

For communities, creatures and climate

# Court actions protect forests

**An extraordinary victory that was decades in the making: the Victorian government has announced native forest logging will end by 1 January 2024.**

Our forests will keep standing. Our threatened wildlife are safer. We can visit today – and take our children tomorrow.

This is only possible thanks to the countless citizen scientists, community groups, forest activists and Traditional Owners who have fought tirelessly to protect our vital native forests.

Thanks to our formidable, brilliant forest litigators here at EJA who have represented and continue to defend these people in cases that sometimes feel like they'll never end.

And thanks to people like you, who believe in our work and in a world where we can stand up for our environment – and win.

Let's celebrate the power of our communities standing up and defend our vital forests – yesterday, today and tomorrow.

We know too well the devil can lie in the details for victories like this. That's why we've carefully sifted through the government's announcement to find out what it means for our forests, the creatures that call them home, and communities across Victoria.

## What will happen to the forests now?

The end of native forest logging means the right to log 1.8 million hectares of land will be taken off VicForests.

Community and environment groups have been fighting to turn the best of what's left into national parks for the enjoyment of future generations and the recovery of unique and endangered species, including the proposed Great Forest National Park and Emerald Link.



## What is native forest logging?

Native forest logging is the process by which native forests – forests naturally occurring in Victoria – are cut down by industrial bulldozers to make woodchips, paper packaging, cardboard and wood products.

Our native forests often include old growth forests that have escaped disturbance from modern industrial development, including from logging.

Old growth forests are critical ecosystems that demand protection globally, but here in Victoria, less than 5% of our native forests remain as old growth.

They contain younger trees as well as large old trees, with all-important nesting hollows for animals.

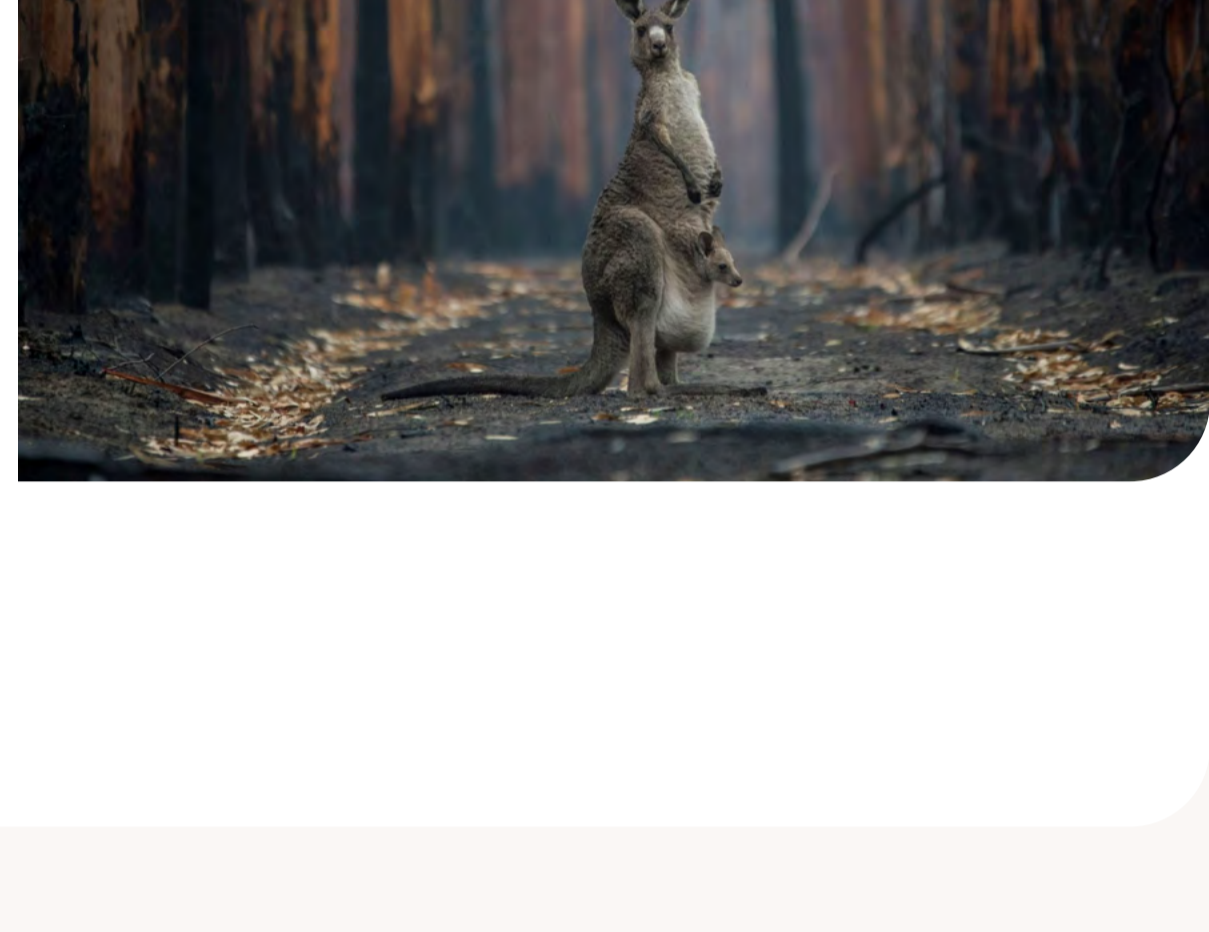
## What is plantation logging?

