

CHAPTER EIGHT

THE CURRENT TASMANIAN FOREST PLANTATION PROGRAM: AN OPPORTUNITY FOR REVIEW?

Introduction

8.1 The Committee made the decision to report on its observations of the current Tasmanian plantation forestry program separately to the matters dealt with in previous chapters for several reasons.

8.2 Although the reference from the Senate did not specifically ask the Committee to address any questions relating to Tasmania's plantation industry, it does serve to illustrate the discussion in previous chapters. Further, the development of the industry in Tasmania is directly linked to the *2020 Vision*.

8.3 Moreover, a large number of submissions were received from Tasmania (48 of the 90 submissions received). Submissions were made by government, forest and timber companies, local government, groups associated with environmental issues, community organisations and a significant number of individuals. The views put in these submissions indicate to the Committee that the Tasmanian plantation forestry industry, and the nature of its recent growth, has caused a greater degree of debate and concern about the nature of plantation forestry under the *2020 Vision* than in other plantation regions.

8.4 As noted in Chapter 1, the Committee made several visits to Tasmania to hold public hearings and to make field visits to areas in northern Tasmania where plantation development has occurred. In addition to the Committee's Tasmanian hearing program (detailed in Appendix 2), the Committee also took evidence at a hearing held in Canberra on 8 October 2003 on matters relating to the administration of the Tasmanian Forest Practices Code and plantation forests.

Strategic Element 1 - 1997 Tasmanian Regional Forest Agreement (RFA)

8.4 Strategic Element 1 of the *2020 Vision* provides for the establishment of a comprehensive policy framework to develop the plantation forest industry.

8.5 The 1997 Tasmanian Regional Forest Agreement (RFA) was described by the Tasmanian Department of Infrastructure, Energy and Resources (DIER) as being one of the principal drivers of plantation industry growth in Tasmania.¹ In its submission,

1 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003.

DIER also acknowledged that in addition to the 1997 RFA, the strong growth in Tasmania's plantation estate has been facilitated by initiatives such as the State Policy on the Protection of Agricultural Land, and the Forestry Growth Plan:

Since the endorsement of the Plantations for Australia: 2020 Vision the Tasmanian Government has worked to facilitate its implementation within the Tasmanian context. The Tasmanian Regional Forest Agreement 1997 (RFA), the State Policy on the Protection of Agricultural Land and the Forestry Growth Plan developed by Forestry Tasmania have been particularly noteworthy initiatives that have facilitated increased plantation establishment. As a result of the implementation of these initiatives there has been a strong growth in the plantation estate in Tasmania.²

8.6 The RFA was signed on 8 November 1997. The Agreement, between the Commonwealth and Tasmanian governments (the Parties) established a framework for the management and use of Tasmanian forests for 20 years. The major components of the RFA were:

- a reserve system on public and private land. On public land the system comprises formal reserves, informal reserves and prescriptive management, and on private land the Private Forest Reserve program. These components provide the bridge to Ecologically Sustainable Forest Management;
- Ecologically Sustainable Forest Management encompasses integrated natural resource management, a policy on maintaining a Permanent Forest Estate and management based on sustainable yields. These elements provide the bridge to industry development;
- industry development comprises social and economic development at a regional level, a native forest-based industry and development of a plantation estate and associated industry.³

8.7 The RFA also provides, with respect to plantation forestry:

Attachment 12(14) – Both Parties agree to implement the national “Plantations for Australia: the 2020 Vision” for expanding plantations in the Tasmanian context.

Attachment 12(15) – Both parties will jointly facilitate development of the resource, on which the Forest industries and related employment depends, by the following actions for which specific funding will be provided by the Commonwealth under the Agreement:

2 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 2.

3 See, *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 1.

- Expanding the level of intensive management of hardwood Forests on Public Land, including:
- pre commercial thinning of very young eucalypt plantations and regrowth Forests;
- commercial thinning of young eucalypt plantations and regrowth Forests;
- establishment of new eucalypt plantations for sawlog production; and
- improved planning to facilitate subsequent thinning in newly regenerated Native Forests.
- Establishing new special species timber resources (e.g. blackwood plantations and fenced regeneration).
- Supporting research and development into alternative, chemical-free pest and weed control systems for intensively managed Forests.

Attachment 12(16) – The State will facilitate softwood plantation resource development and related employment opportunities by expanding the current rate of softwood plantation establishment.⁴

Strategic Element 2 – Regulatory Framework

8.8 Strategic Element 2 provides for a regulatory framework to support the policy framework established under Strategic Element 1 of the *2020 Vision*. In Tasmania the regulatory framework is formed by both Commonwealth and State legislative provisions.

Commonwealth Legislation to Support the Regional Forest Agreement

8.9 A series of legislative changes were made at the Commonwealth level in support of the Tasmanian RFA. In Clauses 22 and 23 of the RFA, the Commonwealth undertook to "use its best endeavours to secure legislative changes"⁵ and committed to introduce bills to bring about these legislative changes, to be introduced to the Commonwealth Parliament by 30 June 1998.

8.10 The Commonwealth met all its commitments in respect of Clauses 22 and 23 of the RFA:

A Regional Forest Agreements Bill was first introduced into the Commonwealth Parliament on 30 June 1998 and passed in April 2002.

4 *Tasmanian Regional Forest Agreement*, Attachment 12, RFA Forests – Employment and Industries Development Strategy, November 1997, p. 107.

5 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 84.

The *Environment Protection Biodiversity Conservation Act 1999* (Cth) exempts forestry operations authorised under a RFA from the requirement to obtain an environmental approval under the Act if the operations are carried out in accordance with the RFA.

The Export Control (Regional Forest Agreement) Regulations 1997 (Cth) exempt all Tasmanian woodchips and processed wood exports, from export controls by virtue of the fact that they are covered by the provisions of the RFA.⁶

8.11 The Committee sought legal opinion as to the practical implications of the exemptions. It was advised that forestry operations in Tasmania are exempt from the provisions of Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), provided they are carried out in accordance with the RFA, they are not in a world heritage area or a listed Ramsar wetland, or incidental to another action the primary purpose of which does not relate to forestry.⁷ Part 3 of the EPBC Act "prohibits actions that will have a significant impact on ... [such things as] world heritage properties, listed threatened species and ecological communities, listed migratory species, Ramsar wetlands, national heritage places".⁸

8.12 The definition of "forestry operations" extends to the planting of trees and their management and harvest for commercial purposes. It includes related "land clearing, land preparation and burning off, and transport operations".⁹

8.13 The legal opinion offered an example of an action that may be incidental to another action the primary purpose of which does not relate to forestry and is therefore not exempt of the provisions of Part 3 of the EPBC Act. The example was the "felling

6 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, pp. 84-85.

7 *Inquiry on Plantation Forestry: Regional Forest Agreement with Tasmania: application of Regional Forests Agreement Act 2002 and Environment Protection and Biosecurity Conservation Act 1999*, Legal Opinion from Australian Government Solicitor, 18 May 2004, pp. 3-4.

8 *Inquiry on Plantation Forestry: Regional Forest Agreement with Tasmania: application of Regional Forests Agreement Act 2002 and Environment Protection and Biosecurity Conservation Act 1999*, Legal Opinion from Australian Government Solicitor, 18 May 2004, p. 5.

9 *Inquiry on Plantation Forestry: Regional Forest Agreement with Tasmania: application of Regional Forests Agreement Act 2002 and Environment Protection and Biosecurity Conservation Act 1999*, Legal Opinion from Australian Government Solicitor, 18 May 2004, p. 5.

of trees and selling the logs, when the primary purpose is to clear land for a residential development".¹⁰

8.14 The exemption of export controls relates to "RFA wood", and therefore does not include plantation wood "unless there is currently an approved code of practice under regulation 4B of the *Export Control (Unprocessed Wood) Regulations*".¹¹

State Legislative Framework

8.15 Tasmania has established an extensive system of legislation, policies and administrative practice to give effect to the regulatory framework envisaged by Strategic Element 2. The RFA has also encouraged a regulatory regime.

8.16 As part of the 1997 RFA, Tasmania committed to the Comprehensive, Adequate and Representative Reserve System (CAR) and the Permanent Forest Estate Policy.

Comprehensive, Adequate and Representative Reserve System (CAR)

8.17 The National Forest Policy Statement (NFPS) is a 1992 agreement between Commonwealth, State and Territory Governments that sets broad goals for the management of Australian forests. The NFPS set out the process for undertaking joint Commonwealth/State Comprehensive Regional Assessments (CRA's) of natural and cultural, and economic and social values of Australian forests as the basis for negotiation of Regional Forest Agreements (RFA's).

8.18 Another major element of the NFPS is a commitment to the development of a Comprehensive Adequate and Representative (CAR) reserve system.¹² This commitment also includes the implementation of strategies to protect old growth forests¹³ and wilderness¹⁴ as part of the reserve system. Tasmania committed to

10 Inquiry on Plantation Forestry: Regional Forest Agreement with Tasmania: application of *Regional Forests Agreement Act 2002* and *Environment Protection and Biosecurity Conservation Act 1999*, Legal Opinion from Australian Government Solicitor, 18 May 2004, p. 6.

11 Inquiry on Plantation Forestry: Regional Forest Agreement with Tasmania: application of *Regional Forests Agreement Act 2002* and *Environment Protection and Biosecurity Conservation Act 1999*, Legal Opinion from Australian Government Solicitor, 18 May 2004, p. 2.

12 *Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia*, a Report by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-Committee, 1997, p. 1.

13 Old Growth Forest is defined as 'ecologically mature forest where the effects of disturbances are now negligible'.

establishing a CAR reserve system and developing a system of ecologically viable reserves for land, freshwater and marine environments.

8.19 Tasmania's system of protected areas includes the Tasmanian Wilderness World Heritage Area, which contains approximately 1.4 million hectares of high quality temperate wilderness. In order to meet CAR reserve objectives in relation to land, the State's target is 15% of the pre-European¹⁵ forest communities to be included in the reserve system. Under Tasmania's RFA, the targets have been met on public land and are "being pursued on private land through the RFA Private Forest Reserve Program":¹⁶

The RFA Private Forest Reserve Program (DPWIE) offers a range of financial packages for landholders who have significant patches of native forest¹⁷ on their land. The program aims to protect 100,000 ha of native vegetation by July 2002 and operates on a Commonwealth budget of \$30 million. By December 2001 the program had received 643 expressions of interest, and had secured 51 properties comprising over 10,000 ha. This program has enormous potential to broaden its scope and include other significant elements of natural diversity on private land, such as important fauna habitat and sites of geoconservation significance. Government funding will be required to support the program after the RFA's commitment has finished.¹⁸

Permanent Forest Estate Policy

8.20 As part of the RFA, Tasmania (in conjunction with the Commonwealth) developed a Permanent Forest Estate Policy. The policy – which at the time of writing is currently under review – is designed to provide overarching and permanent protection for forests in Tasmania. The details of the policy are outlined in Attachment 9 of the RFA. The present policy, monitored and audited by the Forest Practices Board:

14 Wilderness is defined as 'land that, together with its plant and animal communities, is in a state that has not been substantially modified by, and is remote from, the influences of European settlement or is capable of being restored to such a state and is of sufficient size to make its maintenance in such a state feasible'.

15 Pre-European refers to pre-1750.

16 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 15.

17 Native forest is defined as 'any locally indigenous forest community containing the full complement of native species and habitats normally associated with that community, or having the potential to develop these characteristics'.

18 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 20.

