this rainforest is protected within the Errinundra National Park. This site has extremely high catchment integrity.
  - **67 Goolengook river (regional)** Contains an interesting ring of warm temperate rainforest protected by a deep south west facing gully on the Goolengook river.
- It is only over the past two decades that the State Government has actually taken steps to locate, identify and rate rainforest in Victoria.
- VRN disputes the way RSOS sites in Victorian State Forest are currently managed and protected.
- The RSOS process can be divided into three stages:
  - 1986 – 1992 Objective process set up
  - 1992 – 1999 Bias towards forestry take over
  - 2000 - 2006 Government makes progress to correct past wrongs

Map 1. RSOS partially or totally within State Forest (numbered sites).



## Map2 :Proposed Code changes to RSOS 72 - Little Goolengook

- Note: The purple area is an indication of the area that is proposed to be unavailable for logging under the proposed changes to the *Code of Forest Practices*
- Note: only core areas N1 (as determined by DSE ) are shown on this map and does not necessarily represent the total area covered by the Little Goolengook RSOS.



## 1986 – 1992 Objective RSOS process set up

- In 1980's an objective RSOS process was set up by the government to locate, identify and rate sites, and then determine appropriate protection.
- The Commonwealth Government contributed funding for rainforest research and conservation through the National Rainforest Conservation Program.
- The LCC was deemed the appropriate objective body to make recommendations on the reservation of individual sites, based on factors such as rating, but there was a need to wait until research was done. It is only now that, after more than two decades, that time has finally come for the Goolengook forest block.
- Documents that support objective process for RSOS identification and management:
  - o 1986 Timber Industry Strategy
  - o 1986 Land Conservation Council East Gippsland final recommendations E15 recommendation
  - o 1987 State Conservation Strategy
  - o 1987 Victorian Rainforest "an Overview" strategy document
  - o 1990 David Cameron, departmental botanists memo on proposed Sites of Significance (*See DCmemo1990.pdf attached to this submission*).

## 1992 –1999 Bias towards forestry takes over

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- 1992 Otway FMP failed to fix problem in the Otways.
- East Gippsland Departmental FMA planners use the Forest Management Plan process to determine protection levels and acknowledge they are bypassing LCC

*The LCC 1986 state that rainforest occurring in State Forest should be conserved by buffers and that “permanent protection be provided by a procedure to be established by the council in a future investigation of rainforest.” A procedure for defining and applying buffers has been devised by the department but the “future investigation” has not eventuated.*

Source: CNR 1994 *East Gippsland FMP Discussion Paper No. 18. Rainforest Conservation in East Gippsland Forest*, Page 4. (See *cnr94.pdf* attached to this submission)

## Sliding scale buffer system

- In this period, departmental FMA planners set up a sliding scale buffer system based on compromising rules.
- From the East Gippsland FMP:

*Sub-catchment protection. Core areas within Sites of Significance for Rainforest have been selected and placed in the SPZ in accordance with the following principles.*

- Preference will be given to sites of National, State, and Regional significance in that order of priority.*
  - Preference will be given to core areas that are substantially undisturbed and which also help fulfil conservation guidelines for other values (such as Sooty Owl, Long-footed Potoroo and representation of EVCs or old-growth forest).*
  - A geographic spread of rainforest areas with sub-catchment protection should be provided across the FMA.*
- The Departmental Forest Management Area Planning team strongly influenced the “*acceptable balance*” between timber production and conservation of rainforest within State Forest.

*It should be stressed that it is unlikely all core zones will be included in the Special Protection Zone. The final decision on areas included will depend on achieving an accepted balance between timber production and conservation in State Forest. However identification and prioritisation of core zones will facilitate choices to be made. (CNR 1994 Page 10)*

1992 –1999  
Bias towards forestry takes over.

## Professor Burgman report, 1995

- In 1995 independent rainforest expert, Professor Burgman, advised that to effectively protect rainforest, the process would firstly require a LCC study followed by a FMP and then prescriptions within the Code of Forest Practices (Burgman page 59). This was the original intention of the Government process set in the 1980's.
- Instead the Departmental Forest Management Area Planners set their own rules based on maximising timber resources. In doing so they deviated from a transparent objective process to determine if any further RSOS needed to be formally reserved.

*The FMP process is clearly the most appropriate mechanism for addressing most of the unresolved concerns over rainforest conservation in East Gippsland.*  
(CNR 1994 Page 5).

- **Here lies the fundamental contradiction between the Departmental Forest Management Area Planning team and independent rainforest expert Professor Mark Burgman.**

## Integrity of Departmental FMA planners

- Issue of integrity of Departmental FMA planners
- Memo from Brian Thompson (17/91/4103 dated 9 April, 1994) has a list of the East Gippsland FMA planning team:
  - *R. Rawson, G. Squires, D. Thomson, P. Sheehan, M. Kitchell, D. Parkes, D. Cameron, W. Peel, P. Fagg, T. Bartlett, K. Wareing, D. Holmes, A. Maclean, K. Rumba, R. Penny, R. Gisjbers, and P. McHugh*
- Members of VRN have had past dealings and conflict regarding forest nature conservation issues on public land with several of these former FMA team members over the past decade, including:
  - R. Rawson
  - G. Squires
  - A. Maclean
  - P. McHugh

1992 –1999  
Bias towards forestry takes over.

## G Squires Case Study

- In 1997, the Department of Natural Resources and Environment's Gippsland regional manager, Mr Garry Squires, made the following comments attacking conservationists for trying to stop logging in a National RSOS. Yet Mr Squires was involved in the FMA planning team that influenced the “Government decisions” to allow logging to occur in that exact RSOS location.

