

**A Report on Progress with the Implementation
of the *Regional Forest Agreement for the
South-West Forest Region of Western Australia***

July 2013

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July 2013

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Published by:

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The recommended reference for this publication is:

Department of Parks and Wildlife (WA), Department of Agriculture, Fisheries and Forestry (Cwth), *A Report on Progress with Implementation of the Regional Forest Agreement* for the South-West Forest Region of Western Australia, Department of Parks and Wildlife, Perth.

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Table of contents

1. Abbreviations and acronyms	5
2. List of tables	7
3. Executive summary	8
4. Introduction	14
4.1 Background	14
4.2 Ministerial Advisory Group on Karri and Tingle Management	15
4.3 Creation of the Conservation Commission of Western Australia, Forest Products Commission and Department of Environment and Conservation	15
4.4 Protecting Our Old-Growth Forests policy	16
4.5 Forest Management Plan 2004-2013	16
4.6 Threatened Flora and Fauna legislation	17
4.7 Natural and Cultural Heritage legislation	18
4.8 Protection and Management of Forests on Private Estate	19
4.9 Industry Development	19
5. Progress against milestones and commitments	21
5.1 Part 1 Principles of the Agreement	21
5.2 Part 2 Functioning of the Agreement	21
5.2.1 Relationship to Statutory Obligations	21
5.2.2 Milestones	25
5.2.3 Five-yearly review/report on performance	26
5.3 Ecologically sustainable forest management	27
5.3.1 Monitoring, Reporting and Consultative Mechanisms	31
5.3.2 Accreditation	32
5.3.3 Sustainability indicators	34
5.3.4 Private land	35
5.4 Threatened flora and fauna	36
5.5 The CAR reserve system	41
5.5.1 Action to establish and manage reserves	43
5.6 Industry development	44
5.7 Indigenous heritage	51
5.8 Other forest uses	52
5.9 Competition principles	53
5.10 Research	54
5.11 Data use and access	54
5.12 Legally binding rights and obligations	55
5.12.1 Forest Management	55
5.12.2 Compensation	56
5.12.3 Industry Assistance	56
6. Results of monitoring sustainability indicators	57
Appendix 1 Comprehensive, Adequate and Representative Reserve System	58
1. Formal Reserves	61

2.	<i>CAR Informal Reserves</i>	61
2.1.	State forest areas	61
2.2	Commonwealth Land	64
Appendix 2 Public reporting and consultative mechanisms		66
Appendix 3 Improvement to Western Australia’s forest management systems on public land		68
Appendix 4 Protection and management of forests on private land		79
	<i>Forest Management System for Private Forests in Western Australia</i>	79
1.	Clearing of native vegetation on private land	79
2.	Timber Harvesting on Private Land	81
3.	Remnant Vegetation Protection Scheme	81
4.	Farm Forestry Advisory Service	81
5.	Land for Wildlife Scheme	82
	<i>Strategy for Improving Ecologically Sustainable Forest Management on Private Land</i>	83
	Principles for the Protection of CAR Values on Private Land	84
Appendix 5 Threatened flora and fauna		86
A:	<i>Threatened fauna</i>	86
B:	<i>Threatened flora</i>	89
Appendix 6 Aboriginal heritage and consultation		94
Appendix 7 Priority areas of research		97
Appendix 8 External reviews undertaken as part of the development of the <i>Forest Management Plan 2004-2013</i>		100
Appendix 9 Forest employment and industries development strategy		101
References		110

1. Abbreviations and acronyms

AFCS	Australian Forest Certification Scheme
AFS	Australian Forestry Standard (AS 4708-2007)
AH Act	<i>Aboriginal Heritage Act 1972 (WA)</i>
AHC	Australian Heritage Council
ALVA	School of Architecture, Landscaping and Visual Arts (UWA)
ATC	Advanced Timber Concepts
BEA	Business Exit Assistance Program
BDTA	Bindoon Defence Training Area
CALM	The former Department of Conservation and Land Management
CALM Act	<i>Conservation and Land Management Act 1984 (WA)</i>
CAR	Comprehensive, Adequate and Representative (reserve system)
CAWS Act	<i>Country Areas Water Supply Act 1947 (WA)</i>
CoE	Centre of Excellence
CRA	Comprehensive Regional Assessment
CRC	Cooperative Research Centre
CRCWI	Cooperative Research Centre for Wood Innovations
CSIRO	Commonwealth Scientific and Industrial Research Organisation
Cwth	Commonwealth (of Australia)
DAFF	Department of Agriculture Fisheries and Forestry (Cwth)
DEC	Department of Environment and Conservation
DEFL	Department's Threatened Flora Database
DoE	The former Department of Environment
DSEWPac	Department of the Sustainability, Environment, Water, Population and Communities (Cwth)
DMP	Department of Mines and Petroleum
EC Act	<i>Export Control Act 1982 (Cwth)</i>
EHB	European House Borer
EMP	Environmental Management Plan
EMS	Environmental Management System (ISO 14001:2004)
ESFM	Ecologically Sustainable Forest Management
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986 (WA)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</i>
ESP Act	<i>Endangered Species Protection Act 1992 (Cwth)</i>
FAFPESC	Forest and Forest Products Employment Skills Company
FAPWA	<i>Forestry Assistance Programme for Western Australia</i>
FDIS	Fauna Distribution Information System
FMP	Forest Management Plan 2004-2013
FMIS	Forest Management Information System
FORSCHED	Wood-flow Scheduling System
FP Act	<i>Forest Products Act 2000 (WA)</i>
FPC	Forest Products Commission
FWPA	Forest and Wood Products Australia
GFC	<i>Grants for Forest Communities</i> program
ISG	Investment Security Guarantees
ISO 14001	ISO 14001:2004 Environmental management systems - Requirements with guidance for use
IUCN	International Union for Conservation of Nature
JANIS	Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-committee
KOBV	Karri other bole volume
KPI(s)	Key Performance Indicator(s)
LVL	Laminated Veneer Lumber

MMPLG	Mining and Management Program Liaison Group
MOU	Memorandum of Understanding
MTO	Mineral Titles Online
NFPS	National Forest Policy Statement
NRM	Natural Resource Management
PFDC	Private Forestry Development Committees
RAC	Research Advisory Committee
RATIS	Regional and Tourism Information System
RFA	Regional Forest Agreement
RNE	Register of the National Estate
SAA	State Agreement Act
SFM	Sustainable Forest Management
SILREC	Silvicultural Recording System
SILVIA	Silviculture Impact Analysis
SOFR	Australia's State of the Forests Report
SPRAT	Species Profiles and Threats
STCRC	Sustainable Tourism Cooperative Research Centre
SWALSC	South West Aboriginal Land and Sea Council
TAFE	Technical and Further Education
TEC	Threatened ecological communities
TIRES	<i>Timber Industry Road Evaluation Study</i>
UWA	University of Western Australia
WA	Western Australia
WAFISAP	Western Australian South-West Forest Industry Structural Adjustment Program
WAP	Workers Assistance Program
WAREMS	WA Regional Environmental Management System
WA RFA	Western Australian Regional Forest Agreement
WC Act	<i>Wildlife Conservation Act 1950 (WA)</i>
WTA	Wildfire Threat Analysis

2. List of tables

- Table 1.** Summary of WA RFA's progress with implementation of milestones
- Table 2.** Jarrah first and second grade sawlog removals during 2004 to 2007 relative to the 131,000 cubic metres average annual sustained yield for 10 years
- Table 3.** Karri first and second grade sawlog removals during 2004 to 2007 relative to the 54,000 cubic metres average annual sustained yield for 10 years
- Table 4.** Karri other bole volume annual removals during 2004 to 2007 relative to the FMP specified limit
- Table 5.** Threatened ecological communities in the WA RFA region listed under the EPBC Act
- Table 6.** Forest ecosystems within proposed and existing reserves within the WA RFA region as at 2009
- Table 7.** Old-growth forest within proposed and existing reserves within the WA RFA region as at 2009
- Table 8.** Changes to CAR informal reserves on DEC-managed land
- Table 9.** Summary of *Land for Wildlife* and *Conservation Covenant* properties and sites in the WA RFA region
- Table 10.** Summary of recovery plan status for threatened fauna as at 2009
- Table 11.** Summary of recovery plan status for threatened flora as at 2009

3. Executive summary

The State of Western Australia and the Commonwealth of Australia (the Parties) signed the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (WA RFA) on 4 May 1999.

The WA RFA established a 20-year framework to manage the use of Western Australia's (WA) south-west forests to implement effective conservation, forest management and forest industry practices. The purpose of the WA RFA was to:

- Identify a comprehensive, adequate and representative reserve system and provide for conserving those areas.
- Provide for the ecologically sustainable forest management and use of forests.
- Provide long-term stability of forests and forest-based industries.

The Parties agreed to a series of milestones and commitments to assist with reporting on achievements against the objectives of the WA RFA.

This report constitutes the five (Period 1 - 1999 to 2004) and 10 (Period 2 - 2004 to 2009) year reviews of progress (the review), by both Parties, on implementing the milestones and commitments of the WA RFA. In some cases, reporting on progress extended beyond the 10-year review timeframe, as this information assisted when contextual updates were provided, regarding implementing the WA RFA Clauses, for example, where recommendations were implemented from reviews of legislation or procedures.

The WA RFA provided a reporting framework including five-yearly reviews due in 2004, 2009 and 2014. Significant progress was made by the Parties to implement the milestones and commitments of the WA RFA. However, a number of policy and legislative changes impacted on implementing the WA RFA. These included:

- In 1999, the Western Australian government announced a number of changes to forest management, which included an end to harvesting in old-growth karri and tingle forest after 2003 and an end to large scale clear felling in karri forest.
- In November 2000, the Conservation Commission of Western Australia and the Forest Products Commission were created with attendant changes to the vesting of public land and its management. The Conservation Commission of Western Australia was established as a statutory authority under the *Conservation and Land Management Act 1984*. The Conservation Commission of Western Australia is the body in which WA's terrestrial conservation estate and State forests and timber reserves are vested. The Forest Products Commission is a separate government trading enterprise to develop and market Western Australia's renewable wood resources.
- In 2001, the then Labor Government's *Protecting our old-growth forests policy* was implemented through the Forest Management Plan 2004-2013. The Plan gave effect to many of the requirements of the WA RFA but it also resulted in significant increases to conservation reserves and consequently reduced sustained yield of wood, which affected the wood processing industry.
- In 2003, the Commonwealth passed legislation amending the *Environment Protection and Biodiversity Conservation Act 1999* and repealed the *Australian Heritage Commission Act 1975* in part to provide for a National Heritage Places List to replace the Register of the National Estate to coordinate heritage protection nationally.
- In 2004, the framework for clearing native vegetation in WA was changed through amendments to the *Environmental Protection Act 1986* and resulted in all native vegetation being protected.

Since 2004, old-growth forest has been reserved and increases in the reserve system in WA have exceeded the commitments made by the Parties in the WA RFA. Consequently, the level of sustained yield of wood envisaged under the WA RFA has been reduced and aspects of timber industry development and stability have not been achieved. Nevertheless, the WA RFA has been an important tool in shaping ecologically

sustainable management of the State's south-west native forests.

A summary of the achievements against milestones is given in Table 1 below, with further information about achievements against milestones and progress against commitments reported in the body of this report.

The various categories under *Status* in Table 1 mean:

- Achieved** was undertaken and completed and will not be reported in any future review.
- Achieved in part** was partially undertaken or modified and progress will be reported in any future reviews, if required.
- No longer relevant** was overtaken by subsequent events and will not be reported against in this or any future review.
- Not achieved** was not commenced or was not achieved within the timeline.
- Not yet required** milestone was not relevant to the review period.

Table 1. Summary of WA RFA's progress with implementing milestones¹

Clause	Action	Milestone Timeline	Status
6	The process for extending the Agreement for a further period will be agreed by the Parties as part of the 15-year review (clause 36).	2014	Not yet required
27	The Parties agree to actively participate in the World Heritage assessment of the Australia-wide Eucalypt theme.	As required	Achieved
34	The Parties will provide each other with an annual report detailing their achievement of milestones for the first four years of the Agreement and then as they fall due and as part of the five-yearly reviews and report.	2000 2001 2002 2003 2004 2009 2014	Achieved Achieved Achieved in part Achieved in part Not achieved Not achieved Not yet required
34	Public annual reporting on achievement of milestones during the first four years will be through a brief statement in the annual report of the relevant agency.	2000 2001 2002 2003	Achieved Achieved Achieved in part Achieved in part
36	Towards the end of the first and third five-year periods a joint Commonwealth/Western Australian review on performance against the milestones and commitments will be undertaken at the same time as the Forest Management Plan revision process, and will be completed within three months of the completion of each five-year period.	2004 2014	Achieved in part Not yet required
36	The Parties will jointly report on performance before the end of the second five-year period of this Agreement.	2009	Achieved in part
37	The mechanisms for these five-yearly review/reports will be agreed by the Parties within six months of the date of this Agreement.	November 1999	Achieved
37	Complete reviews/report within three months after the completion of each five-year period.	2004 2009 2014	Achieved in part Achieved in part Not yet required
38	The outcomes of the five-yearly review/report will be made public.	2004 2009 2014	Achieved Achieved ² Not yet required

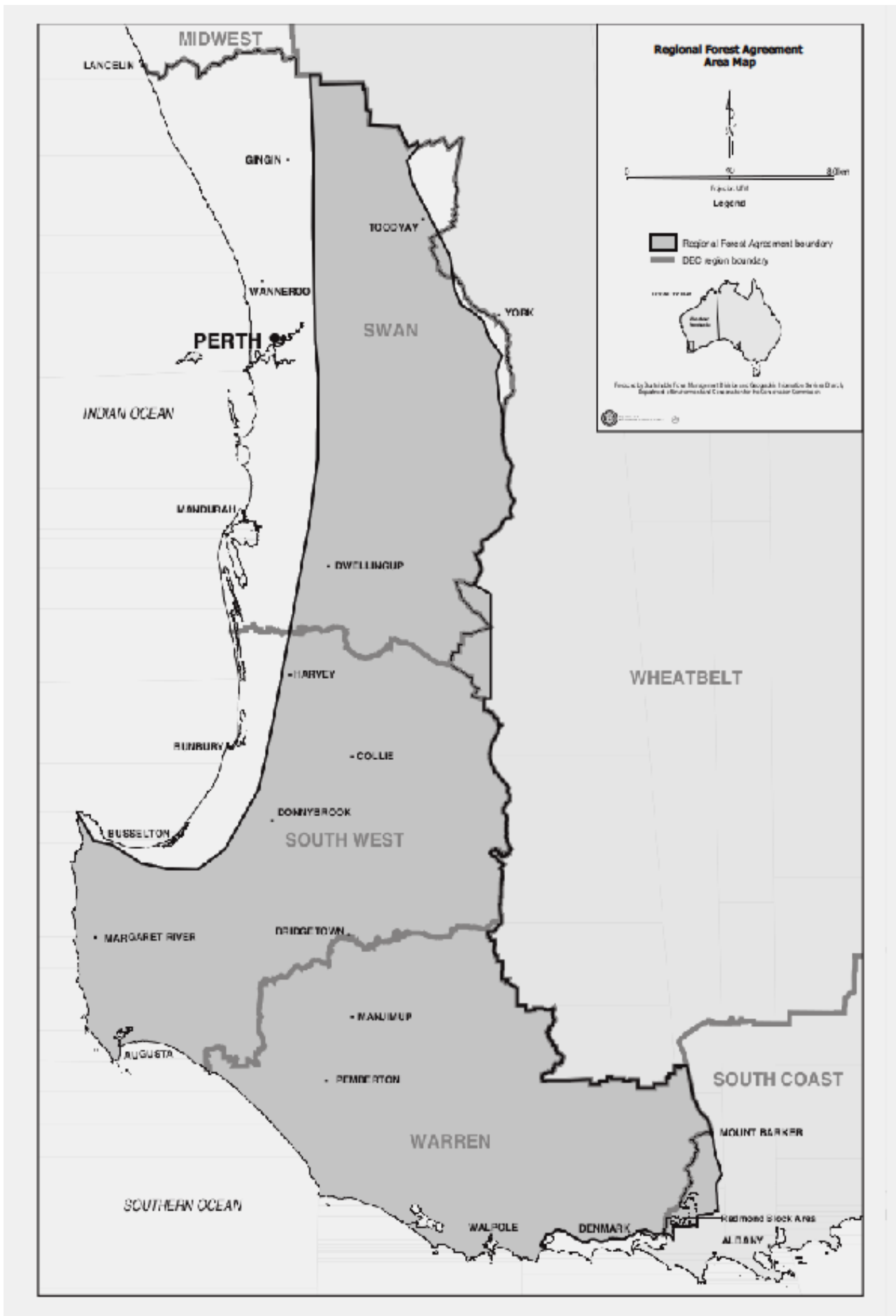
¹ The milestones are those detailed in Attachment 3 of the WA RFA.

² The release of this report for public comment is the first stage of the WA RFA review. The Independent Reviewer will provide a report and make recommendations to the Parties. The Independent Review will then report and make recommendations to the Parties. The Parties will consider and provide a joint response to the recommendations of the Independent Reviewer. The Scoping Agreement of the 10 May 2013 (and addendum) between the Parties outlines the requirements of this review: www.dpaw.wa.gov.au

Clause	Action	Milestone Timeline	Status
42, 95b and Attachment 5	Within 5 years of the date of this Agreement, WA will further improve its Forest Management System and processes through the development and implementation of environmental management systems.	2004	Achieved in part
43	Western Australia will produce and publish a Forest Management Plan to implement the commitments of this Agreement.	30 June 2004	Achieved
43	Western Australia agrees to commence the FMP planning process by early 2001.	Early 2001	Achieved
46	Western Australia will report on the results of monitoring of sustainability indicators as a part of each five-yearly review/report on performance.	2004 2009 2014	Achieved in part Achieved n part Not yet required
50	Western Australia will address the improvements recommended in the Turner Report prior to the development of the next Forest Management Plan.	Prior to developing the FMP	Achieved
50	Western Australia will have externally reviewed the sustained yield estimating process and outputs immediately before the commencement of the development of each Forest Management Plan and will incorporate improvements during the Forest Management Planning process.	2004 onwards	Achieved
51 and 52	Western Australia in consultation with the Commonwealth will develop and implement an appropriate set of sustainability indicators to monitor Forest changes.	By 2004	Achieved
70(b)	Western Australia will within one year from the date of this Agreement establish new formal reserves under the <i>Land Administration Act 1997</i> (WA).	By May 2000	Achieved in part
70(c)	Western Australia will, within 6 months from the date of this Agreement, classify all proposed Formal reserves other than those in (b) above as "Forest Conservation Zones" under Section 62 of the CALM Act, where: these areas are State forest or timber reserves; this will be the final classification; or this will be an interim classification prior to classification under the <i>Land Administration Act 1997</i> (WA).	By November 1999	Not achieved
70(d)	Western Australia will, within three months of the date of this Agreement, initiate the State processes for creation of new formal reserves proposed to be classified under the <i>Land Administration Act 1997</i> (WA), as specified in Attachment 1.	By August 1999	Achieved
70(e)	Western Australia will introduce an amendment to the CALM Act into the Western Australian Parliament by 31 December 1999 to require the approval of both Houses of Parliament to revoke Forest Conservation Zones in State Forest which will be created under Section 62 of the CALM Act.	31 December 1999	Achieved
70(f)	Western Australia will establish the proposed new informal reserves, as identified in Attachment 1, in the next Forest Management Plan.	2004	Achieved
79	The Parties will develop a Memorandum of Understanding (MOU) for a joint Commonwealth-Western Forest Industry Structural Adjustment Program. Both Parties are committed to the implementation of a range of Forest-based industry development initiatives (Attachment 14). The Parties agree to develop a Memorandum of Understanding for a joint Commonwealth-Western Australian South-West Forest Industry Structural Adjustment Program (WA FISAP).	1999	Achieved
87 and 95(c)	Western Australia will undertake a legislation review of the CALM Act and a review of competitive neutrality applying to CALM's wood-based businesses.	1999	Achieved
93	The Parties will lodge archival copies of CRA data.	By November 1999	Achieved
Attachment 1, paragraph 5 and 16	Western Australia will finalise reserve boundaries on 1:25,000 maps to enable gazettal.	By October 1999	Achieved
Attachment 1, paragraph 8	WA will prepare interim management guidelines for CALM-managed lands within 12 months of the date of this Agreement.	May 2000	Achieved in part

Clause	Action	Milestone Timeline	Status
Attachment 1, paragraph 24	The Commonwealth will include CAR Informal Reserves in future Environmental Management Plans (EMP) for the Bindoon Training Area. A revised EMP including this CAR Informal Reserve will be prepared with public participation, by the year 2003, subject to national security considerations.	2003	Achieved
Attachment 2, paragraph 7	The Commonwealth will complete 1:100,000 maps of indicative National Estate Places within 6 months of completion of the CAR reserve mapping at 1:25,000 scale.	Within six months of the CAR mapping	No longer relevant
Attachment 2, paragraph 8	Parties will jointly accredit 1:25,000 Maps of Indicative National Estate.	Within eight months of the CAR mapping	No longer relevant
Attachment 2, paragraph 9	The Parties will recommend to the AHC a complete set of listings on Public Land within the CAR Reserve System or by other mechanisms appropriate to the value.	Within six months of the CAR mapping	No longer relevant
Attachment 4 point 1	Western Australia will review the processes for the involvement of communities in planning for cultural heritage conservation.	2002	Achieved
Attachment 4 point 2	Western Australia will consult a peak stakeholder committee, comprising a wide range of interests, on research priorities within CALM.	1999	Achieved
Attachment 4 point 3	Western Australia will establish scientific advisory committees to facilitate input of external advice to research projects and to aid integration of CALM's strategic research planning with research priorities of other organisations, agencies and institutions.	1999	Achieved
Attachment 4 point 4	Western Australia will extend the use of operational planning on a periodic and integrated basis and introduce the opportunity for public examination of "look ahead" plans.	2002	Achieved
Attachment 4 point 5	Western Australia will consider publishing medium-term fire management plans which include an outline the ecological basis for burning regimes.	2000	Achieved
Attachment 5, point 1	Western Australia will include a commitment to the principles of ecologically sustainable forest management in the next FMP.	2004	Achieved
Attachment 5, point 2	Western Australia will develop and publish policy related to productive capacity of former mine sites, maintenance of carbon and hydrological cycles, and natural and cultural heritage, in relevant Forest Management Systems.	2004	Achieved in part
Attachment 5, point 4	Western Australia will introduce into the Western Australian Parliament amendments to the <i>Conservation and Land Management Act 1984</i> (WA) to remove the Executive Director of CALM as a member of the Lands and Forest Commission and the National Parks and Nature Conservation Authority.	By November 1999	Achieved
Attachment 5, point 5	Western Australia will update processes to allow a more efficient consideration of social, economic and environmental implications in the development, approval and ongoing audit of compliance with forest management plans.	Prior to publication of the next draft FMP	Achieved
Attachment 5, point 6	Western Australia will revoke and replace previous ministerial conditions by conditions consistent with the terms of each new Forest Management Plan.	At time of Ministerial Conditions of next conditions on FMP	Achieved
Attachment 5, point 7	Western Australia will update appropriate policy documents related to Mining of forested areas in the Region to reflect a commitment to the principles of ecologically sustainable forest management.	2004	Achieved in part
Attachment 5, point 8	Western Australia will review the present strategies and operations to ensure they include formal requirements for conservation or re-establishment of all forest values, including productive capacity, on former Mining sites, consistent with principles of ecologically sustainable forest management.	2004	Achieved in part
Attachment 5, point 9	Western Australia will give consideration to review the CALM ^{fire} process at the next review of these processes, in regard to the setting of priorities for the use of prescribed fire and the weighting given to different values.	2000	Achieved

Clause	Action	Milestone Timeline	Status
Attachment 5, point 10	Western Australia will review the Code of Practice for Timber Harvesting in Western Australia (April 1997), Timber Harvesting in Western Australia (January 1996) with a view to making them easier for field operators and field staff to understand.	2000	Achieved
Attachment 5, point 12	Western Australia will develop a system of pre-logging fauna assessment to be implemented by the commencement of the next FMP.	2004	Achieved
Attachment 5, point 13	Western Australia will establish a joint CALM and Western Australian Museum committee to jointly assess priorities for collection of fauna data and to maintain a consolidated database.	1999	Achieved in part
Attachment 5, point 14	Western Australia will develop a formal process to appraise and consider data requirements to support assessment of risks to biodiversity.	2000	Achieved in part
Attachment 5, point 15	Western Australia will assess cultural heritage resources and develop databases and integrate the conservation of cultural heritage values into the forest management and planning process.	2000	Achieved
Attachment 10, point 1	Western Australia will develop formal consultation processes with Aboriginal people about policy and procedures for the protection of Aboriginal heritage values on CALM-managed lands	2000	Achieved
Attachment 10, point 2	Western Australia will consult with Aboriginal people on the establishment of mechanisms to enable more effective involvement of Aboriginal people in the protection of culturally significant sites, and the provision of training and employment opportunities.	2000	Achieved
Attachment 10, point 3	Western Australia will protect identified Aboriginal sites in accordance with the requirements of the <i>Aboriginal Heritage Act 1972 (WA)</i> and develop protocols for, and linking, the CALM geographic information system with information held by Aboriginal Affairs Department.	1999	Achieved
Attachment 10, point 4	Western Australia will, in consultation with Aboriginal people, establish procedures and protocols, and include relevant expertise in Aboriginal heritage in CALM, to enable the early identification of Aboriginal sites and afford them relevant protection.	2000	Achieved
Attachment 10, point 5	Western Australia will introduce into Parliament, amendments to the <i>Wildlife Conservation Act 1950 (WA)</i> and the CALM Act to permit Aboriginal people to undertake traditional and cultural activities on State Forest and other public lands.	2001	Achieved in part



4. Introduction

4.1 Background

On 4 May 1999, the State of Western Australia and the Commonwealth of Australia (the Parties) entered into the *Regional Forest Agreement for the South-West Forest Region of Western Australia* (WA RFA).

