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The Leopard has not Changed its Spots

Gunns Application for FSC FM Wood Certification in Tasmania



Dear Anita,

We write further to meeting with you and Dr Chris Weston, on the short field trip to High Plains near Deloraine and Reedy Marsh here in Tasmania. Here is our representation on Gunns application for FSC FM Wood in Tasmania.

The Environment Association

The Environment Association (TEA) Inc. is an unfunded, not for profit, regional, environment, volunteer-based, community association. TEA is a stakeholder in land use, forestry and forest conservation issues with a long-term interest in environmental and social outcomes in our region, Northern Tasmania, particularly with regard to forest conservation issues. The Environment Association has worked in the public interest since its inception in 1990.

The Environment Association (TEA) is a long-term independent stakeholder in any resolution to the complex and divisive forestry conflict in Tasmania and specifically in relation to the activities of Gunns Limited.

TEA is a stakeholder in any deliberation of Gunns certification, be it for Forest Management or Controlled Wood or any other type of standard with the Forest Stewardship Council or any other certifier.

TEA is not represented by any other conservation organisation, including Environment Tasmania, formally or informally. We are not affiliated with any other organisation.

We strongly support resolution of the divisive forestry conflict in Tasmania.

Confidential Nature of this Submission

We are providing this submission to the Rainforest Alliance and its auditors, not to Gunns Limited. Nor do we expect that it will be provided to Gunns Limited. The (full) submission contains people's names and contact details and we gave those people an assurance that their details would not be passed on to Gunns Limited (They have been removed from this version).

Preamble

We regard there is a bias towards forestry in Tasmania that favours the industry. We feel so disadvantaged by the legislation, by the government bias and by the lack of what we see as basic citizen's rights) that we consider it is inappropriate to give Gunns Limited any opportunity to justify itself as being responsible when it is not.

We recognise there has been a change of management style at Gunns and that may be bringing a different approach but we still see the old and have not seen much evidence that the Leopard has changed its spots.

Nonetheless, regardless of Gunns push for FSC certification, the fundamental injustices of the forestry system in Tasmania remain, systemically embedded in biased unfair legislation, and the forestry practices likewise remain unsatisfactory. Gunns of course is the state's largest forestry company.

We have been working on forestry practices for a long period of time. We consider that the Forest Practices system and its underpinning Act and Code to be inadequate and further we consider them to not be adequately enforced. We have viewed and inspected a large number of areas of forestry and have been dissatisfied with the standard.

Our Requests for Information and Mapping from Gunns Limited in the Forest Management Process

TEA has requested information a number of times both recently and in previous consultations. In both instances we were dissatisfied with the results of our requests. In the latest instance we sought mapping and that request has not been fulfilled at all. This lack of supply of basic mapping information is in breach of RA's interim standard and in breach of the FSC international standard. Further the lack of adequate published mapping information represents a major problem.

The sole publicly available mapping covering 265,000 Ha or so of land across Tasmania is contained within an A4 map where most of the land parcels have the appearance of fly droppings in a bowl of soup.

Never have I seen a more useless piece of mapping. It could meet no real standards. It is unacceptable for Gunns to not provide the requested mapping when it has a GIS system at its disposal and the mapping for the whole FMU and all properties within that FMU on its computer.

It is not that TEA cannot comment to the fullest extent, as has been claimed by RA in an email dated 10th August. To the contrary, it is rather that we cannot scrutinise the FM proposal within the FMU at all and cannot ascertain whether Gunns meets the RA's Interim Standard for Forest Management Certification. The lack of mapping makes the whole process a farce.

Anita Neville brought with her a Gunns' map of Leonard's property to the field trip but did not leave it with me. Gunns managed to produce that map well enough. Strange we have seen no more maps from Gunns. TEA sought expert advice about GIS. The expert's opinion is that if Gunns can do one property in that way they can do a hundred etc. I am pleased they still have a GIS person. It would be better if they showed the informal and formal reserves too as I believe this relates to the RA Interim Standard.

Anita Neville took the step of providing TEA with some mapping she had been given by Gunns Limited. I consider that to be helpful and not improper. On the 27th of July she said:

"Attached are some additional maps we have had provided by Gunns, I suspect you will still have difficulty with the scale but they are at least more indicative of the CW and FM FMUs."

However whilst the maps Anita provided, are an improvement over the fly droppings' versions contained in the Gunns Management Plans, the fact remains that the maps are completely useless for any critical purposes. These maps are the files:

ne cw.pdf	NW cw.pdf	se cw.pdf
ne_FM.pdf	nw_FM.pdf	se_FM.pdf

We have included them in the appendices and on the DVD to demonstrate their inadequacy.

You will see (from the file names) that Gunns has supplied RA with separate mapping for each of the state's three areas (NW, NE and SE) and also that it has separated the CW mapping from the FM mapping. The maps are very basic, one could be kind and say austere, but we consider them deficient in detail to the point of practical uselessness. We consider Gunns is obliged under the RA Standard to provide information we request. Maps are information.

I advise RA, that TEA now does not have sufficient time, even if mapping was provided today as I write this on the 15th August 2012, to provide any in depth, quality review of any mapping and the associated CW/FM boundary issue and other issues related to or dependant on the mapping that should be supplied by Gunns Limited during this process.

Gunns actions or lack thereof with regard to mapping have compromised our participation. This situation has caused TEA disadvantage and hampered our efforts to scrutinise Gunns Limiter's application for FM under RA's Interim Standard.

TEA considers that this sort of behaviour is the sort of thing that we have experienced in the past from Gunns. The Leopard has not changed its spots.

In support of documenting our attempts to gain mapping and other information from Gunns we provide an appendix of relevant correspondence on the subject.

Our view is that the Gunns FSC certification process should be deferred until usable, integrated and informative mapping for the three categories – CW, FM & HCV - is freely available and preferably accessed from a website. The seeking of mapping by having to ask for it came out of a long bygone era.

Stakeholder Notification

TEA considers stakeholder notification by Gunns regarding its various management plans and its FSC certification process to be highly deficient.

There has been a lot of community conflict with Gunns over many, many years in Tasmania and thus there are a lot of stakeholders. Gunns owns and/or manages 265,000 Ha of land and thus has a lot of neighbours. Even the FM FMU is some 219,000 Ha. We became aware that people whom we considered were stakeholders might not have been notified about the Gunns Forest management certification process in July 2012.

TEA has already provided RA with a collection of documents gathered from people around Tasmania whom we believe may qualify as stakeholders, either of the class 'interested or 'affected'.

We consider this stakeholder notification matter to be such a fundamental non-conformity that RA's FM and CW processes should be restarted. It is wrong to pretend that the company conforms to issues where the company has seemingly taken the simple solution of avoiding contacting people and organisations who have a legitimate stake and often legitimate grievances.

TEA provides the following documents electronically with this representation and consider that the almost 40 responses show a substantial avoidance of stakeholder engagement. The writer sent out 59 emails seeking feedback.

Note that Mr Loone, deputy mayor of Meander Valley Council, kindly offered to contact farmers whom he believed also had not been contacted as neighbours and

stakeholder. Those responses were dealt with via a form, which was filled in a signed by those people and included in our appendix. Please note that Mr Loone is not a member of TEA and nor are all but two of the respondents.

Overall the level of stakeholder response was very high, especially seeing that very little time was given in which to make a response. In a couple of cases people phoned the writer and had a conversation but did not follow up with an email. This shows the level of interest and concern and suggests that had stakeholders been notified they would have participated.

In rural areas placing an advertisement in a city newspaper may not reach the appropriate people. We consider Gunns should contact stakeholders directly by letter.

We are aware that Gunns has a stakeholder statement: (file) plugin-Gunns_Stakeholder_Engagement_Statement_2011_10_25.pdf. We consider that this document should be sufficient evidence to RA of an inadequate stakeholder engagement approach. We enclose this document in our appendices.

In 2010 Gunns wrote:

“FSC certification is a stakeholder driven process which actively seeks the views of stakeholders.” (Our emphasis).

In the 2012 Gunns HCV Management Plan there is an Appendix 15 on the stakeholder process, which is in total:

“15. STAKEHOLDERS CONSULTATION PROCEDURE

Stakeholder Consultation Procedure

- 1. Key affected and interested stakeholders will be identified, including groups, which may not have equal opportunities to access information.*
- 2. Names and contact details of stakeholders will be maintained in a stakeholder database.*
- 3. Stakeholders with interests in High Conservation Values will be invited to participate in consultation via email or phone with sufficient notice.*
- 4. Records of these invitations and subsequent consultation will be maintained in a stakeholder engagement register.*
- 5. The consultation process will be open to parties claiming an interest in or affected by the implementation of this plan.*
- 6. All identified stakeholders will be provided access to sufficient information.*
- 7. Stakeholders will be provided copies of final plan.”*

So Gunns clearly knows that engaging with stakeholders is important to gain FSC certification. TEA believes, but cannot prove, that Gunns may have engaged and fostered selectively with certain classes of stakeholder and thus has been discriminatory and exclusive. In any case Gunns has not actively engaged with a majority of stakeholders.

However, Gunns Limited in its HCV Management Plan 2012 (page 10) released in July 2012 states:

“It is recognised that further stakeholder may be identified or interested in becoming involved in coming years.”

Accordingly TEA considers the limited stakeholder consultation by Gunns Limited is likely to be entirely deliberate.

In terms of stakeholder engagement, the discipline is quite broad and in modern terms Gunns has failed this behavioural test. TEA has provided in the [appendix](#) current material on stakeholder consultation processes, behaviours and values.

Ultimately if Gunns wishes to be accepted, it has to attempt to gain the community's trust and can only do so by becoming trustworthy. Currently TEA is unable to trust Gunns Limited and considers we have good reasons. Unfortunately we continue to see untrustworthy behaviour in Gunns and its employees.

The size of the FMU and the current FM process of the Rainforest Alliance (RA) and under its Interim Australian standard

According to the Standard a large FMU is apparently one with a land base of over 50,000 Ha. Gunns Tasmanian FMU is somewhere between 265,000 and 284,500 Ha , depending on which document you read. In any case that is over 5 times the

threshold for a large FMU. The Gunns FM FMU alone is well over 4 times the standard for a large FMU.

We consider the RA process and its resources devoted to assessing such a large FMU to be inadequate. The consultation timeframe is far too short in the circumstances.

On the 31-12-2011 the Gunns FMU estate appeared to be the as per the following figures given by Gunns Limited: (from Forest Management Plan Gunns Forest Products Tasmanian Forest Management Unit)

Table 1 Gunns' Tasmanian Forest Management FMU*

Plantation	123,400 ha
Reserve Areas	39,000 ha
Native Forest Areas	46,800 ha
Infrastructure and Other	10,100 ha
Total	219,300 ha

In June 2011 the figures were: (from the Consultation Draft High Conservation Value Assessment And Management Plan 2011)

Net planted area	170,000 ha
Native vegetation area	101,000 ha
Infrastructure and other areas	13,500 ha
Total FMU estate area	284,500 ha

As at 31/12/2011 the following are the figures given by Gunns Limited from (High Conservation Value Assessment And Management Plan 2012)

Net planted area	170,000 ha
Native vegetation area	85,800 ha
Infrastructure and other areas	10,100 ha
Total FMU estate area	265,900 ha

Forest Management Plan Gunns Forest Products Tasmanian Controlled Wood Unit, as at 31/12/11 rounded figures

Table 1 Gunns' Tasmanian Controlled Wood FMU*

Plantation	46,600 ha
Total	46,600 ha

Now you must all excuse us if we are somewhat confused by the lack of consistency in the figures given. Gunns FMU is clearly a rapidly changing feast. What is needed is comprehensive large scale mapping for all three of the above tables. It raises the question as to what level of scrutiny can be undertaken in situations such as the shown above.

In our view the Gunns' estate has no long-term prospects or durability and this fact should be taken as a serious criticism of the Gunns FMU estate under FSC. This matter is raised again later.

Non Conformances with Rainforest Alliances Interim Standard of 2008

TEA does not consider Gunns Limited to be a good forest manager. TEA and its members have been scrutinising Gunns' operations as well as other forestry operations in Tasmania for almost four decades now, ever since the start of woodchipping in the early 1970s. Gunns became a major woodchipper when it purchased North Forest Products at about the turn of the century.

