

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into VicForests operations

Melbourne — 9 August 2017

Members

Mr Bernie Finn — Chair

Mr Khalil Eideh — Deputy Chair

Mr Jeff Bourman

Mr Mark Gepp

Ms Colleen Hartland

Mr Shaun Leane

Mr Craig Ondarchie

Mr Luke O'Sullivan

Participating members

Mr Greg Barber

Ms Samantha Dunn

Mr Cesar Melhem

Mr Gordon Rich-Phillips

Witnesses

Mr Lee Miezis, Deputy Secretary, Forest, Fire and Regions, and

Mr James Todd, Director, Knowledge and Decision Systems, Energy, Environment and Climate Change,
Department of Environment, Land, Water and Planning.

The CHAIR — Gentlemen, thank you very much for coming in, and welcome to the public hearings of the Economy and Infrastructure Committee. All evidence taken at this hearing is protected by parliamentary privilege, therefore you are protected against any action for what you may say here tonight, but if you go outside and repeat those same things, those comments may not be protected by this privilege. I invite you to open up by making an opening statement or a presentation, as it would seem you will be doing, and then we will open it up to questions. Thank you very much indeed.

Visual presentation.

Mr MIEZIS — Thank you, Mr Chair, and firstly I would like to apologise for being unable to appear when I was first scheduled. I was stranded overseas, but I would like to thank all committee members for giving me the opportunity to appear and to assist you in your inquiry.

I will give a short presentation this evening really providing a brief context of sustainable forest management in Victoria and an overview of DELWP's role, and I will also touch on the Leadbeater's possum and the role of citizen science.

You will see from the slide that since European settlement there has been extensive clearing of forests across Victoria for agriculture, for timber production, for mining and for building, and the impacts of bushfire have certainly played a big role in the form of our current landscape. For example, the 1851 Black Thursday fires burnt about 5 million hectares of Victoria, so about a quarter of the state.

When we look at a current map, really a large portion of the remaining native forest here is protected within public land reserves, so about 7.12 million hectares of forest is on public land, about 4 million hectares is within parks and conservation reserves, about 3.1 million hectares is within the state forest estate and a little under 1 million hectares of Victoria is forested private land. Timber harvesting is permitted within about 2.4 million hectares of the state forest area, of which about 1.82 million hectares is in the east of the state. If I focus on ash forest particularly, there is about 185 000 hectares that is available for timber harvesting — that is about 34 per cent of Victoria's ash — and of that about 142 000 hectares, or 26 per cent, is considered suitable for timber harvesting.

An important point to make is that while these ash forests are important areas for timber production they also provide habitat for a number of threatened species, including the Leadbeater's possum. They are also important for water production, carbon sequestration and other values. We do manage our state forest to provide a wide range of values to the Victorian, the Australian and even the international community. As a department DELWP is really responsible for policy and planning systems for Victoria's public forests. The intent of the framework under which we work is to make sure that the management of our forests not only protects these values but really ensures that they can be realised, enhanced and preserved for both current and future generations.

Victoria's forests and the values I identified on the previous slide are impacted by various external events, most notably fire. There is evidence that climate change will increase the frequency of fire and other natural hazards. Fire events in Victoria have impacted about 12 per cent of the state over the last 15 years, and this includes bushfires that burnt 1.3 million hectares in 2002–03; 1.2 million hectares in 2006–07, of which 55 000 hectares was available for timber harvesting; and 430 000 hectares in 2009–10, of which about 16 000 hectares was ash forest that was available for timber harvesting in the central highlands — so that 16 000 hectares was destroyed — and a further 9000 hectares was burnt but at a lower severity.

The recent Victorian Environmental Assessment Council *Fibre and Wood Supply Assessment Report*, which was released in April this year, found that bushfires present a real threat to the timber industry and that a single bushfire of sufficient intensity and extent could eliminate the 1939 ash regrowth in the Central Highlands. Really, the proportion, it says, of the 1939 ash regrowth expected to burn over the next 20 years is about 20 per cent or less, with a worst-case scenario of approximately 50 per cent. So fire is a real threat. It is not only a threat to timber production; it is also a threat to environmental values. We know the 2009 bushfires also had a very significant impact on the Leadbeater's possum population and its habitat. We know that about 34 per cent of the ash forest and snow gum habitat of the Leadbeater's possum in the Central Highlands was burnt in February 2009.