- sets out minimum threshold percentages of forest that must be retained and below which native forest cannot be cleared for commercial forestry;
- allows for the harvesting of native forest, provided it is regenerated; and
- allows for native forest to be cleared and converted to other uses – including plantation establishment – up to threshold levels defined in the policy.¹⁹

8.21 Tasmania's *Nature Conservation Strategy 2002-2006* notes that while the Permanent Forest Estate Policy provides protection for forest communities, there is an "increasing concern that the levels of protection are too low"²⁰ and cites the Forest Practices Board 2000 Annual Report:

...three forest communities had been cleared to the extent that their minimum threshold percentages had almost been reached and a further 13 communities had been depleted by more than 7%.²¹

8.22 The Strategy argues that an increase in the minimum threshold levels for all three criteria in the Permanent Forest Estate Policy would result in additional areas of significant native forest being excluded from clearing.²²

8.23 It is also noted that under the current Permanent Forest Estate Policy, forest and non-forest land may be cleared without being subject to any legislation, regulations or codes of practice – provided the timber is not used for commercial forestry purposes. It is argued that the current situation is a significant obstacle to protecting native vegetation and the Strategy suggests that:

The Forest Practices System is well established to scrutinise harvesting plans and administer a code of practice which has legislative support. The Forest Practices Board has scientific expertise and systems in place for auditing and monitoring the rates of forest clearing. By making forest practices plans a mandatory requirement for the clearing of any native forest in Tasmania we could prevent the loss of important natural values

19 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 9.

20 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 33.

21 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 33.

22 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 33.

(plant, animal, geological) and make sure that clearing takes place in an environmentally sound manner.²³

8.24 The 2002-2006 Strategy also notes that a review is currently being undertaken to include this broader scope in the Forest Practices Board's responsibility.

The Tasmanian Forest Practices Act 1985

8.25 The *Forest Practices Act 1985* – which was passed to "ensure that forest operations are conducted in an environmentally acceptable manner on public and private forest lands"²⁴ – is also part of a broader legislative and policy framework for sustainable forest management and provides for the administration of the forest practices system through the Forest Practices Board.

8.26 The statutory objective of the Forest Practices Board is to:
act in all matters in a manner that –

- a) best advances the objective of the State's forest practices system; and
- b) fosters a co-operative approach toward policy development and management in forest practices matters.²⁵

8.27 The role of the Forest Practices Board includes the collection of data on rates of harvesting, the conversion of native forest to plantation, and the loss of sensitive vegetation communities. The Board is also responsible for employing specialists to conduct research projects; providing advice to Forest Practices Officers in relation to the management and conservation of natural and cultural values; and conducting regular reviews of the Forest Practices Code.

8.28 The Forest Practices Advisory Council is constituted of representatives of various stakeholder groups and experts in the areas of forest management, forest harvesting and forest conservation as well as resource management and planning. In addition to encouraging communication and cooperation amongst stakeholders, the Advisory Council is also responsible for providing expert advice to the Forest Practices Board.²⁶ The day-to-day management of the forest practices system is the responsibility of the Chief Forest Practices Officer.²⁷

23 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 33.

24 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, p. 1.

25 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, p. 1.

26 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, p. 1.

27 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, p. 1.

8.29 Forest Practices Officers (appointed by the Forest Practices Board) are responsible for:

- planning, monitoring and certifying that Forest Practices Plans are prepared and implemented in accordance with the Forest Practices Code and any instructions issued by the Board; and
- taking corrective action and enforcing the *Forest Practices Act 1985* as necessary to ensure compliance in operations under their control.

Forest Practices Code

8.30 The Forest Practices Code first became operational in November 1987 and has been reviewed and revised twice since. The most recent version of the Code was launched on 24 November 2000 and took effect from 1 January 2001. The Forest Practices Code is issued by the Forest Practices Board (following consultation and public comment) and provides a set of guidelines aimed at protecting natural, cultural and environmental values during forest operations. This includes values such as flora and fauna, threatened species, soils and water, geomorphology, cultural heritage and visual landscape.

Forest Practices Plans

8.31 Under the *Forest Practices Act 1985* and the Forest Practices Code all commercial harvesting operations must prepare Forest Practices Plans for every coupe proposed for logging. The Forest Practices Code and Forest Practices Plans are processed and audited by the Forest Practices Board.

8.32 In accordance with the Forest Practices Code, Forest Practices Plans are required to include an environmental assessment of soil, water, flora and fauna (including threatened species), landscape, cultural heritage and geomorphology. Forest practices plans are required for the following activities:

- the establishment and maintenance of forests (including standards to be complied with in the stocking or restocking of land with trees);
- the harvesting of timber; and
- the construction of roads and other works, including quarries, connected with the establishment of forest or the growing of timber.²⁸

8.33 The Forest Practices Code outlines issues and circumstances which are required to be taken into consideration in the preparation of a Forest Practices Plan. The Code stipulates that appropriate provision be made for consultation with local government if a Forest Practices Plan involves:

28 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, pp. 2-4.

- areas with landscape protection provisions in planning schemes;
- operations which potentially affect water quality in a listed town water supply catchment;
- operations within 2 km upstream of a town water supply intake; or
- construction of new access or major upgrading of existing access for timber harvesting onto local government roads.²⁹

8.34 The Forest Practices Code also specifies that Forest Practices Plans must be certified by an authorised Forest Practices Officer prior to the commencement of operations and at the completion of operations, and that relevant information within Forest Practices Plans should be "made available to interested parties in an effective and efficient manner".³⁰

Private Timber Reserves

8.35 Under the *Forest Practices Act 1985* landowners can apply to the Forest Practices Board to have all or part of their land declared a Private Timber Reserve. Land declared a Private Timber Reserve is only to be used for the establishment, growing or harvesting of timber, and other such activities considered by the Forest Practices Board to be compatible. The type of forestry (native forest or plantation) they engage in on a Private Timber Reserve is up to landowners themselves.³¹

8.36 While forestry operations³² on Private Timber Reserves are specifically excluded from the requirements of the *Land Use Planning and Approvals Act 1993* they "must comply with the requirements of the Forest Practices Code and landowners must consult with local government and neighbours in development of Forest Practices Plans".³³

8.37 In evidence, DIER reiterated the importance of Private Timber Reserves, describing the system as an important feature of the Tasmanian legislative framework and part of the reason for Tasmania's successful plantation sector. It was further argued that the reserves "provide private growers with some security that their

29 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, p. 5.

30 *Forest Practices Code 2000*, Tasmanian Forest Practices Board, Hobart, pp. 3-5.

31 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 9.

32 Forestry operations include: the establishment of forests, growing of timber, harvesting of timber, land clearing and land preparation associated with forest establishment, burning off, access construction and transport operations associated with forest establishment, growing and harvesting.

33 *Submission 46*, Department of Infrastructure, Energy and Resources, pp. 9-10.

investment decisions in establishing plantations can proceed through to harvest without undue sovereign risks".³⁴

Forestry Growth Plan

8.38 The Forestry Growth Plan (the Plan) was announced by Forestry Tasmania in 1998. One of the objectives of the Plan is to build a world scale plantation resource to support internationally competitive and value-adding forest industries, and encouraging the development of a world competitive forest processing industry for Tasmania. Also included in the Plan is a resource expansion program involving the Tasmanian Government, private growers, Forestry Tasmania and industry. In addition to researching integrated development opportunities, markets and resource management techniques, the aims of the Plan include:

- boosting annual harvest and increasing market development and sales to support the major expansion of forest plantation programs;
- expansion of plantations and thinning; and
- world scale, internationally competitive plantation production coming on stream in about 2020.³⁵

8.39 The type of value-adding that is predicted under the Plan includes increased sawmilling of softwood and of rotary peeled veneer from hardwood. It is argued that the development of the Southwood Project in Tasmania's Huon Valley and Smithton – an initiative arising out of the Plan – will provide both a more efficient use of Tasmania's timber resource and much needed employment in rural Tasmania.³⁶

State Government Agencies

8.40 There are a number of state government organisations involved in the formation and regulation of policy and the administration of legislation in relation to the plantation forestry industry within Tasmania. The two relevant government departments are the Department of Infrastructure, Energy and Resources (DIER) and the Department of Primary Industries, Water and Environment (DPIWE). DIER supports Tasmania's economic and social development and provides advice on strategic forest policy issues. DPWIE is responsible for the regulation of environmental impacts (including monitoring the use of agricultural chemicals and wildlife control), the protection of biodiversity and the promotion of integrated natural resource management.

34 *Evidence*, Mr Andrew Blakesley, Department of Infrastructure, Energy and Resources, RRA & T, 29 November 2002, pp. 106-107.

35 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 6.

36 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 6.

8.41 There are also two statutory authorities: Private Forests Tasmania (PFT) and the Forest Practices Board. PFT was established under the *Private Forests Act 1994* to promote, foster and assist the private forest sector to sustainably manage native forests and encourage the expansion of plantations. The Forest Practices Board was established by the *Forest Practices Act 1985* and is responsible for fostering a cooperative approach towards policy development and management of the forest practices system – a system that is seen as a key part of the framework for the delivery of sustainable forest management.

8.42 Two other key organisations are Forests and Forest Industry Council of Tasmania and Forestry Tasmania (FT). The Forests and Forest Industry Council is made up of associations with an interest in forest and land use issues and functions as a peak body for the resolution of forestry and land use issues in the state. The Executive consists of representatives from the Tasmanian Farmers and Graziers Association, the Forest Industries Association of Tasmania, the CFMEU, the Tasmanian Country Sawmillers' Federation, the Tasmanian Logging Association and DIER.

8.43 FT is a government business enterprise established under the *Forestry Act 1920* and is primarily responsible for the management and development of forestry on public land.³⁷

Current Tasmanian Forestry Industry and Plantation Estate

8.44 The impact of the RFA and the associated policy and regulatory framework on the development of plantations in Tasmania has been marked. Plantation development increased significantly under the RFA, particularly during its first five years of operation. A major aspect of the RFA (and the provision of Commonwealth funding) was based around the replacement of high quality eucalypt and blackwood resources surrendered in the expansion of the Comprehensive, Adequate and Representative (CAR) reserve system to meet the legislated minimum supply targets. Emphasis was also placed on implementing the *2020 Vision*; expanding the plantation estate on public and private land and facilitating growth in the industry.³⁸

8.45 In its submission DIER noted that:

During the development of the RFA, both the Commonwealth and the State Government recognised the importance of forest based industries to the Tasmanian economy. As such the RFA was intended to have the effect of enhancing the future growth and development of Tasmania's industries associated with forests and timber products through the implementation of

37 The primary source of information in relation to Tasmanian Government Agencies is *Submission 46*, Department of Infrastructure, Energy and Resources, pp.7-8.

38 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, pp. 3 and 97.

the RFA Forests – Employment and Industries Development Strategy (the Strategy).³⁹

8.46 Under the Tasmanian RFA, the Commonwealth provided Tasmania (through Forestry Tasmania) with \$68 million. The funding was provided for the purpose of establishing approximately 20 000 hectares of new plantations to be established on public land over a five year period (to replace eucalypt sawlog forgone through additional reservation). Whilst this program is almost complete, it has been one of the drivers behind Forestry Tasmania's purchase of private land since 1997.⁴⁰

8.47 At the end of the 2001 planting season (and the fourth year of the program), approximately 16 000 hectares of new eucalypt plantation had been established on public land. This total includes 14 000 hectares directly owned and managed by Forestry Tasmania, and 2 000 hectares being held as joint ventures or other contractual arrangements.⁴¹ Tasmania's softwood plantation estate is currently growing at a slower rate than for hardwood. The majority of the estate is being operated as a joint venture between Forestry Tasmania and GMO Renewable Resources.