We divide the following section into the ten principles as set out on page 4 of the Rainforest Alliance (RA) Interim Australian standard.

1.0 Compliance with Laws and FSC Principles

The relevant laws listed in Appendix One of the RA interim standard are not complete. Further they do not include key matters, which arguably may not be regarded as laws but are, for example, policies, agreements, regulations, codes and planning schemes. We consider such instruments to be laws and believe they should be listed. Many are of crucial importance.

We consider that Gunns does not meet the RA standard:

1 "Forest management shall respect all national and local laws and administrative requirements." (Our emphasis)

We have already provided and can provide more evidence to RA where Gunns has not met standards and laws. We have taken the RA auditors to some of the places where Codes have been breached.

We consider that Gunns does not meet the RA standard: 1.1

"Forest management shall respect all national and local laws and administrative requirements."

It has not done so in the past, and for operations within the Gunns FMU. This is not just about laws but also about matters such as Codes of Practice and other administrative matters including regulations.

We consider that Gunns does not meet the RA standard: 1.1.1

"FME shall demonstrate a record of compliance with relevant federal, provincial/state, and local laws and regulations."

However some records do show compliance.

In regards to RA clause 1.1.2

“FME should have texts of existing relevant national laws available in the forest management unit. Relevant laws are listed in Annex 12.”

This section of the RA Interim Standard is deficient and incomplete.

We consider that Gunns does not meet the RA standard: 1.1.3

“The forest manager shall define a forest management policy that includes a commitment to compliance with relevant legislation and other requirements to which the forest manager subscribes (AZ 4.1.1).”

We have not seen a Forest Management Policy from Gunns nor could we find an up to date Forest Management Statement or Policy. Indeed we consider there is evidence that there is no such statement at present. The one on the website (2009) predates the current company policy. Thus the Forest Management Plan (and the HCV Plan) would have to be regarded as without foundation. However on the 15th August Gunns’ Ms Weeding provided advice to TEA and pointed to a place on Gunns website. We have downloaded Gunns Forest Management Policy found on this page: <http://www.gunns.com.au/community-sustainability/environmental-commitment/our-impact-on-the-environment/> and have included it in an appendix but TEA does not consider this to be an adequate Forest Management Policy in fulfilment of RA standard 1.1.3.. Indeed this policy is in breach of the FSC standards, as it commits to logging native forest.

We provide the following extracts from the Forest Management Statement.

“Gunns will continue to manage the regrowth forests and plantations of the DFA to ensure the maintenance of a world-class production forest estate (SFM Indicators: 1.1, 3.5 and 4.1)” – pg 34

and

“Gunns manages regrowth forest for commercial wood production in Tasmania. Approximately 21% of Gunns’ Production Forestry Area is managed as regrowth forest. Regrowth forest management is guided by a Forests Policy and Procedures Manual that outlines policies and procedures in relation to issues...”

and

“In this regime selected merchantable trees are harvested while other trees are retained. Retained growth may include a combination of: i) mature trees that are useful as animal habitat, retain biodiversity, and are a seed source for forest regeneration; iii) younger regeneration that will grow on to form mature forest. This system is most appropriately employed in higher altitude open forests and lower altitude drier forests where forest stands are commonly of uneven age.”

and

“Under this regime, all stems are felled including non-merchantable trees. Regeneration techniques are designed to replicate the natural regeneration of wet forests following wildfire by providing a suitable seed bed and disturbance to promote the rapid growth of the next crop. This system is most appropriately employed on lower altitude, wetter sites that do not contain a

younger age class suitable for retention, or on drier sites that contain insufficient young trees or mature stems suitable for retention.” – pg 38

and

“Regeneration techniques are tailored for each coupe dependant on the appropriate silvicultural harvesting regime employed, the forest type and other site characteristics.” – pg 39

and

“Where necessary, fire will be used to create a viable seedbed to allow reseedling of harvested regrowth forest. Burns will be planned and executed (under a formal burn plan) to minimise the risk of escapes, and comply with the CSMS to reduce impact upon neighbouring landowners and the community (SFM indicator: 5.2)” – pg 42

We have not had the opportunity to test but would be surprised that Gunns can meet the RA standard: 1.1.6

“Employees and contractors are aware of the implications of regulations and statutes. (NZ 1.1.3)”

They may be able to meet it for employees but for contractors, we could not envisage it. In the past Gunns employees including FPOs have not met the standard. We can clearly demonstrate that through the extensive correspondence over FPP TAM 0418.

Regarding 1.1.7

“...here is documentation that provides evidence that the above systems are being implemented (NZ V 1.2.6).”

we have already provided RA ample information to show that Gunns has breached the Forest Practices Code. If there remains any doubt and RA requires further evidence we will be quite happy to provide more evidence, including more field trips.

We consider that Gunns does not meet the RA standard: 1.2

“All applicable and legally prescribed fees, royalties, taxes and other charges shall be paid.”

TEA considers it a matter of public knowledge that Gunns has not paid its bills, royalties and taxes. Such matters are in the media. We have also been informed that Gunns is not paying its MIS investors. We recommend that RA put an advertisement in all the Tasmanian newspapers calling for expressions of interest from people who have not been paid by Gunns.

We consider that Gunns does not meet the Convention of Biological Diversity: clause 1.3 of the RA Standard. RA should engage an expert to assess this aspect. Gunns' former CEO John Gay stated to the writer that there were too many threatened species, inferring that it was not possible to consider so many.

We consider Gunns has not developed any commitment to adhere to FSC Principles and Criteria as in criteria 1.6 let alone a “long term one”. If long term were to be considered in forestry terms then we are talking about decades not a mere year or so. We argue that the phrase ‘long term’ has a significant meaning in relation to this criterion. Obviously Gunns has not done anything long-term in relation to FSC at all.

The term 'Long term' has been considered by FSC and it states in FSC-STD-01-001 V5-0 D5-0 EN:

“Long term: The time-scale of the forest owner or manager as manifested by the objectives of the management plan, the rate of harvesting, and the commitment to maintain permanent forest cover. The length of time involved will vary according to the context and ecological conditions, and will be a function of how long it takes a given ecosystem to recover its natural structure and composition following harvesting or disturbance, or to produce mature or primary conditions.”

Thus according to this standard there has been no long-term commitment. Indeed TEA is yet to see any sort of commitment apart from the ending of native forest logging and our view is that this alone, whilst welcomed, is not sufficient.

We consider that Gunns does not meet RA standard: 1.6.3

“FME shall disclose information on all forest areas over which the FME has some degree of management responsibility to demonstrate compliance with current FSC policies on partial certification and on excision of areas from the scope of certification.” (Our emphasis).

We interpret the word 'shall' to mean 'will' and consider this to be in line with FSC.

2.0 Tenure and Use Rights & Responsibilities

We consider that Gunns does not meet RA standard: 2.1.3

“Where lands are being divested (e.g. sold or otherwise transferred to another owner), FME takes all reasonable steps possible to ensure sound, long-term forest stewardship.”

Comment: Gunns owns a significant amount of land within the FMU, as stated earlier in our representation that remains in the condition of native forest.

Reserve Areas	39,000 ha
Native Forest Areas	46,800 ha

Only a very small percentage of the Reserve Areas are actually reserved with any legislated or covenanted security at all. Only 3,896 ha is securely reserved under a conservation covenant. (source: High Conservation Value Assessment And Management Plan 2012 Gunns Forest Products: Tasmanian Forest Management Unit). Even the native grassland, subject to a 10-year vegetation Management Agreement, could not be regarded as long term and such grasslands are of HCV and highly depleted. It seems there are no Private Nature Reserves or Private Sanctuaries at all in Gunns' Estate.

Thus for the vast majority of land claimed by Gunns to be reserved, only 3,896 Ha qualifies as a reserve for the national Reserve System of Australia and only this amount of land may be reserved in perpetuity. Not all covenants that have been established under the various RFA programs have been in perpetuity however, so this remains ambiguous.

We consider additionally that an amount of the remaining 35,000 Ha of Reserve area will prove to be set-asides from logging operations such as streamside reserves,

habitat clumps, landslip zones and so forth and thus do not have any characteristics of a proper reserve, even an informal reserve. The Forest Practise Code (FPC) mandates such set asides to make logging responsible and those mandatory compliances are not informal reserves.

For a good treatise on this subject one should read the Forestry Tasmania MDC Manual or the document Processes and Planning Tools to Meet Objectives and Requirements of the Biodiversity Provisions of Tasmania's Forest Practices System, Supplementary Information: Intensively Managed Areas . by Mark Wapstra in 2008 where he advised on:

"informal and formal reserves"

"Formal reserves are taken to mean those provided regulative control through provisions of the Tasmanian Nature Conservation Act 2002 on both public land (e.g. national parks, forest reserves, state reserves, etc.) and private land (e.g. reserves established by conservation covenant through various private land reserve programs). Informal reserves will be taken to mean other areas set aside that contribute to the State's reserve system but may not have the same level of legislative control –on public land informal reserves include such sites as protection forest in Forestry Tasmania's Management Decision Classification system, and on private land may include sites such as Gunns Limited' reserve system on its larger estates such as Surrey Hills and Woolnorth. Informal reserves will not be taken to mean smaller set-asides within and adjacent to coupes such as minor streamside reserves and wildlife habitats clumps."

The point is that set-asides under the Forest Practices System are not regarded as informal reserves. We have sought clarification on this matter as Gunns claimed the presence of a very large amount of "informal reserves". We do not consider that Gunns could show that all its accesses were legally sound and that it has legally enforceable access across its FMU estate.

The clarification we received via the Forest Practices Authority is reproduced in part below:

"I have had a query about whether or not areas set-aside to meet the requirements of the FP Code are considered Informal reserves as defined in the Tas RFA."

"No they are not considered "informal reserves" in the RFA nor in our Tasmanian Reserve Estate layer. They are however considered as part of the RFA recognised CAR reserve system as "other areas on Public Land which have CAR values protected by prescription"."

3.0 Indigenous Peoples' Rights

This is not an area of speciality for us, however we are not aware Gunns employs an archaeologist to determine what areas of their private estate may be of significance to the indigenous people of Tasmania. The FPA has processes and engages an archaeologist only on an as needed basis.

We urge genuine and careful consultation with the indigenous community and consider that there is no one representative body.

4.0 Community Relations and Workers' Rights

We consider that Gunns does not meet RA standard: 4.1.4

“FME demonstrates a commitment to stable, long term employment relationships, including staff, contractors and seasonal staff.”

There has been a massive reduction in Gunns’ employment over the last four years. We consider there is no accurate estimate of their employment currently in public publication. The current figures on its website are almost certainly inaccurate and vary from 880 to 645. We have no confidence that either of those figures is correct. In our view Gunns is not a stable company and the fact that Federal funding is propping up the exodus from the industry suggests the MIS companies involved do not have a long-term employment commitment. Such massive change and dependence is obviously not “stable”.

We consider that Gunns does not meet RA standard: 4.4

“Management planning and operations shall incorporate the results of evaluations of social impact. Consultations shall be maintained with people and groups directly affected by management operations.”

We consider that Gunns does not meet RA standard: 4.4.1

“In conjunction with local stakeholders and other interested parties, the FME shall evaluate socio-economic impacts associated with forest management activities. The evaluation shall be in accordance to the scale and intensity of operations.”

We have sought a copy of this evaluation from Gunns.

We consider that Gunns does not meet RA standard: 4.4.3

“Consultations shall be maintained with people and groups (both men and women) directly affected by management operations.”

TEA has conclusively shown this is not occurring across all stakeholders.

Regarding standard 4.4.4

“FME shall maintain a list of people interested in, or affected by, forest management, (i.e. a database of stakeholders and adjoining land owners). (NZ 4.4.2)”,

we cannot attest to the validity or completeness of any database that Gunns may have but we strongly doubt it would be complete. This is an important matter and it should be the start of better community engagement and relations and so the veracity of the database and how the database is actually used are critical matters in achieving better notifications, better communications and the achingly slow building of trust.

We consider that standard 4.4.5

“FME shall document in writing formal (required for large operations) and/or informal processes (acceptable for other operations) that it will use to assess social issues and consult with affected stakeholders and adjoining landowners before, during and after forest management planning.”

