

Rainforest logging breach report – VicForests “Granton Road” VicForests coupe 868-506-0009, Lind forest block

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Summary:

Field inspections of VicForests logging coupe 868-506-0009 "Grantton rd" identified protected warm temperate rainforest near the southern and western boundaries of the coupe. The rainforest has not been afforded the required minimum buffer protections and has been freshly impacted by logging.

Rainforest is protected in Victoria and logging of rainforest is prohibited by law. Rainforest within and adjacent to forests subject to commercial logging operations is required to be protected within buffer zones that surround rainforest stands.

Based on field inspections, data collected at three sites, analysis of that data and analysis of legislation and regulatory documents we conclude that rainforest and rainforest buffers have been logged unlawfully in the Grantton rd coupe.

We present evidence of warm temperate rainforest stands within four areas of the coupe where field inspections were most intensively focussed. We allege logging in these areas has breached rainforest protections detailed in the Code of Practice for Timber Production and has not been conducted in accordance with the Sustainable Forests (Timber) Act 2014.

Recommendations are made to investigate VicForests and DELWP practices and procedures and articulate actions to address non compliance to rainforest protections and prosecute VicForests for breaches.

Methods:

Garmin 64s and 64st GPS units were used to mark locations of significant features including rainforest canopy edge, VicForests coupe boundary tapes, logging disturbance extent, significant felled trees and plant species.

Open source mapping software (QGIS) was used to analyse GPS data collected in the field together with other spatial data sets including VicForests logging coupes, ecological vegetation classes and aerial imagery.

Reference books were used to identify rainforest species¹.

Photographs were taken using digital cameras.

Documents within the regulatory framework governing logging operations in Victoria's state forests were analysed and used to determine whether the framework had been breached.²

¹ Cameron, D., A Field Guide to Rainforest Identification in Victoria: Differential species keys for the delineation of rainforest boundaries, Victorian Government Department of Sustainability and Environment, Melbourne, 2008 (Differential Species Guide, 2008)

Peel, B., Rainforest and Cool Temperate Mixed Forest of Victoria, Department of Natural Resources and Environment, Melbourne, 1999 (Peel, 1999)

Breach site one and two:

Site one and two are located on the southern boundary of the coupe. Locations of sites where rainforest has been logged are labelled on the Map at Fig 1 and 2.

Yellow squares, to the south of breach sites one and two on the Map at figure 1, represent locations where closed canopy rainforest was noted as being contiguous with rainforest adjacent to logging disturbance and contiguous with rainforest along the watercourse bordering the southern boundary of the coupe.

Logging has occurred at the edge of and possibly within closed canopy warm temperate rainforest along a section of the southern boundary of the coupe. The red dotted line in the map at figure 1 depicts the extent of logging disturbance and follows the edge of the logged area abutting the rainforest stand.

A line of more or less continuous rainforest canopy was marked with GPS units. This line of rainforest canopy is depicted as the green line on the Map at Figure 1 and represents the edge of a large rainforest stand.

Forest to the south of the line of logging disturbance was surveyed for presence of rainforest canopy contributed to by species listed in 4.4.7.1 of the Code of Practice and consistent with the Code of Practice definition for rainforest, refer to Appendix 1, relevant legislation.

Areas of forest identified as rainforest on the Modelled 2005 Ecological Vegetation Classes (EVC) data set³ have been logged at and near breach sites one and two. The Map in figure 2 displays EVC rainforest modelling. The map in figure 2 has a rough rainforest extent labelled as aerial assessed rainforest in the legend. This area was marked by analyzing satellite aerial imagery using QGIS mapping software.

