

The 2015 - 2016 Annual General Meeting of the South-West Forests Defence Foundation Inc. will be held at **6.00 pm on Wednesday, 23rd November 2016, at 112 Eric Street, Cottesloe. Please note the starting time and venue.**

The agenda is as follows:

1. Apologies
2. Minutes of previous AGM
3. President's report
4. Treasurer's report
5. Auditor's report
6. Election of office bearers for 2017
7. Other business

Nominations for the positions of President, Vice-president, Secretary, Treasurer and five committee members are called for.



**SOUTH-WEST FORESTS DEFENCE FOUNDATION INC.
PO BOX 203, NEDLANDS WA 6009**

**NEWSLETTER – November 2016
Notice of Annual General Meeting**

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The year for the forests and SFDF

After 26 years of very successful activities, this year the WA Forest Alliance (Wafa) became incorporated. This was done to increase Wafa's ability to raise the funds it needs to continue saving and protecting our forests. SFDF was a foundation member of Wafa in 1990.

The year began with the devastating January fire that burnt out Yarloop and 69,000 hectares of bush, plantations and farmland, 31,000 hectares on private property and 38,000 hectares on public land. As usual, forests got the blame. The Barnett Government immediately set up a biased inquiry that resulted in the report discussed below.

The Forest Products Commission (FPC) had another bad year that was correspondingly better for the forests. It clearfelled the smallest area of karri forest since clearfelling was reintroduced in 1967 (210 hectares). By contrast, between 1976 and 2002, more than 1000 hectares were clearfelled in every year but one, with a record 4,450 hectares clearfelled in 1977. The area of jarrah forest logged in 2016 was the third lowest over the same period (5,462 hectares).

In September, the Barnett Government passed its disgraceful *Biodiversity Conservation Act*. There were few improvements to the Bill it introduced in 2015 without any community consultation. Our critique of the Act is included below.

On 16th September, the Federal Government listed the Banksia Woodlands of the Swan Coastal Plain as an Endangered Ecological community under the *Environment Protection and Biodiversity Conservation Act*. This was a major achievement for the Urban Bushland Council and others who worked hard for this listing.

In October, Auswest Timbers Pty Ltd announced that it will close its Manjimup Processing Facility this year and transfer essential machinery to its Greenbushes site. Auswest's Pemberton sawmill will remain open until a large log-processing line is constructed and operating at Greenbushes, and it will close in the first quarter of 2017. The owner of Auswest Timbers, Brickworks Limited, is a major donor to the Liberal Party.

In the 1960s, there were over 200 sawmills milling native forest logs and employing more than 3000 workers. Today there are some 50 sawmills employing fewer than 200 workers (the Forestry Minister will not say precisely how many).

Ever since in 2013 the Forest Stewardship Council unbelievably awarded the FPC 'Controlled Wood Certification' for its karri forest management, Wafa convener, Jess Beckerling, has been working tirelessly to have the certification revoked. The main issues are the definition and identification of High Conservation Value forest and whether clearfelling is turning karri forest into plantations. Jess secured a united voice of opposition from local, national and international environmental groups. The tortuous process for dealing with Wafa's complaint, now hidden under a cloak of confidentiality, is ongoing.

Wafa commissioned The Australia Institute to prepare a report on the native forest logging industry in WA. SFDF contributed \$5000 to the cost. We hope the report showing the parlous state of the industry will influence the 2017 state election and a political decision to end native forest logging.

Forests For Life

On 20th October, the WA Forest Alliance launched Forests For Life, a new campaign that sets out a plan for protecting native forests and wildlife, growing our own timber, creating hundreds of new jobs in the timber industry and supporting a strong, resilient south-west.

The south-west forests grow on Noongar boodjar. They are profoundly significant to WA's culture and heritage. They are home to countless unique plants and animals, play a fundamental role in a stable climate, clean water and soil health and stability. They have their own ancient and intrinsic value. They are also the basis for many sustainable enterprises and livelihoods including tourism, beekeeping and recreation. Logging is not compatible with healthy forests or a strong, sustainable south-west economy.

