

Lawless Logging:

An investigation into breaches of the regulatory framework governing logging operations in Victoria



Lawless Logging – An investigation into breaches of the regulatory framework governing logging operations in Victoria.

A report prepared by Goongerah Environment Centre, Friends of the Earth and Fauna and Flora Research Collective.

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Goongerah Environment Centre (GECO) is a grassroots community group based in the town of Goongerah in far East Gippsland. Since 1993 GECO has campaigned for protection of East Gippsland's forests.

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The Fauna and Flora Research Collective Inc. (FFRC) is an independent volunteer not-for-profit research collective engaged primarily in surveying for and reporting on the presence of threatened species and communities within Victoria's public forests that are subject to logging.

faunaandfloraresearchcollective.wordpress.com



Logging coupe at Pikes Saddle, Kuark Forest, East Gippsland

Executive Summary:

This report documents VicForests logging operations that have breached regulatory protections for rare, protected and threatened species and rainforest. All logging operations detailed in this report have occurred since the Andrews government has held office.

VicForests is a government owned logging agency who log Victoria's publicly owned state forests. VicForests is required to comply with regulations that govern the conduct of their operations. These are described in a document called The Code of Practice for Timber Production in Victoria's state forests, 2014. The Code of Practice for Timber Production requires habitat protection zones for rare, protected and threatened species, and rare forest types such as rainforest.

The Department of Environment Land Water and Planning (DELWP) are responsible for enforcing compliance with the Code of Practice. As the forestry regulator DELWP has the power to prosecute VicForests when breaches of the Code are identified. DELWP has never used this power to prosecute VicForests in the courts, despite regular breaches to the Code.

This report documents 27 cases of logging in East Gippsland and Victoria's

Central Highlands that have breached the Code of Practice in areas that should have been protected by the Code's environmental protection provisions. The cases of logging this report presents have been documented in reports submitted to DELWP by various community groups who have become increasingly concerned with DELWP's ineffective regulatory practices.

Since 2009 the community groups who have documented and reported this information have submitted in excess of 300 reports to DELWP documenting protected species or environmental values that require protection under the Code. Protected environmental values are often reported before logging commences and results in VicForests adjusting logging plans. This report documents 27 cases where logging already occurred or was imminently about to occur within areas that were required to be set aside for protected environmental values, such as a threatened species or rainforest.

This report provides evidence of a systemic failure of VicForests to comply with the regulatory framework's threatened species and rainforest protections and the systemic failure of DELWP to enforce compliance with the Code of Practice.



Logging of Greater Glider habitat in the Cottonwood range, East Gippsland

This report documents 27 cases of logging in East Gippsland and Victoria's Central Highlands that have breached The Code of Practice for Timber Production in Victoria's state forests, 2014

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Burnt and logged old growth forest, Hensleigh Creek Rd, Errinundra plateau (case 24)

Background on community groups documenting logging of threatened species habitat and rainforest:

In the absence of appropriate regulation of VicForests logging and enforcement of the Code of Practice provisions that require VicForests to search for and protect threatened species prior to logging, a movement of citizen science groups has emerged in Victoria.



Fauna and Flora Research Collective (FFRC):

In the absence of appropriate regulation of VicForests logging and enforcement of the Code of Practice provisions that require VicForests to search for and protect threatened species prior to logging, a movement of citizen science groups has emerged in Victoria.

The FFRC's work has resulted in dozens of protection zones that have been implemented by DELWP. Without the reporting and surveying of the FFRC these protection zones would not have been implemented as the protected environmental values the reports have documented would not have been identified.

faunaandfloraresearchcollective.wordpress.com



Goongerah Environment Centre (GECO):

GECO is a community environment conservation organisation based in the small town of Goongerah in far East Gippsland. GECO's reports document rare, threatened and protected species or rainforest in forests scheduled for logging, or where logging has commenced without the implementation of the protections required by the Code of Practice. GECO's forest survey program has resulted in the implementation of over 2000 hectares of protection zones that have been created in response to detections of rare, protected and threatened fauna and flora. These protection zones would never have been implemented without GECO's survey efforts.

geco.org.au



Wildlife of the Central Highlands (WOTCH):

WOTCH is a volunteer citizen science organisation. WOTCH monitor logging operations and conduct surveys for protected fauna in the Central Highlands forests within the proposed Great Forest National Park. WOTCH surveys largely focus on Victoria's critically endangered faunal emblem, the Leadbeater's Possum. WOTCH surveys for Leadbeater's Possums have repeatedly found this critically endangered animal within areas of forest that are scheduled for logging. Many of the Leadbeater's Possum sightings that WOTCH has documented have been within areas of forests that were actively being logged at the time of the WOTCH surveys.

facebook.com/VICWOTCH

Federal legal exemptions and failing state based protections:

Native forest logging in Victoria is exempt from complying with ordinary Federal environment laws (Environment Protection and Biodiversity Conservation [EPBC] Act) if its done in accordance with a Regional Forest Agreement (RFA). The RFAs are 20-year agreements between State and Federal governments outlining responsibilities in relation to native forest management. The effect of the agreements has been to hand the management of federally listed threatened species to state based logging regimes.

Actions that impact on matters of national environmental significance (such as threatened species), must be assessed under the EPBC Act and subject to approval decisions that consider whether the impacts on threatened species are acceptable and whether they can be managed responsibly. The logging industry exemption from the EPBC Act has meant these formal assessments have not been happening in our forests and threatened species are paying the price.

Logging in Victoria is exempt from ordinary Federal environment laws if it's covered by a Regional Forest Agreement.

Instead of complying with federal environment laws requiring assessments and approval, logging in Victoria has been governed by inadequate state based laws. As this report shows, these state based laws are not being enforced and are regularly not adhered to.

One way the Victorian government could take steps to address logging's negative impact on federally listed threatened species is by not entering into any new Victorian Regional Forest Agreements, which begin to expire in 2018.

Logging should be on an equal footing with every other industry by making sure logging operations comply with all federal environment laws. Logging plans could and should be referred for assessment under the EPBC Act to assess impacts on federally listed threatened species.



