

MISCELLANEOUS GOOLENGOOK DOCUMENTS

1. Minutes of ALP Conservation & Environment Policy Committee passing a motion re Goolengook
2. 21/22 October ALP State Conference report form Conservation & Environment Policy Committee
3. Goolengook Urgency Motion to ALP State Conference – October 2002
4. Greens Left Weekly Bracks orders stop to logging in Goolengook 6 November 2002
5. Comments on proposed Terms Of Reference for the Veac Goolengook Old-Growth Study 3 December 2002 by Trevor Poulton member of ALP Otway Ranges Interest Group
6. Common Position Statement from Conservation and Community Groups and Political Parties concerning logging in Goolengook Forest Block – October 2002



CONSERVATION AND ENVIRONMENT POLICY COMMITTEE

Minutes of Committee Meeting

Monday 2 October 2000 at 6.30pm
360 King Street, West Melbourne

7 Attendance:

Bob Chynoweth (Chair), Sarah Ralph (Ministerial Adviser. Min. E&C)
David Redfearn, David Henshaw, Trevor Poulton, Sue Dyet, Graeme McIntyre, Yorick Piper,
Greg Craven (Assoc.), Peter Kriesner (Assoc.), Stuart Rumble, Leanne Martin (Assoc),
Moss Cass (Assoc), Chris Moody (Assoc.), Lindsay Hesketh (Secretary).

8 Apologies:

Nick Adams.

9 Confirmation of Minutes:

Yorick Piper informed the committee that the wording in the draft minutes under 6.4 Reports/Subcommittees on page 2 should be amended. The wording of the second motion pertaining to the Errinundra National Park should:

- delete the word "expanded" and insert the word "deferred".
- 1st point delete "all reserves" and insert "alternate resource".
- 2nd point delete the words "need of".

Motion: "That the draft Minutes of Meeting of 11 September 2000 as tabled and amended be accepted."

Moved: David Henshaw

Seconded: Stuart Rumble

Carried

10 Matters arising from Minutes:

Nil

11 Correspondence:

The correspondence as listed on the agenda was circulated.

6. Reports.

7.1 President

Nil

7.2 Secretary

The Secretary drew attention to the fact that the State Secretary had requested policy committee reports for State Conference by the end of this day. He informed the committee

that he had sought and obtained leave to submit the report the next morning and had convened the meeting to gain the committees final directions and inputs to the document. He also reported that the committee had been invited to attend the Parliamentary Country Caucus on the coming Wednesday at a time to be advised.

7.3 Subcommittees

Recreational Duck Shooting Review.

Greg Craven tabled and spoke in regard to a draft discussion paper. Greg foreshadowed a motion that, "The Policy Committee endorses circulation of the review process report and discussion paper."

Peter Kriesner spoke to the paper. The Chair directed the issue be deferred.

Biodiversity/Nature Conservation.

Trevor Poulton spoke on Goolengook and tabled a draft recommendation to State Conference in the required form and moved that it be adopted. The Key Recommended Policy Objective stated:

Motion: "This Conference calls on the Brack's Labor Government to establish an independent public enquiry to recommend a process which would enable the integration of the Upper Goolengook Catchment into the Errinundra National Park under the National Parks Act 1975." The motion continued to describe the Related Policy Strategy. (see later)

Moved: Trevor Poulton **Seconded:** David Henshaw

Yorick Piper spoke against on background of discussions with sub committee and spoke on the Union's expectations. He also opposed the motion on the basis that it presupposed an independent inquiry but directed to an outcome.

David Henshaw spoke for the motion indicating that an independent approach would reconcile the problems.

Peter Kriesner spoke against the motion but suggested a protection process for Goolengook.

Amendment: "That the words 'recommend a process which would enable' be replaced by 'investigate the possible'

Moved: Lindsay Hesketh **Seconded:** David Redfearn **Carried.**

Sarah Ralph spoke on the Minister's perspective on Goolengook.

General discussion ensued.

The motion as amended was put.

Motion: "This Conference calls on the Bracks Labor Government to establish an independent public inquiry to investigate the possible integration of the Upper Goolengook Catchment into the Errinundra National Park" under the National parks Act 1975."

The addition is desirable on the following grounds:

- a) The proposed addition supports extensive nationally-significant stands of old-growth forest (including significant areas of "negligibly disturbed forest).
- b) The proposed addition supports six threatened species and three threatened plant communities listed under the Flora and Fauna Guarantee Act 1988.
- c) Integration of the proposed addition into the Errinundra National Park may be the only management option which can guarantee the sustainable operation of the natural ecological and evolutionary processes required to maintain the outstanding heritage values of the Upper Goolengook catchment.

d) The extended National Park would be of world class and a major tourist target of the future.