8.48 The total land area of Tasmania is approximately 6.8 million hectares. Of this land area approximately 40 percent is protected either in World Heritage Areas and National Parks or in other reserves.⁴² A further 1.6 million hectares (24%) is used as agricultural land and approximately 1.5 million hectares (22%) is used for forestry activities. The land used for forestry activity can be further divided into land used for production forestry⁴³ (86%), and land used for plantation forestry (the remaining 14%).⁴⁴

8.49 A recent report published by DIER describes the Tasmanian forestry estate as follows:

In June 2001 there were 3 352 000 hectares of forest in Tasmania covering 47 per cent of the State's land area. In 2002 the area of plantation forest was about 207 000 hectares or 6 percent of the total forest area. About 1 115

39 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 3.

40 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 66.

41 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 5.

42 Tasmania's Forests, viewed at www.forestrytas.com.au/forestry_tas/pages/forests.html on 17 August 2004.

43 For the purposes of the DIER Report, 'production forestry' is defined as commercial production from native forests and related activities on public and private land.

44 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 1.

000 hectares of forest, including 124 000 hectares of plantation is on privately owned land.⁴⁵

8.50 The structure of the Tasmania forest estate has several features:

- Tasmania's total plantation estate, while not the largest in Australia, covers comparatively more land than in any other State;
- Private plantations cover approximately 124 400 hectares and softwood plantations cover approximately 82 900 hectares;
- Tasmania's total plantation area has been increased from 64 200 hectares in 1996 to 207 300 hectares at the end of 2002;
- In common with all Australian plantation regions, plantings of broad-leaved hardwood plantation species now account for almost all new plantings;⁴⁶ and

8.51 A large proportion of plantations are established by clearing native forests, a practice that has ceased in all other states. From 1999 to 2003, 80,000 hectares of native forests were clearfelled and mainly converted to plantations.⁴⁷

8.52 The value of Tasmanian forest production, and its structure, is summarised as follows:

- The total value of sawmilling logs delivered has been relatively stable over the period from 1985. In contrast, the volume of logs delivered for pulp and paper manufacturing has fluctuated over time but with a general upward trend since the early 1990's and represent production from all forests, not just plantations. They include public and private production, native and plantation timber, and both hardwood and softwood.⁴⁸
- In 2001 (the last year of comprehensive figures) there was production of 3 903 000 cubic metres of woodchips and 339 000 cubic metres of milled timber - a total of 4 243 000 cubic metres of production.⁴⁹

45 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 35.

46 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 35 and p. 36, Table 21. See also, *Submission 22*, Forests and Forest Industry Council of Tasmania, pp. 1-2.

47 Figures taken from the Forest Practices Board, 2002-2003 Annual Report, pp. 15 and 23.

48 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 53. (Figures are drawn from ABS data).

49 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 55.

- After applying a range of prices (stumpage prices) for high-priced sawlog veneer to low-priced standard pulp, the stumpage value of timber produced in Tasmania in recent years might be somewhere in the range of \$100 million to \$130 million, or:

- 4 million cu m of pulp logs @ \$15 \$60 million
- 1 million cu m of sawlogs @ \$40-50 \$40-50 million

Total \$100-130 million

8.53 The DIER study (*Rural Land Use Trends in Tasmania 2003*) notes that:

In 1999-00 the industry value added figure for the Wood and Wood Product Manufacturing sector was \$399 million. This is in addition to the ex forest gross value estimate ... and hence cannot be directly compared with agriculture gross value of production figure. "Log Sawmilling and Timber Dressing" made up around 50 per cent of the total (\$197.6 million) with the remainder coming from "Other Wood Product Manufacturing" and "Paper and Paper Product Manufacturing".⁵⁰

8.54 Forestry production of \$399 million compares with total value of agriculture of approximately \$2 710 million⁵¹ and tourism of approximately \$700 million.⁵²

Strategic Element 4 – Social and Environmental Factors

8.55 Strategic Element 4 of the revised *2020 Vision* recognises the concerns of rural communities and the need to establish community support for plantations. While Tasmania may have successfully established the goals of Strategic Elements 1 and 2 and the returns in plantation forest growth envisaged by the *2020 Vision* the outcomes set out in Strategic Element 4 are less discernable. In fact, during the inquiry the Committee was presented with evidence that suggests this Strategic Element is critical to the Tasmanian industry.

8.56 A number of submissions indicated concerns about the social and environmental impact of the expansion fostered by the RFA and the associated *2020 Vision*. Doubts were expressed not only in relation to the environmental impact of plantations but also the level of promised environmental benefits.

50 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 56.

51 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 50.

52 See, *Study by the Centre for Regional Economic Analysis at the University of Tasmania 1998*, Tourism Tasmania, p. 2 – last available figures are for 1998.

Impact of Plantation Development on Land Use Patterns, Including Conversion of Agricultural Land and Native Forest to Plantations

Plantations on Private Land and Rural Land Use

8.57 There has also been a rapid expansion of plantations on private land over the past decade – a trend that is likely to continue. This expansion is largely based on plantation prospectus companies such as Gunns Limited and Forest Enterprises Australia.

8.58 Gunns Limited is proposing to develop a sustainable plantation estate of 200 000 hectares under management by 2011. As at November 2002, Gunns owned in excess of 50 000 hectares of plantations in Tasmania and managed an additional 10 000 hectares (owned by Gunns Limited in joint ventures). Forest Enterprises Australia Limited – a Tasmanian-based integrated forestry company – is also offering investment opportunities in Tasmanian plantations consisting primarily of *Eucalyptus nitens*.⁵³

8.59 There is community concern regarding the conversion of agricultural land and native forest to plantations (and the resulting loss of community infrastructure) since 1996. In response to community concern, the Tasmanian Government and the Local Government Association of Tasmania formed the Local Government Forestry Consultative Committee. The Consultative Committee undertook to identify and review issues of particular concern. A report titled *Rural Land Use Trends in Tasmania* was first published 2001. The information contained in the 2001 report was reviewed and updated with more detailed and accurate data and an updated version of the report was published by DIER in 2003.

8.60 The DIER report acknowledges that there has been a significant increase in the area of plantation forestry in Tasmania over recent years. Since 1997, 60 percent of the increase in total plantation area (or 124 400 hectares) has been on private land.⁵⁴

8.61 The report also notes that approximately 22 000 hectares (18%) of plantations on private land are areas that have previously been under pasture, but that it is difficult to determine any major impact of this in ABS figures in relation to agricultural land use or total output:

Sown pastures make up almost 50 per cent of the total area of agricultural establishments in the State – 800,000 to 900,000 hectares. Because of the fact that plantation development on what was previously agricultural land has tended to favour grazing land in relatively high rainfall areas, this should be the land use category most impacted by plantation development. In fact, the Australian Bureau [of] Statistics estimates for the area of sown pasture have fluctuated from year to year so that no real trend is evident. To

53 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 6.

54 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 2.

some extent this may be due to differences over time in the way in which data has been collected and interpreted.⁵⁵

8.62 The Committee notes the Report's analysis of forestry plantations on various land capability classes, which suggests that only a small percentage of the total plantation area has been established on prime agricultural land. The largest area of prime agricultural land that has been converted to forestry plantations is located in the North Western Natural Resource Management Region.⁵⁶

8.63 The Report also argues that there are a wide range of influences which have an impact on land use patterns in Tasmania. In relation to agriculture, terms of trade and productivity improvements have a bearing on the decisions farmers make regarding land use. These issues are also likely to have an impact on the degree to which forest plantations will compete for sown pasture – particularly in higher rainfall areas – over the next few years.

8.64 There has been an increase in investment in forestry prospectus companies over recent years – particularly because of changes to the taxation provisions. At the same time, however, increased beef and milk prices are expected, and this is likely to increase the competitiveness of those enterprises. Land prices are, therefore, likely to increase in areas where plantations, dairying and beef cattle are competing for land.⁵⁷

Evidence to the Committee

8.65 Environment Australia (EA) noted that:

... most, but not all, jurisdictions now discourage or prohibit broad-scale clearance of native vegetation for plantation development on public and private land, while encouraging their establishment on previously cleared agricultural land. Environment Australia strongly supports this trend.⁵⁸

8.66 However, the Launceston Environment Centre argued that plantations should not be established on land covered by native vegetation, on prime agricultural land or in areas of good rainfall. The Centre's submission noted that, in Tasmania:

...plantations generally do not occur in the low rainfall areas of the midlands, East Coast and Flinders Island. The already cleared and degraded areas where low rainfall occurs in Tasmania should be used for the

55 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 2.

56 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 3.

57 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 4.

58 *Submission 50*, Environment Australia, p. 3.

establishment of plantations. This would provide advantages for both the utilisation of the already cleared ground and to reduce salinity.⁵⁹

8.67 In her submission to the inquiry, Ms Gwenda Sheridan told the Committee that Tasmania's RFA and the *2020 Vision* have resulted in the conversion of land and the expansion of the plantation forestry industry. Ms Sheridan argued that, as a result of plantation expansion, entire landscapes are being destroyed and whole communities being displaced, and that in her professional opinion:⁶⁰

...if the present pattern is allowed to continue, then Tasmania's unique set of cultural landscapes, different in different areas of the state will be severely compromised, if not in places quite destroyed. Industrialised farming of trees in the twenty first century is a very different scenario to traditional farming, in methods, characteristics, ownership, internal farm boundaries, economic bottom line expectations and in an end landscape result.⁶¹

8.68 Organisations such the Northwest Branch of the Tasmanian Conservation Trust also expressed concerns about the conversion of what has traditionally been considered prime farming land:

The establishment of industrial monoculture tree plantations in the northwest of Tasmania during the past few years has seen a history of a complete absence of community consultation, poor planning and destructive practices, resulting in the loss of some of the best prime farming land in the world for producing food that enhanced Tasmania's "clean and green" image internationally.⁶²

8.69 The concerns expressed by the Conservation Trust are typical of those expressed in a large number of submissions. It was argued that the establishment of plantations has resulted in the loss of prime farming resources and ultimately led to the destruction of entire farming communities.⁶³

8.70 Organisations such as the Tasmanian Forests and Forest Industry Council argue however that landowners should maintain the right to make their own decisions regarding the type of crops they wish to grow – and that a large number of farmers now mix tree plantations with grazing, grain or vegetable production.⁶⁴ The

59 *Submission 27*, Launceston Environment Centre, p. 2.

60 Ms Sheridan has post graduate research qualifications in landscape, recreation and land planning and is a corporate member of the Planning Institute of Australia.

61 *Submission 47*, Ms Gwenda Sheridan, p. 8.

62 *Submission 45*, Northwest Branch of the Tasmanian Conservation Trust Inc., p. 1.

63 See, for example, *Submission 24*, Mr Malcolm Ryan, pp. 3-4; *Submission 18*, Mr John Hayward, p. 2 and *Submission 17*, Mr Nick Towle, p. 1.

64 *Submission 22*, Forests and Forest Industry Council, p. 2.

Committee notes that unlike other crops, tree plantations are assisted by tax deductibility under the 12-month prepayment rule.

Policy on the Protection of Agricultural Land

8.71 The Committee notes that the Tasmanian Policy on the Protection of Agricultural Land came into effect on 6 October 2000. The Policy was introduced with the aim of 'protecting agricultural land from development that could reduce, inhibit or extinguish agricultural productivity'.⁶⁵ The Committee notes, that for the purposes of the Protection of Agricultural Land Policy, 'agriculture' includes both intensive tree farming and plantation forestry.

8.72 The Policy is credited by DIER as facilitating the expansion of plantation forests in Tasmania⁶⁶ and specifically protects "prime agricultural land",⁶⁷ except under certain circumstances. Throughout Tasmania, Municipal Council planning schemes have been modified to support the administration of this Policy. It has seven principles including the protection of agricultural land from conversion to non-agricultural use and development.⁶⁸

Water – Quantity and Quality

8.73 Plantation development on land that had previously been pasture also has the potential to impact both water availability and quality.