The WA RFA established a 20-year framework to manage the use of WA's south-west forests that sought to implement effective conservation, forest management and forest industry practices. In particular, the WA RFA provided for:

- The conservation of environment and heritage values through identifying and establishing a Comprehensive, Adequate and Representative (CAR) reserve system.
- Ecologically sustainable management and use of forests.
- Future growth and development of WA industries associated with forests and wood products.
- Assistance to develop forest-based tourism and recreational opportunities based on WA's environmental advantages.
- Certainty of resource access to the forest industry.
- Certainty of resource access to the mining industry.
- Approval of the relevant controls (exemption for unprocessed wood or woodchips from plantations) in the *Export Control Act 1982* (Cwth).
- A range of new or enhanced initiatives to assist with forest-based development.
- The development of forest-based research.
- Significant employment opportunities and investment throughout WA.

The Parties agreed to a series of milestones to assist with reporting on achievements against the objectives of the WA RFA. A summary of these milestones was listed at Attachment 3 of the WA RFA. There was also a range of commitments that the Parties agreed to implement.

Clauses 36, 37, 38 and 39 of the WA RFA required the Parties to review the performance of meeting the agreed milestones and commitments at the first five years and second five years from the commencement of the WA RFA. This review did not open up the WA RFA for renegotiation.

This report was jointly prepared by the State of Western Australia and the Commonwealth of Australia and assessed the performance of the WA RFA between the date the WA RFA was signed in May 1999 and 2004 (Period 1) and between 2005 and 2009 (Period 2). As noted in the Executive Summary of this report, reporting on progress against the milestones and commitments may extend beyond the 10-year review timeframe.

This report will be released for a seven-week public comment period. Submissions received by the Department of Parks and Wildlife on behalf of the Parties will be forwarded to an Independent Reviewer for analysis. A report will be prepared by the Independent Reviewer, which will be considered by the State of Western Australia and the Commonwealth of Australia when preparing a joint response to the Independent Reviewer's recommendations.

The WA RFA review process, to which this report contributes, satisfies the commitment of the WA RFA to undertake a review of performance against the milestones and commitments made in the WA RFA for the first two five-year periods. Both Parties can agree to minor modifications to the WA RFA to incorporate the joint response to the Independent Reviewer's recommendations.

This report was prepared jointly by the following Western Australian government and Commonwealth government agencies:

Western Australia

- Department of Parks and Wildlife³, and
- with input from the Forest Products Commission (FPC), and

Commonwealth

- Department of Agriculture, Fisheries and Forestry (DAFF), and
- with input from the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC).

Since the WA RFA was signed, subsequent Western Australian and Commonwealth governments made policy and legislative changes that affected the implementation of some of the milestones and commitments of the WA RFA.

The Parties continued to recognise that the WA RFA, within the context of the policy and legislative changes, retained the capacity to meet the stated purpose of the WA RFA by providing a framework for implementing ecologically sustainable forest management (ESFM), an expanded CAR reserve system and opportunities for the wood processing industries and those that rely on such industries.

4.2 Ministerial Advisory Group on Karri and Tingle Management

In July 1999, the Western Australian government announced a number of structural changes to forest management, which included:

- Ending harvesting in old-growth karri and tingle forests after 2003.
- Ending large scale clear felling of karri forests.
- Reviewing harvesting plans to 2003 to minimise use of old-growth karri and tingle forests.
- Accelerating the transition from native forest to a predominantly plantation-based resource to supply the woodchipping industry.
- Preparing a jarrah strategy, with emphasis on value adding.
- No new contracts to supply native timber for railway sleepers.

The Ministerial Advisory Group⁴ appointed by the State Environment Minister considered a range of aspects relating to forest management and practices including economic use, environmental considerations and community values.

4.3 Creation of the Conservation Commission of Western Australia, Forest Products Commission and Department of Environment and Conservation

In 2000, a new framework for conserving and managing WA's biological resources was established with the amendments to the *Conservation and Land Management Act 1984* (CALM Act) and the promulgation of the

³ The Department of Parks and Wildlife was created on 1 July 2013. For the purpose of this document the then Department of Environment and Conservation (DEC) or the then Department of Conservation and Land Management (CALM) have been used to describe work undertaken in Western Australia, unless otherwise stated.

⁴ Ferguson I., Gardner J., Hopper S. & Young J. (October 1999). *Report to the Minister for the Environment by the Ministerial Advisory Group on karri and tingle management.* and
Ferguson I., Gardner J., Hopper S. & Young J. (December 1999). *Report to the Minister for the Environment by the Ministerial Advisory Group on karri and tingle management.*

<http://www.dec.wa.gov.au/management-and-protection/forests/forest-resources/ministerial-advisory-group-on-karri-and-tingle-management.html>

Forest Products Act 2000 (FP Act). This legislation separated the forest harvesting and conservation roles of the Department of Conservation and Land Management (CALM) and created two statutory bodies to oversee conservation lands and to manage forest products.

The commercial development and management of forest produce from State forests and timber reserves and plantations became the responsibility of the FPC⁵ in November 2000, while managing the land remained the responsibility of CALM.

The Conservation Commission of Western Australia⁶ (Conservation Commission) replaced the Lands and Forest Commission and the National Parks and Nature Conservation Authority. WA's national parks, conservation parks, nature reserves, State forests and timber reserves were vested in the Conservation Commission. The Conservation Commission had its own staff, including an auditing section that monitored the implementation of management plans and harvesting activities.

In 2006, CALM and the Department of Environment (DoE) were amalgamated to create the Department of Environment and Conservation⁷ (DEC).

DEC was in the portfolio of the State Environment Minister and its responsibilities included managing the State's terrestrial conservation land vested in the Conservation Commission as well as managing marine reserves, broader environmental protection and pollution control responsibilities.

4.4 Protecting Our Old-Growth Forests Policy

Following the February 2001 State election, the Western Australian Labor Government implemented the *Protecting our old-growth forests* policy⁸. The policy required reserving all old-growth forest, which represented an additional 87,250 hectares of old-growth forest reservation above that of the WA RFA. The policy was later formalised when the *Forest Management Plan 2004-2013*⁹ was implemented.

Twenty-nine national parks and a number of conservation parks and nature reserves were created, including the 12 national parks proposed under the WA RFA. The additional reserves reduced the area of native forest ecosystems available for harvesting to just under 850,000 hectares, from over 1 million hectares, under the WA RFA. This required a commensurate reduction in native forest harvest levels below those agreed by the Parties at the time of the WA RFA.

4.5 Forest Management Plan 2004-2013

The current *Forest Management Plan 2004-2013* (FMP) commenced on 1 January 2004. The FMP provided for managing indigenous State forest and timber reserves and freehold land that contained native vegetation held in the name of the Director General of DEC within DEC's three forest regions, Swan, South-West and Warren. The FMP was developed in the context of all of the land categories vested in the Conservation Commission within these regions, including formal CAR reserves. However, the focus of the FMP was on managing State forest and timber reserves and adopted a slightly modified Montréal Criteria¹⁰ of sustainability as the framework within which to identify management actions in line with the principles of ESFM.

For the purpose of this review, conservation reserves included reserves proposed in the WA RFA and the *Forest Management Plan 1994-2003* and carried forward into the FMP, additional reserves following an

⁵ <http://www.fpc.wa.gov.au/>

⁶ <http://www.conservation.wa.gov.au/>

⁷ <http://www.dec.wa.gov.au/index.php>

⁸ http://www.dec.wa.gov.au/pdf/nature/management/protecting_old_growth_forests_policy.pdf

⁹ <http://www.conservation.wa.gov.au/media/1169/forestmanagementplan2004-2013.pdf>

¹⁰ http://www.montrealprocess.org/Resources/Criteria_and_Indicators/index.shtml

assessment of high conservation value forests¹¹ and reserves implemented under the FMP. Where these proposed conservation reserves were adopted, close to half of the land category changes foreshadowed in the FMP were achieved¹².

Management plans for all lands vested in the Conservation Commission were drafted in accordance with Part V of the CALM Act. Draft management plans developed in consultation with community based advisory groups were made available for public comment for a period of no less than two months. The draft plans were published to DEC's website and distributed to key stakeholders. Management plans required approval by the State Environment Minister and approved plans were publicly available from DEC's website. Where an area management plan for conservation reserves had not been developed or was being developed the FMP provided management direction for these areas.

When the FMP was formulated, the objectives were to conserve biodiversity, to sustain the health, vitality and productive capacity of ecosystems, and realise the social, cultural and economic benefits valued by the community, taking into account the principles of ecologically sustainable forest management (ESFM).

In the context of the FMP, ESFM was considered a management system that sought to sustain ecosystem function, while it continued to provide ongoing social and economic benefits to the community through the sustainable access to wood and non-wood forest resources and enjoyment of other forest values.

The proposed actions detailed in the FMP were guided by the principles of ESFM as defined by Section 19(2) of the CALM Act. These principles were: sustainability, precautionary principle, intergenerational equity and, conservation of biodiversity and ecological integrity.

The CALM Act required that timber production in native forest be conducted on a basis of sustained yield. The sustained yield levels and, as such, the availability of wood resources adopted in the FMP were independently reviewed by an expert panel within the context of the principles of ESFM.¹³

4.6 Threatened Flora and Fauna Legislation

When the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) commenced in 2000, it replaced existing Commonwealth legislation, including the *Endangered Species Protection Act 1992* (ESP Act)¹⁴. The EPBC Act provided for listing threatened flora, fauna, ecological communities and key threatening processes, and provided for protection through associated management actions under the EPBC Act.

WA continues to maintain lists of threatened and priority species of flora, fauna and threatened ecological communities¹⁵. The Minister for Environment lists the threatened flora and fauna under the *Wildlife*

¹¹ Ecoscape (Australia) Pty Ltd (2002) *A Review of the High Conservation Values in Western Australia's South-West Forests*. A report to the Conservation Commission of Western Australia, Perth
<http://www.conservation.wa.gov.au/media/842/final%20hcv%20report.pdf>

¹² *Reserves (National Parks and Conservation Parks) Act 2004, Reserves (National Parks, Conservation Parks and Other Reserves) Act 2004, Reserves (National Parks, Conservation Parks, Nature Reserves and Other Reserves) Act 2004*

¹³ Ferguson, I.F., Adams, M., Bradshaw, J., Davey, S., McCormack, R., Young, J (2001a) *Calculating Sustained Yield for the Forest Management Plan (2004-2013): A Preliminary Review*. Report to the Conservation Commission of WA by the Independent Panel. Conservation Commission of Western Australian, Perth

Ferguson, I.F., Adams, M., Bradshaw, J., Davey, S., McCormack, R., Young, J (2003) *Calculating Sustained Yield for the Forest Management Plan (2004-2013) STAGE 3 Report*. Report for the Conservation Commission of Western Australia by the Independent Panel. Conservation Commission of Western Australia, Perth

Expert Panel reports are available at the Conservation Commission website www.conservation.wa.gov.au

¹⁴ http://www.austlii.edu.au/au/legis/cth/num_act/esp1992282/

¹⁵ <http://www.dec.wa.gov.au/management-and-protection/threatened-species.html>

Conservation Act 1950 (WC Act)¹⁶. Recommendations to update the threatened flora and fauna lists are made by the Western Australian Threatened Species Scientific Committee¹⁷ to the State Environment Minister.

The *Australian Government and Western Australian Government Species Information Partnership*¹⁸ aimed to improve information on threatened species listed by both jurisdictions and to enhance alignment, where appropriate, between the national and state lists of threatened species. A Memorandum of Understanding (MOU) was developed (signed 2011) between: the Department of Sustainability, Environment, Water, Population and Communities (Cwth) and DEC and facilitated the administrative process for changes to the respective lists of threatened species and to enhance future alignment of these lists.

Currently there is no legislation covering the conservation of Threatened Ecological Communities (TEC) in WA (WA TECs are protected under the vegetation conservation provisions of the EP Act). Priority flora, fauna and ecological communities do not have statutory standing, but DEC does maintain a list of these species and communities. The presence of these species and communities are considered in land management, planning and assessment activities.

Section 181 of the Commonwealth's EPBC Act provides for listing of threatened ecological communities.

The EPBC Act provides for the Commonwealth to prepare a recovery plan or to adopt a recovery plan prepared by a State or Territory as a national recovery plan. A recovery plan is developed to enable the ongoing conservation of threatened taxa and sets out the management actions necessary to maximise the chances of long-term survival of the taxa. Recovery plans adopted under the EPBC Act remain in force until replaced or repealed.

In WA, recovery plans were full or interim¹⁹. Interim recovery plans were developed when threatened taxa required recovery action in the short-term but there was insufficient information to prepare a full plan. Both recovery plans and interim recovery plans were adopted as national recovery plans under Section 269A(7) of the EPBC Act. Approximately 94 per cent of existing recovery plans in WA were interim.

New or revised recovery plans could be jointly prepared, funded and implemented cooperatively by the Parties. DEC took a lead role when preparing recovery plans applicable to threatened species in WA.

4.7 Natural and Cultural Heritage Legislation

The Register of the National Estate (RNE) was established in the 1970s when heritage protection was not coordinated nationally.

In 2003 the Australian Government amended the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth) (EPBC Act) to provide for a National Heritage List to replace the Register of the National Estate (RNE). At the time it was jointly agreed to suspend further work on identifying places to add to the register. As a result of amendments to the EPBC Act and the *Australian Heritage Council Act 2003* (Cwth) (AHC Act) in 2006 the RNE was frozen on 19 February 2007 and no new places could be added, or any existing places, or values of places, removed.

The RNE continued as a statutory register until February 2012. A transition period of five years was provided to allow State and Territories to consider whether places on the RNE should be protected under other statutory provisions or their own heritage registers. During this period the Australian Environment Minister was required to consider information in the RNE in the course of his decision making under the EPBC Act.

¹⁶ http://www.austlii.edu.au/au/legis/wa/consol_act/wca1950236/

¹⁷ <http://www.dec.wa.gov.au/management-and-protection/threatened-species/listing-of-species-and-ecological-communities/threatened-species-scientific-committee.html>

¹⁸ <http://www.environment.gov.au/biodiversity/threatened/publications/wa-species-partnership.html>

¹⁹ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=842&Itemid=2007

Since February 2012, all references to the RNE have been removed from the EPBC Act and AHC Act; however the RNE is maintained on a non-statutory basis as a publicly available archive.

All heritage places on the RNE, National Heritage List and Commonwealth Heritage List can be found by searching the Australian Heritage Database²⁰.

4.8 Protection and Management of Forests on Private Estate

Clearing native vegetation is regulated under the *Environmental Protection Act 1986* (EP Act), the *Environmental Protection Regulations (Native Vegetation) 2004* and the *Country Areas Water Supply Act 1947* (CAWS Act). Provisions of the WC Act also apply. Legislative amendments in 2004 replaced the requirement for a *Notification of Intent to Clear* under the *Soil and Land Conservation Regulations 1992* with a Clearing Permit under the EP Act.

Clearing native vegetation is prohibited unless a clearing permit is granted or clearing is for an exempt purpose as defined by regulation. Clearing regulations only apply to native vegetation. The definition of native vegetation in accordance with the EP Act does not include native species in a plantation. A plantation, in accordance with Section 3 of the EP Act, means ‘one or more groups of trees, shrubs or plants intentionally sown, planted or propagated with a view to commercial exploitation’.

Removing vegetation from private native forest for the purpose of silviculture requires a clearing permit under the EP Act and, where produce is being sold, a Commercial Producers Licence under the WC Act. A clearing permit may contain vegetation management conditions to restore the understorey disturbed by the silvicultural operations, retain mature trees and set a basal area for habitat and exclude stock to ensure the remaining vegetation can continue to function due to the disturbance and will recover in the future. A licence to clear in a controlled catchment under the *Country Areas Water Supply Act 1947* (CAWS Act) is not required where a clearing permit has been issued under the EP Act.

4.9 Industry Development

Industry development has taken various forms since the WA RFA was signed. The Parties funded and administered a number of structural adjustment programs. These programs aimed to assist individuals and businesses adapt to changes in the wood industry brought about by the reduced levels of sustained yield from State forest. Additionally, WA developed strategies to establish plantations with the aim of supplementing wood products from native forests with plantation grown wood products.

The Commonwealth funded and administered a \$20 million program in response to commitments made under Clause 98 of the WA RFA. Of the \$20 million provided; \$5 million was administered by the former Department of Transport and Regional Services for the *Timber Industry Road Evaluation Study in the Great Southern Region of WA*²¹; \$12.5 million was administered by the Department of Agriculture, Fisheries and Forestry (DAFF) under the Forestry Assistance Program for WA to “assist the continuing development of a sustainable, efficient, value adding and internationally competitive timber industry in Western Australia” and \$2.5 million, also administered by DAFF, under the Grants for Forest Communities Program “to provide funding opportunities for community based initiatives or small businesses that can demonstrate innovative projects that create employment and are related to the forest and wood product industries”.

As part of implementing the *Protecting our old-growth forests* policy a number of State agencies were given responsibility for implementing a range of programs with a budget of \$161 million. The *Business Exit Assistance Program* at \$74 million was designed to provide financial assistance to help eligible businesses completely or partially leave the native forest timber industry. The *Workers Assistance Program*, at \$27.3

²⁰ <http://www.environment.gov.au/cgi-bin/ahdb/search.pl>

²¹ http://www.planningplantations.com.au/assets/content/plantation_management/transport/cooperative.html

million, provided retrenched workers in the native forest timber industry with redundancy top up payments, training support and assistance to purchase new equipment.

As part of the *Action Plan for Tree Farming in Western Australia*²² launched in 2002, Industry Development Plans were developed for:

- eucalypt sawlog in the central south-west recovery catchments
- radiata pine in the south-west, and
- maritime pine in the mid-west and Esperance.

In January 2004, the *Government of Western Australia Forest Industry Statement*²³ was released, with the following vision:

- A high value native forest timber industry, providing high levels of employment and robust economic value in the south-west region.
- The efficient use of native wood not suitable for high value uses.
- A profitable plantation industry producing a range of commodity products for local, interstate and overseas markets including construction wood, panels, and fibre for pulp and paper products.
- A growing tree farm estate in lower rainfall agricultural areas contributing environmental services (control of salinity, waterlogging, erosion and sequestration of carbon dioxide) as well as new and diversified industry in regional WA.

Through *Western Australia's Strategy for Plantations and Farm Forestry 2008-2012*²⁴ a number of critical success factors were identified that needed to be addressed to support the vision for a successful plantation and farm forestry industry in WA. These were:

- Identify a lead State agency to coordinate a whole-of-Government (Western Australian Government) approach to plantations and farm forestry and to implement the Strategy.
- Develop mechanisms to encourage investment that will support integration of plantations and farm forestry with agriculture in the State's medium and lower rainfall areas.
- Facilitate industry development planning for future plantations and farm forestry, and value-adding processing industries.
- Support research and development to optimise profitability of existing plantation investment, and develop new tree crops for medium and lower rainfall areas where commercial options are currently limited.
- Establish a consistent framework for land use planning for plantations and farm forestry on cleared private land.

In 2008, the viability of the FPC and its future direction were reviewed. In response the Western Australian government announced that the FPC would return to focusing on its core business of providing wood to the industry²⁵ specifically native hardwoods, mature pine plantations and sandalwood²⁶.

²² http://www.fpc.wa.gov.au/content_migration/_assets/documents/about_us/publications/action_plan.pdf

²³ http://www.fpc.wa.gov.au/content_migration/_assets/documents/about_us/publications/forest_industry_statement1.pdf

²⁴ http://www.fpc.wa.gov.au/content_migration/_assets/documents/plantations/wa_plantation_farm_forestry_strategy_2008-12.pdf

²⁵ <http://www.mediastatements.wa.gov.au/Pages/StatementDetails.aspx?StatId=2145&listName=StatementsBarnett>

²⁶ <http://www.mediastatements.wa.gov.au/Pages/StatementDetails.aspx?StatId=2920&listName=StatementsBarnett>

5. Progress against milestones and commitments

Since signing the WA RFA in 1999, the Parties have made significant progress in implementing the milestones and commitments and intent of the agreement while acknowledging delays in timelines for completion of certain activities. Close to 90 per cent of the WA RFA milestones and commitments were achieved or achieved in a modified form, achieved in part or are ongoing. Although the shift in the State's policy and legislative direction of forest management during the course of the WA RFA resulted in a significant reduction in sustained yield of wood from native forest and consequent challenges for the timber industry and dependent communities, the WA RFA has played an important role in shaping ecologically sustainable management of native forests.

Following is an outline of the progress for each milestone and commitment to May 2009 encompassing Periods 1 and 2 with further information provided on progress subsequent to this date as indicated. The major headings and relevant numbered clauses under those headings as well as relevant attachments from the WA RFA have been used to provide progress on implementing this report.

5.1 Part 1 Principles of the Agreement

Milestone	Clause number
The process for extending the Agreement for a further period will be agreed by the Parties as part of the fifteen year review set out in Clause 36.	6

This milestone is not yet required.

5.2 Part 2 Functioning of the Agreement

5.2.1 Relationship to Statutory Obligations

Neither Party will seek to use existing or future legislation or a Government Agreement to undermine or impede this Agreement.	Clause number
	19

The commitment was achieved.

The Parties will manage their respective responsibilities with regard to the National Estate in accordance with the provisions of this Agreement as detailed in Attachment 2.	Clause number
	21

This commitment is no longer relevant.

The RNE was established in the 1970s when heritage protection was not coordinated nationally. The level of protection provided by the RNE was limited to consideration of actions by Commonwealth agencies and has been superseded by stronger forms of protection available under the EPBC Act. These include blanket protection of heritage on Commonwealth land and from Commonwealth actions, as well as targeted protection given by the National Heritage List and the Commonwealth Heritage List.

In 1997 the Council of Australian Governments agreed to coordinate heritage protection and remove overlap.

In 2003, the Australian Government amended the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth) (EPBC Act) to provide for a National Heritage List to replace the Register of the National Estate. At the time it was jointly agreed to suspend further work on identifying places to add to the register. As a result of amendments to the EPBC Act and the *Australian Heritage Council Act 2003* (Cwth) (AHC Act) in 2006, the RNE was frozen on 19 February 2007, which meant that no new places could be added, or any existing places, or values of places, removed.

The RNE continued as a statutory register until February 2012. A transition period of five years was provided to allow State and Territories to consider whether places on the RNE should be protected under other statutory provisions or their own heritage registers. During this period the Australian Environment Minister considered information in the RNE when making decisions under the EPBC Act.

Since February 2012, all references to the RNE were removed from the EPBC Act and AHC Act; however, the RNE is maintained on a non-statutory basis as a publicly available archive.

All heritage places on the RNE, National Heritage List and Commonwealth Heritage List can be found by searching the Australian Heritage Database²⁷.

The Commonwealth notes that its obligations to promote endangered species protection and management in the Region will involve ongoing cooperative and jointly funded work with Western Australian agencies.	Clause number 25
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This ongoing commitment was achieved during Period 1 and Period 2.

