

POSSIBILITIES FOR DEVELOPING THE FOREST PRACTISES CODE

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In case I run out of time, I want to start with my concluding comments in relation to the current ongoing review of the Forest Practices Code.

- The TCT and a number of other participants had high hopes of the review of the biodiversity provisions of the Code that commenced in 2007 and was concluded in 2014, but it delivered very little other than a minimalist landowner duty of care statement.
- We need to have reassurances that the current review will deliver outcomes, sufficient to encourage our involvement.
- The Code review process needs to be better defined and promoted. Very few community groups are aware the review is underway.
- How do we get more conservationists and community organisations involved in this review? There are very few organisations that support or accept native forest logging and therefore have little interest in or respect for the Forest Practices System.
- The Forest Practices System can be made easier to use, including by making requirements around protection of special values, such as swift parrots habitat, stricter and clearer.
- The FPA is about to undertake a study of the potential social and economic impacts of the Forest Practice System on the forest industry and rural communities. Those of us who want to participate in the Code review need to know how the social and economic impacts study will impact on or be linked to the Code review.

I want to acknowledge Bob Cashore's comment from yesterday's talk, about the dangers of attempting big or revolutionary changes.

In Tasmania the Forest Practices System and forest conservation more broadly will probably only ever improve by small steps and I hope that these can be progressive, as Bob describes, leading incrementally upward to a better place.

The 'Tasmanian Forest Peace Agreement' wasn't doomed to fail but it was perfectly constructed for a counter revolution. One of the great flaws of the deal was that FPS was never on the agenda and the deal delayed improvements. The legislation that gave effect to the deal has probably made it harder to change the Forest Practices Code. If we are to take sustained steps toward improving the FPS it seems that

- Many external factors must change before the FPS can change (it does not exist in a vacuum);
- Some changes must occur before others;
- Some obstacles need to be removed to improving the FPS.

Gunns' proposed Tamar Valley pulp mill was an external factor which directed almost all forest policy changes for many years including being the reason a 'peace deal' was desired by industry. The permits will shortly be revoked, thus putting an end to this particular pulp mill and its external influence.

Broad scale clearing and conversion of native forest for plantations and agriculture must end and the public must know it has ended and be confident it will not restart in the near future. The forest industry and the FPS will struggle to build its reputation with the broader community while clearing continues or may continue. It is time for Tasmania to join the club of modern states/countries that have consigned clearing to history. Relying on certification schemes to address broad scale clearing is not good enough as certification is not permanent.

The revised Permanent Native Forest state policy leaves open the door for an unlimited number of landowners each year to clear up to 40 hectares of native forest and for exceptions for much larger areas. The forest industry and FPA need clearing to stop to begin to win public, consumer and political trust. They will probably think 'If you can do this, maybe you can fix problems with the swift part and other tricky fauna'.

For a number of years there have been no government-funded programs to provide incentives to farmers and other private landowners to voluntarily enter agreements to conserve forests, preferably through perpetual measures. Such incentive programs, if properly developed in consultation with landowners, can deliver significant and lasting conservation outcomes while diverting some property owners from attempting forestry operations where environmental risks are too great.

The recently signed Tasmanian Regional Forests Agreement gives some hope, including a provision that requires the Tasmanian Department of Primary Industries, Parks, Water and Environment to continue to provide support to owners of existing private reserves and to encourage other landowners to consider reserves.

Part of the State Liberal Government's counter reformation to the 'Tasmanian Forest Peace Agreement', following the 2014 state election, was to legislate to allow special

species harvesting in all conservation areas and regional reserves, an area of more than one million hectares of 'formal' reserves. This is just a ridiculous political ploy, the equivalent of one tribe pissing in the other tribe's sacred places. If it is not over turned we will see logging in rainforests in reserves, some long established and created as a commitment under the Regional Forest Agreement. If becomes established we will see calls for logging in national parks and world heritage areas, which is what Tony Abbott attempted but thankfully he was prevented by UNESCO.

There is a new chapter of the Forest Practices Code being written, i.e. how to log forests in reserved land, and the Parks and Wildlife Service will need to employ forest practices officers to prepare Forest Practices Plans. The state of the forests report will need to have a new section, reporting on the amount of logging in reserves, including rainforest reserves. This is madness. If the FPS is to develop, we must stop logging of formal reserves.

It is only a few months until the state election is called so there is some hope of a policy change. I understand there is yet to be any species harvesting actually take place in formally reserved land and if none occurs before the state election a policy change may be much easier.

Sustainable Forests Tasmania will need help if it is to embrace the current Forest Practices Code, let alone possible improvements or Forest Stewardship Certification. There will need to be:

- a reduction of the legislated minimum annual wood allocation volumes; and/or
- a rational reallocation of STT's land and forests proposed for reservation under the 'Tasmanian Forest Peace Agreement'.

A reallocation of forest areas would need to leave STT with fewer environmental risks and more productive forests and deliver a marginal expansion of the reserve system. Even this is not likely to be a silver bullet but it would make the protection of special values such as swift parrot significantly easier to achieve.

The other piece of unfinished business for many conservation and community groups is too fully integrate forestry operations into the mainstream planning system, particularly to give local councils and communities input and appeal rights over forestry operations that have social or scenic impacts. These issues are not dealt with at all well under the FPS. Such a change would be very sensible and quite easy to apply in planning scheme zones that apply where a lot of people live in rural areas and close to urban areas.

The recent media reports of Australian National University biologists discovering the harvesting of swift parrot nesting habitat near Dover in the southern forests, in one of their long term monitoring sites, was one of the most damaging media reports I can recall in nearly 28 years of working in conservation. It undoubtedly caused major damage to STT's brand. STT's response defines one of the major problems of how the

FPS works, or does not work, in reality. STT told the Mercury newspaper that it did not fell one tree known to be a nest tree. This is not what the FPA's Threatened Fauna Advisor requires. It requires that breeding habitat is protected and this is not limited to trees where birds have been observed nesting.

STT understandably pushes back against the FPA on swift parrot habitat protection, but DPIPWE has taken on a political role to back STT by intervening on many difficult coupes, to side with STT against FPAs advice. Perhaps the FPA needs to go one step further toward full independence and cut DPIPWE out of the process of deliberating on threatened species requirements. This may require legislative changes so the STT is required to apply the Threatened Fauna Advisor as instructed by the FPA.