Plantation forests are planted from seed, for the purpose of wood production. Currently five out of six trees harvested in Victoria are from plantations.

## What impact did bushfires have?

Approximately 1.3 million hectares of public native forest was burnt in Victoria alone in 2019/20 Black Summer bushfires.

The Black Summer bushfires caused such unprecedented damage that they impacted 46 of 70 threatened species listed under the Flora and Fauna Guarantee Act 1988.



## What impact did court cases have?

The Victorian Government has acknowledged that along with the bushfires, court actions by community groups and environmental lawyers were a key factor in the decision to bring forward the end of native forest logging.

These court cases called for the protection of threatened wildlife heavily impacted by the Black Summer bushfires – Greater Gliders, Yellow-bellied Gliders, Smoky Mice, Sooty Owls and Powerful Owls.

A case brought by Friends of Leadbeater's Possum Inc in the Federal Court in 2020, representing by Environmental Justice Australia, resulted in a judgement that logging was permanently destroying habitat critical to the survival of the Leadbeater's Possum and Greater Glider.

Wildlife of the Central Highlands, and their lawyers, Environmental Justice Australia, have also spent more than three years in the Supreme Court and are awaiting judgement on their fight to protect threatened species.

Cases were also run by Environment East Gippsland, Gippsland Environment Group, Kinglake Friends of the Forest, Warburton Environment and the Flora and Fauna Research Collective Inc.

These groups argued that VicForests' approach to surveying, logging, and to its legal obligations, had barely changed since the Possums decision in 2020, when it was found to have logged unlawfully.

The injunctions won through the court system have halted logging operations in large swathes of East Gippsland and the Central Highlands while the cases were being heard.



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NICOLA RIVERS, EJA CO-CEO

## What about regional communities?

Employment in the Australian forestry and logging sector has been in severe decline for several decades.

Government data suggests around 15,000 people work in the Victorian timber industry, the vast majority from timber grown in plantations – in other words, not in native forests.

The Victorian government's closure package aims to secure the future of these workers, bringing total support for the sector to \$875 million, including existing worker-support services and funding to transition to plantation timber.

The support package will give workers opportunities to retrain in sectors such as manufacturing, agriculture, transport and construction through the government's Free TAFE program, as well as vouchers up to \$8000 to retrain outside the TAFE sector.

## Why is it good for native forest logging to end?

Native forests have evolved over millennia and contain incredible tree, plant and animals species found nowhere else.

Many of Australia's animal, plant and tree species are now endangered. Our ancient native forests are also critical carbon stores, they regulate our climate, provide us with clean, safe drinking water and are homes to insects that pollinate our crops, providing us with food security.

Since colonisation, around two thirds of Victoria's native forests have been cleared and lost. Much of what's left has been logged, sometimes several times over, and following a decade of intense fires, it is more important than ever to protect what is left.

## Where will timber come from?

The future of the timber industry is in plantations and there are more than enough plantations to meet current and expanding needs for timber and wood pulp in Victoria.