8.74 The issue of water availability has become a matter of concern to the Tasmanian Government and farmer and industry organisations over recent years. A large percentage of Tasmania's major catchments (and large bodies of water) have been modified for water use such as water storage, hydro-electricity and irrigation. A major problem for the State relates to industry's increasing need for water extraction and ambitions to drought-proof properties by increasing the number of dams and weirs.⁶⁹

8.75 The impact of plantations on catchment run-off has also become an issue in recent years:

65 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 63.

66 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 2.

67 'Prime agricultural land' refers to land defined as being Class 1, 2 or 3 under the land capability classification system in Tasmania.

68 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, pp. 63-64.

69 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 38.

Forestry plantation development has the potential to impact on water supplies by increasing evapo-transpiration and thereby reducing groundwater recharge and run-off. The impact may be beneficial or detrimental depending on the specific circumstances:

- Beneficial – a reduction in ground water recharge may eventually lower water tables in areas where dryland salinity is a risk.
- Beneficial – reduced flooding risk and soil degradation during heavy rainfall events by increasing water retention (except immediately following harvesting).
- Detrimental – a reduction in run-off has the potential to impact on down-stream water users and on environmental flow.⁷⁰

8.76 The Committee notes that plantations in Tasmania are generally not located in salinity recharge areas and that clearing in preparation for plantations increases the impact of erosion.

8.77 The report prepared by DIER notes that some initial analysis of the impact of forestry plantations has been undertaken. For example, a recent study looked at the impact on Launceston's water supply of forestry developments in St Patricks and North Esk Catchments. A model prepared for the study indicates that there has been a small reduction in water supply due to both current and past plantation and logging regimes. It was also argued, however, that a predicted 8-10 per cent reduction in annual water yield would only happen "if all suitable land was converted to fast growing plantation and that that situation was unlikely to occur".⁷¹ Also:

In general terms plantation forestry has the potential to significantly reduce stream flows available for irrigation if new plantations replace pasture or other relatively low water use vegetation cover in a significant proportion of the catchment area. This is more likely to be an issue with smaller catchments and localised areas rather than on a broad scale basis.⁷²

8.78 In its submission to the Committee EA noted that Australian tree plantations currently consume approximately 15.5 million megalitres of water per year (worth approximately \$6.75 billion per year). It was also noted that a trebling of Australia's plantation estate would mean an increase to 45 million megalitres per year (or about \$20 billion per year) and result in significant impacts on downstream users.⁷³

70 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 61.

71 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 61.

72 *Rural Land Use Trends In Tasmania 2003*, Tasmanian Department of Infrastructure, Energy and Resources, November 2003, p. 61.

73 *Submission 50*, Environment Australia, p. 6.

8.79 EA argued that, depending on location and management, long rotation plantations can help to significantly improve water quality and deliver an important environmental service. At the same time, however, they conceded that the issue of water availability could prove to be a potential problem "where there is competition for the resource from downstream users, including the environment".⁷⁴ EA also acknowledged that establishing plantations on previously cleared agricultural land can be expected to have an impact on both surface and groundwater resources and their dependent ecosystems.⁷⁵

8.80 EA also made the following points in relation to seasonal or temporal variability of water flows:

- afforestation leads to a decrease in flows of all magnitude, with greatest impact on the magnitude and persistence of low (or dry period) flows;
- in some small catchments, the number of zero-flow days could be expected to increase after plantations are established; and
- peak flows from run-off decrease significantly after grassland or pasture is converted to forest.⁷⁶

8.81 In relation to regional or geographical variability, EA noted:

- the impact of plantations on water flows is primarily dependent on the level of rainfall;
- in areas of moderate rainfall (600-850 mm), establishing plantations on previously cleared soil is likely to reduce the usable water resource (stream-flow and recharge) by about 100 mm per year – or one megalitre per hectare per year; and
- plantings in higher rainfall areas would result in greater reductions.⁷⁷

8.82 In her submission to the inquiry, Ms Gwenda Sheridan also argued that plantation forestry is going to have a severe impact on the water yield of catchments – particularly into the future – as old forests are replaced by regrowth young plantation trees:

Tasmania is a mountainous island and the majority of the Crown forest lands and private forest holdings being proclaimed as Private Timber Reserves, [PTR's] lie between the agricultural farmland at lower elevations and the higher peaks and mountains. Thus they are located in the upper

74 *Submission 50*, Environment Australia, p. 2.

75 *Submission 50*, Environment Australia, p. 2.

76 *Submission 50*, Environment Australia, p. 2.

77 *Submission 50*, Environment Australia, p. 2.

watersheds of major and minor river catchments. An independent study done by Launceston City Council on the North Esk, July, 2002 found that total runoff and low flows were affected most in the 20 year logging rotation tree farming scenario. (Note that their smallest time frame for the model was a 20 year rotation, not a 13 year one; private industry is operating on a 13 year turnaround rotation timetable). By the second rotation in the model, it showed a 33% reduction in water yield.⁷⁸

8.83 Ms Sheridan predicted that the implications for the future, for local government and both rural and urban water users downstream, will be enormous and that "the question of water rights will emerge as a most serious future issue in the community".⁷⁹ The submission also speculated about whether the plantation industry is conducting appropriate research into plantations on the water yield of catchments, particularly over the long term:

To my knowledge the industry are not conducting their own research into water yields of catchments areas, though under Attachment 4, and the Montreal Process Criteria of the RFA it could be argued that they ought to be doing so, (see Criterion 4, and Criterion 1).⁸⁰

8.84 In February 2004, the Committee wrote to the relevant agencies in each State, seeking information regarding the measurable, long-term effects on the water run-off from water catchments and groundwater resource following the establishment of large scale, intensive, plantations.

8.85 Forestry Tasmania's General Manager responded as follows:

I am not clear as to the meaning of large-scale in this context. In practical terms water management is focussed on 48 catchments across Tasmania. These catchments include one or more watercourses and have been defined at a suitable scale for resource management based on a combination of water flow, land tenure and land management. There are no catchments in Tasmania where forest plantations currently exceed or are planned to exceed more than 20% of the total catchment area, which is considered to be the scale at which plantations may have a discernible effect on water yield.⁸¹

8.86 In relation to questions posed by the Committee regarding water quality, the General Manager also indicated that Forestry Tasmania monitors water quality before, during and after any plantation operations which involve the use of pesticides, and the results are published in the annual *Sustainable Forest Management* reports. He also

78 *Submission 47*, Ms Gwenda Sheridan, p. 5.

79 *Submission 47*, Ms Gwenda Sheridan, p. 5.

80 *Submission 47*, Ms Gwenda Sheridan, p. 5.

81 Correspondence to the Committee from Dr Hans Drielsma, General Manager (Forest Management), Forestry Tasmania, 3 March 2004, p. 1.

indicated that "Forestry Tasmania has a hydrology monitoring program as part of the Long Term Ecological Research study area at Warra in southern Tasmania".⁸²

8.87 The Committee subsequently received correspondence from Dr David Leaman, which provided detailed comment on the response provided by Forestry Tasmania. Dr Leaman, a Hobart geohydrologist, argues that the primary issue is one of location and the fact that the 48 managed catchments have, or may have, no more than 20% usage by forest activities is actually quite irrelevant:

... just where is the 20%? Is it in the headwaters section where it will do most damage to the river system, or is it in some subcatchments such that other users are displaced or robbed of water? We need to look at usage, users, locations and subsidiary catchment issues.⁸³

8.88 Dr Leaman also argued that the General Manager's claim that 20% of the catchment area is considered to be the scale at which there may be a discernible effect on water yield is invalid, and he questions the lack of evidence to substantiate Forestry Tasmania's claim. Dr Leaman indicated that the results of his own modelling had shown that 20% use may in fact lead to a 10% loss in annual yield from the catchment. He also added that, taking into account seasonal effects, "10% of annual loss may translate into 20 to 40% of summer flow loss" – which is more than 'discernible' and crucial to all other water users in the catchment.⁸⁴

8.89 Dr Leaman was also critical of the way in which Forestry Tasmania manages the issue of water quality:

My observation of quality monitoring by Forestry Tasmania is that it is cursory (long interval sampling) and not focussed in a way which would establish the risks (if any) from chemical contamination. Consequently it does not much matter how such results are reported – typically in the negative, implying safety. What would one see if the sampling were really done just before clearing, just after applications during a run off surge etc? I do not know and I suspect they do not want to know. The few results that are in the public domain which are relevant to this, or which have been shown to me by private individuals, are not encouraging. Troubling, in fact.⁸⁵

8.90 These concerns about chemical contamination of the waterways mirror other evidence to the inquiry.

82 Correspondence to the Committee from Dr Hans Drielsma, General Manager (Forest Management), Forestry Tasmania, 3 March 2004, p. 2.

83 Correspondence to the Committee from Dr David Leaman, Leaman Geophysics, 24 March 2004, p. 2.

84 Correspondence to the Committee from Dr David Leaman, Leaman Geophysics, 24 March 2004, p. 2.

85 Correspondence to the Committee from Dr David Leaman, Leaman Geophysics, dated 24 March 2004, p. 3.

8.91 A number of submissions expressed concern over the possible pollution and contamination of waterways that may be resulting from plantation forestry. Both softwood and hardwood plantations are vulnerable to competition for natural resources from other plants, "predation by vertebrate and invertebrate herbivores as well as fungal disease".⁸⁶ The risk to plantations from each of these 'competitors' can be reduced by chemicals.

8.92 Doctors for Forests (Tasmania) expressed concerns about the plantation industry's high dependence on chemicals, including: the use of 1080 poison to control browsing animals, the use of triazines as herbicides and the aerial spraying of insecticides (including pyrethroids).⁸⁷

8.93 Doctors for Forests (Tasmania) argued that 1080 is a very dangerous chemical banned in the USA in the 1970's. The group also noted that animals poisoned with 1080 experience extreme thirst, and will naturally seek water. It is quite common, therefore, for decaying animal carcasses to be found in water catchments, which, it is argued, can lead to faecal contamination of waterways and a possible threat to human health.⁸⁸ It was also noted that triazine chemicals, which are known to be oestrogenic, can disrupt normal development of reproductive organs (and are classified as probable carcinogens) have been banned in several European countries.⁸⁹

8.94 Doctors for Forests also referred to alleged breaches of the Forest Practices Code and argue that many of these breaches relate to the management of riparian vegetation:

The result is frequent inadequacy of buffer zones around water courses – this allows chemicals to be washed into waterways. Future litigation from organic farmers and operators of aquaculture ventures is expected.⁹⁰

8.95 In his submission to the Committee, Mr P. Newsome also expressed concerns about the use of 1080 poison which, he argued is "not acceptable under any circumstances because of the potential to contaminate the food chain".⁹¹ The use of a poison called Dominix 100 – a poison developed for the control of insects such as cockroaches – and not recommended for use in the open environment was also raised as a concern. Mr Newsome argues that this particular poison has the potential to be "devastating to bees and if it gets in to the river systems is equally deadly on fish".⁹²

86 *Environmental Problems Georges Bay, Tasmania*, Scammell, Dr Marcus, July 2004, p. 9.

87 *Submission 59*, Doctors for Forests (Tasmania), p. 2.

88 *Submission 59*, Doctors for Forests (Tasmania), p. 2.

89 *Submission 59*, Doctors for Forests (Tasmania), p. 2.

90 *Submission 59*, Doctors for Forests (Tasmania), p. 2.

91 *Submission 57*, Mr P. J. Newsome, p. 2.

92 *Submission 57*, Mr P. J. Newsome, p. 2.