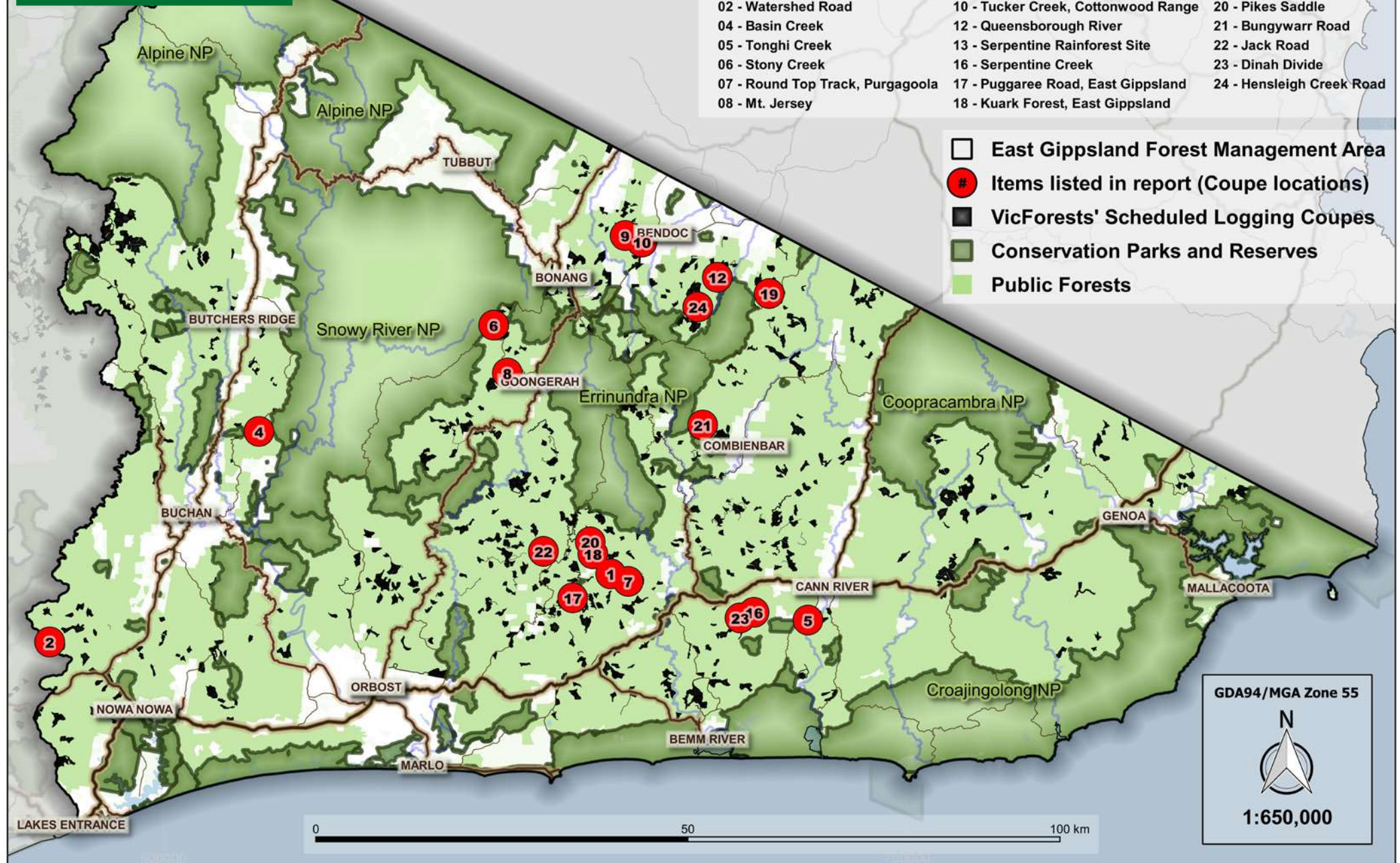
Instead of complying with federal environment laws, logging in Victoria has been governed by inadequate state based laws. As this report shows, these state based laws are not being enforced and are regularly not adhered to.

EAST GIPPSLAND FOREST MANAGEMENT AREA

Figure 1: Context map of East Gippsland area and location of logging breaches

- | | | |
|----------------------------------|-------------------------------------|---------------------------|
| 01 - Arte River, Pugaree Road | 09 - Cottonwood Range Road | 19 - Coast Range |
| 02 - Watershed Road | 10 - Tucker Creek, Cottonwood Range | 20 - Pikes Saddle |
| 04 - Basin Creek | 12 - Queensborough River | 21 - Bungywarr Road |
| 05 - Tonghi Creek | 13 - Serpentine Rainforest Site | 22 - Jack Road |
| 06 - Stony Creek | 16 - Serpentine Creek | 23 - Dinah Divide |
| 07 - Round Top Track, Purgagoola | 17 - Puggaree Road, East Gippsland | 24 - Hensleigh Creek Road |
| 08 - Mt. Jersey | 18 - Kuark Forest, East Gippsland | |

- East Gippsland Forest Management Area
- # Items listed in report (Coupe locations)
- VicForests' Scheduled Logging Coupes
- Conservation Parks and Reserves
- Public Forests



