

# FRIENDS OF HODDLES CREEK NEWSLETTER

## FOHC, residents, Council, Greens angry over VCAT decision

### Environmental significance ignored as logging given go ahead

**Despite strong opposition from the Shire of Yarra Ranges, Friends of Hoddles Creek and a wide range of local residents, after seven days of hearings, the Victorian Civil and Administrative Tribunal (VCAT) decreed that logging can proceed on the 128 hectare property owned by Moran Logging at 565 Thonemans Road Hoddles Creek.**

The property, untouched since the 1939 bushfires, is in a Rural Conservation Zone with an Environmental Significance Overlay – the two highest environmental controls that can be applied by the Shire. All parties, including counsel for Moran Logging, acknowledged that the property is an area of high conservation significance, with habitat for the endangered Powerful Owl and Leadbeater's Possum, as well as significant plant species.

On hearing the VCAT decision, Friends of Hoddles Creek secretary Keith Jesse commented "This is one of the highest quality areas of wildlife habitat in the Shire. There is something wrong with the system if the Shire doesn't want logging to proceed, the residents don't want logging to proceed and even the

loggers are forced to acknowledge the quality of the area, but VCAT can still decide to allow it to be decimated."

Agreeing with this point of view, the Shire of Yarra Ranges has called on the State Government to put an end to logging in Rural Conservation Zones and has asked the Planning Minister, Rob Hulls, to undertake an urgent review of VCAT powers and give greater weight to local planning policies.

### Some victories

While the decision is a blow to local residents, VCAT did place some restrictions on the logging activities.

Unlike the applicant, VCAT did acknowledge the presence of neighbors less than 100 metres from the planned logging site and excluded the northernmost area of the proposed coupes to the north of Hoddles Creek from logging (see map). VCAT also called for linkage of the Special Protection Zones, for strict limits to be enforced on the size of trees that may be logged (all habitat trees larger than specified sizes to be retained) and for at least 15% of the logging coupe areas to be preserved as understorey islands (areas that preserve the



Thanks to Tracey the postie for delivering the FOHC Newsletter.



The VCAT decision was no cause for smiles for (L to R) Councillors Tim Heenan, Jeanette McRae, Samantha Dunn and Len Cox, Mayor Monika Keane and Shire CEO Rob Hauser, together with local residents and FOHC members as they gathered at the future logging site.

smaller shrubs and ground plants). However, resident's concerns about traffic hazards from logging trucks, as well as dust, smoke and noise pollution (the logging operations can proceed 6 days per week) went unheeded.

In their battle to save the property, the Friends of Hoddles Creek received comprehensive support from the Environmental Defenders Office and barrister Sarah Porritt. Their efforts on our behalf were tremendous and greatly appreciated by all members. Lincoln Kern from Practical Ecology also provided valuable expert testimony at the VCAT hearings.

One of the issues that became apparent during the hearing was the privileged place given to logging in the State Government's Native Vegetation Management Framework, which is supposedly aimed at protecting native flora and fauna and biodiversity values.

As Mayor Monika Keane commented, "The framework applies stringent requirements to the removal of vegetation for farming, home construction and fire prevention purposes, however, these same requirements don't apply to forestry."

Councillor Samantha Dunn was outspoken in her criticism of the decision, declaring that VCAT's decision not only disregarded the council's planning scheme and community concerns, it also set a possible precedent for further logging in Rural Conservation Zones. "VCAT has clearly indicated that logging forests is sustainable because they'll grow back. The simple fact is if we can't say no to logging here, where can we say no!" she said.

## Where to from here?

While VCAT decisions can be appealed in the Supreme Court, the likelihood of success is small and the costs would be large. The basic problem is the anomaly within the Victorian Native Vegetation Framework that permits logging to occur in areas of high conservation value that should be protected.

One of the key points in the case was that logging on private land could be permitted if it is permitted on public land with similar values (as defined under the Native Vegetation Framework). However, this ignores the fact that areas of public land that are logged are typically very much larger than the Moran property. In these large forests, the logging plan typically involves many logging coupes, with only a few being logged at any time. This means that displaced wildlife have the chance to migrate from a logged coupe into adjacent forest, and adjacent coupes are only logged when regrowth is established. On the Moran property, the whole area will be logged effectively as one unit over 2-3 years, leaving one large habitat-free zone. This shows that different rules should apply to comparatively small patches of private land.

The only way to stop the move to log private land is for State regulations to be changed so that logging is banned on private land of high conservation significance. With State elections in November, the Friends of Hoddles Creek are calling for all local candidates to say where they stand on this important issue.

Greens candidate for Gembrook, Gordon Watson, has already declared his position. Speaking at the announcement of his selection, he asked "Why has VCAT overturned the Shire of Yarra Ranges' decision to block

## Plan of the Moran property



clearfell logging at Hoddles Creek?" "The State Government's current controls are clearly not good enough if VCAT can overturn a local Council decision that was made in the best interests of the community and in line with planning regulations," he said.

Gordon Watson started his working life in the forest industry and has seen, first hand, how the industry, once focused on selective logging for high value timber, has become engaged in unsustainable clear felling to produce low value products like woodchips (most of the timber from the Moran property will be used for wood chips and firewood).

**You can view the VCAT decision on the Friends of Hoddles Creek website at [www.provender.com.au/fohc](http://www.provender.com.au/fohc).**

## Like to join FOHC?

If you care about Hoddles Creek and protecting its natural beauty and environmental values, we're always on the lookout for new members. Contact details for FOHC are on page 1.

## Summer Newsletter

Watch out for the next FOHC Newsletter, with a whole range of interesting stuff. Coming soon to your letterbox.