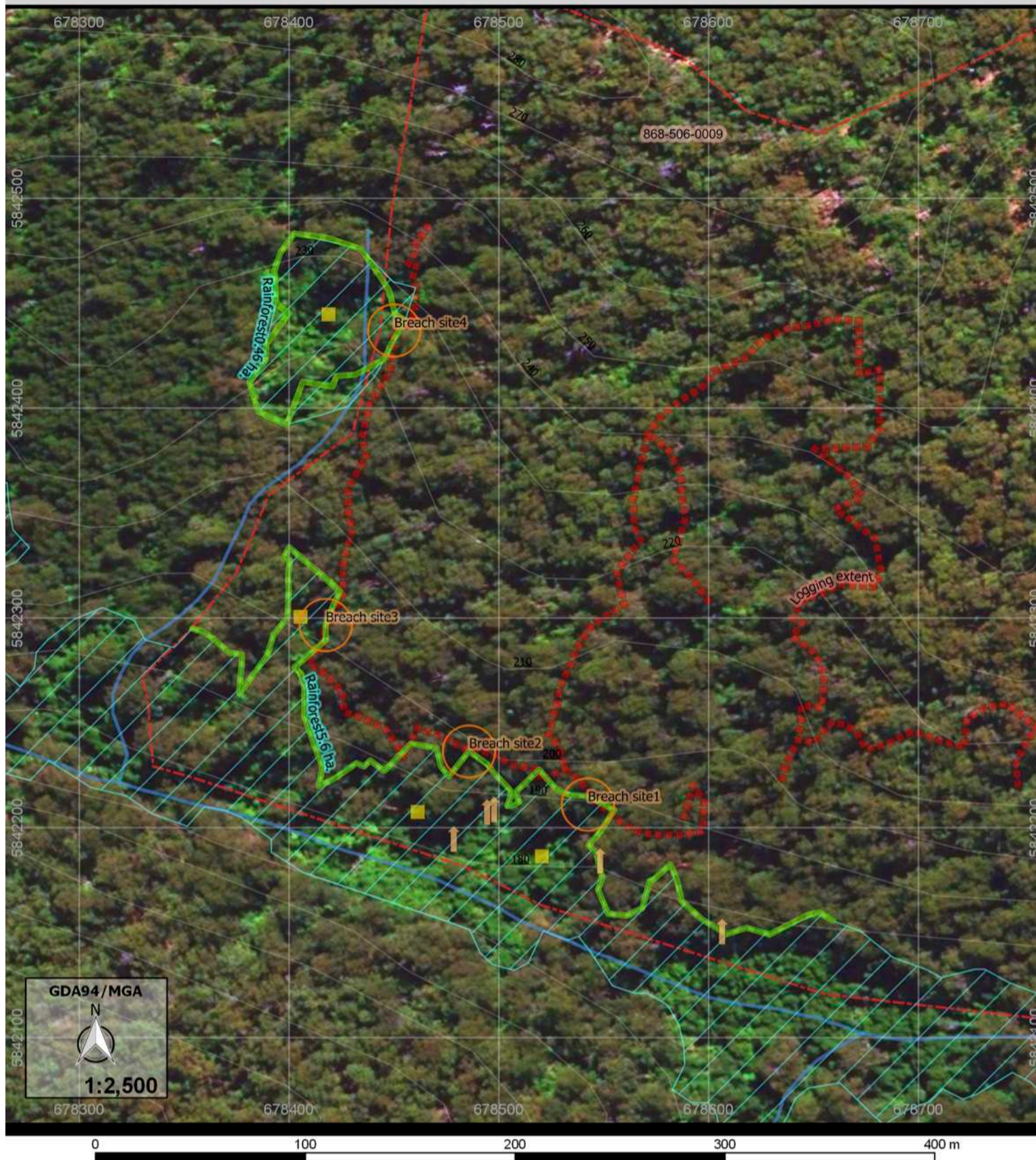
Locations of coupe boundary demarcation tapes are displayed on the map in Figure 2. The location of where VicForests rainforest buffer should have been marked around the rainforest on the southern and western boundary is marked as a blue line on the Map at Figure 2.

Photo (below): Logging disturbance at rainforest edge at breach site one, rainforest canopy species have been pushed over along dozer track, note placement of VicForests pink boundary tape in area dominated by rainforest.



Figure one:

Assessed Warm Temperate Rainforest and logging disturbance within VicForest Logging Coupe 868-506-0009. Granton Ridge trk Lind Forest Block, Cann River district.