If I briefly just come back to the policy context for forest management in Victoria, we have the Montreal process, which is really a voluntary international agreement on sustainable forest management. It was formed in

1994 as a result of the forest principles developed at the 1992 Earth Summit. The Montreal process has 13 member countries and covers about 90 per cent of boreal and temperate forests and 60 per cent of the world's forests. Really the aim of the Montreal process is to advance the development and implementation of internationally agreed criteria indicators for the conservation and sustainable management of temperate and boreal forests at a national level.

Considering this international context, in 1992 Australia's national forest policy was released, and this is a policy to protect the environment while enabling a broad range of uses of our forests into the future — so for the long term. Our regional forest agreements were really a product of the national forest policy statement, and there are five regional forest agreements in Victoria, which are agreements between the state and the commonwealth providing for the sustainable management and conservation of native forests. Of the five that I referenced, the East Gippsland and Central Highlands regional forest agreements are due to expire in March 2018 and the other regional forest agreements, covering the north-east, west and Gippsland regions, are due to expire between 2019 and 2020.

DELWP and the commonwealth Department of Agriculture and Water Resources have had some preliminary discussions to prepare for negotiations that will be required to agree to future arrangements for forestry. Really any discussions between Victoria and the commonwealth on any new or any extended agreement will be a really important opportunity to engage with stakeholders and the community on the future of forest management in this state. At the same time Victoria and the commonwealth are also undertaking the third five-yearly review of the implementation of the current RFAs. This also will include a public consultation process and will inform the consideration of any future regional forest agreement.

You can see by this slide — and it is difficult to read — that the regulatory environment for timber harvesting in Victoria is complex. DELWP's role in managing state forests is defined in legislation, with the secretary of the department being responsible for managing Victoria's state forests in accordance with the Forests Act 1958. The Forests Act 1958 contains a number of matters, including the immediate prevention and suppression of fire and the planned prevention of fire in state forest national parks and protected public lands, but it also requires things such as the preparation of working plans, including fire management plans and forest management plans.

Another key piece of legislation is the Conservation, Forests and Lands Act 1987, which really provides the head of power for the code of practice for timber production, and I will come to that shortly. We have the Sustainable Forests (Timber) Act, which requires VicForests to comply with the code of practice for timber production, and it also provides for the development of the sustainability charter that establishes objectives and a program to monitor performance and forest condition against the objectives in the sustainability charter — the sustainability charter being consistent with requirements at the national level in terms of how Australia meets its commitments under the Montreal process. Of course there is the Flora and Fauna Guarantee Act, which is also a factor there, and then we have reporting that we do under the state of the forests report, which again is our process for reporting publicly every five years on the objectives for sustainable forest management outlined in the sustainability charter.

Mr ONDARCHIE — Are we going to get that charter?

Mr MIEZIS — You can, yes.

Mr ONDARCHIE — Thanks.

Mr MIEZIS — If I turn quickly to the code of practice for timber production, the first code of practice for timber production was ratified by the Victorian Parliament in 1989, and it was revised and updated in 1996 and later in 2007, with the current version of the code being 2014. The purpose of the code really is to provide direction to timber harvesting managers, harvesting entities and operators to deliver sound environmental performance when planning and conducting timber harvesting operations and associated activities, such as roading. The code includes specific rules for the protection of forest values, such as waterways, biodiversity, visual landscape amenity, cultural heritage and recreation.

DELWP has a role in really monitoring compliance with the code, and we do that through different mechanisms. We have investigations into alleged breaches of the code, which can come by third parties; we have an annual program of auditing compliance with the code; we have an annual program of rainforest spot checks to really check the identification and protection of rainforest values prior to harvesting; we follow up on

reports and investigate and verify threatened species reports made by third parties; and we also have our own field inspections and investigations of alleged non-compliance, which I referenced earlier.

