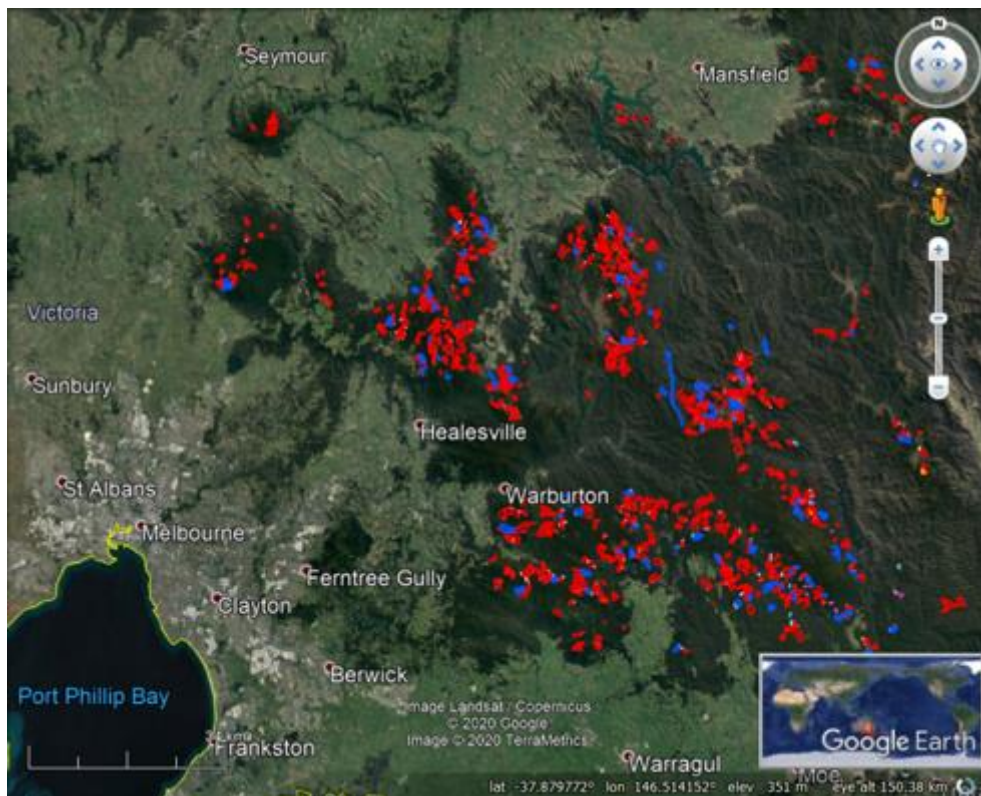




Kinglake Friends of the Forest Inc  
Submission to the VicForests August 2020 proposed TRP



Submission date 12h September 2020

Contact

[kinglakefriendsoftheforests@gmail.com](mailto:kinglakefriendsoftheforests@gmail.com)



## August TRP submission

### **Summary and recommendation**

Kinglake Friends of the Forest Inc have addressed our submission directly to each Board member of VicForests, relevant DELWP managers, Government Ministers and VicForests managers to formally advise each of you that we believe that the August Proposed TRP additions will cause breach of clause 5.8.1.5 in the Code of Practice For Timber Production 2014. This clause places a maximum limit on areas logged in bushfire management zones. Breaches of this clause will have very serious implications as the clause appears to provide a legal framework to manage the increased risk of fire placed on communities by logging operations.

We advise that we have already provided evidence to DELWP to back up our allegation that clause 5.8.1.5 has been breached to date and is proposed to be further breached by the August TRP additions. We are currently considering our options on actions in regards to this matter.

We believe that the August TRP proposal shows that the Wood Pulp Agreement Act can no longer be met without breaches of the Code as well as breaches of the fundamental principle of the Regional Forest Agreement; the maintenance of the Comprehensive, Adequate and Representative CAR Reserve System .

Research has repeatedly linked logging to increased risk and severity of fire. Smoke pollution has repeatedly been linked to increased rates of mortality and morbidity. Logging of native forests, should cease for this reason alone. It is sad and sickening that clauses in the Code must be used to pressure decision makers to cease logging of native forests. Legal action to date has been successful in showing that several clauses in the Code have been breached by VicForests despite the fact that these same breaches were previously brought to the attention of the regulatory department of DELWP which denied these breaches. Community groups such as ours are turning more and more to legal resolution of our concerns.

We recommend that any additions to the TRP be denied, the Wood Pulp Agreement Act be repealed or the force majeure clause in the contract be implemented, and the allocated native timber industry transition budget be brought forward to immediately transition logging workers and contractors out of native forest logging operations.



## Fire risk

The clear and overwhelming evidence is that logging and disturbance makes forests more likely to burn and to burn at high severity. These are the findings of four peer-reviewed, published scientific studies from four institutions in six years, and of multiple scientific reviews. See Taylor 2009; Nonlinear Effects of Stand Age on Fire Severity<sup>1</sup>; Zylstra Flammability dynamics in the Australian Alps<sup>2</sup>; Wilson Relationships between mature trees and fire fuel hazard in Australian forest<sup>3</sup>

To reduce bushfire risk logging needs to cease. Logging within 10 km of communities is a duty of care issue. The August TRP proposal increases the rate of logging near communities. The proposed coupes are as close as **2 km from Gladysdale township and school, 2.2 Km from Narbethong township, 6 km from Marysville town and schools; 7.5 km from Whittlesea town and schools, 4.8 Km from the Upper Plenty school; 1.5 km from properties in Toolangi and Upper Plenty; 4.8 km from properties in Big Pats Creek; 2.9 km from Noojee; 3.7 Km from Powelltown; 1.5 km from Tanjil Bren; 3km from Baw Baw; 2.5 km from Rawson; 2km from Walhalla; 8.4 km from Buxton and 5 km from Taggerty.**

### Clause 5.8.1.5 and bushfire management

Clause 5.8.1.5 appears to be written to reduce the impact of logging on forest flammability;

***5.8.1.5 In Bushfire Management Zones defined in the Code of Practice for Bushfire Management on Public Land 2012:***

***(a) In any five year period the area harvested using clearfall or seed tree harvesting must not exceed 1 % of the GMZ or SMZ in that Bushfire Management Zone measured as a rolling average from 1 July 2012.***

Table 1 shows where we believe that the proposed TRP will breach clause 5.8.1.5.

Proposed alleged breaches bushfire management, Special Protection Zones, Slopes

Table 1 is a selection of some of the many breaches which KFF allege have already occurred in planning of the August TRP and will occur as a result of implementation of the TRP if the August proposal is Gazetted. The table includes coupes that will need to be re-planned or removed once the proposed coupes are removed.

