



## Extending the Tasmanian Regional Forest Agreement

The Australian and Tasmanian governments have committed to establish a 20 year rolling extension to the Tasmanian Regional Forest Agreement (RFA). To inform this process, we are seeking your feedback.

Stakeholders have had an initial opportunity to provide feedback (from 17 April to 12 June 2015) about extending the Tasmanian RFA, as part of the third five-yearly review of the RFA. This initial feedback, and the Independent Reviewer's report to the third five-yearly review of the Tasmanian RFA, has informed the focus of this additional consultation.

The governments will consider any practical improvements to the Tasmanian RFA, to ensure it remains effective and credible in the long term. While the governments are not negotiating a new RFA, or changing the Agreement's fundamental objectives, they have identified the following improvements to the RFA framework:

- **Streamlined and strengthened review and reporting arrangements** – presently the five yearly reviews examine the implementation of the RFA clause-by-clause. The improved review and reporting arrangements will be outcomes focused.
- **Improved and contemporary dispute resolution mechanisms** – these will give the governments more options for resolving issues about the implementation of the RFA.
- **Improved communication and consultation** – the governments will hold annual officials level bilateral meetings, in the interim years between five-yearly reviews, to discuss issues relating to the ongoing implementation of the RFA.
- **Modernisation of the RFA** – where practicable, the governments will update references to superseded legislation and policy.

The Tasmanian RFA is the governments' policy framework for delivering sustainable forest management in Tasmania. In extending the Tasmanian RFA, the governments will maintain the Agreement's key objectives:

- certainty of resource access and supply to Tasmania's forestry industry
- ecologically sustainable forest management and use of Tasmania's productive forests, and
- a Comprehensive Adequate and Representative reserve system.

## Have your say

Please complete the questionnaire and:

- Hand in while visiting a drop-in centre

**Monday 5 December 2016, 4.00–7.30pm** at Peach & Plum Rooms – Huon LINC, 1 Skinner Drive, Huonville

**Wednesday 7 December 2016, 4.00–7.30pm** at Wellers Inn, 36 Queen Street, Burnie

**Thursday 8 December 2016, 4.00–7.30pm** at The LINC, 51 King Street, Scottsdale

- Or, email your completed response to: [reviewrfa@stategrowth.tas.gov.au](mailto:reviewrfa@stategrowth.tas.gov.au).

Consultation closes **12.30pm AEDT, Friday, 23 December 2016**. Questionnaires received after this time may not be accepted.

2791\_1116

## Your details

Given name (Mrs,) Rosemary

Family name FARRELL

Organisation not representing any organisation, though I am a Landcare member

## Please select one of the following

I confirm that my completed questionnaire does not contain sensitive information and can be published in full on the Department of State Growth website.

My completed questionnaire should **NOT** be published on the Department of State Growth website.

## Privacy Notice

You are providing personal information to the Tasmanian Department of State Growth (the Department), which will manage that information in accordance with the *Personal Information Protection Act 2004*. The personal information collected here will be used by the Department for the purpose of receiving and verifying contact details for stakeholders who have chosen to submit a completed questionnaire on the extension to the Tasmanian Regional Forest Agreement. Failure to provide this information may result in the non-acceptance of your questionnaire or records not being properly maintained. The Department may also use the information for related purposes, or disclose it to third parties, including the Australian Government Department of Agriculture and Water Resources, in circumstances allowed for by law. You have the right to access your personal information by request to the Department and you may be charged a fee for this service.

Copyright in completed questionnaires resides with the author(s), not with the Department.

In providing a completed questionnaire, you agree that:

- unless you indicate otherwise below (or as otherwise determined by the Department), your questionnaire will be published on the Department's website and will remain on the Department's website indefinitely
- the Department can contact you about your questionnaire
- for published questionnaires from individuals, your name will be published with your questionnaire. All other contact details will be removed from your questionnaire
- for published questionnaires from organisations, your name and your organisation's details will be published with your questionnaire.