8.96 The issue of aerial spraying of poisons was raised by Ms Brenda Rosser. She indicated in her submission that the Spray Complaints Unit of the Department of Primary Industries Water and Environment (DPIWE) has provided information to suggest that there are no effective preventative processes in place to protect household rainwater from neighbouring pesticide use – particularly with regard to aerial spraying. Ms Rosser argued that with aerial spraying the pilot is required (theoretically) to ensure that no drift occurs, but the pilot has no legal obligation to test the drinking water tanks of the residents below (this is true of those applying pesticides on the ground as well). While the Spray Complaints Officer at the DPIWE can go out and test the water of a resident who complains:

... for the resident to have any option of legal recourse or compensation he/she must prove that any contamination that may be found can be linked to a specific spray contractor and with a specific incident. 'Damage' must also be proved.⁹³

8.97 Mrs Evelyn DeVito also voiced her concerns about the lack of mandatory industry codes in relation to the spraying of herbicides. In evidence to the Committee, Mrs DeVito cited the example of herbicides being sprayed during high winds:

Spraying was done with herbicides on the plantation. We could see the herbicide blowing in sheets, and we could smell it.

All the spray complaints went to the department of the state government, and we really did not get any satisfaction. The company continued to spray through – they finished their job for the day. In that particular case, the only victims of that spraying that we could recognise were some trees planted by one of the other timber companies. We later found out from a spraying contractor working for the other company that the wind speed was well over 22 kilometres an hour. The ground spray rules advise that spray not be applied at wind speeds of more than 15 kilometres per hour. But there is nothing legal to say that they could not be spraying under those conditions and we could only watch.⁹⁴

8.98 The Tasmanian government's response to the issues of catchment management and water quality are discussed in Tasmania's Nature Conservation Strategy, which states that:

To meet the needs of the National Water Quality Management Strategy and the State Policy on Water Quality Management, the Clean Quality Water Program has been developed and the Water Development Plan (DPIWE December 2000) released for discussion in December 2000. The Water Development Plan looks at how to balance the needs of primary industry, domestic use, tourism and recreation. A draft discussion paper on integrated catchment management has also been completed. Other programs underway

93 *Submission 53*, Ms Brenda Rosser, p. 7.

94 *Evidence*, Mrs Evelyn DeVito, RRA & T, 29 November 2002, p. 180.

in Tasmania include the National Assessment of River Health, State of River reporting, Rivercare, identifying Protected Environmental Values (PEVs), and defining minimum environmental flow regimes for major river systems. In addition, community groups can prepare water management plans to identify ways of improving or protecting water resources to meet their needs and those of the environment. Existing and new programs such as ChemCollect, drumMuster and the proposed ChemClear are all assisting at the property level by reducing pollution of waterways and responsible storage of chemicals.⁹⁵

Environmental Benefits?

Salinity

8.99 Dryland salinity is caused by changes in land use, such as clearing of vegetation for agriculture, and is associated with a change in water usage, for example: irrigation for cropping. As a result of these changes, more water enters the ground water and reaches an accumulated salt layer – causing salt to rise to the surface of the soil or to enter streams and waterways.

8.100 In 1992, it was estimated that 45 000 ha of agricultural land in Tasmania had moderate to severe salinity. This figure had increased to approximately 53 500 ha by 2000 – this represents an annual rate of increase of 1.5% per year, and in terms of agricultural production, represents a financial loss of \$5.35 million in 2000. The Nature Conservation Strategy indicates that the Flinders and Northern Midlands regions are "potentially the most affected, with properties serviced by the Cressy-Longford Irrigation Scheme or situated in the Pittwater and Coal River catchments being the most affected."⁹⁶

8.101 Dr John Wilson, acknowledging the salinity problem, stated:

One ought to note that Tasmania does have an increasing salinity problem, and that it is concentrated in the areas of the drier midlands strip, the East Coast and Flinders Island where there has been little plantation investment or development. Unfortunately, many Government maps do not differentiate these areas from the better agricultural areas, and one could easily be deceived into thinking that the whole of Tasmania is suitable for plantation development, or that the areas under plantation are evenly dispersed around the State. On the contrary, plantations are becoming

95 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 39.

96 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 43.

concentrated on some of Tasmania's best, wettest and deepest rich soils previously devoted to small cropping, dairying and cattle production.⁹⁷

8.102 The Committee notes that some land previously used for dairy grazing is now under plantation forests, but does not necessarily accept that the best, wettest and deepest soils have been taken up by plantation forests.

8.103 The Committee is concerned that no consideration of the issue of salinity recharge appears to have been given in the development of the plantation industry.

8.104 The Tasmanian Government has become a signatory to the National Action Plan for Salinity and Water Quality (and the associated Inter-government Agreement). Research has been undertaken as part of the National Land and Water Resources Audit to determine the extent and impact of dryland salinity in Tasmania, and the investigation was completed in mid 2000.

Biodiversity

8.105 As part of Tasmania's RFA (Attachment 10.3) the State agreed to develop and implement a Biodiversity Strategy by 31 December 1999. A draft Nature Conservation Strategy was prepared by the State Biodiversity Committee in June 2001 and released for public comment. The Biodiversity Committee's final report – *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems* – was publicly released in March 2003.

8.106 The Nature Conservation Strategy argues that the current rate of clearing of native vegetation is a major threat to the island's biodiversity:

The most significant threat to natural diversity in Tasmania is the clearing of native vegetation and its replacement with another activity (e.g. tree plantations, agriculture, dams, housing, etc.). Native vegetation clearance impacts on native plant and animal communities, and also significantly affects landform and soil processes by increasing water run-off and erosion, leading to changed river flows, increased sedimentation in estuaries and other major impacts. Between 1972 and 1999 over a quarter of a million hectares of native vegetation were cleared in Tasmania. From 1999 to 2000 (i.e. in one year) 15,800 ha of native vegetation was approved for conversion to plantation or non-forest use.....⁹⁸

8.107 The Strategy goes on to argue that "these clearance rates have their basis in the bilaterally agreed Regional Forest Agreement and are constrained by the

97 *Submission 2*, Dr John R. Wilson, p. 2.

98 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 32.

Permanent Forest Estate Policy."⁹⁹ It is noted that the policy is both monitored and audited by the Forest Practices Board through Forest Practices Plans.¹⁰⁰

8.108 Mr Graham Green, on behalf of Timber Workers for Forests, was highly critical of the clearfell method of harvesting timber. He argued, however, that unfortunately the current management of Tasmania's state forest is "characterised by a predominance of clearfelling, high timber production volume, low margins, decreasing levels of downstream processing and detrimental impacts on alternative forest values which if maintained have the potential to provide a constant income stream to the community."¹⁰¹

8.109 It was further argued that it is not only timber values that are compromised when a forest is clearfelled – there are also losses with regard to ecotourism, water yield and quality, soil quality, carbon and nutrient cycling and pollination services. Other issues that are often not taken into consideration are the fragmentation of forest landscapes, the siltation of water supplies and the loss of animal and plant species.

8.110 Timber Workers for Forests concluded that:

The diversity and abundance held by the state's native forests has taken geological timescales to develop, and when destroyed by clearfelling, cannot be renewed under the timescales (decades) that characterise the desired logging rotations for Forestry Tasmania.¹⁰²

8.111 EA argued that clearing of native vegetation for plantation establishment, particularly broad-scale clearance, could negate the achievement of any positive environmental impact the *2020 Vision* may have. It was also noted that broad-scale clearance of native vegetation is "inconsistent with Commonwealth and State commitments to reverse the decline in the quality and extent of Australia's native vegetation cover."¹⁰³

8.112 The Commonwealth has various mechanisms to bring Tasmania's approach to clearing native vegetation for plantation establishment into line with the situation in other states. One option might be to for the Commonwealth to seek to renegotiate the RFA with Tasmania so that Tasmanian practices reflect those in other states.

99 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 32.

100 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. 32.

101 *Submission 73*, Timber Workers for Forests, Paper authored by Mr Graham Green titled *Clearfelling and Woodchipping in Tasmania – An Economic Appraisal*, May 2003, p. 12.

102 *Submission 73*, Timber Workers for Forests, Paper authored by Mr Graham Green titled *Clearfelling and Woodchipping in Tasmania – An Economic Appraisal*, May 2003, p. 12.

103 *Submission 50*, Environment Australia, p. 3.

8.113 Ms Judy Clark gave evidence that large-scale land clearing to establish plantations gives Tasmanian growers an advantage, in effect subsidising plantation establishment from forest harvesting.

Whilst in Tasmania you can establish plantations through large clearing of native forests and earn the cash flow on that business and then replant and enjoy that configuration, other eucalypt plantation growers in Australia do not enjoy that benefit.¹⁰⁴

8.114 The Committee notes that Recommendation 11 of *Tasmania's Nature Conservation Strategy 2002-2006* relates to environmental standards for Tasmanian industry. It is recommended to:

Include mandatory high environmental standards in the accreditation systems for key industries in Tasmania. These standards should include a code of practice with a duty of care component, a certification of product quality and minimal environmental impact during production, and a third-party audit. Where possible the process should be linked to financial advantages such as ecolabel¹⁰⁵ or other incentives.¹⁰⁶

8.115 The Committee also notes that Tasmania's Nature Conservation Strategy outlines the State's national obligations to protect native vegetation and diversity as those contained in the following documents:

- National Strategy for the Conservation of Australia's Biological Diversity;
- Inter-governmental Agreement on Salinity and Water Quality;
- Commonwealth-Tasmanian Regional Forest Agreement;
- National Greenhouse Strategy;
- National Heritage Trust Partnership Agreement;
- National Framework for the Management and Monitoring of Australia's Native Vegetation;
- National Local Government Biodiversity Strategy; and the
- National Forest Policy Statement.

104 *Evidence*, Ms J Clark, RRA & T, 21 February 2003, p. 317.

105 Ecolabel – a brand or label for a product which indicates the product has been made without causing (or causing minimal) damage to the environment.

106 *Tasmania's Nature Conservation Strategy 2002-2006: An action plan to protect Tasmania's natural diversity and maintain ecological processes and systems*, State Biodiversity Committee, Department of Primary Industries, Water and Environment, March 2003, p. iii.

8.116 The Tasmanian Forests and Forest Industry Council expressed the view that Local Government should not be involved in environmental protection issues:

Adequate provision exists at State level to control native vegetation removal and the protection of flora and fauna is legislated. Another layer of control vested in Local Government is unwarranted. Forestry is the only form of agriculture with legislated codes of practice in force.¹⁰⁷

8.117 Under the RFA, the Tasmanian Government agreed (Attachment 10.11) to develop and implement a Code of Practice for Reserve Management. The Code is required to include guidelines on all environmental practices, including erosion risk from roads and tracks within reserves.

Forest Management

8.118 The clearing and preparation of sites for plantation forests and other forest management practices was also raised in other submissions.

8.119 During the Inquiry, the Committee heard evidence from Mr Bill Manning, a former auditor with the Forest Practices Board. Mr Manning's evidence to the Committee addressed matters arising from both his personal and professional experience with the Forest Practices Board and its statutory role as the body responsible for implementation of the Tasmanian *Forest Practices Act 1985*, and oversight of forestry activities, including the clearing and preparation of sites in Tasmania for the development of plantations.