We are always striving and constantly working to improve our approach to environmental compliance, and certainly this year the Victorian government made an investment of \$36.3 million in an initiative to enhance the protection of forests and wildlife. What this will do is really strengthen my department's compliance activities to deliver a best practice, really risk-based intelligence-led regulatory system. As part of this the department will certainly look at creating clearer laws and will adopt more contemporary compliance tools to increase voluntary compliance. One objective in addition to really enhancing the protection of the environment is to provide greater clarity and certainty for all parties, and if you go back to the complexity of the current environment, there is certainly opportunity to do that. Part of the commitment will see us improve resources — more than double the number of compliance officers we have, which will really enable us to do more on-ground operations and be more responsive and more comprehensive in the work that we do.

I will touch briefly on the Leadbeater's possum. Obviously the possum was listed as critically endangered in 2015 under the commonwealth's Environment Protection Biodiversity Conservation Act. Really fires and the ongoing loss of hollow-bearing trees are key threats to the species. In 2014 there was an advisory group that recommended a 200-metre radius timber harvesting exclusion around verified colonies, and in 2017 a review of that was undertaken, and the review, which has now been concluded, has been published on our website.

What the review found was that the exclusion zone has made an effective contribution to the conservation of the Leadbeater's possum, but it does remain critically endangered. The risk of extinction of the Leadbeater's possum within that Leadbeater's possum reserve in the Central Highlands has been reduced by approximately 34 per cent. However, as I said, the Leadbeater's possum will remain at high risk of extinction until about 2050 to 2070 due to the ongoing loss of habitat and hollow-bearing trees. Of course as I mentioned earlier fire continues to pose a significant threat.

Despite the Leadbeater's possum really being one of the most studied species in Victoria, there is no definitive estimate of the Leadbeater's possum population. Population estimates are largely extrapolated from surveys and areas of predicted habitat. A number of estimates have been made, from 3 125 individuals, made by Lindenmayer in 2015, to a range of between 3 945 and 10 960 individuals, made by the advisory group in 2014. So the recent surveys that have been undertaken have not really altered these estimates. The reality is that the surveys that have been undertaken have largely confirmed that the Leadbeater's possum is occurring where our models told us it would occur. That recent surveying effort has been targeted to potential habitat areas in state forests scheduled for timber harvesting, which was as per the recommendations of the advisory committee, but it has not been restricted to those areas.

The CHAIR — I am sorry to interrupt. Do you have much —

Mr MIEZIS — No, I have two more slides. I will run through them quickly.

The CHAIR — Thank you.

Mr MIEZIS — The review recommendations are up on the screen there. Given that the Leadbeater's possum does remain critically endangered, there is an ongoing need for effective conservation measures. The report does recommend that the 200-metre buffers continue to be applied as this has made an effective contribution to the conservation of the possum. There may be opportunities to reduce the impact of these buffers on industry, in particular indirect impacts, and this would involve clarifying arrangements under current rules for VicForests to gain access through buffers to harvest other parts of the forest whilst maintaining protections for the Leadbeater's possum.

Over the longer term we may be able to secure better outcomes for the Leadbeater's possum by improving our landscape-scale planning and protection measures — the landscape-scale planning is certainly consistent with the current biodiversity 2037 plan, which really moves away from prioritising actions, if you like, for individual species to an approach that considers all species and all threats, and actions that effectively deliver the maximum benefit for the most species. The report also recommends further field surveys and improvement of departmental models to support this.

Just to touch quickly on citizen science — certainly DELWP encourages citizen science because we really value community participation and information sharing. The community has also contributed significantly to data contained within the Victorian Biodiversity Atlas. As is shown in the table, about 40 per cent of records are provided by the community, about 7 per cent by VicForests, about 52 per cent by government and about 1 per cent by consultants. In addition since 1998 community members have contributed to the Leadbeater's possum survey effort. As a result 436 new colonies have been detected in the Central Highlands state forest since 2014. Thirty per cent of those colony detections have been provided by the community, and 99 per cent of the reports provided by the community have been verified by the department. The remaining 66 per cent of the new Leadbeater's possum colonies have been identified through government surveys — those done by DELWP, those done by VicForests, those done by Melbourne Zoo. The remaining 4 per cent of surveys are conducted by unspecified sources but would include researchers and universities.