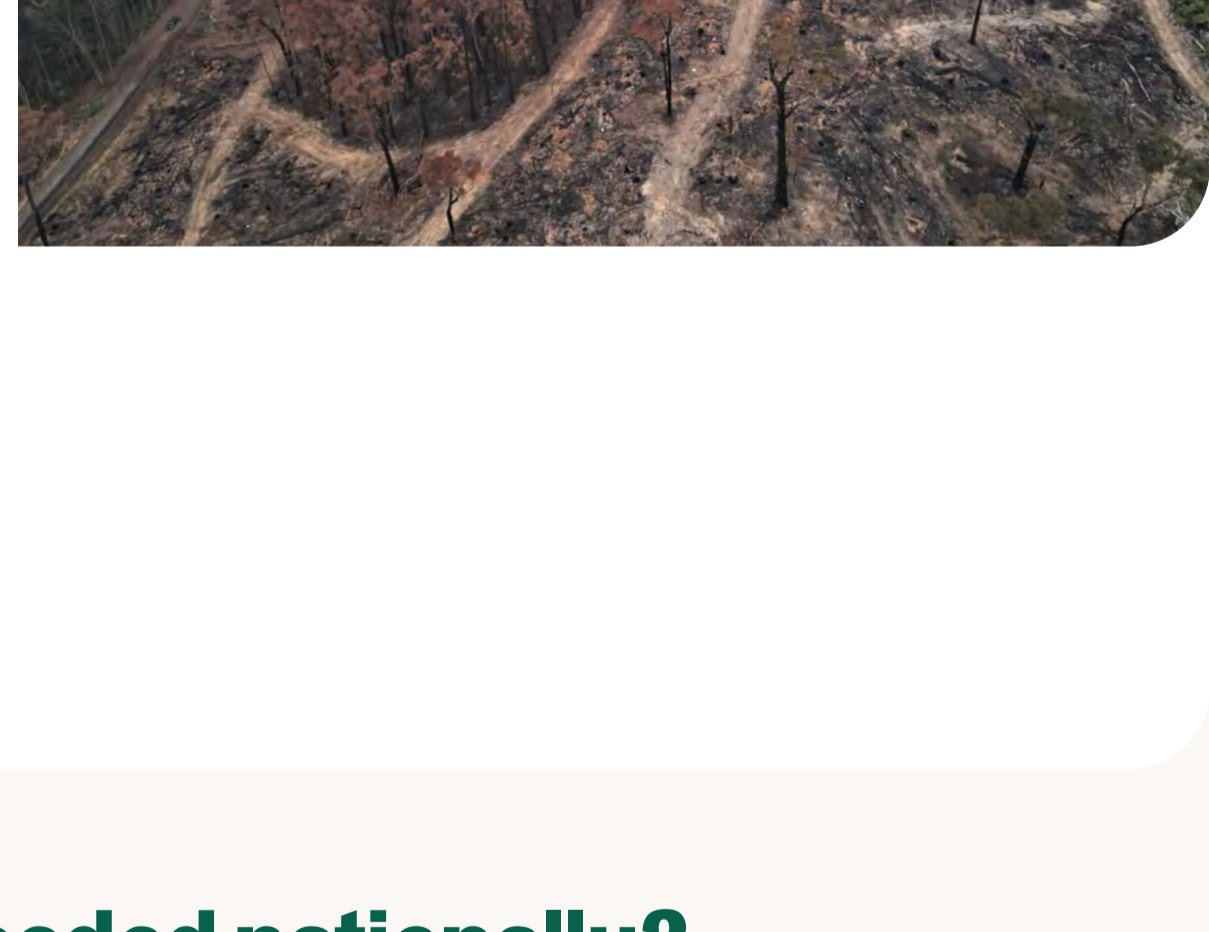
When it comes to structural timber, there are superior products made from plantations, and most houses are already built solely from plantation wood. A small portion of native forests were used for appearance timber, but these can also be taken from properly managed plantations.

Change brings up challenges and opportunities and transitioning away from logging our native forests to a sustainable, 100% plantation-based industry can be a win for industry and for nature.

## Will there be a rush to log before the laws change?

Let's hope not. The last thing the over-logged and burned native forests of Victoria need is to be panicky in a mad rush before the end of the year. Our forests need every chance to recover.

There are still active court cases against VicForests and injunctions in place and we will keep working on behalf of our clients to make sure the forests are protected before the year is out.



## What legal changes are needed nationally?

For real change to occur and for forests across Australia to be protected, we need the Federal Government to overturn laws that exempt native forest logging from Commonwealth Environment law under the disastrous Regional Forest Agreements.

Victoria and Western Australia are now both ending native forest logging by 2024, while Queensland is stopping logging south of Noosa by 2024 too.

Tasmania should now bring forward its native logging ban from 2030, and NSW must end native logging to protect iconic species such as grey-headed flying foxes, endangered greater gliders and koalas.

A report by the outgoing Perrottet government last October found that native logging could be ended in NSW with no cost to the budget.