---

<sup>1</sup> Nonlinear Effects of Stand Age on Fire Severity Chris Taylor, Michael A. McCarthy, & David B. Lindenmayer  
[https://openresearch-repository.anu.edu.au/bitstream/1885/66701/2/01\\_Taylor\\_Nonlinear\\_effects\\_of\\_stand\\_age\\_2014.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/66701/2/01_Taylor_Nonlinear_effects_of_stand_age_2014.pdf)

<sup>2</sup> Flammability Dynamics in the Australian Alps, Zylstra, P  
[https://www.researchgate.net/publication/323760393\\_Flammability\\_dynamics\\_in\\_the\\_Australian\\_Alps](https://www.researchgate.net/publication/323760393_Flammability_dynamics_in_the_Australian_Alps)

<sup>3</sup> Relationships between mature trees and fire fuel hazard in Australian forest, Wilson Geoffrey J. Cary and Philip Gibbons  
<https://www.publish.csiro.au/wf/WF17112#:~:text=This%20phenomenon%20is%20often%20attributed,fire%20fuel%20hazard%20through%20competition.>



**The increased fire burden on the community should be enough to end logging in native forests.**

**Responsibility for the impact of any found failure to abide by clause 5.8.1.5 in the proposed coupes will rest on those who decide to go ahead with the August Proposed TRP.**

Maps showing where we allege that clause 5.8.1.5 has been breached to date and we allege will be breached if the proposed TRP is gazetted follow table 1

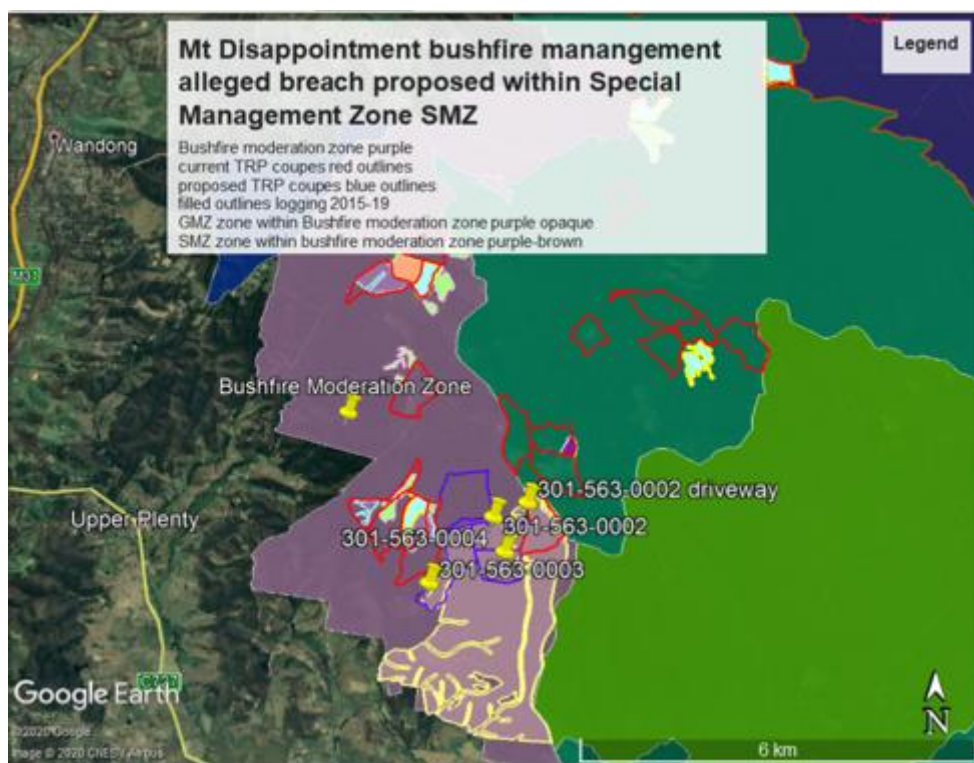
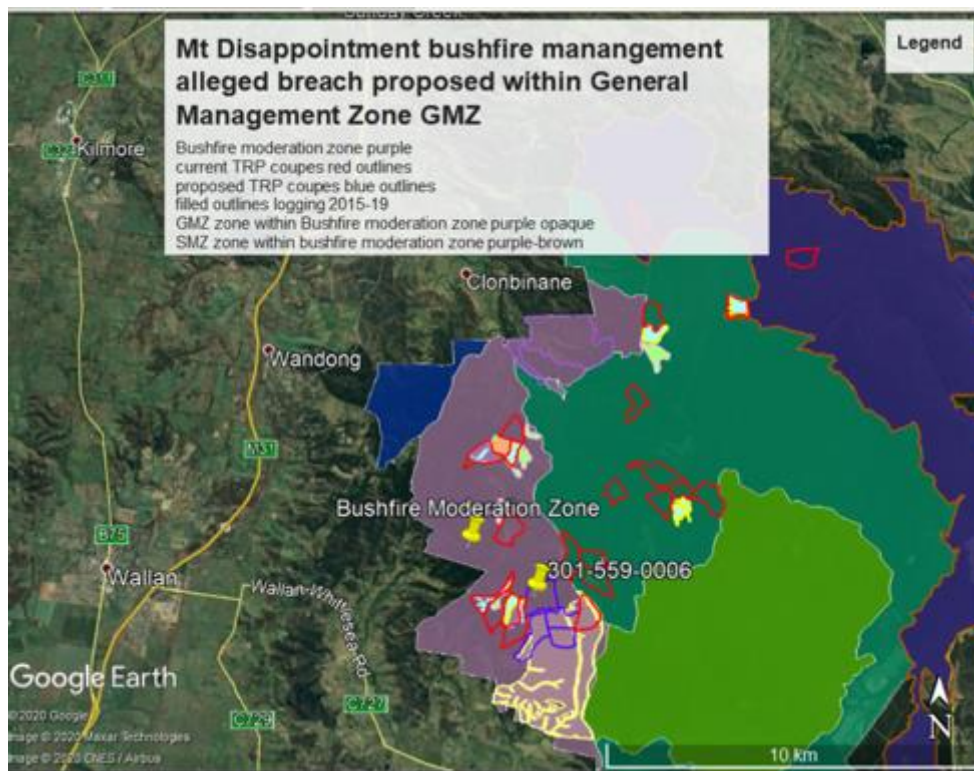
**Table 1**

