Submission to the Senate Inquiry on Endangered Species

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1. Introduction

My husband and I are concerned and have been for many years, by the lack of political will to help save the environment from a Victorian State Government driven by the need to profit, at the expense of the environment. The issues of trying to save our environment and biodiversity have never been more important, with the increasing pressure from climate change, and yet as a nation we seem less and less engaged with the destruction of our native forests . Perhaps it is the increasing urbanisation of Australia, or increasing pressures on families just to make ends meet after the GFC or just our rampant consumerism at all costs . By the time the general population become aware of how quickly changes to the environment are occurring , it may well be too late to effect the necessary changes .

2. Becoming Involved

Although we love the forest and it is the reason why we moved to this beautiful area, we were not involved in any conservation groups. Then came that terrifying night of Black Saturday, with the black smoke

blowing directly from Kinglake, darkening the sky to night for several hours and the house and fields being subjected to a barrage of burning embers. We were absolutely terrified, as there was no phone, no electricity, and just a terrifying silence. We had no idea what was happening, except for the updates we had been following on the battery radio from the ABC. For most people after that horrifying night, the fires were out, but for the people from Toolangi and surrounding area the pressure was not over, the fires continued to burn on several fronts around the town for weeks. The police were preventing us from leaving as it was too dangerous as the roads had fallen trees, but we needed to run our fire pumps and we needed fuel. We needed supplies both for ourselves and our animals. We lost three of our baby alpacas from smoke inhalation. The strain of living over the next month was immense but greatly helped by the arrival of the army with fuel and food donations from the Melbourne Community. We gave thanks as a community that a small area of the Toolangi Forest had been saved, this would provide a refuge for all and any wild life that had managed to survive the fire. No sooner had we begun to settle down, than logging commenced in Coles Creek Coupe . The operation went 24 hours a day for 3 months. We got used to being woken in the middle of the night by huge trees falling, that shook the house to its foundations, we could hear the huge machinery day and night. It was an incredible affront that after all we had experienced, Vic Forests could be so heartless as to commence operations in an incredibly beautiful area of the forest that had remained intact. From that time on we became involved with the community who were trying to preserve the remaining forest. We got the local paper to take a photo of the terrible devastation that we view directly every single day. The first of many actions .

3. Sylvia Creek

Having finished the logging in Coles Creek, the next coupe that was due to be logged was Sylvia Creek, an area of mixed age forest, that was historically known to contain Leadbeaters Possum. It had some beautiful stands of older trees spread throughout with perfect habit for

Leadbeaters Possum. A perfect example of a young but maturing Mountain Ash Forest with Zone 1a habitat that is supposed to be excluded from logging. Work started on logging to provide a log landing, and the Sylvia Creek Road was closed about 500 metres from where the logging had commenced. The community had made VicForests well aware that this was a hugely contentious issue for the community, especially after the BAER report commissioned by the Labour Government recommended that there be a moratorium on logging in the unburnt area of the forest.The community rallied at the road closure day after day in cold wet conditions to voice our disapproval of what was happening. There was media attention but the logging continued. Tree sits were happening as the peaceful protests continued, which did for a time halt or slow the progress for logging. My Environment sought to halt logging pending a court case, and after 6 weeks of protests, work was finally halted but not before a bulldozer had deliberately gone into the unlogged area of forest and removed a lot of the undergrowth. Many months later the case came to the Supreme court and ran for 2 weeks. We were there every single day to hear testimony with other concerned people. Despite admissions from VicForest that they had not done a survey of the coupe, a mandatory requirement under the Code for Timber Production, despite expert witnesses, in particular Professor David Lindenmayer, who is the foremost expert on Leadbeaters Possum, our case was lost, on the technicality of law that the Action Statement actually over-rode the Leadbeaters Possum Recovery Plan. When we were there as the verdict was read, there was a deadly silence as we were unable to believe that we had lost the case. However, Justice Osborn observed that there was a very strong case to review what was happening in the forest in the light of the Black Saturday Bushfire. Still after nearly a year after the court case and nearly 4 years after the Bushfire of 2009 there has been NO review of the Special Protection Zones for Leadbeaters Possum, even though half of these reserves were lost after the 2009 fires. This court case has now gone to appeal to be heard next year after My Environment and the community had to raise $30,000 to cover the costs of VicForests in case we lost the appeal, and

many tens of thousands more to cover our own costs.