GDA94/MGA Zone 55






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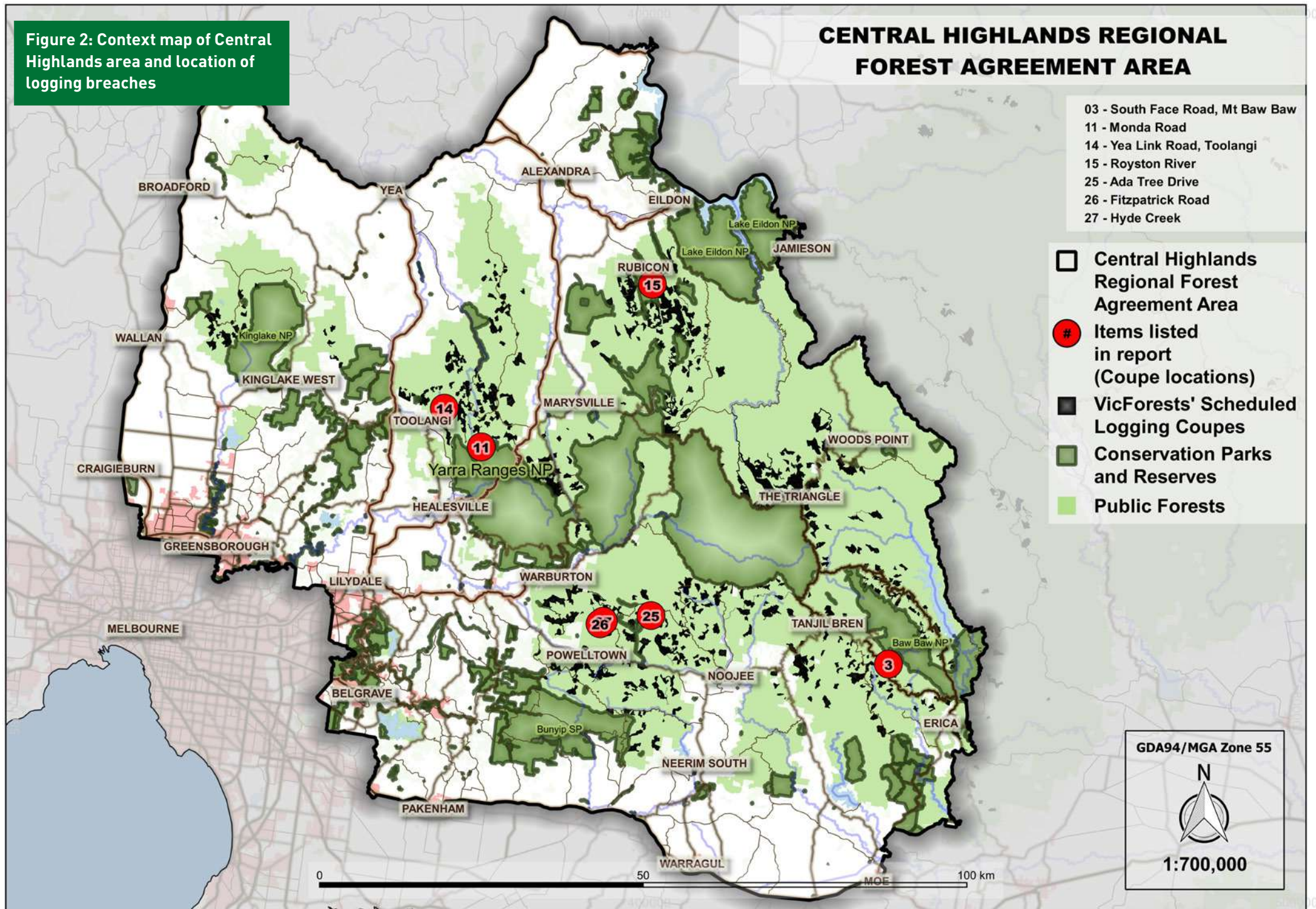
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Figure 2: Context map of Central Highlands area and location of logging breaches

CENTRAL HIGHLANDS REGIONAL FOREST AGREEMENT AREA

- 03 - South Face Road, Mt Baw Baw
- 11 - Monda Road
- 14 - Yea Link Road, Toolangi
- 15 - Royston River
- 25 - Ada Tree Drive
- 26 - Fitzpatrick Road
- 27 - Hyde Creek

-  Central Highlands Regional Forest Agreement Area
-  Items listed in report (Coupe locations)
-  VicForests' Scheduled Logging Coupes
-  Conservation Parks and Reserves
-  Public Forests



Logging in breach of the Code of Practice: Case Studies

1. Date: 26/04/17

Reported by: Fauna and Flora Research Collective

Location: Arte River Forests, East Gippsland (Map 1)

Coupe numbers: 833-512-0019, 833-512-0024, 833-512-0025

Legislative Provisions: Code of Practice for Timber Production 2014, s2.2.2.1 and 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 45

Summary:

Endangered Spiny Crayfish (*Euastacus* sp.) was detected in a stream within coupe 833-512-019. Spiny crayfish presence triggers the requirement for a Special Protection Zone extending 100m from each bank for 1 km upstream and 1 km downstream of Crayfish detection sites.

A population of critically endangered East Gippsland Galaxias fish (*Galaxias aequipinnis*) was also detected, triggering the requirement for a protection zone extending 100 m from each bank for 1 km upstream and 1 km downstream.

Coupe 833-512-0024 was active at the time of the FFRC survey and coupes 833-512-0019 and 833-512-0025 are scheduled for logging. Each coupe includes areas within the required buffer. Logging had already occurred within coupe 833-512-0024. Logging before identifying protected crayfish and galaxias and implementing protection zones is a breach of the Code.



Wet forest within logging coupe 833-512-0019

2. Date: 17/03/17

Reported by: Fauna and Flora Research Collective

Location: Watershed Rd, East Gippsland (Map 1)

Coupe numbers: 742-507-0004 and 742-507-0005

Legislative Provisions: Code of Practice for Timber Production 2014, s2.2.2.1 and 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 5. Page 74, 92 and 93.

Summary:

Protected plant species, Colquhoun Grevillea (*Grevillea celata*), Woolly-head Pomaderris (*Pomaderris eriocephala*), Long-flower Beard-heath (*Leucopogon juniperinus*) and Wallaby-bush (*Beyeria lasiocarpa*) were identified in coupes 742-507-0004 and 742-507-0005. Logging occurred within the required 200m protection zone buffer of all four species, and at the detection sites of Wallaby-bush and Woolly-head Pomaderris.

Logging protected plant species is a breach of the Code.



Logging at the site of protected plant species, Watershed Rd.

3. Date: 29/01/2017

Reported by: Wildlife of the Central Highlands

Location: South Face Rd, Mt Baw Baw (Map 2)

Coupe numbers: 483-503-0006

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.1 and s 2.2.2.4. and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 39

Summary:

A critically endangered Leadbeater's Possum was recorded in active logging coupe 483-503-0006, triggering the requirement for a 200m protection zone. Logging had occurred immediately adjacent to the site where the Leadbeater's Possum had been found and within the 200m protection zone required for the species.

Logging was only halted after the detection was reported by the community.



Logging within required protection zone for Leadbeater's Possum

4. Date: 16/01/17

Reported by: Goongerah Environment Centre

Location: Basin Creek (Map 1)

Coupe numbers: 810-501-0006; 810-501-0009

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.1 and 2.2.2.4. and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 45

Summary:

Multiple endangered Spiny Crayfish were detected in streams within coupes 810-501-0006; 810-501-0009. These findings were the first Spiny Crayfish known to be recorded west of the Snowy River. The presence of endangered Spiny Crayfish requires a protection zone extending 1km upstream and downstream from detection sites and 100m either side of the stream the species is found in.

Coupes were listed as "harvest pending" and coupe boundary demarcation tapes were present at time of reports. VicForests failed to identify the crayfish in the coupes, and logging commenced without any pre logging ecological survey or implementation of required protective stream buffers.