Forests For Life articulates a clear vision for forest protection and the development of a sustainable, job-rich and highly productive timber industry based on plantations and farm forestry. It shows how we can produce our own structural timber and provide native timbers to the fine woodcraft artisans and micro-millers from current clearing operations rather than wasting it or selling it as low-value products.

It also shows how important forest protection is to beekeepers, artists, tourism and recreation operators, food and wine growers and to all of us for culture and heritage. Wafa has invited people involved in each of these areas to collaborate with us and campaign for forest protection and the development of stronger, more resilient south-west industries. Visit the Forests For Life website at www.forestsforlife.org.au

Ferguson report misses the target

In January this year, the Barnett Government initiated a special inquiry into the devastating bushfire in the Waroona area and appointed forester and prescribed burn advocate Mr Euan Ferguson to conduct it.

The Ferguson report, released in June, contains 17 recommendations. The Government accepted all the recommendations including, not surprisingly, four for increased prescribed burning. We have limited our response to these.

The Ferguson recommendation for a target of 45 per cent of the south-west land managed by the Department of Parks and Wildlife with a 'fuel age' less than six years is exactly the same as the target announced by the Government in Parliament in May 2015. This should raise questions about the independence of the inquiry

The recommendations do not take the causes of fires into account. A quarter of the fires in the South West are started by lightning. Almost all the rest are caused by people, most illegally. Yet the word 'arson' does not appear once in the Ferguson report. Arson is a serious problem that must be addressed.

The recommendations blindly accept the use of an annual burn area target as the main (even sole) performance indicator. Highly qualified scientists said long ago that having an annual target is unhelpful and may be counterproductive. The target could be reached and exceeded without protecting life or valued property if the burns are in the wrong places. And prescribed burns can increase the 'fuel load' rather than reduce it by, for example, promoting the rapid profuse growth of fireweeds. The areas burnt in wildfires is not counted towards the target

The recommendations accept 'fuel age' as the measure of accumulated flammable native vegetation (with an over-emphasis on forests). Years since fire ('fuel age') to measure the 'fuel load' is a crude method of estimating the amount of flammable native vegetation. Litter accumulation depends on vegetation type, soil, aspect, time since previous fire(s), climate and weather since last fire(s). Large areas with a wide range of 'fuel age' are lumped together under a single figure.

Visual assessments of the 'fuel load' are very inaccurate and the amount of litter gives no indication of its ignitability or flammability.

The recommendations overlook the ineffectiveness of frequent broad-scale burning. Research has shown

that the weather and ignition management are consistently more important for explaining variations in area burned than prescribed burning. Ignition management (stopping fires from starting and putting them out rapidly when they do start) is the best way to minimise the area burnt in wildfires.

Vegetation management is more effective if undertaken close to houses. A shift in emphasis away from broad-scale treatment to intensive treatment close to property will more effectively mitigate impacts from wildfires on peri-urban communities.

Besides the millions of dollars spent conducting prescribed burns, there are costs to public health and the wine industry from smoke and to honey production, tourism and recreation from smoke and fire. Frequent fires have serious harmful impacts on biodiversity. Neither the Government nor the report considers the costs of prescribed burning to the economy and the environment.

There are no recommendations regarding monitoring or auditing of prescribed burns.

Unwise land-use planning has placed WA in the situation where much valuable property is surrounded by flammable vegetation that must be managed. However, burning should be just one, not the only, option considered and it should be kept to the minimum.

Rather than unquestioning acceptance of the Ferguson recommendations for increased prescribed burning, the Government should adopt alternatives that are more effective, safer and less damaging to the economy and the environment.

Detecting and attacking fires as soon as they start no matter where they start is more effective than prescribed burning in containing the area burnt in wildfires and reducing the risk to lives and property. The use of modern technology such as satellites and drones makes such detection and attack easy and cost-effective.