Legend

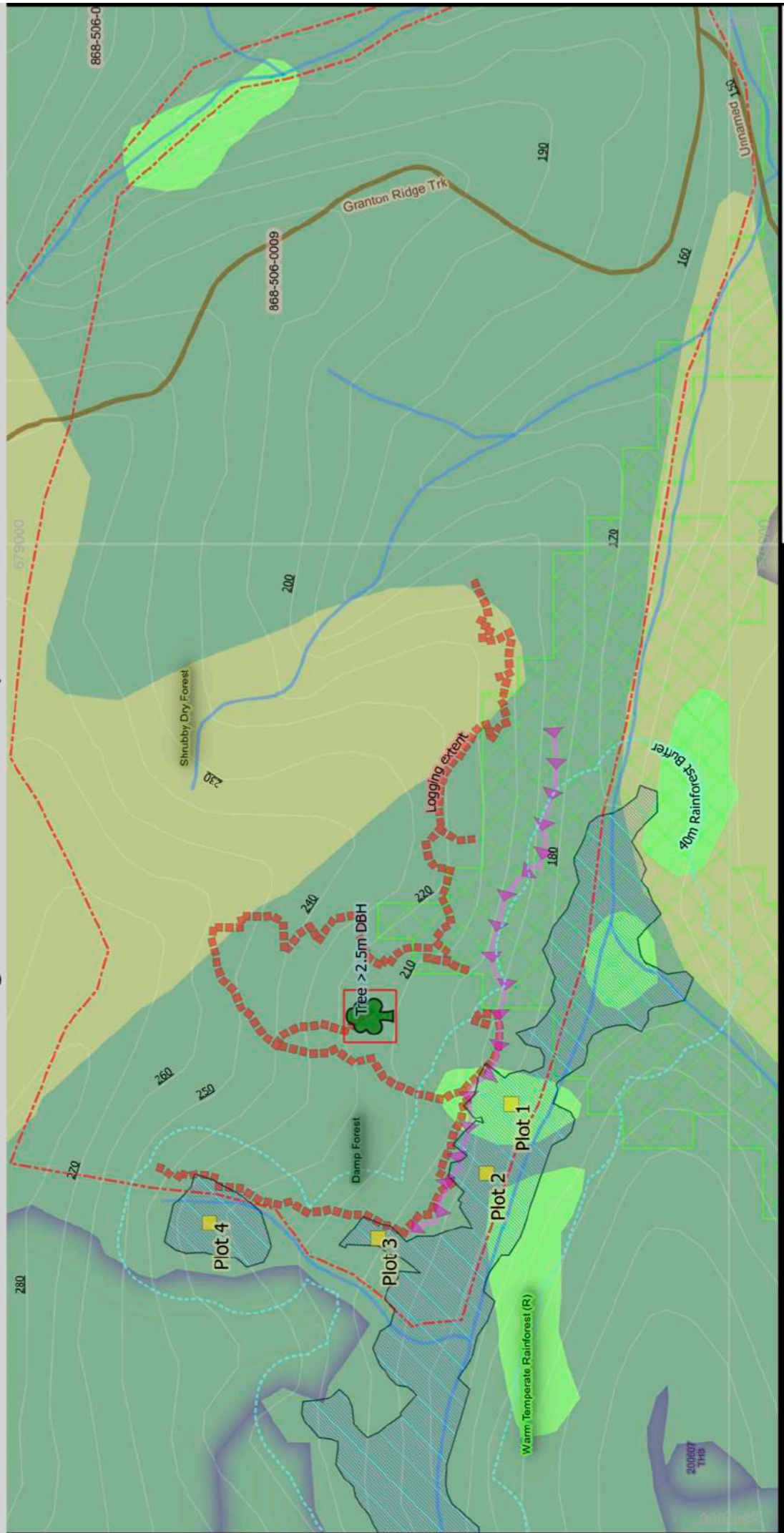
Granton Ridge Trk 868-506-0009

- Areas of rainforest impacted by VicForests logging
- Rainforest 'CODE' assessed plots

- ↑ Old Rainforest damage (cut and fallen logs)
- Logging disturbance line 24/03/19
- Watercourses
- CONTOUR
- TRP-I logging Coupe Boundaries

Figure 2

Rainforest & logging overview VicForest Logging Coupe 868-506-0009. Granton Ridge trk Lind Forest Block, Cann River district.