8.120 Mr Manning, who had worked in the forestry industry for over 30 years, told the Committee that, in his opinion, both the implementation of the Tasmanian Regional Forest Agreement and the *2020 Vision* had led to:

- the weakening of the Forest Practices Code;
- corruption of forest management in Tasmania, with little or no enforcement of a weakened code of practice and no silvicultural outcome other than clear felling of native forests for plantation establishment of exotic, introduced, plantation species;
- an internal audit system, designed to deliver fraudulent results and to mislead the Tasmanian Parliament;
- a forestry culture of bullying, secrets and lies.¹⁰⁸

8.121 However, the Committee notes that Mr Manning failed to substantiate his allegations of corruption. The Committee also notes that although Mr Manning claimed the Tasmanian Ombudsman failed to investigate his allegations, at the time Mr Manning gave evidence to the Committee in October 2003, he had still not

107 *Submission 22*, Forest and Forest Industry Council, p. 3.

108 *Evidence*, Mr William Manning, RRA & T, 8 October 2003, p. 501.

complied with the Ombudsman's request that his complaint be lodged in writing as prescribed by the *Tasmanian Ombudsman Act 1978*.

8.122 Mr Manning indicated he had not done so as he was of the opinion that there was a conspiracy between the Ombudsman and the then Governor of Tasmania.

Mr Manning—No. I had taken my case to the Ombudsman—it seems a long time ago now; it must have been two years ago—in the period before I left the Forest Practices Board. It was about August last year. What actually occurred was that I handed the documents, most of which were these files, to them. They rang me a week later and said, ‘This is really good. We’ll have a look at this.’ Nothing happened for a couple of weeks. Then I got another phone call and they said, ‘We want you to put a complaint in writing.’ I said, ‘I can’t do that because I’m not protected.’ I said, ‘What will happen if I put in a complaint in writing?’ I was told that the Forest Practices Board would deny everything and that it would all be over in a fortnight. So I did not continue with it.

What happened after that television program was that the Ombudsman recontacted me and asked me to go and see her, which I did with my solicitor. We had a meeting and she still wanted me to put in a complaint in writing. But, as a public servant, I was not protected and I could not do that. The documentation, as you have seen, is very sensitive. The whistleblower legislation, for want of a better name, was in parliament—had been through—and I expected that that would be enacted. But a year later, even though it has been through both houses of parliament, it is still waiting for the governor’s signature.

Senator HEFFERNAN—Do you think they were trying to set you up?

Mr Manning—They were trying to set me up, yes.¹⁰⁹

8.123 In response to a request, the Committee issued a subpoena to Mr Manning to give evidence.

8.124 Forest practices were also heavily criticised by Mr Manning:

Since the introduction of the regional forest agreement and 2020 vision, and particularly in the last five years, I have witnessed the most appalling deterioration in management of Tasmania's forests, especially state owned forests. This has been driven by the forest industry's professional foresters through their total dominance of representation on the Forest Practices Board and the Forest Practices Advisory Council. This domination of the regulatory bodies has led to the Forest Practices Board being simply a rubber stamp to be used by industry and government and for it to be doubly abused as the mouthpiece for defending the most appalling forest practices.¹¹⁰

109 *Evidence*, Mr William Manning, RRA & T, 8 October 2004, p. 516.

110 *Evidence*, Mr William Manning, RRA & T, 8 October 2003, p. 501.

8.125 The Committee was concerned that in order to be in a position to address matters raised by Mr Manning during his evidence, both the Chief Executive Officer and the Chair of the Forest Practices Board were twice invited to appear before the Committee. The Committee was advised by the then Deputy Premier and Minister for Economic Development Energy and Resources, Mr Paul Lennon, that Forest Practices Board officers were unavailable to assist the Committee on both occasions. However, Mr Lennon also advised the Committee that the Forest Practices Board was willing to respond in writing to matters that the Committee may wish to raise regarding its role and work.

8.126 The Committee regrets that Forest Practices Board officers were not available to appear at a public hearing.

8.127 The Committee also received a number of submissions which questioned the effectiveness of the Forest Practices Code and the role of the Forest Practices Board.¹¹¹

8.128 Ms Gwenda Sheridan argued that the Forest Practices System is "open to monumental challenge at the Forest Practices Plan inception"¹¹² and is not open to independent assessment. Ms Sheridan was also critical of the fact that there is an absence of public participation, with members of the public not able to readily access information contained in a Forest Practices Plan, or to object to or appeal any aspect of a Plan.¹¹³

8.129 In evidence Mr Christopher Strong, a community representative with the Launceston Environment Centre, presented a case study in relation to forest practices and management in the Lilydale area. Mr Strong described Lilydale as a town that had always had a history of forestry – based on the selective logging of varied native forest. The community surrounding the town was characterised as being a cohesive one, with an awareness of its unique scenery and an acceptance of good forestry practice adopted over many years. Mr Strong told the Committee that, in contrast, there is virtually no natural vegetation left around Lilydale now, and even "major tracts of Mount Arthur have been clear-felled, much of the area being a scenic protection zone or given other protected status or being the catchment for Lilydale or Launceston."¹¹⁴

8.130 Mr Strong also referred to an audit of a plantation coupe on the Lone Star Ridge which indicated that there had been 63 alleged breaches of the Forest Practices Code:

111 See for example, *Submission 16*, Ms Gwenda Sheridan, p. 11; *Submission 47*, Ms Gwenda Sheridan, p. 6 and *Submission 48*, Ms Geraldine de Burgh-Day.

112 *Submission 47*, Ms Gwenda Sheridan, p. 6.

113 *Submission 16*, Ms Gwenda Sheridan, p. 11 and *Submission 47*, Ms Gwenda Sheridan, p. 6.

114 *Evidence*, Mr Christopher Strong, Community Representative, Launceston Environment Centre Inc., RRA & T, 29 November 2002, pp. 217-218.

That is evidence of why the community is distrustful of an industry that claims to be safeguarding the future, which it cannot create, while destroying the present through government sponsorship. Why should the community trust the Forest Practices Board, we ask? The Forest Practices Board is meant to ensure best practice when the community continually uncovers the consequential breaches of self-regulated industry, which is protected in umpteen ways. And when there is an attempt by the community to question those practices, there are barriers galore to the exercise of any legal approach by the community.¹¹⁵

8.131 Mrs Geraldine de Burgh-Day described her experience with representatives of the Forest Practices Board when she raised concerns about a plantation coupe – Coupe LA28A – located close to her home:

I have had the Forest Practices Board walk over this with me, with a copy of the forest practices plan. We have looked at it and I have said to them, 'It says "blue and white striped tape should be the 10 metre exclusion zone from the creek". There's the creek. Where's the tape? Show me. It's not there. It says "vegetation should be left to protect the giant freshwater crayfish". It's not there.'¹¹⁶

8.132 Mr Frank Strie, a Forestry Consultant and Mobile Sawmiller, was questioned by the Committee about his view of the Forest Practices Code – including whether the code was being observed in Tasmania, and whether it was being implemented on the ground. In response, Mr Strie indicated that:

The forest practices system in Tasmania is designed to pretend. I know that is a very strong call but it pretends to the customer out there and it pretends to the visitors or potential visitors that we have a world-class system in place. It is self-regulated and the people that make up the forest practices system are virtually in-house.¹¹⁷

Comment

8.133 The Committee is concerned that despite a successful implementation of the 2020 Vision's expansion policies and Strategic Elements 1 and 2 in Tasmania, there seems to have been little achieved in relation to Strategic Element 4. Strategic Element 4 indicates that "commercial tree crops can provide a long term solution to a range of land management issues ...including salinity". There seems little evidence that current plantation forests in Tasmania will provide such an environmental benefit. The Committee concedes that there is as yet little evidence in any state of Strategic Element 4 being successfully implemented. In fact, much of the evidence suggests that the impact of the plantation forests and forest management practices on the water

115 *Evidence*, Mr Christopher Strong, Community Representative, Launceston Environment Centre Inc., RRA & T, 29 November 2002, p. 218.

116 *Evidence*, Mrs Geraldine de Burgh-Day, RRA & T, 29 November 2002, p. 225.

117 *Evidence*, Mr Frank Strie, RRA & T, 29 April 2003, p. 417.

system has increased environmental concerns for both water quality and quantity, as well as biodiversity issues.

Social, Economic and Community Factors

8.134 Strategic Element 4 of the revised *2020 Vision* also addresses the need to consult with communities and inform communities about social and economic benefits and costs.

8.135 The submission provided to the inquiry by the Bureau of Rural Sciences (BRS) notes that whilst positive perceptions have been documented in these studies conducted on the impact of plantations on rural communities, it is the negative perceptions that will affect the future development of tree plantations and may prove to be an impediment to achieving the aims of the *2020 Vision*.

8.136 The perceived negative impacts reported in these studies include the issues of environmental impacts and the use of chemicals that may be harmful to the health of local residents.¹¹⁸ These issues have already been discussed in relation to Tasmania (see paragraphs 8.89 to 8.99).

8.137 Other negative perceptions noted by BRS include:

- Impacts on neighbouring landholders such as fencing issues, shading and other plantation management practices;
- Impacts on rural roads requiring upgrading/maintenance for which funding has not been provided, and road safety concerns for other road users; and
- Impacts on other businesses in the region, such as tourism.¹¹⁹

8.138 The issues listed above are indicative of the issues raised with the Committee by Tasmanian residents and community groups.

8.139 The Tasmanian Government's submission acknowledges that the expansion of plantation forestry in the State has not been without its problems:

The rapid plantation expansion in Tasmania in recent years has not been without its challenges and impacts, particularly in terms of social issues in the rural community. Changes to plantation land uses have been concurrent with significant changes in other rural industries.¹²⁰

118 *Submission 86*, Bureau of Rural Sciences, Department of Agriculture, Fisheries and Forestry, p. 1.

119 *Submission 86*, Bureau of Rural Sciences, Department of Agriculture, Fisheries and Forestry, p. 1.

120 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 10.

8.140 The Tasmanian Forests and Forest Industry Council also points to the challenges that are currently facing rural communities and argues that the expansion of the plantation industry is not the 'cause' of social change:

Many rural communities in Tasmania are undergoing social change through factors such as the deregulation of the dairy industry, low commodity prices for many agricultural products, and the social and demographic trend to migration away from rural regions. Plantations offer one of the few viable alternative forms of land use for many landowners. Tree plantations are more a consequence, rather than a cause, of social change. The type of crop to be grown should be determined by the landholder and market forces, not by government.¹²¹

Good Neighbour Charter

8.141 Forestry Tasmania acknowledges that the expansion of plantation forestry in some rural areas has elicited concerns from residents regarding the possible impacts of neighbouring plantations and plantation management on their properties. The Committee was told that, in response to community concerns, the plantation industry – in consultation with local government and farming groups – initiated the Good Neighbour Charter, which was released in August 2000. The Charter committed plantation managers to abide by a set of principles for managing a range of issues that affect landholders whose land adjoins plantations.¹²²

8.142 The Tasmanian government's submission argued that some of the impacts on the rural community "have been sometimes unfairly blamed solely on the plantation industry"¹²³ and that both the government and the plantation industry – by implementing initiatives such as the Good Neighbour Charter and an active communication program – have worked hard to identify and resolve problems at the local level.

8.143 The Good Neighbour Charter – described by DIER, Private Forests Tasmania and Forestry Tasmania as a positive initiative on the part of the forestry industry – is designed to inform "farming neighbours of what they can expect from their forestry neighbour relating to shading, fire management, browsing management and chemical use"¹²⁴ The Charter also provides contact information (for key individuals in plantation companies) which allows residents to call and discuss issues of concern.

8.144 It was argued that the implementation of the Charter has had a positive impact and that the "level of neighbour concern seems to have substantially diminished."¹²⁵

121 *Submission 22*, Forests and Forest Industry Council, p. 2.

122 *Evidence*, Dr Hans Drielsma, Forestry Tasmania, RRA & T, 29 November 2002, pp. 138-139.

123 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 10.

124 *Evidence*, Mr Des King, Private Forests Tasmania, RRA & T, 29 November 2002, p. 119.

