



# Information products to support the RFPG Statement “Rescue the Rubicon!”

(The following eight leaflets elaborate on the RFPG’s  
Rescue the Rubicon Statement. They are  
downloadable from the RFPG website at  
<http://www.rubiconforest.org/rescue.>)

28 March 2018

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## Protect what remains!

The RFPG calls for extension of the reserve system in the Central Highlands to include, as top priority:

- the whole of the Torbreck Range to be joined with the Mt Torbreck reserve;
- the areas surrounding the Mt Bullfight Conservation Reserve to be joined with Lake Mountain including the headwaters of Snobs Creek , Royston River, Torbreck River and Arnold Creek extending south to Cambarville;
- the whole north end of the Blue Range and Middle Range to be joined with the Rubicon Valley Historic Area and reserved to protect this most north-easterly alpine ash outlier and adjoining forests;
- the Acheron Way must be recognised as a critical tourist road needing a much wider buffer and no further visible gashes;
- the Hermitage Creek area at Narbethong must be permanently reserved to protect the greater glider;
- all harvesting in the Rubicon Valley Historic Area should end.



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## Forest Tourism in the Rubicon

The National Forests Policy Statement of 1992 ([NFPS<sup>1</sup>](#)) included important commitments regarding the development of forest tourism in Australia's native forests. In Victoria the tourism potential of the Central Highlands forests has been seriously compromised by irresponsible and unsustainable logging.

The RFPG has proposed a package of tourism initiatives directed to sharing the beauty and supporting the economies. The RFPG calls on the Murrindindi Shire Council working with the State Government to:

- create an Aboriginal cultural heritage trail including Naah Naah Djong (the Cathedral Range) and early forced re-settlement sites for the Daungurung/Taungurung people;
- develop self-guided driving tours on the Plateau highlighting historic, ecological and geologically significant sites like the amazing Cerberean Cauldron;
- open up Royston Falls and Elephant Rock via a walk from the Power Station, and also open a track to Niagara falls below Snobs Creek falls;
- upgrade Tweed Spur track and Cathedral Lane/Chitty Ridge Track to 2WD standard to create a scenic drive connecting Cathedral Range State Park with the Rubicon State Forest;
- improve signposting and access to the Rubicon Historic Area;
- establish a mini historical display at the Rubicon Power Station;
- open the haulage line with a cog railway from Rubicon Power Station;
- establish mountain bike trails, incorporating aqueducts and trestle bridges; and
- upgrade Barnewall Plains Rd to 2WD standard to improve access to Mt Torbreck.

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1. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf#page=34](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf#page=34)



## The Regional Forests Agreements – Promise Betrayed

The RFAs exempt VicForests from Commonwealth regulation (impact statements, export permits and threatened species protections) in return for a promise from Victoria of sustainable logging. That the RFAs have failed is evident in that logging in Vic is not sustainable, even simply in terms of wood production, far less if the values of biodiversity and other uses of the forest are concerned. In effect, the RFA gives the states carte blanche without any real accountability.

From the [Overview and History](#)<sup>2</sup> of RFAs:

*Regional Forest Agreement extension. As part of each RFA's third five-yearly review, the Australian and state governments can agree a process to extend the RFA. In October 2013, the Australian Government committed to maintaining its support for long-term RFAs by seeking to extend and establish 20-year rolling lives for each RFA. This will be achieved by extending RFAs for five years following the successful completion of each RFA's five-yearly review.*

The RFAs were supposed to be reviewed every five years with the third review, commencing at the 15 year point leading into the negotiations for the renewal. In fact the first five yearly review of the Victorian RFAs was so late that it was included in the second review from 2009. Look [here](#)<sup>3</sup> for the documentation of the 5 / 10 year review. This includes the Scoping Agreement, the draft report on the implementation of the Victorian RFAs, the publicly available submissions to the review, the Independent Reviewer's report (Sept 2010) and the Joint Governments' Response (only finalised in April 2015).

The combined third-yearly review of the Victorian RFAs commenced in May 2016 with the signing of the Scoping Agreement for the [third five-yearly review of progress](#)<sup>4</sup> with Implementation of the Victorian Regional Forest Agreements (May 2016). The Scoping Agreement sets out the arrangements agreed by the Victorian and Australian governments for undertaking the review. See figure [here](#)<sup>5</sup> for proposed workflow.