Deserves close scrutiny and reporting by the Rainforest Alliance. It would not be sufficient for RA to simply tick this box. We have sought a copy of this documentation from Gunns.

We consider that Gunns does not meet RA standard: 4.4.6

“FME shall facilitate and encourage meaningful participation of stakeholders in the development of the forest management plans or equivalent instruments. (AZ 4.2.2)”

Well they do not identify and notify people inclusively and evenly, they fail to encourage meaningful participation of stakeholders.

We consider that Gunns does not meet RA standard: 4.4.7

“FME shall notify neighbours and responsible authorities prior to operations. (AZ 4.2.3)”

This does often occur we agree but not always and regularly with very short notice. Especially obnoxious is the short notice for aerial spraying activities. This has been unacceptable to the community and rightly so in our view. Whilst a short notice remains the modus operandi we consider Gunns is a company acting against the public interest. People have a right to feel safe in their own home, end of story. It is irrelevant if a biased Tasmanian government gives Gunns everything it wants.

We consider that Gunns does not meet RA standard: 4.4.8

“There is a positive and proactive history of interaction with stakeholders on management planning and implementation. FME effectively records and responds constructively to community or other stakeholder complaints or requests. (NZ 4.4.4)”

Gunns has completely failed to deal adequately with the community and with people nearby and adjacent to their operations. We can provide a body of information on this subject. We have provided evidence for failure in this area with a list of excluded stakeholders and supporting statements from those stakeholders included in an appendix of this representation.

5.0 Benefits from the Forest

We consider that Gunns does not meet RA standard: 5.4

“Forest management should strive to strengthen and diversify the local economy, avoiding dependence on a single forest product.”

We consider that Gunns does not meet RA standard: 5.4.2

“FME shall support local value added processing.”

We consider that Gunns does not meet RA standard: 5.4.1

“FME shall foster product diversification and exploration of new markets and products (also Criterion 5.2).”

We consider that arguably Gunns does not meet RA standard: 5.4.4

"FME shall pursue the efficient and optimal use of harvested forest products to encourage best use of the defined forest area having due regard to the economic, social, environmental and cultural requirements (AZ 4.9.2)."

We consider that Gunns does not meet RA standard: 5.5

"Forest management operations shall recognize, maintain, and, where appropriate, enhance the value of forest services and resources such as watersheds and fisheries."

We consider that Gunns does not meet RA standard: 5.4.3

"FME shall identify opportunities and implement actions appropriate to support regional industry and regional communities having due regard to the role of forestry in rural and regional development (AZ 4.9.1)."

We consider that Gunns does not meet RA standard: 5.5.1

"FME shall protect the full range of forest services associated with the defined forest area including: municipal watersheds, commercial and recreational fisheries (or the supply of water to downstream fisheries), visual quality, contributions to regional biodiversity, recreation and tourism."

We consider that Gunns does not meet RA standard: 5.5.2

"FME shall protect riparian zones along all watercourses, streams, pools, springs and lakes/ponds, consistent with the requirement of national regulations or best management practices."

Inadequately mapped and inadequately protected riparian zones were shown to the RA auditors during the field trip. Additionally TEA can provide further examples if requested. Also see 'Field Trip' section.

We consider that Gunns does not meet RA standard: 5.5.3

"FME should map riparian protection zones that enhance the value of forest services and resources, such as watershed and fisheries."

Inadequately mapped and inadequately protected riparian zones were shown to the RA auditors during the field trip. Further the FMU mapping excludes riparian areas on joint venture land thus ensuring these areas are not protected. We consider for FMOR CW this is a serious non-conformance.

We consider that Gunns does not meet RA standard: 5.5.4

"FME shall manage forest operations to protect and maintain the physical, chemical, and biological properties of soil and improve those properties where appropriate and reasonably practicable. (AZ 4.6.4)"

6.0 Environmental Impact

"Forest management shall conserve biological diversity and its associated values, water resources, soils, and unique and fragile ecosystems and landscapes, and, by so doing, maintain the ecological functions and the integrity of the forest."

We consider that Gunns does not meet RA standard: 6.1

“Assessment of environmental impacts shall be completed -- appropriate to the scale, intensity of forest management and the uniqueness of the affected resources -- and adequately integrated into management systems. Assessments shall include landscape level considerations as well as the impacts of on-site processing facilities. Environmental impacts shall be assessed prior to commencement of site-disturbing operations.”

We consider that Gunns does not meet RA standard: 6.1.2

“Environmental assessments shall consistently occur prior to site disturbing activities.”

We consider that Gunns does not meet RA standard: 6.1.4

“Landscape level impacts of forest management (e.g. cumulative effects of forest operations within and nearby the FMU) shall be considered.”

Indeed in the PTR 1698 hearing, Gunns and the Tribunal argued against this. See PTR 1698 [appendix](#).

We consider that Gunns does not meet RA standard: 6.1.5

“The forest manager shall progressively establish and maintain a spatial configuration of forest cover, stand structure elements and growth stages that is intended to support the protection and maintenance of significant biological diversity values. The nature of the planned actions shall be appropriate to (AZ 4.3.4): the type of forest and the scale of ownership; and identified regional and landscape biodiversity priorities.”

We consider that Gunns does not meet RA standard: 6.1.6

“The forest manager shall identify and assess the inherent soil and water values that can be adversely affected by forest operations in order to maintain the productive and protective functions of the forest.”

Regarding standard 6.1.7 where it states

“An inventory of existing and proposed protected areas within the management unit is detailed on maps and areas recorded. Inventories should include viability assessments and rationale for protection (e.g. threatened species habitat, landscape, riparian, indigenous ecosystem maintenance) (NZ 6.1.2)”

TEA has sought the inventory of the protected areas including the maps from Gunns.

We consider that Gunns does not meet RA standard: 6.2

“Safeguards shall exist which protect rare, threatened and endangered species and their habitats (e.g., nesting and feeding areas). Conservation zones and protection areas shall be established, appropriate to the scale and intensity of forest management and the uniqueness of the affected resources. Inappropriate hunting, fishing, trapping and collecting shall be controlled.”

TEA considers that Gunns does not meet RA standard: 6.2.1

"The likely presence of rare, threatened, endangered, or vulnerable species and their habitats (e.g. nesting and feeding areas) shall be assessed on the basis of the best available information. (A list of endangered and threatened species in Australia is referenced in Annex 3.)"

The RA list is inadequate and does not include state lists.

In Gunns HCV MP only observed Threatened Species are listed not those that are likely to be present. This is an alarming and unacceptable approach. The Gunns list avoids and excludes the Spotted Tailed Quoll, the Tasmanian Devil and the Barred Bandicoot.

Regarding standard 6.2.4 where it states

"Conservation zones should be demarcated on maps, and where feasible, on the ground."

TEA has sought from Gunns the mapping at a useful scale for all the conservation zones. This information should be published.

We consider that Gunns does not meet RA standard: 6.2.8

"Appropriate weed and pest control is undertaken in reserve areas supporting rare, threatened and endangered species. (NZ 6.2.4)"

We consider that Gunns does not meet RA standard: 6.2.9

"Planning and implementation of forest operations shall be consistent with those specified in recovery/action plans or equivalent instruments and prescriptions for management and conservation of threatened (including vulnerable, rare, or endangered) species and ecological communities developed under Commonwealth, State and Territory legislative processes (AZ 4.3.3)."

We can demonstrate past failure.

We consider that Gunns does not meet RA standard: 6.2.10

"Employees and contractors are trained or oriented in the recognition of rare, threatened and endangered species, aware of practical measures necessary for their protection, and encouraged to implement them (NZ 6.2.8)." – (Our emphasis).

Well we do not consider this has occurred in the past. Quite the contrary.

We consider that Gunns does not meet RA standard: 6.3.8

"Topsoil displacement from the planting area is not permitted."

See photos in this report such as the one below.



Photo of PTR 386 showing non-sensitive management of soils and old growth forest.

TEA considers that Gunns does not meet RA standard: 6.3.12

“FME shall plan for and implement effective measures to reduce the extent and impact of unplanned wildfire (AZ 4.4.6).”

There is a lack of adequate firebreak maintenance by both Gunns and joint venture partners. During the field trip we saw two Gunns properties both with weed-infested firebreaks that are not maintained and several other properties, most with poorly maintained or non-existent firebreaks. We can demonstrate this deficiency on other sites.

We consider that Gunns does not meet RA standard: 6.3.13

“FME shall identify, assess and prioritize any potential damage agents (such as weeds, insect and vertebrate pests, and diseases and pathogens) that may impact ecosystem health and vitality (AZ 4.5.1).”

During the field trip we saw two Gunns properties both with weed infested areas including listed Weeds and several other properties some with amazing weed infestations. In one instance an access road, which is the main access to the plantation, was totally overgrown with Gorse, a declared Weed.

We consider that Gunns does not meet RA standard: 6.3.14

“Weed, pest, disease and pathogen control plans are implemented to ensure ecological functions are maintained including ecosystem regeneration and succession and species diversity.”

We consider that Gunns does not meet RA standard: 6.4

“Representative samples of existing ecosystems within the landscape shall be protected in their natural state and recorded on maps, appropriate to the scale and intensity of operations and the uniqueness of the affected resources.”

The HCV Management Plan and the FM Management Plan fail to achieve any sort of adequate record of representative protection.

We consider that Gunns does not meet RA standard: 6.4.1

“Representative samples of existing ecosystems shall be protected in their natural state, based on the identification of key biological areas and/or consultation with environmental stakeholders, local government and scientific authorities (a 10% target figure is encouraged but not mandatory).”

With the information that Gunns has published about their HCV reserve system how could one make any judgement? Gunns has shown that about four thousand hectares is securely reserved. This is massively under 10%.

TEA considers that it is important that this aspect occurs right across the Gunns FM estate. 6.4.2

“In conjunction with experts, restoration and protection activities shall be defined, documented, and implemented in the forest.”

We consider that Gunns does not meet RA standard: 6.4.3

“The network of reserve areas within the management unit are mapped and recorded on management plans. (NZ 6.4.2)”

See the Gunns Management Plans in [appendix](#).

We consider that Gunns probably does not meet RA standard: 6.4.4

“Reserve areas are monitored to ensure they are viable and management changes implemented if necessary U. (NZ 6.4.8)” – (Our emphasis.

Viability of the reserves has not been shown via the management plans. The small size patch of the reserves is concerning.

We consider that Gunns probably does not meet RA standard: 6.4.5

“A coarse level evaluation of different native ecosystem types within each Ecological District of the FMU has been recorded appropriate to the scale of the FME (NZ 10.5.1).”

We consider that Gunns has not met RA standard in the past: 6.4.7

“Road building and tracking shall be prohibited in the reserve area network, except where these activities are part of a documented habitat restoration plan designed to meet the objectives of the reserve area and/or where it can be demonstrated that this is the best solution to an access issue taking into account first and foremost environmental considerations, but also health and safety and economic concerns. (NZ 6.4.10)”

TEA considers that Gunns has not met the standard: 6.5

“Written guidelines shall be prepared and implemented to: control erosion; minimize forest damage during harvesting, road construction, and all other mechanical disturbances; and protect water resources.”

TEA considers that Gunns has not met the standard: 6.5.7

“FME shall manage forest operations to minimize adverse changes to water quality (physical, chemical or biological) with the objective of (AZ 4.6.2): minimizing transport of soil from disturbed areas into waterways; maintaining riparian zones and protective buffer strips; and, designing, constructing and maintaining temporary and permanent roads and roadway crossings of waterways to recognized standards intended to minimize degradation of water quality.”

TEA considers that Gunns has not met the standard: 6.5.8

“The forest manager shall manage forest operations to ensure hydrological flows are in accordance with authorized regional catchment goals, where they exist. Where regional catchment goals do not exist, the forest manager shall minimize adverse environmental impacts of changes in hydrological flows by ensuring that (AZ 4.6.3): both long term and short term disturbances to hydrological flows relative to the existing situation are taken into account; and the environmental impacts of both increased and reduced hydrological flows are taken into account.”

TEA has seen no evidence that this is occurring.