125 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 11.

The DIER's submission also noted that the Department has also had a primary role in establishing a consultation and information forum with local government to address their specific concerns; including transport, infrastructure, planning, water and socio-economic issues.¹²⁶

8.145 However, not all evidence to the inquiry was as supportive of the Good Neighbour Charter. Ms Colleen Dibley, a resident of Preolenna, told the Committee that whilst signatories to the Charter undertake to abide by laws and principles in relation to boundary fencing, weeds, the spraying of chemicals etc., personal experience has shown the existence of a Charter to be of little practical use. Ms Dibley cited problems with weeds from plantations spreading across other properties due to lack of management, supervision and machine hygiene, as well as reluctance on the part of a plantation company to meet its agreed obligation to provide boundary fencing.¹²⁷

Infrastructure

8.146 In its submission, the Tasmanian Government stressed the importance of infrastructure planning to the ongoing growth of the plantation timber industry. It indicated that infrastructure planning is being undertaken by the DIER, which is in the process of developing an Integrated Transport and Infrastructure Plan for a number of regional areas.

8.147 The Kentish Council's submission reflected a negative perception of the plantation industry's impact on transport infrastructure. It urged further investigation into infrastructure requirements and the economic impact of infrastructure provision, "particularly the costs passed on from the industry to local communities for road and bridge improvements to accommodate the heavy vehicle movements by logging traffic."¹²⁸ The Council told the Committee that it has had to replace a number of bridges damaged by log trucks and undertake extensive road improvements to adapt roads not suited to heavy vehicle traffic. The Council argued that:

... the industry should be required to participate with local government in the long term planning phase and to be a direct contributor to costs incurred through the implementation of an expansionary policy.¹²⁹

8.148 Forestry Tasmania agrees that plantation development is putting increased "demand on roads and infrastructure in a climate where local government is already having some difficulties in maintaining roads to acceptable standards",¹³⁰ and that there is a need for industry and State government to provide assistance to local

126 *Submission 46*, Department of Infrastructure, Energy and Resources, p. 11.

127 *Evidence*, Ms Colleen Dibley, RRA & T, 29 November 2002, p. 183.

128 *Submission 63*, Kentish Council, p. 1.

129 *Submission 63*, Kentish Council, p. 1.

130 *Evidence*, Dr Hans Drielsma, Forestry Tasmania, RRA & T, 29 November 2002, p. 140.

government. The Committee notes, however, that the assistance suggested does not include the provision of financial support:

We need to investigate actions that will assist local government to assess future infrastructure requirements and have them integrated with the pattern of development of not just forestry but other rural industries.¹³¹

8.149 Mr Les Baker, a representative of Gunns Plantations Ltd, also acknowledged the problems in relation to infrastructure development, but he too stopped short of advocating financial support being provided by industry:

In this state there is an issue in relation to infrastructure and development, particularly in the area of roads and the interface of that with councils, particularly in the use of high productivity haulage equipment.

... there are inconsistent rules in relation to councils and B-double haulage routes – high productivity haulage routes. We would urge that there be investment in that area in relation to bridges and also better co-ordination in that area.¹³²

8.150 The issue of safety on public roads was raised by Mr Simon Warriner, a resident of Wynyard, who argued that the forestry industry – operating under the Forest Practices Code – sets out specific road widths for roads carrying certain volumes of traffic. However, when forestry traffic (including log rucks and equipment transporters) leave forestry industry land to travel on public roads, there is no legislation which sets a minimum road width required to safely accommodate both forestry and public traffic. Mr Warriner claims that it is "common to have forestry traffic leaving a 5.5 metre wide forestry road and continuing down a public road of 4 metres wide."¹³³

8.151 He also indicated that the industry's code of practice applies to its own land. However, there are no such rules on public land, particularly if a Private Timber Reserve has been declared. Local government does not have the power to restrict access to forestry property and is placed in the difficult position of having responsibility with no control. The State department is also in a position of having limited power when the public roads are under council jurisdiction and are even unable to prevent log trucks using sub-standard roads while school buses are present. As a result they "have resorted to brokering informal agreements between operators to avoid clashes of time."¹³⁴

131 *Evidence*, Dr Hans Drielsma, Forestry Tasmania, RRA & T, 29 November 2002, p. 140.

132 *Evidence*, Mr Les Baker, Gunns Plantations Ltd, RRA & T, 29 November 2002, pp. 156-157.

133 *Submission 66*, Mr Simon Warriner, p. 1.

134 *Submission 66*, Mr Simon Warriner, p. 1.

Community Perceptions of the Industry

8.152 Not all evidence to the inquiry focussed on negative aspects of the plantation industry. Industry organisations such as Timber Communities Australia (TCA) expressed support for the plantation industry and argue the merits of plantation forestry – in terms of both economic and environmental values. TCA argued that:

Plantation development is critical to many communities and family businesses that depend on sustainable timber production. Many of these small communities rely on government to ensure the right policies to allow their region to improve its social and economic position. Plantations 2020 is a positive policy, which gives hope to many small regional towns.¹³⁵

8.153 The Preolenna Mothers Group also voiced its support for the plantation forestry industry, indicating that the establishment of plantation forestry had had a positive impact, both on their community and their region. The benefits cited by the Group included increased employment and positive impacts on property values.

8.154 In its submission, the Kentish Council indicated its support for the plantation forestry industry and argued that it must be able to continue to expand "in a strategically planned, controlled and sustainable manner."¹³⁶ At the same time however, the Council acknowledged that experience with existing plantation development and management has at times been "less than positive".¹³⁷

8.155 The Committee also received evidence from a large number of Tasmanian residents who indicated that they were not opposed to the plantation forestry industry in itself, rather the 'negative' impacts of the industry. Doctors for Forests (Tasmania) argued that although their organisation had, at times, been characterised as 'anti-forestry', they were in fact supportive of a sustainable forestry industry that provides quality, long term employment. At the same time, however, the group advocated that the forestry industry "must be compatible with other important Tasmanian industries such as tourism, organic agriculture, leatherwood honey production, wine and beverage manufacture and aquaculture."¹³⁸

8.156 Similar comments were expressed by Dr John Wilson, who indicated support for an ethically-based, sustainable plantation industry – particularly one that encourages down-stream processing. What he did not support, however are the destructive elements of plantation development "which Tasmania has been experiencing as a direct consequence of the 'Plantations for Australia: The 2020 Vision' strategy, in particular the objective of removing all impediments at all

135 *Submission 43*, Timber Communities Australia (Tasmanian State Office), p. 1.

136 *Submission 63*, Kentish Council, p. 3.

137 *Submission 63*, Kentish Council, p. 2.

138 *Submission 59*, Doctors for Forests (Tasmania), p. 1.

levels...."¹³⁹ Dr Wilson described the current situation as a "bureaucratic bungle – over-simplified, ill-conceived and ecologically irresponsible."¹⁴⁰

8.157 In his submission, Mr Richard Davis told the Committee that he has been a farmer and involved in the timber industry for over 30 years. Mr Davis also indicated strong support for a viable, value-adding, environmentally sustainable timber industry. At the same time however, he argues that it is important to draw attention to the challenges that exist, and the unsustainable management practices in Tasmania's forests:

The management practice of clearfelling, replacing native forests with plantations and mono-culture regrowth and the way regeneration fires are carried out is changing the nature of Tasmania's forests forever, simplifying natural systems, denying future generations a rich resource base and profoundly affecting the economic opportunities of many rural communities.¹⁴¹

Comment

8.158 There appears to be general acceptance that the *2020 Vision* and associated policies have been driving forces in plantation development in Tasmania and that it has delivered the expansion envisaged.

8.159 The Committee notes the perceptions that the expansion of the industry has been at the cost of the environment, rather than delivering any tangible environmental benefits. Further, there is a strong community view, even amongst supporters of the industry, that management practices are in need of improvement. Many of these concerns echo issues raised in the five year review of the RFA completed in 2002.

Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)

8.160 The five year review of the progress of the Tasmanian RFA commenced in February 2002. Conducted by the Resource Planning and Development Commission, it reported in December 2002.

8.161 The purpose of the inquiry was:

... to review the performance of the RFA (1997) to assess progress against the agreed milestones and specified commitments in accordance with the provisions of clauses 45, 46, 47 of the RFA (1997).¹⁴²

139 *Submission 2*, Dr John R. Wilson, p. 3

140 *Submission 2*, Dr John R. Wilson, p. 3.

141 *Submission 70*, Mr Richard Davis, p. 1.

142 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 133.

8.162 The Commission's final report was based on information contained in the Background Report, evidence provided in public submissions (on both the Background Report and the Draft Recommendations Report), evidence provided at public hearings and information provided by the Affected Agencies Group,¹⁴³ as well as advice provided by the References Panel.

Ecologically Sustainable Forest Management

8.163 Chapter Four of the Commission's report examines the commitments made in the Tasmanian RFA in relation to various aspects of the Forest Practices System. The Commission made the following observations:¹⁴⁴

Compliance Audits

8.164 Clause 94 of the RFA requires the State to publish, and make publicly available, annual compliance audits of the *Forest Practices Act 1985*, the Forest Practices Code and its Reserve Management Code of Practice.

8.165 The Background Report prepared by the Commission records the annual reporting of the compliance audits relating to implementation of the Forest Practices Act and the Forest Practices Code. The Commission also noted that the Reserve Management Code of Practice had not yet been completed and, as a result, compliance audits had not been undertaken.

Water

8.166 Attachment 10.1 of the RFA requires the implementation of the State policy on water quality - *Setting New Standards for Water Quality*.

8.167 A number of submissions to the Commission's inquiry raised concerns about non-compliance with, and the failure of, the Forest Practices Code to protect catchment areas and waterways.¹⁴⁵

8.168 Concern was also expressed, and evidence tendered which argued that fast growing young forests use additional water and are lowering the water yield in streams. The RPDC report notes that the Forest Practices Code addresses the short term issue of increased run off as a result of clear-felling by placing a limit "of no more than five per cent of the catchment of a town water supply to be clear-felled in any one year." However, the report also argued that:

143 One of two additional panels established to assist the two person panel which conducted the inquiry. The other panel was the Reference Panel.

144 The following section is based on information contained in *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, Chapter Four, pp. 31-82.

145 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 56.

This does not fully address the long term issue of the reduction of water yield from catchments with a large proportion of quickly growing forests. The Commission notes the report by Bren and O'Shaughnessy (2001) on the effects of forestry activity on water availability.

The Commission considers that the natural resource management regional strategies proposed under the Tasmanian Natural Resource Management Framework should specifically address the interrelationship between forest management, water yields and the water management planning process.¹⁴⁶

Transparency of Process

8.169 Attachment 10.9 of the RFA requires the State to implement, as a high priority, the mechanisms for improving the transparency and independence of the Forest Practices Board.

8.170 The Report detailed a number of concerns raised about certain aspects of the role and function of the Forest Practices Board and the Forest Practices System. Particular concerns included the transparency of the practices, especially in relation to the Forest Practice Plans.

Self-Regulation

8.171 The self-regulation of the Forest Practices Code was a concern identified by the Commission. It was argued that the system is vulnerable when the same person is responsible for initiating, approving, implementing and verifying compliance with Forest Practices Plans.

8.172 Concerns were also expressed about the fact that Forest Practices Officers, employed by companies that enjoyed a near monopoly status in the industry, were in an invidious position when it came to enforcing the provisions of the Forest Practices Code against the interests of their employers.

Adequacy of Resources to Support the Forest Practices Code

8.173 In Attachment 10.10 of the RFA, the State agreed to adequately resource the system surrounding the Forest Practices Code (including compliance, implementation, education, training, review and research) and to maintain appropriate contributions by industry to ongoing management costs associated with the code.