## Please select your interest/s with extending the RFA

Forest management system

Resource certainty

Research and development

Threatened species

Comprehensive Adequate and Representative reserve system

Heritage values

Socio-economic data

Value of industry

Employment figures

## Other interests (please list)

The whole questionnaire, having been deliberately designed as a “predetermined directional” type of questionnaire, is completely unacceptable. The trick is that ANY box ticked, or “interest/s” listed would be interpreted as agreeing with the underlying concept of extending the TAS RFA . I wish to clearly state that I have NO interest either in, towards or “*with extending the RFA*”.

## Your feedback

**Please list any publicly available non-government documents, reports or data that the Australian and Tasmanian governments could consider in extending the Tasmanian RFA, and that have not already been provided to the governments through the third five-yearly RFA review, or by other means?**

**Where applicable, please list the publication title, date, author and url.**

Nearly every document, report and data item (government or non-government) which I have would indicate only the termination, NOT the extension, of the Tasmanian Regional Forest Agreement 1997. These include some more recent FT documents and letters, which I have quoted here, including many from politicians.

Julia

Gillard's book “*My Story*” contains a fascinating section OUR LAND pages 404 to 411 about her perceptions of the Tasmanian Forest Industry at the time she was Prime Minister and enabled the long and careful process of developing and signing the Tasmanian Forest Agreement in 2013. Quentin Bereford's book “*The Rise and Fall of Gunns Ltd*” concluded with the hope that the Tasmanian Forest Agreement would turn the prospects of FT and the Tasmanian Government around – even though not every part of that 2013 TFA was helpful, the long negotiating process involved in drawing it up made real progress towards a better future. The incoming Hodgman has effectively destroyed this future for the forest industry in Tasmania, as detailed in Rob de Fegely's letter to FT's two Shareholder Ministers Gutwein and Barnett.

**What improvements could be made to the five-yearly RFA review process to make it more outcomes focused?**

Having my own copy of the 133 page TAS RFA book, I can quote from the "Recital" page 1 and 2 :- *"The State and Commonwealth have agreed to establish a framework.....which seeks to implement **effective conservation, forest management, forest industry practices** and IN PARTICULAR :-..... **certainty of environment and heritage values..... ecologically sustainable** management and use of forests.....future growth and **development** of Tasmanian Industries associated with forests and timber products.. .....development of forest based **tourism** and recreational opportunities based on Tasmania's environmental advantages.....**certainty of resource access to the forest industry**..... development of forest based **research.....significant employment** opportunities and investment throughout Tasmania.....having regard to studies and projects of the following matters.... :-*

- (a) **environmental values, including old growth, wilderness, endangered species, national estate values and world heritage values***
- (b) indigenous heritage values*
- (c) economic values of forested areas and forest industries*
- (d) social values (including community needs)*
- (e) principles of ecologically sustainable management" .....*

AS THESE were the **expected "outcomes" of the TAS RFA** up to 2017, THEN the five-yearly review process of the TAS RFA, over its first 20 years of operation, appears to have already achieved a significantly poor *"outcomes focused"* result than was required by the Agreement.

The letter written by FT Chairman, Rob de Fegely (dated 29.9.16) to the two FT Shareholder Ministers, *" ... a **structural deficiency in FT's existing commercial model**".....results from..... "the long term nature of of the sales contracts....meeting legislated wood supply obligations, long term contractual obligations ....and demonstration of sustainable wood supply for certification purposes.".... **representing "...clearly not a long term financially sustainable position for FT. ....at current prices"..... therefore requiring "...uncommercial investment in plantations to supplement the native resource...."** cannot be interpreted in any other way.*

Therefore, to achieve a *"...more outcomes-focused..."* process, the Australian Government should (as soon as possible) **terminate** the TAS RFA and certainly NOT establish a *"20 year rolling extension to the TAS RFA" to 2037.*

**What research and development priorities are important to Tasmanian forestry industry stakeholders?**

In his Review of the Implementation of the TAS RFA November 2015 Report Executive Summary, Dr Kile AM FTSE wrote on page 7 :- *"During the review period the industry underwent a significant downturn and structural adjustment that approximately halved the size of the native forest industry and led to the cessation of most new plantation establishment.....The RFA Heritage Clauses were not utilised in the review period.....Management planning for reserves remains incomplete..... the balance of State and Commonwealth responsibilities had changed prior to the review period.....The commitment to provide a review of the sustainable sawlog yield to coincide with this review could not be met due to policy uncertainty....(could this mean uncertainty regarding confirmation of further taxpayer subsidy perhaps ??)...."*

.....and in the INDUSTRY DEVELOPMENT (Section 3,4)..... The RFA TCFA commitments to industry development, infrastructure and marketing were...difficult to assess.... initiatives in totality were not enough to retain sections of the industry in the face of shifting markets, the GFC, commercial business decisions, competitive issues and environmental campaigns.....the overall benefits of the programs were diminished with the loss from the industry of a number of grant recipient businesses and major job losses across the industry....”