TEA considers that Gunns has not met the standard: 6.5.9

“The forest manager shall manage forest operations to protect and maintain soil physical, chemical and biological properties and improve those properties where appropriate and reasonably practicable. The forest manager shall (AZ 4.6.4): minimize the extent of land within forest harvesting areas occupied by zones of major soil disturbance; ensuring that rutting does not exceed that specified in relevant codes and equivalent instruments or operational guidelines; promptly rehabilitate extraction tracks, temporary roads and product storage areas; and minimize any nutrient loss.”

Regarding the above 3 clauses, a failure by Gunns to adequately undertake these basic forest management practices in the past does not fill us with confidence about Gunns capacity to meet these requirement in the future.

TEA considers that Gunns has not met the standard: 6.6

“Management systems shall promote the development and adoption of environmentally friendly non-chemical methods of pest management and strive to avoid the use of chemical pesticides. World Health Organization Type 1A and 1B and chlorinated hydrocarbon pesticides; pesticides that are persistent, toxic or whose derivatives remain biologically active and accumulate in the food chain beyond their intended use; as well as any pesticides banned by international agreement, shall be prohibited. If chemicals are used, proper equipment and training shall be provided to minimize health and environmental risks.”

Current Tasmanian regulations and codes of chemicals and their application are completely inadequate.

TEA considers that Gunns has not met the standard: 6.6.1

“Forest managers shall employ silvicultural systems, integrated pest management and vegetation control strategies that result in the least adverse environmental impact. Pesticides are used only when non-chemical management practices have been proven ineffective or cost prohibitive.”

TEA considers that Gunns has not met the standard: 6.6.2

“If chemicals are used, the following requirements apply: A complete inventory of chemicals shall be provided by the FME and detailed inspections of storage areas or other facilities validate that inventory is complete and accurate; Records shall be kept of all chemicals used by the FME including the name of the product, the location and method of application, and the total quantity of chemical used and dates of application; Safe handling, application (using proper equipment) and storage procedures shall be followed; Staff and contractors shall receive training in handling, application and storage procedures; Chemicals are used as part of an integrated pest management (IPM) system that carefully identifies threats, analyses chemical and non-chemical alternatives, and selects the most effective, least toxic approach; and, There is compliance with local authority, and other regulatory authority requirements in relation to application.”

Regarding 6.6.3

“Chemicals prohibited by the FSC (FSC-POL-30-601) or those banned in Europe, U.S. and target country, or World Health Organization Type 1A or 1B and chlorinated hydrocarbon pesticides shall not be used. The exception is when a formal derogation has been granted by the FSC. In such cases, the FME follows the terms of the approved derogation.”

We are aware that Gunns formerly used such chemicals.

With regard to 6.10 see section on land clearance further on.

For Gunns FM FMU where there is some 219,000 Ha of land the standard: 6.10.2

“If conversion occurs, it shall not exceed 5% of the forest management unit over any 5 year period (see FSC-ADV-30-602)”

is an absurdity as 10,900 Ha of native forest could be cleared in a five-year period. The lack of adequate protection for the majority of Gunns native forest estate within the FM FMU is a major concern. Note the statement in Gunns Plan: Note this clause on page 11 of Gunns FM Plan:

“Gunns will continue to fulfil its obligations stated within the relevant natural forest, Forest Practices Plans in regard to the restoration, reforestation and compliance requirements.”

One only has a FPP when wood is being harvested. You do not need one otherwise unless you are roading etc.

Regarding clause 6.10.3

“The extent of any conversion should be acceptable to environmental organizations and regulatory agencies.”

We wish to make it clear that we are opposed to any further clearance. Gunns has wreaked massive damage on Tasmania.

Regarding 6.10.7: “

“FME takes aggressive measures to restore, conserve or manage natural forest or grasslands in surrounding or adjoining areas equal to or exceeding the area disturbed; and support for such actions exists amongst environmental stakeholders.”

We are yet to see and adequate restoration agenda outlined in management plans.

TEA does not support standard: 6.10.8

“The forest manager shall not undertake conversion, except in circumstances where conversion entails a limited portion of the forest type at the bioregional level and where it is reasonably certain that it does not involve viable examples of (AZ 4.3.2): threatened (including vulnerable, rare or endangered) forest ecosystems; old-growth forest that is rare or depleted within a forest ecosystem; important habitat of threatened (including vulnerable, rare or endangered) species; Indigenous forest in riparian zones (for further guidance on riparian zones, see Criterion 6.5);”

We are convinced that Gunns does not meet RA standard: 6.10.9

“forest vegetation of sufficient size or area that is practical to protect or which has been determined to be deemed worthy of protection based on technically sound best management practices (BMPs), using either peer review of the BMPs by conservation scientists or technical review occurring during the FSC forest certification assessment.”

We are quite positive that out of 85,000 Ha there is more than 3,900 Ha worthy of formal protection and that there are other areas not protected at all that carry threatened species that Gunns has not even identified so is certainly not working on such as the Tasmanian Devil and Spotted Tailed Quoll. When we eventually gain access to the mapping and other information we would be delighted to demonstrate this on a property-by-property basis.

TEA has sought from Gunns Limited copies of any peer reviews or technical reviews that have been done on the formal and informal reserves.

7.0 Management Plan

We are totally convinced that Gunns does not meet RA standard: 7.0

“A management plan -- appropriate to the scale and intensity of the operations -- shall be written, implemented, and kept up to date. The long-term objectives of management, and the means of achieving them, shall be clearly stated.”

The Gunns management plan does not adequately describe the natural resources that exist in the Management Unit and fails to adequately explain how the plan will meet the FSC certification requirements. The management plan fails to cover forest management planning and social management planning proportionate to scale, intensity and risk of the planned activities and the FM area, which is extremely large , being some 219,300 Ha with some 123,400 Ha of intensively managed artificial plantations of introduced, monoculture, tree species.



The cost of Conversion- Sensitive management of soil, water and old growth habitat on PTR 386 with a logged out swamp in the background. (The RA auditors visited this area in July 2012)

We are totally convinced that Gunns does not meet RA standard: 7.1

“The management plan and supporting documents shall provide:

- a) Management objectives.*
- b) Description of the forest resources to be managed, environmental limitations, land use and ownership status, socio-economic conditions, and a profile of adjacent lands.*
- c) Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories.*
- d) Rationale for rate of annual harvest and species selection.*
- e) Provisions for monitoring of forest growth and dynamics.*
- f) Environmental safeguards based on environmental assessments.*
- g) Plans for the identification and protection of rare, threatened and endangered species.*
- h) Maps describing the forest resource base including protected areas, planned management activities and land ownership.*
- i) Description and justification of harvesting techniques and equipment to be used.”*

We are totally convinced that Gunns does not meet RA standard: 7.1.1

7.1.1 Management plan, or appendices to plan, includes presentation of the following components:

- a) Management objectives;**

- b) Description of the forest resources to be managed, environmental limitations, land use and ownership status, socioeconomic conditions, and a profile of adjacent lands;
- c) Description of silvicultural and/or other management system, based on the ecology of the forest in question and information gathered through resource inventories;
- d) Description and justification for use of different harvesting techniques and equipment;
- e) Description and justification of forest management prescriptions and their silvicultural and ecological rationale i.e. based on site specific forest data or published analysis of local forest ecology or silviculture;
- f) Rate of harvest of forest products (timber or non-timber, as applicable) and species selection including justification;
- g) Measures for identifying and protecting rare, threatened and endangered species and/or their habitat;
- h) Map(s) describing the forest resource including forest types, watercourses and drains, compartments/blocks, roads, log landings and processing sites, protected areas, unique biological or cultural resources, and other planned management activities;
- i) Environmental safeguards based on environmental assessments (see criterion 6.1); and,
- j) Plans for monitoring of forest growth, regeneration and dynamics.

We are convinced that Gunns does not meet RA standard: 7.4.1

"FME shall make publicly available a summary of the management plan including information on elements listed in criterion 7.1."

8.0 Monitoring and Assessment

We consider that Gunns does not meet RA standard: 8

"Monitoring shall be conducted -- appropriate to the scale and intensity of forest management -- to assess the condition of the forest, yields of forest products, chain of custody, management activities and their social and environmental impacts."

We claim that Gunns does not adequately meet RA standard: 8.1

"The frequency and intensity of monitoring should be determined by the scale and intensity of forest management operations as well as the relative complexity and fragility of the affected environment. Monitoring procedures should be consistent and replicable over time to allow comparison of results and assessment of change."

We consider that Gunns does not meet RA standard: 8.1.7

"Monitoring and evaluation of the outcomes of forest management use a sufficiently powerful approach that allows timely remedial actions to be applied when forest management performance requirements are not met (AZ 4.1.4)"

We consider that Gunns does not meet RA standard: 8.2.1.

"The monitoring plan shall be technically sound and identify/describe observed changes in conditions in terms of: Silviculture (growth rates,

regeneration and forest condition, typically as part of a suitable continuous forest inventory system); Commercial harvest including NTFPs; Environment (e.g., environmental changes affecting flora, fauna, soil and water resources; outbreak of pest, invasive species; nesting sites for endangered bird species); Socioeconomic aspects (e.g., forest management costs, yields of all products, and changes in community and worker relations or conditions, accident rates); and, Identified High Conservation Value Forest attributes.”

We consider that Gunns does not meet RA standard: 8.2.2

“Where exotic or invasive species are planted, a system is in place to monitor spontaneous regeneration outside plantation areas, unusual mortality, disease, insect outbreaks or other adverse environmental impacts.”

We consider that Gunns does not meet RA standard: 8.4

“The results of monitoring shall be incorporated into the implementation and revision of the management plan.”

We consider that Gunns does not meet RA standard: 8.4.1

“FME shall demonstrate that monitoring results are incorporated into revisions of the management plan.”

We consider that Gunns does not meet RA standard: 8.4.2

“There is field evidence to demonstrate that information from monitoring is used to improve management.”

9.0 Maintenance of High Conservation Value Forests

We consider that, in broad terms, Gunns does not meet RA standard: 9 .

“Management activities in high conservation value forests shall maintain or enhance the attributes, which define such forests. Decisions regarding high conservation value forests shall always be considered in the context of a precautionary approach.”

We consider that Gunns does not meet RA standard: 9.1

“Assessment to determine the presence of the attributes consistent with High Conservation Value Forests will be completed, appropriate to scale and intensity of forest management.”

We consider that Gunns does not meet RA standard: 9.1.2

“Consultation with conservation databases and maps;”

We provide in an [appendix](#), RFA mapping that has not been consulted. We also consider that the FPA mapping has not been considered in the management plans.

We consider that Gunns does not meet RA standard: 9.1.4:

“Interviews with environmental/biological specialists, indigenous/local communities, and scientific experts, etc;”

We consider that Gunns does not meet RA standard: 9.1.11:

“The forest manager shall actively identify and assess the significance of biological diversity values and structural elements (such as standing and fallen dead wood and hollow bearing trees) to support the maintenance and protection of identified Significant Biological Diversity Values. The assessment of Significant Biological Diversity Values shall be based on existing relevant knowledge and forest planning instruments shall be undertaken in a regional context (AZ 4.3.1).”

We consider that Gunns does not meet RA standard: 9.2:

“The consultative portion of the certification process must place emphasis on the identified conservation attributes, and options for the maintenance thereof.”

We consider that Gunns does not meet RA standard: 9.2.1:

“FME consultations with stakeholders shall clearly outline identified conservation attributes as well as proposed strategies for their maintenance or threat reduction.”

We consider that Gunns does not meet RA standard: 9.2.2:

“For large operations, the stakeholder consultation for HCVF strategy development, and actions taken in response to such consultation, shall be documented.”

We consider that Gunns does not meet RA standard: 9.2.3:

“Stakeholder consultations indicate that FME consistently considers and protects HCVF values.”

We consider that Gunns does not meet RA standard: 9.2.4:

“The process for identification shall include the review of relevant regional biological diversity studies and consultation with public land managers, relevant organizations, or other competent personnel.”

We consider that Gunns does not meet RA standard: 9.3:

“The management plan shall include and implement specific measures that ensure the maintenance and/or enhancement of the applicable conservation attributes consistent with the precautionary approach. These measures shall be specifically included in the publicly available management plan summary.”

The HCV management plan does not take a precautionary approach.