Endangered Orbost Spiny Crayfish in Basin Creek coupe

5. Date: 14/12/16

Reported by: Fauna and Flora Research Collective

Location: Tonghi Creek (Map 1)

Coupe numbers: 864-501-0005

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.1 and 2.2.2.4. and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 42

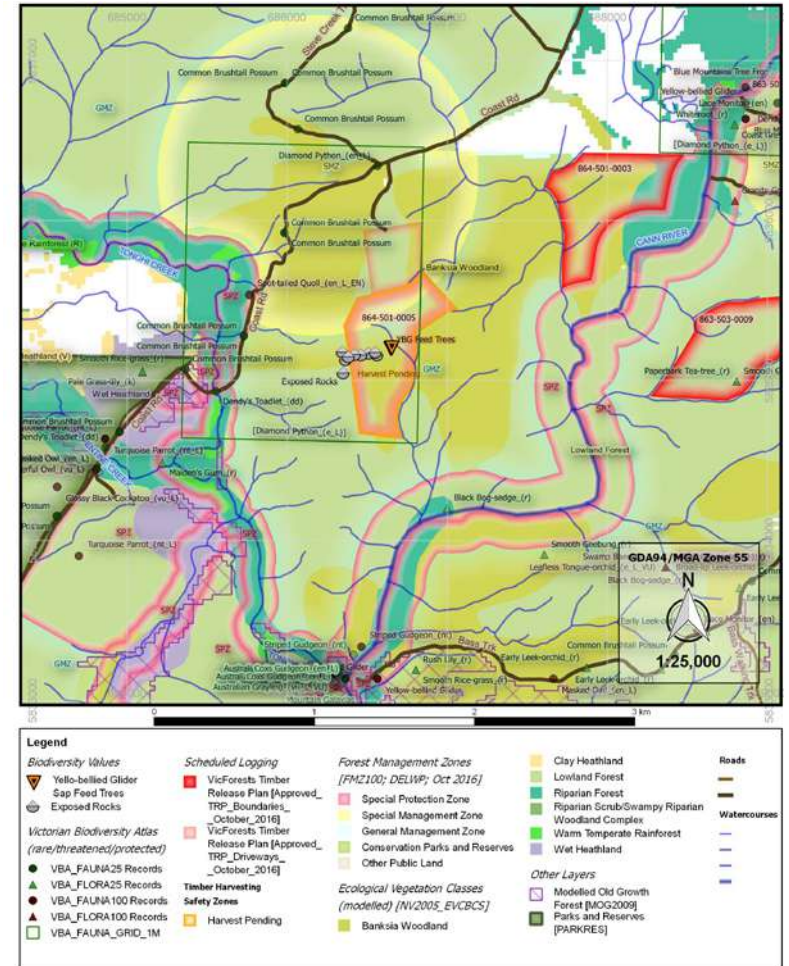
Summary:

Desktop analysis of threatened species in the area found that a Diamond Python record was present on the government's Biodiversity Atlas database, but the required protection zone for the Python had not been implemented. The coupe was listed as "harvest pending" by VicForests. FFRC sent letters to Environment Minister Lily D'Ambrosio and DELWP highlighting the discrepancies and the need to establish a protection zone and not log the coupe.

Roadworks had been completed up to the start of the coupe in preparation for logging that would have occurred in breach of the Code without the required protection zone. VicForests failed to identify the Diamond Python record, and logging was set to commence without any pre logging ecological survey or implementation of the required protection zone.



Rocky outcrop habitat within coupe Tonghi creek coupe



Context map indicating extent of logging within required protection zone.

6. Date: 14/11/2016

Reported by: Fauna and Flora Research Collective and Goongerah Environment Centre

Location: Stony Creek (Map 1)

Coupe numbers: 891-513-0009 and 891-513-0010

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.1 and 2.2.2.4. and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 45

Summary:

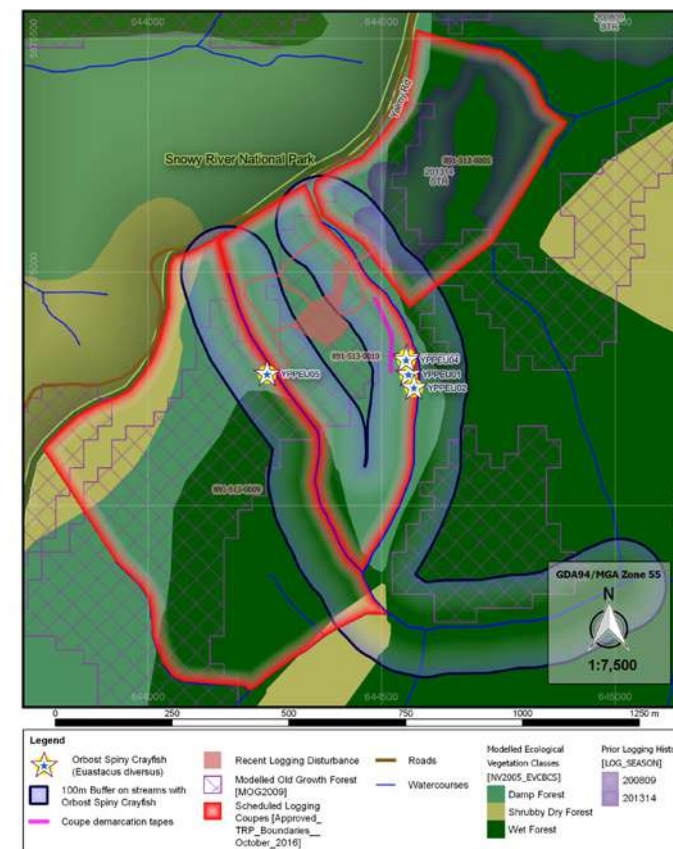
Multiple endangered Orbost Spiny Crayfish (*Euastacus diversus*) were detected within active coupe 891-513-0010 and scheduled coupe 891-513-0009, attracting a 100m buffer from each bank for 1km up and downstream. At the time the Crayfish detections were made, logging had already occurred within the required buffer for this species. VicForests failed to identify the Crayfish prior to commencing logging in the coupe and had not implemented the required protective buffer.



Endangered Orbost Spiny Crayfish



Logging within the required protection zone



Context map indicating extent of logging within required protection zone.

7. Date: 11/11/2016

Reported by: Fauna and Flora Research Collective

Location: Round Top Track (Map 1)

Coupe numbers: 833-510-0011

Legislative Provisions: Code of Practice for Timber Production 2014, s2.2.2.1; 2.2.2.4; 2.2.2.7; 3.2.2.2 and The Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests, 2014 s 4.4.9.1 (d)

Summary:

Logging in this coupe commenced without any pre-logging ecological survey.