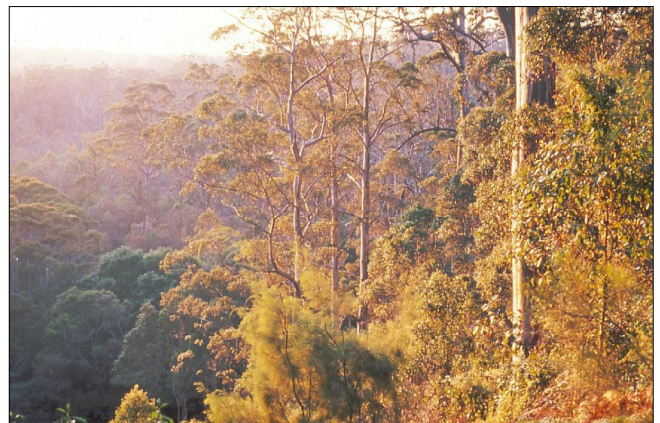


Photo by Simon Neville

Biodiversity Conservation Act **fails the pub test**

WA now has a *Biodiversity Conservation Act 2016* (BCA) and the 60-year-old *Wildlife Conservation Act 1950* (WCA) has been repealed.

When it was introduced, the Biodiversity Conservation Bill 2015 (BCB) received widespread criticism from scientists and conservation activists who pointed out major flaws in comparison with modern environmental legislation and what the community had called for over the past 15 years since replacement legislation was first promised.

There was no consultation with the community, conservationists or scientists on the legislation before it was introduced into Parliament and as a result it was fundamentally flawed.

The legislation was passed in September 2016 with only a few amendments to the Bill. The provisions in the BCB that gave the Minister discretion about obtaining advice from anyone of his choosing and the right to ignore that advice have been amended and now he must obtain advice. However, there is no requirement for an expert scientific committee as there is in the Federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA).

The provisions in the BCB that allowed the Minister to knowingly approve actions that could lead to the extinction of a species or a threatened ecological community (the so-called God clauses) have been amended and now the consent of Parliament is required.

The objects of the Act are the conservation and protection of biodiversity and biodiversity components in Western Australia and the ecologically sustainable use of biodiversity components in Western Australia. To avoid having conflicting objects, the object of the ecologically sustainable use of biodiversity components should be removed.

Some provisions in the Act are commendable but only up to a point. For example, the Act binds the State and the Crown but neither the State nor the Crown is liable to be prosecuted for an offence.

Penalties for violations are significantly higher than in the WCA and new offences have been included. However, there are no jail terms even for the worst offences such as knowing, willful or intentional violations of the BCA. Furthermore, there are many defences that allow alleged offenders to escape prosecution.

Except in relation to the control of environmental pests, the BCA does not apply to fish that are the subject of aquaculture, commercial or recreational fishing, or to pearling or pearl oyster hatchery activities.

There are other serious flaws. There is no requirement for mandatory plans, targets or monitoring.

The BCA gives virtually unfettered discretion to the Minister for Environment and the Director General (CEO) of the Department of Parks and Wildlife. There is no requirement for the public to be included in decision-making by the Minister or CEO regarding such matters as listing of critical habitat and key threatening processes.

There are no rights of appeal or judicial review of the Minister's or CEO's decisions or conduct.

Community members do not have open standing or the right to bring enforcement actions against persons contravening the BCA or to seek injunctions to compel compliance or prohibit non-compliance with the BCA's provisions.

The BCA will have to undergo significant amendment to make it fit for purpose.

Clouds on the horizon

Regional Forest Agreements to roll over?

The Federal Government wants RFAs to roll over for another 20 years when they expire. The WA RFA expires in 2019. The *Environment Protection and Biodiversity Conservation Act* does not apply to forests under an RFA.

Thinning jarrah forest to increase run-off

After the abortive Wungong catchment thinning trial, the Water Corporation abandoned the attempt to increase run-off by thinning and burning jarrah forest. This highly suspect proposal is back on the agenda.

Native forest biomass burnt for electricity

The Federal Government has made native forest biomass eligible for Renewable Energy Credits. This has encouraged the FPC to try to expand markets for low-grade native forest logs, already most of the native forest logs sold by the FPC.

Limiting the right to take legal action

The Federal Government wants to remove the right of all community members to take legal action to stop an environmentally damaging development, and limit it to those personally affected by the development.