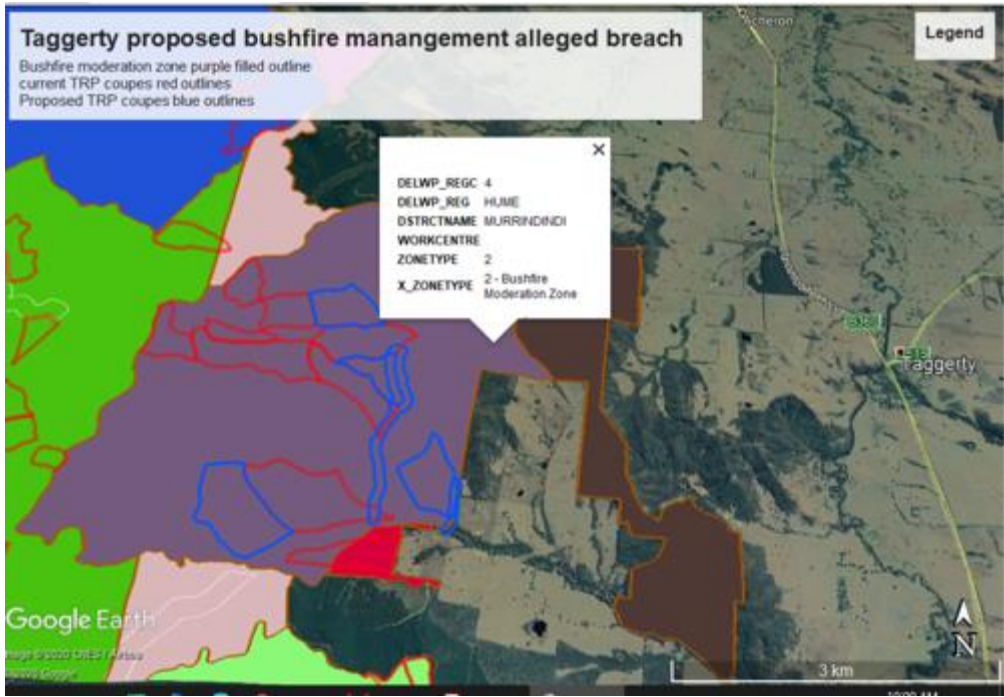


## August TRP alleged proposed breaches and associated forest stands

Coupe	Area	Type	Clause	Gross	Net
<b>Bushfire Management Zone alleged proposed breaches</b>					
282-512-0015	Black Range	new coupe	5.8.1.5	52.5	39.9
282-510-0003	Black Range	new coupe	5.8.1.5	32.5	21.2
282-510-0002	Black Range	new road alignment	5.8.1.5	32.7	12.5
282-511-0010	Black Range	new coupe	5.8.1.5	22.8	13.4
282-507-0004	Black Range	new coupe	5.8.1.5	37	11.6
301-563-0003	Mt Disappointment SMZ	new coupe	5.8.1.5	51.9	23.5
301-563-0004	Mt Disappointment SMZ	new coupe	5.8.1.5	33	23.3
301-563-0002	Mt Disappointment SMZ	new coupe	5.8.1.5	34	20.2
301-563-0002	Mt Disappointment SMZ	driveway new	5.8.1.5	3.4	3.4
301-559-0006	Mt Disappointment GMZ	new coupe	5.8.1.5	66.6	22.2
<b>Special Protection Zone alleged proposed breaches</b>					
320-503-0028	Matlock	extension to new road coupe	6.1.1.1, 7.1.2.1	70.20	40.40
317-007-0004	Matlock	extension to road alignment - improvement	6.1.1.1, 7.1.2.1	181.3	16.8
312-510-0004	Cambarville	new coupe	6.1.1.1, 7.1.2.1	7.1	1.2
312-510-0002	Cambarville	new coupe associated with road coupe above		30.2	12.8
318-512-0053	Matlock	new road	6.1.1.1, 7.1.2.1	6.4	3.2
318-512-0044	Matlock	new coupe associated with road coupe above		55.4	9.1
480-508-0019	Baw Baw	new road coupe	6.1.1.1, 7.1.2.1	18.7	0.6
480-508-0016	Baw Baw	new coupe associated with road coupe above		38	26.1
480-508-0018	Baw Baw	new coupe associated with road coupe above		18	8.3
480-508-0006	Baw Baw	driveway new	7.1.2.1	4.9	na
480-508-0006	Baw Baw	new coupe associated with road coupe above		19.9	8.5
344-511-0006	Warburton	driveway new	7.1.2.1	18.9	na
344-511-0006	Warburton	new coupe associated with road coupe above		49.8	24.5
344-511-0002	Warburton	new coupe associated with road coupe above		36.1	26.7
309-502-0008	Narbethong	new road coupe	6.1.1.1, 7.1.2.1	44.00	9.80
309-507-0010	Narbethong	<b>existing coupe</b> associated with road coupe above		40.40	14.00
309-501-0004	Narbethong	<b>existing coupe</b> associated with road coupe above		50.00	38.00
309-501-0003	Narbethong	<b>existing coupe</b> associated with road coupe above		36.40	13.00
<b>Slope</b>					
317-503-0001	Matlock	new coupe	3.4.1.1, 3.4.1.2	35.80	15.50
<b>Sum to date</b>				<b>1127.90</b>	<b>459.70</b>

## Proposed bushfire management alleged breaches





...

## Current alleged breaches of the bushfire management clause

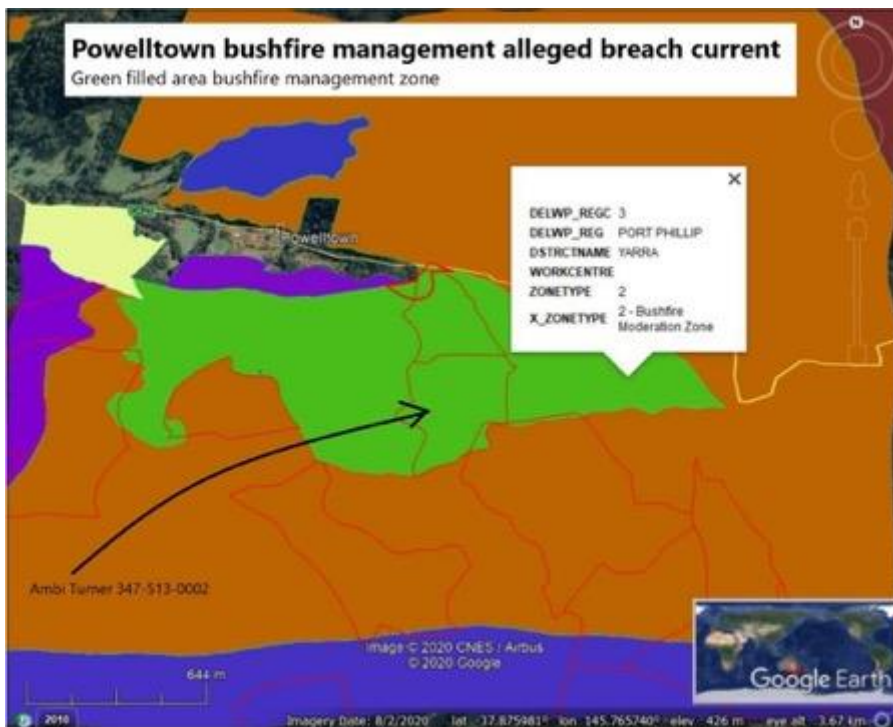


Kinglake Friends of the Forest allege that this clause has already been breached in logging of the coupes in table 2.