The CHAIR — Thank you very much indeed for quite a comprehensive introduction this evening. I was impressed with the regulatory framework. That was a ripper. How many are employed to implement that regulatory framework, just as a matter of interest?

Mr MIEZIS — How many are employed? Directly in terms of what we call our environmental compliance branch, at this time it is about 30 to 40 staff in total. As I mentioned before, with the recent investment through the 2017–18 budget we are looking to employ another 35 staff to that team.

The CHAIR — So you would be basically doubling the size of the department?

Mr MIEZIS — Yes, that is about 75 who are dedicated to the implementation of that regulatory framework and of course we have a broader surge capacity, if you like, across the department, where we have officers that are employed in other roles — it could be fire management or it could be roading — who are authorised under respective legislation and therefore can provide additional capacity to enforce laws as required.

The CHAIR — I think you made some suggestion that we could have anything up to 10 000 Leadbeater's possums. We have heard from a number of witnesses so far that there are significantly more possums than had been anticipated and that they have been found in places where we had not expected to find them. Realistically how many possums do you think there are?

Mr MIEZIS — Thank you. It is a good question. As I mentioned in my presentation, there is really no definitive assessment of the total population size of the Leadbeater's possum, and as I mentioned, there have been a number of estimates of that population size attempted which vary from 3000 say up to 10 000 individuals in broad terms. We really can only estimate total population size by extrapolating survey results with habitat type and condition, but the margin of error is very large as we really do not have comprehensive survey data for the Leadbeater's possum across its full range.

To give you an idea, in the review that was recently published by DELWP we have identified that probably only about 6 to 10 per cent of the possum's potential or likely occupied habitat in the Central Highlands has been surveyed, but what our surveys are doing is really confirming what we expect the model to tell us. So it is really confirming the accuracy of the model. We are not finding animals in areas that we did not expect to; we are finding them where the model says you should find these animals.

The CHAIR — Right, okay. Exactly how many of the possums do you need to say that they are endangered? Under which number do they become endangered?

Mr MIEZIS — I will have to refer that question to my colleague.

Mr TODD — Under the approach that is applied nationally — they use the criteria that are used in the international standards — the rating of a species in terms of whether it is endangered or critically endangered is a combination of both its current population size and also the threats that are facing it and measures of its decline, maybe in recent history. In the case of the Leadbeater's possum the most recent conservation assessment that was done, in 2015, recognised that a large part of its habitat had been burnt in 2009 and that there are estimates about its current population size, but regardless of that, the fact is that ongoing habitat loss and loss of hollow-bearing trees, which are required for its nesting, into the future is the reason why it is still listed as critically endangered. Things like future fire pose even a greater risk to that. Hence population size is

one element of conservation assessment, but recent decline and/or future risks and threats to the species are part of the assessment as well.

The CHAIR — So an actual number is only a small part of the calculation?

Mr TODD — Exactly. Theoretically you could have a very large population size —

The CHAIR — I must say, 10 000 does sound like a lot of possums.

Mr TODD — But you could have double that or triple that, and it could still be wiped out in a single fire event if the fire was in the right part of the landscape. That is where the risk to the species lies. So it is not just about the total size.

The CHAIR — So the main threat to the possums would in fact be fire? It is not the timber industry?

Mr TODD — Fire is a significant threat to the species. Anything that is impacting on the availability of hollows is a risk and a threat to the species. Timber harvesting is one of those. Fire is obviously a significant risk, yes.

The CHAIR — But fire would be a far greater risk than logging?

Mr TODD — The work that was done through the Leadbeater's Possum Advisory Group showed that the risk of future fire is still a significant risk to the species, yes.

The CHAIR — Thank you.

Mr LEANE — What is the process for any species that has been listed as critically endangered to come off that category?

Mr TODD — To have something either come off that category or off the list eventually is, to what extent have the matters that are causing the threats to the species been adequately addressed? So in the case of the Leadbeater's possum it would be, how have the impacts of the recent decline in the population been addressed, and have the threats to the longer term habitat requirements for it been addressed?

