

Summary of stakeholder submissions received in December 2016 in relation to the extension to the Tasmanian Regional Forest Agreement 2017

July 2017

Introduction

The Tasmanian Regional Forest Agreement (RFA) is the Australian and Tasmanian governments' policy framework for delivering sustainable forest management in Tasmania. It is a 20 year agreement, established in 1997, and the governments have committed to establish a rolling twenty year extension to the RFA.

Both governments understand the importance of stakeholder input to policy development and in particular in relation to the future management of Tasmania's forests. Stakeholders had an initial opportunity to provide feedback in regard to extending the RFA as part of the third five-yearly review of the RFA in 2015. This initial feedback, and recommendations in the *Independent Reviewer's Report to the Australian and Tasmanian Governments on the third five-yearly review of the Tasmanian Regional Forest Agreement*, informed the joint government response to the review and subsequent RFA extension negotiations. Given the span of time between providing that initial feedback and government's preparing to make decisions on the extension of the RFA, governments took the opportunity to conduct an additional round of consultation in November/December 2016.

The purpose of this report is to summarise the submissions and feedback received during the additional consultation.

Scope

As part of the additional consultation, it was communicated to stakeholders that the governments are not negotiating a new RFA, or changing the Agreement's core objectives. The Agreement's core objectives are maintaining:

- 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.

It was also communicated to stakeholders that both governments are committed to considering any practical improvements, to ensure the RFA remains effective and credible in the long term. Potential areas for improvements identified by the governments were:

- *Streamlined and strengthened review and reporting arrangements* – presently the five yearly reviews examine the implementation of the RFA in a clause-by-clause audit. The improved review and reporting arrangements will be more focussed on forestry management outcomes;
- *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; and,
- *Modernisation of the RFA* – where practicable, the governments will update references to superseded legislation and policy.

The consultation material also indicated that both governments will consider any measure raised by stakeholders aimed at improving the RFA.

Consultation

The public consultation period (i.e. when members of the public could provide a written submission) was from 22 November to 23 December 2016. At least two weeks prior to this, an advertisement advising of the upcoming public consultation, was placed in each of Tasmania's three major

newspapers (The Mercury, The Examiner and The Advocate), as well as the Koori Mail, a National indigenous newspaper. In addition, 72 letters advising of the public consultation and the opportunity to meet with officials and provide a submission were sent to stakeholders (this included persons/organisations who provided a submission to the third five yearly review, all local Councils, key indigenous organisations (as identified by the Aboriginal Heritage Council), and other parties (including regional NRM organisations, and the Tourism Industry Council of Tasmania).

A joint Media Release was issued by both governments on 26 November 2016 advising of the consultation, and providing details of the drop-in centres.

The Department of State Growth website provided information about the RFA extension process and stakeholders could also make an on-line submission.

Three drop-in centres were held at regional locations around Tasmania (Huonville, Burnie and Scottsdale), between 5 and 8 December 2016. These were an opportunity for interested persons/organisations in key forestry regions to attend and find out more information about the consultation process, the RFA and Tasmania's Forest Management System. Staff from the Tasmanian departments of State Growth and Primary Industries, Parks, Water and Environment (DPIPWE) and the Australian Department of Agriculture and Water Resource and the Department of Environment and Energy (DoEE) attended each of these locations to provide specialist knowledge. Approximately 40 people attended the drop-in centres. Attendees were encouraged to provide a submission using the on-line submission form. However some attendees did provide written submissions at drop-in centres; these were all accepted and are included in this summary report.

Thirteen organisations identified as Key Stakeholders (largely Industry or Environmental Non-Government Organisation (ENGO) peak bodies) were invited to attend one-on-one meetings with Government officials, from the departments identified above, in Hobart or Launceston in the week of 5 to 9 December 2016.

Summary of Submissions

A total of 30 written submissions were received. The majority of submissions were from individuals; however, submissions were also received from Industry Associations and ENGOS, as well as a Local Council, and a Member of Parliament.

A list of the persons and organisations who made a submission is provided at Attachment A. Submissions have been made publicly available where permission was obtained from the respondent. Note that one submission was not made public as it made specific accusations about persons that were considered to be of a (potentially) defamatory nature. The issues raised in that submission have been considered.

Eight key stakeholder organisations met with government officials (see Attachment B). The key outcomes of these meetings have been treated as a submission from that organisation and the issues raised are discussed in the summary of issues.

Key Themes

Six key themes were identified through the consultation.