Such inquiry will take into account and consider current and future availability of alternative timber sources, the effects of reduction in timber yields on the timber industry, the social and economic impact resulting from job losses, and any structural adjustment assistance or other assistance required to meet union concerns in a fair manner.

The inquiry's report and recommendations should be publicly released."

Moved: Trevor Poulton

Seconded: David Henshaw

Carried

Duck Shooting.

Sarah Ralph stated the requirement for the Minister's office to be consulted.

David Henshaw moved that the report to State Conference includes;

Motion: "That the Report to Conference have a brief report on the Committees review of duck shooting indicating that it has formulated terms of reference, a discussion paper, and a timetable. The implementation of the review is yet to be finally discussed with the Minister.

Moved: David Henshaw

Seconded: Lindsay Hesketh

Carried

Sarah Ralph foreshadowed a motion, "That the committee agree in principle to the review process report and discussion paper subject to consultation with the Minister. And the paper will be referred back to the committee for final endorsement prior to being formally released."

Moved: David Redfearn

Seconded: Lindsay Hesketh

Carried

Policy Production.

The secretary referred to correspondence from the Minister for Environment and Conservation's Office of the 29 September in reference "Consistency of Government Policy with Our Natural Assets". The letter confirmed that the Minister is "very clearly committed to developing strategic policy detail and implementing election commitments as outlined in both *Our Natural Assets* and *Greener Cities*."

Motion: "The Policy Committee is satisfied that the policy document sections referred back are consistent with the Bracks Government policy."

Moved: David Henshaw

Seconded: Stuart Rumble

Carried

7. General Business.

7.1 Freeway Recommendations.

David Redfearn raised the issues on freeways. Report should show the dialogue with the Transport policy committee.

7.2 Box Ironbark.

Peter Kriesner reported on issues around the EAC report.

Sarah Ralph spoke of the social/economic implications and stakeholder groups.

Sarah referred to the native vegetation management framework and described "habitat hectares" as a means of measuring the value or quality of vegetation.

8. Date of next meeting. Close.

With no further business the chair declared the meeting closed at 8.40pm.



AUSTRALIAN LABOR PARTY - VICTORIAN BRANCH

STATE CONFERENCE - 21 & 22 October 2000

REPORT OF THE CONSERVATION & ENVIRONMENT POLICY COMMITTEE

A. RECORD OF ATTENDANCE: June 2000 to October 2000

Members	Attendance	Possible		
Min for Environment & Conservation				
Sherryl Garbutt MP	0	5		
Rosemary Barker (Advisor)	1	5		
Sarah Ralph (Advisor)	2	5		
Min for Natural Resources				
Candy Broad MP	0	5		
Kerry Baker (c)	0	5		
Robert Chynoweth	4	5		
Greg Craven (Assoc)	3	5		
Timothy Delaney (r)	0	5		
Susan Dyet	2	5		
Luke Gahan (c)	0	5		
Peter Hawkins (r)	0	5		
David Henshaw	5	5		
Lindsay Hesketh (Secretary)	5	5		
Peter Kriesner (Assoc)	5	5		
Wayne Langmaid (c)	0	5		
Graeme McIntyre (l)	2	5		
Yorick Piper (l)			2	5
Trevor Poulton	5	5		
John Raimondo (c)	0	5		
Darren Ray (c)	0	5		
John Ravesi (Assoc)	2	5		
David Redfearn	5	5		
Fiona Richardson (President)	4	5		
Stuart Rumble	2	5		
Ian Watkinson (c)	0	5		
Mathew Worrell Smith (r)	0	5		
Cheryl Wragg (r)	0	5		
(l) Leave of absence granted	(r) Resigned	(c) Counted off		

B. STATE CONFERENCE RECOMMENDATIONS

The Policy Committee makes the following recommendation to State Conference.

**B.1 Proposed independent public inquiry.
Extension of Errinundra National Park**

See Recommendation of Conservation and Environment Policy Committee which follows this report.

C. FEDERAL POLICY RECOMMENDATIONS

None.