Mr LEANE — I think you put it up on a slide there as far as other species go that could be impacted for similar reasons to the Leadbeater's possum. So what other species? Are there other endangered species in the forested parts of Victoria?

Mr TODD — Yes. A recent report from VEAC indicated there were probably 79 forest-dependent species in Victoria, of which about 35 may be negatively impacted by timber harvesting along with a range of other threats, so it is of that order. Obviously in the case of things like timber harvesting and fire, arboreal mammals that require access to hollows and older trees and older forest are particularly at risk.

Mr MIEZIS — If I can just add to that, we have identified about 32 species that are potentially impacted by timber harvesting in the Central Highlands, and 14 of those are listed as threatened species under the Flora and Fauna Guarantee Act. They include obviously flora species such as tall astelia and forest sedge, amphibians, the Baw Baw frog, owls, the sooty owl, the greater glider, the lace monitor — so a range of flora and fauna species.

Mr O'SULLIVAN — Thank you, gentlemen, for coming in today. Mr Miezis, I want to ask you a couple of questions. I want to go back to the RFA because I think that is a significant challenge that we are all going to face in the coming years as we have to go through the process of renewing those. It is a two-stage question. How do you see the process for going through the revised RFAs, and what impact do you think that will potentially have on logging in the native timber areas?

Mr MIEZIS — Thanks for that question. The process for renewal of an RFA is specified within the RFA and the commonwealth RFA act. So the first necessary precursor to that process is the final five-yearly review, which, as I mentioned before, we are about to go through a public process on. That process and the associated community engagement really set up what the framework is for renewal. As I mentioned before, we are really only at the early stages with the commonwealth about what that might look like. It is difficult to say at this stage what the exact process will be, but it will need to be in accordance with obviously the legislative requirements.

Mr O'SULLIVAN — And where would you see the impacts or the direction that that is going to take?

Mr MIEZIS — Again, it is difficult to say at this stage. The underpinnings of a regional forest agreement have really been to provide protection for the environment and for the sustainable management of forest for multiple values, one of which is for timber, so unless there is a deliberate decision to shift away from that overarching policy setting, my assumption would be that it would continue along those lines.

Mr O'SULLIVAN — In terms of the impact, is the government the end organisation that has responsibility for that, or does it end up being the state's?

Mr MIEZIS — It is an agreement between the state and the commonwealth, and if I look at the current RFAs, they have obligations on the state and also obligations on the commonwealth government.

Mr O'SULLIVAN — So would it be possible, in terms of those future RFAs, that a policy decision taken by, say, this state government and a commonwealth government could, as a part of that agreement, stop logging in those areas?

Mr MIEZIS — There could be a decision to not renew the regional forest agreement, which would then have implications for how timber harvesting is conducted in Victoria, but then it would need to be a decision of the state government ultimately about whether or not timber harvesting does occur. For instance, a regional forest agreement does trigger a set of exemptions under federal legislation such as the Environment Protection and Biodiversity Conservation Act or the Export Control Act. So in the absence of an RFA there would be a requirement then, for example, for timber harvesting to go through the standard referral process under the EPBC act. That would be a decision of the state as to whether it would choose to refer such a matter.

Mr O'SULLIVAN — I could ask more questions there, but I will move on to a different area. We heard from Mr Tim Johnston, who was in before you and made comments in relation to the 200-metre radius around where the Leadbeater's possum colonies had been found. I do not want to be putting words into Mr Johnston's mouth, but essentially he said that it is not a complete avenue in terms of protecting it and potentially it is over the top in terms of the job that it is actually required to do. He made the comment that professional foresters would be able to design each particular protection zone so it would not have to be that 200-metre radius. Do you agree with Mr Johnston that perhaps there is a more effective and efficient way of doing it by the use of professional foresters to actually have something that is more pinpointed rather than just a whole 200-metre radius?

Mr MIEZIS — I will refer it to James for a more detailed answer on that. I think the 200-metre radius in its design is somewhere about practically how you implement those things efficiently. There are obviously a number of options there. The advisory group made the recommendation around 200 metres considering the multiple factors that it was asked to consider. But, James, do you want to add any more detail to that answer?