1. Renegotiation or abandonment of RFA
2. Social and economic considerations
3. Environmental and cultural values
4. Climate change
5. Modernisation, improvements and streamlining
6. Land clearance and the Tasmanian Permanent Native Forest Estate Policy (PFNEP)

Some of the issues captured below relate to operational forest management rather than the RFA framework itself. They are recorded here for completeness and to reflect the feedback received through the consultation processes.

1. Renegotiation or abandonment of RFA

- Many submissions stated that the RFA should not be extended in its present form. Some felt that the RFA should be substantively renegotiated or “given a complete overhaul”.
- Many submissions stated that the exemption under the Australian *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provided to forestry operations conducted in accordance with the RFA should be removed.

2. Social and economic considerations

Socio-economic considerations were a key theme raised by the majority of respondents. However, within this theme, a diverse range of issues and opinions were expressed.

- Resource security was raised in a number of submissions. A prevailing industry view was that resource security was a key objective of the original RFA and that this needed to be ‘re-stated’ or strengthened.
- A key issue raised by a significant number of respondents was socio-economic information. This was raised from a range of perspectives including:
 - the social impacts of forestry needed to be better assessed;
 - a comprehensive financial analysis of forestry in Tasmania needed to be undertaken;
 - better socio-economic data was needed to underpin decision making (both at the RFA level and at the coupe/FPP level to assist in making triple bottom line assessments);
 - regular assessments of the contribution of various industry sectors to the Gross State Product are needed.
- Several submissions argued that more work was needed to investigate the opportunity for new forest products and applications (for instance cross-laminated timbers, bio-fuels etc), and, specifically that the RFA needed to provide the flexibility to allow new markets and products to develop and expand.
- One group noted that private landowners play a stewardship role in managing native forests and that this entails a cost to the landowner. They recommended an annual stewardship payment to “assist the landowner manage the resource and in recognition that it is being done for the whole community”.
- Several respondents expressed the view that whilst the RFA had assisted commercial forestry, it had done very little to assist the special species sub-sector and that this is something that needed to be specifically acknowledged in the RFA. This included providing “equitable access and consideration” to special species harvests, but also to other users of State forests, including eco-tourism operators and bee keepers.

3. Environmental and cultural values

Environmental issues were a key theme raised by the majority of respondents. However, within this theme, a very wide range of issues were raised, including natural and cultural values (including threatened species, biodiversity, indigenous heritage, landscape management, and ecological sustainability), the CAR reserve system, water quality and riparian values. Climate change was also raised (this issue has been separately addressed in Theme 4).

- In regard to the management of biodiversity, views ranged from a lack of protection for species/habitats under the RFA, to the opposite view that the RFA already weighed the protection of species/habitats higher than social and economic considerations.
- The divergence of views was also evident with regard to the CAR reserve system. Some submissions called for an expansion of the Reserve system, while others expressed the view that Tasmania's reserve system was more extensive than any other jurisdiction. Some industry groups expressed the view that the CAR reserve system had "shut them out" of many previously accessible areas and they did not want further expansion of 'no take' reserves.
- Several respondents called for a review of unmet forest reservation targets under the existing RFA commitments (particularly with respect to reservation levels on private land).
- Several respondents also recommended an expanded role for the aboriginal community in forest management.
- Many respondents provided specific recommendations around the management of particular natural and cultural values within Tasmania's Forest Practices System.

4. Climate change

A number of respondents thought the RFA should specifically address and acknowledge the issue of climate change. Within this theme, specific suggestions included:

- an investigation of carbon accounting mechanisms;
- acknowledging the impacts of climate change in forest management (eg altered growth rates of trees, increased fire risk, species range changes, etc);
- auditing the carbon footprint of forestry activities in State forests; and
- investigating the revenue potential of trading in carbon credits.

5. Modernisation, improvements and streamlining

- There was a general view that the RFA is a static document that needs to be "modernised" and become more flexible. Within this theme a number of specific recommendations were raised, including:
 - Consolidating the RFA into a single document;
 - Providing a modern vision statement at the front of the RFA; and
 - Implementing a "resourced and prioritised research and development plan".
- Many respondents felt that communications associated with the RFA could be improved. However, there were differing opinions as to what the key messages should be and how they should be communicated.
- There was general agreement that the Tasmanian community did not have a good understanding of the RFA, and that more information was needed to both inform public debate and allow for transparency.
- Many respondents identified what they perceived as a lack of public consultation processes or public participation. This was raised both in regard to the RFA and in relation to specific elements of the forest practices system.
- One submission requested an annual calculation of forest area nominally available for timber harvesting, in the categories of public forest estate and private forests. This could include reporting on those areas which were either temporarily or permanently removed from availability for timber harvesting.