8.174 In response, the Commission expressed the view that the Forest Practices System is adequately resourced – with the exception of its communication and research functions – and that the responsibility for funding in these areas lies with the industry.

146 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, pp. 57-58.

8.175 The Commission also noted that 'many of the complaints about the Tasmanian Forest Practices System may be motivated by strongly held beliefs on aspects of the forest industry and are therefore not amenable to resolution, short of cessation of logging'.¹⁴⁷

Compliance with the Forest Practices Code

8.176 Submissions received by the Commission, and evidence given at hearings, provided examples of alleged breaches of various provisions of the Forest Practices Code. A number of the alleged breaches related to:

- use of poisons;
- notification of neighbours;
- failure to abide by provisions of Forest Practices Plans;
- streamside reserves; and
- road construction standards.

8.177 In evidence to the Commission, the Forest Practices Board advised that all complaints received are recorded and investigated and that the results of the investigations are reported back to the complainant and the Parliament. It was reported that approximately 1 000 Forest Practices Plans are certified each year and that 120 complaints per year were received. Of those 120 complaints, approximately 40 are made by members of the public and the balance are made by Forest Practices Officers. Approximately 60 per cent of complaints are found to be breaches of the Forest Practices Code.

8.178 The Commission noted that 80 per cent of complaints made by the public were found not to be breaches of the Forest Practices Code. The report argued that this indicates "that there is a gap between public perception of what constitutes a breach of the Forest Practices Code, and the Forest Practices Board's interpretation of the Forest Practices Code."¹⁴⁸

8.179 In its report, the Commission described the policies of the Forest Practices Board as unambiguous and indicated its satisfaction that the system was working effectively. The Commission did, however, note that some confusion does exist in relation to:

- the relationship of the Forest Practices Board and the Forest Practices Officers in the field;

147 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 38.

148 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 35.

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- the process of registering a complaint; and
 - industry's obligations under the Forest Practices System and the Forest Practices Code (particularly in relation to consultation with neighbours and members of the public).

8.180 The Commission concluded that "there is room for improved measures to enable effective communication of the roles and responsibilities of the participants in the process, and the rights and expectations of the public, in particular of neighbours, to information about authorised forest operations and complaints procedures."¹⁴⁹

Commission's Recommendations

8.181 The Commission made a number of recommendations to address its findings. Recommendation 4.1 of the Commission's Report reads:

That the State improves the accountability of the Forest Practices System. Issues to consider include:

- improving transparency and communications, in particular, public access to information on Forest Practices Plans, through a central access point designed to improve industry consultation with neighbours and local communities;
- improving on ground implementation of Forest Practices Plans by introducing minimum standards of training, education and accreditation of forest operatives and introducing systems to convey the detail of the Forest Practices Code and Forest Practices Plans in a form readily available and understandable to forest operatives;
- improving public understanding of the Forest Practices System including the Forest Practices Code, the role of the Forest Practices Board and, in particular, the public and legal policy framework in which the Forest Practices Board operates;
- providing for a specific position on the Forest Practices Board for a person with ecological and/or conservation expertise;
- reviewing the efficacy of the self-regulatory aspects of the Forest Practices System in the next five year review of the Forest Practices System; and

149 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 39.

- ensuring provision of additional funding, including from industry, to support the communication and research functions of the Forest Practices System.¹⁵⁰

Wood and Wood Products Industry Development

8.182 Chapter Five of the Commission's Report addresses Clause 74 of the Tasmanian RFA and the series of actions contained in Attachment 12 of the RFA. These actions are designed to help develop and enhance the growth of Tasmanian forest based industries – particularly those associated with forest and timber products.¹⁵¹

Expansion of the Plantation Estate

8.183 The Report refers to Attachment 12.14 of the RFA, in which Parties agreed to implement the national *Plantations for Australia: the 2020 Vision* for expanding the plantation estate in Tasmania. It notes the Commonwealth funding of \$57 million that was provided to Forestry Tasmania [under Clause 101(i)] to implement the new intensive management initiative.¹⁵²

8.184 The Commonwealth also provided Tasmania with \$13 million [under Clause 101 (ii)] to progress the implementation of the Employment and Industries Development Strategy – \$10 million of which was allocated to Forestry Tasmania for additional eucalypt plantation development for sawlog production, thinning and research.¹⁵³

8.185 A number of the submissions received by the Commission raised concerns about the expansion of the plantation estate and the associated social and environmental impacts following the signing of the RFA.¹⁵⁴

150 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 41.

151 The following section is based on information contained in *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, Chapter Five, pp. 83-102.

152 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 96.

153 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 96.

154 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 97.

Land Use Controls

8.186 Land use controls and broad scale plantation development were issues also raised in submissions. Concerns were expressed about the lack of control, the lack of a State plan and uncertainty about future plantation development.

8.187 The Commission's Report argued that under the current policy and regulations in Tasmania, there are a number of links between community aspirations, land use planning and sustainable land use. It is also argued that these are the appropriate vehicles to address the balance between plantation development and other land uses, including tourism, other forest-based industries, conservation and local community values.¹⁵⁵

8.188 The Report acknowledges that although the clearance of native forest for plantations is consistent with the National Forest Policy Statement and the RFA, it is a matter that continues to be an issue of community concern and comment.

8.189 The Commission argues that the Good Neighbour Charter is an important initiative for facilitating communication between plantation growers and their immediate neighbours. The Tasmanian Natural Resource Management Framework is also seen as an important development that can improve the context of new plantation establishment in the broader rural landscape, and integration with catchment management, vegetation retention goals and local and economic and social aspirations.

Promotion and Certification of Forest Sustainability

8.190 Attachment 12.21 of the RFA commits the Commonwealth to advocating the use of wood sourced from RFA regions as being sustainably managed. Under Attachment 12.22 Parties are committed to promote and market the sustainability of Tasmanian products in domestic and international markets.

8.191 The Commission's Report notes that during 1999 the Commonwealth Government initiated international discussions to "explore opportunities of international co-operation on forest management certification, and the labelling of products from certified forests."¹⁵⁶ As a consequence, the Australian Forest Standard (AFS) has been developed. The AFS is an industry initiative and is supported by governments, growers and unions and has become a national forest certification scheme.

155 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 98.

156 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 100.

8.192 The report also notes that two internationally recognised schemes are the Pan-European Forest Certification scheme and the Forest Stewardship Council.¹⁵⁷

Commission's Recommendations

8.193 The Commission concluded that while progress had been made on issues contained in Clause 74 and Attachment 12 of the RFA, it had been difficult to measure and assess. There were two reasons cited for the difficulty. "Firstly, the intent of the Parties is not clearly established in tangible action related commitments, and secondly the benchmarks and supporting data are just not available."¹⁵⁸

8.194 The Report also indicated that:

The Commission considers the industry development component of the RFA, the Comprehensive, Adequate and Representative reserves system, and Ecologically Sustainable Forest Management as all being equally important. This equality is not reflected in the information and data, nor is it reflected in the detail associated with implementation approaches. This should be remedied.¹⁵⁹

8.195 As a consequence, the Commission recommended the development of an industry development strategy which clarifies the intent of Attachment 12 [of the RFA] and provides both an industry vision and an action plan to achieve it. In addition, the Commission also argued that:

- the development of a strategy should be the responsibility of the Parties [however, it is recognised that industry policy at this level is primarily a role for the State];
- the Commonwealth has a major role to play beyond the funding role;
- the strategy needs to be developed in the context of the current industry structure, its market and community aspirations, and the requirement to build on existing and potential research and development needs;
- all aspects of industry development need to be better integrated;
- a process needs to be developed to obtain reliable data to inform social and economic indicators [for the community and the performance of the forest based industries relevant to Attachment 12 of the RFA]; and

157 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 100.

158 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 101.

159 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, p. 101.

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- the sustainability indicators relevant to the social and economic aspects of the industry need to be reviewed when reliable data becomes available.¹⁶⁰

Commonwealth Response to the Review

8.196 Despite the Commission's report identifying major compliance failures in relation to Attachment 10 of the RFA, both the DAFF submission and the evidence DAFF provided to the Committee indicated that the Commonwealth is still reviewing the Resource Planning and Development Commission's report and is yet to issue a response.

Committee Concerns

8.197 In relation to the expansion of plantation forests in Tasmania under the auspices of the *2020 Vision*, the Committee has a number of concerns:

- The monitoring of operations under, and the enforcement of, the Forest Practices Code;
- The serious allegations by Mr Manning about forest management;
- The delay in the Commonwealth's response to the Final Recommendations Report on the *Inquiry on the Progress with Implementation of the Tasmanian Forest Agreement (1997)*;
- The effect of plantations on water and water catchments;
- Community consultation;
- The large scale clearing of native forest for plantations; and
- The impacts of chemical use.

8.198 Having regard to the incorporation of the *2020 Vision* in the Tasmanian Regional Forest Agreement, and the discussion and recommendations contained in the RPDC's Implementation Report, particularly on forest practices and water quality, the Committee considers that it is still a matter of concern that the Forest Practices Code appears not to be adequately enforced or monitored in relation to large-scale conversion of existing native forest to plantation.

8.199 In addition, the Committee is concerned that the Commonwealth still has not responded to the recommendations contained in the RPDC's Final Recommendations Report on the Inquiry on the Progress with Implementation of the Tasmanian Regional

160 *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997)*, Tasmanian Resource Planning and Development Commission, December 2002, pp. 12 and 101.

Forest Agreement (1997). The Committee, in particular, notes the recommendation relating to the self-regulatory aspects of the industry and has formed the view that practices such as the Forest Practices Officers being employed by the industry compromises the transparency of the industry and undermines public perceptions of the regulatory process.

8.200 The fourth Committee concern is highlighted by the growing discussion stressing the need for specific research on the effect of plantations on water catchments.

8.201 The Committee is also concerned about the perceived lack of consultation and communication undertaken by the Tasmanian plantation forestry industry. While it is acknowledged that consultative approaches will not be able to solve all disagreements relating to plantations, the Committee suggests that there may be merit in industry representatives reviewing examples of successful communication and conflict resolution and incorporating these types of approaches in their dealings with the community.

Committee Conclusions and Recommendations

8.202 In addition to recommendations the Committee makes in Chapter 9 in relation to the National Coordinator's role in overseeing and implementing a program of properly funded monitoring and research, the Committee believes that there is a need for this Committee to conduct a review within 12 months of the publication of the Commonwealth's response to the Final Recommendations Report on the *Inquiry on the Progress with Implementation of the Tasmanian Forest Agreement (1997)*, into the enforcement and monitoring of the Tasmanian Forest Practices Code.

8.203 The Committee's inquiry should examine detailed information and advice from the Tasmanian Forest Practices Board on its application of the Forest Practices Code and this Committee expects the co-operation of both State and Commonwealth governments on this matter.

Recommendation 12

8.205 The Committee recommends that the Minister for Agriculture, Fisheries and Forestry, as a matter of urgency, finalise and publish the Commonwealth's response to the Final Recommendations Report on the *Inquiry on the Progress and Implementation of the Tasmanian Regional Forest Agreement (1997)*.

Recommendation 13

8.206 The Committee recommends that, within 12 months of the publication of the Commonwealth's response to the Final Recommendations Report on the *Inquiry on the Progress with Implementation of the Tasmanian Forest Agreement (1997)*, that this Committee conduct a review of operations under, and the enforcement of, the Forest Practices Code. The Committee should be able to seek expert advice in the conduct of its inquiry and the Committee would expect the

immediate co-operation of both State and Commonwealth Governments. In the absence of full co-operation, the Committee foreshadows that it will recommend an immediate independent review with more compelling and drastic powers.