D. CORRESPONDENCE

Received From	Subject	Date	Action
Min. for Agriculture Kieth Hamilton MLA	ALP East Gippsland Control of noxious weeds.	16/5/00	Members notified
Min for Energy Candy Broad MLC	Invitation of members to Gov. briefing on minerals and petroleum industry plan.	25/5/00	Members notified
Victoria University Workplace stdy. cntr.	Invitation to seminar. "Victoria switched off?"	25/5/00	Members notified
Vic ALP State Sec.	State Office. Rev. of security.	8/6/00	Members notified
Telmo Languiller MP	Duck shooting	12/7/00	Members notified
Joanne Duncan MP	C&E PC Rep. Duck Shooting	17/7/00	Members notified
ALP Legal Affairs PC	Profiling the Elec. Industry.	20/7/00	Members notified
T Poulton C&E PC	Gen. Eng. Prop. for Joint Com.	22/7/00	Members notified
ALP Flemington/ Kensington	Branch resolution Otway logging and F&FG Act	24/7/00	Members notified
Laurie Ferguson Fed. Shadow Cons	Draft Federal Env. Platform	27/700	Members notified
ALP Fitzroy	Branch res. Otway forests	28/7/00	Members notified
Min for Energy & Res Candy Broad MLC	June 2000 Min. Statement	31/7/00	Members notified
Hous. & Loc Gov.PC	Duck Shooting	31/7/00	Members notified
Julie Goode	ALP policy and parkland loss	5/8/00	Members notified
Jacinta Allan MP Members (15) Parliamentary Wing Country Vic	Duck Shooting	16/8/00	Members notified
Otway Ranges Environment Network	Consultancy Brief. Re: Review of forest produce pricing	undated	Members notified
Field Naturalists Vic	Errinundra NP/Goolengook	6/9/00	Members notified
Dr Anitra Nelson RMIT Ecoforestry Centre	Proposal for Errinundra NP addition.	8/9/00	Members notified
Environment Victoria	Errinundra NP	25/9/00	Members notified
ALP Fitzroy	Branch resolution. Inquiry Errinundra/Goolengook	26/9/00	Members notified
Min. of Env. & Cons. Ministerial Adviser Sarah Ralph	Consistency of Gov. Policy with "Our Natural Assets"	29/9/00	Members notified

E. OTHER ITEMS

E.1 ACTION ON AMENDED ADOPTION MOTION OF ALP CONSERVATION & ENVIRONMENT POLICY 2000 AT AUTUMN 2000 STATE CONFERENCE

The Policy Committee Report to the Autumn 2000 State Conference contained the Conservation and Environment Policy 2000. The policy recommendations outlined in the report were adopted by State Conference. However, the motion adopting the recommendations required that to ensure the policy was consistent with the policy implementation of the Brack's Labor Government since October 1999 the following sections be referred back to the policy committee for updating and endorsement at the Spring State Conference.

Section C: Rural Environment; 5.3, 5.4, 5.5, 5.6, 6.3, 6.8, 6.10.
Section D: Improving Water; 4th dot point in 1, 4.3.

These sections were drawn from the Election Policy Document "Our Natural Assets" in the process of the Policy Audit. The Policy Committee has sought clarification from the Minister in relation to the consistency between "Our Natural Assets" and the Government's continued commitment to that document. The response in a letter from the Minister's Office dated 29 September 2000 stated that the Minister for Environment and Conservation is very clearly committed to developing strategic policy detail and implementing election commitments as outlined in both "Our Natural Assets" and "Greener Cities".

The Policy Committee therefore resolved that, "The Policy Committee is satisfied that the policy document sections referred back are consistent with the Brack's Government policy."

E.2 PROGRESS REPORT OF REVIEW OF ALP POLICY ON DUCK SHOOTING IN VICTORIA

On 4 June 2000 State Conference agreed to review the ALP policy to ban duck shooting through a formal policy review process to be conducted by the Policy Committee. The wording of the recommendation adopted by State Conference out of the Conservation & Environment Policy Committee Report reads as follows:

C 2.2 Duck Shooting

While the 1991 ALP State Conference decided to endorse a ban on recreational duck shooting as a sport in Victoria, the Policy Committee notes that the Bracks Labor Government did not commit to banning duck shooting as part of its election Platform. The Policy Committee has resolved to conduct a review of the policy to ensure the ALP has a position that is contemporary and relevant. A report will be made to Spring 2000 State Conference on the progress.

The committee has formulated Terms of Reference, a Discussion Paper, and a timetable. The implementation of the Review is yet to be finally discussed with the Minister for Environment and Conservation.

It was resolved by the Policy Committee at its meeting on 2 October 2000 that it agrees in principle with the Review Process Report and Discussion Paper subject to consultation with the Minister and the paper will be referred back to the Committee for final endorsement prior to it being formally released.