From 1997 to 2008, the Australian Government National Heritage Trust program²⁸ provided opportunities for agencies, organisations and individuals to obtain funding to undertake actions to protect and conserve threatened species and ecological communities or to contribute to environmental and natural resource management. From 2008, the Australian Government Caring for our Country program²⁹ promotes the objectives of the Australian Government National Heritage Trust program.

The Commonwealth and WA continued to promote protecting and managing threatened species and ecological communities through recovery planning and implementation. Joint Commonwealth-State funded work primarily involved implementing recovery activities for nationally listed (EPBC Act) species. New or revised recovery plans were jointly prepared, funded and implemented cooperatively by the Parties.

The Parties had a Species Information Partnership³⁰ that aimed to improve information on threatened species listed by both jurisdictions and enhanced alignment, where appropriate, between national and state lists of threatened species.

The Parties agree that any potential World Heritage Nomination involving areas in the South-West Forest Region of Western Australia will be from within the CAR Reserve System.	Clause number 26
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This is an ongoing commitment.

There were no World Heritage nominations within the South-West Forest Region of WA for the review period.

Milestone The Parties agree to actively participate in the World Heritage assessment of the Australia-wide Eucalypt theme, including any potential contribution from the South-West Forest Region of Western Australia.	Clause number 27
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This commitment was achieved during Period 1.

The World Heritage assessment component of the Regional Forest Agreement process comprised a joint

²⁷ <http://www.environment.gov.au/cgi-bin/ahdb/search.pl>

²⁸ <http://www.nht.gov.au/> (Archive web page)

²⁹ <http://www.nrm.gov.au/>

³⁰ <http://www.environment.gov.au/biodiversity/threatened/publications/wa-species-partnership.html>

undertaking between the States and the Commonwealth, with stages implemented on the advice of a World Heritage Expert Panel to the governments. In March 1999, an Expert Workshop investigated the possible World Heritage sub-theme of eucalypt-dominated vegetation. A draft report³¹ was produced in August 1999.

Any further development of World Heritage assessments of the eucalypt sub-theme were subject to bilateral discussions between the States and the Commonwealth and took place independently of the Regional Forest Agreement process.

The Parties note that in order to progress work and then proceed to World Heritage Nomination, the agreement of all relevant governments will be required.	Clause number 28
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This is an ongoing commitment.

There were no World Heritage nominations within the South-West Forest Region of WA for the review period.

The Commonwealth agrees that it will give full consideration to the potential socio-economic consequences of any World Heritage Nomination of places in the South-West Forest Region of Western Australia and that any such nomination will only occur after the fullest consultation and with agreement of the State.	Clause number 29
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This is an ongoing commitment.

There were no World Heritage nominations within the South-West Forest Region of WA for the review period.

The Parties agree that before any World Heritage Nomination is made: (a) all necessary management arrangements, including joint policy coordination arrangements will be agreed; and (b) all related funding issues will be resolved to the satisfaction of both Parties.	Clause number 30
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This is an ongoing commitment.

There were no World Heritage nominations within the South-West Forest Region of WA for the review period.

The Parties note that controls under the <i>Export Control Act 1982</i> (Cwth) will apply to hardwood Woodchips or Unprocessed Wood sourced from the South-West Forest Region of Western Australia while this Agreement is in place.	Clause number 32
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This is an ongoing commitment.

The *Export Control (Hardwood Wood Chips) Regulations 1996*³² made under the *Export Control Act 1982* (Cwth) [EC Act] ensured that woodchips derived from hardwood native forests were only permitted to be exported if they were:

- (i) derived from a region to which a RFA applied, or
- (ii) exported under a restricted shipment licence.

As the WA RFA came into force in 1999, under the *Export Control (Regional Forest Agreements)*

³¹ <http://www.daff.gov.au/rfa/publications/whpep-meeting>

³² http://www.austlii.edu.au/au/legis/cth/consol_reg/ecwcr1996495/

*Regulations 1997*³³ all export controls on woodchips and other processed wood from the WA RFA region (except that sourced from plantations) were lifted.

In regard to plantation-based material, under amendments to the *Export Control (Unprocessed Wood) Regulations 1986*³⁴, the requirement for export licences did not apply in WA since *The Code of Practice for Timber Plantations in Western Australia*³⁵ satisfactorily protected environment and heritage values.

Western Australia confirms its commitment to the ongoing implementation of its plans, Codes of Practice and guidelines relevant to the achievement of Ecologically Sustainable Forest Management.	Clause number 33
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This ongoing commitment was achieved during Period 1 and Period 2.

WA confirmed that ESFM was an objective which required a long-term commitment to continuous improvement and that the key elements for achieving this objective were establishing a CAR reserve system, developing internationally competitive wood and forest products industries, and implementing a fully integrated, strategic, and adaptive forest management system in the WA RFA region.

The Parties agreed that WA's processes and systems provided for ESFM in the WA RFA region, and that these processes and systems were accredited in the WA RFA.

The FMP was developed to account for the principles of ESFM. The FMP adopted a modified Montréal Process Criteria as the framework from which a range of management actions were identified to achieve the principles of ESFM.

The Montréal Process Criteria were:

- conserving biological diversity
- maintaining productive capacity of forest ecosystems
- maintaining forest ecosystem health and vitality
- conserving and maintaining soil and water resources
- maintaining forest contribution to global carbon cycles
- maintaining and enhancing long-term multiple socio-economic benefits to meet the needs of societies, and
- legal, policy and institutional framework.

The FMP modified framework encompassed:

- biological diversity
- productive capacity
- ecosystem health and vitality
- soil and water
- global carbon cycles
- natural and cultural heritage
- socio-economic benefits, and
- plan implementation.

³³ http://www.austlii.edu.au/au/legis/cth/num_reg/ecfar1997n77586/

³⁴ <http://www.comlaw.gov.au/Details/F2004C00229>

³⁵ <http://www.forestindustries.com.au/upload/Code%20of%20Practice%20for%20Timber%20Plantations%20in%20WA%202006.pdf>

DEC and the FPC were guided in their operations by the requirements of the FMP and subsidiary guidance documents. A range of guidance documents and manuals was developed which gave effect to ESFM, these were listed at Appendix 1 of the FMP. Key guidance documents were published on DEC's website³⁶.

The Parties noted that the responses provided at Appendix 3 (relating to the commitments from Attachment 5 of WA RFA) demonstrated WA's achievement and implementation of ESFM.

The FPC and DEC also operated under the provisions of the FP Act and the *Forest Management Regulations 1993*³⁷ and managed operations in native forests in accordance with the following guidance documents: *Code of Practice for Timber Harvesting in Western Australia*, *Manual of Management Guidelines for Timber Harvesting in Western Australia* and the *Contractors' Timber Harvesting Manual, South West Native Forests*³⁸.

5.2.2 Milestones

Milestone	Clause number
This Agreement establishes milestones (Attachment 3) and the Parties agree to provide each other with an annual report detailing their achievement of the milestones for the first four years, and then as they fall due and as part of the five-yearly reviews and report in accordance with Clauses 36 and 37. Public annual reporting on the achievement of milestones during the first four years will be through a brief statement in the annual report of the relevant agency.	34

This milestone was achieved in part during Period 1 and Period 2.

The Commonwealth and the then CALM collaborated on and tabled the annual report for 1999-2000. Although they collaborated on the annual report for 2000-2001, annual reporting by the Parties on the progress towards implementing the WA RFA did not occur between 2000 and 2004 as State resources shifted to implementing the *Protecting our old-growth forests* policy and preparing the FMP.

From 1999 to 2003, reporting against progress on implementing the WA RFA occurred in the form of statements in agency annual reports by the then CALM, and the FPC. Agency annual reports are available online.³⁹

DEC and the FPC reported to the Conservation Commission on the progress of implementing actions under the FMP⁴⁰ through annual implementation status reports (DEC to 2007 only).

The Parties agree that, where the Agreement provides for the commissioning of external reviews, suitably qualified experts will be used.	Clause number
	35

This ongoing commitment was achieved during Period 1 and Period 2.

When the FMP was prepared, a suite of reviews and papers was developed. It covered social and economic assessments and environmental aspects and implications of preparing and implementing a FMP in context of the then Labor Government's *Protecting our old-growth forests*. A list of reviews and papers is at Appendix 8. A number of these documents were available online from the Conservation Commission website.

³⁶ <http://www.dec.wa.gov.au/management-and-protection/forests/forest-management-planning/forest-management-plan-2004-2013.html>

³⁷ http://www.austlii.edu.au/au/legis/wa/consol_reg/fmr1993290/

³⁸ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=6857&Itemid=2431

³⁹ DEC: <http://www.dec.wa.gov.au/about-us/about-dec/annual-reports.html>

FPC: http://www.fpc.wa.gov.au/content_migration/about_us/annual_report/annual_report_1112.aspx

⁴⁰ http://www.fpc.wa.gov.au/content_migration/environment/performance_achievements.aspx
<http://www.conservation.wa.gov.au/>

5.2.3 Five-yearly review/report on performance

Milestone The Parties note that under the CALM Act, Forest Management Plans are revised every ten years. Towards the end of the first and third five year periods of this Regional Forest Agreement, a joint Commonwealth/Western Australian review on performance against the milestones and commitments made in this Agreement will be undertaken at the same time as the Forest Management Plan revision process, thereby taking into account the required Environmental Protection Authority assessment of, and recommendations on, the revised Forest Management Plans due at those times and the associated statutory public consultation processes. The Commonwealth and the State will jointly report on performance before the end of the second five year period of this Agreement.	Clause number 36
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This milestone was achieved in part during Period 1.

This report outlines the progress against milestones and commitments and constitutes the first and second five-yearly reviews of implementing the WA RFA. This report was developed jointly between the Parties.

Milestone The mechanisms for these joint reviews/report will be agreed by the Parties within six months of the signing of this Agreement and the reviews/report will be completed within three months after the completion of each five-year period.	Clause number 37
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This ongoing milestone was achieved during Period 1 and achieved in part during Period 2.

The Parties agreed to the mechanisms as outlined in the *Annual Report – June 2000 Regional Forest Agreement for the South-West Forest Region of Western Australia*⁴¹. A scoping agreement *First and Second Review of Progress with Implementation of the Regional Forest Agreement for the South-West Forest Region of Western Australia* was signed at a Ministerial level in 2013⁴².

The WA RFA reviews were not completed within the timeframes envisaged in the WA RFA. This report constitutes the five (Period 1 – 1999 to 2004) and 10 (Period 2 – 2005 to 2009) year reviews of performance, by both Parties, on implementing the milestones and commitments of the WA RFA.

Milestone While these five year reviews/report on performance will not open up the Agreement to re-negotiation, both Parties may agree to some minor modifications to incorporate the results of the reviews or report on performance. The outcomes of the reviews and the report on performance will be made public.	Clause number 38
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This ongoing milestone was achieved during Period 1 and Period 2.

No modifications were required to the WA RFA during Period 1 and Period 2.

In accordance with the WA RFA, this report will be made available to the public through distribution to key stakeholders, publishing to relevant websites and advertising in relevant newspapers.

⁴¹ <http://www.daff.gov.au/rfa/publications/annual-reports/wa>

⁴² <http://www.dpaw.wa.gov.au>

The Commonwealth will table in the Commonwealth Parliament the signed Regional Forest Agreement and when completed the annual reports detailing achievement of the milestones for the first four years of the Agreement and the first five year review on performance against milestones and commitments.	Clause number 39
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This ongoing commitment was achieved in part during Period 1 and Period 2.

The signed WA RFA was tabled in the Commonwealth Parliament on 13 October 1999.

The *Annual Report – June 2000 Regional Forest Agreement for the South-West Forest Region of Western Australia* was tabled in the Commonwealth Parliament on 23 May 2001.

The Parties agree that ESFM is an objective which requires a long-term commitment to continuous improvement and that the key elements for achieving it are: a) the establishment of a CAR Reserve System (Attachment 1); b) the development of internationally competitive Forest-based industries; and c) a fully integrated and strategic Forest Management System capable of responding to new information.	Clause number 40
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This is an ongoing commitment.

Detailed responses to this Clause are provided at:

- Section 5.5 and Appendix 1 for part (a)
- Section 5.6 and Appendix 9 for part (b), and
- Appendix 3 for part (c).

5.3 Ecologically sustainable forest management

Milestone Within 5 years of the date of this Agreement, Western Australia will further improve its Forest Management System and processes through the development and implementation of environmental management systems in accordance with the principles specified in Attachment 13 (of the RFA) and the actions identified in Attachment 5 (of the RFA) and acknowledges that its objective for native forest management under the CALM Act is system certification comparable with ISO 14000 series. The Parties note that such a system would include independent auditing of compliance with Codes of Practice and the Forest Management Plan.	Clause number 42
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This ongoing milestone was achieved in part during Period 1 and Period 2.

The key principles of an environmental management system as outlined by Attachment 13 of the WA RFA were:

- (a) An appropriate environmental policy should be in place.
- (b) The environmental aspects arising from the organisation's past, existing or planned activities, products or services should be identified to determine the environmental impact of significance.
- (c) Relevant legislative and regulatory requirements should be identified.
- (d) Priorities should be identified and appropriate environmental objectives and targets set.
- (e) A structure and program(s) to implement the policy and achieve objectives and targets should be established.

- (f) Planning, control, monitoring, corrective action, auditing and review activities should be facilitated to ensure both the policy is complied with and the Environmental Management System (EMS) remains appropriate.
- (g) The system should be capable of adapting to changing circumstances.

The FPC, as an organisation, achieved EMS certification for its native forest operations under ISO 14001 on 11 July 2001 and for whole of agency in 2007-2008. FPC achieved forest management certification under *The Australian Forestry Standard AS4708-2007* (AFS) for the karri forest operations in March 2009 and for all forest operations in July 2009. NCS International, an independent third-party certification body⁴³, audited FPC's operations to maintain accreditation of its EMS and the AFS.

The milestones and commitments detailed in Attachment 5 of the WA RFA, *Improvements to Western Australia's Forest Management Systems on Public Land*, were achieved in part during Period 1 and Period 2. The intent of the milestones and commitments in Attachment 5 were captured through the management actions of the FMP, for example, improving forest health surveillance through extensive mapping of *Phytophthora* dieback in jarrah forest and developing comprehensive guidance documents to minimise soil disturbance. The DEC and the FPC reported against the management actions of the FMP through annual implementation status reports (DEC to 2007 only) and the mid-term audit of performance report of the FMP submitted by the Conservation Commission to the EPA in December 2008.

Appendix 3 has more detailed information regarding improvements to manage forest on WA's public lands.

Milestone	Clause number
Western Australia agrees to produce and publish a Forest Management Plan to implement the commitments of this Agreement by 30 June 2004 taking into account the importance of RFA certainty and commencing the planning process by early 2001.	43

This commitment was achieved during the Period 1.

The FMP commenced on 1 January 2004 and gave effect to the values and intent of the WA RFA.

The FMP implemented and extended the requirements of the CAR reserve system (refer to Appendices 2, 8 and 9 of the FMP), but implementing elements of the *Protecting our old-growth forest* policy resulted in modified industry outcomes from those agreed in the WA RFA, in particular reduced sustained yields.

Milestone	Clause number
Western Australia agrees to further develop and implement the Forest Management System for Private Lands in accordance with Attachment 6 (of the RFA).	44

This ongoing commitment was achieved during Period 1 and Period 2.

DEC managed native vegetation on private lands principally through the clearing provisions of the EP Act and associated regulations. DEC also delivered a number of programs that, through partnerships between private landowners, government and other agencies, were dedicated to protecting the natural values of bushland located outside the conservation reserve system⁴⁴.

Further detail on the status of forest management on private lands is at Appendix 4.

⁴³ <http://www.ncsi.com.au/as4708.html>

⁴⁴ <http://www.dec.wa.gov.au/management-and-protection/conservation-on-other-lands.html>

Western Australia confirms that the Sustained Yield for native forest on Public Land will continue to be based on areas available for timber harvesting outside the CAR Reserve System and that the average annual cut will be within Sustained Yield in the 10 year period of each Forest Management Plan.	Clause number 45
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This ongoing commitment was achieved during Period 1 and Period 2.

The calculated sustained yield for native forest wood resource in State forest was based on areas available for timber harvesting outside the formal and informal reserve system, including the CAR reserve system, identified in the FMP.

The CALM Act required that production and harvesting of forest produce from State forest and timber reserves be conducted on a basis of sustained yield. An independent panel of experts (Ferguson *et al.* 2003)⁴⁵ reviewed the data and methodology used in the sustained yield calculations for the FMP.

Objective 11 of the FMP, *Sustained yield*, outlined the average annual yield for 10 years prescribed for jarrah and karri first and second grade sawlogs as 131,000 cubic metres and 54,000 cubic metres respectively.

Key performance indicator (KPI) 5 assessed the annual removal of wood products compared to the sustained yield determined by the FMP.

Data for 2004 to 2007 are presented in Tables 2 and 3.

First and second grade sawlogs

With the exception of 2006 for karri sawlogs, the annual removal of first and second grade sawlogs was within the FMP prescribed target of no more than 10 per cent above the average annual yield in each year. In 2006, the upper limit for karri was exceeded by less than two per cent, although this was relative to a significant undercut in previous years. For both species, the three-year periodic out-turn has been within the performance target.

Table 2. Jarrah first and second grade sawlog removals during 2004 to 2007 relative to the 131,000 cubic metres average annual sustained yield for 10 years

Jarrah first and second grade sawlog volume (cubic metres)							
Annual volumes				Cumulative volumes			
Year	KPI 5 upper limit [^]	Annual removals	Variation	Period	KPI 5 upper limit [†]	Periodic removals	Variation
2004	144,100	120,251	- 23,849				
2005	144,100	135,677	- 8,423				
2006	144,100	120,507	- 23,593				
2007	144,100	122,598	- 21,502				
				2004 to 2006	412,650	376,435	- 36,215
				2005 to 2007	412,650	378,782	- 33,868

[^] This figure represents the annual average sustained yield multiplied by 1.1 i.e. not more than 10 per cent over the annual average sustained yield.

[†] This figure is the KPI specified limit for three consecutive years.

Table 3. Karri first and second grade sawlog removals during 2004 to 2007 relative to the 54,000 cubic metres average annual sustained yield for 10 years

Karri first and second grade sawlog volume (cubic metres)							
Annual volumes				Cumulative volumes			
Year	KPI 5 upper limit [^]	Annual removals	Variation	Period	KPI 5 upper limit [†]	Periodic removals	Variation
2004	59,400	51,986	- 7,414				
2005	59,400	53,691	- 5,709				

⁴⁵ <http://www.conservation.wa.gov.au/media/794/CalculatingSustainedYield.pdf>

Karri first and second grade sawlog volume (cubic metres)							
Annual volumes				Cumulative volumes			
Year	KPI 5 upper limit [^]	Annual removals	Variation	Period	KPI 5 upper limit [†]	Periodic removals	Variation
2006	59,400	60,325	+ 925				
2007	59,400	55,151 [*]	- 4,249				
				2004 to 2006	170,100	166,002	- 4,098
				2005 to 2007	170,100	169,167	- 933

* Figure incorporates an adjustment to the raw delivery data to reflect a change in the minimum sawlog size that was accepted by customers in 2007.

[^] This figure represents the annual average sustained yield multiplied by 1.1 i.e. not more than 10 per cent over the annual average sustained yield.

[†] This figure is the KPI specified limit for three consecutive years.

Annual removal of other jarrah log products

The annual and cumulative removals of jarrah other bole⁴⁶ volume to the end of 2007 were significantly below the upper limits specified in the FMP's Table 4 with annual removals being between 132,432 cubic metres and 201,804 cubic metres relative to the annual average availability of 534,000 cubic metres.

Annual removal of marri bole logs

The annual and cumulative removals of marri bole logs to the end of 2007 were significantly less than the upper limits specified in Table 4 of the FMP with annual removals being between 7,326 cubic metres and 25,989 cubic metres relative to the annual average availability of 196,000 cubic metres. This primarily reflected the absence of a market for the non-sawlog, lower quality logs.

The annual removal of other jarrah log products and marri bole logs was discussed in detail in the report on KPI 5 from the mid-term audit of performance of the FMP (December 2008)⁴⁷.

Annual removal of other karri log products

Karri other bole volume (KOBV) was defined as the volume of all wood within the tree bole that was not of first and second grade sawlog quality. The FMP provided for an annual average available limit over 10 years of 160,000 cubic metres⁴⁸.

Table 4. Karri other bole volume annual removals during 2004 to 2007 relative to the FMP specified limit

Karri other bole volume (cubic metres)					
Year	Annual removals	Amended FMP average annual availability	Cumulative total removals	FMP average annual cumulative quantity	Cumulative variation (Actual – FMP)
2004	143,504	160,000	143,504	160,000	- 16,496
2005	147,252	160,000	290,756	320,000	- 29,244
2006	170,249	160,000	461,005	480,000	- 18,995
2007	148,727 [*]	160,000	609,732	640,000	- 30,268
2008	163,575 [*]	160,000	773,307	800,000	- 26,693
2009	111,243 [*]	160,000	884,550	960,000	- 75,450

* Figure incorporates an adjustment to the raw delivery data to reflect a change in the minimum sawlog size (and hence proportion sold as other bole volume) that customers accepted.

Annual removal of other wood species product

The quantities harvested for other species did not exceed an annual average volume of 1,300 cubic metres of wandoo, 1,600 cubic metres of blackbutt and 1,900 cubic metres of sheoak. The FPC reported on the production levels of these species for each year through ongoing annual reporting, *Log Production from Crown Land and private property*⁴⁹.

⁴⁶ The FMP defines 'Other bole log' as a log cut from the bole of a tree that is below second grade sawlog specifications and may also be referred to as third grade sawlog.

⁴⁷ http://www.conservation.wa.gov.au/media/7582/fmp_mid_term_audit_report_200308.pdf

⁴⁸ The FMP was amended 1 November 2011:

http://www.dec.wa.gov.au/index.php?option=com_docman&task=doc_download&gid=6147&Itemid=

⁴⁹ http://www.fpc.wa.gov.au/content_migration/about_us/annual_report/FY0910/Default.aspx

5.3.1 Monitoring, Reporting and Consultative Mechanisms

Milestone	Clause number
Western Australia will report on the results of monitoring of sustainability indicators as part of each 5 year review and report in accordance with Clauses 36 and 37.	46

This ongoing milestone was achieved in part during Period 1 and Period 2.

WA contributed to the report on the Montréal Process Criteria and Indicators through *Australia's State of the Forests Report (SOFR)*⁵⁰. The Commonwealth released SOFR 2003 in September 2003 and SOFR 2008 in May 2008 to fulfil the *National Forests Policy Statement*⁵¹ commitment to provide the Australian public with forest sustainability reports every five years and international reporting requirements under the inter-governmental Montréal Process.

The FMP required that a range of KPIs be reported against to assess the plan's implementation. A KPI report comprised part of the mid-term audit of performance of the FMP (December 2008) which was submitted to the Environmental Protection Authority (EPA). The KPIs were aligned with the modified Montréal Process Criteria used to develop the FMP. Protocols were developed⁵² to collect and analyse the data to report against the KPIs.

Comprehensive Regional Assessments, the development of criteria and indicators for sustainable forest management through the Montréal Process and the development of this Agreement have provided extensive opportunities for public participation and reporting. Parties note the range of reporting and consultative mechanisms that currently exist in Western Australia (see Attachment 4 of WA RFA) and agree that Western Australia will further develop these by implementing the improvements specified in Attachment 4.	Clause number
	47

This ongoing commitment was achieved during Period 1 and Period 2.

Attachment 4 of the WA RFA provided a list of planning and management activities undertaken in the WA RFA region and the level of community consultation and public reporting. Attachment 4 also listed a range of improvements to these mechanisms, including consulting on cultural heritage and research priorities and extending the opportunity for the public to examine operational planning.

DEC and the FPC introduced three-yearly⁵³ and annual timber harvest plans⁵⁴, respectively, which were made available to the public. DEC also prepared regional master burn plans in consultation with the community⁵⁵.

More detail on the improvements to public participation and reporting are outlined in Appendix 2.

⁵⁰ <http://www.daff.gov.au/forestsaustralia>

⁵¹ <http://www.daff.gov.au/forestry/policies/statement>

⁵² http://www.dec.wa.gov.au/component/docman/doc_download/6248-protocols-for-measuring-and-reporting-on-the-key-performance-indicators-of-the-forest-management-pla.html?Itemid=

⁵³ <http://www.dec.wa.gov.au/management-and-protection/forests/forest-resources/three-year-indicative-timber-harvest-plan-for-native-forests.html>

⁵⁴ http://www.fpc.wa.gov.au/content_migration/native_forests/harvest_plans/2011/default.aspx

⁵⁵ <http://www.dec.wa.gov.au/management-and-protection/fire/prescribed-burning/planning-for-prescribed-burning.html?showall=&start=1>

5.3.2 Accreditation

The Parties agree that Western Australia's Forest Management System as amended by this Agreement, including improvements specified in Attachments 5 and 6, provide for continuing improvement in relation to ESFM. The Commonwealth accredits as providing for ESFM Western Australia's Forest Management Systems, as amended by this Agreement.	Clause number 48
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The Parties agreed to this ongoing commitment.