Mr TODD — The advisory group came up with the 200-metre radius on the basis of what was seen to be a reasonable compromise between the dual objectives of conservation of the possum and the sustainability of the timber industry. The reason they settled on the circular buffer was really a bit around operational simplicity.

Mr O'SULLIVAN — That would have been in relation to finding 200 colonies and then the review kicked off. I would agree with you for probably the first 200, but subsequently, beyond the 200?

Mr TODD — That is right. They recommended that a review of that action be undertaken after 200. That is correct. So the review and the report that have been released by DELWP says that protecting individual colonies as you find them is not necessarily the most effective way to achieve conservation for the species, and obviously there is uncertainty for the industry so there is a cost attached to that. One of the recommendations in the report is actually saying there is the need to move towards a landscape-based planning approach which thinks about not just currently occupied habitat but also what is potentially future habitat and also starts to factor in the potential risks of climate change and future fires.

The report clearly states that there are lots of uncertainties about the long-term effectiveness of those buffer protections on the possum, because we do not know whether the species will persist in those areas. We expect that, in line with the broader landscape, the rate of decline of hollow-bearing trees, which they still require, will decline at the same rate and therefore some of those areas may not be occupied habitat in the future. Hence one

of the recommendations out of the report is to move to something which is able to factor in what are not just the current needs for the species but its likely future needs and how you protect it against some of those threats that we were talking about before.

Mr BOURMAN — I have actually got quite a few questions, so I am just going to try and prioritise them. It has been a long night. One of the things I noticed in your slides was there was a lot of talk about the amount of possums found in state forests and what was going on in state forests. Everything seemed to be around state forests. How much work has been done in other public land tenures, such as state parks and national parks, to actually see where all the threatened species are, because there seems to be an absolute bucketload of work going into where they are logging and I am not hearing anyone — it is not just DELWP — talking about what is going on in other protected areas?

Mr MIEZIS — I mentioned in my slide that since 2014 the increased and targeted focus in state forests was in direct response to the recommendation of the advisory group at the time who said that survey efforts should be focused within those areas. As I also mentioned, it is not the only place that surveys have been undertaken. I might ask James to talk you through the broader survey effort.

Mr TODD — During 2016–17, in terms of Leadbeater’s possum, the department has conducted surveys across all land tenures and we have basically stratified that according to the area of potential habitat for the possum within those different land tenures.

Mr BOURMAN — Where you would expect them to be? You were talking about it before.

Mr TODD — And more broadly also surveying areas where we do not expect them to be, because partly it is about helping us build better models to understand where they —

Mr BOURMAN — Where they do live.

Mr TODD — Yes. So in 2016–17 the department has conducted 149 assessments, of which 24 per cent have been in national parks, 38 per cent have been in special protection zones and the remaining 43 per cent have been across the general management zone and parts of the state forests. As I said, that has been in response to the relative proportion of potential habitat for the possum across those different land tenures.

Mr BOURMAN — I note in the review of the special protection zones under ‘New knowledge’ it says:

The increased number of 340 confirmed colonies located ... reflects a significantly greater sampling effort and the use of the new, efficient survey techniques.

Is it possible that there may be more threatened species elsewhere that are yet to be found, just because of building a better mousetrap? Are the numbers likely to change as you get better at looking for them?

Mr TODD — Thanks for that question. There is no doubt that the recent development of remote cameras, so you can place cameras into the environment —

Mr BOURMAN — Like game cameras and those sorts of things. Same thing, but different use.

Mr TODD — Yes. That has actually increased the number of records that are being recorded into departmental databases, and obviously groups like community groups are using these sorts of techniques as well. So it is certainly opening up some ability to capture information about species locations and records of species which may not have otherwise previously been available.

Mr BOURMAN — So there is more to be gained, I guess is the way to put it, as we get better at looking for them?

Mr TODD — Yes.

Mr BOURMAN — I will actually leave it at that. If I might, I might submit some questions on notice or something like that, rather than spend all night asking.

Ms DUNN — I dare say, Mr Bourman, I might join you in that. There are a few to get through.

Thank you, gentlemen, for your presentation this evening. I wanted to turn first to the buffers that are in place. I am just wondering if you are aware of how many hectares those buffers currently comprise, because we have had wildly varying numbers presented to us, and what the department's view is in relation to that.