4. Leo's Foot Coupe

   Work commenced on Leo's Foot coupe in the winter of 2012. We strenuously tried to get this coupe removed as it is on the western flank of Mount St Leonard, about two thirds of the way up the hill and clearly visible from Toolangi and Kinglake. Now work has been completed, it is a horrendous scar on the hillside,and is an affront to the people of Toolangi each and every day we have to look at it. We had a minor concession that they would not log right up to the Bi-Centennial trail, an iconic trail that links Healesville all the way to Queensland. It seems inconceivable that they were even proposing to do this! A small area, about 3 hectares of more mature trees was supposed to have been retained in the coupe as on their plan, but this seems to have been severely reduced, it warrants more investigation as work has only just been completed on the coupe. One thing we did find that really appalled us, was that there had been a gully with large possibly pre 1900 trees, many with a diameter over 1.5 metres, which would have made superb habitat trees to be left to grow on as Leadbeaters Possum Habitat. Instead the few trees that were actually left were incredibly small and spindly, and without protection from surrounding trees, will inevitable die from wind damage or the regeneration burn. What the loggers have done is completely against the spirit of the law to protect older trees. Also we have pictures of huge logs that should have been protected under the Code of Practice as they are clearly pre 1900 trees. We tried so hard to save this coupe from logging by peaceful protests. My husband and I were both arrested on the coupe with 29 others. It gained some media attention, but because the protests were peaceful, it was no longer newsworthy! I was locked on to a piece of machinery, to try to halt the logging, with 3 other Grandmothers for 6 hours. It was a stand by us to preserve this beautiful environment for our grandchildren . A Group was formed by the loggers called Friends of Forestry, who said they were trying to stop the "Greenies" lies about what has happened in the forest. Since their arrival on the scene, there has been escalating violence being used against the protesters. Protesters were violently assaulted in their camp, logging truck drivers

have assaulted protesters,a protester was nearly run over with a car, all matters being dealt with by the Victorian Police. The State Government upped the ante by calling us " Ecoterrorists" . We have been outraged by this term, potentially libellous, but because no-one is named directly, there is no lawful redress. The most important thing we have carried through our protests is that they are non-violent, no machinery has been damaged, yet we are still labelled eco-terrorists, a terrible slur on what we are trying to achieve and our motivation to help save our planet for future generations.

5. Zipline Debacle

Not long after the Ballieu Government came into power, a group of Toolangi Residents had a meet-and-greet with the new Member for McEwan, Cindy McLeish. We wanted to express our misgivings with what was happening in the forest. There was a wide ranging discussion on things of environmental interest and she brought up the idea of the Zipline which was to have been situated in the Toolangi Forest. She was extremely enthusiastic about it. Parks Victoria had had a public meeting previously in Toolangi to gauge local opinion, and the idea was very favourably received. The idea was to make use of the of the Discovery Centre in Toolangi to welcome people and then take them into the forest. It was an educational opportunity for people to enjoy the forest and learn more about it. The only thing to be resolved was for the DSE to give approval, as the zipline would travel over a Special Protection Zone, but great care had been taken to make a small footprint in the area. At a subsequent meeting with Cindy McLeish her attitude was totally hostile, and she totally denied any of the concerns about what was happening in the forest that we put to her. I considered she was extremely rude to one of our group, Bernie Macy,who is extremely knowledgeable, virtually accusing him of "what would you know?". When we asked about the status of the zipline, she was evasive and said they were looking at other sites. Our only conclusion about this total change of direction, is that the Government does not want people to go into the Toolangi Forest as most of the coupes surrounding the Special Protection Zone are due to be

logged and people coming to enjoy the Zipline would really see the level of destruction in the forest.

6. VicForest out of Control

During our dealings with employees in the office, on a personal level, they have always been polite and conciliatory to our complaints , but although they appear to listen nothing ever changes. The trucks still climb the hills from Healesville to Toolangi dail , much of the time during the night when they are not supposed to be working. The roads they use are narrow and winding and even when the truck wheels are right at the edge of the road,the other wheels on the other side are on or over the white line . In fact this week a truck was driving at great speed on Sylvia Creek Road, and it was obvious it would be unable to pull up in time before it turned right into the Kinglake/Healesville road. I was forced to take evasive action as the truck slid sideways on the gravel and fortunately I managed to avoid a nasty smash. It makes driving a nightmare on these roads. On the Chum Creek Road, the surface of the road was disintegrating due to the high number of laden trucks using the road. There have been works to rectify this, but not before it was real hazard to anyone driving this route. Although these are personal complaints about the disruptions to our daily life, our main problems with VicForest is in regard to their management of the Forests, or lack of management. They have rejected, no ignored, all our efforts to save some of the coupes being harvested as we are convinced they contain areas of Zone 1a habitat that should automatically be saved for Leadbeaters habitat. Yellowdindi Coupe was extensively surveyed, and was a mixed age forest with large trees that would have been ideal to conserve as Zone 1a habitat. Even though a survey was handed to VicForest, they immediately began logging, taking as many of the large trees as they could first, so basically there would be nothing left to fight for. Even though many of these large trees would have been pre 1900 and should have been protected, they were logged anyway. The reason why the loggers completely ignore all the rules in the Code for Timber Production, is because they can. They can ignore the rules with impunity, because they know there will be no fines, no comeback. The DSE is totally