The FMP covered a 10-year period and was the key policy document for managing south-west forests at a whole of forest, landscape and operational scale. This FMP specifically identified continual improvement and adaptive management⁵⁶ to achieve the proposed actions: DEC and the FPC reported on implementing these actions in implementation status reports and the mid-term audit of performance report on the FMP.

The FPC was certified to *The Australian Forestry Standard* (AS 4708-2007), which required compliance with requirements⁵⁷ that included addressing continual improvement to its forest management system. A forest management certificate achieved through an accredited third-party independent certification body demonstrated such compliance.

Improvements to forest management on public and private lands were outlined in responses to Clauses 42 and 44 and at Appendices 3 and 4.

Milestone The Commonwealth accredits the process described in <i>An Appraisal of Methods and Data used by CALM to Estimate Wood Resource Yields for the South-West RFA Region of Western Australia</i> (Turner B.J., Department of Forestry, Australian National University, December 1997) and being used by CALM in the calculation of Sustained Yield of wood products from the public native Forest and plantation estate on the understanding that the improvements recommended in that report will be addressed prior to the development of the next Forest Management Plan. Western Australia agrees that the methods and data to be used in the calculation of the Sustained Yield of wood products from the public native Forest and the Sustained Yield figures to be included in the Forest Management Plans will be reviewed by a panel of suitably qualified independent experts as part of the development of each Forest Management Plan under the CALM Act and improvements incorporated during the forest management planning process. Western Australia confirms that its current standard of inventory will be maintained and yield and planning databases and systems, as amended by this Agreement, will be enhanced.	Clause number 50
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This milestone was achieved during Period 1 and Period 2.

The improvements recommended in *An Appraisal of Methods and Data used by CALM to Estimate Wood Resource Yields for the South-West RFA Region of Western Australia* (Turner 1998)⁵⁸ were addressed prior to developing the FMP. A number of the recommendations were ongoing as part of the continued improvement of collecting and analysing data used to calculate the sustained yield.

Suggested improvements recommended by Turner were:

1. *New growth models for jarrah forest regrowth to reflect changes in silviculture were needed, covering the full range of sites.*

⁵⁶ Extracted from the Foreword to *Forest Management Plan 2004-2013* (Page 6).

⁵⁸ http://www.dec.wa.gov.au/pdf/nature/forest/sy_review/Turner98.pdf

This process was ongoing. DEC actively engaged in improving jarrah regrowth forest modelling through on-ground inventory assessments, re-stratification of jarrah forests to better reflect silvicultural and site variation across the forest and enhanced statistical models used to project growth and yields of stands.

2. *Re-examine growth models for karri regrowth to ensure they meet any requirements to consider varied silvicultural approaches arising from ESFM considerations and to incorporate new measurement data for the full range of sites.*

This process was ongoing and DEC actively engaged in this program. A computer system was developed to improve the estimation of the wood yields arising from areas of forest harvested to any silvicultural practice.

3. *Evaluate the desirability of a strategic-level re-inventory of the mature karri forest with consideration given to modern efficient designs.*

This was completed from 2002 to 2003. A new inventory of geographically dispersed mature karri forest was undertaken from 2002 to 2003 to obtain a more reliable estimate of standing volume of wood resources.

4. *The way in which sustainable yield strategies are selected and evaluated be made more explicit so the process could be replicated by following stated rules.*

This was completed for the preparation of the sustained yield calculations accompanying the FMP. A rule set was developed and is replicable.

5. *Seriously consider the extension of FORSCHEd to automate the iterative process of selecting acceptable solutions either by some heuristic process or by an optimisation approach, for which the US Forest Service's Spectrum, augmented for spatial feasibility, is highly recommended.*

DEC investigated the United States Forest Service's Spectrum program⁵⁹ and it was concluded that it would be inappropriate to apply to the south-west forests, so an alternative approach was adopted. FORSCHEd⁶⁰ was extended and further developed to ensure the system remained applicable and relevant to the south-west forests.

A suitably qualified panel of independent experts (Ferguson *et. al.* 2001a, 2001b and 2003) reviewed the data and calculation method used to derive the sustained yield figures for the FMP. Where appropriate, the recommendations of the panel were incorporated into the FMP. The review by the panel fulfilled this milestone and facilitated the calculation of the FMP sustained yield figures.

A suite of enhancements relating to inventory, yield and planning databases and systems was undertaken by DEC as recommended in the range of reviews carried out for the WA RFA and as part of developing and implementing the FMP.

There was an ongoing commitment to maintain the integrity of inventory, yield and planning databases and systems. This commitment was demonstrated by enhancing and maintaining inventory datasets, silvicultural and use of monitoring systems, and redeveloping wood scheduling software, which included:

- data updates and biometric modelling projects that provided a major refinement of the basis for calculating the sustained timber yields
- modelling of disease occurrence and impact on sustained yields over all forest landscapes
- new inventory for mature karri forests
- developing a computer module to make an inventory, assess and model wood yields made available from the range of silvicultural objectives (SILVIA⁶¹)

⁵⁹ <http://nrs.fs.fed.us/pubs/gtr/other/gtr-nc205/pdffiles/p53.pdf>

⁶⁰ FORESCHEd is the Wood-flow Scheduling System. It is an in-house system used for strategic wood-flow calculations and sustained yield for south-west native forests. DEC is the custodian of this system.

⁶¹ SILVIA stands for Silvicultural Impact Analysis. It is an in-house computer application which simulates tree marking prescriptions across selected plot and predicts harvest volumes and retained stem distribution in south-west native forests. DEC is the custodian of this system.

- re-stratifying jarrah and karri forests to better reflect the geographic, silvicultural and site variation relevant to current and potential wood yields, and
- increasing field measurement programs to monitor yields and silvicultural standards realised in timber harvest operations.

5.3.3 Sustainability indicators

<p>Milestone The Parties agree that the current Forest Management System will be enhanced by further developing appropriate mechanisms to monitor and review the sustainability of Forest management practices. To ensure that this occurs, in consultation with the Commonwealth, the State agrees to establish an appropriate set of sustainability indicators to monitor Forest changes. Any indicators established will be consistent with the Montréal Process Criteria (as amended from time to time), the current form of which is specified in Attachment 7, and will take into account the framework of regional indicators developed by the Montréal Process Implementation Group. Western Australia will implement those indicators which are practical, measurable, cost-effective and capable of being implemented at the regional level and will monitor them at an appropriate frequency determined in consultation with the Commonwealth.</p>	<p>Clause number 51</p>
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This milestone was achieved in part during Period 1 and Period 2.

Attachment 7 of the WA RFA detailed the Montréal Process Criteria for the conservation and sustainable management of temperate and boreal forests. The FMP was developed using a modified Montréal Process Criteria. The response to Clause 33 outlined the criteria adopted for the FMP. A range of KPIs was developed to measure the achievement against the management actions identified to meet the objectives of each criterion, with the exception of the global carbon cycles. The KPIs also considered *Australia’s Sustainable Forest Management Framework of Criteria and Indicators 2008* developed by the Montréal Process Implementation Group⁶².

<p>Milestone Development of indicators, and collection of results for those indicators which can be readily implemented, will be completed in time to enable reporting during the first five-yearly review of this Agreement.</p>	<p>Clause number 52</p>
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This milestone was achieved in part during Period 1.

A range of KPIs was developed covering the modified Montréal Process Criteria used to prepare the FMP, with the exception of the global carbon cycles.

A KPI report comprised part of the mid-term audit of performance of the FMP submitted to the EPA in December 2008.

The response to Clause 46 also provided information on the timing and development of the KPIs from the FMP.

⁶² <http://adl.brs.gov.au/forestsaustralia/framework/index.html>

5.3.4 Private land

The Parties reaffirm their commitments made in the NFPS to the conservation and management of the private Forest estate. The Parties note that Western Australia has a management system in place that regulates the clearance of native Forest on Private Land.	Clause number 53
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This ongoing commitment was achieved during Period 1 and Period 2.

Clearing native vegetation was regulated and approved through the EP Act and associated regulations. Native vegetation could only be cleared with the authority of a clearing permit, unless the proposed clearing was subject to an exemption. Certain clearing activities that could be exempt were outlined in *A guide to the exemptions and regulations for clearing native vegetation*⁶³.

Applications for clearing were assessed against 10 principles, which considered biodiversity, land degradation and water quality. The principles are listed in Schedule 5 of the EP Act.

Clearing regulations only applied to native vegetation. The definition of native vegetation in accordance with the EP Act did not include native species in a plantation. A plantation was defined in accordance with Section 3 of the EP Act.

Appendix 4 details how WA manages private forests, providing an overview of the clearing provisions of the EP Act and the programs delivered by DEC to protect the natural values of bushland located outside the conservation reserve system.

Western Australia will continue to encourage private Forest owners to ensure that their management operations are consistent with the appropriate Codes and to have in place adequate mechanisms to protect nature conservation, heritage, catchment values and sustainable wood production.	Clause number 54
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This ongoing commitment was achieved during Period 1 and Period 2.

*The Code of Practice for Timber Plantations in WA 2006*⁶⁴ was published and was in accordance with the principles for good plantation management as described in the *Forest Practices Related to Wood Production in Plantations: National Principles* (March 1996)⁶⁵. The Code of Practice was a guide for developing plantation management plans and applied to both public and private plantation growers on a range of land tenures.

The FPC and (the then) CALM, in partnership with the Natural Heritage Trust⁶⁶, commissioned a publication, *Managing private native forests and woodlands in the south-west of Western Australia: combining wood production and conservation* (Bradshaw 2005), to assist private forest growers to undertake operations that related to wood production in a manner that helped protect the natural environment. This booklet addressed issues associated with managing private native forests and assisted landowners to develop management plans for their native forest

The FPC provided further assistance to private forestry through farm forestry development officers. The role of these officers was to give information and practical help to support farmers with integrated farm planning, species selection, plantation establishment and silviculture. These officers helped ensure all management was based around sound environmental principles and that all codes of practice were followed to ensure a sustainable system.

⁶³ http://www.dec.wa.gov.au/component/docman/doc_download/5045-a-guide-to-the-exemptions-and-regulations-for-clearing-native-vegetation.html?Itemid=

⁶⁴ <http://www.forestindustries.com.au/upload/Code%20of%20Practice%20for%20Timber%20Plantations%20in%20WA%202006.pdf>

⁶⁵ <http://www.daff.gov.au/forestry/plantation-farm-forestry/principles>

⁶⁶ <http://www.nht.gov.au/>

The FPC worked with external research organisations and the WA timber industry to undertake sawmilling and usage trials on plantation hardwoods. The trials supported the long-term future development of this sector. One particular study was undertaken in 2006 and a final report⁶⁷ was prepared for Forest and Wood Products Australia in 2009.

Appendix 4 of this report details how WA manages practices on the private forest estate, providing an overview of the clearing provisions of the EP Act and the programs delivered by DEC to protect the natural values of bushland located outside the conservation reserve system.

Western Australia will adopt the strategy and principles outlined in Attachment 6 in relation to Private Land.	Clause number 55
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This ongoing commitment was achieved during Period 1 and Period 2.

Attachment 6 of the WA RFA, *Protection and Management of Forests on Private Lands*, outlined strategies and mechanisms that encouraged protecting environmental values of forests on private land.

Appendix 4 details how WA manages practices of the private forest estate, providing an overview of the clearing provisions of the EP Act and the programs delivered by DEC to protect the natural values of bushland located outside the conservation reserve system.

5.4 Threatened flora and fauna

The Parties agree that the CAR Reserve System, actions under the <i>Wildlife Conservation Act 1950</i> (WA) and the <i>Endangered Species Protection Act 1992</i> (Cwth), and the Forest Management Systems as amended by this Agreement, provide for the protection of rare or threatened flora and fauna species and ecological communities.	Clause number 56
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The Parties reaffirmed their agreement that the CAR reserve system and that WA's management of forest areas (Clause 48), as amended by the WA RFA, protected threatened flora and fauna and ecological communities, including those listed at the national level and migratory species.

Appendix 1 details the level of reservation of forest ecosystems within the WA RFA region.

Where threatened species restricted to Western Australia are listed under both the <i>Wildlife Conservation Act 1950</i> (WA) and the <i>Endangered Species Protection Act 1992</i> (Cwth), any new or revised Recovery Plans will be jointly prepared and funded under relevant programs and implemented co-operatively by the Parties to meet the requirements of both Acts. Where the Recovery Plans, Interim Recovery Plans or Regional and District Threatened Flora Management Plans meet the requirement of the <i>Endangered Species Protection Act 1992</i> (Cwth), the Commonwealth intends to consider their adoption under Section 46 of the <i>Endangered Species Protection Act 1992</i> (Cwth).	Clause number 57
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This ongoing commitment was achieved during Period 1 and Period 2.

WA had the lead role to prepare state-based recovery plans. These plans could be adopted as a national recovery plan where threatened species were listed under the EPBC Act, and there was a decision to have a national recovery plan for the species.

⁶⁷ <http://www.fwpa.com.au/sites/default/files/PRC114-0708%20WA%20Clearwood%20Research%20Report.pdf>

As at December 2009, WA had nine recovery plans⁶⁸ adopted under the EPBC Act listing threatened species in the WA RFA region. Funding for the plans came from the Commonwealth's Natural Heritage Trust until mid 2008 when the Natural Heritage Trust ceased to operate and was replaced by the Commonwealth's new natural resource management initiative - Caring for our Country⁶⁹.

Appendix 5 provides a summary of the status of threatened flora and fauna species declared under the WC Act and the EPBC Act including the status of recovery plans. The species listed at Appendix 5 and the threatened species lists published to DEC's website are consistent for the WA RFA region. There are 26 threatened fauna taxa and 87 threatened flora taxa declared under the WC Act or listed on the Schedules for ESP Act and the EPBC Act with populations believed to be within the WA RFA region.

Where threatened ecological communities and threatening processes restricted to Western Australia are listed under the <i>Endangered Species Protection Act 1992</i> (Cwth) any new or revised Recovery Plans or Threat Abatement Plans will be jointly initiated, prepared, funded under existing arrangements, agreed and implemented co-operatively by the Parties to meet statutory requirements. Where the Recovery Plans meet the requirement of the <i>Endangered Species Protection Act 1992</i> (Cwth), the Commonwealth intends to consider their adoption under Section 46 of the <i>Endangered Species Protection Act 1992</i> (Cwth).	Clause number 58
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This ongoing commitment was achieved during Period 1 and Period 2.

Nine threatened ecological communities (TECs) found in the WA RFA region were listed under the EPBC Act, all of which had WA state interim recovery plans that were adopted as national recovery plans under the EPBC Act⁷⁰.

Table 5. Threatened ecological communities in the WA RFA region listed under the EPBC Act

Threatened Ecological Community	Western Australia status	Commonwealth status
Aquatic Root Mat Community Number 1 of Caves of the Leeuwin Naturaliste Ridge	Critical	Endangered
Aquatic Root Mat Community Number 2 of Caves of the Leeuwin Naturaliste Ridge	Critical	Endangered
Aquatic Root Mat Community Number 3 of Caves of the Leeuwin Naturaliste Ridge	Critical	Endangered
Aquatic Root Mat Community Number 4 of Caves of the Leeuwin Naturaliste Ridge	Critical	Endangered
<i>Corymbia calophylla</i> - <i>Xanthorrhoea preissii</i> woodlands and shrublands, Swan Coastal Plain (SCP3c)	Critical	Endangered
<i>Corymbia calophylla</i> - <i>Kingia australis</i> woodlands on heavy soils, Swan Coastal Plain (SCP3a)	Critical	Endangered
Shrublands and woodlands of the eastern side of the Swan Coastal Plain (SCP20c)	Critical	Endangered
Shrublands and woodlands on Muchea Limestone	Endangered	Endangered
Shrublands on southern Swan Coastal Plain Ironstones (Busselton area) SCP10b	Critical	Endangered

Recovery Plans to meet statutory requirements under the <i>Wildlife Conservation Act 1950</i> (WA) and the <i>Endangered Species Protection Act 1992</i> (Cwth) and extending beyond Western Australia will be prepared jointly with Western Australia and other relevant governments, and be incorporated in the agreed Interim Recovery Plan or Recovery Plan as the Western Australian component of the Recovery Plan.	Clause number 59
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This ongoing commitment was achieved during Period 1 and Period 2.

The national recovery plan for the malleefowl was developed during the review period⁷¹. The revised

⁶⁸ <http://www.environment.gov.au/biodiversity/threatened/recovery.html>

⁶⁹ <http://www.nrm.gov.au/>

⁷⁰ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=849&Itemid=2017

recovery plan for the woylie was developed with the South Australian Government as translocated populations occurred within the natural range of the species in South Australia. WA developed the revised recovery plan for the numbat, but covered a translocated population in New South Wales.

The Parties will continue to consult on the listing of threatened species, ecological communities and threatening processes, and the preparation of Recovery Plans, recognising that priorities can change in the light of new information. The current status of recovery planning/actions for threatened flora and fauna are outlined in Attachment 8 (of the RFA).	Clause number 60
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This ongoing commitment was achieved during Period 1 and Period 2.

The *Australian Government and Western Australian Government Species Information Partnership* aimed to improve the available information on threatened species listed in both jurisdictions and enhance alignment, where appropriate, between the national and state lists of threatened species.

The State gave the Commonwealth 226 Species Profiles and Threats database (SPRAT) information sheets, state-wide, to provide the information required to initiate a change in the national threatened species list, and achieve greater alignment with the State list.

The list of national threatened species was changed because of the partnership and included:

1. Forty-five species being listed as threatened.
2. Twenty-two species being listed that were no longer considered nationally threatened.
3. Nine species being transferred from the extinct category to another threatened category because of recent discoveries.

The partnership continued to process submitted information and more WA species were listed, transferred or delisted.

A MOU was agreed between the Parties to improve administrative efficiencies to change the future listing of threatened species at the State and Commonwealth level.

Appendix 5 provides a summary of the status of threatened flora and fauna species declared under the WC Act and the EPBC Act including the status of recovery plans.

The Parties reaffirm their commitment that Recovery Plans for species in the South-West Forest Region of Western Australia which have already been prepared will have actions completed or significantly advanced in accordance with the Recovery Plans.	Clause number 61
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This ongoing commitment was achieved during Period 1 and Period 2.

DSEWPaC reviewed the implementation of actions from a number of recovery plans in consultation with DEC. Species reviewed within the WA RFA region were:

Fauna

- *Potorous gilbertii*, Gilbert’s Potoroo
- *Pseudemydura umbrina*, Western Swamp Tortoise

Flora

- *Grevillea althoferorum* subsp. *althoferorum*
- *Banksia squarrosa* subsp. *argillacea*

⁷¹ <http://environment.gov.au/biodiversity/threatened/publications/recovery/malleefowl/index.html>

- *Lambertia orbifolia* subsp. *orbifolia* ms
- *Verticordia plumosa* var. *pleiobotrya*
- *Lasiopetalum pterocarpum*
- *Rulingia* sp. Trigwell Bridge (R Smith s.n. 20.6.89)

The Parties note and Western Australia reaffirms its commitment to implement plant disease, weed and feral animal control strategies, including monitoring and evaluation procedures, in accordance with Western Australia's Forest Management System.	Clause number 62
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This ongoing commitment was achieved during Period 1 and Period 2.

WA was committed to implementing plant disease, weed and feral animal control strategies. Following is a list of the initiative, strategies and monitoring programs undertaken or underway within the WA RFA region:

1. DEC administered the *Invasive Plants Program*⁷², which provided coordination, liaison and advice for DEC staff and key external stakeholders on matters that related to managing invasive plants.
2. DEC maintained records at a district level of declared and major environmental weeds, including any new or significant weed incursions. Weed incursions and eradications were managed within available resources. In 2006, significant additional funds provided through the *Saving Our Species*⁷³ initiative were targeted to eradicate weeds and pests.
3. DEC in conjunction with the Department of Agriculture and Food⁷⁴ contributed to the *National Land and Water Resources Audit*⁷⁵ on the distribution and abundance of the 10 most significant invasive vertebrate pests in Australia. DEC also contributed to this process for weed species⁷⁶.
4. The Western Shield program⁷⁷ undertook aerial fox baiting over 2.13 million hectares.
5. Surveillance and mapping of jarrah dieback disease was one of the longest running forest health projects undertaken by DEC.
6. Research into the survival and growth of clones of dieback resistant jarrah was completed and published (Stukely *et al.* 2007).
7. DEC commenced selecting representative sites to sample for historical disease spread of *Phytophthora cinnamomi* dieback.
8. Silviculture guidelines developed in accordance with the requirements of the FMP incorporated measures to limit or reduce the impact of pests and diseases, such as setting targets for the retained density of overstorey in *Phytophthora cinnamomi* dieback infested sites or the reduction of *Armillaria* root rot inoculum in karri regrowth.
9. In 2007, the *Good Neighbour Policy*⁷⁸ was released to guide managing common cross-boundary issues that affected DEC and its neighbours including weeds and feral animals.
10. DEC collaborated with the Centre of Excellence for Climate Change, Woodlands and Forest Health to investigate and monitor the cause of decline in tuart and wandoo forests and woodlands⁷⁹.
11. The FPC maintained trap trees as an early warning system for the Sirex wood wasp (*Sirex noctilio*) up to 2006. These were discontinued and replaced with more effective 'static' traps and continue to be used to monitor for *Sirex*.

⁷² <http://www.dec.wa.gov.au/management-and-protection/plants/invasive-plants.html>

⁷³ <http://www.dec.wa.gov.au/management-and-protection/programs/446-saving-our-species.html>

⁷⁴ <http://www.agric.wa.gov.au/>

⁷⁵ The National Land and Water Resources Audit was funded through the Natural Heritage Trust, commencing in 1997 through to 2008.

⁷⁶ Publications are available at <http://nrmonline.nrm.gov.au>

⁷⁷ <http://www.dec.wa.gov.au/content/category/45/299/1631/>

⁷⁸ http://www.dec.wa.gov.au/component/option,com_docman/task,doc_download/gid,987/Itemid,1/

⁷⁹ <http://www.foresthealth.com.au/index.php>

12. The FPC maintained strict hygiene procedures such as restricting access (people and vehicles), controlling external drainage, using raised benches and providing an anti splash ground surface, chlorination of water supplies and pasteurisation of the growing media to minimise introducing pathogens in regard to its nursery operations.
13. The FPC monitored and, where necessary, implemented control programs for significant weeds, pests and diseases. Management programs were undertaken with advice from DEC, Water Corporation, and the Department of Agriculture and Food regarding the presence of declared pests, weeds and diseases.
14. In 2004, a specific monitoring and eradication program commenced to control the European House Borer (EHB)⁸⁰. From 2010, the EHB eradication program shifted to containment.
15. WA contributed to the activities of the Forestry and Forest Products Committee's Research Working Group 7, Forest Health. Research Working Group 7 produced an *Annual Pest, Disease and Quarantine Status Report for Australia and New Zealand*. The purpose of the report was to communicate to government the annual statement of forest pest and disease conditions and quarantine situation in Australia and New Zealand.

The Parties note that and Western Australia reaffirms its commitment to maintain the flora and fauna databases, enhanced through data collected as part of the Comprehensive Regional Assessment, for use in the management and protection of rare and threatened flora and fauna.	Clause number 63
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This ongoing commitment was achieved during Period 1 and Period 2.

DEC continued to maintain a database of flora collection information for specimens housed in the WA Herbarium⁸¹. This database was available online through the FloraBase portal⁸², including descriptions and images of species.

The threatened flora database (DEFL) principally consisted of information on Declared Rare Flora (flora listed under the WC Act) populations and a proportion of DEC's Priority Flora populations. This database was continuously updated with records of Declared Rare Flora. Information was sourced from DEC staff, WA Herbarium records, environmental consultants, volunteers and members of the public. All records were validated before they were entered into DEFL. DEFL included information on locations, tenure, habitat, population size, phenology and management issues.