President: Fiona Richardson

Secretary: Lindsay Hesketh

RECOMMENDATION OF CONSERVATION AND ENVIRONMENT POLICY COMMITTEE FOR ADOPTION BY STATE CONFERENCE

The Conservation & Environment Policy Committee recommends to State Conference that the following recommendation be adopted:

EXTENSION OF ERRINUNDRA NATIONAL PARK

Key Recommended Policy Objective	Related Policy Strategy
<p>Extension of Errinundra National Park</p> <p>This Conference calls on the Bracks' Labor Government to establish an independent public inquiry to investigate the possible integration of the Upper Goolengook Catchment into the Errinundra National Park under the <i>National Parks Act 1975</i>.</p>	<p>The addition is desirable on the following grounds:</p> <ul style="list-style-type: none"> a) the proposed addition supports extensive nationally-significant stands of old-growth forest (including significant areas of "negligibly disturbed" forest). b) the proposed addition supports six threatened species and three threatened plant communities listed under the Flora and Fauna Guarantee Act 1988. c) integration of the proposed addition into the Errinundra National Park may be the only management option which can guarantee the sustainable operation of the natural ecological and evolutionary processes required to maintain the outstanding heritage values of the Upper Goolengook catchment. d) The extended National Park would be of world class and a major tourist target of the future. <p>Such inquiry will take into account and consider current and future availability of alternative timber sources, the effects of reduction in timber yields on the timber industry, the social and economic impact resulting from job losses and any structural adjustment assistance or other assistance required to meet union concerns in a fair manner.</p> <p>The inquiry's report and recommendations should be publicly released.</p>

GOOLENGOOK URGENCY MOTION TO OCTOBER 2002 ALP STATE CONFERENCE

Drafted by Trevor Poulton

INQUIRY INTO INTEGRATION OF GOOLENGOOK UPPER CATCHMENT INTO ERRINUNDRA NATIONAL PARK

ALP State Conference (Victorian Branch) resolves that the Victorian State Government has an obligation to the public to **establish an independent public inquiry** through the Victorian Environment Assessment Council (VEAC) to determine whether to integrate the Upper Goolengook Catchment into the Errinundra National Park under the *National Parks Act*.

The ALP State Conference (Victorian Branch) in making this resolution, recognises that:

- a) Goolengook Upper Catchment supports extensive nationally-significant stands of old-growth forest (including significant areas of "negligibly disturbed" forest).
- b) Goolengook Upper Catchment supports six threatened species and three threatened plant communities listed under the *Flora and Fauna Guarantee Act 1988*.
- c) integration of Goolengook Upper Catchment into the Errinundra National Park is the only management option which can guarantee the sustainable operation of the natural ecological and evolutionary processes required to maintain the outstanding heritage values of the Upper Goolengook Catchment.
- d) Goolengook Upper Catchment must be integrated into the Errinundra National Park for its ecological significance, natural beauty and interest and for the preservation of its wildlife habitat.
- e) integration of Goolengook Upper Catchment into the Errinundra National Park is consistent with ALP policy to provide appropriate protection for old growth forests, wilderness and endangered species, and this resolution observes the terms of the East Gippsland Regional Forest Agreement.

Moved:

Seconded:

Bracks orders stop to logging in Goolengook

6 November 2002

BY GRAHAM MATTHEWS



Logging at Goolengook, March.

MELBOURNE ? On October 30, Victorian Labor Premier Steve Bracks ordered a moratorium on the logging of the Goolengook state forest in the East Gippsland.

Under the moratorium, logging in the old-growth forest will be suspended for at least six months. During this period, the Victorian Environmental Assessment Council (VEAC) will conduct a study of the impact of logging and look at alternative sources for logging within

the East Gippsland area.

The Goolengook forest was blockaded by environmentalists for five years up until March, when the Bracks government sent a massive police detachment to break the blockade. It is the home to numerous endemic plant and animal species, many of which are endangered.

The moratorium announcement, coming only five days before the government is constitutionally able to call an early election, has been greeted with some cynicism from environmental groups.

The Wilderness Society has said that of the 5000 hectares it believed were worthy of protection, only 722 hectares would be saved from logging.

The decision was ?a reprieve, but in no way a win?, Fiona York from the Goongerah Environment Centre at Orbost told *Green Left Weekly*. ?Just swapping Goolengook for other areas, particularly as those areas will likely be habitats for endangered species, will not change much. Logging will continue in old-growth forest and in water catchment areas.?

?The announcement was pretty cynical?, York added. ?The six-month timetable for the VEAC to report will most likely fall after the elections, and the Bracks government won't even have to deal with it if it's not re-elected. It's a grab for Green preferences. They're trying to green-wash themselves.?

From *Green Left Weekly*, November 6, 2002.