FFRC surveys revealed that VicForests had failed to identify protected rainforest. Coupe boundary demarcation tapes were recorded within Warm Temperate Rainforest and within very close proximity to Warm Temperate Rainforest that is greater than 0.4 hectares in area. Warm Temperate Rainforest communities in East Gippsland are protected and rainforest areas greater than 0.4 hectares must be provided with a 40m protective buffer.

Logging occurred without the required rainforest protections.



VicForests coupe boundary demarcation tapes within required protective buffer for Warm Temperate Rainforest.

8. Date: 7/11/2016

Reported by: Goongerah Environment Centre

Location: Mt. Jersey (Map 1)

Coupe numbers: 891-512-0004

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.2; 2.2.2.1; 2.2.2.4; 3.2.2.2; and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 47.

Summary:

GECO surveyed the coupe on the same day that logging commenced. Cool Temperate Rainforest which attracts a 100m buffer had not been buffered appropriately. No pre-logging ecological survey was conducted by VicForests, despite evidence of protected species in the area.

Endangered Large Brown Tree Frog (previously thought to be extinct in Victoria) was identified by GECO in a body of water less than 550m from the boundary of coupe 891-512-0004 in September 2016.

Eight Yellow-bellied Gliders were recorded by GECO within a distance of approximately 600m, which requires a 100 hectare protection zone. Logging already commenced immediately adjacent to the Yellow-bellied Glider detections, within the area required for protection of this species. Logging also impacted on potential habitat for the endangered Large Brown Tree-frog.



The endangered Large Brown Tree Frog at Mt. Jersey



Partially logged coupe 891-512-0004, Mt. Jersey

9. Date: 8/08/2016

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Cottonwood Range Rd (Map 1)

Coupe numbers: 895-505-0011

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 43

Summary:

A large population of Greater Gliders were detected within coupe 895-505-0011, 895-505-0015, 895-511-0011 and 895-511-0012, triggering the requirement for a protection zone.

895-505-0011 was being logged at the time of the survey, operations were impacting on known Greater Glider habitat. VicForests had not conducted any pre logging threatened species survey. A report was submitted and logging stopped, known Greater Glider habitat required for a protection zone had already been logged.



Greater Glider, Cottonwood Range

Logging within the area required for Greater Glider protection zone in coupe 895-505-0011

10. Date: 23/06/2016

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Tucker Creek Cottonwood Range (Map 1)

Coupe numbers: 895-509-0004, 895-509-0006 and 895-509-0007

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 43

Summary:

Over 20 Greater Gliders were found across two unlogged coupes (895-509-0006 and 895-509-0007). One Greater Glider was found within logged coupe (895-509-0004). VicForests commissioned a spotlighting survey prior to logging and found no animals at all. Coupe 895-509-0006 was listed as "Harvest pending" and was about to be logged at the time of the survey. Coupe 895-509-0004 was burnt a few months later.



Logged coupe 895-509-0004 with unlogged Greater Glider habitat in coupe 895-509-0006 behind

11. Date: 6/06/2016

Reported by: Wildlife of the Central Highlands

Location: Monda rd – Toolangi (Map 2)

Coupe numbers: 300-545-0002

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 39

Summary:

Logging had commenced in coupe 300-545-000 when a Leadbeater's Possum was detected on the border of the coupe. Logging had occurred within the area required for protection.

12. Date: 27/4/16

Reported by: Goongerah Environment Center

Location: Flu tk Queensborough river (Map 1)

Coupe numbers: 892-517-0010

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 39

Summary:

VicForests commenced logging without completing an ecological survey in the coupe. GECO surveyors conducted a spotlighting survey and found 11 Greater Gliders, triggering the requirement for a protection zone. Logging had occurred within the area required for the Greater Glider protection zone.



Logged Greater Glider habitat at Flu Track

13. Date: 04/04/2016

Reported by: Goongerah Environment Center and Fauna and Flora Research Collective

Location: Serpentine Rainforest Site (Map 1)

Coupe numbers: 867-502-0007

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, 3.2.2.2; Management Standards for Timber Harvesting Operations in Victoria's State Forest s 4.4.8; 4.4.9;

Summary:

Protected Warm Temperate Rainforest was not given the legally required protective vegetative buffers. The coupe is located within a Rainforest Site of Significance (EG87 - Serpentine Creek)

6.35 hectares of a 19.80 hectare stand of rainforest stand fell within the logging coupe. The rainforest required a 40m buffer. Logging had commenced inside the rainforest area and within the rainforest buffer.



Logged Rainforest gully in Serpentine Rainforest Site of Significance

14. Date: 6/06/2016

Reported by: Wildlife of the Central Highlands and Fauna and Flora Research Collective

Location: Yea link rd – Toolangi (Map 2)

Coupe numbers: 297-530-0001

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 39

Summary:

A Leadbeater's Possum was observed in coupe 297-530-0001. Coupe boundary demarcation tapes had been placed on the border of the coupe, indicating imminent logging. Road construction activities had disturbed vegetation within close proximity to the Leadbeater's Possum detection location and within the area required for protection.



Rough Tree-ferns within coupe 297-530-0001

15. Date: 11/04/16

Reported by: Fauna and Flora Research Collective

Location: Royston River (Map 2)

Coupe numbers: 287-508-0012

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1, 2.2.2.4, 2.2.2.7, 3.2.2.2; Management Standards for Timber Harvesting Operations in Victoria's State Forest s 4.4.8; 4.4.9;

Summary:

Cool Temperate Rainforest greater than 0.4 hectares should have been protected through the implementation of a 40m protective buffer. Logging and logging road works occurred in the rainforest and rainforest buffer.



