

TCA Victoria's Submission into the:

Review of the Code of Forest Practice for Timber Production



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Timber Communities Australia is a grass roots national organization representing timber workers, their families and businesses dependent on a sustainable timber industry within the native forests and plantations. We have 81 branches Australia wide with 14 branches in Victoria.

TCA has been involved through out the consultation period with GHD participating in two meetings and taking the consultants on a forest tour to give them an opportunity to see first hand how the code applies to a harvesting operation. During the course of these discussions several issues came to light over proposed changes to the code.

There is acceptance that the code does have room for improvement in the way it is interpreted. The efforts put into clarifying terminology should remove the different ways in which people read and understand the code.

TCA believes there are several key points that need to be addressed before the review is finalized in June 2006. These issues are:

HARVESTING PRESCRIPTIONS FOR RAINFOREST - ATTACHMENT 1

The aligning of the code with the Rainforest Action Statement (RAS) will result in a minimum 1180 ha of resource being lost to timber production across the state. The allowance for the RAS to be reviewed at any time places uncertainty over whether prescriptions are finalized or in the case that they are changed will result in more loss of resource.

Under the terms of the Regional Forest Agreement it was agreed upon by both the Federal and State Governments that any resource loss would be compensated by access to other areas with similar resource, both quality and quantity. Clear boundaries were set after an exhaustive scientific research program was undertaken to give certainty to the industry.

The RFAs were seen as the benchmark for the industry and resource loss was accepted in obtaining sustainability. The further loss of resource due to the RAS cannot be accepted unless commitments are given to ensuring that any lost areas for production are compensated by allowing access into areas that were previously excluded from harvesting.

The Bracks Government has assured the industry that they stand by the RFA's in the East of the State and therefore we seek a guarantee by the Government that, if resource is lost due to the RAS then replacement resource will be found.

FLORA & FAUNA GUARANTEE ACT

The Flora & Fauna Guarantee Act is often used against the industry whereas TCA believes it should work hand in hand with the industry. We should avoid continuing down a path of us and them and work on ways to ensure that good Forest Management benefits the forest, the environment and the communities dependent on a sustainable timber industry.

In the FFG Act it states in Section 19 under the titled Action Statements; that:

- (3) *In preparing or amending an action statement the Secretary must consider –*
- (b) *any other relevant nature conservation, **social and economic matters**.*

Too often the Government and land managers overlook the importance of social and economic matters. Too often we forget about the people and communities even though in most legislation they are listed as an important factor.

We urge the Victorian State Government to stand by their legislated requirements to take into consideration the social and economic matters and give equal weight to communities rather than the scale continually being tipped towards biodiversity. People and communities are important and should not be forgotten.

CONSERVATION OF BIODIVERSITY - CLAUSE 2.4.2

In the Mandatory Actions section the Code states:

The following approaches must be considered on public land to facilitate protection of biodiversity values:

Adoption of the Precautionary Principle to the conservation of biodiversity values, permitting further monitoring and research to improve understanding of the effects of forest management on forest ecology and conservation values.

There should not be a need to adopt the use of the Precautionary Principle into the Code. The UN conference on Environment and Development held in Rio in 1992 formulated 27 principles aimed at promoting sustainable development. The protection of the environment was also recognized in achieving this aim. The only principle out of the 27 points that has been adopted by environmentalists is Principle 15 – The precautionary principle which states:

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation.

With all of the scientific research that has been conducted and still being undertaken in areas available for timber production there should be no need to use the precautionary principle in the Code. The inclusion of these two words could see environmentalists seize upon an opportunity to halt timber production. TCA would strongly urge the removal of this paragraph from the Code or at the very least rewording so as not to use the precautionary principle terminology.

WATER QUALITY, RIVER HEALTH AND SOIL PROTECTION - CLAUSE 2.4.1 & 3.2.1

That science has provided evidence that an increase in buffers for waterways isn't necessary and that this has been accepted in the review of the code is a refreshing outcome. The acceptance of the importance of the economic benefits of timber production as equal to other forest values highlights that commonsense and science can provide positive outcomes for the environment and communities.

There is no doubt that opponents of the industry would not be happy with this statement being left as is. Water is a precious commodity. So far all scientific research shows minimal impact on water quality from timber harvesting.

Filter strips and buffer zones are working in harvesting situations and shouldn't be extended to restrict further access to resource. If this is changed then a Regulatory Impact Statement needs to be undertaken to fully ascertain the environmental and economic improvements to water quality and the negative economic impacts due to resource loss. If there is resource loss then other sources of timber must be found as per the agreement between Federal and State governments when the RFA was signed off.

The attempt to redefine waterways whilst admirable, could still lead to misinterpretation of the Code. As the size of the buffer is determined by the type of stream flow, climate conditions at the time of planning could lead to variations in people's perceptions of permanent and temporary streams.

To avoid such differing opinions, assessments on watercourses should be conducted by both forest officers and logging contractors at the commencement of a coupe.

SAFETY - CLAUSE 2.4.5

All contractors operate under strict OH&S policies, however the persistence of those opposed to sustainable timber harvesting through direct action to the contractor is not only putting their lives at risk but those involved in the harvesting operation. The stress illegal forest protesters put on workers should not have to be tolerated by anyone. The inclusion of the Safety on Public Lands Act into the relevant section of the Code would give more protection for workers and enforcement strength for those policing the Act.

TIMBER HARVESTING PLAN - CLAUSE 2.1.2 & 3.5.1 –

Under the Guidance section of these clauses it states that: *The Timber Harvesting Plan may include information such as the period(s) during which operations occur.*

Whenever time restrictions are put in place people try to manipulate them to suit their own agenda. Timber harvesting is regulated by daylight hours and cartage operators need permits to cart outside of daylight hours from a coupe. The controls in place, more than adequately cover the hours of operation. There is no need to highlight operational hours within the Code. In several incidents around the state people have tried to limit cartage hours and by mentioning this in the Code may give them more ammunition for the cause.

SUMMARY

In Summary TCA believes that the Code does have room for improvement, however changes should not be made in an attempt to further restrict the sustainable harvesting of our forests nor the growth opportunities of the plantation sector.

The Victorian Timber Industry is a leader in best practices throughout the world . It is one of the most regulated industries. The RFA's have set the blueprint for our forests to ensure that the social, economic and biodiversity goals were met and the Review of the Code of Forest Practices for Timber Production should not be used as a chance to change this.

Finally we hope the decision makers bear in mind Principle 1 of the Rio Declaration on the Environment 1992 in their decision making process. It clearly states:

Human Beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

If you have any questions regarding TCA's submission into the Review of the Code of Forest Practices for Timber Production please do not hesitate to contact Kersten Gentle, the Victorian State Manager or myself on 5962 1874.

Yours truly

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