Visit the [Green Left Weekly home page](#).

From: Australian News, Green Left Weekly issue #515 6 November 2002.

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3 December 2002

Director, Policy Coordination
Department of Natural Resources & Environment
Level 16, 8 Nicholson Street
East Melbourne Vic 3002

BY EMAIL: scott.ashby@nre.vic.gov.au

PLEASE CONFIRM RECEIPT OF THIS EMAIL

Dear Sir

**COMMENTS ON PROPOSED TERMS OF REFERENCE FOR THE VEAC
GOOLENGOOK OLD-GROWTH STUDY**

Section 5 of the *Victorian Environmental Assessment Council Act 2001* includes the following objective of the Victorian Environmental Assessment Council:

- (a) provide independent and strategic advice to the Government of Victoria on matters relating to the protection and ecologically sustainable management of the environment and natural resources of public land.

In order to ensure ‘unconditional’ independent and strategic advice is provided by VEAC (“Council”) to the Government of Victoria, the Terms of Reference for the study need to be sufficiently broad to reflect section 5 of the Act.

**LEGAL CONSIDERATIONS FOR DETERMINING THE SCOPE OF THE VEAC
INVESTIGATION FOR PROTECTING GOOLENGOOK**

National Parks Act -

The Minister has the power to direct VEAC to investigate the eligibility for Goolengook Forest Management Block to be integrated into Errinundra National Park in line with the Goolengook Common Position Statement adopted by 25 organisations (see Appendix). The *National Parks Act* provides in its preamble criterion for declaring an area as National Park. The VEAC Inquiry needs to investigate whether the proposed addition meets the criterion and determine whether permanent protection of the area will benefit the public and the form in

which permanent protection ought be provided.

The national park proposal is also supported by statements and commentary in available scientific and lay reports (see LCC 1991, Lobert *et al.* 1991 and Picone 2002 *Revised National Parks Proposal*) indicating that the addition to Errinundra National Park is justifiable in terms of the overriding Ecologically Sustainable Forest Management (ESFM) principle governing the East Gippsland RFA.

Forest Act -

Section 52D of the Forests Act empowers the Secretary (if necessary pursuant to the views of the Minister) to alter sustainable yield rates. This power is not affected by the RFA. It is arguable that the revised sustainable yield rates, as recommended in the Vanclay Report for each Forest Management Area, must be gazetted by the State Government. Current failure by the Minister to recommend that the Governor-in-Council makes an Order to gazette the revised sustainable yield, may amount to an unreasonable exercise of power by the Minister. If the sustainable yield rate was immediately reduced by 43%, as recommended, rather than in two years time, then the current sawlog availability would be 107,000 cubic metres less than is currently available. This 107,000 cubic metres represents approximately 3 times the total volume of sawlogs (38,120 m³) scheduled to be logged from the Goolengook forest block over the next 3 years. It is clear therefore that the Goolengook forest block will not necessarily be required to meet licence commitments for up to 9 years before any consideration for “trade off” is required, if indeed it is.

It is also interesting to note that Professor Vanclay’s assessment of the “Economically Accessible Resource” in the East Gippsland FMA equates to an area of 210,509 hectares of which the Goolengook Block provides 3,300ha. This represents 1.5% of the total area and therefore by its withdrawal should impact upon the Sustainable Yield by an equivalent amount, namely 2,240 cubic mtrs per annum, an insignificant amount compared to the vast reductions which are currently in process. Clearly the oversight of Goolengook’s past neglect from protection does not warrant or require the destruction of other important areas already identified for permanent protection.

East Gippsland RFA -

The State government is not bound by the terms of the East Gippsland RFA in directing VEAC to investigate protection of Goolengook.

Also, the State government needs to be aware that it must distinguish the East Gippsland RFA from other RFAs. As an agreement, it has its own unique terms. To the extent that the State government intends to rely on that specific RFA for shaping the terms of the inquiry the following must be considered:

1. It is now very much understood by the community that the East Gippsland RFA, simply represents a political agreement between the State and Federal governments. Clause 6 provides:

“This agreement and its provisions are not intended to give rise to legally enforceable rights or obligations between the parties. This Agreement cannot impose on either

party or a third party any obligation that is inconsistent with Australia’s international obligations, or a law of the Commonwealth or of Victoria.”