The five Victorian RFAs are to be reviewed simultaneously. The review covers the period from 1 July 2009 to 30 June 2014. In accordance with the Scoping Agreement, the Victorian and Australian governments were to produce a report on implementation of the Victorian RFAs, for the period 2009-2014 by the end of 2016 for public comment. This report has not been released.

On 27 March 2018 the Minister announced that the Victorian RFAs would be rolled over for another two years. This is very disappointing. At the current rate of logging the Rubicon Forest will be completely destroyed after a further two years.

**The RFPG calls for the scrapping of the RFAs and a major revision of the National Forest Policy Statement (NFPS<sup>6</sup>).**

2. <http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/rfa/rfa-overview-history.pdf>

3. <http://www.agriculture.gov.au/forestry/policies/rfa/publications/annual-reports/victoria>

4. <http://www.agriculture.gov.au/forestry/policies/rfa/regions/vic-eastgippsland/vic-rfa-third-five-yearly-review/vic-rfa-scoping-agreement>

5. [http://stategrowth.tas.gov.au/\\_\\_data/assets/pdf\\_file/0020/125354/Schematic\\_showing\\_the\\_link\\_between\\_the\\_Five\\_Year\\_Review\\_and\\_RFA\\_extension.pdf](http://stategrowth.tas.gov.au/__data/assets/pdf_file/0020/125354/Schematic_showing_the_link_between_the_Five_Year_Review_and_RFA_extension.pdf)

6. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf)

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## **The National Forests Policy – Asleep at the Wheel**

The development of the [National Forest Policy Statement \(NFPS\)](#)<sup>7</sup> and the regional forest agreements (RFAs) from 1992 was intended to address the conflict within the Keating Government between conservation and export earnings (see *Forest Wars* by Judith Ajani, 2007). The NFPS was signed by the Australian Government and all mainland state and territory governments in December 1992 and by the Tasmanian Government in April 1995.

The Policy Statement hasn't been updated since 1992! There doesn't seem to have been a review since 1992 to see whether it is achieving its original goals and objectives. Internal correspondence between the Commonwealth Department of Agriculture and its Parliamentary Secretary, released under FOI, includes departmental opinion that parts of the policy statement are obsolete and that 'some groups' are questioning its relevance.

The NFPS includes admirable principles, goals and commitments. However under the NFPS and the RFAs, the Victorian Government has been able to proceed with unsustainable harvesting of native forests while the Commonwealth sat on its hands. The Commonwealth has significant obligations and extensive powers to hold the states to account and has abrogated this responsibility. See [Commonwealth Environment and Heritage Obligations and Assessments](#)<sup>8</sup> for an overview of Commonwealth powers and responsibilities in relation to forests.

**RFPG calls for an independent evaluation of the NFPS to ascertain the degree to which the goals of the Policy have been achieved and to draw out the lessons for more effective regulation of state forest management.**

**RFPG calls for a new national regime of forest regulation that holds state governments accountable for preserving rather than trashing native forests.**

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7. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf)

8. <http://www.agriculture.gov.au/forestry/policies/rfa/about/process/obligations>

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## The Code of Forests Practice – Under-specified and unenforced

Under the 1992 [National Forests Policy Statement \(NFPS\)](#)<sup>9</sup> state governments are committed to developing and maintaining their own codes of forest practice, however named.

In speaking about the role of the codes the NFPS notes (p10) that,

*Forest management agencies will continue to assess forest areas for the purpose of developing strategic management plans and, where necessary, operational harvesting plans. As a consequence of these forest assessments, areas that have important biological, cultural, archaeological, geological, recreational and landscape values will continue to be set aside and protected from harvesting operations or managed during operations so as to safeguard those values.*

Measured against this commitment the [Victorian Code of Practice for Timber Production 2014](#)<sup>10</sup> has been a failure, certainly in the Rubicon State Forest.

The Victorian Code needs to be read in conjunction with the [Management Standards and Procedures for timber harvesting operations in Victoria's State forests 2014](#)<sup>11</sup> which specifies in more detail the principles of the Code.

The provisions of the Victorian Code and the Management Standards are particularly weak where forest biodiversity and scenic values are concerned. Its shortcomings include absurdly narrow protective buffers, inadequate protection of retained trees in regeneration burns, and an outdated schedule intended to protect tourist routes.