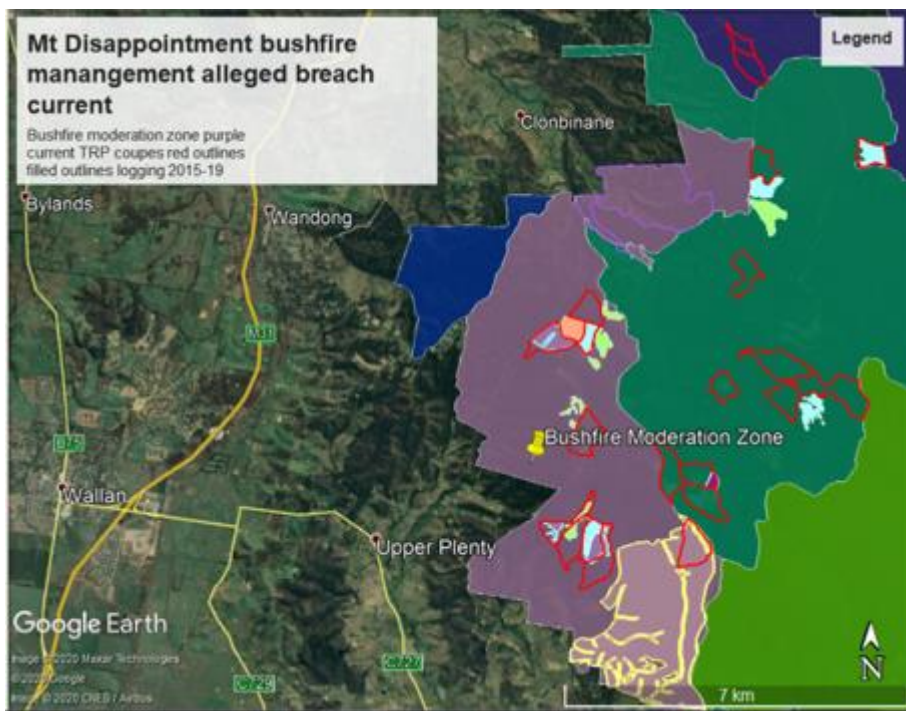
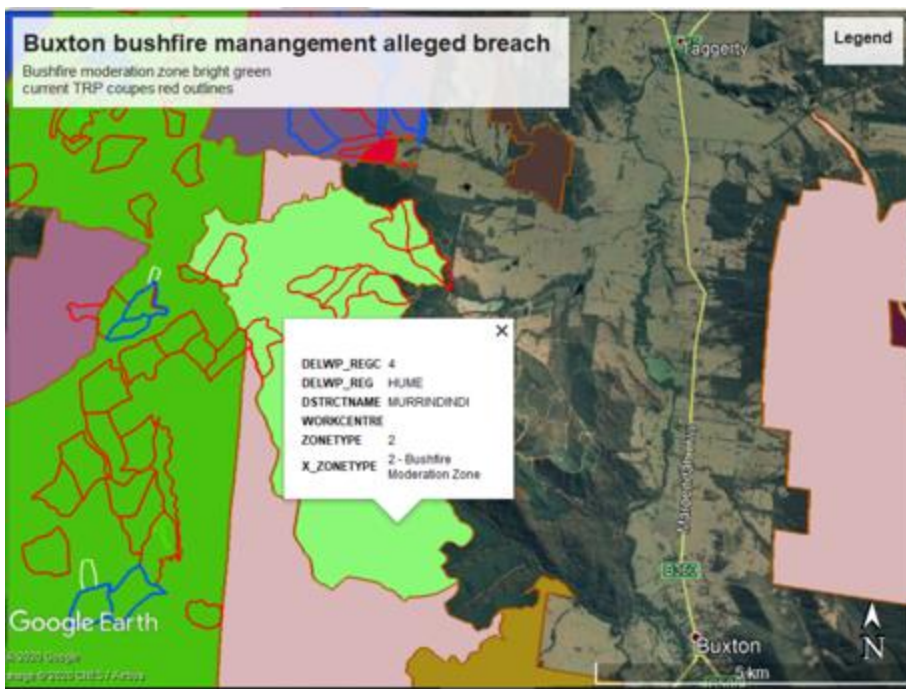
**Many of these breaches have occurred within the previous 2 years.**

**Table 2 Current TRP alleged breaches bushfire management clause 5.8.1.5**

Bushfire management Zones alleged breaches to date					
347-513-0002	Powelltown	coupe		5.8.1.5	23.20
284-503-0010	Taggerty	coupe		5.8.1.5	26.00
284-502-0016	Taggerty	coupe		5.8.1.5	11.00
284-502-0017	Taggerty	coupe		5.8.1.5	12.90
284-502-0019	Taggerty	coupe		5.8.1.5	14.20
284-502-0008	Taggerty	coupe		5.8.1.5	23.00
301-547-0001	Mt Disappointment	coupe		5.8.1.5	33.53
301-564-0003	Mt Disappointment	coupe		5.8.1.5	6.47
301-565-0002	Mt Disappointment	coupe		5.8.1.5	5.45