We consider that Gunns does not meet RA standard: 9.3.1

“If HCVF or HCVs are present, planning documents shall provide site-specific information which describes the measures taken to protect or restore such values.”

The Gunns Limited management plans are clearly deficient.

We consider that Gunns does not meet RA standard: 9.3.2:

“Measures to protect HCVF values shall be available in public documents or in the FME management plan summary.”

Gunns fails on standard: 9.3.4:

“The forest manager shall implement practices to support the protection and maintenance of Significant Biological Diversity Values likely to be affected by forest operations. Planning and implementation of forest operations shall be consistent with those specified in recovery/action plans or equivalent instruments and prescriptions for management and conservation of threatened (including vulnerable, rare or endangered) species and communities developed under Commonwealth and State and Territory legislative processes (AZ 4.3.3).”

There is insufficient evidence that this standard has been met.

We consider that Gunns does not meet RA standard: 9.4.3

“Monitoring of appropriate indicator species is undertaken to demonstrate that actions that have been implemented are effective.”

10.0 Plantations

“Plantations shall be planned and managed in accordance with Principles and Criteria 1 - 9, and Principle 10 and its Criteria. While plantations can provide an array of social and economic benefits, and can contribute to satisfying the world's needs for forest products, they should complement the management of, reduce pressures on, and promote the restoration and conservation of natural forests.”



A view of the plantation conversion in the Lebrina/ Wyena area of NE Tasmania. Soils are the Mathinna Beds. Inadequate stream protection was an issue on this area, formerly native forest.

TEA explicitly wishes to strongly support Section 10 of the Rainforest Alliance's Interim Standard, which focuses exclusively on plantations. Whilst the issues may get some mention in the previous sections the dedicated Plantation Section emphasises an industrialisation and intensification practice, which deserves its own section. We consider this section of the Interim Standard to be crucial.

We consider that Gunns has not met RA standard: 10.1

"The management objectives of the plantation, including natural forest conservation and restoration objectives, shall be explicitly stated in the management plan, and clearly demonstrated in the implementation of the plan."

TEA considers all of Gunns' management objectives are inadequate in relation to the following three standards.

10.1.1 "Objectives of tree planting shall be explicit in the management plan, with clear statements regarding the relationship between tree planting and the silviculture, socioeconomic and environmental (i.e. forest conservation and restoration) realities in the region."

10.1.2 Management objectives for conservation of natural forest and restoration shall be described in the management plan.

10.1.3 Management objectives, specifically those related to natural forest conservation and restoration shall be demonstrated in forest management activities.

In the absence of adequate mapping we consider that Gunns has not met RA standard: 10.1.6

"The management plan shall identify the boundaries of the area encompassed by the certificate, which includes the plantation forest plus any designated reserve areas (NZ 10.1.2)."

We consider that Gunns has not met RA standard: 10.2

"The design and layout of plantations should promote the protection, restoration and conservation of natural forests, and not increase pressures on natural forests. Wildlife corridors, streamside zones and a mosaic of stands of different ages and rotation periods shall be used in the layout of the plantation, consistent with the scale of the operation. The scale and layout of plantation blocks shall be consistent with the patterns of forest stands found within the natural landscape."

Examples of inappropriate scale and siting were provided in the field trip.

We consider that Gunns has not met RA standard: 10.2.2

"Buffer zones along watercourses and around water bodies shall be established according to regional best management practices or local laws and regulations. Buffer zones should be indicated on maps."

TEA considers that in the past Gunns performance has been inadequate regarding standard: 10.2.3

“FME shall establish wildlife habitat and corridors, suitably located across plantation areas, in consultation with acknowledged experts.”

We consider that Gunns has not met RA standard: 10.2.4

“Plantations shall be designed so as to maintain or enhance the visual character of the landscape (i.e. design is based on the scale and intensity of natural patterns of disturbance and planting and harvest regimes within the region).”

Gunns has scarred the landscape. We can provide visual evidence of this. The field trip viewed landscapes that had been adversely affected by plantation development.

We have shown that Gunns has not met RA standard: 10.2.5

“No commercial planting is undertaken within 10 metres of water bodies, or as stipulated in the relevant forestry industry code of practice, that have permanent water when forested, except under the following conditions (NZ 10.2.2): FME adopts management practices to ensure temperature, sediment and nutrient conditions are sufficient to maintain aquatic habitat; and, FME has a decision support system to document these practices in the management plan.”



Photo of inadequate stream buffering on TAM 253. The stream containing significant old growth *E ovata* forest was logged out and then no buffer between the logged out stream and the plantation trees was established. Further the FMU has attempted to excise such riparian areas from the FMU thus abrogating all management responsibility. (The RA auditors visited this area in July 2012)

We will remain highly critical of RA standard 10.2.6.

We consider that Gunns has not met RA standard: 10.2.8

“Pest and weed control is undertaken in riparian zones in accordance with sec 6.4 and 10.5.”

We consider that this standard: 10.2.9 is not sufficient in that it only refers to species “present” and thus potentially allows the avoidance of modelling of threatened species habitat.

10.2.9 “The need for wildlife corridors shall be assessed and managed appropriate to rare, threatened and endangered species present within the ecological landscape (NZ 10.2.6).”

We consider that Gunns has failed over and over again with respect to standard: 10.2.10

“Harvest regimes (cut block size, patterns and harvest timing) focus on reducing ecological disturbance and fragmentation and foster diversity in vegetative structure and composition and wildlife habitat.”

We consider that Gunns has not met RA standard: 10.3

“Diversity in the composition of plantations is preferred, so as to enhance economic, ecological and social stability. Such diversity may include the size and spatial distribution of management units within the landscape, number and genetic composition of species, age classes and structures.”

TEA could provide endless examples of the avoidance of diversity but we consider it self-evident.

We consider that Gunns has not met, and almost certainly continues to not meet, standard: 10.3.1

“Plantation management shall maintain and/or enhance landscape diversity by varying block size and configuration, species, genetic diversity, age class and structure.”

Clearly the replacement of large areas of native forest and the concurrent conversion of farm land with industrial monoculture plantations has in many instances destroyed the unique matrix of farm land and native forest which was a characteristic of Tasmania before Gunns took to it.

We consider that Gunns has not met, and continues to not meet, the standard: 10.3.2

“Emphasis should be placed on planting and/or applied research on forest species native to the region.”

Gunns does not plant native species as far as we are aware and based on their own literature. We quote from the Gunns Management Plan:

*“The productive component of the FMU is comprised of hardwood (*Eucalyptus nitens* and *Eucalyptus globulus*) and softwood (*Pinus radiata*) plantations.”*

Rather than an emphasis on, there is actually and sadly a complete avoidance by Gunns on planting native Tasmanian species of local provenance, or indeed of any provenance from Tasmania.

Clause 10.3.3 is hard and convoluted to argue. The clause should be revised and clarified or divided up.

We consider that Gunns has not met RA standard: 10.3.4

“Plantation management is sensitive to visual landscape objectives and quality impacts such as (NZ 10.2.7): roadside harvests on state highways or tourist highways; significant natural areas and vantage points; and, backdrops to urban areas.”

This issue has long been a bone of contention with the community. Rural communities have witnessed the gross scarring and ugly transformation of the once beautiful and bucolic Tasmanian countryside into an industrial plantation visual wasteland since just prior to the RFA, probably around 1994 or so up until the economic downturn around 2010. We regard the landscape has been scarred by Gunns’ plantations.

We consider that Gunns has not met RA standard: 10.4

“The selection of species for planting shall be based on their overall suitability for the site and their appropriateness to the management objectives. In order to enhance the conservation of biological diversity, native species are preferred over exotic species in the establishment of plantations and the restoration of degraded ecosystems. Exotic species, which shall be used only when their performance is greater than that of native species, shall be carefully monitored to detect unusual mortality, disease, or insect outbreaks and adverse ecological impacts.”

Some of the species planted by Gunns are regarded as weeds. eg Pinus radiata is a notable weed.

We consider that Gunns has not met RA standard: 10.4.1

“Plantation species shall be selected based on suitability to site conditions (soils, topography and climate) and management objectives.”

A set of explicit long-term management objectives, which are expressed in the recently released management plan, cannot be found. There is section on Management Objectives but they are not explicit. Explicit means: Stated clearly and in detail, leaving no room for confusion or doubt. Not implied. There is nothing detailed about the three very broad objectives in Gunns document ‘Forest Management Plan, Gunns Forest Products, Tasmanian Forest Management Unit’.

Regarding standard 10.4.2

“Where exotic species have been selected, the FME shall explicitly justify this choice demonstrating that their performance is greater than that of native species.”

We refer to the FSC notes where it says:

“Performance-based’ means that compliance with the Principles and Criteria is judged on a holistic evaluation of field performance by the conformity assessment body. The focus on performance addresses Policy Motion 34 of the FSC General Assembly 2011.”

We question whether a holistic performance appraisal has occurred and ask the RA to provide evidence to TEA that Gunns has performed such a holistic appraisal.

We consider that Gunns does not meet RA standard: 10.4.3

"No species shall be planted on a large scale until local trials and/or experience have shown that they are ecologically well-adapted to the site and that, invasive characteristics, if any, can be controlled."

See Flora Technical Note No. 12: Management of gene flow from plantation eucalypts, produced by the FPA ([in appendix](#)). TEA considers that certain hybridisation potentials cannot be well controlled based on the documentary evidence and that the degradation of the *E ovata* gene pool, especially, is a great concern.

We consider that Gunns does not meet RA standard: 10.4.4

"When exotic species are used the specific measures to prevent spontaneous regeneration outside plantation areas, unusual mortality, disease, insect outbreaks or other adverse environmental impacts shall be documented."

On the field trip we saw plantations hard up against riparian *E ovata* forest. *E nitens* crosses with *E ovata*. The recommended set back is something about 200 metres but bees and fly greater distances than this.

We consider that Gunns does not meet RA standard: 10.4.5

"FME shall evaluate and monitor the impact of introduced/exotic species, provenances, or populations, and constrain their spread where necessary to protect the ecological integrity of adjacent native vegetation (AZ 4.3.6)."

The RA Auditors saw clear evidence on the field trip of the 31st July 2012 of presence, spread and impact of introduced species and saw no attempts to contain their spread. Indeed there was clear evidence of the exotic species being invasive.

We consider that Gunns does not meet RA standard: 10.5

"A proportion of the overall forest management area, appropriate to the scale of the plantation and to be determined in regional standards, shall be managed so as to restore the site to a natural forest cover."

We consider that Gunns has in the past not meet RA standard: 10.5.1

"Representative samples of existing natural ecosystems shall be protected or restored to their natural state, based on the identification of key biological areas, consultation with stakeholders, local government and scientific authorities. (Note: Also see Criterion 6.4.)"

We consider that Gunns has in the past not meet RA standard: 10.6

"Measures shall be taken to maintain or improve soil structure, fertility, and biological activity. The techniques and rate of harvesting, road and trail construction and maintenance, and the choice of species shall not result in long term soil degradation or adverse impacts on water quality, quantity or substantial deviation from stream course drainage patterns."

In any sense, TEA cannot envisage how it could be accepted that Gunns meets standard: 10.6.1

“Explicit measures shall be taken to maintain or enhance the soil in terms of structure, fertility and biological activity.”

We consider that Gunns has in the past not meet RA standard: 10.6.2

“Plantation design and management shall not result in soil degradation.”

We consider that Gunns has not met RA standard: 10.6.3

“Forest operations shall not degrade water quality or negatively impact local hydrology.”

Indeed we can provide other evidence if required.



Looking into the stream, a view of polluted coupe water from the former Boral coupe being managed for company 32nd Newcomer at the time, entering Bradys Creek at Parkham, shows mud entrained water from the logging coupe freely flowing into the unpolluted Bradys Creek. Land now a part of Gunns FMU estate.

Based of course on our past experience of the company we consider Gunns cannot meet the standard: 10.6.4

“Where negative impacts on soil or water resources are identified, FME shall take steps to reduce or eliminate such impacts.”



Gunns property, Camelford North at Upper Blessington showing plantation establishment on steep slopes.

We consider that Gunns has in the past not meet RA standard: 10.6.8 and further we cannot see how it could meet it in the future.