**What then is to be gained from undertaking ANY research and development important to Tasmanian forestry industry stakeholders, if TAS RFA Reviews are based on data and conditions which are 5 years old, and consultations which are 9 years old, if the results are intended to meet needs and produce responsible “outcomes” across a 20 year time-span ?**

We are living in a time when there is immense uncertainty politically, market-wise, economically and more importantly, as regards climate. The Australian government and industry can no longer ignore this, even if our State government wants to. A single inter-government Agreement which is designed to meet conditions in the 21<sup>st</sup> century across a 40 year span is unachievable and undesirable, even if it **were** achievable – research and development priorities must be responsive to change from day to day, which makes the concept of Five-yearly Reviews simply irrelevant too.

**What socio-economic data and analysis is important to Tasmanian forest industry stakeholders?**

Forest industry stakeholders are many and varied and spread right across Tasmania. They are **farmers** concerned with water quality, how their land may be affected by herbicide and pesticide spraying, shading and ash from “regeneration and fuel reduction burns” by FT and workers contracted by them; **tourism** businesses affected by burn regimes, potential pollution, poor water quality, a reduction in fauna and flora (though unintended), noise from machinery, damage to roads, landscape changes. I'll leave it at those two categories. This can only be exacerbated by a suggested “.....legislative amendment ...(to)...allow **private wood** to be sourced and utilised to meet the 137,000 cubic metre.” ..of .high quality sawlog (HQSL) quota to industry or to fill other FT contracts. The SCS Global Services Certification Evaluation Report Version 6 April 2013 advises (for CAR 2014.17) that “Consultation must...seek expert and stakeholder input on.....applying FT's High Conservation Values approach. Results of this consultation and resulting changes to FT's HCVF approach must be documented.” **I have listed only some issues** in which “... socio-economic data and analysis is important to Tasmanian forest industry stakeholders” but wish to make it clear that there are so **many** issues arising from 20 years of the TAS RFA (1997-2017) that my mentioning them here is to **only confirm my conviction** that any “...practical improvements to the TAS RFA to ensure it remains effective and credible in the long term” can, **only be achieved by the termination** of the TAS RFA and the design of new and more credible legislation and process. For example Dr. Kile noted that :- “Collection and reporting of socio-economic data was undertaken during the review period through the CRC for Forestry, but **that mechanism is no longer available with the closure of the CRC for Forestry**”.

There are, of course, forestry and forest industry workers, who see their jobs dwindling in cases where FT by their own admission - and I quote here from the FT Chairman's 29.9.16 letter to the government - has “ ... **a structural deficiency in FT's existing**

**commercial model”**.... representing “...**clearly not a long term financially sustainable position for FT.** ....at current prices”..... requiring “...**uncommercial investment in plantations to supplement the native resource.**” FT admits these are “... compounded by the **significant reductions** in available forest resources which have **occurred in recent years... (as).....some of the resource is more costly to obtain”** ....and....” .....constraints ... ..associated with **certification** are likely to **further reduce available forest....**”...even though .... “achieving FSC certification is consistent with improving returns.....and growth”. Further..... “ongoing restraint relates to the **significant obligations with respect to defined benefits superannuation** payments for past employees”, reduced from “circa 400 FTEs in 2010 to ... 180 FTEs” (in 2016). All of this leaves no doubt in my mind that the Australian Government should terminate the, now completed, TAS RFA.