Legend

Granton Ridge Trk 868-506-0009

Giant Tree

Rainforest 'CODE' assessed plots

Aerial assessed rainforest

Rainforest buffer 40m

VF coupe boundary tape line

Logging disturbance line 24/03/19

Roads

Watercourses

CONTOUR

TRP-Logging Coupe Boundaries

VicForest Logging History

200405

200506

200607

Old Growth Modelling MOG2009

EVC Modelling-NV2005

Damp Forest

Shrubby Dry Forest

Warm Temperate Rainforest

GDA94 / MGA

1:4,500



Photo: Pushed over rainforest canopy on dozer track in breach site one. VicForests boundary tape adjacent to rainforest in centre right of frame. Location 55 H 0678543 / 5842211 (above) Logged rainforest at breach site 1 (below).



Logging disturbance has occurred meters away from a stand of closed canopy rainforest comprising of species listed as canopy species in 4.4.7.1 of the Code, Lily Pily (*Acmena Smitii*), Blackwood (*Acacia melanoxlyn*) Sweet Pittosporum (*Pittosporum undulatum*), Blue Olive Berry (*elaeocarpus holopetalus*), Jungle Grape (*Cissus hypoglauca*).



Photo (above): Rainforest approximately 10 meters from VicForests coupe boundary demarcation tape that is located at 0678546 / 5842205 GDA 94 (photo below)





Photo (above): Logging disturbance at breach site two within required rainforest buffer on southern boundary of coupe. Note logging has occurred adjacent to rainforest canopy.

In some locations VicForests coupe boundary tapes are placed in areas dominated by rainforest species and directly adjacent to or tied to established rainforest canopy species. Placement of these tapes indicates that VicForests staff have failed to identify rainforest vegetation and DELWP staff have failed to conduct an appropriate 'rainforest spot check'

VicForests coupe boundary demarcation tapes have been incorrectly placed along this section of the southern boundary resulting in significant damage to forest directly adjacent to the rainforest stand that should have been retained within a rainforest buffer.



Photo (left): VicForests coupe boundary tapes tied to rainforest canopy (Lily Pilly tree) in rainforest.

Photo (below): Small fork fern observed in rainforest stand on southern boundary of coupe





Photos: VicForests coupe boundary tapes in areas of rainforest along the southern boundary of the coupe in site one and two.

Rainforest areas greater than 0.4 hectares are required to be buffered by 40m from the rainforest edge. Forest within 40m of the rainforest edge has been logged. The required buffer of 40m (depicted as the blue line on the Map in figure 2) has not been implemented in this area of the southern boundary.

Rainforest canopy species were observed pushed over in logged areas indicating that logging has removed rainforest canopy. Logging has possibly made incursions into the stand of closed canopy rainforest along the southern boundary reducing its overall extent and size.

Photo (below): Logged rainforest buffer adjacent to southern boundary of coupe.



Site 3:

Breach site three is located in the south west of the coupe along the western boundary. Rainforest consistent with the Code definition that is at least 0.1 hectares in size is present at breach site 3. It is possible the rainforest at breach site 3 is part of an aggregated stand, potentially contiguous with the rainforest in the gully on the western side of the coupe and the larger rainforest stand present along the southern boundary.

The rainforest at site 3 extends past the edge of the logging disturbance, a section of canopy has been removed along the dozer track.

Prior to logging the rainforest stand was likely to have been significantly larger. Logging in site 3 is likely to be in breach of the requirement to protect all stands of rainforest. If the rainforest stand at site 3 is found to be greater than 0.2 hectares or part of an aggregated stand equal too or larger than 0.2ha VicForests has logged the required buffer zones.

Photo (below): Rainforest at plot 3 location 55 H 0678428 / 5842301 GDA94 a mature Lily Pily tree has been cut and large jungle grape vines that were forming closed canopy are hanging down after being torn from the canopy by the impact of logging.