6. Land clearance and the Tasmanian Permanent Native Forest Estate Policy

- A number of submissions raised issues around clearance and conversion, and native forest cover in general.
- A number of submissions suggested amendments be made to the Tasmanian Permanent Native Forest Estate Policy. Suggested amendments ranged from tighter controls through to less restrictive controls.
- A number of submissions recommended that the RFA include a commitment to cease all broad-scale clearing and conversion of native forest on private land by the date upon which the agreement is signed.

Additional resources recommended by respondents

One of the questions that was asked of respondents was whether they could identify any publicly available non-government documents, reports or data that the Australian and Tasmanian governments could consider in extending the Tasmanian RFA. Respondents provided previous RFA submissions they had made, theses they had authored and a variety of books. The following is the list of key non-government documents that were identified by respondents.

Blacklow, P (2016). An exploration of pre- and post-stressed timber forms utilizing plantation-grown eucalypt timber. PhD thesis, University of Tasmania. <http://eprints.utas.edu.au/22982/>

Bishop & Farley, 2009. An update of the Tasmanian Special Timbers sector report outlining number of participants in the sector, and their economic contribution.

EDO Tasmania. 2016. Critically Endangered, Under-Protected: Options to improve the protection of critically endangered species under national environmental laws.

Kanowski, PJ. 2015, 'Australia's forests: Contested past, tenure-driven present, uncertain future', *Forest Policy and Economics*, In Press, Corrected Proof.

Lacey, J, Edwards, P and Lament, J. 2016, Social licence as social contract: procedural fairness and forest agreement-making in Australia, *Forestry*, vol. 89, pp. 489-499.

Lane, MB. 1999, Regional Forest Agreements: Resolving Resource Conflicts or Managing Resource Politics?, *Australian Geographical Studies*, vol. 37, no. 2, pp. 142-153.

Lindenmayer, DB, Blair, D, McBurney, L and Banks, SC. 2015, The need for a comprehensive reassessment of the Regional Forest Agreements in Australia, *Pacific Conservation Biology*, vol. 21, no. 4, pp. 266-270.

Mendel, LC and Kirkpatrick, JB. 2002, Historical Progress of Biodiversity Conservation in the Protected-Area System of Tasmania, Australia, *Conservation Biology*, vol. 16, no. 6, pp. 1520-1529.

Musselwhite, G and Herath, G. 2005, Australia's regional forest agreement process: analysis of the potential and problems. *Forest Policy and Economics*, vol. 7, no. 4, pp. 579-588.

McGavan R et al. 2014. Veneer recovery analysis of plantation eucalypt species using spindleless lathe technology. *Bioresources* 9(1):623-627.

Attachment A: List of Persons & Organisations that made a Submission (and agreed to their submission being published)

- Alan Ashbarry (Individual)
- Amy Robertson (Individual)
- Australian Forest Contractors Association (Stacey Gardiner)
- Australian Forest Products Association (Ross Hampton)
- Chris Harwood (Individual)
- Circular Head Council (Matthew Saward)
- Circular Head Progress Group (John McNabb)
- Climate Action North West (Tom Kingston)
- The Environment Association (Andrew Ricketts)
- Environmental Defenders Office (Tas) Inc (Jess Feehely)
- Huon Resource Development Group (Alan Duggan)
- Huon Resource Development Group (George Harriss)
- Ian Newman (individual)
- John Hawkins (Individual)
- Michael Buky (Individual)
- North West Environment Centre (Carolyn Donaghey)
- Patricia Ellison (Individual)
- Paul O'Halloran (Individual)
- Peter Godfrey (Individual)
- Richard Donaghey (Individual)
- Rosemary Farrell (Individual)
- Simon Roberts (Individual)
- Tasmanian Conservation Trust (Peter McGlone)
- Tasmanian Farmers and Graziers Association (Peter Skillern)
- Tasmanian Parliamentary Greens (Cassy O'Connor MP)
- Tasmanian Public and Environmental Health Network (Alison Bleaney)

Attachment B: List of key stakeholders who were directly engaged

- Tasmanian Conservation Trust
- Tasmanian Farmers and Graziers Association
- Tasmanian Special Timbers Alliance
- Forest Industries Association of Tasmania
- Tasmanian Sawmillers Association
- Tasmanian Forest Contractors Association
- Australian Forest Growers – Tasmanian Branch
- Tasmanian Aboriginal Heritage Council