Section 2.1.1.1 (vi) of the Code provides that "Long-term forest management planning must ... minimise adverse visual impact in landscape sensitivity areas". Section 5.3.1 of the Management Standards provides for protection of landscapes of scenic importance. However, most of the provisions of this section are restricted to scenic routes and vistas specified in Table 9 of Appendix 5 of the Standards and excludes vistas from roads with great tourist potential and only requires 50 m buffers along all of the specified roads.

See also Table 12, Habitat tree prescriptions; Table 13, Rare or threatened fauna and invertebrate prescriptions; Table 14, Rare or threatened flora prescriptions; Table 15, Management of historic places; Table 17, Landscape management prescriptions; and Table 18, Road classification system.

Poor specification of a rule that limits the size of an overall area being logged in a 5 year period allows it to be routinely flouted. Rule 3.1.1.5 provides that,

*The size of clearfall, seed tree harvesting or shelterwood coupes should generally not exceed 40 hectares net harvested area. Coupes may be aggregated but not exceed 120 hectares net*

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9. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf)

10. [https://www.forestsandreserves.vic.gov.au/\\_\\_data/assets/pdf\\_file/0016/29311/Code-of-Practice-for-Timber-Production-2014.pdf](https://www.forestsandreserves.vic.gov.au/__data/assets/pdf_file/0016/29311/Code-of-Practice-for-Timber-Production-2014.pdf)

11. [https://www.forestsandreserves.vic.gov.au/\\_\\_data/assets/pdf\\_file/0023/29309/Management-Standards-and-Procedures-for-timber-harvesting-operations-in-Vics-State-forests-2014.pdf](https://www.forestsandreserves.vic.gov.au/__data/assets/pdf_file/0023/29309/Management-Standards-and-Procedures-for-timber-harvesting-operations-in-Vics-State-forests-2014.pdf)

*harvested area over a period of up to five years. Aggregated coupes must not be contiguous (forming a coupe greater than 120 hectares within a five year period).*

In the Rubicon State forest there are several such offending areas with more likely. In other areas there are likely to be many more such breaches, especially in coming years as harvestable areas dwindle.

DELWP undertakes [Forest audits<sup>12</sup>](#) to monitor compliance with the Code. As of August 2017, there are no audits mentioned or audit reports published since 2015. DELWP also undertakes investigation of breach allegations through [Forest reports<sup>13</sup>](#). It is the experience of the RFPG that the investigations of breach allegations can take years to finalise and logging proceeds apace during such investigations. There is good evidence that drawing out investigations is being used to avoid responding to FOI requests.

**The RFPG calls for an independent public inquiry into the provisions and enforcement of the Code of Practice for Timber Production 2014.**

**RFPG calls for a community based scheme for monitoring logging practices and reporting possible breaches along the lines of the ‘official visitors’ scheme which operates in the mental health and disability sectors.**

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12. <https://www.forestsandreserves.vic.gov.au/forest-management/forest-audits>

13. <https://www.forestsandreserves.vic.gov.au/forest-management/forest-reports>



## The Allocation Order – a Licence to Log

The [Timber Allocation Order](#)<sup>14</sup> is made by the Minister for Agriculture under Part 3 of the [Sustainable Forests \(Timber\) Act 2004 \(SFTA\)](#)<sup>15</sup>. On the publication of an Allocation Order in the Victorian Government Gazette, property in the timber allocated by the Order is vested in VicForests. VicForests may only harvest and/or sell vested timber resources in accordance with the Allocation Order.

The Allocation Order describes:

- the forest stands within State forest to which VicForests has access
- the location of those forest stands
- the total extent and available areas of those forest stands
- the maximum area available for timber harvesting in any five-year period
- any additional activities that VicForests is permitted to undertake
- the conditions with which VicForests must comply in carrying out its functions under the Allocation Order.

When VicForests was created in 2004 the Allocation Order specified the available forest stands by Forest Management Area (FMA), but since 2010, following the timber losses in the fires of 2006/07 and 2009, the Order only specifies available forests at a statewide level

Thus, the 2014 Allocation Order ([Victorian Government Gazette No S 405](#)<sup>16</sup>) simply specifies the areas of ash and of mixed species in State forests which may be harvested over the next five years. With no FMA specific limits VicForests is free to determine in which FMAs to conduct logging. For the Rubicon State Forest and the Central FMA the impact of this change has been devastating with harvesting rates now double those that were envisaged 13 years ago in the 2004 Allocation Order.