Photo (above): Logged Lily Pily with root ball showing and jungle grape canopy at breach site 3



Photo (above): Logging adjacent to rainforest at site 3 on the southern boundary of the coupe

Site 4:

Rainforest along the western boundary has been subject to logging and required rainforest buffers have not been implemented.

VicForests coupe demarcation tapes have been placed directly adjacent to a stand of rainforest that is consistent with the Code definition of rainforest and consisting of a variety of species including species listed as canopy species in 4.4.7.1 of the Code; Lily Pily (*Acmena Smitii*), Blackwood (*Acacia melanoxlyn*) Sweet Pittosporum (*Pittosporum undulatum*), Blue Olive Berry (*elaecarpus holopetalus*), Jungle Grape (*Cissus hypoglauca*) and other species.



Photo above and below: Logging within and adjacent to warm temperate rainforest on the western boundary of the coupe at site 4



The green line at site 4 on the Map at figure 1 represents the extent of rainforest canopy or canopy line. A ring of data points was taken around a section of rainforest canopy, this ring covers an area approximately 0.4 hectares in size.

The rainforest stand was likely to be larger than 0.4 hectares prior to logging as areas of rainforest appear to have been cleared. Rainforest canopy species were observed pushed over from logging.

A large Eucalypt tree has been felled into a depression that was occupied by rainforest canopy species that are now knocked over and disturbed by logging.

VicForests has failed to implement a 40m buffer to the stand of rainforest at site 4 and logged a significant area of forest within the required buffer.

The felling of a large old Eucalypt tree into a rainforest gully for no apparent reason is extremely poor forestry practice.



Conclusion:

Logging in the Granton rd coupe has been occurred in breach of Section 46 of the Sustainable Forest (Timber) Act as it has breached the Code of Practice for Timber production, specifically sections.

2.2.2.4

*During planning identify **biodiversity** values listed in the Management Standards and Procedures prior to roading, harvesting, tending and regeneration. Address risks to these values through management actions consistent with the Management Standards and Procedures such as appropriate location of coupe infrastructure, buffers, exclusion areas, modified harvest timing, modified silvicultural techniques or retention of specific structural*

2.2.2.7 Rainforest communities must not be harvested.

3.2.2.2 Rainforest communities in Victoria must not be harvested. Rainforest communities must be protected from the impacts of harvesting through the use of appropriate **buffers** to maintain microclimatic conditions and protect from disease and other disturbance.

Refer to Appendix 1 for relevant legislation



Recommendations to office of conservation regulation and DELWP:

- Immediately direct VicForests to stop logging in the Granton rd coupe and ensure that all areas of rainforest in and adjacent to the coupe are identified and buffered.
- Conduct a thorough investigation into VicForests conduct.
- Prosecute VicForests for breaches of the Code.
- Provide an explanation as to how and why the DELWP pre logging survey program and rainforest spot checks program failed to identify areas of rainforest detailed in this report.
- Analyse VicForests logging plans for coupes likely to contain rainforest to prioritise for spot checks.
- Work with other government departments, offices and VicForests to prevent and stop logging in identified coupes until spot checks have been completed in the field.
- Work with government departments and offices and VicForests to ensure all coupes prioritised for DELWP pre logging surveys are not logged before surveys have taken place.
- Implement a policy for VicForest and DELWP to use the 'differential species approach' to delineate rainforest boundaries using *A Field Guide to Rainforest Identification in Victoria* Differential species keys for the delineation of rainforest boundaries by David Cameron (DSE 2008). Mandatory use of this key for delineating rainforest boundaries, in all circumstances where rainforest and VicForests logging coupes intersect, would improve rainforest protections, reduce the likelihood of VicForests offending and help provide greater certainty for ensuring VicForests logging operations are not in breach of rainforest protection requirements.

Appendix 1.

Relevant legislation:

Section 46 of the Sustainable Forests (Timber) Act 2004 requires VicForests compliance with the Code of Practice for Timber Production in Victoria's state forests 2014⁵.