Roading and logging activity in Cool Temperate Rainforest in coupe 287-508-0012

16. Date: 11/04/16

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

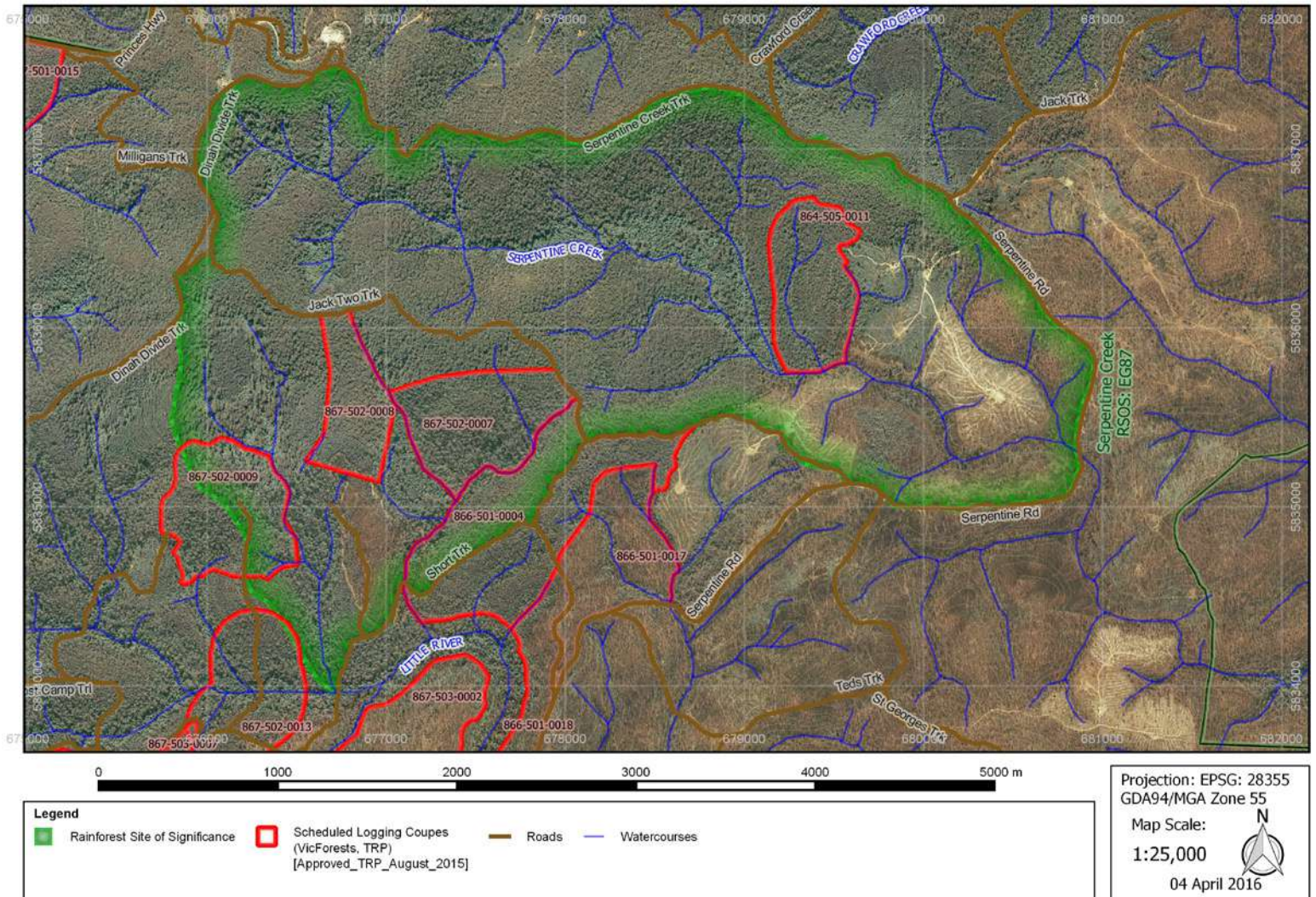
Location: Serpentine Creek (Map 1)

Coupe numbers: 864-505-0011

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, 3.2.2.2; Planning Standards for Timber Harvesting in Victoria's State Forests (2014) Section 4.6.4.1

Summary:

Rainforest identified within and adjacent to the coupe had not been provided the required 100m buffer and this buffer had not been included in a required Special Protection Zone. Logging operations had commenced in the coupe and were planned within the 100 m buffer. Coupe 864-505-0011 falls within the Serpentine Creek Rainforest Site of Significance.



Overview map of logging within Serpentine Rainforest Site of Significance

17. Date: 15/03/16

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Pugaree rd, East Gippsland (Map 1)

Coupe numbers: 832-502-0017

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, 2.2.2.7, 3.2.2.2; Management Standards and Procedures for Timber Harvesting in Victoria's State Forests s 4.4.7.2

Summary:

Warm Temperate Rainforest was logged and insufficiently buffered in several locations. Slender and Skirted Tree Ferns that require protection zones were identified in and adjacent to the coupe. Rainforest and the rare tree-ferns were not identified and protected prior to logging. Logging stopped shortly after the report was submitted.



Logging within rainforest area in coupe 832-502-0017

18. Date: 01/02/16

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Pikes Hill, Kuark Forest (Map 1)

Coupe numbers: 830-507-0020

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1 - 2.2.2.5, 3.2.2.2 and Management Standards and Procedures for Timber Harvesting in Victoria's State Forests s 4.4.4.9 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forest s 4.5.2 Table 5 Page 73 and Table 4. Page 47, 45

Summary:

Warm Temperate Rainforest documented at two locations within and adjacent to the coupe. Logging occurred within the rainforest buffer and coupe demarcation tapes indicated that one entire stand of rainforest was not identified by VicForests planners.

Numerous protected Blackfellows Hemp plants that requires a 250m Special Management Zone were identified within and bordering the coupe, including a number of individuals damaged by the logging operation. Logging took place within the protection zone required for these plants.

Two community surveys recorded high densities of Yellow-bellied Gliders that requires a 100 hectare protection zone. Logging occurred at and immediately adjacent to the detection locations after the first survey was reported and before DELWP completed its verification process and implemented the required protection zone. The protection zone was limited by the area already logged.

A new species of unnamed crayfish in the Orbost Spiny Crayfish group and critically endangered East Gippsland Galaxias fish were documented in streams bordering the coupe. Logging occurred within the protection zone required for these species on the southern stream bordering the coupe.



Warm Temperate Rainforest that VicForests failed to identify within the 'harvest' area of coupe 830-507-0020, this area would have been logged if the operation was not reported.

19. Date: 25/01/2016

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Coast Range (Map 1)

Coupe numbers: 894-509-0009 and 894-507-0002

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 43

Summary:

VicForests commenced logging without conducting a pre logging ecological survey for threatened species. GECO and FFRC surveyed and detected 15 Greater Gliders within coupes 894-509-009 and 894-507-0002. A report was submitted to DELWP and VicForests stopped logging, pending a verification survey by DELWP. The verification survey also detected 15 greater gliders.

Logging did not proceed however logging had already occurred within the area required for Greater Glider protection zone.



Logging machinery in coupe 894-509-009

Greater Glider within coupe 894-509-009

20. Date: 1/01/2016

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Pikes Saddle – Kuark Forest (Map 1)

Coupe numbers: 830-507-0023

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1 - 2.2.2.5, 3.2.2.2 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forest s 4.5.2 Table 5 Page 73 and Table 4. Page 47, 45

Summary:

A high density of Yellow-bellied Gliders was recorded within and adjacent to the coupe in numbers requiring a 100 hectare protection zone. Logging occurred in the area required for protection before DELWP completed its verification process and implemented a protection zone. The protection zone was limited in the area it could cover because of logging that had already occurred in quality habitat required for protection.