**How could the governments improve outcomes-focused monitoring and reporting on threatened species and biodiversity, as part of extending the Tasmanian RFA?**

Of the multiple failures of the TAS RFA from 1997-2017 the most grievous is the State Government's determination to retain TAS RFA the exemption from the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999. The framework which was agreed to by the Australian and Tasmanian Governments included “**to implement effective conservation....and in particular...ecologically sustainable management and use of forests....having regard to studies and projects of...environmental values, including old growth, wilderness, endangered species**”. Despite this FT **still** cannot be granted Forest Stewardship Certification because it **does not meet Principle #6 standards** 6.1.1; 6.2.3; 6.2.4; 6.2.5; 6.3.2; 6.3.3; or Principle #8 standards 8.2.3; or 8.2.5. Despite constant community appeals to the Forest Practices Authority the 3.4.13 Evaluation Report of SCS Global Services notes, re the above standards : “FT must modify and enhance coupe-level environmental planning, assessment and monitoring procedures so that...conservation values are being consistently identified and appropriately protected”.CAR 2014.8. “FT must reassess, modify... and then evaluate the effectiveness of conservation zones and/or other protection measures employed for maximising...protection measures to broader biodiversity objectives” NB the orange-bellied parrot is now reduced, in the wild, to 3 breeding females this 2016 season ! CAR 2014.11 “FT must take actions to reduce the rate and extent to which it is harvesting old growth and mature forest structural components, including hollow trees. **In harvest coupes located in or containing mapped old growth, FT must develop and utilize alternatives to its current practice of clear fell, burn and sow.**” CAR 2014.12. The Wilderness Society and EDO Tasmania Report *State Forests, national interests: A review of the Tasmanian RFA* May 2015 Executive Summary continues with this theme : “As shown in Table 1.....generally speaking, **Tasmania's laws do not achieve equivalent standards to those under the EPBC. In particular current 'duty of care' provisions effectively prevent forestry officers from refusing to certify forest practices plans...on the basis of concerns regarding the impacts on threatened species and ecological communities.**” (page 4)

As recently as 3.12.16 an analysis of FT's three year wood production plan by the Wilderness Society states :- “This report uses the industry's own data, planning tools and recommendations, as well as the most up-to-date research, to identify important values....We have seen cases in the recent past where expert advice to protect threatened species habitat has been **overridden by government** and logging has proceeded despite scientific recommendations to the contrary.” I have had direct experience of this at the Lapoinya coupe FD53A in my electorate of Braddon. The damage done by ignoring this expert

advice was then exacerbated by unseasonally heavy rainfall in June 2016 and gale force winds which have damaged the neighbouring Flowerdale Reserve now, due to its recent FT exposure to such damage.

**Termination of the TAS RFA will lead directly to the re-application of the EPBC Act 1999** so that all Tasmania forests and habitats will at last be covered. This is the **ONLY** chance to protect what is left, to enable FT to apply for FSC certification.

**What other improvements could be made to the RFA framework?**

In the *“Review of the Implementation of the Tasmanian Regional Forest Agreement for the Period 2007-2012 November 2015”*, Dr Glen Kile AM FTSE (Independent Reviewer) states in his Executive Summary that his Review is *“produced by the Parties, the State of the Forests Tasmania Report (SOFR 2012) prepared by the Forest Practices Authority and public comments received on these two documents”....(and).... “assesses the performance of the Parties in implementing the TAS RFA for the period 2007-2012....with a focus on the outcomes of the RFA over the first 15 years .....mainly on the Parties response to the 2007 Review. ...as part of the third five-yearly review of the RFA.”*

I had previously put in submissions to the initial 1997 TAS RFA Plan (my ID.5468); submission (ID.76) to the *“2002 RPDC Inquiry on the Progress with Implementation of the TAS RFA”*, which followed the passing of the RFA Bill in 2001 (and attended a hearing in Ulverstone which involved ANU Forestry); made a further submission in 2008, invited to do so in a letter dated 10.12.07 (file ref 59425/3). **THIS was the Review period which Dr. Glen Kile refers to above in his November 2015 Report, the period which ended in 2012.** Since then, another 3 years has elapsed - 2012 to 2015.

This questionnaire which I am preparing before the “completed response” submissions consultation closes on **December 23.12.16**, therefore actually represents a **4** year delay.