2. Even if it were to be assumed that the “Guidelines for Reviewing Management Strategies and Zones” appended to Attachment 5 to the RFA were binding on the State Government (which they are not) there is still provision for boundaries to be altered where there is new information: in particular, the guidelines include a requirement that assessments
 - Ensure the CAR Reserve System continues to comply with the JANIS Reserve Criteria;
 - Ensure that there is no net deterioration in the level of protection of identified values in the SPZ”.
3. NRE is not obligated, under the East Gippsland RFA, to provide an alternative comparable timber source, out of protected or reserved areas within the East Gippsland Forest Management Area to mitigate any loss to the timber industry arising out of a change in boundaries. (See *Trade-offs* below)

“Trade-off” and Guidelines for Reviewing Management Zones:

NRE is not obligated to provide an alternative comparable timber source, out of protected or reserved areas or otherwise within the East Gippsland Forest Management Area to mitigate any loss to the timber industry arising out of a change in boundaries. Terms of the East Gippsland RFA must not be confused with terms contained in other Regional Forest Agreements (RFAs).

The East Gippsland RFA (completed February 1997) provides for more flexible management guidelines for reviewing of boundaries, compared with restraints imposed on shifting of boundaries within the Comprehensive Adequate and Representative (CAR) Reserve Systems in other RFAs. A comparison with the West Victoria RFA (completed 31 March 2000) illustrates this point.

The **West Victoria Regional Forest Agreement** states:

“Industry Development -

69. Parties agree that any changes to the area of State Forest available for timber harvesting will not lead to a net deterioration in the timber production capacity of the forest.”

This is a substantial term of the Agreement. The section also includes reference to Sustainable Yield. Further, Attachment 1 - *Management Guidelines* states that proposed zone amendments will be assessed according to whether they:

“at least maintain the timber production capacity of State forest **in terms of volume, species and quality.**”

Importantly, there is no comparable substantive term or condition under **Industry**

Development in the East Gippsland RFA prohibiting a “net deterioration in the timber production capacity of the forest” nor is there reference to Sustainable Yield in that section of the agreement. In fact, references to timber capacity production and sustainable yield only appear in the guidelines attached to agreement. The corresponding attachment in the East Gippsland RFA - *Guidelines for Reviewing Management Zones* states that proposed zone amendments will be assessed according to whether, amongst others, they:

“ensure there is no net deterioration in timber production capacity.”

‘Timber production capacity’ in the context of the East Gippsland RFA has a broad meaning and can refer simply to **land area** (hectares); there exists no obligation to replace timber lost to industry through changing of boundaries, with timber of the same volume, and/or species and/or quality as in the later West Victoria RFA.

The absurdity of the clause “**in terms of volume, species and quality**” is fully apparent with the Government maintaining that “Goolengook would have to be logged if the investigation failed to find an appropriate alternative supply of wood.” (The Age - 30/10/2002) It would seem that the government is intent on importing terms into the East Gippsland RFA that do not exist to justify a trade off **in terms of volume, species and quality**.

There is some evidence that the State Labor government had, early in its first term of government, taken a stronger line than the Kennett Government in supporting timber industry interests at the expense of environmental and public interests. This is illustrated by the following:

The **East Gippsland Regional Forest Agreement** *Guidelines for Reviewing Management Strategies and Zones* (signed by **Kennett**) states:

“Management zone boundaries may require review if:

- Existing boundaries are found to place unreasonable restrictions on the practical access to areas for forest management or for infrastructure development (easements etc.)”

Whilst the corresponding clause in The **West Victoria Regional Forest Agreement** (signed by **Bracks** on 30 March 2000) states in its *Management Guidelines*:

“CAR Reserve System boundaries may require review if:

- Existing boundaries are found to place unreasonable restrictions on the practical access to areas for timber production or for infrastructure development (easements etc.)”

Boundaries in the East Gippsland RFA may still be extended for reasons of practical access for **forest management**, while boundaries under the West Victoria RFA can be extended for practical **access to timber**.

Importantly, in terms of the VEAC inquiry, changing boundaries for reasons of practical access could include ecologically sustainable forest management issues.

Any regard paid by the VEAC Inquiry to the RFA would need to be confined to the actual terms and guidelines contained in the East Gippsland RFA as opposed to terms and guidelines contained in other RFAs.

Language used in the Terms of Reference, if drawn from the RFA, ought reflect the relevant East Gippsland RFA and not “conveniently” draw on later irrelevant RFAs.

FOLLOWING THE EXAMPLE OF THE VEAC INVESTIGATION INTO ANGAHOOK-LORNE STATE PARK:

It is noted that the recent Terms of Reference directing VEAC to carry out an investigation of the Angahook-Lorne State Park in the Otways, pursuant to Section 15 of the *Victorian Environmental Assessment Act 2001*, direct VEAC to determine that areas potential for designation as a national park. I also note under the Angahook-Lorne Terms of Reference, as provided under section 18 of the *Victorian Environmental Assessment Council Act 2001*, the Council must also have regard to not only the relevant Regional Forest Agreement but also the “objects of the National Parks Act with respect to national and State parks.”

