



Healesville Environment Watch Inc.

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**HEALESVILLE ♦ CHUM CREEK ♦ YARRA GLEN ♦ BADGER CREEK ♦
DIXONS CREEK ♦ STEELS CREEK ♦ TARRAWARRA**

ABN: 67 253 515 594 ♦ Reg. No: A0018935T ♦

<http://hewi.friends.melbournewater.com.au>

To whom it may concern,

Submission to the Independent review of the *Environment Protection and Biodiversity Conservation Act 1999*

This submission is made on behalf of Healesville Environment Watch, PO Box 444, Healesville, Vic 3777.

While HEWI has other concerns regarding the EPBC Act, in this submission we refer specifically to the issue of nominations for listing and reiterate our concerns regarding the logging of native forests that were made to the recent Senate Inquiry.

The process of preparing an application for listing is excessively bureaucratic, technical, time-consuming and slow, making it difficult for non-specialist members of the public to contribute.

Protection under the present EPBC Act is limited to listed species so that the minister is effectively prevented from taking necessary action to protect the environment and conserve biodiversity in cases where the species and/or communities under threat are not listed, even when they are clearly under threat. An example of this is the critically endangered *Pomaderris vacciniifolia* of Victoria which was not considered by the minister in his approval of the North-south (Sugarloaf) Pipeline, only because nobody has previously applied for it to be added to that list.

It is suggested that the federal government introduce a proactive mechanism for identifying and listing threatened species and ecological communities on the basis of level of threat, that does not rely only on third parties such as researchers, volunteer environmental groups or members of the public to prepare and submit applications.

Please also find on the following pages a copy of the submission made to the Senate Inquiry which we wish to re-submit to this review.

Sincerely,

Steve Meacher
Chairman
HEWI

Maureen Bond
Secretary
HEWI

Scope of this Submission:

This submission responds to point 5 of the senate inquiry into the operation of the Environmental Protection and Biodiversity Conservation (EPBC) Act 1999: specifically;

"the effectiveness of Regional Forest Agreements, in protecting forest species and forest habitats where the EPBC Act does not directly apply; "

Discussion:

The EPBC Act 1999 specifically exempts logging activities via Ss. 38 – 42. However, since the writing of the EPBC Act the nature of native forest logging has dramatically changed from one of sawlog production to become a woodchip driven industry. Up to 80% of native forest timber is now going to woodchip and this is having a significant impact on the interpretation of the Codes of Practice and Forest Management plans by the Government and commercial operators of the forest coupes. These documents which are supposed to protect endangered and threatened species have recently been revised to make the permitted logging operations more suitable for wood chipping. These include practices such as “thinnings”, which further threaten endangered species such as the Leadbeater's possum.

There are a number of examples of government agencies operating under an RFA such as the Department of Sustainability and Environment and VicForests using loop-holes to continue to log endangered species' habitat, such as the Baw Baw frog and Leadbeaters possum. These examples are detailed in the [Baw Baw Report](#) and [Royston reports](#) that were commissioned by the Central Highlands Alliance Inc.

A [scientific study by Practical Ecology](#) commissioned by The Central Highlands Alliance Inc. has revealed that rainforests were erroneously identified by Vic Forests for logging.

In conjunction with the RFA's the DSE was supposed to establish recovery teams for endangered species such as the Leadbeater's possum. This has not consistently occurred and the species have declined in numbers significantly. The RFA's were supposed to be reviewed every 5 years. To date, none has been reviewed anywhere in Victoria.

Finally the Victorian DSE is conducting illegal clearing of extensive firebreaks within National Parks and through endangered species' habitat.

It is clear from these examples that both the transition of the logging industry to one of high volume wood chip and the examples of deficiencies briefly described above are having devastating effects on our endangered species. The RFA and the Government agencies and mechanisms put in place to protect endangered species are failing.

The EPBC Act should be proactive in its requirements for identification and protection of endangered species and the exemption of logging from the EPBC Act must be revoked.

References

HEWI is a community voice acting to protect and enhance important elements of our local environment

The Baw Baw Report

http://www.myenvironment.net.au/index.php/me/reports/baw_baw_report

The Royston Report

http://www.myenvironment.net.au/index.php/me/reports/royston_report_the_code_of_forest_practice

Rainforest Report by Practical Ecology

<http://www.myenvironment.net.au/index.php/me/content/download/1136/6729/file/Rainforest%20Assessment%20Royston%20River%20Catchment%20Aug%202005.pdf>