Mr MIEZIS — I am happy to take that. Since 1998 within the Central Highlands there have been 436 new colonies verified and included within timber harvesting exclusion zones. So the resultant area excluded from timber harvesting has been 4046 hectares of general management zone and special management zone, which has then been added into the reserve system in state forests. Of that, about 3134 hectares of state forest that has been available and suitable for timber harvesting is no longer available.

Ms DUNN — So some of it was not available anyway; it got captured within the buffer?

Mr MIEZIS — That is right, yes.

Ms DUNN — I was wondering if you can just explain, when there is a sighting and you talk about new colonies, is it in fact that they are not new animals; they are animals that have been identified in places where you thought they would be? The other part of that question is: is a single animal considered a colony, because a colony sort of represents more than one, even though the sighting might be of just one?

Mr MIEZIS — That is right. As I mentioned before, and as James mentioned, we stratify where we sample. We sample in the areas that we expect to find Leadbeater's possum.

Ms DUNN — Yes, of course.

Mr MIEZIS — Our models are what we are being guided by. We model where we predict Leadbeater's possum to be, and then we are going in and surveying. As I said and as you correctly identified, the Leadbeater's possums that we are locating through surveys are Leadbeater's possums that we would expect to find in those areas.

Ms DUNN — Yes, that is right. In terms of the mountain ash forest ecosystem itself, it was listed as critical by the IUCN. I am just wondering whether the department agrees with that listing and in terms of the mountain ash forests, particularly in the Central Highlands forest area, how much of that forest are you aware of that is either unburnt or unlogged?

Mr MIEZIS — In terms of your first question, with regard to the IUCN listing, I have got to admit I am not acutely aware of the basis of the listing, so I cannot answer that, and I would have to take your second question on notice. Sorry, I will come back to you with some details.

Ms DUNN — That is fine. I did not expect that you might have that one with you.

We were presented with some evidence by Environmental Justice Australia as part of this inquiry that advised that 99 of the submissions alleging non-compliance by VicForests within the timber harvesting code of practice were upheld by your department. I am just wondering, can you explain why VicForests continue to fail to identify threatened species as part of their obligations prior to logging in logging coupes?

Mr MIEZIS — Sorry?

Ms DUNN — What are the department's views on why there are continued failures by VicForests to identify threatened species?

Mr MIEZIS — VicForests has its own process for undertaking surveys of threatened species; it has its own standards in place. There is no, if you like, mandatory approach to how preharvesting surveys, if you like, should be undertaken. Community — and I mentioned citizen science — has played a big role in the identification of species within coupes, and we know that since 2016 there have been about 103 instances where really community threatened species records have led DELWP to implement protective measures for those threatened species through amendments to the forest management zoning scheme. That could be conversion, if you like, of what is called a general management zone, and therefore available timber harvesting, to special protection zone. Of these, 78 per cent were really special protection zones created for the Leadbeater's possum.

We also know that since 2016 there have been 189 community threatened species reports in harvesting coupes that have had various levels of impact on VicForests operations and contractors, and in the last 12 months community records have really led to the stopping of harvesting in three coupes.

So VicForests has an approach that it implements — its approach. The community is obviously going out and doing surveys; they are being reported to us, and as I mentioned before, we are verifying about 99 per cent of those records.

Ms DUNN — Thank you. Also as part of this inquiry, Environmental Justice Australia said:

What we know from the leading scientists into the Leadbeater's possum and the mountain ash forests, who have been studying that species now for more than 30 years, is that a near-complete cessation of logging in the mountain ash forests is required in order to prevent or effectively safeguard the Leadbeater's possum from extinction.

And you yourselves have talked about threatening processes being loss of hollow-bearing trees. I am just wondering, can you advise me whether the department concurs with this summary of academic literature?

Mr MIEZIS — So I think, as we have mentioned before, certainly the loss of hollow-bearing trees is really the critical issue for the Leadbeater's possum, and there are a number of ways in which those hollow-bearing trees can be lost — through fire, and timber harvesting is also one way that it can occur. Will the exclusion of timber harvesting in effect save the Leadbeater's possum? I think you have still got a really big issue in terms of fire and the impacts of fire going forward. That would be my response to that question.