“Soil erosion control is implemented, including no tractor ploughing on areas over 5% slope, planting or site preparation measures are done on the contour, and specifications on riparian buffer zones are strictly followed.”

We consider that Gunns does not meet RA standard: 10.6.10

“No road fill or waste material (e.g. rocks, brush) from site preparation or other activities are in stream courses.”

We consider that Gunns does not meet RA standard: 10.7

“Measures shall be taken to prevent and minimize outbreaks of pests, diseases, fire and invasive plant introductions. Integrated pest management shall form an essential part of the management plan, with primary reliance on prevention and biological control methods rather than chemical pesticides and fertilizers. Plantation management should make every effort to move away from chemical pesticides and fertilizers, including their use in nurseries. The use of chemicals is also covered in Criteria 6.6 and 6.7.”

We consider that Gunns does not meet RA standard: 10.7.1

“Measures shall be taken in the forest to prevent outbreaks of pests, disease, fire and invasive plant introductions.” – (Our emphasis)

We consider that Gunns either does not meet RA standard: 10.7.2

“A plan should exist for forest fire prevention and control”. and standard 10.7.5 “Fire management and protection plans are in place. FMEs have the following: Employee and contractor responsibilities are clear through contracts, training and orientation; Key contact details are available at the field level; Proper safety gear and fire suppression equipment; and, Emergency procedures and maps are produced (plans for access routes, firebreaks, dams, ponds and other water supplies, helipads and priority buildings/areas for protection) and readily available.”

Or their properties do not comply with the Fire Management Plans or the Fire Management Plans are deficient.

Regarding standard: 10.7.5 a copy of the management and protection plans has been sought by TEA from Gunns Limited.

10.7.5 “Fire management and protection plans are in place. FMEs have the following: Employee and contractor responsibilities are clear through contracts, training and orientation; Key contact details are available at the field level; Proper safety gear and fire suppression equipment; and, Emergency procedures and maps are produced (plans for access routes, firebreaks, dams, ponds and other water supplies, helipads and priority buildings/areas for protection) and readily available.”

Regarding standard 10.7.6 TEA has sought a copy of Gunns integrated pest management plan.

10.7.6 “An integrated pest management plan is in place. This plan shall identify (NZ 10.7.2): the range and number of pests; population dynamics – when is it best to intervene, what is a sustainable pest population; compliance with the regional pest management strategy; and methods of intervention.”

Regarding standard: 10.7.8

“Pest control methods comply with the regional pest management strategy and/or have minimal and environmentally acceptable impacts on non-target species (NZ 10.7.2).”

There remains community unacceptance and grave concern over poor legislation and codes regarding the application of agricultural chemicals. FSC should not hide behind these appalling Tasmanian standards.

We consider that Gunns does not meet RA standard: 10.8

“Appropriate to the scale and diversity of the operation, monitoring of plantations shall include regular assessment of potential on-site and off-site ecological and social impacts, (e.g. natural regeneration, effects on water resources and soil fertility, and impacts on local welfare and social well-being), in addition to those elements addressed in principles 8, 6 and 4. No species should be planted on a large scale until local trials and/or experience have shown that they are ecologically well-adapted to the site, are not invasive, (our emphasis) and do not have significant negative ecological impacts on other ecosystems. Special attention will be paid to social issues of land acquisition for plantations, especially the protection of local rights of ownership, use or access.”

Only a very few species (3) have clearly been planted on a very large scale and it is known that two of the three species at least are invasive. Invasive has a particular meaning to FSC:

“Invasive species (new): Species that are rapidly expanding outside of their native range. Invasive species can alter ecological relationships among native species and can affect ecosystem function and human health (Source: Based on World Conservation Union (IUCN). Glossary definitions as provided on IUCN website).”

We consider Eucalyptus nitens is in the process of having a significant negative ecological impact on other ecosystems due to its propensity to hybridise with the endangered vegetation community and species E ovata. Plantations of E nitens have been planted on top of E ovata forest and hard up against it too.

Regarding standard: 10.8.1

“Monitoring shall include evaluation of potential onsite and off-site ecological and social impacts of plantation activities (also see criterion 8.2).”

An EPA should perform this activity.

We consider that Gunns does not meet RA standard: 10.8.4

“The purchase of lands, or land leases, for plantation establishment shall not adversely impact the community and/or resource use by local people.”

We consider that we are a local community impacted by Gunns plantations. We provide the evidential documents from Dr Ross Ulman and Ms Ann Joselynn Sweeney in our appendix. Dr Ulman is an epidemiologist and Ms Sweeney, a social geographer. Both reports that were produced for PTR 1698 demonstrate in our view expert opinion that Gunns and forestry operation impact the community.

Regarding 10.9

“Plantations established in areas converted from natural forests after November 1994 normally shall not qualify for certification. Certification may be allowed in circumstances where sufficient evidence is submitted to the certification body that the manager/owner is not responsible directly or indirectly of such conversion.”

We seek a copy of any ‘sufficient evidence’ that may have been provided by Gunns to RA from the certification body please.

We consider that Gunns does not meet RA standard: 10.9.1

“The plantation shall not occupy land converted from natural forest since November 1994, unless clear evidence exists that the current manager/owner was not responsible.”

In the main the same entities own the land. In many instances the employees who were working for North came with the Gunns ownership. Gunns has been no better than North Forest Products.



Camelford North property, at Upper Blessington converted by Gunns Limited, still burning.

We consider that Gunns does not meet RA standard: 10.9.2

“Primary, degraded primary and mature secondary forests, and threatened or endangered ecosystems should not be cleared or converted by current forest managers to create tree plantations.”

This has occurred.

We consider that Gunns does not meet RA standard: 10.9.3

“Where conversions after November 1994 have occurred, steps shall be taken that convincingly compensate for such conversions, based on interviews or other evidence gathered from other stakeholders and interested parties.”

We advise that in our local communities around Deloraine there has been significant conflict over the establishment of plantations both on cleared land and on native forest, which has been cleared.

We consider that Gunns does not meet RA standard: 10.9.4 “Note: See also Criterion 6.10.” regarding conversion of forest to plantation.

Comment on the Gunns document: High Conservation Value Assessment And Management Plan 2012 Gunns Forest Products: Tasmanian Forest Management Unit

This section not yet completed and will be forthcoming.

Land Clearance

Gunns Management Plan claims:

“Areas which have been converted by Gunns since November 1994 are not included within the Tasmanian Forest Management Unit.”

As TEA has requested adequate mapping from Gunns but regrettably not been supplied with it to allow us to test, verify and or dispute the above claim we feel somewhat let down and cheated and consider that denial of natural justice has occurred in relation to this important standard within the FSC certification system. We consider that in regards to our valid stakeholder involvement, there may actually be an intent to thwart our responsible scrutiny. This is not the first time.

“In financial 1999, loggers cleared 10,600 hectares of native and old-growth forest. In 2001, the figure jumped to 15,000, and is tipped to rise further. In 2000, the Australian Bureau of Statistics says Tasmania woodchipped 5,498,654 tonnes, the highest volume ever recorded. ABS figures for 2001 are not available due to confidentiality demands by Gunns.”

“Between 1996 and 2000, the forestry industry replaced 62,831 ha of native forest with plantations and farm lands: 86 per cent went to plantations.”

From Forests under Gunns, 20 July 2001 by Julie Macken and Neil Chenoweth

The 2010-2011 Forest Practices Authority Annual Report shows the annual levels of land clearance over a significant period of time.

The Field Trip with Smartwood to Reedy Marsh in July 2012

A meeting and field trip was held on the 31st July 2012. We were grateful for the opportunity to show the RA some of the places and aspects of the Gunns FMU. At that stage we did not have the mapping information we requested and thus had no information to discern between the CW and FM FMUs. We started at the former Leonard's Dairy farm on High Plains near Christmas Hills Rd, a property owned by Gunns.

Rainforest Alliance gave us three hours for the whole field trip. This was insufficient to complete the field trip itinerary, which was intended to visit a range of Gunns and joint venture properties. We had used up the time allocated part way through, at Kelly's Rd Reedy Marsh.

We visited about 11 sites, which was over half the agenda. Rainforest Alliance did not seem to have a set of electronic maps of Gunns' estate and there was no map information apart from the Leonard's block where we could view the CW/FM boundary. Gunns did not provide keys to the land. We had no useful mapping either as our request to Gunns for maps had not been fulfilled.

It is our opinion that the FSC process, which clearly seeks to cover many issues and the complexities of forestry on private land, should allow sufficient time to view the various issues raised by stakeholders, especially in regards to an FMU area of over 265,000 Ha. This has not occurred in this case.

After starting at Gunns' 'Leonard's' property, we visited a number of sites in Reedy Marsh. This area was used simply because it is well known to the writer and

additionally there are several sites within close distance to each other with relevant issues. We make the point we could have taken the Rainforest Alliance to any number of sites across northern Tasmania. We had additional sites in the vicinity we wished to inspect but time ran out.

Rainforest Alliance (Dr Weston) took a GPS track reading of the tour.

We provide a summary of the sites visited and issues discussed.

1. Dungiven Rivulet, two PTRs supporting plantations were discussed at the bridge crossing of Wadley's Road (probably in FM FMU). The issue of streamside reserves was discussed and TEA claimed that Dungiven Rivulet is a Class 2 stream but no adequate streamside buffer in accord with the FPC is evident. The plantation on both sides of the road (but worse on the northern side) is clearly within a streamside reserve. Neither plantation meets the Forest Practices Code. The area is claimed to have all been shrubby *E. ovata*/*E. viminalis* forest, an endangered vegetation community which was cleared and converted about 1995. We claim this area alongside River Rd and running between it and the Dungiven Rvt. cannot be managed sustainably in accord with FSC principles and should be rehabilitated to *E. ovata* *E. viminalis* by Gunns in consultation with the joint venture owner. The plantations adjoining the Dungiven Rvt. could not be harvested legally. There was no firebreak around the plantation or between the plantation and the streamside buffer. The original logging went virtually to the stream bank and we measured the first stem of planted trees of *E. nitens* as 23 metres from the stream bank. Within Gunns original mapping the riparian zone was excluded from the FMU but *E. nitens* are planted into the riparian zone. This does not even qualify for CW certification.
2. Wadley's Rd PTR (is probably in FM FMU) UPI 1578 near boundary of UPI 1581, viewed the firebreak and discussed its inadequacy. This was viewed one year ago and no maintenance has been done in the intervening period. Discussed spray problem, which occurred several years ago by Gunns with adjoining neighbour Tara Berry. Statement of Ms Berry's about the events is included as an [appendix](#) and in the DVD provided.
3. River Road north of Survey reference point (probably in CW FMU). We looked at the poor plantation and lack of adequate firebreak.
4. River Road at Farrells Rd looking across house block to Wadley's plantation on UPI 1621(probably in CW FMU) Discussion of the absence of firebreak in plantation and the escaped fire from the house precincts into the plantation a few years ago. The absence of firebreak continues over much of the plantation.
5. Saddlers Run Road visit to edge of Wadley's plantation on UPI 2460 (a PTR) (probably in CW FMU). The poor quality of the plantation was noted . The lack of a firebreak, a significant concern, was the major issue.
6. River Road at Porters PTR 1698 at new plantation on sharp bend at UPI 2463 (probably in FMU, maybe part CW and part FM) Recent plantation development (circa 2009) in part carved out of the native forest estate and part on derelict reverting farm land. I claimed this had been good Bettong habitat. A breach of the Code would be evident from an inspection. The dangerous intersection was discussed where the access to the plantation was on the apex of the sharp bend with limited visibility. It is a good example of

how local government does the bidding of forestry all the time. A bit further on a waterlogged section of the same plantation site was observed. In the [appendix](#) and on the DVD there is a Google Earth aerial image of this area.