VicForests prepares a [Timber Release Plan \(TRP\)](#)<sup>17</sup> which specifies how timber resources allocated under the Allocation Order are to be harvested and sold. The TRP includes a schedule of coupes selected for timber harvesting and associated access road requirements; details of the location and approximate timing of timber harvesting in the proposed coupes; and details of the location of any associated access roads. The TRP must include provision for regeneration of harvested coupes. The Jan 2017 TRP is [here](#)<sup>18</sup>. Regrettably, consultation with local communities on the contents of the TRP and the development of coupe plans is hampered by the difficulty of extracting adequate information from VicForests in a timely manner

**RFPG calls for urgent amendment of the provisions of the [SFTA](#)<sup>19</sup> which deal with the allocation order so that harvesting limits are set at the FMA level, as well as by ash and mixed species forest types.**

**RFPG also calls for more detailed and more timely release of information underpinning TRPs so as to enable properly informed community consultation on harvesting proposals.**

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14. <http://agriculture.vic.gov.au/agriculture/forestry/timber-allocation-order>

15. [http://www.austlii.edu.au/au/legis/vic/consol\\_act/sfa2004289/index.html](http://www.austlii.edu.au/au/legis/vic/consol_act/sfa2004289/index.html)

16. <http://www.gazette.vic.gov.au/gazette/Gazettes2014/GG2014S405.pdf>

17. <http://www.vicforests.com.au/planning-1/timber-release-plan-1/approved-trp-jan-2017>

18. <http://www.vicforests.com.au/static/uploads/files/vicforests-trp-including-approved-changes-january2017-wfzbavxyuidr.pdf>

19. [http://www.austlii.edu.au/au/legis/vic/consol\\_act/sfa2004289/index.html](http://www.austlii.edu.au/au/legis/vic/consol_act/sfa2004289/index.html)

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## Plantation policy – time for action

The 1992 [National Forest Policy Statement](#)<sup>20</sup> includes a provision for ‘an enhanced plantation research and development effort, particularly in relation to improved technology and processes, tree breeding, species selection, land capability assessment, and integration of commercial wood production with agricultural activities’. However integration of commercial wood production with agriculture (agroforestry) is being retarded by shortcomings in the Commonwealth taxation regime. For example, small plantation owners cannot offset establishment and management costs against other income without a special dispensation is from the Tax Commissioner. Requiring potential plantation growers to wait many years before claiming such costs is a significant disincentive that should be removed.

The closure of the federally-funded Cooperative Research Centre for Forestry in 2012 has also significantly weakened the research effort envisaged in the NFPS. While the past decade has seen log production from Victoria’s native forests diminish, while supply from eucalypt plantations has increased the latter is almost wholly due to increased pulpwood production. See Table 1, below, from [ABARES](#)<sup>21</sup>

	05–06	06–07	07–08	08–09	09–10	10–11	11–12	12–13	13–14	14–15	15–16
<b>Hardwood native</b>											
Sawlog	639	545	588	566	591	564	491	518	515	519	598
Pulplog	1 366	1 262	1 407	1 213	1 261	1 277	1 049	805	783	775	695
Other	5	4	1	0	7	2	9	9	10	10	5
<b>Total</b>	<b>2 010</b>	<b>1 811</b>	<b>1 996</b>	<b>1 779</b>	<b>1 860</b>	<b>1 844</b>	<b>1 549</b>	<b>1 332</b>	<b>1 308</b>	<b>1 304</b>	<b>1 298</b>
<b>Hardwood plantation</b>											
Sawlog	120	62	43	28	15	8	2	37	104	59	32
Pulplog	226	281	414	573	626	760	1 687	1 753	2 095	2 775	2 795
<b>Total</b>	<b>346</b>	<b>343</b>	<b>457</b>	<b>601</b>	<b>641</b>	<b>768</b>	<b>1 689</b>	<b>1 789</b>	<b>2 200</b>	<b>2 834</b>	<b>2 827</b>
<b>Softwood plantation</b>											
Sawlog	2 540	2 513	2 298	2 471	2 322	2 244	1 953	2 243	2 497	2 446	2 331
Pulplog	1 503	1 451	1 536	1 313	1 172	1 433	1 361	1 244	1 223	1 415	1 629
Other	86	115	77	107	76	75	67	73	86	67	79
<b>Total</b>	<b>4 129</b>	<b>4 079</b>	<b>3 911</b>	<b>3 890</b>	<b>3 570</b>	<b>3 752</b>	<b>3 381</b>	<b>3 560</b>	<b>3 806</b>	<b>3 928</b>	<b>4 040</b>