A new species of crayfish and Critically Endangered East Gippsland galaxias fish was documented in streams bordering the coupe. Logging occurred within the 100m protective buffer required on the northern border stream.

VicForests nailed their logging coupe sign to the protected plant Black Fellows Hemp.



Critically endangered East Gippsland Galaxias



Yellow-bellied Glider



VicForests logging sign nailed to rare Blackfellows Hemp Plant



Undescribed Spiny Crayfish species

21. Date: 4/01/2016

Reported by: Fauna and Flora Research Collective

Location: Bungywarr Rd (Map 1)

Coupe numbers: 885-511-0018

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, Table 4. Page 43

Summary:

5 Greater Gliders were found in the coupe at a rate equaling a "high density" triggering protection. DELWP did not act or take any regulatory action but VF agreed not to log approximately half the coupe.

22. Date: 1/12/2015

Reported by: Goongerah Environment Centre and Fauna and Flora Research Collective

Location: Jack Rd, East Gippsland (Map 1)

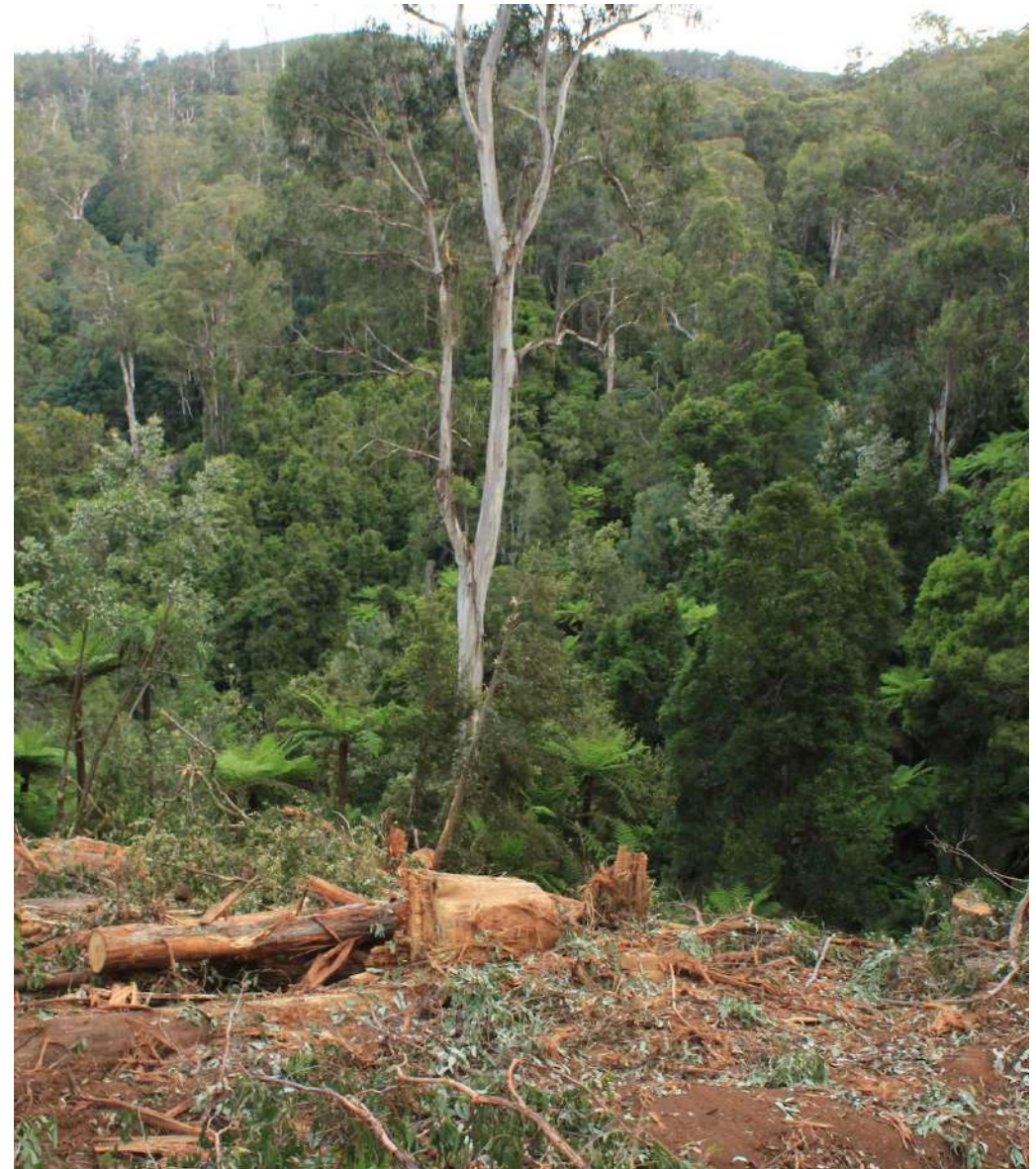
Coupe numbers: 842-518-0035

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, 2.2.2.7, 3.2.2.2 and Management Standards and Procedures for Timber Harvesting in Victoria's State Forests s 4.4.9 (d)

Summary:

A large stand of Warm Temperate/Cool Temperate overlap Rainforest is present within and adjacent to coupe 843-518-0035.

Logging had occurred within the rainforest and within the required 40m rainforest buffer. VicForests coupe boundary demarcation tapes extended into the stand of rainforest, many were tied to large rainforest canopy trees within closed canopy rainforest that would have been logged if the operation had not been reported.



Logged rainforest buffer at Jack Rd, East Gippsland

23. Date: 13/08/2015

Reported by: Fauna and Flora Research Collective

Location: Dinah Divide, East Gippsland (Map 1)

Coupe numbers: 867-502-0007

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forest, Table 5. Page 77

Summary:

Rare Prickly Tree-ferns (*Cyathea leichhartiana*) were detected, requiring a protection zone. Logging commenced with no protection zone in place. Logging stopped once the absence of a protection zone was reported by FFRC. Multiple rainforest breaches were also documented in the coupe, see item no. 13



Prickly Tree-fern (*Cyathea leichhartiana*)

24. Date: 14/04/15

Reported by: Goongerah Environment Centre

Location: Hensleigh Ck Rd, Errinundra plateau (Map 1)

Coupe numbers: 892-508-0006

Legislative Provisions: Code of Practice for Timber Production 2014 s 2.2.2.1; 2.2.2.4, 2.2.2.7, 3.2.2.2; and Management Standards and Procedures for Timber Harvesting in Victoria's State Forests s 4.4.9 (d)

Summary:

GECO documented the presence of protected Cool Temperate Rainforest that had been logged. Large rainforest canopy tree species had been bulldozed. No regulatory action was taken by DELWP despite writing in their investigation report that at least 22 rainforest canopy trees of no merchantable value had been destroyed.