7. Larcombes Road at a vantage point at about UPI 0571, views across adjoining paddock to degraded natural forest (infested with gorse in the SE of the block) on UPI 0561. Native forest to plantation conversation hard up against the secure conservation reserve Brushy Rivulet Forest Reserve.
8. Larcombes Road at the Gunns' Larcombes property UPI 0558, 0559 and 0557. (Probably in FMU, maybe part CW and part FM). The FPP TAM 316 has been provided by Gunns. We observed retained E viminalis forest and plantation. It is noteworthy that the FPP by North Forest products (subsequently subsumed into Gunns Limited) made no mention of the E viminalis forest, which clearly existed, and remnants remain today. The writer made complaint to the FPA at the time but the forest was destroyed in any case immediately following our complaint. That is the machinery that was somewhere else was moved onto the E viminalis area and most of the Threatened Vegetation Community (forest) quickly removed. FPP TAM 0316 would have been the second FPP of that land. The first has not been supplied again. A photograph of this area at time of conversion is included in the DVD and it shows the steep slope, which was being logged at the time and is now converted to plantation. This land adjoins the secure conservation reserve The Reedy Marsh Forest Reserve. The poison 1080 was laid up against the Reserve.



A photo of Gunns 'Larcombes' block during conversion, looking down the slope showing the steepness with the logged out white gum forest in the background, below the logging landing and machine.



A photo Gunns 'Larcombes' block during conversion, FPP TAM 316 showing the logged out stream. NB the streambed has been filled in with soil and debris from the extractive operation. (The RA auditors visited Larcombes but from the road in July 2012)

9. At the Junction of River Road at Porters Bridge Rd at Porters PTR 1698, the old coupe TAM 253 at Porters PTR 1698 (probably in CW FMU). Land supporting old growth *E ovata* forest to the east of the road and regrowth *E ovata* to the north of the road with the *E nitens* plantation in the background running up both sides of Kelly's Rd with no set back from the road verge, no fire break along the road. The gorse-infested plantation is evident from the intersection. The extent of the FMU is contentious here as the old map supplied to TEA by Gunns shows the FMU plantation on the Porter land UPI 0565 coming down to Porters Bridge Rd for some considerable distance south of the intersection.

This is an area of native forest, which was saved by the community at the time of TAM 253 and supporting natural forest including a significant area of endangered forest community *E ovata*. TAM 253 destroyed a considerable area of *E ovata* forest, including old growth in the riparian zone of the stream. We claim the FPP under-estimated the extent of that threatened forest that was on the land about 1998. We claimed at the time that the operation would destroy important forest and spread gorse throughout the area. We claimed it would scar the area next to and on the approach to a secure conservation reserve. All of our predictions were correct. This nearby plantation up Kelly's Rd on UPI 0564 and 0563, now on PTR 1698 adjoins the Brushy Rivulet Forest Reserve.

10. We then visited the nearby Gunns' land UPI 0585, known as PTR 386, which does not come to the road but was visited via the access roadway, which was in part overgrown with Gorse. For this land, also adjoining the Forest Reserve, a FPP was requested in 2011 but has not been supplied by Gunns, so far! We visited a small swamp which previously carried *E ovata* and with a *Melaleuca*

understorey. We saw that the swamp had been intentionally drained and saw that this had not worked. We saw that *E nitens* surrounded the swamp and had also been planted in the swamp but have not done very well. A photo of this area, post the regeneration, burn is below. One can see from the photo that the swamp was logged and burnt. There was no buffer zone between the plantation and the swamp. We consider this was a breach of the FPC.



Photos of burnt and logged out swamp on UPI 0585, visited by the RA auditors during their July 2012 trip. The swamp was planted out with plantation trees but the recent visit showed only a few surviving in the swamp. Note the logged native forest remaining as waste. NB No riparian buffer to the plantation was established.

11. We returned to Kelly's Rd; the FPP TAM 253 area is included in the DVD. There is a video of the area being sprayed. This is in the PTR 1698 directory, in the subdirectory of Maddox (the photographer of the video). Note Kelly's Rd is a public road and Bryant's Rd too; both are within this FMU plantation. Spraying over a public road is not acceptable. We visited the streamside reserve in the middle of this coupe which was cleared of trees completely and now the cleared reserve remains in part unplanted and part planted to *E nitens* plantation at close spacing. Indeed the plantation trees in some places come to the low bank of the stream. We did not visit that within the private land as time had expired and we did not have permission. A photograph of this riparian headwater area of TAM 253 at time of plantation establishment conversion showing the winter inundation is reproduced below. The area of *E ovata* along Porters Bridge Rd is now included in Meander Valley Council's Priority Habitat mapping.



Photo of inundated headwater area on North Forest Products coupe TAM 253 post windrowing, photo taken from the internal road looking North across what was a headwater area of the tributary to Bryants Creek. Now managed by Gunns Limited.

This was the end of the tour.

We suggest that this area is not the locus for all management failure by Gunns Limited. Indeed it may not contain as many management issues and problems of irresponsibility as other areas in fact, as the terrain is largely gentle and the soils relatively robust.

For the Reedy Marsh part of the tour we provide an electronic copy of a large-scale aerial photograph, which has a rectified cadastre by Tasmap. It covers the areas of the tour and some of the areas the tour intended to cover. It is a useful tool for revisiting those areas and confirming the reality back in the early 2000's.

A subsequent Google earth image is also provided for the plantation conversion on Porters PTR land at the sharp bend on River Road. By looking at both maps you can see the fragmentation caused by this plantation development.

The Environment Association Inc. has limited resources, yet we are able to point out several failures in Gunns' forestry planning system and within it operations. We consider that such failures and others we could not show (as we were only given 3 hours with the auditors) are widespread and systemic and until these are identified and addressed, the granting of either Forest Management or Controlled Wood status should be denied and/or withdrawn.

If it is claimed that what TEA has shown is isolated, then we are quite willing to choose another set of plantations, and provide a further field trip or two or three more field trips. After all even 219,000 Ha of FM area is a lot of forest and plantation.

Camelford North Report

The writer was asked to provide a report, which was funded by The Wilderness Society via local community donations. The report is dated 16-11-2001 and is totally relevant to Gunns FM certification and CW certification matters. We consider it shows a further range of problems which impact on FSC certification potential for Gunns Limited. Rather than going through the whole report and relating it to the criteria we suggest that RA reads the report and understands the context and the unacceptability of Gunns plantation establishment activities both socially, economically and environmentally. You will find the report in an appendix.

Gunns Forest Management Unit Mapping and Planning

The map 'Figure 2 – Gunns Tasmania Forest Management Unit' on page 8 of the plan document is not sufficient to determine at all the FMU boundary. Indeed the boundary cannot be seen at all, even electronically, at 400% magnification.

In past versions we have criticised the inadequate mapping to Gunns' Forest Conservation Manager, Ms Weeding. So far no adequate mapping has been provided. We understand that FSC requires a clear FMU boundary to the land claimed to be managed either as Controlled Wood or for Forest Management standard.

For a start there is no Gunns freehold title boundaries discernable on the map. The freehold title boundary cannot be observed on the Page 8 map in the Management Plan, even when enlarged to 400%! Beyond 400% the image is completely pixilated and unreadable.

Retained HCV areas and non-HCV forested areas and grasslands riparian areas etc not converted to plantation are meant to be within the FMU boundary but it seems this is the case only when they are on Gunns private land.

Gunns had not sent TEA a copy until the 15th August 2012 of the Gunns Permanent Natural Forest Estate Policy and claimed in 2011 there was only a draft that was being implemented and that there was no Gunns Permanent Natural Forest Estate Policy.

Gunns has a separate map of covenanted areas on page 32 of the HCV Management Plan but Armistead is not included within the P 32 map. Within the property boundary (using Armistead as an example on page 30 of the HCV Management Plan), it is unclear what the white (unshaded) areas within the boundary are if they are not plantation and not HCV forest. White in the map seems not to designate the freehold title as per the legend. This map has only a partial property boundary and is not complete. It is unclear whether there is a FMU boundary on this map.

It is also hard to understand whether the property boundary and/or (in some cases) the PTR boundary is the FMU boundary. It is crucial to have a usable and readable FMU boundary from Gunns for the whole of the two FMUs for Tasmania.

As far as we are concerned, TEA does not yet have usable mapping that shows of the two FMU areas, the Controlled Wood and the Forest Management area. Surely TEA can have such a document or documents. TEA cannot see how we can usefully and positively comment to RA in the absence of a decent usable FMU map from Gunns. We have requested a map (or several maps, as necessary) of the area Gunns regards as its FMU.

Our understanding is that a complete set of maps of the Gunns' FMU boundary in Tasmania would include set-asides or what is known more correctly as prescription areas (usually arising from past native forest logging and conversation), informal reserves and covenanted areas and would include both joint venture and Gunns' freehold lands. Accordingly we have again sought FMU mapping on a useful scale that can be read with some degree of precision. TEA requires map coverage for the whole state. We would also seek a map of the prescription areas and informal reservations, as they seem relevant to any HCV management plan and FSC Forest Management and controlled wood certification. In our FMU mapping request we have not sought a map of every Gunns' property but rather usable maps showing the FMU boundary so that the location and boundary of the FMU can be ascertained with some practical reliability.

We claim we have not been provided with sufficient information.

We consider the consultation process to not be complete or adequate.

The current documentation and the associated mapping does not distinguish between land owned by Gunns and joint venture land over which Gunns only has management responsibility.

We consider that whilst Gunns has not adequately defined the FMU, in its document titled High Conservation Value Assessment And Management Plan 2012. Gunns Forest Products: Tasmanian Forest Management Unit', *See map 1. as "Gunns' Tasmanian core Forest Management Unit (inclusive of both the Tasmanian Forest Management Unit and Tasmanian Controlled Wood Unit) consists of Gunns owned and managed plantation and natural vegetation on Gunns' owned land as well as joint venture land, regarded as Semi Permanent Estate."*. Due to an absurd map the FMU is located across all IBRA bioregions of Tasmania, with land situated in southeast, northeast and northwest Tasmania.

This action of Gunns has created two standards that cannot be perceived from the mapping or the Gunns' draft plan.

For decades Gunns has managed land with joint venture partners, practising native forest extraction, erroneously termed harvesting and plantation establishment.

Now Gunns claim that they will cease native forest extraction and that their FMU will be plantation based for wood production. At the same time they will manage 85,800 Ha of Gunns' freehold native vegetation for conservation, but Gunns does not intend to manage any native vegetation on joint venture PTR properties, even though in many instances the native vegetation is in set asides and reserves which Gunns have been managing for many years, including in FPPs in operation in 2011 and which they have agreed to manage.

If Gunns walks away from the management of joint venture PTRs carrying native forest, including the environmental set asides and informal reserves, thus simply leaving an opportunity for another developer to continue with native forest extraction, there is in effect no transition to a sustainable industry. Indeed Gunns could conceivably become a processor for wood from native forest extraction from those joint venture PTRs.

It is our view that a transition out of native forest extraction is only enlivened for the FMU area when both Gunns land and the land which Gunns has been managing for the joint venture owners is also subject to the same transition and standard.

Otherwise a transition is not actually occurring except for Gunns private land. We consider that the joint venture land supporting native forest is in essence open to any further proposal for extraction and that strategic management being undertaken for Gunns over those properties will be discarded and foregone resulting in a deficit and a situation of unsustainability. We consider this aspect against the FSC standards and principles.

We claim there is clear evidence that Gunns has been managing land at the PTR level for other landowners. We provide in Appendix E the January 2006 statement of Gunns' officer Suzette Weeding, provided in TEA's and others case appealing PTR 1698. Gunns was supporting the application of Mr and Mrs Porter, the landowners. This statement of evidence makes it clear that Ms Weeding considered that one of the benefits of the PTR was the strategic planning aspect over the whole area. Gunns' Mr Colson (now retired or redundant) also raised contractual obligations as a further reason. TEA will provide information on the PTR appeal in a DVD.

In the document titled 'High Conservation Value Assessment And Management Plan 2012. Gunns Forest Products: Tasmanian Forest Management Unit' it states:

"The FMU also includes some 85,900 ha of natural vegetation, of which in excess of 39,000 ha is maintained in dedicated reserves with nearly 3,900 ha under conservation covenant."

This strongly suggests that not all-native vegetation is to be conserved.

The clear statement in the document: 'High Conservation Value Assessment And Management Plan 2012. Gunns Forest Products: Tasmanian Forest Management Unit' where it states on page 4

"The Tasmanian FMU referred to in this plan includes both the Tasmanian Forest Management Unit and Tasmanian Controlled Wood Unit. Please refer to Gunns Forest Management Plans for clarification of these areas."

is important. Gunns originally had this as one area but now it is two FMUs. But it is mapped together in the HCV Plan and in many cases FM forested land and CW forested land sit side by side on the one property. This is a massively confused approach, which may deal with the multiple standards of management status but does not allow for any sort of holistic management, or for any public scrutiny. Clearly however there is mapping in the GIS where the FM and CW forest can be viewed together. We cannot believe that Fm wood and CW wood would be segregated – almost impossible.