Table 1. Log production by volume in Victoria in cubic metres from Sheet 8c of AFWPS summary table 20170525 v1.0.0

However, recent research has shown that with modern sawmilling machinery eucalypt plantations originally destined for pulpwood are capable of profitably producing higher value solid wood products (e.g. see [FWPA report PNB290-1112](#)<sup>22</sup>).

**RFPG urges a review of the policy and tax environment within which plantation timber is grown with a view to accelerating the transfer of sawlog production from native forests to plantation.**

20. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf#page=33](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf#page=33)

21. [http://www.agriculture.gov.au/abares/publications/pubs?url=http://143.188.17.20/anrdl/DAFFService/pubs.php%3FseriesName%3DAustForestStat%26sort%3Ddate%26sortOrder%3Ddesc%26showIndex%3Dtrue%26outputType%3Dlist%26indexLetter%3D\\_](http://www.agriculture.gov.au/abares/publications/pubs?url=http://143.188.17.20/anrdl/DAFFService/pubs.php%3FseriesName%3DAustForestStat%26sort%3Ddate%26sortOrder%3Ddesc%26showIndex%3Dtrue%26outputType%3Dlist%26indexLetter%3D_)

22. <http://www.fwpa.com.au/resources/processing/174-processing-methods-for-production-of-solid-wood-products-from-plantation-grown-eucalyptus-species-of-importance-to-australia.html>

## Improving efficiency in tree growing, sawmilling and manufacture of wood products

The [1992 National Forest Policy Statement](#)<sup>23</sup> announced the establishment of the Forest and Wood Products Research and Development Corporation.

*The Commonwealth Government, in partnership with the forest industries, will establish, the Forest and Wood Products Research and Development Corporation, the charter of which will be to identify priorities and to commission, administer and subsequently evaluate research into a broad range of issues relating to wood production, extraction, processing, economics and marketing. Among these issues will be the impacts of disturbance resulting from wood production, silviculture, and management of native forests and plantations; the commercial and economic aspects of wood production; and research of relevance to the wood products industries. The new Corporation will be encouraged to ensure effective communication of research results to scientists, industry, land managers and the wider community through a scientific journal and more widely distributed magazines. It will also administer the Forestry Postgraduate Research Award Program. The Commonwealth Government will support plantations research through the new Corporation. Research into commercial wood production on farms will be dealt with by the new Corporation in cooperation with the joint agroforestry research and development program developed by the Rural Industries Research and Development Corporation and the Land and Water Resources Research and Development Corporation. Where appropriate, the State Governments and industry will support this.*

In 2007 the Corporation was converted into a membership organisation (including wood processors, forest growers, and Australian importers of forest products) and renamed Forests and Wood Products Australia (FWPA), half funded by the Commonwealth.

However since the NFPS was adopted there has been a significant decline in government support for research, development and extension (RD&E) within the timber and forestry sector, exemplified by the closure of the Cooperative Research Centre for Forestry in 2012. The situation is now so dire that in their latest strategic plan the FWPA note that the sector faces a potential shortage in technical skills to address future problems and opportunities.

**RFPG calls upon the Victorian Government to build an innovation hub based on the newly purchased Heyfield Mill directed to undertaking ground breaking research and development and extension; and exploring technologies and policy strategies for increasing efficiency in milling and manufacture.**

**RFPG calls upon the Victorian Government to exercise national leadership in policy development for promoting efficient technologies in the milling and manufacture of wood products.**

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23. [http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat\\_nfps.pdf](http://www.agriculture.gov.au/SiteCollectionDocuments/forestry/australias-forest-policies/nat_nfps.pdf)