failing in its role of being the watchdog, as it is basically not interested. When handed a huge file of breaches in the Central Highland Coupes by My Environment, it was sent back without any action being taken, which backs up the report by the Victorian Ombudsman that they were not acting on complaints and usually not even recording those complaints. With zero oversight there is no need to follow the rules. Leo's Foot Coupe is a perfect example of total disregard to the visual impact of the logging. We now have a huge hole in the flank of Mount St Leonard, visible from Kew, that should, under the rules, never be allowed to happen. The Code for Timber Production stresses that the biodiversity of the forest must be retained, but with clear-felling all the undergrowth is totally removed, removing all the varied elements of the forest, and all seeds are removed by the sterilization of the soil in the regeneration burn. The only seed being re-sown is the Mountain Ash. This has then become a de facto plantation, which is totally against the Code of Timber Production. So our diverse Native Forests with huge biodiversity values, are being deliberately reduced to a plantation which is totally unsuitable for the wide range of flora and fauna to be found in the Toolangi Forest. As previously mentioned the loggers have been removing pre 1900 trees which should be exempt from logging under the Code of Practice. We have seen examples of logging up to streams, logs falling across streams, removing buffer zones from tourist roads, all significant breaches of how they should be managing the forests. The most damning of all is their reaction to the loss of 50% of the Toolangi Forest in the Black Saturday Bushfires. Although they have extensively salvage logged the burnt forest, there has been no reduction in the number of coupes to be logged in the unburnt area. The forest was already being seriously over-logged before the fires, for it to be able to retain its biodiversity values, but now since the fires the logging has even increased. These trees take 120 to 150 years to reach maturity, but at the rate they are being logged, the rotation is down to a little over 40 years. Furthermore , in VicForests "wish list " , Timber Action Industry Plan, they will become solely responsible for how much timber can be "sustainably" taken from the forest (Action 2.1).They will continue to support the use of native forest waste for energy production (Action 7.3). They will prioritise research to

explore the potential of wood for biofuel production (Action 7.4) .These initiatives will mean inevitably mean an increase on the amount being logged in the future . These forests are being “managed” to death by Vic Forest!!! Unless clear-fell logging is immediately halted, and any logging severely cut back, we will undoubtedly see the demise of the Leadbeaters Possum in 10 to 20 years or less .

7. Democracy

I have been appalled at the way our group, whose only aim is to save our forest for future generations, has been treated. We are peaceful people, whose only wish is to make Victoria a better place for all of us. Our first mission was to speak to our member of Parliament. Our views on wanting to halt the logging in the forest are all backed by science. As mentioned previously our first meeting with Cindy McLeish was cordial, our subsequent meeting was hostile on her part. We have sent her many e-mails about our concerns.I wrote “with up to two thirds of the forest burnt in the Black Saturday, how can the continued logging not lead to a loss of habitat for the Leadbeaters Possum? “In her reply she says “Your comment as to the loss of habitat for the Leadbeaters Possum and other wildlife in the Toolangi area is not correct. All coupes are inspected prior to harvesting for the presence of Leadbeaters Possum.” This was NOT done for Sylvia Creek Coupe and Vic Forests has since admitted there are areas of Zone 1a habitat in the coupe. She goes on “there is an extensive reserve system within the Central Highlands region designed to protect Leadbeaters Possum Habitat.“How she can say this when half the Special protection Zones were wiped out in the Black Saturday Fires is beyond me and NO effort has been made to replace those lost reserves in the 3 and a half years since!! If the State Government is unable to take our letters seriously and address the issues concerned, then Democracy is not working .The logging industry has the ear of Government, and has recently had the ”wish list“ granted in Timber Industry Action Plan. This is a slap in the face to all conservationists as it further weakens the already lax controls on logging in Native Forests, and gives far more power to VicForests to do whatever it pleases in the forests with even less oversight. They are even proposing to move into logging in the park