The submissions to Reviews which I and others have made, since 1997 seem to produce next to no change in RFA and FPA practices or attitudes, and only enable politicians to, in effect hide behind the terms of the Agreement.

Of even greater concern, is that this delayed Review process has now clearly **morphed into an assumption of and unwarranted commitment to** a 20 year rolling extension of the TAS RFA

SO I ASK :-

**What is to be gained from outcomes** based only on the first 15 years of a 20 year Agreement - yet intended to produce responsible **“outcomes”** throughout the coming 20 years - based on this inadequate process held in December 2016 ? Even the venues used for the consultation “drop-in centres” were too few and too remotely located. Hobart and Launceston voters were disadvantaged, and considering that 4 Commonwealth officers flew to Tasmania to consult, that was very poor not to offer another two consultations in the two cities.

The only improvement to the TAS RFA Review process which can be made now, is to terminate this contentious RFA in favour of a more open process in which state and federal politicians are once again held responsible.

**The last 20 years of the RFA has allowed a situation in Tasmania where :-**

for the majority of the time there has been both a monopoly supplier and buyer  
the collapse of both has been one consequence  
the once lucrative honey industry has seen precious leatherwood resource liquidated  
speciality timbers have been exported as low value, high volume  
fire resistant temperate mixed forest has been replaced by fire prone plantations  
many farming communities have been, and continue to be, destroyed  
there has been loss of productive farm land  
there has been waste and squandering of valuable timber, soil and water resources  
over 80% of most harvested coupes is still considered "waste"  
big trees have been over-cut at unsustainable rates  
across most rural sectors jobs, including forestry, have been lost  
the market for timber has been distorted by Managed (tax) Investment Schemes  
social conflict has continued over extractive / non-extractive native forest  
the definition of "old growth forest" has been debased  
unsustainable forestry and saw-milling practices have been locked in  
timber products are being exported in unprocessed forms  
although logging rates have increased, forest related employment has decreased  
forestry, as a percentage of GDP, has fallen dramatically  
forestry has been exempt from environmental approvals, otherwise required (EPBC)  
there has been a massive impact on biodiversity  
deforestation in Tasmania has resulted in approximately 15% greenhouse gas release  
carbon is more quickly converted into greenhouse gases by hot regeneration burning  
government control on exporting native forest products have been removed  
old ways of doing things have been entrenched in the forest industry  
continual tax-payer subsidy has been required for FT activities  
FT cannot gain Forest Stewardship Council certification - thus markets, social licence  
vital opportunities for carbon sequestration in standing old growth forests were lost  
democracy has been threatened and politics poisoned by some unions and businesses  
and  
no mechanism is provided in the RFA for natural disasters or climate change,

**NB**

In southern Australia (the states TAS, VIC, SA, southern WA) experienced a very unusual cold extended SPRING and those states are all expected to experience a cool SUMMER

In SPRING 2016	ADELAIDE was the coolest for 24 years and the wettest for 15 years
	MELBOURNE the coolest for 21 years and the wettest for 5 years
	CANBERRA the coolest for 13 years and the wettest for 16 years
	PERTH the coolest for 11 years .....
	HOBART ..... the wettest for 7 years

In eastern inland Australia (the states QLD, NSW, NT) are set to experience **extreme heat waves** this SUMMER (every year in recent times has been above average in those states). QLD, NSW and NT experienced their 7<sup>th</sup> or 8<sup>th</sup> warmest SPRING on record.

	BRISBANE was the driest for 13 years
	SYDNEY the driest for 4 years

(notes from ABC/rn DRIVE 1.12.16 -guest Ben Domensino - Meteorologist from Weather Zone)

The Tasmanian forest industry, even the entity Forestry Tasmania, **can and must** transition to being **environmentally, commercially, and politically accountable** on the immediate winding up of the Tasmanian Regional Forest Agreement, as a result of this current Review.

Another 20 years of the TAS RFA is **TOTALLY UNACCEPTABLE**.

The commonwealth government should **at last** regain the responsibilities and rights that it signed away on the passing of the **RFA Bill 2001**. This commonwealth legislation **must be repealed**, now that the past 20 years is **finally** behind us. Mrs. Rosemary Farrell

7.12.16

*RD Farrell*