Logged rainforest canopy trees

25. Date: 20/02/2017

Reported by: Wildlife of the Central Highlands and Fauna and Flora Research Collective

Location: Ada Tree drive (Map 2)

Coupe numbers: 348-506-0003

Legislative Provisions: Code of Practice for Timber Production 2014, s2.2.2.1 and 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests: The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 39

Summary:

Logging commenced and was well underway in coupe 348-506-0003 when community groups spotted a Leadbeater's Possum from the edge of the logging area. The logging was halted soon after the report was submitted and the machinery left the coupe. A large majority of the 200m protective buffer had been logged.



Logging in the Ada Tree drive coupe

26. Date: 30/07/2016

Reported by: Wildlife of the Central Highlands

Location: Fitzpatrick rd (Map 2)

Coupe numbers: 345-506-0004

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.2 and 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests, The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 39

Summary:

A Leadbeater's Possum was found along the south-western boundary. The logging had already breached the area required for a protection zone.

27. Date: 3/08/2016

Reported by: Wildlife of the Central Highlands

Location: Hyde creek (Map 2)

Coupe numbers: 345-505-0006

Legislative Provisions: Code of Practice for Timber Productions 2014, s2.2.2.2 and 2.2.2.4 and Appendix 5 to the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests, The Planning Standards for Timber Harvesting Operations in Victoria's State Forests, 2014 Table 4. Page 39

Summary:

A Leadbeater's Possum was recorded approximately 90m from the edge of the logging coupe. Logging had already occurred within the required protection zone.



Leadbeater's Possum

Recommendations:

We formally request that the Andrews Labor government urgently act to initiate serious and sweeping regulatory reform of the Victorian logging industry and protect threatened species habitat from logging.

We strongly urge the below recommendations be acted on as a matter of urgency.

1. Immediately prosecute VicForests in the courts for logging that has breached the Code of Practice, such as cases detailed in this report.

2. Establish an independent forestry regulator to enforce compliance with the Code of Practice and ensure that threatened species habitat is at a minimum given the legislative protection afforded to it. The Department of Environment, Land, Water and Planning has proved itself to be weak, ineffectual and lacking the will to appropriately enforce compliance, therefore a fully independent statutory body should be established to take over DELWP's regulatory role.

3. End logging's legal exemption from federal environment laws by not renewing the Regional Forest Agreements. Place the logging industry on an equal footing with all other industries and assess all logging operations under the federal Environment Protection Biodiversity and Conservation Act.

4. Establish new parks and reserves across eastern Victoria, including the Great Forest National Park and East Gippsland's Emerald Link to provide the required habitat needs for forest dependent threatened species to persist into the future.



Forest earmarked for logging in the Kuark Forest, East Gippsland, coupe 830-509-0004

Photo Credits:

Cover photo: Logging in the Serpentine Creek rainforest site of significance – Andrew Lincoln

Page 2: Pikes Saddle, Kuark forest – Martin Stringer

Page 3: Logging of Greater Glider habitat in the Cottonwood range, East Gippsland – Martin Stringer

Page 4: Burnt and logged old growth forest, Hensleigh Creek rd, Errinundra plateau (case 24) – Jill Redwood

Page 6: Banner in logging coupe in East Gippsland – Environmental Media Foundation

Page 9: Wet forest within logging coupe 833-512-0019 – Andrew Lincoln

Page 10: Logging at the site of protected plant species, Watershed Rd – Andrew Lincoln

Page 11: Logging within required protection zone for Leadbeater's possum – Chris Taylor

Page 12: Endangered Orbost Spiny Crayfish in Basin creek coupe – Owen Hanson

Page 13: Context map showing locations of VicForests coupes and protected fauna records – FFRC

Rocky outcrop habitat within coupe Tonghi creek coupe – Andrew Lincoln

Page 14: Endangered Orbost Spiny Crayfish – Andrew Lincoln

Logging within the required protection zone – Martin Stringer

Context Map indicating extent of logging within required protection zone – FFRC

Page 15: Protected Warm Temperate Rainforest subject to logging disturbance – Andrew Lincoln

Page 16: The Endangered Large Brown Tree Frog at Mt. Jersey – Rena Gaborov

Partially logged coupe 891-512-0004, Mt. Jersey – Martin Stringer

Page 17: Logging within area required for Greater Glider protection zone – Raphael Korman

Greater Glider, Cottonwood range – Ed Hill

Page 18: Logged coupe with unlogged Greater Glider habitat in coupe 895-509-

0006 behind – Martin Stringer

Page 19: Logged Greater Glider habitat at Flu Track – Ed Hill

Page 20: Logged Rainforest gully in Serpentine Rainforest site – Andrew Lincoln

Page 21: Rough Tree-ferns within coupe 297-530-0001 – Chris Taylor

Page 22: Roading and logging activity in Cool Temperate Rainforest in coupe 287-508-0012 – Andrew Lincoln

Page 23: Overview map of logging within Serpentine Rainforest Site of Significance – FFRC

Page 24: Logging within rainforest area in coupe 832-502-0017

Page 25: Warm temperate rainforest in coupe 830-507-0020 – Martin Stringer

Page 26: Logging machinery in coupe 894-509-009 – Ed Hill

Greater Glider within coupe 894-509-009 – Ed Hill

Page 27: Critically Endangered East Gippsland Galaxias – Andrew

Lincoln Yellow Bellied Glider – Ed Hill

Undescribed Spiny Crayfish species – Chad Beranek

VicForests logging sign nailed to rare Blackfellows Hemp Plant – Andrew Lincoln

Page 28: Logged rainforest buffer at Jack Rd, East Gippsland – Ed Hill

Page 29: Prickly Tree-fern (*Cyathea leichhartiana*) – Rob Blakers

Page 30: Logged rainforest canopy trees – Ed Hill

Page 31: Logging in the Ada Tree drive coupe – Andrew Lincoln

Page 32: Leadbeater's Possum – Ian Moodie

Page 33: Forest earmarked for logging in the Kuark Forest East Gippsland – Rob Blakers