## The Regional Forest Agreement



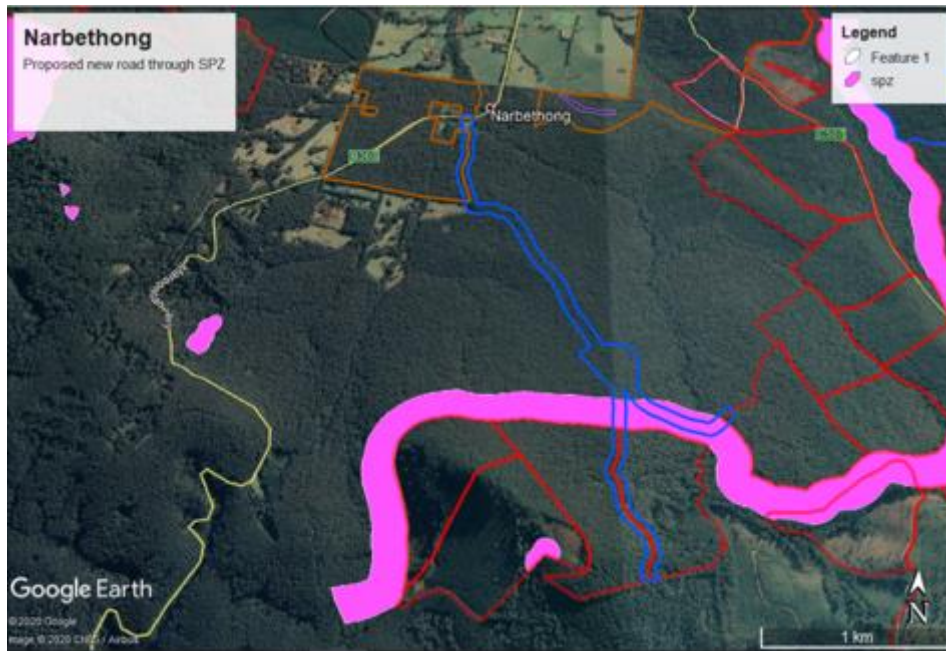
The Regional Forest Agreement under which logging is exempt from Federal environment laws requires that the State establish and maintain the comprehensive, adequate and representative (car) reserve system. The CAR Reserve system on public land primarily comprises areas established for conservation purposes (e.g. National and State Parks) and areas reserved for conservation within the Special Protection Zone (SPZ) in State Forest.

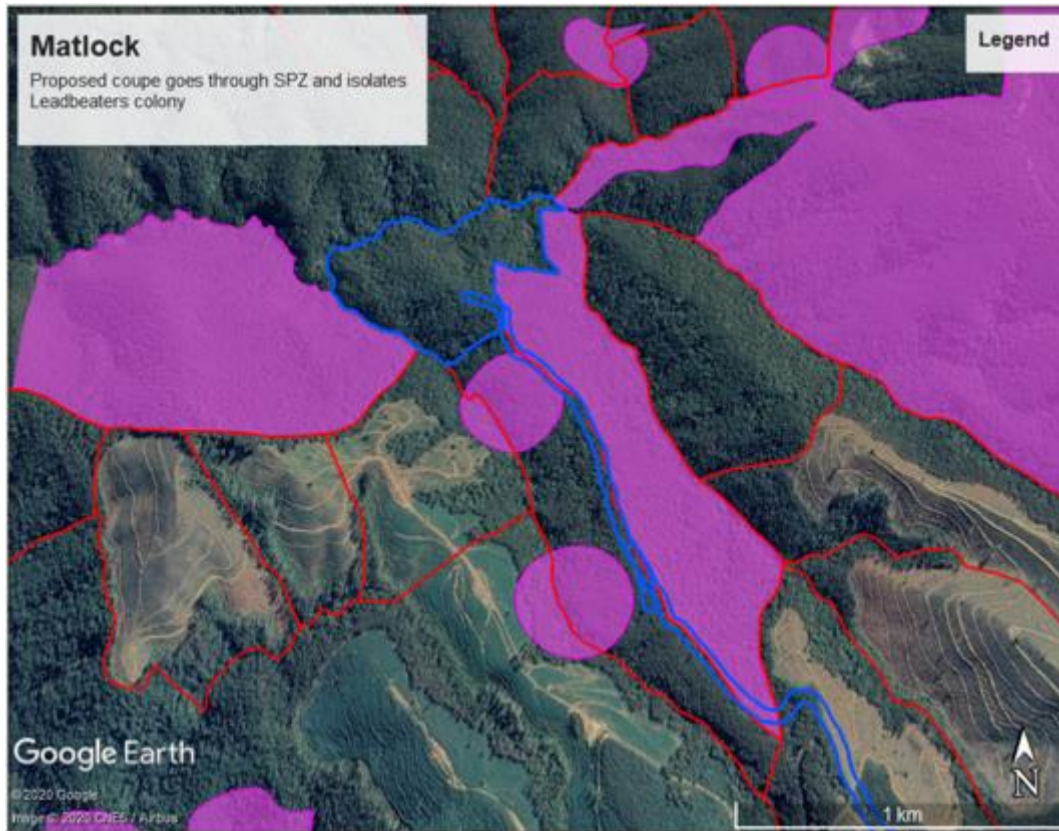
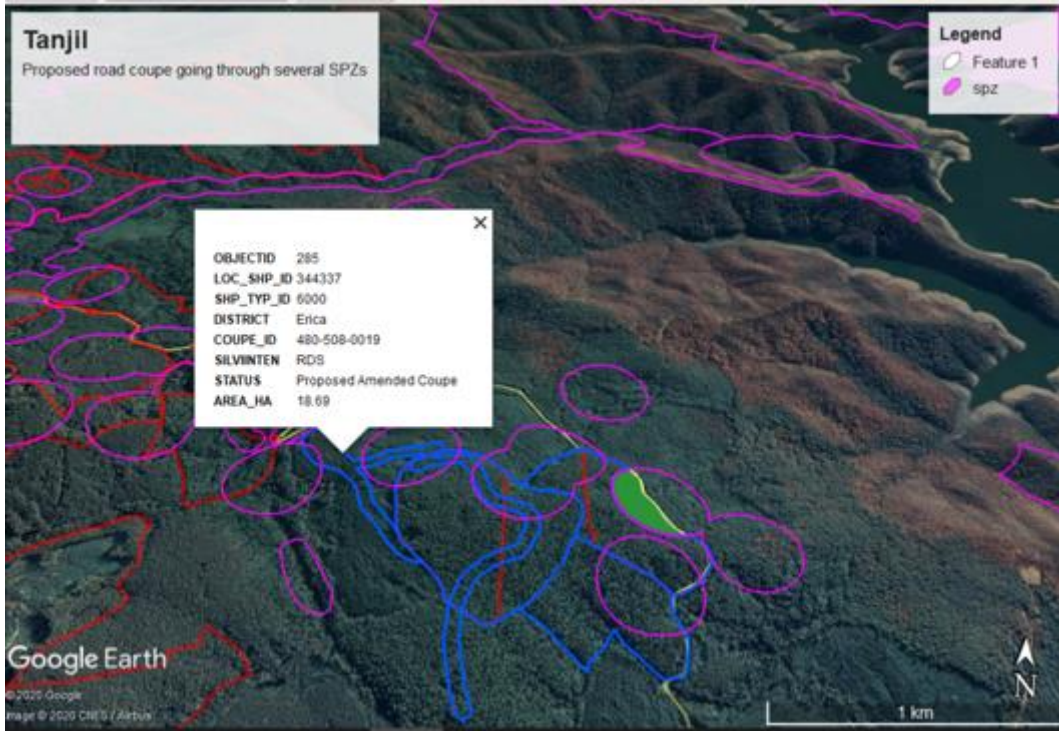
Any breaches of the Code of Practice For Timber Production 2014 is a breach of the RFA. Failure to maintain the Special Protection Zones is a failure to uphold the agreement in the most fundamental way.