Specification of the Forest Management Unit and Scope of Evaluation

Gunns mapping and description of the FMU estate is inadequate and obviously would not assist anyone in determining whether a site was in the FMU or out of it. It is totally ridiculous that we have had to resort to enlarging maps electronically to try and work out what is going on but still can't find out.

A standard way of identifying land titles in Tasmania is by way of the certificate of title number. This would be a specification if coupled with the area of plantation and native vegetation on each title and the location name and/or address for example.

Gunns Policy on Native Forest Logging.

We have sought the document 'Gunns' Permanent Natural Forest Estate Policy' or its draft from Gunns' Ms Weeding several times now since mid 2011 and have only just received a copy on the 15th August 2012. The Policy, dated October 2011, whilst it is commendable, strangely only pertains to Gunns Forestry Division. It is in our view not a surrogate for establishing an adequate formal reserve estate, which should occur and which would assist in the reinstatement of confidence in the environmental credentials of the company.

High Conservation Values

We claim the HCV Management Plan has not identified all the high conservation values within the FMU estate.

The threatened vegetation has not been identified and specified and it is claimed that small areas of threatened vegetation may not be significant for conservation. We consider this a deficient perception and is in essence wrong. In that regard the example property maps provided are inadequate.

RFA Priority Species are not mentioned. Of note is the Tasmanian Bettong.

On the DVD in the directory PTR 1698 in the subdirectory is a proof from Dr Belcher, an expert in the Spotted Tailed Quoll. It is clear that an amount of land has been alienated from the quoll. Amazingly the quoll is not even listed as having been observed on Gunns land. Much of Gunns land is within prime habitat for the spotted tailed quoll, listed as Vulnerable under the EPBC Act and Rare under State legislation and is an RFA Priority Species. It has large range requirements and logging fragments its habitat.

We have provided on the DVD an RFA map: (file) Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.JPG that provides a modelled Key or Priority habitat for threatened fauna in Tasmania. You will note the overlap of this map with the FMU mapping of Gunns. Yet Gunns Limited seemingly has not considered this material. This is a serious deficiency as this mapping is a national level Assessment of concentrations of biodiversity values. We consider such failings to be important in FSC terms regarding HCVs.

We are very concerned at the selective list of fauna species presented as "recorded within the FMU" in Section 16, Appendix 1 of the document titled 'High Conservation Value Assessment And Management Plan 2012. Gunns Forest Products: Tasmanian Forest Management Unit'. This may be a list of observed fauna but in that case it is a pathetic effort. It obviates scientific modelling of Threatened, Endangered, Rare and Vulnerable species, which are likely to be present on Gunns estate of the two FMUs. We consider the HCV plan to be seriously deficient.

This aspect of HCV management is a sufficient deficiency as to be a major non-conformance. It effectively avoids the application of the precautionary principle.

Non-Payment of Royalties and MIS investors, Contractors

There has been clear evidence in the public arena including a statement from the Gunns CEO that money is owed to Forestry Tasmania. We have also been advised that MIS investors have not been paid their annual dividend.

Plantations

Artificial tree plantations have been a source of angst in our community since before the 1997 RFA. They have not been well received. High quality farmland has been consumed and Threatened Species habitat and threatened vegetation converted to this land use. Our special cultural heritage landscape is scarred and people sprayed with noxious chemicals. Plantations are an intensification of use and have been deeply associated with land clearance and conversion. After about fifteen years of the RFA, forestry and Gunns have diminished our environment.

Most of the other Managed Investment Scheme (MIS) Plantation companies have now gone broke or ceased trading leaving many innocent investors disadvantaged financially. We consider MIS forestry should be abolished now. Let us have a level playing field. MIS does not provide or encourage a strong sustainable industry.

Some plantations that are inappropriately sited need to be rehabilitated to their original form, native forest or farmland. There should be no expansion of the plantation forestry estate.

Legislative Reform

We consider legislative and regulatory reform the most important aspect to reform forestry into a sustainable industry. Reform of all legislation where forestry is unreasonably assisted or exempted and/or favoured as well as where the people of Tasmania are unfairly disadvantaged is long overdue in Tasmania.

In particular the right of appeal to a forestry operation is a crucial and fundamental. This has been largely denied Tasmanians. Legislative reform to ensure adequate and consistent rights of public participation in all land use planning decisions, including forestry activities is urgently and crucially required.

The substantial amount of legislation to be reformed cannot be detailed here. We can provide a separate briefing on this subject if required.

We consider it inappropriate and unworkable to encourage Forest Stewardship Certification without first enacting adequate legislative reform that addresses numerous iniquities. In any case we will be enormously surprised, if at this stage, any industrial forestry company operating in Tasmania could achieve FSC, even at the Controlled Wood standard.

We support fair and sound strategic planning and strategic land use planning as tools for a useful and productive outcome to achieve sustainable development.

End Land Clearance

A large amount of Gunns FMU estate was carved out of native forest. We have already provided a document by Cadman of extensive land clearance in the Meander Valley Municipality. These files are included on the DVD.



Photo of Gunns property Allens Bush, a 1994 aerial view of the property in the process of conversion.

We see an end to land clearance now as meeting the spirit of the RFA commitment and FSC. It would also be a motivating factor to encourage landowners to sign on to the Private Land Reservation program and would make that program more effective and economical. With such a large private estate of native forest the decision of Gunns to cease native forest extraction is welcomed. In that context we cannot understand the reluctance for TEA to be supplied with Gunns policy.

Community Issues

We claim that forestry by Gunns has been socially unacceptable. To give you some idea of the range of problems we have provided in the DVD in the directory PTR 1698 a number of testimonials and reports, which we believe show ample evidence of a very unsatisfactory company performance. We suggest you read these accounts by Carpenter, Walker, Berry, Smith and DeVito and also the report by Dr Ulman on the health impacts of living nearby to plantation forestry of Gunns Limited.

Conclusion

The Environment Association considers that Gunns Limited has not met the FSC standard for Forest Management Certification as expressed through the Rainforest Alliance Interim Australian Standard titled: Rainforest Alliance/SmartWood Interim Standard for Assessing Forest Management in Australia, SW document code: FM-32 – Australia and that there are a number of non-conformances, major ones in our view. Many sections of that standard have not been met in our view.

We consider the stakeholder consultation process to not be complete and to be faulty. That in itself is such a serious deficiency that Gunns should be asked to start again.

We also consider that the RA process itself is deficient in that about 265,000 or so Ha of land is being proposed for one sort of FSC certification or the other and the amount of time for a stakeholder to extract information from Gunns, obtain documents and engross them, research various issues, check facts, and then comment on several documents and wide ranging activities over a huge area is so unfair and absurd. It is simply unjust. But TEA has provided something in this instance under sufferance. We do not consider it adequate but we certainly prove a significant number of non-conformances and claim or assert others.

We continue to be aggrieved at the avoidance of adequate stakeholder notification and processes and the lack of mapping from the company.

We do not and cannot endorse this certification. Our arguments, contentions and evidence regarding the inadequacies and non-conformances with the FSC Standards are numerous and based on a long involvement with the subject.

We remain willing to discuss our comments and concerns on Gunns proposition to become certified to the FSC Forest Management standard. We hope this paper assists Rainforest Alliances assessment of Gunns for Forest Management.

We hope to hear from you regarding the outcome please.

Sincerely

A handwritten signature in black ink, appearing to read 'Andrew Ricketts', with a large, stylized initial 'A' and a long horizontal stroke.

Andrew Ricketts
Convenor

All photographs are copyright of A Ricketts and may be used by RA with permission for its assessment, auditing and reporting purposes.

Please note that we have not been able to complete our assessment of Gunns against the RA's FSC compatible standard and have lodged this representation attempting to meet the RA's deadline.

Enclosures: (either electronically or via DVD)**Appendix A: Non-Notification of Stakeholders**

30 Electronic files as per text of representation.

Appendix B: Requests to and Replies from Ms Weeding and Ms Goodwin of Gunns Limited

Requests for information, policies and mapping.

Weeding to Ricketts 27-7-2012 Re_ FSC FM Certification Mapping of the FMU.pdf

Weeding to Ricketts 26-7-2011 Re_ Further request re Controlled Wood process.pdf

Weeding to Ricketts 21-7-2011 Re_ Request for information reiterated.pdf

Weeding to Ricketts 21-7-2011 Re_ Further request re Controlled Wood process.pdf

Weeding to Ricketts 9-6-2011 Gunns Tasmanian FMU HCV Assessment and Management Plan.pdf

TEA to Gunns 29-7-2012 Further Map Request for FSC RA FM process.pdf

TEA to Gunns 27-7-2012 More detailed Mapping Request.pdf

TEA to Gunns 26-7-2012.pdf

TEA to Gunns 15-8-2012 email Re_ Request for Gunns Documents.pdf

Ricketts to Weeding 18-7-2011 FMU Issues and Gunns Management Plan.pdf

Gunns to TEA 15-8-2012 email Re_ Community Liaison Officer role.pdf

Appendix C: RFA Indicative Areas Key Fauna Habitat for Rare and Threatened Species

Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.JPG

Tas RFA CRA Key Fauna Habitat Rare and Threatened Species Map.pdf

Appendix D: Spotted Tailed Quoll

Belcher_Ecology of the Tiger Quoll in SE Australia.pdf

Proof of Evidence_Belcher.pdf

STQ Draft Recovery Plan.pdf

Map of STQ Distribution in Tasmania from FPA's BVD website

Appendix E: Social and Health Studies relating to Gunns and forestry in Tasmania

Proof of Evidence_Ulman.pdf

SweeneyCoverSheet.pdf

Proof of Evidence_SweeneyReport.pdf

Appendix F: Spraying Video on coupe TAM 253 at Kelly's Rd Reedy Marsh

David Maddox Statement of authorship of Video footage.pdf

AVSEQ01.MPG

Appendix G: Some Neighbour Sagas with Gunns

Proof of Evidence_TBerry.pdf

Proof of Evidence_Carpenter.pdf

Proof of Evidence_DeVito.pdf

Proof of Evidence_Walker.pdf

Appendix H: Camelford North (A Gunns Property) Case Study

CamelfordNorthwithImages16-11-2001.pdf

Appendix I: Threatened Species Distributions from FPA

plugin-Threatened_fauna_habitat_and_range_descriptions_Table2May12.pdf

BVD_MAP.Eastern Barred Bandicoot.pdf

BVD_MAP Tas Devil.pdf

BVD_MAP Swift Parrot.pdf

BVD_MAP ST Quoll.pdf

BVD_MAP Green and Gold Frog.pdf

Appendix J: Gunns Mapping for CW and FM

se_FM.pdf

NW cw.pdf

se cw.pdf

ne_FM.pdf

nw_FM.pdf

ne cw.pdf

Appendix K: Gunns' Ms Weeding on Threatened Species

Weeding on PTR 1698.pdf

Appendix L: Material on FPP TAM 0418

Many files

Appendix M: Gunns Documentation, Policies, Web Pages and Statements etc

POLICY - Permanent Natural Forest Estate_2011 10.pdf

POLICY - Genetically Modified Organisms - 2010 12 10.pdf

plugin-TAS_FMU_HCV_Assessment_and_Management_Plan_2012.pdf

plugin-POLICY_-_Environmental_and_Sustainability_Policy_-_2011_10_242.pdf

plugin-Gunns_Stakeholder_Engagement_Statement_2011_10_25.pdf

plugin-Forest_Management_Statement_2009_with_Insert.pdf

plugin-Forest_Management_Plan_Tasmanian_FMU.pdf

plugin-Forest_Management_Plan_Controlled_Wood_Unit_2012.pdf

Appendix N: Stakeholder Process Documentation

Principles of Public Participation.pdf

plugin-AA1000SES 2010 PRINT.pdf

Appendix O: Material on the Appeal over PTR 1698

Several files

Appendix P: The DVD