There is a public expectation that the Goolengook Block inquiry will **also** contain in the public interest similar reasonable directions in its Terms of Reference.

I recommend as part of this submission, that the Proposed Terms of Reference for the Goolengook Old-growth Study be amended as follows:

RECOMMENDED TERMS OF REFERENCE

Pursuant to section 15 of the Victorian Environment Assessment Council Act 2001, the Victorian Environment Assessment Council is requested to carry out an investigation of the Goolengook Forest Management Block to determine the potential for the Upper Goolengook Catchment to be designated as an addition to Errinundra National Park.

The investigation will consider:

- The need to guarantee the continuation of the natural ecological and evolutionary processes required to maintain the outstanding heritage values of the Upper Goolengook Catchment;
- The need to reserve and protect permanently for the benefit of the public, indigenous flora and fauna and features of scenic, ecological and historic interest in the Goolengook Forest Block pursuant to Section 4(a)(ii) of the National Parks Act 1975;
- The need to protect all old-growth forest¹, including "negligibly disturbed" forest, contained in the Goolengook Forest Block;
- The need to protect the six threatened species and two threatened plant communities listed under Schedule Two of the Flora and Fauna Guarantee Act 1988 which inhabit the Goolengook Forest Block;
- The capacity of the current Comprehensive, Adequate and Representative (CAR) Reserve system within the Goolengook Forest Block to adequately and permanently protect ecological values, particularly rainforest², from impacts of unnatural disturbances such as logging and roading;

- Whether silvicultural practices used in the Goolengook Forest Block are ecologically sustainable;
- The significance of social and cultural values of the Goolengook Forest Block to the public, particularly indigenous people.

Note:

¹Old-growth forest, in the context of this investigation, is forest that meets the definition specified in the Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve for Forests in Australia, and includes areas identified by Woodgate et al (1994) as “old-growth forest” and “negligibly disturbed forest.”

²Rainforest, in the context of this investigation, is forest that meets the definition specified by the Rainforest Technical Committee in 1986

In conducting this investigation it is recommended that VEAC has regard to:

- The objects of the National Parks Act 1975 with respect to National and State Parks
- Section 18 of the Victorian Environment Assessment Council Act 2001
- The Flora and Fauna Guarantee Act 1988 and relevant Action Statements
- The most up to date research and scientific information on Goolengook’s biological values
- The Revised Goolengook National Park Proposal (Picone, A. 2002)
- Previous Land Conservation Council Recommendations
- The Goolengook Forest Block Report (1991)
- The East Gippsland Regional Forest Agreement (1997)
- The East Gippsland Forest Management Plan (1995)
- The Victorian State Government’s ‘Our Forests, Our Future’ policy statement (2002)
- Defining Old-growth Forest (Common Position Statement endorsed by peak environment groups, November 2002)
- Evaluation of Data and Methods for Estimating the Sustainable Yield of Sawlogs in Victoria, J.Vanclay and J. Turner (2001)

Yours faithfully

Trevor Poulton
Member of ALP Otway Ranges Interest Group (ORIG)
(a non-constituent unit of the ALP)

Cc: Environment Victoria
Forests Campaign
PO Box 12575
A’Beckett St Melbourne 8006
Email: forests@envict.org.au

DATED: October, 2002

Common Position Statement from Conservation and Community Groups and Political Parties concerning logging in Goolengook Forest Block

Drafted by Trevor Poulton and Nicky Moffat of *Save Goolengook (Melbourne Desk)*

RESOLUTIONS:

1. The endorsing organisations assert condemnation of the Victorian State Government's recent decision to proceed with logging operations in the Goolengook Forest Management Block and call for the immediate and permanent end of logging in the forest block.
2. The endorsing organisations call upon the State Government to integrate the Upper Goolengook catchment into the Errinundra National Park. (*See recommendation for National Park Proposal below*)
3. The endorsing organisations would support a Government *funded*, but independent inquiry into the inclusion of the Upper Goolengook catchment into the Errinundra National Park under the *National Parks Act 1975*, providing:
 - NGO's have input into defining the 'terms of reference';
 - Those undertaking the inquiry are selected on the basis of their environmental and other qualifications by an independent panel of endorsing NGO representatives;
 - Indigenous representatives from the Bidawal Clan Group (Goongerah Goolen-Gook) are consulted;
 - Public consultation is transparent and accountable.