reserves. This Ballieu Government is flying in the face of all the science, that shows how important the forests are for our survival in a changing, warming world. They are selling the woodchips for next to nothing and losing money each year, this money should be used for Education and Health for the benefit of all Victorians. These forests help moderate our climate, retain and attract rainfall. Forests older than 40 years are far less fire prone, so the fact that VicForests has logged so much in the last 3 to 4 years has left the whole area far more vulnerable to fire, than before the Black Saturday Fires . Finally , with a Carbon Price in Australia , these forests which store so much Carbon are so much more valuable standing. There would be a huge windfall to the Victorian Economy if these Forests are used as Carbon Credits. $23 a tonne of Carbon stored compared to the meagre $2-5 a tonne achieved for wood chips. Why is the Ballieu Government not exploring this outcome which would be such a huge Bonanza for Victorians. Furthermore the jobs created by this industry would at least balance or outweigh the numbers lost through logging being phased out. Our Governments need to be forward thinking, legislating for the best outcomes for this and future generations. The fact that this thinking would also be a win win for our native fauna and Flora is an added bonus.

8. Media

I have not been impressed by much of the media in what has been happening here. Where we have had media present, in most cases the sole interest seems to have been that there would be a clash between loggers and protesters. We are peaceful protesters, and so in most cases there is little or no coverage on the issues. The best coverage on environmental issues have been ABC TV and The Age which have at least tried to cover what is happening to our native fauna and flora. The Herald Sun on the other hand delights in printing articles that question the fact that Global Warming is an urgent issue, which is why the issue unfortunately registers at such a low level with most Australians. Even the World Bank is posting warnings. We need to sit up and take notice and act now to put systems in place to help control this runaway phenomenon as far as it is within our power.

9. What Needs To Happen Now

Firstly there needs to be a moratorium on all logging in the Central Highlands. Before any logging can re-commence, we need to have a survey of how much fauna is in the forest and where. Then a survey of the remaining habitat needs to be undertaken to find areas suitable to put into Special Protection Zones in the future, to replace those lost in the 2009 bushfires. We need to think about wildlife corridors so that the fauna do not find themselves totally isolated which will lead to a less diverse gene pool. We need to increase the biodiversity within the re-seeded coupes to try to repair some of the damage, I am sure many volunteer groups would be willing to help.

Then if logging is to be allowed to re-commence in the forest, it would have to be selective harvesting which will leave the biodiversity within the forest. Clear-felling has to be totally stopped, it is so destructive to the habitat.A truly sustainable limit needs to be set, that balances our need for wood with our need to protect our unique wild-life. I think there needs to be checks and balances on VicForests, because it is a State Government entity, it has far less checks on it than if it were a private company. It would need to justify its actions to a panel of people who are environmental scientists, and I am sure most of the breaches that constantly happen now , would be eliminated if they were held accountable.

DSE needs to lift its game. Their actions have been appalling, and instead of helping us in our fight to save the Leadbeaters Possum, they have ignored our requests and instead endorsed everything that VicForest has done. To add insult to injury, they are the people who have arrested us when we have been peacefully protesting, and doing their job to protect the fauna. They need to become more independent from Government meddling and do their job without fear or favour.

10. Conclusion

Without intervention from the Federal Government, the fight to save Leadbeaters Possum will undoubtedly be lost. In the Toolangi area we have

two outstanding individuals who know the Central Highlands Forests and who have led the fight to save them, in Steve Meacher and Bernie Mace. Their knowledge would be invaluable to the committee in its efforts to save our disappearing native animals.

Even though the Leadbeaters Possum has a Recovery Plan, it is useless unless there is a mechanism to make somebody accountable when the plan is not working. When the foremost expert on the Possum has to resign, to try to get people's attention it is a sad state of affairs. Even worse is when the State Government turns its back on its responsibilities and deliberately ignores all expert advice, and does the opposite of what is required. After almost 4 years of the one of the most damaging events of fire in 2009, the Recovery Plan has not been reviewed even though there have been so many calls for this to happen. Time is running out, unless action is taken immediately more valuable forest coupes will be lost, and the situation will be, too little too late and the Leadbeaters Possum will again be lost, this time permanently.

Ray & Marion Lewis