



Submission to Major Event Review for Victoria's Fire Impacted Forests

26 July 2021

Thank you for the opportunity to provide a submission to this vital review.

Lawyers for Forests (LFF) is an incorporated association of legal professionals advocating for the past 20 years for the protection of native forests.

The 2019-2020 bushfires had an absolutely devastating impact on Victoria's forests and native fauna, many species of which are endangered or vulnerable to extinction. I personally spent the last days of 2019, battling the bushfires which engulfed my father-in-law Mark's idyllic 30 acre property nestled amongst native state forest in Clifton Creek, a remote part of East Gippsland. The forest on the property is home to many native species such as the greater glider, powerful owls, koalas and other significant fauna and flora. Fortunately, we saved his dwellings but the forest was absolutely devastated by the fires. Since the fires, the glider has been seen no more on Mark's property, as all the old tree hollows which they call home, were burnt to the ground. The loss of native fauna on the property since the fires is evident by the lack of birdsong and sightings of native mammals in the area.

From Mark's property, the fire ripped across the ridge towards the towns of Sarsfield and Bruthen. Miraculously, the 1000+ residents of Bruthen was spared by a late wind change. Sarsfield however, was razed to the ground, including my wife's grand-parents home. 'Fairy Dell', a cool temperate rainforest gully full of native flora and fauna, burned for the first time in living memory. Elsewhere in East Gippsland, remote parts of the Errinundra plateau burned, areas which has not been burned since the last ice age.

Climate change and intensive logging practices are largely responsible for these mega fires taking place. These burned areas and the flora and fauna within them are highly vulnerable to feral animals and need protection from on-gong disturbance, such as clear fell logging. Yet, from my new home near Bruthen, I observe, 50 metres from the Princes Hwy, dozens of 'b - double' trucks loaded with logs of old growth timber, clearly 100- 200 years of age, on a daily basis. These logs are being transported from the high country and the Errinundra plateau, destined for wood chipping in the mills of Hayfield and Maryvale to be exported for low value packaging products and copy paper in Asia. It is also of great concern to LFF that 'salvage' logging has been deemed an "essential service/job" so it can continue unabated (in fact it seems it has been ramped up) during the various lockdowns.

LFF call upon the government to end such unsustainable logging practices in Victoria now.

More than 200 flora species have had 50–100% of their extent affected by the fires, of which 154 have been identified by the Department of Environment, Land, Water and Planning (DELWP) as of high concern due to fire impacts. DELWP has also identified 67 fauna species



of most concern, with 20 species having between 50– 80% of their distribution within the fire extent. Many species were already “in the sights” due to the cumulative impacts of climate change-worsened drought, introduced species, massive bushfires and, outrageously, ongoing clear-fell logging overseen by DEWLP and VicForests.

The mega fires burnt more than 1.25 million hectares of forest across eastern Victoria, pushing many ecosystems to the brink of collapse and threatening the survival of hundreds of plant and animal species. The Regional Forest Agreements (RFA) continue to enable the logging of our diminishing forests and many bushfire-affected threatened species have logging listed as a major threat in their FFG Act Action Statements (or presumably would have if they had such Action Statements – another lamentable situation).

Despite the horrendous and massive bushfire impacts pre-fire logging plans have stayed in place or even been increased in extent - two additional schedules of new logging areas have been announced and approved post-the huge fires, in July and in December 2020. This is unconscionable.

The state government’s own risk assessment of threatened species and habitats carried out in October 2020 and released over the holiday break acknowledges the toll logging has on threatened wildlife. However, the government has not yet moved to provide any new protections for rare animals like the Greater Glider or Sooty Owl.

In May 2020, the DELWP made recommendations that logging stop in key unburnt habitat for threatened species to halt the threat of irreversible damage to biodiversity following the 2019-20 bushfires. Despite those recommendations, logging has recommenced and is ongoing in these areas following the bushfires.

Future logging plans remain a significant threat to forests and wildlife. Across the 10 refuge areas, 553 logging coupes covering more than 20,000ha of forests are planned for logging by the Victorian government’s logging agency, VicForests. There are many important areas for bushfire impacted threatened species in the Central Highlands, Gippsland, and Alpine areas up for logging. Leading scientists from the Threatened Species Recovery Hub made recommendations in January 2020 following the bushfires to locate and protect key refuge areas which “will be of profound importance for species’ recovery, and hence should be the immediate and ongoing focus for conservation management”. Key refuges for wildlife have already been logged, and many more are up for logging. Again, this is unconscionable.

Almost half of the conservation parks, reserves and Special Protection Zones (SPZs) within the Comprehensive, Adequate and Representative (CAR) reserve system in these three FMAs is within the fire extent. The bushfires also heavily impacted the proposed Immediate Protection Areas (IPAs). Announced in November 2019, the IPAs were intended as new conservation measures for the threatened Greater Glider. Approximately 90% of the IPAs in East Gippsland burnt, with a large proportion subject to high severity fires.



Recommendations

1. Logging, including the hugely damaging “salvage logging” operations, must be fully suspended in forests that contain threatened species impacted by the fires, especially in East Gippsland until there can be comprehensive, well-resourced surveys undertaken as part of the Major Event Review and required protections put in place for all threatened flora and fauna species;
2. Protect key refuges and unburnt forests from current and future logging to ensure the survival and persistence of endangered flora and fauna species that rely on these forests to survive. These oases in a desert of burnt areas are vital to save species;
3. Declare new reserves and national parks after consultation with Traditional Owners;
4. Bring forward the 2030 transition out of native forest logging to 2022. The current timeframe is far too slow and will see more forests and species lost forever. We must rapidly transition the logging industry out of native forests and into plantations, especially those in the west of the state;
5. Urgently finalise Recovery Plans for all species impacted by the fires and threatened by ongoing logging and update Conservation Advice. Recovery Plans are critical to protecting listed species (now, even more so due to the mega fires), yet so many species at risk of extinction still have no Recovery Plans. Some listed species never had Plans prepared at all - others were written in the 1990s and have not been substantively updated or strengthened since then, despite ongoing species declines and obviously weak, vague, and inadequate protections;
6. Immediately recommend to the Federal Government to remove the exemption under the EPBC Act for logging operations carried out in RFA areas.

On behalf of LFF I thank you for consideration of this submission.

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