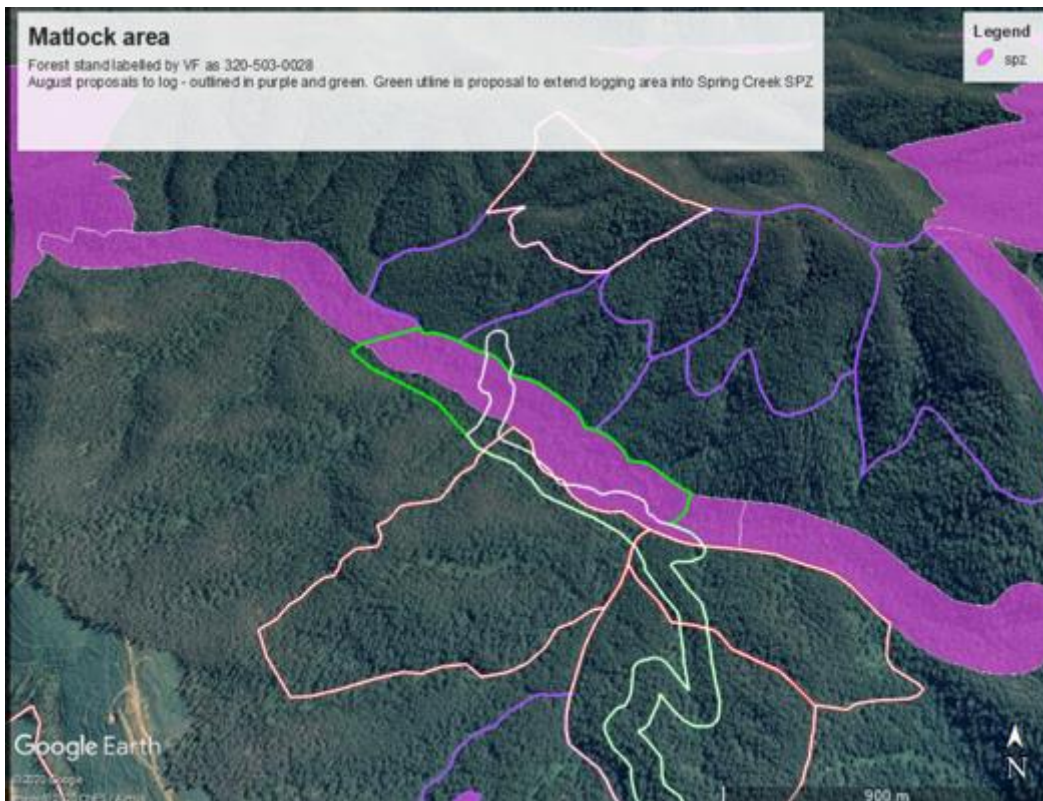
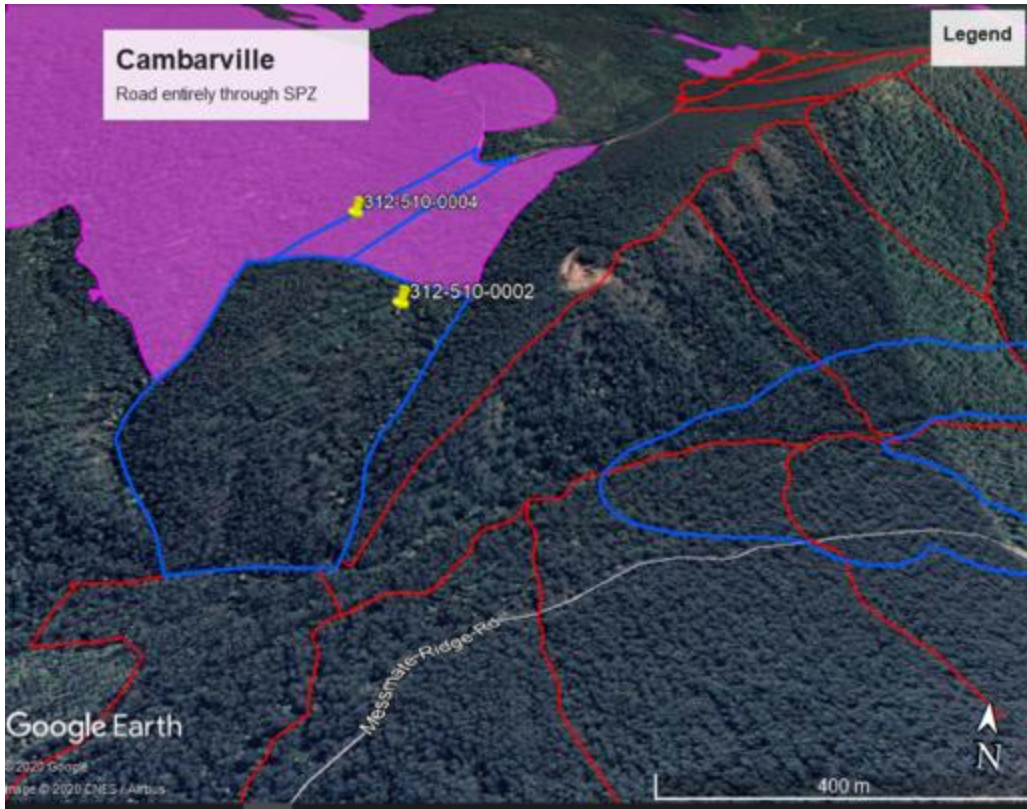
**It's hard to describe a system which gives Leadbeaters' possum habitat to VicForests, pays VicForests to not log it, then allows VicForests to log it later.**