Disclaimer:

The common position does not in any way replace policy positions or campaign objectives of endorsing organisations.

Endorsing NGO's reserve the right to withdraw support for an inquiry at any time, and are by no means bound by the outcomes of an inquiry where all relevant information is not taken into consideration, public consultation is ignored, or the inquiry's initial findings are suppressed or watered down.

ENDORSING ORGANISATIONS	
Community/Environmental Groups	Political Groups
ACF (Australian Conservation Foundation) Australian Rainforest Conservation Society Bairnsdale & District Field Naturalists Club Benalla & District Environment Group Bendigo & District Environment Council Bird Observers Club of Australia CROEG (Concerned Residents of East Gippsland) Doctors for Native Forests Electrical Trades Union Environment Victoria Field Naturalists Club of Victoria Friends Of the Earth Geelong Community Centre Inc GECCO (Goongerah Environment Centre) Greenpeace Australia-Pacific Humane Society International Lawyers For Forests SPIFFA (Southern Peninsula Indigenous Flora and Fauna Association) TWS (The Wilderness Society) Western Victoria Forest Protection Network Wombat Forest Society WWF (World Wide Fund For Nature - Australia) Victorian National Parks Association	Australian Democrats ALP ORIG (a non-constituent unit of the ALP) Hope Party Australia Liberals for Forests Vic Greens-Gippsland Region Vic Greens

The immediate and permanent cessation of logging of the Goolengook Forest Block is called for on the following grounds:

1. The area is proposed for inclusion into the Errinundra National Park.
2. Current and scheduled logging within the Goolengook Forest Block is destroying outstanding heritage values and as such is also undermining the potential of the area for inclusion into the Errinundra National Park and will compromise the inquiry.

All endorsing organisations support the following recommendation:

RECOMMENDATION FOR INTEGRATION OF UPPER GOOLENGOOK CATCHMENT INTO THE ERRINUNDRA NATIONAL PARK:

The Victorian State Government is called upon to integrate the Upper Goolengook catchment into the Errinundra National Park under the *National Parks Act 1975*, to reserve permanently and make available for the benefit of the public the area described in Schedule 1 below.

The addition to Errinundra National Park is recommended on the following grounds:

- a) the proposed addition supports extensive nationally-significant stands of old-growth forest (including significant areas of "negligibly disturbed" forest).
- b) the proposed addition supports six threatened species and two threatened plant communities listed under the *Flora and Fauna Guarantee Act 1988*. (See Appendix 1)
- c) integration of the proposed addition into the Errinundra National Park is the only management option which can guarantee the sustainable operation of the natural ecological and evolutionary processes required to maintain the outstanding heritage values of the Upper Goolengook catchment.
- d) it is recognised that the proposed addition must be integrated into the Errinundra National Park for its ecological significance, natural beauty and interest and for the preservation of its wildlife habitat.
- e) the proposed addition is consistent with ALP 1999 election commitments and ALP Conservation and Environment Policy 2000 objectives under Sections C (2.1, 5.1, 5.2, 5.3) and D (4.3) and observes the terms of the East Gippsland RFA.

Schedule 1

The proposed addition, of approximately 5020 hectares, comprises the Goolengook Flora and Fauna Reserve, part of the Goolengook Heritage River Reserve and parcels of State Forest designated in the East Gippsland Regional Forest Agreement as Special Protection Zones, Special Management Zones and General Management Zones within the Goolengook Forest Management Block, East Gippsland Forest Management Area. The proposed addition is identified as the area bounded by the Ada Divide Track, Houston Track, Golden Mile Track, Goolengook Road, Bee Tree Track, Freds Track and Greens Road and the current Errinundra National Park boundary.

(See Picone, A. (2000) *Goolengook, National Park Proposal*, Concerned Residents of East Gippsland)

Appendix 1

Species listed as threatened under Schedule 2 of the Flora and Fauna Guarantee Act recorded within the proposed Errinundra National Park extension.

Slender Tree-fern (*Cyathea cunninghamii*)
 Common Bent-wing Bat (*Miniopterus schreibersii*)
 Long-footed Potoroo (*Potorous longipes*)
 Powerful Owl (*Ninox strenua*)
 Sooty Owl (*Tyto tenebricosa*)
 Spot-tailed Quoll (*Dasyurus maculatus*)

Plant communities listed as threatened under Schedule 2 of the Flora and Fauna Guarantee Act occurring within the proposed Errinundra National Park extension.

Cool Temperate Rainforest Community

Warm Temperate Rainforest (Cool Temperate Overlap) Community