Ms DUNN — Sure. We also heard, as part of evidence to this inquiry, from the secretary of DEDJTR. We were talking about action statements for species under the Flora and Fauna Guarantee Act. He rightly said that is not his department. Sorry, it was Environmental Justice Australia who talked about the backlog of the preparation action statements. So I am wondering if you can describe to the committee the extent of the backlog of those action statements for species listed under the Flora and Fauna Guarantee Act and why there is such a backlog of those action statements.

Mr MIEZIS — I might have an initial answer, and then James might want to follow up. I mentioned before that we have identified 32 species that would potentially be impacted by timber harvesting in the Central Highlands, 14 of which are listed as threatened under the Flora and Fauna Guarantee Act. The remainder of those 32 are included in what we call an advisory list, and they do not have the same status, if you like, as a threatened species. Of those 14 that are listed as threatened under the Flora and Fauna Guarantee Act in the Central Highlands, 11 have action statements — so three do not. The backlog perhaps is not as large as it may appear, although there are three listed threatened species that do not have action statements at this stage. More broadly — James, did you want to talk to that one?

Ms DUNN — Could you just touch on what those three are, if you have got that? You can take that on notice.

Mr MIEZIS — I will have to take that one on notice too.

Mr TODD — So more broadly, there is a significant backlog of action statements, and I think it is probably worth noting that the department released a discussion paper in relation to the review of the Flora and Fauna Guarantee Act earlier this year, and one of the things that is being proposed there is a reconsideration of the way in which information can be provided about conservation advice and management advice for species so that we can take a lot of the current time and burden out of producing that information so it is much more responsive to when species get listed but also so it can be regularly updated and is available to those who need it.

Mr MIEZIS — Sorry, I can actually answer your question rather than take it on notice. The three species that are listed under the Flora and Fauna Guarantee Act that do not currently have action statements are, and I will use the common names, fairy lanterns — or *Thismia rodwayi*; the greater glider, and I am not even going to attempt the Latin on the greater glider; and the broad-toothed rat.

Ms DUNN — Thank you for that. In terms of beefing up your compliance area with additional staff, do they only work in the space of compliance in relation to VicForests activities or over a whole broad range of compliance issues that the department comes across?

Mr MIEZIS — As I mentioned before, there is a new investment of about \$36.3 million really to protect forest and wildlife — so it is for forest and wildlife. Under that initiative we will have five dedicated timber-harvesting compliance officers. So that is a dedicated team. It will be additional capacity, so it will be about doubling our capacity that we currently have in a dedicated timber-harvesting compliance team. The broader compliance team will look across broader wildlife management issues in addition to providing support in timber-harvesting compliance. But we are talking about a dedicated team supplemented by a broader team, supplemented by a broader capacity within the organisation.

Ms DUNN — You talked about the review into the Leadbeater's and giving access through buffer zones to areas to log, which I assume is putting roading through buffers in order for the harvest and haulage equipment to get into those places. I am just wondering: was any consideration given to the impact on the Leadbeater's possum in relation to restricting their ability to move around the forest by putting roading through buffer zones, given the importance of the understorey to that species?

Mr MIEZIS — Thank you for that question. I think it is an important one. The status at the moment is that that was a recommendation made within the report that has not yet been, if you like, considered and responded to by government. The recommendation was really driven by what we are seeing and what VicForests is reporting to us, which is a fragmentation, if you like, of resource and accessibility issues caused by the circular nature and the positioning of the exclusion zones. What the recommendation says is that we will look at that, but it should not be at the expense, if you like, of the protection of the Leadbeater's possum, and issues such as fragmentation are going to be important considerations. Should government accept that recommendation, the work that we will need to do in exploring that will certainly take those factors on board.

The CHAIR — Gentlemen, thank you very much indeed for coming in this evening. You will receive a copy of the transcript in the next week or two. If you could take the appropriate action on that, if need be, that would be marvellous. We thank you very much indeed for your time tonight.

Mr MIEZIS — Thank you very much, Chair, and committee.

Witnesses withdrew.