The Threatened and Priority Fauna Database⁸³ contained records of observations of any fauna listed as threatened under the WC Act or listed on DEC's Priority Fauna List. This database was continuously updated with records sourced from published literature, DEC reports and files, DEC staff via direct reports or district databases, and members of the public. A new Fauna Survey Database was developed to receive scientific fauna licence returns data from environmental consultants and other licensees. The information captured in these datasets included details on the following elements: taxon, locality, some habitats and observations.

Flora and fauna information, including WA Herbarium and WA Museum collection records, were presented in an external portal known as NatureMap⁸⁴.

⁸⁰ <http://www.ehb.wa.gov.au/>

⁸¹ <http://www.dec.wa.gov.au/our-environment/science-and-research/wa-herbarium.html>

⁸² <http://www.dec.wa.gov.au/our-environment/science-and-research/wa-herbarium/florabase.html>

⁸³ <http://www.dec.wa.gov.au/our-environment/science-and-research/wa-herbarium.html>

⁸⁴ <http://naturemap.dec.wa.gov.au/default.aspx>

5.5 The CAR reserve system

The Parties agree that the primary function of the CAR Reserve System is to ensure the conservation and protection of environmental and heritage values.	Clause number 64
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The Parties reaffirmed that the agreed primary function of the CAR reserve system was to ensure the conservation and protection of environmental and heritage values. This was confirmed and implemented through the requirements of the FMP. National parks proposed under the FMP were created through three Reserves Acts that were passed by the State Parliament in November and December 2004.

The Parties agree that the CAR Reserve System established in accordance with this Agreement will comprise:	Clause number 65
(a) On Public Land as described in Attachment 1 and Map 1:	
(i) Formal Reserves; and	
(ii) CAR Informal reserves as described in Attachment 1; and	
(b) On Private Land as described in Attachment 1 :	
(i) lands with CAR Values protected under secure management arrangement by agreement with private landholders;	
(c) On State-owned freehold land and Commonwealth land as described in Attachment 1 :	
(i) lands with CAR Values protected under secure management arrangement by the landholders or managing authority.	

This ongoing commitment was achieved during Period 1 and Period 2.

Significant areas were added to the reserve system in the WA RFA region. These were detailed in Appendix 2 of the FMP, *Reserve proposals*. The FMP gave effect to the CAR reserve system and Appendix 1 of this report provides an overview of the area reserved, percentage of forest ecosystems reserved and proposed and existing reserves of old-growth forest.

The Parties agree that the CAR Reserve System established under this Agreement meets the JANIS Reserve Criteria as defined in Clause 2.	Clause number 66
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The Parties reaffirmed that the CAR reserve system met the JANIS Reserve Criteria. This was confirmed and implemented through the requirements of the FMP. National parks proposed under the FMP were created through three Reserves Acts that were passed by the State Parliament in November and December 2004. Appendix 1 details the level of reservation of forest ecosystems reserved.

The Parties agree that changes to the CAR Reserve System will only occur in accordance with this Agreement. The Parties will seek to avoid a net deterioration in the protection of identified CAR values at the regional scale. Proposed changes to the boundaries of the CAR Reserve System will be made publicly available.	Clause number 67
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This ongoing commitment was achieved in part during Period 1 and Period 2.

The CAR reserve system, as outlined in Attachment 1 of the WA RFA, was enhanced by 187,250 hectares of additional reserves implemented through the FMP.

DEC had a standard process for undertaking and recording variations made to the CAR reserve system. There was no net deterioration in the protection of CAR values at the regional scale.

CAR reserves, both formal and informal, were incorporated into the reserve design process, which was

undertaken when the FMP was developed. Proposed changes to boundaries of the CAR reserve system were made available to the public.

The Parties note that a reconfiguration of the stream reserve system has been recommended by the Western Australian Water and Rivers Commission. This may form part of the next Forest Management Plan which will be scientifically assessed by the Environmental Protection Authority. While that reconfiguration, in its current form is expected to be neutral in its effect on timber resources, the Parties will ensure that security of access to resources for industry is maintained following implementation of any new stream reserve configuration.	Clause number 68
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This commitment was achieved during Period 1 and Period 2.

In 2001, the Waters and Rivers Commission prepared *A Review of Stream and River Logging Buffers to ensure their adequacy in protecting our waterways from salinity, degradation and turbidity*. The configuration of the stream reserve system remained unchanged in the FMP.

The Parties agree that best endeavours will be used to maintain the levels of protection of National Estate Values in a regional context, however, minor changes to the levels of protection of individual values may occur as a result of changes to the CAR Reserve System.	Clause number 69
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This ongoing commitment is no longer relevant.

As indicated in the response to Clause 21, the RNE was established in the 1970s when heritage protection was not coordinated nationally. In 1997, the Council of Australian Governments agreed to coordinate heritage protection and remove overlap.

At the national level, the process involved creating two new heritage lists, the National Heritage List and the Commonwealth Heritage List (for places which were the appropriate responsibility of the national government), and repealed statutory references to the RNE (effective on 19 February 2012), which included thousands of places of local or state significance only. The level of protection provided by the RNE was limited to consideration of actions by Commonwealth agencies and was superseded by stronger forms of protection available under the EPBC Act. These included blanket protection of heritage on Commonwealth land and from Commonwealth actions, as well as targeted protection given by the National Heritage List and the Commonwealth Heritage List.

5.5.1 Action to establish and manage reserves

Milestone	Clause number
<p>The State undertakes to:</p> <ul style="list-style-type: none"> (a) manage the areas in the CAR Reserve System identified in Attachment 1, with the exception of Commonwealth owned or leased land, on the basis outlined in Attachment 1 and in accordance with the objectives set out in relevant classifications in Attachment 9; (b) within one year of the date of this Agreement, subject to section 9(2) of the CALM Act, establish new formal reserves under the Land Administration Act 1997 (WA) where: <ul style="list-style-type: none"> (i) they were proposed in the Forest Management Plan 1994-2003; and (ii) they are proposed as formal reserves under the <i>Land Administration Act 1997 (WA)</i> in this Agreement, excluding those that will be established as formal reserves under section 62 of the CALM Act and which may later progress to formal reserves under the <i>Land Administration Act 1997 (WA)</i>; (c) within 6 months of the date of this Agreement, classify all proposed Formal reserves (specified in Attachment 1) other than those in (b) above as “Forest Conservation Zones” under Section 62 of the CALM Act, where: <ul style="list-style-type: none"> (i) these areas are State forest or timber reserves; (ii) this will be the final classification; or (iii) this will be an interim classification prior to classification under the <i>Land Administration Act 1997 (WA)</i>; (d) within three months of the date of this Agreement initiate the State processes for creation of new formal reserves proposed to be classified under the <i>Land Administration Act 1997 (WA)</i>, as specified in Attachment 1; (e) introduce an amendment to the CALM Act into the Western Australian Parliament by 31 December 1999 to require the approval of both Houses of Parliament to revoke Forest Conservation Zones in State Forest which will be created under Section 62 of the CALM Act, and use its best endeavours to secure the enactment of the amendment introduced; and (f) establish the proposed new informal reserves, as identified in Attachment 1, in the next Forest Management Plan. 	70

This milestone was achieved or achieved in part during Period 1 and Period 2.

Clause 70(a), in relation to this commitment, was achieved during Period 1 and Period 2.

Clause 70(b), in relation to this part of the milestone, was achieved in part during Period 1 and Period 2.

Clause 70(c), in relation to this part of the milestone, was not achieved as priority was given to implementing the additions to the formal reserves.

Significant areas were added to the reserve system in the WA RFA region. These were detailed in Appendix 2 of the FMP, *Reserve proposals*. The FMP gave effect to the CAR reserve system and Appendix 1 of this report provides a comprehensive overview of the area reserved, percentage of forest ecosystems reserved and proposed and existing reserves of old-growth forest.

Category changes to forest conservation areas⁸⁵ proposed by the FMP did not occur. The priority was to progress the changes to other parts of the formal reserve system. Delays in progressing changes to the formal reserves system came from a number of sources, including resolving native title requirements, removing areas

⁸⁵ The FMP renamed Forest Conservation Zone to Forest Conservation Area.

from the RNE subject to the creation of new reserve areas in leases within State Agreement Acts and negotiating relinquishing titles held by other agencies and groups to areas proposed for inclusion in the reserve system.

DEC managed forest conservation areas in accordance with the proposed land category that was equivalent to the CAR reserve system.

Clause 70(d), in relation to this part of the milestone, was achieved during Period 1.

As reported in the WA RFA Annual Report (June 2000), the processes leading towards creating new reserves was initiated by correspondence with relevant local government authorities and other stakeholders seeking views on the boundaries of the proposed reserves. As previously indicated, the additional forest areas were reserved through the FMP.

Clause 70(e), in relation to this part of the milestone, was achieved during Period 1.

The amendment relating to Section 62 of the CALM Act enacted through the *Conservation and Land Management Amendment Act 2000*⁸⁶ was proclaimed on 10 October 2000.

Clause 70(f), in relation to this part of the milestone, was achieved during Period 1.

The FMP was gazetted on 19 December 2003.

Significant areas were added to the reserve system in the WA RFA region. These were detailed in Appendix 2 of the FMP, *Reserve proposals*. The FMP gave effect to the CAR reserve system and Appendix 1 of this report provides a comprehensive overview of the area reserved, percentage of forest ecosystems reserved and proposed and existing reserves of old-growth forest.

5.6 Industry development

The Parties agree that State Forest outside the CAR Reserve System is available for timber harvest in accordance with the Forest Management Plan and the undertakings of this Agreement.	Clause number 71
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This commitment was achieved in part during Period 1 and Period 2.

Those areas of State forest outside formal reserves, informal reserves and fauna habitat zones, were available for wood production in accordance with the FMP. Additions to the reserve system under the FMP are not available for native forest timber harvesting. The area available for wood production under the FMP is less than what was envisaged under the WA RFA.

The Parties agree that any changes to State Forest or Timber Reserves available for timber harvesting will only occur in accordance with this Agreement and will not lead to deterioration in the Sustained Yield in terms of volume, species and quality.	Clause number 72
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This commitment was not achieved during Period 1 and Period 2.

Implementing the FMP resulted in additions to the reserve system and reduced the area available for wood production with a flow on effect on the sustained yield levels for jarrah and karri first and second grade sawlogs.

⁸⁶ http://www.austlii.edu.au/au/legis/wa/num_act/calmaa200035o2000416/

The additions to the reserve system reduced the available sawlogs by 54 per cent for jarrah resource and 70 per cent for karri resource, relative to the agreed figures in Clause 75 of the WA RFA.

<p>The Parties acknowledge that Forest-based industries dependent upon the South-West Forest Region make a significant contribution to both the regional and State economies and are an essential component of many communities in the Region. The Parties intend that this Agreement will enhance opportunities for further growth and development of Forest-based industries dependent upon the South-West Forest Region and provide long-term stability for these industries. The Parties therefore acknowledge that this Agreement must provide enhanced security of access to resources for Forest-based industry for the life of the Agreement. The Agreement will facilitate industry development including:</p> <ul style="list-style-type: none"> (a) new investment, plantation development, reforestation, downstream processing, value-adding and jobs growth in wood-based manufacturing industries; (b) further introduction of new technology, enhanced utilisation of regrowth timber for sawn products, thinning of regrowth forests and more efficient utilisation of residual wood, including for the production of charcoal; (c) investment in Mineral and Petroleum Exploration, Mining and Mineral processing and Petroleum Operations; and (d) tourism and recreation investment. 	<p>Clause number 73</p>
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This commitment was achieved in part during Period 1 and Period 2.

Since 2000, State policy and legislation governing the management of public forests imposed challenges on the long-term stability and security of wood-based industries. The FMP was the principle native forest policy document in WA. It provided the government with a framework to manage State forests and timber reserves and for providing the social and economic benefits derived from forests, including tourism, recreation and mining. Implementing the FMP resulted in a substantial reduction in sustained yield and consequently a reduction in employment compared to projected outcomes for the WA RFA.

The FPC continued to work on enhancing opportunities for further growth and development of wood-based industries and regional communities. This was achieved by continuing to work with industry groups to help them achieve greater value from the wood available through optimising harvesting and primary conversion processes. The FPC was a member of the Cooperative Research Centre (CRC) for Forestry, the (then CRC) for Wood Innovations and the Forest and Wood Products Association (FWPA). These associations were involved with research across Australia, including optimising transport and assessing wood quality. The programs had a strong emphasis on delivering information back to the wood and wood-based industries.

The wood processing industry

The FPC continued to support industry events and activities and educating the public about the value adding opportunities available within WA's native forest and plantation wood and finished products industries⁸⁷. Initiatives included:

- Supporting the Manjimup Forestry and Horticultural Expo held at Manjimup.
- Supporting the timber industry by providing, building and coordinating a *Timber Shed* at the Perth Royal Show.
- Participating and promoting the industry at the annual *Wood Show* held at the Claremont showgrounds.
- Supporting the annual Western Australian and Australian Furniture of the Year Awards.
- Contributing, with DEC, to the Forest Heritage Centre and the Australian School of Fine Wood, located within the forest community at Dwellingup. The Centre offered education and training for the fine wood furniture industry, forest management and interpretation and sales of fine wood products. The State

⁸⁷ http://www.fpc.wa.gov.au/content_migration/innovation/research_projects_and_partnerships.aspx

government provided funding over a four-year period from 2005 to 2009 to update the Centres' facilities, walk trails and provide staff salaries with funding administered through the Western Australian Department of Education and Training.

During 2002 and 2003, the FPC's Timber Technology Division conducted collaborative research on wood manufacturing processes in partnership with a number of national science and technology based organisations. Projects included research into microwave technology, bending, drying and gluing processes and the coating durability of certain woods.

FPC was a partner in the Cooperative Research Centre for Wood Innovations (CRCWI), which carried out research in microwave technology and value adding of wood. Research was also undertaken into wood bending for potential use as furniture components. The CRCWI assessed State grown Tasmanian blue gum (*Eucalyptus globulus*) for possible use as power poles and maritime pine (*Pinus pinaster*) for two piece railway sleepers using microwave treatment to improve retention of wood preservatives. The CRCWI ceased operations on 30 June 2008.

FPC was a joint venture partner with the University of Western Australia (UWA) in the Advanced Timber Concepts (ATC) that was hosted within the School of Architecture, Landscaping and Visual Arts (ALVA) from 2006 (December 2005) to 2010. The ATC joint venture was formed to broaden the scope of research undertaken in the timber industry by the FPC and UWA's School of ALVA. The research was designed to ensure stakeholders, buyers and manufactures of native forest and plantation products had sufficient knowledge to get the best from the materials. Projects included the design of low weight innovative chairs and tables that used small section low value wood in a structural application to enhance the use of lower value material.

Other research was conducted to design efficient wood constructed buildings using normal structural softwood timber, engineered wood products (Laminated Veneer Lumber or LVL) particularly for remote locations and small group housing.

Despite these initiatives, value adding of native hardwoods and furniture manufacturing continued to be affected by competition from imported products and increased labour costs where workers had opportunities associated with the State's mining and resources sector.

Although there was a growing trend towards the offshore manufacture of furniture from native wood in Asia due to the low cost of manufacture, there were also some major industry investments, including:

- Constructing a jarrah small log line and associated kiln-drying capacity at the Blueleaf mill in Greenbushes.
- Commissioning a softwood laminated veneer lumber (LVL) plant by Wesbeam at Neerabup.
- Relocating softwood sawmilling operations from the metropolitan area to Muja near Collie. The use of small second grade logs proved to be uneconomic and this plant subsequently closed.

Plantation development and reforestation

Plantation development was a key component in the development of WA's timber industry and a number of strategic planning documents were produced to support the growth of the industry, including the *Action Plan for Tree Farming in Western Australia* (2002)⁸⁸, *Western Australia's Strategy for Plantations and Farm Forestry: 2008-2012*⁸⁹, and industry development plans.

The strategic tree-farming project was collaboration between natural resource management catchment councils, FPC and individual landowners. Under the project, approximately 18,000 hectares of plantations

⁸⁸ http://www.fpc.wa.gov.au/content_migration/_assets/documents/about_us/publications/action_plan.pdf

⁸⁹ http://www.fpc.wa.gov.au/content_migration/plantations/strategy/Default.aspx

were established and comprised of 9,300 hectares of *P. pinaster*, 4,600 hectares of long rotation eucalypts (mostly Sydney blue gum *E. saligna* and Sugar gum *E. cladocalyx*) and 4,200 hectares of sandalwood. This project was completed in 2009-2010. The project helped create plantation resources, diversify rural incomes and economies and contributed to the achievement of regional natural resource condition targets. In 2009/2010, the FPC also completed a 5,000 hectare carbon tree planting programme for Synergy, WA's largest energy retailer.

The FPC supported a major eucalypt hardwood plantation study in cooperation with CSIRO's Materials Science and Engineering. The new small log sawmilling line at Greenbushes was contracted to undertake the trial and a final report⁹⁰ on the results of the trial was prepared for Forest and Wood Products Australia.

Farm forestry development officers employed by FPC and Private Forestry Development Committees (PFDC) provided a forum for communicating between stakeholders and a point of contact for independent information. The roles of the development officers and the PFDC also included assisting with funding proposals, supporting the Farm Forestry Education Project and promoting industry and the benefits of the Natural Resource Management (NRM) scheme. The Farm Forestry Education Project was a partnership between four regional NRM groups (Northern Agricultural Catchment Council, Avon Catchment Council, Southwest Catchment Council and South Coast Natural Resource Management) the FPC, PFDCs and the Australian Master Tree Grower program from Melbourne University.

Extractive industries

Mining legislation took precedence over the CALM Act, but concurrence of the State Environment Minister was required for mining operations to proceed on most DEC-managed public land tenures, including the areas covered by the WA RFA. In addition, all mining and associated development projects were required to undergo environmental, heritage and native title assessments. State Agreement Act (SAA) projects were in force for the major mining projects operating within the area of the WA RFA (mostly State forest), covering the bauxite and alumina operations of Alcoa and Worsley⁹¹, and coal mining operations of Griffin and Premier Coal. The *Mining Act 1978* controlled other mineral resource extraction activities and mineral exploration. Petroleum (includes gas) exploration and production within State land and waters was authorised under the *Petroleum Act 1967*. The Department of Minerals and Petroleum (DMP) was the lead regulator and decision-making authority for non-SAA projects. All significant proposals underwent environmental impact assessment under Part IV of the EP Act.

Around 30,000 hectares of mainly State forest was cleared for mining activity. Each year⁹² approximately 1,000 hectares or 0.07 per cent of State forest and timber reserves were subject to mining operations that included clearing, principally for extraction of bauxite (Darling Scarp north from Collie), coal (east of Collie) and gold (near Boddington). SAAs and mineral and petroleum titles covered just over 40 per cent of State forest and timber reserves, with 95 per cent of this area within Alcoa and Worsley's SAA areas.

As at December 2009 the value of mineral and petroleum production across the south-west (that is the area cover by DEC's three forest regions) was in excess of \$3 billion, with the major commodities produced being alumina, coal, mineral sands and gold (DMP, 2010).

Tourism and recreation

When the WA RFA was signed a \$17.5 million package for tourism in the region was set aside. Since 2001, infrastructure and capital works of close to \$50 million was invested in nature-based tourism throughout the south-west, complementing the implementation of the FMP. This investment included the following works:

⁹⁰ <http://www.fwpa.com.au/Comparison-of-solid-wood-quality-and-mechanical-properties-of-three-species-and-nine-provenances-of-18-year-old-eucalypts-grown%20>

⁹¹ BHP Billiton

⁹² DEC's 2009/2010 Year Book shows 990 hectares was cleared for mining and utilities, Table 19: Silvicultural Objectives, page 64, <http://www.dec.wa.gov.au/about-us/about-dec/annual-reports.html>

- \$2 million for a major new tourist attraction in the Donnelly River Valley, in conjunction with the Manjimup and Nannup Shires and business communities. The development featured some of the tallest karri trees.
- \$2 million for three eco-lodge camping and chalet sites established in conjunction with the private sector to provide moderately priced accommodation and quality forest experiences.
- \$1 million for a new Scenic Drive in the Pemberton area to link a series of existing tourist attractions in the forest, including Beedelup, Hawke and Warren National Parks, the 100 Year Forest and Big Brook Dam.
- \$1 million for tourism development at the Wellington Dam. The purchase of private land surrounding the dam at a cost of \$9.5 million increased the opportunity for recreation and tourist developments including campsites and day visitor facilities. This, combined with the Potters Gorge private hotel/chalet project, provided a significant boost for tourism in the Collie region.
- \$2 million for sealing Mowen Road between Nannup and Margaret River.
- Ongoing development and maintenance of the Munda Biddi cycling trial.
- Day-use and interpretation work across four major sites in the Walpole Wilderness Area.
- Upgrading and improving visitor facilities, including campsites on the Blackwood River and Shannon National Park, day-use site on the Mundaring Weir Road, constructing a lookout and day-site facilities at Helena National Park, picnic facilities at Wandoo National Park and constructing an entry information site into Wellington National Park.

Project achievements were detailed in DEC's *Project Achievement from New Parks capital funding, Enabling Nature Conservation and Enhancing Visitor Experience* (September 2004).

As part of providing greater security of access to resources for Forest-based industry, the Commonwealth will not prevent enterprises obtaining, using or exporting timber, Woodchips or Unprocessed Wood products sourced from the South-West Forest Region in accordance with this Agreement.	Clause number 74
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This ongoing commitment was achieved during Period 1 and Period 2.

On commencement of the WA RFA in 1999, the *Export Control (Regional Forest Agreements) Regulations 1997* lifted all export controls on woodchips and other processed wood from the WA RFA region, except woodchips and other processed product sourced from plantations, thus removing Commonwealth controls relating to the application of the EC Act.

Section 38 of the EPBC Act stated that Part 3 (Requirements for Environmental Approvals) did not apply to certain RFA forestry operations that were undertaken in accordance with the WA RFA. In addition, an amending provision of the EPBC Act, which commenced on 19 February 2007, stated that when deciding if approval was required for a proposed development, the Federal Environment Minister must not consider any adverse impacts of any RFA forestry operations when making the decision.

<p>The Parties agree that this Agreement is expected to provide, based on current sawlog specifications, logging and sawmilling technology, royalty structure, market demand and price, sawlog Sustained Yield levels for the period 1999-2003 inclusive of 324,000 m³ per annum of Jarrah first and second grade sawlogs averaged over the period, 186,000 m³ per annum of Karri first and second grade sawlogs and 78,000 m³ per annum of Marri sawlogs. For the period 2004-2018 inclusive, this Agreement is expected to provide sawlog Sustained Yield levels of 286,000 m³ per annum of Jarrah first and second grade sawlogs, 178,000 m³ per annum of Karri first and second grade sawlogs subject to clause 76 and 80,000 m³ per annum of Marri sawlogs. Environmental, heritage, economic, social and ecologically sustainable forest management issues have been taken into account in providing a land base and management practices that are expected to produce these yields. The quantities in this clause are based on scheduling of timber harvesting so as to produce a non-declining yield of sawlogs. The Sustained Yield of sawlogs for the period 2004 to 2018 makes allowance for a higher level of harvest for jarrah and karri sawlogs for the period 1999 to 2003 and has been confirmed by a Panel of Independent Experts. The Parties acknowledge that sawlog Sustained Yield levels in Western Australia are subject to periodic review under the CALM Act.</p>	<p>Clause number 75</p>
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This commitment was not achieved during Period 1 in regard to specified sawlog sustained yield under WA RFA from 1999 to 2003. This commitment was not achieved in Period 2.

As a result of the review of karri and tingle management in December 1999 undertaken by the Ministerial Advisory Group the level of karri sawlogs harvested was reduced to an average 149,000 cubic metres per annum.⁹³

The response to Clause 72 outlined the background to the reduced sustained yields as detailed in the FMP. Table 3 of the FMP provided the sustained yields for jarrah and karri first and second grade sawlogs and Table 4 provided the availability of bole logs for marri.

<p>The parties acknowledge the recommendation of the panel of Independent Experts that the Sustained Yield of Karri sawlogs could be set at 178,000 m³ per annum from 2004 with some minor revisions to the rotation length of a small number of Karri regrowth stands. Western Australia agrees to the introduction of revised Karri rotation lengths as part of the next Forest Management Plan, noting that harvesting associated with these revisions will occur beyond the life of the current Forest Management Plan.</p>	<p>Clause number 76</p>
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This commitment was not achieved during Period 1 and Period 2 regarding the sustained yield of karri sawlogs.

As a consequence of the *Protecting our old-growth forests* policy and the FMP, the sustained yield was reassessed by an expert panel (Ferguson *et al.* 2003) based on the reduced area available for timber harvesting. The revised sustained yield of karri first and second grade sawlogs was 54,000 cubic metres averaged annual yield for 10 years (FMP Table 3). A revised rotation length for part of the karri forest was included in the determination of sustained yield.