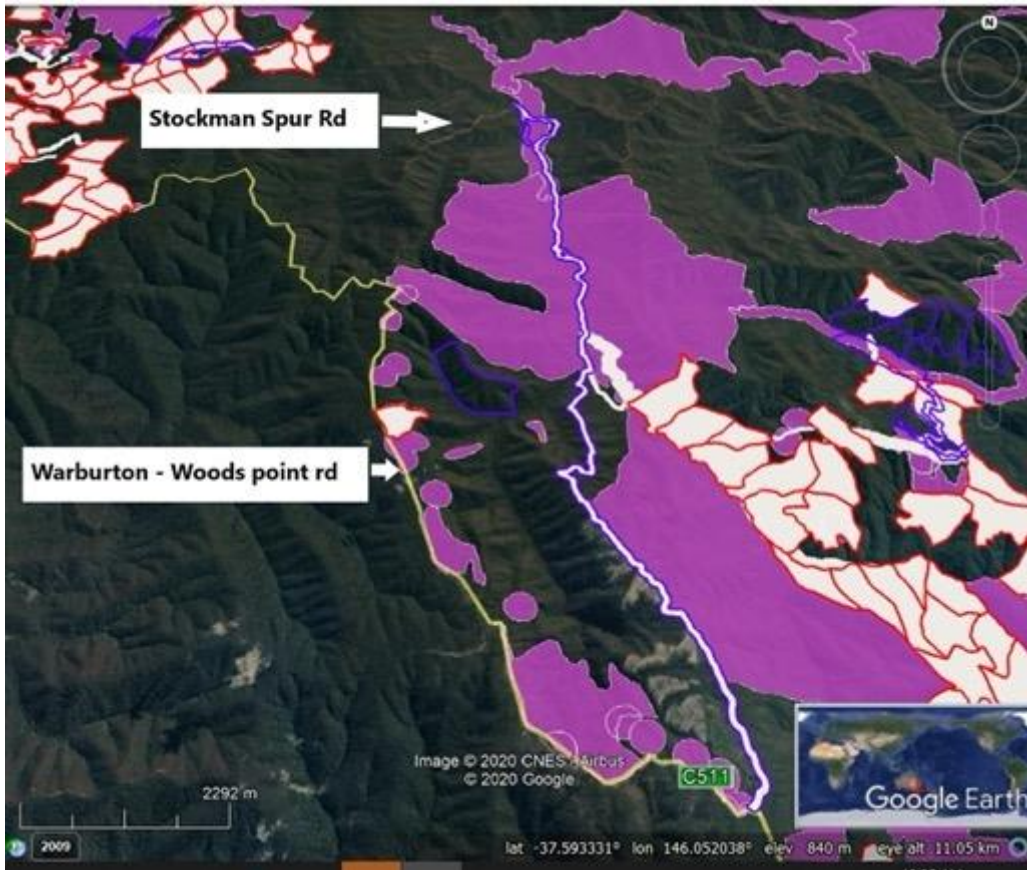
KFF list what we see as proposed breaches of the SPZ protection clauses in table 1

**Maps showing the some of the alleged SPZ breaches are below**









....



## Greater Gliders

DELWP has detected Greater Gliders of population density to trigger the Greater Glider Action Statement<sup>4</sup> management requirement in over 150 coupes in the Central Highlands.

Many of these have been logged and we allege that the agreed mandated Action Statement compliance has not been met in these operations. VicForests' interpretation of the management requirement in the Action Statement appears to differ from the findings of the research carried out by Kavanaugh<sup>5</sup> on which we assume that the requirements were justified.

The research was based on the retention of 40 % of the basal area of the trees "throughout (sic) *logged areas*" while VicForests are interpreting this to mean retention of 40 % of the basal area of the trees within the gross coupe area. VicForests are retaining only around 20 % of the basal area of the trees throughout logged areas that we have assessed to date.

Compliance with the Action Statement is the very least that you as decision maker should insist on after the devastating deaths of 3 billion animals in the Black Summer fires.

**The proposed coupes are likely to include many Greater Glider coupes, sending many more of these gentle animals to their likely death. It is time that decision makers stand up to stop Australia's record of sending animals to extinction. Our children have a right to see these beautiful animals. These animals have a right to live.**

**Part of our sample tree survey report showing 20 % basal area retention in the logged area of Shetlands Carriage Murrindindi is shown below. We allege this is in breach of Vicforests agreement to abide by the Great Glider Action Statement and in breach of clause 2.2.2.2 of the Code**

---

<sup>4</sup> Greater Glider (*Petauroides volans* subsp. *volans*) Action Statement No. 267 Flora and Fauna Guarantee Act 1988

[https://www.environment.vic.gov.au/\\_data/assets/pdf\\_file/0019/440371/267-Greater-Glider-2019-Action-Statement.pdf](https://www.environment.vic.gov.au/_data/assets/pdf_file/0019/440371/267-Greater-Glider-2019-Action-Statement.pdf)

<sup>5</sup> Kavanaugh, R. P. (2000). Effects of variable-intensity logging and the influence of habitat variables on the distribution of the Greater Glider *Petauroides volans* in montane forest, southeastern New South Wales. *Pacific Conservation Biology* 6, 18-30.

<https://www.dropbox.com/s/j5by7yx1osd47uw/kavanagh%20Greater%20Glider%2040%20%25%20Effects%20of%20variable-intensity%20logging%20and%20the.pdf?dl=0>





Results of tree survey and calculations  
 For excel of results and links to video evidence of survey  
<https://drive.google.com/open?id=1mPukbAgBl3MB88>