. **46 Compliance with Codes of Practice** *The following persons must comply with any relevant Code of Practice relating to timber harvesting—*

(a) VicForests;

(b) a person who has entered into an agreement with VicForests for the harvesting and sale of timber resources or the harvesting or sale of timber resources;

The Code of Practice for Timber Production in Victoria's State Forests, 2014⁶ defines rainforest as:

'rainforest' means closed (>70 per cent projected foliage cover) broadleaved forest vegetation with a more or less continuous rainforest tree canopy of variable height, and with a characteristic composition of species and life forms, of at least 0.1 ha in area and 20 metres width. Rainforest includes closed transitional and seral communities, with emergent eucalypts, that are of similar botanical composition to mature rainforests in which eucalypts are absent

The Code provides the following protections for rainforest:

. **2.2.2.7 Rainforest** *communities must not be harvested.*

. **3.2.2.2 Rainforest** *communities in Victoria must not be harvested. Rainforest communities must be protected from the impacts of harvesting through the use of appropriate **buffers** to maintain microclimatic conditions and protect from disease and other disturbance.*

The Code requires identification of rainforest prior to logging:

2.2.2.4 During planning identify biodiversity values listed in the Management Standards and Procedures prior to roading, harvesting, tending and regeneration. Address risks to these values through management actions consistent with the Management Standards and Procedures such as appropriate location of coupe infrastructure, buffers, exclusion areas, modified harvest timing, modified silvicultural techniques or retention of specific structural

⁵ https://www.forestsandreserves.vic.gov.au/_data/assets/pdf_file/0016/29311/Code-of-Practice-for-Timber-Production-2014.pdf

⁶ *ibid*

The Management Standards and Procedures for timber harvesting operations in Victoria's State forests 2014⁷ detail required Code of Practice rainforest protections:

4.4.9.1 Protect all rainforest from **timber harvesting operations** as follows:

- (a) Exclude non linear **stands** that are 0.1 ha or more in size but less than 0.4 ha from **timber harvesting operations**. These stands do not require a **buffer**.
- (b) Exclude linear stands that are at least 0.1 ha but are less than 0.2 ha from timber harvesting operations. These stands do not require a buffer.
- (c) Exclude linear stands that are at least 0.2 ha but are less than 0.4 ha from timber harvesting operations. Protect these stands with a 20 m buffer.
- (d) Exclude all **rainforest** stands (including linear stands) equal to or exceeding 0.4 ha from timber harvesting operations. Protect these stands with a 40 m buffer except for rainforest stands in the **Central Highlands FMAs** and the **Gippsland FMAs** where 3.4.8.2 below must be complied with.
- (e) Distribute slash away from retained rainforest stands or buffers.

Rainforest field recognition and delineation are described in the Management Standards and Procedures⁸.

- 4.4.8.1 **Rainforest** is recognised in the field as forest where the projected foliage cover of the broadleaved tree **canopy** is greater than 70 % and is contributed by 1 or more of the canopy tree species listed above in sections 4.4.6.2 to 4.4.6.6 and where section 4.4.6.7 is not met.

Rainforest canopy species for Warm Temperate Rainforest are described in the Management Standards and Procedures⁹.

- 4.4.7.1 **Rainforest** canopy species are defined as shade tolerant tree and vine species which are able to regenerate below an undisturbed canopy, or in small canopy gaps resulting from locally recurring minor disturbances, such as isolated windthrow or lightning strike, which are part of the **rainforest** ecosystem. Such species are not dependent on fire for their **regeneration**.
- 4.4.7.2 In East Gippsland, Warm Temperate Rainforest **canopy** species are: Lilly Pilly (*Acmena smithii*), Kanuka (*Tristaniaopsis laurina*), Sweet Pittosporum (*Pittosporum undulatum*), Blackwood (*Acacia melanoxylon*), Blue Olive-berry (*Elaeocarpus reticulatus*), Muttonwood (*Myrsine howittiana*), Jungle Grape (*Cissus hypoglauca*), Boobialla (*Myoporum insulare*) and Yellow-wood (*Acrornychia Ablongifolia*).

⁷ https://www.forestsandreserves.vic.gov.au/_data/assets/pdf_file/0023/29309/Management-Standards-and-Procedures-for-timber-harvesting-operations-in-Vics-State-forests-2014.pdf

⁸ ibid

⁹ ibid