Tables 2 and 3 under Clause 45 provided production levels of jarrah and karri sawlogs from 2004 to 2007. The responses to Clauses 72 and 75 also provided applicable information.

⁹³ <http://www.mediastatements.wa.gov.au/pages/StatementDetails.aspx?listName=StatementsCourt&StatId=3987>

Western Australia expects to change from a system of sawlog sales based on sawlog specifications to a system of sales based on bole log specifications at the time of the next Forest Management Plan. Based on a bole log sales system, it would be expected that the actual level of sawlogs will be more than that obtained from the current specifications for sawlogs through increased utilisation of Gross Bole Volume. At the time of this change a new bole log sustained yield figure would be established.	Clause number 77
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This commitment was achieved in part during Period 1 and Period 2.

WA only partially changed to a bole log harvesting system and this move was offered to industry on a voluntary basis. While smaller sawmills opted to change to this system, one larger sawmill continued to operate using the graded sawlog specifications. Sustained yields for the FMP were based on first and second grade sawlogs.

Wherever possible Western Australia will continue to enhance silvicultural programs and reforestation works to improve the productive capacity of State forests.	Clause number 78
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This ongoing commitment was achieved during Period 1 and Period 2.

Areas of silvicultural treatments were recorded in the SILREC⁹⁴ and published each year in the FPC annual reports.

Appendix 5 of the FMP, *Review of silviculture*, also detailed a number of enhancements to the silvicultural guidelines for jarrah, karri and wandoo. These enhancements included measures to reduce the effect on flora diversity and abundance, excluded old-growth forest from silvicultural operations and introducing revised habitat retention requirements.

Milestone Both Parties are committed to the implementation of a range of Forest-based industry development initiatives (Attachment 14). The Parties agree to develop a Memorandum of Understanding for a joint Commonwealth-Western Australian South-West Forest Industry Structural Adjustment Program (WA FISAP) which will establish the respective roles and responsibilities of the two governments in administering the program. The Parties further agree that a total of \$59 million is available to implement these initiatives (refer Clause 98).	Clause number 79
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This commitment was achieved in part during Period 1 and Period 2.

A MOU between the Parties was developed for a *Forest Industry Structural Adjustment Program*⁹⁵. The Western Australian FISAP (August 2002) was intended to provide financial assistance to businesses and industry bodies to prepare and implement new project or program initiatives that would develop the WA native forest timber industry⁹⁶.

The Commonwealth administered \$5 million under the *Timber Industry Road Evaluation Strategy* and \$15 million under the *Forestry Assistance Program for Western Australian* and the *Grants for Forest Communities*.

From 2001, WA's focus was funding the *Protecting our old-growth forests* policy. A budget of \$161 million was allocated to a number of initiatives including, but not limited to:

⁹⁴ SILREC stands for Silvicultural Recording System. It is an in-house system with spatial and data attributes which records areas of south-west native forest cut-over to varying silvicultural prescriptions and treatments. DEC is the custodian of the system.

⁹⁵ <http://www.daff.gov.au/rfa/publications/deferred/wood-paper/commonwealth-fisap>

⁹⁶ http://www.dec.wa.gov.au/pdf/nature/forest/fisap_guidelines.pdf

- \$74 million *Business Exit Assistance Program* to compensate sawmills and associated industries leaving the industry as a result of reduced timber allocation.
- \$27.3 million *Workers Assistance Program*, to assist workers made redundant as a result of the policy, included training, relocations, mortgage and rental assistance.
- \$25 million to create the new reserve areas identified by the policy.
- \$28 million *Industry Development Assistance, Investment Attraction*, to enable mills to move into higher value adding use of timber and attract non-timber industry to the affected areas.

The Parties recognise the importance of certainty of resource supply to industry and the role this plays in investment in value-adding. Western Australia will explore mechanisms to enable contracts for the sale of wood to extend beyond the period of Forest Management Plans and make them renewable as well as transferable.	Clause number 80
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This ongoing commitment was achieved in part during Period 1 and Period 2.

The FP Act caps contract periods for sale of log products from native forests to the period of the FMP. Investment for the wood and wood-based products industries was facilitated by the Western Australian government’s Investment Security Guarantees (ISG) and provided a level of certainty beyond the FMP. Companies with an ISG could seek compensation if the contracted supply of logs was affected by future changes to government policy, which could influence the level of sustained yield. Sawmilling companies that were offered contracts for graded sawlogs were initially offered an ISG to secure funding for new investment that they were undertaking.

5.7 Indigenous heritage

The Parties agree that the procedures outlined in Attachment 10 will be implemented by Western Australia to ensure the appropriate management of Aboriginal heritage including the maintenance of traditional uses and values, in the South-West Forest Region of Western Australia.	Clause number 81
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This ongoing commitment was achieved in part during Period 1 and Period 2.

Consultation with Aboriginal people within the WA RFA region, on the appropriate management of cultural and heritage values, occurred in a slightly modified approach than that envisaged in Attachment 10 of the WA RFA.

The FMP provided a range of actions with the objective of seeking to work with Aboriginal people to manage significant heritage sites. In 2001, the then CALM and the South West Aboriginal Land and Sea Council (SWALSC), the native title representative body, signed and endorsed a MOU with the purpose of working with Aboriginal people to identify, interpret, protect and manage significant cultural sites. This framework, along with the obligations of the *Native Title Act 1993* (Cwth) and the *Aboriginal Heritage Act 1972* (WA) were used to manage cultural heritage values on DEC-managed land within the WA RFA region.

DEC and the FPC formally presented SWALSC with operations that potentially affected Aboriginal heritage and values. Field visits and site inspections formed part of the liaison process.

Appendix 6 outlines in more detail the legislative requirements for managing Aboriginal heritage and DEC’s and the FPC’s mechanisms for implementing these requirements.

5.8 Other forest uses

The Parties agree that Forest uses other than timber production will be determined in accordance with Western Australian legislation with due regard for protection of environmental and heritage values.	Clause number 84
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This ongoing commitment was achieved during Period 1 and Period 2.

The aim of sustainable forest management was to achieve a balance between conserving biodiversity, cultural heritage values and the socio-economic benefits of forests to the WA community; in addition to wood production, other forest resources from public native forests including firewood, apiculture, mining, water production, wildflower picking, seed picking, extracting gravel and basic raw materials. Public native forests were also used for a variety of recreation and tourism activities including four-wheel driving, trail bike riding, mountain biking, fishing, horse riding and camping. Forest uses other than wood production for industry development continued to be determined in accordance with WA legislation with due regard for protecting the environment, conserving biodiversity and cultural heritage values.

The Parties acknowledge that under State arrangements Mineral and Petroleum Exploration, Mining Operations, Petroleum Operations and the establishment of all related infrastructure (including access and transport) is permitted in the CAR Reserve System subject to relevant State approval processes. In National Parks and Class A reserves the approval of both houses of State Parliament is required before Mining Leases and General Purpose Leases are granted and Mining can occur. Western Australia will ensure that proposed Mining and Petroleum Operations and related infrastructure in the CAR Reserve System will be referred for environmental impact assessment procedures under the <i>Environmental Protection Act 1986</i> (WA). Petroleum Operations will be undertaken in accordance with the <i>Petroleum Act 1967</i> (WA) and the <i>Petroleum Pipelines Act 1969</i> (WA) and Mining Operations will be undertaken in accordance with the <i>Mining Act 1978</i> (WA) and State Guidelines for Mineral Exploration and Mining within Conservation Reserves and Other Environmentally Sensitive Lands in Western Australia. Western Australia will ensure that environmental assessment procedures will protect and maintain identified CAR Values in a regional context where feasible.	Clause number 85
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This ongoing commitment was achieved during Period 1 and Period 2.

SAs were in force for major mining projects operating on land within the WA RFA region. Mining and industrial development projects were required to undergo environmental impact assessment under the EP Act, as well as considering legislative requirements relating to heritage values and native title provisions.

Companies with SAs were required to provide written reports annually and triennially on their environmental management programs, which were reviewed by government. Activities within Alcoa's SAA mining leases were monitored through the Mining and Management Program Liaison Group (MMPLG) chaired by the DMP. The MMPLG was responsible for reviewing mine plans and associated activities and making recommendations to the government. The MMPLG had representatives from the Department of Water, the Water Corporation and DEC. Worsley's operations were monitored and reviewed by a similar government liaison group.

The *Mining Act 1978* and the *Petroleum Act 1967* provided the legislative framework for mineral exploration and mining and petroleum exploration and production in WA. Exploration that was regulated under these two Acts was subject to approval with environmental conditions imposed by the DMP⁹⁷.

⁹⁷ The Department of Industry and Resources was restructured from 1 January 2009 with the Department of Mines and Petroleum focused on the resources sector and maintaining a mining and petroleum regulatory role.

State forest and timber reserves were multiple use forests and, pursuant to the *Mining Act 1978*, could have been available for mining activities. Mining proposals with significant environmental impacts were subject to an independent environmental impact assessment undertaken by the EPA. The *Mining Act 1978* required the concurrence of the Minister for Environment for exploration or mining in State forest. Advice, where appropriate, was also sought from the Conservation Commission.

The Conservation Commission and DEC advise DMP and the EPA on exploration and mining operations that affected land to which the WA RFA applied with a view to achieving sustainable vegetation systems in accordance with the objectives of DEC's internal Policy 10, *Rehabilitation of Disturbed Land*.

The parties note that rehabilitation of any Mining site will be in accordance with the provisions of the <i>Mining Act 1978</i> (WA) and will aim to achieve world's best practice.	Clause number 86
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This ongoing commitment was achieved during Period 1 and Period 2.

The DMP document *Mining Environmental Management Guidelines: Mining Proposals in WA*⁹⁸ provides guidance to proponents on rehabilitation requirements.

5.9 Competition principles

<p>Milestone</p> <p>The Parties recognise that in accordance with the Competition Principles Agreement, Western Australia will undertake a review of relevant sections of the CALM Act and a review of competitive neutrality applying to CALM's wood-based businesses. The Commonwealth agrees that the day to day pricing and allocation arrangements for Forest Produce from public forests are matters for Western Australia. Western Australia confirms its commitment to the wood pricing and allocation principles set out in the NFPS.</p>	Clause number 87
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This milestone was achieved during Period 1 and Period 2.

With the creation of the FPC in 2000 there is a clear delineation between conservation and monitoring functions and commercial aspects of timber harvesting on public native forests. The (then) Department of Conservation and Land Management retained the conservation functions.

Following the separation of conservation and forest harvesting roles in 2000, a statutory review of the FP Act reported to government in 2004⁹⁹. This review concluded that the FPC *should be retained and that its continued existence as a statutory authority is warranted as the most effective way to sustainably manage the State's forest products*.

Although outside the review period, in January 2010 the State government announced that the FPC's focus would return to its core business of providing wood products to industry from native forests, mature plantations and sandalwood.

⁹⁸ http://www.dmp.wa.gov.au/documents/ED_Min_GL_MiningProposalsInWA_Jan07.pdf

⁹⁹ http://www.fpc.wa.gov.au/content_migration/_assets/documents/about_us/news/2007/20070927-statutory_review_final_report.pdf

5.10 Research

The results of the Comprehensive Regional Assessment of the Forest values of the South-West Forest Region indicated a number of research priorities. The Parties have outlined research priorities in Attachment 11.	Clause number 88
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This ongoing commitment was achieved during Period 1 and Period 2.

Research activities undertaken by DEC and the FPC are detailed in Appendix 7. Research Priorities are detailed in annual activity reports produced and published to DEC's website¹⁰⁰.

Some key areas of study investigated the impact of fire on flora taxa, silvicultural treatments of dieback affected forest, affects on forest dwelling species from timber harvesting and improving the understanding of genetic diversity to make new and better seed lots.

The Parties agree to consult each other in the development of future research projects that may affect the Agreement and note that the subject areas and priorities may change throughout the duration of the Agreement.	Clause number 89
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This ongoing commitment is not relevant to Period 1 and Period 2.

There were no research projects conducted during the review periods that were relevant to this Clause.

The Parties agree to make publicly available, wherever possible, research reports relevant to this Agreement.	Clause number 90
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This ongoing commitment was achieved during Period 1 and Period 2.

Appendix 8 lists the suite of research reports undertaken for the development of the FMP that are relevant to the WA RFA region. A selection of research reports relevant to the WA RFA region can be found on the Conservation Commission and DEC websites.

5.11 Data use and access

The Parties recognise that the implementation and monitoring of this Agreement depends on appropriate mutual access to and accreditation of relevant information owned and held by each of them and have agreed to provide such access and accreditation for the term of this Agreement in accordance with the practices and procedures specified in Attachment 12.	Clause number 91
The Data Agreement covers: (a) ownership and custodianship; (b) archival lodging and location and associated documentation standards; and (c) access, use and maintenance of the data.	Clause number 92

This commitment was achieved during Period 1.

A data exchange agreement between the Western Australian and Australian governments was signed on 1 August 2001. The Parties developed data schedules to the data access agreement.

¹⁰⁰ [https:// www.dec.wa.gov.au/our-environment/science-and-research.html](https://www.dec.wa.gov.au/our-environment/science-and-research.html)

Milestone The Parties also agree to lodge archival copies of data within six months of signing this Agreement.	Clause number 93
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This milestone was achieved during Period 1 and Period 2

Archival copies of significant joint data sets were lodged with DAFF during Period 1 (March 2000) while a comprehensive report on the Status of Data Archiving was compiled in Period 2.

5.12 Legally binding rights and obligations

5.12.1 Forest Management

Western Australia will: (a) implement the CAR Reserve System described in Attachment 1 and identified on Map 1, including the tenure classification outlined therein, and management of these areas on the basis of the Agreement as if they were reserves until established in accordance with Clause 70. (b) make improvements to its Forest Management System including audits as outlined in Clause 42; and Milestone (c) Undertake reviews in accordance with the Competition Principles Agreement as outlined in Clause 87.	Clause number 95
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This commitment and milestone were achieved in part during Period 1 and Period 2.

Detailed responses to this Clause were provided at:

- for part (a) refer to Clause 70
- for part (b) refer to Clause 42, and
- for part (c) refer to Clause 87.

The Commonwealth will: (a) maintain accreditation of Western Australia's Forest Management System for the South-West Forest Region as amended by this Agreement providing changes to the system are consistent with the provisions of this Agreement; and (b) not prevent enterprises obtaining, using or exporting timber, Woodchips or Unprocessed Wood products sourced from the South-West Forest Region of Western Australia in accordance with this Agreement.	Clause number 96
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This ongoing commitment was achieved during Period 1 and Period 2.

In regard to the response to part (a) of this Clause, WA's south-west native forests were managed according to the principles of ESFM as detailed in the response to Clause 42.

When implementing the WA RFA, the Commonwealth, under Section 6 *Regional Forest Agreements Act 2002*¹⁰¹, provided an exemption under Part 3 of the EPBC Act regarding the provision for environmental approvals for matters of national environmental significance. This allows the export of processed or unprocessed wood (including woodchips) sourced from the WA RFA under the EC Act.

Section 38 of the EPBC Act provides an exemption from the requirements of Part 3 (Requirements for Environmental Approvals) of the EPBC Act for an RFA forestry operation that is undertaken in accordance

¹⁰¹ <http://www.comlaw.gov.au/Details/C2004A00965>

with an RFA. Part 3 of the EPBC Act, among other things, includes the requirement for approval for an action that has, will have or is likely to have a significant impact on a matter protected under Part 3 including matters of national environmental significance. Section 42 of the EPBC Act deals with certain kinds of RFA forestry operations to which this exemption does not apply.

5.12.2 Compensation

The WA RFA details the provisions for compensation in 97.1 to 97.20 (not repeated here).	Clause number 97
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There were no claims against the compensation provision during Period 1 and Period 2.

5.12.3 Industry Assistance

The Commonwealth will, subject to the terms and conditions under any Commonwealth Act which appropriates money, provide an amount of \$20 million and Western Australia will provide \$39 million to implement a South-West Forests Industry Structural Adjustment Program, subject to the development of a Memorandum of Understanding between the two Parties which establishes the respective roles and responsibilities of the two Governments in administering the Program, and a range of other Forest-based industry development initiatives.	Clause number 98
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This commitment was achieved during Period 1 and Period 2.

A MOU between the Parties was developed for a *Western Australia Forest Industry Structural Adjustment Program*.

The Commonwealth administered up to \$5 million under the *Timber Industry Road Evaluation Strategy* (TIRES) and up to \$15 million under the *Forestry Assistance Program for Western Australia* (\$12.5 million) and the *Australian Government Grants for Forest Communities* (\$2.5 million)¹⁰². The details on the DAFF administered programs are provided in Appendix 9.

The State government allocated \$161 million to implement the *Protecting our old-growth forests* policy. Clause 79 outlined a number of the programs and initiatives, which formed part of this budget commitment.

¹⁰² <http://www.daff.gov.au/rfa/about/assistance>

6. Results of monitoring sustainability indicators

A modified Montréal Process Criteria was applied to the FMP, which came into effect in January 2004. The eight criteria and 33 key performance indicators were developed with the input from key industry and conservation stakeholders, government agencies, and in consultation with the WA community during the development of the FMP. This framework fulfilled WA's commitment to establish an appropriate set of sustainability indicators which reflected the criteria and indicators adopted nationally. The criteria adopted by WA for the FMP were modified from the Montréal Process Criteria to provide the framework within which a range of management actions were identified to achieve the principles of ecologically sustainable forest management.

The Montréal Process Criteria provides seven broad criteria to describe the forest values society seeks to maintain in forests. These are:

- conserving biological diversity
- maintaining productive capacity of forest ecosystems
- maintaining forest ecosystem health and vitality
- conserving and maintaining soil and water resources
- maintaining forest contribution to global carbon cycles
- maintaining and enhancing long-term multiple socio-economic benefits to meet the needs of societies, and
- legal, policy and institutional framework.

The FMP used a modified format of the Montréal Process Criteria to ensure harmonisation with the Montréal Process Criteria. These were:

- biological diversity
- productive capacity
- ecosystem health and vitality
- soil and water
- global carbon cycles
- natural and cultural heritage
- socio-economic benefits, and
- plan implementation.

In December 2008, the *Mid-term audit of performance report of the Forest Management Plan 2004-2013*¹⁰³ was submitted to the EPA. This audit reported against the actions and KPIs under the modified format of the Montréal Process Criteria. This report used the best available data from State government agencies, primarily DEC, the FPC and the Conservation Commission. Further reporting against the KPIs was carried out in 2012 as part of the end-of-term audit of performance report of the FMP required in accordance with the Ministerial Conditions (2-2).

¹⁰³ http://www.conservation.wa.gov.au/media/7582/fmp_mid_term_audit_report_200308.pdf

Appendix 1 | Comprehensive, Adequate and Representative Reserve System¹⁰⁴

1. The Comprehensive, Adequate and Representative (CAR) Reserve System comprises gazetted reserves, formal reserves proposed under the Forest Management Plan, new formal reserves and CAR informal reserves as shown on Map 1.
2. The CAR reserve system will total 1,047,201 hectares, which is 44% of the public land in the region or 25% of the entire region. The CAR reserve system will comprise:
 - (a) 422,512 hectares of gazetted reserves;
 - (b) 268,896 hectares of formal reserves proposed under the Forest Management Plan;
 - (c) 205,009 hectares of new formal reserves;
 - (d) 137,886 hectares of CAR informal reserves in State Forest; and
 - (e) 12,898 hectares of CAR informal reserves on Commonwealth land.
3. The reservation level in the CAR reserve system for forest ecosystems, old-growth forest, other natural values, ecological vegetation systems and vegetation complexes are detailed in Table 1, 2, 3, 4 and 5 respectively.
4. Map 1 and Table 6 identify those reserves requiring implementation by the State as a consequence of this Agreement.

Milestone

5. Areas have been identified as indicative areas printed at a map scale of 1:250,000 and held as an electronic layer. The State will finalise boundaries on 1:25,000 maps to enable gazettal. Finalisation will include identifying best management boundaries. Wherever possible, these will follow easily identifiable features such as cadastre and roads and natural or ecological boundaries. Finalisation will also consider field verification of values being protected, and appropriate boundaries mapped to protect the identified values.

This milestone was achieved during Period 1 and Period 2.

Reserve design at 1:25,000 scale enabled gazettal, which was finalised in July 2000. The *Protecting our old-growth forest* policy resulted in significant changes to the reserve system. Under this policy, the reserve system totalled 1,270,570 hectares, which was 53 per cent of the public land in the WA RFA region or 30 per cent of all land within the region. The area of existing and proposed CAR reserves was shown on Map 1 (of the WA RFA) and the reservation status of forest ecosystems and old-growth forest are shown in Table 6 and Table 7 respectively.

¹⁰⁴ This appendix relates to the milestones and commitments detailed in Attachment 1 of the WA RFA

Table 6. Forest ecosystems within proposed and existing reserves within the WA RFA region as at 2009

Forest Ecosystem	Pre-1750 area (ha)	Present area on public land** (ha)	CAR Reserve System					Other Informal Reserves (ha)
			Formal Reserves		CAR Informal Reserves (ha)	Total CAR		
			Gazetted (ha)	Proposed (ha)		(ha)	(%)	
Bullich and Yate *	2,800	2,160	1,505	653	0	2,159	100.0	0
Darling Scarp	29,000	4,960	2,336	1,692	33	4,062	14.0	19
Jarra Blackwood	347,200	272,720	76,451	13,742	5,612	95,805	27.6	17,209
Jarra Leeuwin	56,400	10,660	7,669	751	273	8,693	15.4	54
Jarra Mt Lindesay	126,600	31,420	18,769	5,020	226	24,015	19.0	89
Jarra north east	717,100	271,510	49,039	63,503	9,284	121,826	17.0	7,540
Jarra north west	670,600	453,880	83,293	12,639	17,053	112,984	16.8	18,306
Jarra Rate's Tingle *	1,500	1,160	1,156	0	0	1,156	99.6	0
Jarra Red Tingle *	350	230	225	3	0	228	99.1	0
Jarra Sandy	107,900	65,500	17,770	6,684	1,331	25,785	23.9	2,070
Jarra South	557,300	422,650	223,188	10,815	8,301	242,304	43.5	25,205
Jarra Unicup	81,000	17,710	15,126	1,525	2	16,653	20.6	43
Jarra woodland	106,400	53,200	23,353	5,634	14,887	43,875	41.2	7,857
Jarra Yellow Tingle	11,600	8,270	7,554	712	0	8,266	71.3	0
Sub-total Jarra dominant	2,783,950	1,608,910	523,593	121,028	56,969	701,590		78,373
Karri Main Belt	193,000	153,320	68,835	2,080	7,553	78,468	40.7	13,871
Karri Rate's Tingle *	1,100	790	788	0	0	788	99.7	0
Karri Red Tingle	7,200	5,230	5,147	82	0	5,228	72.6	0
Karri West Coast	14,500	4,890	4,131	421	0	4,552	31.4	15
Karri Yellow Tingle	15,800	11,770	11,206	535	0	11,742	74.3	3
Sub-total Karri dominant	231,600	176,000	90,107	3,118	7,553	100,778		13,889
Peppermint and coastal heath	80,100	62,920	55,831	3,590	162	59,582	74.4	0
Rocky outcrops	26,400	13,600	7,540	1,013	1,976	10,528	39.9	2,479
Sand Dunes	11,500	11,590	11,018	142	0	11,160	97.0	0
Shrub, herb, and sedgelands	429,900	262,160	210,132	13,769	20,679	244,580	56.9	11,329
Swamps	15,300	6,670	6,031	225	131	6,387	41.7	260
Wandoo forest	363,200	111,300	42,921	22,324	5,328	70,574	19.4	4,577
Wandoo woodland	163,000	53,360	20,395	13,207	5,606	39,208	24.1	1,883

* Rare ecosystem with 100 per cent reservation target of current area.

** The extant area of each forest ecosystem was derived prior to the WA RFA by adding an estimated area on private land to a spatially represented area on public land. In 2009, present areas are provided for public land only in the absence of recalculated estimates for private land.