### THREATS CLAIMED IN FOREST DISPUTE

By Tim Winkler, environment reporter. (The Age 21/8/97 Page A8)

The Goolengook area was remote bushland and the department was not prepared to put its staff at risk, Mr Squires said. Logging in the area was continuing and, with more than 1000 hectares available for harvesting in the area, clear-felling would continue for the foreseeable future. *"Logging is delayed for about three to four hours each day and they're proceeding at a much reduced rate. What we don't like is that really the protesters have got a problem with, if you like, Government decisions but they're targeting the working man,"* Mr Squires said.

- Some time after 1997, Mr Squires left the department and became involved in AHF Pty Ltd, a timber harvesting and carting operation based in Orbost. Mr Squires was now in a position to personally profit from any logging sanctioned by the government within East Gippsland RSOS, a process he may have influenced.
- In 2004, Mr Squires is quoted by a National Party MP in Hansard extensively about the use of legislation to stop people who protest against native forest. (See Hansard December 17, 2004 page 2363).
- It would be outrageous for the government to use the *Safety on Public Land Act* against protestors due to past planning processes which were potentially corrupted.

Note: VRN acknowledges and respects that Mr Squires is entitled to his personal views and opinions.

## No public accountability for RSOS management processes – FMP examples

- Professor Burgman recommended that there should be total public transparency regarding the protection and management of RSOS. (See Burgman pages 57, 58 recommendation).
- The government has totally failed to ensure transparency.

- **Required reports not started**

The 1995 EG FMP states on page 19:

*Action: Reports will be published that document Sites of Significance for Rainforest, core areas within these sites and the process used for deciding the management of each site.*

However the 2002/03 FMP annual report lists progress regarding the release of this report as:

*Not started – liaison with Flora and Fauna and funding required.*

- **No transparency to explain the inconsistencies within RSOS management**

There is a lack of consistency regarding the protection of RSOS across Victoria.

- The sliding scale rules (with a bias for timber resource maximisation) were used for RSOS protection in both East Gippsland and the Central Highlands FMP's. A comparison between the two sliding scale systems indicate the protection system for the Central Highlands may be better than the one for East Gippsland. However the public really does not know which system is better or if any of these protection systems are adequate.
- The 1992 Otway FMP did not even have a sliding scale system.

## No public accountability for RSOS management processes – RFA example

- **Rainforest technical reports not published, but claims made otherwise**

Within both the East Gippsland and Central Highlands RFAs there is a requirement that a rainforest technical report be published that includes an explanation of how RSOS are managed (see Attachment 1 of RFA's). The *2002 Victorian RFA Annual Report* claims this technical report was completed in 1998. However the *2002/03 FMP Annual Report* states that this was not started.

### **So why is there a contradiction between the FMP annual report and the RFA annual report?**

DSE informed VRN that the Peel report *Rainforest and Temperate Mixed Forests of Victoria* (January 1999) was passed off to be this technical report.

However there is no discussion in the Peel report about buffers or how RSOS should be managed, a requirement of the RFA. Peel basically peer reviewed all the original ratings conducted by David Cameron for all the RSOS across the state.

Hence it is blatantly wrong for the RFA process to claim that the rainforest technical reports referred to in the agreements have been done.

VRN has the view that in late 1990's the Federal and State governments were in hurry to get the Victorian RFA's completed and legislated but did not want attention drawn to the management of the RSOS.

## 2000 – 2006 Government makes progress to correct past wrongs

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- The current government has made some positive progress towards resolution of RSOS issues:
  - All ten Otway RSOS were placed within the Great Otway National Park in 2005.
  - The decision to refer the Goolengook Block to a VEAC study will mean three RSOS in East Gippsland will be independently assessed for both their nature conservation values and required level of protection.
  - The proposed changes within the draft 2006 Code will provide mandatory sub-catchment protection of national RSOS. (See DSE maps on [www.ozrainforest.org](http://www.ozrainforest.org) )

## RSOS Summary: The task for VEAC in Goolengook

- VRN is of the view that the three RSOS sites in the Goolengook study areas should all be fully included within the permanent reserve system. The National and State RSOS should automatically be granted full protection given the significance that has already been determined.
- Any decision that VEAC makes regarding the Goolengook RSOS sites may reflect on the rest of the Victorian RSOS if they are ever independently assessed. VRN would again like to acknowledge that all 10 Otway RSOS in a recent VEAC final recommendation were included within the Great Otway National Park.
- All other significant stands of warm, cool and warm temperate overlap in the Goolengook block outside RSOS should also be included within the permanent reserve system. In particular the warm temperate overlap just south of RSOS 73 should be included within the permanent reserves system.
- VRN acknowledges that warm temperate rainforest areas in the south east corner of the Goolengook block have had a history of more logging disturbance and will wait until the proposed VEAC recommendations are released before making more detailed comment about protection levels required for these rainforest areas.

## Why the logging industry would need to accept RSOS protection

- The logging industry signed into the Timber Industry Strategy and Code process back in the 1980's. It has been implied through many planning processes that the right thing by rainforest conservation was done, when clearly it was not.
- The logging and woodchipping industry needs to be seen to be following the rules not benefiting from the manipulation of government processes and bending or breaking the rules.
- The industry needs to be seen to be working with scientific advice regarding rainforest not against it.
- The industry needs to get the rainforest 'monkey' off its back.
- Industry cannot complain about lost timber resources given they have clearly logged areas to which they were not entitled due to the manipulation of planning processes. For example: the logging of sub-catchment buffers in National RSOS at Little Goolengook and East Errinundra in recent years was a clear breach of the Code.