	A	B	C	D	E	F	G
1	<b>Survey May 10th 2020 shetland carriage coupe 298-</b>						
2	<b>Kinglake Friends of the Forest for breach report sub</b>						
3							
4	<b>Trees removed</b>						
5	<b>Lat</b>	<b>Long</b>	<b>tree</b>	<b>video number</b>	<b>diameter at stump height</b>	<b>radius (m)</b>	<b>approx basal area</b>
6	-37.4456	145.53869	T1C 0133	133	0.7	0.35	0.38
7	-37.44565	145.53867	T2C 0134	134	1.2	0.60	1.13
8	-37.44566	145.53859	T3C 0135	135	1.2	0.60	1.13
9	-37.44567	145.53844	T4C 0139	139	1.1	0.55	0.95
10	-37.44576	145.53826	T5C 0140	140	1.4	0.70	1.54
11							
12	-37.44577	145.53824	T6C 0144	144	0.7	0.35	0.38
13	-37.44584	145.53831	T7C 0145	145	0.6	0.30	0.28
14	-37.4459	145.53821	T8C 0146	146	0.5	0.25	0.20
15	-37.44588	145.53829	T9C 0147	147	0.5	0.25	0.20
16							
17							
18	-37.44572	145.53844	T10C 0150	150	0.7	0.35	0.38
19	-37.44578	145.53853	T11C 0151	151	1.0	0.50	0.79
20	-37.44584	145.53855	T12C 0152	152	0.5	0.25	0.20
21	-37.44587	145.53851	T13 0153	153	0.9	0.45	0.64
22	-37.44582	145.53859				0.00	0.00
23	-37.44582	145.53861	T14C 0154	154	1.0	0.50	0.79
24	-37.44577	145.53862	T15C 0155	155	1.0	0.50	0.79
25	-37.44575	145.53871	T16C 0156	156	1.0	0.50	0.79
26	-37.44569	145.5387	T17C 0157	157	0.8	0.40	0.50
27	-37.44581	145.53874	T18C 0158	158	0.5	0.25	0.20
28							
29							
30							
31	<b>Trees retained</b>						
32	-37.44586	145.53812	T1R 0143	143	0.9	0.45	0.64
33	-37.44591	145.53835	T2R 0148	148	0.7	0.35	0.38
34	-37.44578	145.53844	T3R 0149	149	1.6	0.80	2.01
35	3.03 3.03						
36							
37							
38	Total basal area m2 =						
39	14.28						
40	40% total basal area m2 =						
41	5.71						
42							
43	Actual basal area percentage retention %						
44	21.22						
45	<b>Large live hollow bearing trees removed – videos of logs on landing</b>						
46							
47				159	0.9		<a href="https://drive.google.com/open?id=1C91LL5xdR0wka80J29kC6jBwaxRthapp">https://drive.google.com/open?id=1C91LL5xdR0wka80J29kC6jBwaxRthapp</a>
48				160	0.8		<a href="https://drive.google.com/open?id=1DvcJcNEvYj3ICLcFA1eIDA65umh/Unh0">https://drive.google.com/open?id=1DvcJcNEvYj3ICLcFA1eIDA65umh/Unh0</a>
49				161	1.1		<a href="https://drive.google.com/open?id=LmqVyyLdKDg0raxFn5pWcnJstaBnSAFI">https://drive.google.com/open?id=LmqVyyLdKDg0raxFn5pWcnJstaBnSAFI</a>
50				162	1.3		<a href="https://drive.google.com/open?id=1Dh0kge0332q0VcyqXF6owsxyzYNG0Up">https://drive.google.com/open?id=1Dh0kge0332q0VcyqXF6owsxyzYNG0Up</a>
51				164	1.1		<a href="https://drive.google.com/open?id=1DFCFC0Bdg0rM_xGMpPXdl0YsLgqGgXr">https://drive.google.com/open?id=1DFCFC0Bdg0rM_xGMpPXdl0YsLgqGgXr</a>
52				165	0.9		<a href="https://drive.google.com/open?id=1B6tze5TMqir83_vNsTCsB42yh2Xg6C2Mq">https://drive.google.com/open?id=1B6tze5TMqir83_vNsTCsB42yh2Xg6C2Mq</a>
53							
54							
--							

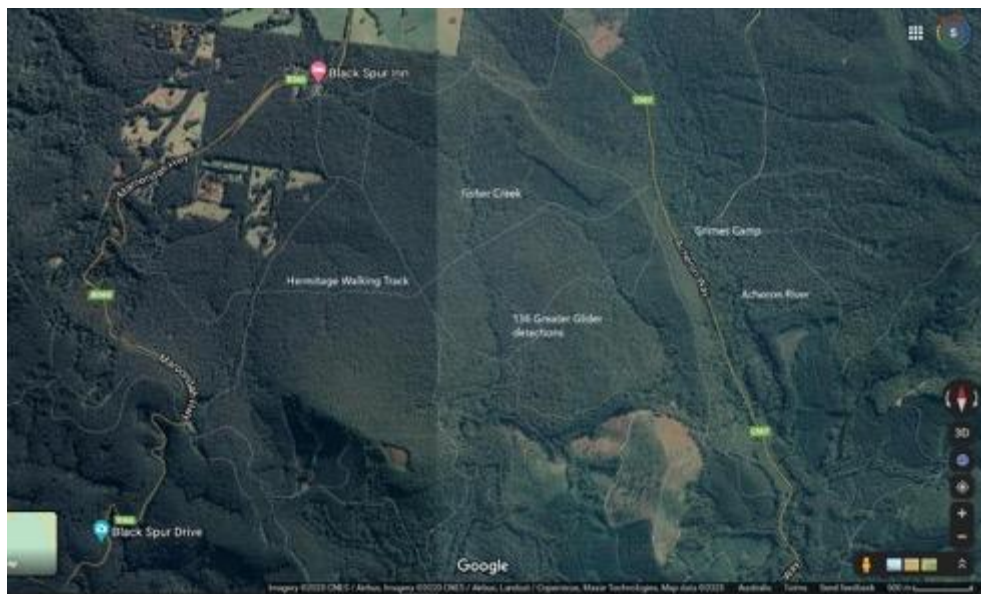


Community wildlife night walks are by far our most popular events. People love to see Greater Gliders in the wild. Such a dense population of Greater Gliders close to Melbourne with tourism businesses nearby would be such a draw card and boost for the local economy. Instead though, VicForests propose to continue with their plans to log the home of this thriving population and add





more logging plans for the area.  
Words fail.

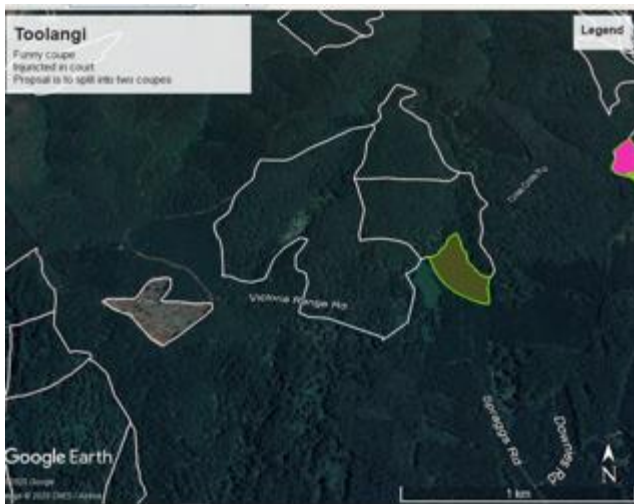


Funny Coupe is another coupe close to Melbourne with a high density of Greater Gliders – this area has a stunning family of white and white and grey Gliders.



VicForests' answer to the detection of Gliders here was to log the area in the coupe where the detections had been made. They were stopped by an injunction but have now proposed to split the coupe into two.

The Supreme Court has injunctioned this coupe until the question of whether the precautionary principle (clause 2.2.2.2 of the Code) has been applied given the devastating loss of an estimated 3 billion animals in last summer's fires.





As the trees were felled in Funny the white Greater Glider we named Spirit moved to a tree still standing on the edge of her home, her grey and white family member on another of the edge trees.

The next day logging continued