Table 7. Old-growth forest within proposed and existing reserves within the WA RFA region as at 2009

Forest Ecosystem	Present area on public land** (ha)	CAR Reserve System					Other Informal Reserves (ha)	Total reserved		
		Formal Reserves		CAR Informal Reserves (ha)	Total CAR			(ha)	%	
		Gazetted (ha)	Proposed (ha)		(ha)	(%)				
Jarrah Blackwood	45,523	39,173	4,168	327	43,667	96	1,825	45,491	99.9	#
Jarrah Leeuwin *	489	473	16	0	489	100	0	489	100.0	
Jarrah Mt Lindesay	12,456	11,188	874	83	12,145	98	27	12,172	97.7	##
Jarrah North East *	12,897	2,876	8,695	283	11,854	92	1,042	12,896	100.0	
Jarrah North West *	7,927	6,967	399	366	7,733	98	164	7,897	99.6	#
Jarrah Rate's Tingle *	1,091	1,091	0	0	1,091	100	0	1,091	100.0	
Jarrah Red Tingle *	214	211	3	0	214	100	0	214	100.0	
Jarrah Sandy *	2,223	2,119	93	7	2,220	100	4	2,223	100.0	
Jarrah South	151,267	137,233	5,215	864	143,312	95	7,956	151,268	100.0	
Jarrah Unicup	4,251	3,973	258	0	4,230	100	21	4,251	100.0	
Jarrah Woodland	12,037	10,385	887	604	11,876	99	113	11,989	99.6	#
Jarrah Yellow Tingle	7,074	6,595	479	0	7,074	100	0	7,074	100.0	
Sub-total Jarrah dominant	257,449	222,284	21,087	2,534	245,905		11,152	257,055		
Karri Main Belt	51,928	45,310	510	1,132	46,952	90	4,976	51,927	100.0	
Karri Rate's Tingle *	731	731	0	0	731	100	0	731	100.0	
Karri Red Tingle	3,288	3,214	74	0	3,288	100	0	3,288	100.0	
Karri West Coast *	522	471	47	0	519	99	0	519	99.4	#
Karri Yellow Tingle	6,956	6,760	192	0	6,953	100	3	6,956	100.0	
Karri South Coast ^	362	256	68	29	353	98	9	362	100.0	
Sub-total Karri dominant	63,787	56,742	891	1,161	58,796		4,988	63,783		
Western Wandoo forest *	8,804	4,763	2,831	357	7,950	90	847	8,797	99.9	#
Western Wandoo woodland *	3,246	1,782	1,081	251	3,114	96	129	3,243	99.9	#

* Rare or depleted ecosystem.

** No current estimate of ecosystems on private land is available to contribute to a "total present area". The estimate produced for the WA RFA is out-dated.

^ Majority occurs outside of WA RFA region.

Remainder occurs on other public land not vested in Conservation Commission.

Remainder occurs in Redmond block, outside the area covered by the FMP.

1. Formal Reserves

6. The following changes to tenure [as listed in Table 6] will be progressed under State processes.

7. All existing gazetted and new formal reserves proposed in the Forest Management Plan 1994-2003 shown on Map 1 which will not be subject to changes in tenure or purpose as documented in Table 6, will retain the classification of formal reserve as proposed in the Forest Management Plan 1994-2003 and depicted in maps 1, 2 and 3 in that Plan.

Milestone

8. Interim management guidelines will be prepared for DEC managed lands listed in Table 6 within twelve months of the signing of this Agreement. Management Plans for these lands will be developed and implemented progressively as required.

9. Areas that were proposed as a Formal Reserve in the Forest Management Plan 1994-2003, but are now intended to remain as State forest under this Agreement, will continue to be managed as a proposed reserve in accordance with the Forest Management Plan 1994-2003, until a new Forest Management Plan that implements a change in intention is gazetted.

This milestone and commitments were achieved in part during Period 1 and Period 2.

A range of formal and informal reserves additional to those detailed in the WA RFA were proposed under the FMP. Appendix 2 of the FMP, *Reserve proposals*, showed detailed tenure changes and progress on implementing these changes was reported against KPI1 in the mid-term audit of performance of the FMP. National parks proposed under the FMP were created by three Reserves Acts (WA) and passed in November and December 2004.

Developing interim management guidelines and draft area management plans by DEC shifted to preparing area management plans for the reserves proposed through the FMP, including those identified in the WA RFA.

2. CAR Informal Reserves

2.1. State forest areas

10. CAR Informal Reserves in State forest total 137,886 hectares and are identified on Map 1. These CAR Informal Reserves have been identified as indicative areas printed at a map scale of 1:250,000 and held as an electronic layer.

11. Areas of land adjoining informal reserves that were accredited by the Commonwealth Scientific Advisory Group for the Deferred Forest Agreement will be designated as informal reserves by Western Australia.

12. The Parties have agreed that CAR informal reserves are the following component of the informal reserve system:

- (a) Stream reserves of a width equal to or greater than 150 metres;
- (b) Those informal reserves and adjoining areas of land that were accredited by the Commonwealth Scientific Advisory Group for the Deferred Forest Agreement;
- (c) Diverse ecotype zones of an area equal to or greater than 40 hectares;
- (d) 400 m wide travel route reserves in the area containing Karri Yellow Tingle ecosystem; and
- (e) The Bibbulmun Track travel route reserve (400 metres wide).

13. The Parties have accredited these informal reserves as CAR informal reserves on the basis that they are set aside specifically for conservation purposes and meet the principles established in the JANIS Reserve Criteria.

14. CAR Informal Reserves in State forest will be recognised in future Forest Management Plans.
15. The Department of Conservation and Land Management will identify CAR Informal Reserves on State forest on operational and planning maps and manage the areas for the identified CAR values.
16. The State will finalise boundaries on 1:25,000 maps. Finalisation will consider field verification of values being protected, and appropriate boundaries mapped to protect the identified values.
17. The boundaries to CAR Informal Reserves in State forest may be reviewed and amended by the Department of Conservation and Land Management in the following circumstances:
- Circumstance 1. Field inspections or improved mapping indicate that amendments are required to create practical management boundaries or to more accurately reflect the location of the value.
- Circumstance 2. The area does not contain the values for which it was identified.
- Circumstance 3. Existing boundaries are found to place unreasonable restrictions on the practical access to areas outside the CAR Reserve system for forest-based industry or for infrastructure development.
18. Amendments to the boundaries of CAR Informal Reserves in State forest will be assessed by the Department of Conservation and Land Management according to whether they:
- Condition 1. Comply with clauses 67 and 72 of this Agreement.
- Condition 2. Use best endeavours to maintain the levels of protection of National Estate values in a regional context.
- Condition 3. Maintain a widely-distributed, inter-connected network of protected areas.
- Condition 4. Maintain the Sustained Yield of areas available for timber harvesting in terms of volume, species and quality.
- Condition 5. Optimise the inclusion of areas that are unavailable for timber harvesting due to other considerations such as slope, access and site quality.
- Condition 6. Avoid conflict with strategic burning zones.
19. Changes to the CAR Informal Reserves in State forest will be reported in relation to the circumstances and conditions in clauses 17 and 18 above and included in the five-yearly reviews/report on performance.
20. CAR Informal Reserves will be managed according to the principles established in the Forest Management Plan 1994-2003 for “Managing Area of Special Significance” and “Code of Practice for Timber Harvesting in Western Australia” and timber harvesting will be excluded from all CAR Informal Reserves.

These commitments were achieved in part during Period 1 and Period 2.

Condition 4 of item 18, related to maintaining the sustained yield of areas available for harvesting timber, was not achieved. The areas proposed for reservation resulting from the *Protecting our old-growth forest* policy reduced the area available for wood production.

The reserves listed at 12 (a) to (e) above were recognised as CAR informal reserves in the FMP and were shown on Map 1 (of the WA RFA) at 1:250,000 scale. CAR informal reserves were managed according to the principles outlined in Appendix 3 of the FMP, *Informal reserves*. These principles were subsequently incorporated into the *Guidelines for the Protection of the Values of Informal Reserves and Fauna Habitat Zones* (October 2009)¹⁰⁵. Harvesting timber was excluded from all CAR informal reserves.

¹⁰⁵ <http://www.dec.wa.gov.au/management-and-protection/forests/forest-management-planning/forest-management-plan-2004-2013.html?showall=&start=3>

Changes to the CAR informal reserve system incorporated in the FMP were shown in Table 8. Apart from the inclusion of over 50,000 hectares of CAR informal reserves in proposed formal reserves under the FMP, changes to the CAR informal reserves were the result of:

- the refinement of boundaries of formal reserves
- an improved method to determine eligible areas of diverse ecotype zone (>40 hectares as stand alone or any area attached to other CAR reserves)
- refined mapping of diverse ecotype zones, or
- changes to any CAR informal reserve approved through a documented process.

Table 8. Changes to CAR informal reserves on DEC-managed land (hectares)

Area at May 1999	137,886
area lost to -	
formal reserves	50,371
other informal reserves	6,286
other State forest	16,589
outside DEC estate	175
area gained from -	
formal reserves	1,789
other informal reserves	7,086
other State forest	11,581
outside DEC estate	1,399
Area at December 2009	86,319

2.2 Commonwealth Land

21. CAR Informal Reserves on Commonwealth land total 12,898 hectares and are identified on Map 1.
22. The Commonwealth agrees to manage those areas of Commonwealth owned land identified in the Bindoon Training Area as CAR Informal Reserves for the protection of identified CAR values, on the following conditions:
 - Condition 1. That the reserve boundary encompasses only that area that actually contains the CAR values.
 - Condition 2. That the reserve does not exclude Defence activities that would not compromise the maintenance of the CAR values.
 - Condition 3. That the establishment of the reserve is based on the development of Defence management arrangements (i.e. Defence Environmental Management Plans) rather than any modification to existing tenures which may be detrimental to Defence's usage of the training areas.
 - Condition 4. That Defence is the sole approving agency for the Defence Environmental Management Plans that prescribe the management regime for the reserve. Defence will however consult with relevant State and Commonwealth agencies on the appropriateness of the management regimes.
 - Condition 5. Consultation on Defence management of Defence activities in the training areas will be achieved in the consultation process with State and Local authorities in the development and review of the Environmental Management Plans for the Bindoon Training Area.
 - Condition 6. Public comment on changes to reserve boundary will occur except in circumstances proscribed by national defence protocols.
 - Condition 7. The reserve boundary will delineate the actual CAR values. Defence will establish all operational and environmental management buffer zones around the reserve based on particular land use activities that may occur adjacent to the reserves. The buffer zones will be identified in the Defence Environmental Management Plans.
23. The Department of Defence will identify this CAR Informal Reserve on Commonwealth land on operational and planning maps.
24. These CAR Informal Reserves on Commonwealth land will be included in future Environmental Management Plans (EMP) for the area. A revised EMP including this CAR Informal Reserve will be prepared with public participation, by the year 2003, subject to national security considerations.

This ongoing commitment was achieved during Period 1 and Period 2.

The Department of Defence (Cwth) (Defence) continued to manage the natural values of Bindoon Defence Training Area (BDTA) in general alignment with the seven conditions outlined in this Clause. These conditions were generally appropriate, noting the change to a WA Regional Environmental Management System (WAREMS) rather than an EMP. Defence worked closely with relevant State government agencies to develop and implement components of the EMS, for example, the fire management plans.

The WAREMS covers all the forest and biodiversity values of the BDTA and Defence does not separately map the CAR reserve system as sites were afforded adequate protection and management under the WAREMS.

These natural values are managed through the WAREMS, which is updated during the continuous improvement cycle.

Significant site-level management plans were developed and implemented under the WAREMS including the *BDTA Bushfires Management Plan 2009-2014* and the *BDTA Heritage Management Plan 2009*.

A 2009 review of the natural heritage values of the BDTA confirmed the site still met criteria against which the BDTA was placed on the Commonwealth Heritage List.

BDTA is covered by a *Regional Feral and Overabundant Fauna Management Strategy* specific to the WA Defence estate and complies with the *Defence National Biosecurity and Overabundant Native Species* policy with the BDTA being one of many Defence sites addressed in the regional strategy. Site plans to control foxes and re-establish vulnerable fauna are implemented in partnership with the State authorities and reviewed annually.

Defence works closely with relevant local and State government agencies to develop and implement certain component of the WAREMS, particularly with respect to bushfire, native flora and feral animal and native fauna management.

The boundaries of the BDTA remained unchanged and the area identified on Map 1 of the WA RFA remained within Commonwealth land.

Appendix 2 | Public reporting and consultative mechanisms¹⁰⁶

The consultative mechanisms described in the table in Attachment 4 of the WA RFA were maintained by relevant agencies. The Conservation Commission replaced the National Park and Nature Conservation Authority and Lands and Forest Commission. An outline of the policy and legislative changes, which resulted in the creation of the Conservation Commission, were mentioned in the introduction to this report, Section 4.3.

Improvements to consultative mechanisms

In addition to improvements to consultation mechanisms in Attachments 5, 6 and 10, the State intends to further develop its consultative mechanisms applying to the South-West Forest Region by:

Milestone

1. Reviewing the processes for the involvement of communities in planning for cultural heritage conservation by 2002.

This milestone was achieved during Period 1 and Period 2.

In 2002, a review of DEC's management of cultural heritage was undertaken. The process to involve communities in planning for cultural heritage was part of this review.

Milestone

2. Consulting a peak stakeholder committee, comprising a wide range of interests, on research priorities within CALM by 1999.

Milestone

3. Establishing scientific advisory committees to facilitate input of external advice to research projects and to aid integration of CALM's strategic research planning with research priorities of other organisations, agencies and institutions by 1999.

These milestones were achieved in Period 2.

In 2004, the Conservation Commission established a Research Advisory Committee (RAC), the purpose of which was to identify and provide advice on scientific and social research priorities that would make the most strategic improvement in biodiversity conservation outcomes for WA. It was also intended that the RAC would aid the State's biodiversity research effort through encouraging better integration of research across Government, including the tertiary education sector and CSIRO.

The RAC met biannually from 2004 to 2006. In 2007, the Conservation Commission decided to consider alternative approaches to facilitate input of external advice on research planning and priorities. In the findings from the mid-term audit of performance of the FMP, the Conservation Commission committed to resurrect the RAC.

Milestone

4. Extending the use of operational planning on a periodic and integrated basis and introducing the opportunity for public examination of "look ahead" plans by 2002.

The milestone was achieved in Period 1.

¹⁰⁶ This appendix relates to Clause 47 and Attachment 4 of the WA RFA.

In December 1999, indicative logging plans covering the period 1999 to 2003 for the (then) Central Forest Region and for 2000 for the Southern Forest Region were made available to the public.¹⁰⁷

From 2004, these *look ahead* plans were prepared in accordance with Actions 11.3 and 11.5 of the FMP, which also provides for these plans to be made available to the public. It is standard practice to publish the timber harvest plans online. Annual timber harvest plans are published to the FPC website¹⁰⁸ and the three-year indicative timber harvest plans are published to DEC's website¹⁰⁹.

Milestone

5. Considering publishing medium-term fire management plans which include an outline of the ecological basis for burning regimes by 2000.

The milestone was achieved in Period 1.

From spring 2000, annual burn plans and medium-term master burn plans for the three forest regions (Swan, South-West and Warren) were made available to the public.

DEC prepares master burn plans for each region across WA. The community is given an opportunity to contribute to developing these plans.

For the south-west forest area, the master burn planning process outlines planned burns during a three-year period. The proposed burns are designed to meet either a primary purpose, or a combination of purposes that include:

- conserving biodiversity through applying scientifically based fire regimes to maintain and protect native flora and fauna communities and/or habitats
- protecting the community – human life, property, public assets, parks, water catchments, wood values and plantations, and
- regenerating native forests by silvicultural burns following timber harvesting.

Area operational burn plans include a map of the burn boundaries, surrounding values and vegetation types.

Area operational burn plans are available to the public through DEC's regional offices, Swan, South-West and Warren. Prescribed burns are also notified through DEC's website.

¹⁰⁷ <http://www.dec.wa.gov.au/management-and-protection/forests/forest-resources/regional-harvest-plans-2001.html>

¹⁰⁸ http://www.fpc.wa.gov.au/content_migration/native_forests/harvest_plans/Default.aspx

¹⁰⁹ <http://www.dec.wa.gov.au/management-and-protection/forests/forest-resources/three-year-indicative-timber-harvest-plan-for-native-forests.html>

Appendix 3 | Improvement to Western Australia’s forest management systems on public land¹¹⁰

Attachment 5 of the WA RFA listed 25 items that related to improvements in WA’s forest management systems on public lands.

The State agrees to further develop its Forest Management Systems applying to the South-West Forest Region across agencies and land tenures by:

Milestone

1. Including a commitment in Forest Management Plans to the following nationally agreed principles of ecologically sustainable forest management.

This milestone was achieved during Period 1.

Also, refer to the response to Clause 33 for information relevant to this milestone.

The FMP commenced in January 2004 and was formulated using a modified Montréal Process Criteria. The principles of ecologically sustainable forest management were considered when the FMP was produced. The overall objectives were to conserve biodiversity, sustain the health, vitality and productive capacity of the south-west forest and for the social, cultural and economic benefits valued by the community. The actions proposed in the FMP were guided by the principles of ESFM described in Section 19(2) of the CALM Act.

Milestone

2. Developing and publishing policy related to productive capacity of former mine sites, maintenance of carbon and hydrological cycles, and natural and cultural heritage, in relevant Forest Management Systems.

This milestone was achieved in part during Period 1 and Period 2.

The FMP provides policy direction accompanied by management activities on matters identified in this milestone. For example, the FMP:

- seeks to reduce the permanent loss of forested areas as a result of development, replace forested areas lost to development and promote co-location of infrastructure
- outlines actions at an operational scale to protect the ecological integrity and quality of streams and wetlands and increase the flow of water to surface and groundwater reservoirs
- aims to sustain the contribution of the forest to global carbon cycles.

The stated objective of DEC’s Policy Statement Number 10, *Rehabilitation of Disturbed Lands*, is to regenerate self-regulating ecosystems on disturbed lands consistent with the purpose for which the land is to be managed.

On a case-by-case basis, DEC negotiates the hand back of rehabilitated mining areas in State forest on SAA areas according to agreed completion criteria. The key objective of the completion criteria is ensuring mine site rehabilitation displays self-sustaining characteristics of a forest ecosystem. This allows DEC to manage the long-term mine site rehabilitation in conjunction with surrounding unmined native forest using normal forest management practices and without input of extraordinary resources.

Outside the review period, DEC prepared and published the *Guidelines for conservation management plans relating to mineral exploration of land managed by the Department of Environment and Conservation* (February 2011)¹¹¹. These guidelines were prepared in consultation with and endorsed by DMP.

¹¹⁰ This appendix relates to Clauses 42 and 48 and Attachment 5 of the WA RFA.

Appendix 6 of this report outlines the work that has progressed to maintain and protect Aboriginal heritage values. Non-indigenous cultural heritage sites, including moveable heritage items, are recorded in DEC's Recreation and Tourism Information System. In 2003 draft *Guidelines for the Management of Cultural Heritage on Lands and Waters Managed by the Department* were provided to the Conservation Commission.

3. Introducing into the Western Australian Parliament a revised/new Wildlife Conservation Act and, then reviewing nature conservation strategies, taking into account the recommendations of the Independent Expert Advisory Group.

This milestone was achieved in part in Period 1 and Period 2.

In 2003, DEC released a consultation paper for public comment on a proposed Biodiversity Conservation Act to replace the WC Act¹¹². No further progress was made with the development of this legislation. However, it remains an agency priority as it is acknowledged that the WC Act requires modernising.

In 2004, a discussion paper was released, *Towards a Biodiversity Conservation Strategy for Western Australia*¹¹³. Subsequently a draft *100 Year Biodiversity Conservation Strategy for Western Australian* was released in 2006¹¹⁴. At a department level, regional plans are developed to direct nature conservation priorities and resources. The department continues to implement the Western Shield fox baiting program¹¹⁵.

Milestone

4. Introducing into the Western Australian Parliament within six months of the signing of this Agreement amendments to the *Conservation and Land Management Act 1984* to remove the Executive Director of CALM as a member of the Lands and Forest Commission and the National Parks and Nature Conservation Authority.

This commitment has been achieved in Period 1.

This amendment was included in the *Conservation and Land Management Amendment Act 1999*, and took effect from November 2000.

Milestone

5. Updating processes, including those related to EP Act and the CALM Act, to allow a more efficient process for the consideration of social, economic and environmental implications in the development, approval and on-going audit of compliance with Forest Management Plans. The review process will be undertaken prior to the publication of the next draft Forest Management Plan.

This ongoing milestone was achieved in Period 2.

The FMP covers a 10-year period and is the key policy document for managing south-west native forests at the whole of forest, landscape and operational scales.

¹¹¹ http://www.dec.wa.gov.au/index2.php?option=com_docman&task=doc_view&gid=5172&Itemid=708

¹¹² <http://www.dec.wa.gov.au/our-environment/biodiversity/international-year-of-biodiversity/proposed-biodiversity-conservation-act.html>

¹¹³ http://www.dec.wa.gov.au/publications/2/doc_download/299-towards-a-biodiversity-conservation-strategy-for-western-australia-discussion-paper.html

¹¹⁴ http://www.dec.wa.gov.au/publications/2/doc_download/319-a-100-year-biodiversity-conservation-strategy-for-western-australia-draft.html

¹¹⁵ <http://www.dec.wa.gov.au/management-and-protection/programs/western-shield.html>

The process to develop the FMP included undertaking social and economic impact assessments¹¹⁶ and the public review of the FMP was streamlined by conducting a parallel public comment period in accordance with the CALM Act and the EP Act.

The FMP identifies monitoring and auditing actions to ensure forest management is undertaken in accordance with the FMP. The progress of FMP actions was reported against in annual implementation status reports by DEC and the FPC (DEC to 2007 only)¹¹⁷.

In 2008, the Conservation Commission submitted to the EPA a mid-term audit of performance of the FMP to meet the requirement of Ministerial Condition 2-2 and Action 32.2 of the FMP. The report provided information on the progress to implement the actions of the FMP.

When the FMP was developed, a suite of reviews and papers, including a scoping paper, discussion paper and draft forest management plan, was prepared, covering social and economic assessments and environmental aspects and implications of preparing and implementing a forest management plan in context of the *Protecting our old-growth forests* policy. A list of the reports is provided at Appendix 8. A number of these reports are still available online from the Conservation Commission's website¹¹⁸.

An independent assessment of the FMP's performance of specific aspects of forest management was undertaken by the Conservation Commission and included:

- informal reserves
- fauna habitat zones, and
- prescribed burning.

The findings from these assessments were published to the Conservation Commission website¹¹⁹.

Milestone

6. Where previous ministerial conditions have been imposed under the EP Act, these conditions and references applying to any previous Forest Management Plan will be revoked and replaced by conditions consistent with the terms of each new Forest Management Plan.

This ongoing milestone was achieved during Period 1 and Period 2.

The Ministerial Conditions imposed under the EP Act on the FMP (1994-2003) were revoked and replaced in the FMP (2004-2013). Any requirements of the Ministerial Conditions imposed under the FMP (1994-2003) with ongoing relevance to forest management were addressed in the FMP (2004-2013).

Milestone

7. Updating appropriate policy documents related to Mining of forested areas in the South-West Forest Region so that they reflect a commitment to the principles of ecologically sustainable forest management.

This ongoing milestone was achieved in part during Period 1 and Period 2.

Policy documents related to mining in south-west forests within the WA RFA region were not developed or updated specifically to reflect the principles of ESFM. However, WA has in place a legislative framework through the *Mining Act 1978* and the EP Act which allows conditions to be imposed on mining operations and associated activities that ensure environmentally sustainable development.

¹¹⁶ <http://www.conservation.wa.gov.au/media/806/CoakesAssessmentOfFMPs.pdf> and

<http://www.conservation.wa.gov.au/media/1118/SupplementaryInfoToSalinityImpacts-Logging.pdf>

¹¹⁷ <http://www.conservation.wa.gov.au/>

¹¹⁸ <http://www.conservation.wa.gov.au/>

¹¹⁹ http://www.conservation.wa.gov.au/document_search.aspx#results. Tick check the **Performance Assessment** box under the Topic Forest Management Topic/South West Region being South West

The FMP provides policy direction accompanied by management actions and seeks to reduce the permanent loss of forested areas because of development, replace forested areas lost to development and promote co-location of infrastructure.

The *Mining Act 1978* requires the concurrence of the Minister for Environment to undertake mining operations on areas classified as State forest. Mining leases are granted subject to conditions or pursuant to Section 24 of the *Mining Act 1978*. DEC provided input on the extent and nature of the conditions included in mining leases. This input is provided in context of DEC's strategic objective to manage natural resources and promote sustainable practices.

Since 2004, any clearing of native vegetation for mining or exploration required a clearing permit issued under the EP Act, except where exemptions were granted in accordance with the legislation. Schedule 5 of the EP Act, *Principles for clearing native vegetation*, provides DEC with a framework to apply the native vegetation clearing regulations and advice to external agencies and proponents.

Milestone

8. Reviewing the present strategies and operations to ensure they include formal requirements for conservation or re-establishment of forest values, including productive capacity, on former Mining sites, consistent with principles of ecologically sustainable forest management.

This milestone was achieved in part in Period 2.

The FMP provides policy direction accompanied by management actions and seeks to reduce the permanent loss of forested areas as a result of development, replace forested areas lost to development and promote co-location of infrastructure.

The *Mining Environmental Management Guidelines: Mining Proposals in WA* (February 2006)¹²⁰ guides proponents when preparing mining proposals in accordance with best environment and rehabilitation standards from the initial planning stage, through the operation phase to decommissioning and closure.

The responses to Milestone 2, *Developing and publishing policy related to productive capacity of former mine sites*, and Milestone 7, *Updating appropriate policy document*, of WA RFA Attachment 5 are also relevant to the response to this milestone.

Milestone

9. At the next review of the CALM fire process for setting priorities for the use of prescribed fire, reviewing and if necessary changing the weighting given to different values based on the principles of ESFM and current knowledge of the response and resilience to fire of ecosystems in the South-West Forest Region.

This milestone was achieved during Period 2.

From 2003 to 2004, at the request of the State Environment Minister, the EPA undertook a review of the (then) CALM's fire policies and management practices.¹²¹ The review recognised that the fuel reduction program was a key strategy to reduce the extent and impact to biodiversity and other assets from uncontrolled bushfires. The EPA made a range of recommendations to improve fire management including that biodiversity be given first consideration when planning annual burn programs. DEC revised its Fire Management Policy (Policy 19) to reflect the intent of the EPA's recommendations and comments received in the public submission. A revised Policy 19 was published in 2005.

¹²⁰ http://www.dmp.wa.gov.au/documents/ED_Min_GL_MiningProposalsInWA_Jan07.pdf

¹²¹ http://epa.wa.gov.au/EPADocLib/1912_B1151.pdf

DEC has a well established fire management and planning framework. A master burn plan process is the basis for undertaking prescribed burns across DEC-managed land including the south-west forests. The process also reviews the progress of the prescribed burning program on completion of each burning season, spring and autumn in the south-west, and the occurrence of any wildfires. This allows for re-scheduling of future fire activities in context of the purpose for which the burn was being conducted, for example, protecting assets or silvicultural burns to regenerate native forests following timber harvesting.

DEC uses a risk management process called *Wildfire Threat Analysis (WTA)*¹²² to collate and present information to fire managers that allows them to make informed decisions on how and where to minimise the risk of bushfires.

KPI16 of the FMP, as reported in the mid-term audit of performance (December 2008), provided a measure of the risk to conservation, life, property and other forest values posed by bushfire.

Milestone

10. Reviewing the Code of Practice for Timber Harvesting in Western Australia (April 1997) and the Manual of Timber Harvesting in Western Australia (January 1996) with a view to making them easier for field operators and field staff to understand.

This milestone was achieved in Period 1.

The *Code of Practice for Timber Harvesting in Western Australia* and the *Manual of Management Guidelines for Timber Harvesting in Western Australia* were reviewed and updated in 1999. In 2003, the *Contractors Timber Harvesting Manual, SW Forests* was written to replace the *Manual of Management Guidelines for Timber Harvesting in Western Australia*. This was updated in 2007.

11. Releasing, where appropriate, draft policy statements for public comment prior to finalisation.

This ongoing commitment was achieved for Period 1 and Period 2.

DEC's draft revised policy statement No. 41, *Beekeeping on Public Lands*, was released for public comment in 2005. The draft policy statement No. 18, *Recreation, Tourism, and Visitor Services*¹²³, was released for public comment prior to finalising in 2006.

Milestone

12. Developing a system of pre-logging fauna assessment (i) to predict fauna occurrence in each forest block, and (ii) document the known habitat requirements of threatened and sensitive fauna to be implemented by the commencement of the next Forest Management Plan.

This milestone was achieved in Period 2.

The Fauna Distribution Information System (FDIS) was initially developed¹²⁴ specifically to help ensure the continued survival of fauna in areas of forest subject to timber harvesting. In the planning process, FDIS checks for fauna sensitive¹²⁵ to prescribed burning and timber harvesting.

¹²² <http://www.dec.wa.gov.au/management-and-protection/fire/prescribed-burning/fire-as-a-management-tool.html?showall=&start=2>

¹²³ <http://www.dec.wa.gov.au/about-us/about-dec/policies-and-legislation.html>

¹²⁴ *Assessment of vertebrate fauna prior to disturbance : timber harvesting and prescribed burning in the forests of Western Australia*. (2005) Christensen, P., Liddelow, G., Hearn, R. This document is available from DEC's Conservation Library, Dick Perry Avenue, Kensington.

<http://science.dec.wa.gov.au/conslib.php?titlesta=Assessment+of+Vertebrate+Fauna+Prior+&authors=&subjects=&pubdate=&contents=&series=&source=&main=&location=&material=&type=sum>

¹²⁵ For the purpose of FDIS these species are regarded as being particularly vulnerable to disturbance by timber harvesting and regeneration operations or to certain prescribed fire regimes. The life cycle of these species may be disrupted for an extended period of

The system allows for the likely occurrence and needs of these species to be considered prior to timber harvesting before prescribed burning, this overcame the need for extensive biological surveys. As a predictive system, FDIS has a number of advantages over the biological survey method of discovering what species are present within a forest area.

Milestone

13. Establishing a joint CALM and Western Australian Museum committee to jointly assess priorities for collection of fauna data and to maintain a consolidated database.

This ongoing milestone was achieved in part during Period 1 and Period 2.

Data sharing was achieved via the Fauna Survey¹²⁶ and the consolidated data portal NatureMap¹²⁷ managed by DEC.

Milestone

14. Developing a formal process to appraise and consider data requirements to support assessment of risks to biodiversity in accordance with agreed funding arrangements.

This ongoing milestone was achieved in part during Period 1 and Period 2.

DEC developed a *Strategic Plan for Biodiversity Conservation Research 2008-2017*. Regional Nature Conservation Service Plans direct biodiversity priorities and allocation of resources.

Recovery and interim recovery plans¹²⁸ were developed for protected species of flora and fauna and for TECs. These plans identified recovery criteria and actions.

The assessment of risks to biodiversity was integrated into the development and implementation of *ForestCheck*¹²⁹ (Robinson and Tunsell 2010).

Milestone

15. Assess cultural heritage resources through appropriate and cost effective surveys and develop databases and integrate the conservation of cultural heritage values into the forest management and planning process through training and more explicit processes and guidelines in accordance with agreed funding arrangements.

This ongoing milestone was achieved in Period 2.

Identifying and protecting cultural heritage is built into forest management planning by using checklists for pre-burn and pre-disturbance (DECSFM019) operations. The planning process requires proponents to undertake desktop searches of cultural heritage databases and on-ground surveys and identify management options for protecting cultural heritage sites. The process and requirements to manage non-Indigenous cultural heritage on DEC-managed land was also incorporated into a range of documents, including policy, guidelines and administrative instructions.

The *Aboriginal Heritage Act 1972* (AH Act) specifies that a Register of Aboriginal sites¹³⁰ must be maintained. Under current arrangements, the Register of Aboriginal sites is held and maintained at the Department of Aboriginal Affairs¹³¹.

time, either because of their low numbers and restricted distribution, or because of particular habitat requirements. Examples include the Nornalup Frog, Western Ringtail possum and the Quokka, Forest Red-tailed Black Cockatoo and the Common Brushtail possum.

¹²⁶ <https://secure.dec.wa.gov.au/apex/pls/fauna/f?p=faunasurveypublic>

¹²⁷ <http://naturemap.dec.wa.gov.au/default.aspx>

¹²⁸ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=842&Itemid=2007

¹²⁹ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=5605&Itemid=2290

¹³⁰ <http://www.dia.wa.gov.au/en/Site-Search/Register-of-Aboriginal-sites/>

¹³¹ <http://www.dia.wa.gov.au/>

DEC has an online cultural heritage database *Recreation and Tourism Information System* (RATIS) that contains information on non-Indigenous cultural heritage sites and moveable cultural heritage. Personnel from the Heritage Council of Western Australia¹³², National Trust of Australia (WA)¹³³ and a wide range of DEC staff are consulted to identify places for inclusion in the RATIS database.

From July to December 2000, 22 cultural heritage awareness sessions were presented to 344 DEC staff in the Swan, South-West, Warren and the South Coast regions. Five cultural heritage training sessions on draft policy and guidance documents were presented to 101 DEC staff in the Swan, South-West, Warren and the South Coast regions. In 2000, eight departmental staff attended a Heritage Planning and Management Seminar run by the Heritage Council of Western Australia in Perth.

DEC staff receive a strong grounding in the procedures required to manage cultural heritage issues in WA.

The responses addressed at Section 5.7 *Indigenous Heritage*, should be considered in response to this milestone.

The Parties note that the Forest Management Systems could be further improved by the following actions, but that implementation is subject to the availability of adequate financial resources and to the State's other legislative and policy commitments. The actions would be to:

16. In addition to current (about two yearly) internal reviews, implementing periodic (about five yearly) external review of the Code of Practice for Timber Harvesting in Western Australia.

This commitment was achieved during Period 1 and Period 2.

The *Code of Practice for Timber Harvesting in Western Australia* (March 1999) and the *Safety and Health Code for Native Forests/Hardwood Logging and Plantation Logging* (2006) were superseded by a number of documents including the *Contractors Timber Harvesting Manual for South West Native Forests* (December 2007) and a suite of manuals and guidelines implemented under the FMP. Appendix 1 of the FMP listed existing and proposed key subsidiary management guideline documents. These documents are reviewed periodically or as required.

17. Implementing processes for the formal involvement of CALM Regional and District staff in setting priorities for research and development, and in planning the implementation of research results in forest management.

This ongoing commitment was achieved during Period 1 and Period 2.

Forest management research priorities and knowledge gaps are identified through a science liaison group within DEC consisting of Sustainable Forest Management and Science Division personnel. In addition, DEC's Science Division liaises with the three forest regions (Swan, South-West and Warren) to determine research priorities.

18. Defining water quality more explicitly in the relevant Codes of Practice at the next review of these documents.

This commitment was achieved in Period 2.

The FMP committed to developing a guideline for managing soil and water. The *Soil and Water Conservation Guideline* was developed and released for public comment in March 2008 and subsequently approved by the State Environment Minister in December 2009 (DEC SFM Guideline No. 5)¹³⁴.

¹³² <http://www.heritage.wa.gov.au/>

¹³³ <http://www.ntwa.com.au/>

¹³⁴ http://www.dec.wa.gov.au/component/docman/doc_download/4399-soil-and-water-conservation-guideline.html?Itemid=

In accordance with the FMP, designated river and stream zones protect water quality. These areas are demarcated in the field and are exempt from disturbance activities.

The *Contractors Timber Harvesting Manual, SW Forests* contains guidelines to protect water values.

19. Reviewing skill requirements, staff training, and the contracting of external services to facilitate timely access to the range of skills needed to implement ESFM.

This ongoing commitment was achieved during Period 1 and Period 2.

The FMP identified a number of actions, which related to developing and maintaining human resource skills across relevant disciplines. In particular, Action 38.2 under Objective 38, *Knowledge*, of the FMP stated that:

The Department and the Forest Products Commission will take reasonable and practicable steps to:

- *identify the skills required to competently undertake the key tasks referred to in Action 37.1.2 [associated with implementation of the plan]*
- *review the skills and competency levels of persons responsible for undertaking those tasks, and*
- *initiate training and other programs to increase skill and competency levels where they are deficient.*

KPI30 of the FMP, as reported in the mid-term audit of performance of the FMP (December 2008) measured the extent to which DEC and the FPC demonstrated the capacity and commitment to develop and maintain the essential skills of staff.

Some examples of the types of training available include the FPC's targeted training program for recruits in its Operations Division. The training program was organised through Great Southern Technical and Further Education (TAFE) as the Registered Training Organisation under a MOU and was aligned to the National Training Package. The FPC also provided a Skills Recognition program for existing field staff to obtain recognised qualifications.

DEC offers employees internally and externally run training programs in the areas of field operations, safety and health, nature conservation, marine and fire operations, cultural development, compliance, regulation licensing and corporate training. Staff are also offered the opportunity to pursue undergraduate and postgraduate studies. DEC has a range of programs targeted at graduate recruits, Indigenous trainees, operational, administrative and specialist personnel that offer specific learning opportunities.

20. Investigate a cross-agency cultural and natural heritage research program.

This ongoing commitment was achieved during Period 1 and Period 2.

DEC progressed developing its social research program that encompasses cultural and natural heritage. DEC has worked collaboratively with a WA university that provided the capacity for further research to be undertaken in the areas of cultural and natural heritage.

21. Implementing a regional-level forest health surveillance system (including private forests) to provide early warning of potential pest disease and weed problems, develop an associated action plan, and undertake risk analyses for likely incursions or outbreaks.

This ongoing commitment was achieved in part during Period 1 and Period 2.

In 2008, DEC commenced the planning process to devise, establish and implement a regional forest health surveillance system consistent with the FMP. As an FMP action under the strategic goal of 'Provide scientific

concepts and tools for best practice management of biodiversity as an integral part of natural resource management', the system was outlined in *A Strategic Plan for Biodiversity Conservation Research 2008-2017*¹³⁵.

The surveillance and mapping of *Phytophthora cinnamomi* in jarrah forests is one of the longest running forest health programs undertaken by DEC. Two research groups, the Tuart Response Group and the Wandoo Working Group were established to monitor and research the cause of tuart¹³⁶ and wandoo¹³⁷ decline. Subsequent to the review periods, the Tuart Response Group was integrated into the Centre of Excellence for Climate Change, Woodlands and Forest Health (CoE)¹³⁸. DEC is an industry partner with this CoE and collaborates on research projects.

The FPC and private industry companies monitor programs to address pests in plantations. A comprehensive summary of forest health surveillance in WA from 1997 to 2006 can be found in Robinson (2008).

22. Completing and using soil and landform assessment methods, and developing guidelines for using this information in planning in the southern forests.

This ongoing commitment was achieved in Period 2.

A major initiative of the FMP was identifying and implementing a range of measures to protect soils.

DEC and the FPC commissioned a consultant to investigate factors contributing to soil disturbance from timber harvesting to help plan for measures to protect soil from damage.

A consultant report on soil trafficability was completed and published in 2005, SFM Technical Report No. 2, (Rab *et al.* 2005)¹³⁹.

Research was undertaken in 2005 into the effectiveness of soil protection treatments, including cording, matting and brushing.

An exercise to map soils in timber harvesting areas was also completed and published in 2007, SFM Technical Report No. 3 (Smolinski and Kuswardiyanto, 2007)¹⁴⁰.

A combination of research outcomes, field surveys and monitoring and refining operational activities were incorporated into managing soil disturbance associated with harvesting timber.

Guidance was provided in the *Interim Manual of Procedures for the Management of Soils Associated with Timber Harvesting in Native Forests*¹⁴¹ to reduce the extent and severity of soil disturbance associated with harvesting timber in native forests and included a tighter definition regarding severity of damage, the introduction of rutting, erosion, deposition and landing management limits, the introduction of a precautionary planning approach and a more determined effort to halt operations prior to exceeding allowable limits.

¹³⁵ http://www.dec.wa.gov.au/index2.php?option=com_docman&task=doc_view&gid=2078&Itemid=1

¹³⁶ <http://www.dec.wa.gov.au/management-and-protection/forests/conserving-our-tuarts.html>

¹³⁷ <http://http://www.dec.wa.gov.au/management-and-protection/forests/conserving-our-wandoo.html>

¹³⁸ <http://www.foresthealth.com.au>

¹³⁹ *A Review of Factors Affecting Disturbance, Compaction and Trafficability of Soils with Particular Reference to Timber Harvesting in the Forests of South-West Western Australia*, http://www.dec.wa.gov.au/publications/2/doc_download/109-review-of-factors-affecting-disturbance-of-soils.html

¹⁴⁰ *Soil Survey and Assessment of Trafficability in the South-West Forests of Western Australia – Adaptive Management and Operational Trials Harvested in Winter 2004*, http://www.dec.wa.gov.au/publications/2/doc_download/5162-survey-and-assessment-of-trafficability-in-the-south-west-forests-of-western-australia.html

¹⁴¹ <http://www.conservation.wa.gov.au/media/1109/SoilProtectionForestHarvesting.pdf>

23. Collating and maintaining a database on forest soils (including soil nutrients) and carbon, using data from researchers within and outside CALM.

This ongoing commitment was not achieved during Period 1 and Period 2.

As at the review period no action was taken to implement this commitment.

24. Developing mechanisms in consultation with harvesting operators for fostering research and development in harvesting techniques and promoting the transfer of new technology.

This ongoing commitment was achieved during Period 1 and Period 2.

Harvesting operators have the opportunity to attend conferences and exhibitions relevant to forest harvesting machinery in WA, Australia and overseas. The FPC provided training for contractors in new harvesting techniques. In 2001, FPC undertook the requirements to accredit 30 contractor staff to operate tree harvester machines.

In 2009, the FPC undertook a five-year review of contractors.

25. Furthering the development of CALM's social and economic research program.

This ongoing commitment was achieved during Period 1 and Period 2.

DEC's Social Research Unit¹⁴² has a coordinated and comprehensive approach to social research in relation to DEC-managed land and waters. The unit works collaboratively with other DEC divisions, government agencies and major tertiary institutions. DEC was a partner of the Sustainable Tourism Cooperative Research Centre (STCRC)¹⁴³.

In 2007/2008, DEC commenced a review of its visitor data collection program. Under a STCRC national research project involving Murdoch University, University of Technology Sydney and University of South Australia, the visitor satisfaction survey was redesigned. A pilot survey was tested and information was analysed to establish a set of nationally aligned survey questions to determine visitor satisfaction. At the end of 2008 the redesigned visitor satisfaction survey was in place and an inaugural set of results was reported in DEC's 2008/2009 annual report.

In 2004, the STCRC published *Assessment of the economic value of recreation and tourism in Western Australia's national parks, marine parks and forests*. It was the first assessment of the value of national parks, marine parks and forests for tourism and recreation in WA. It was conducted at the request of the STCRC partner organisations in WA, namely the then CALM and Tourism WA. The study found that approximately \$62 million of direct tourism expenditure was attributable to the national parks and forests of the Southern Forest Region (that was DEC's Warren Region).

Research was conducted into the socio-economic situation and likely changes in the forest industry in WA.¹⁴⁴ This research investigated how changes in the forest industry, such as technological advancements and access changes to native forests, affected regions in regard to population and employment. In particular, the research considered the socio-economic affects of the shift to a more plantation-based industry, especially in changes associated with the growth of eucalypt hardwood plantations. The conclusion of the investigation indicated that the changes varied in magnitude and outcome under different circumstances, and thus the importance of the research was in working towards maximising the positive outcomes associated with shifts to the forest

¹⁴² <http://www.dec.wa.gov.au/parks-and-recreation/research/social-research.html>

¹⁴³ <http://www.crctourism.com.au/> N.B the STCRC ceased operating in June 2010.

¹⁴⁴ www.crcforestry.com.au/research/downloads/TR189-final-reportforJacki.pdf

industry through developing strategies that could assist people to adapt to the changes associated with plantation expansion.

Appendix 4 | Protection and management of forests on private land¹⁴⁵

Attachment 6 of the WA RFA described the forest management system for private forests in WA at the time of the Agreement in 1999. Changes to legislation since the WA RFA was signed resulted in adjustments to management processes as discussed below.

Forest Management System for Private Forests in Western Australia

The Parties note that the existing management system in WA contributes to the protection of CAR and environmental values and encourages private forestry on private land through five instruments and mechanisms.

I. Clearing of native vegetation on private land

Clearing of native vegetation on private land is regulated under two Western Australian Acts, *the Country Areas Water Supply Act 1947* and the *Soil and Land Conservation Act 1945*. Provisions of the *Environmental Protection Act 1986* and *Wildlife Conservation Act 1950* also apply.

For the purposes of the *Soil and Land Conservation Act 1945* ^(WA) a Notice of Intent is assessed by Agriculture WA, and under mechanisms established in the *Memorandum of Understanding between the Commissioner for Soil and Land Conservation, Environmental Protection Authority, Department of Environmental Protection, Agriculture Western Australia, Department of Conservation and Land Management, Water and Rivers Commission, for the protection of remnant vegetation on private land in the agricultural region of Western Australia*, is referred, as appropriate, to:

- the Department of Conservation and Land Management (CALM) to assess the impact of the proposed disturbance on Declared Rare Flora and Declared Rare Fauna under the *Wildlife Conservation Act 1950* (WA) and to provide advice on general nature conservation issues such as the opportunity to maintain corridors of remnant vegetation and buffers around conservation reserves;
- the Department of Environmental Protection to advise on the impact of the proposal on the environment;
- the Water and Rivers Commission where a separate License to Clear is required in catchments contained in Schedule 2 of the *Country Areas Water Supply Act 1947* ^(WA); and
- the Environmental Protection Authority, if their assessment is required.

This ongoing commitment was achieved during Period 1 and Period 2.

Clearing native vegetation on private land is regulated under the EP Act. Provisions of the WC Act also applies. For the purposes of the CAWS Act, clearing native vegetation on private land is controlled on catchments contained in Schedule 2 of the CAWS Act, which is administered by the Department of Water.

Amendments to the EP Act, which came into effect in July 2004, prohibit clearing native vegetation unless a clearing permit is granted by DEC or clearing is for an exempt purpose as defined in the Act and the associated Environmental Protection (Clearing of Native Vegetation) Regulations 2004. The amendments also replaced the requirement for a *Notification of Intent to Clear* under the *Soil and Land Conservation Regulations 1992*. Proponents require approved clearing permits before clearing native vegetation. DEC administers the process for issuing clearing permits and these are assessed in accordance with the principles of Schedule 5 of the EP Act, planning instruments and other relevant matters. DEC prepares quarterly performance reports on the native vegetation clearing program¹⁴⁶.

¹⁴⁵ This appendix relates to Clauses 44, 48 and 53 and Attachment 6 of the WA RFA.

¹⁴⁶ <http://www.dec.wa.gov.au/management-and-protection/plants/native-vegetation.html>

The principles outlined in Schedule 5 are that native vegetation should not be cleared if:

- (a) it comprises a high level of biological diversity
- (b) it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia
- (c) it includes, or is necessary for the continued existence of rare flora
- (d) it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community
- (e) it is significant as a remnant of native vegetation in an area that has been extensively cleared
- (f) it is growing in, or in association with, an environment associated with a watercourse or wetland
- (g) clearing vegetation is likely to cause appreciable land degradation
- (h) clearing vegetation is likely to affect the environmental values of any adjacent or nearby conservation area
- (i) clearing vegetation is likely to cause deterioration in the quality of surface or underground water, or
- (j) clearing vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Offsets on cleared native vegetation could have been required as a condition for a clearing permit to be approved.

In 2008, a panel of experts undertook a regulatory review of the State's native vegetation clearing legislation. The review examined the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, and those parts of the EP Act that were introduced in 2004 which made it an offence to clear native vegetation unless a permit is granted or an exemption applies. The review considered and recommended improvements to the regulatory framework to ensure the intent of the legislation to control clearing of native vegetation was being met.

A report from the panel of experts (Middle Report) was presented to the Minister for Environment in April 2009 and a further Environmental Stakeholder Advisory Group report was presented to the Minister in December 2009¹⁴⁷. Subsequent to the review period, in February 2010 an inter-agency working group was established to provide advice on legislative improvements related to clearing native vegetation, in line with the recommendations of the Environmental Stakeholder Advisory Group and the Middle Report.

Under Part 3 of the EPBC Act, actions, which have a significant impact on matters of national environmental significance, are offences unless the Australian Environment Minister had given prior approval under Part 9 of the Act. However, Section 38 of the EPBC Act stated that Part 3 did not apply to forestry operations undertaken in accordance with an RFA. This section effectively provides an exemption from the assessment and approval requirements, which applied to other activities.

¹⁴⁷ <http://www.dec.wa.gov.au/our-environment/environmental-stakeholder-advisory-group.html>

2. *Timber Harvesting on Private Land*

(a) Native Forests

In catchments contained in Schedule 2 of the *Country Areas Water Supply Act 1947* (WA), the Water and Rivers Commission, require the preparation of a Forest Management Plan applying to timber harvesting operations in these areas.

Provisions of the *Wildlife Conservation Act 1950* (WA) apply to timber harvesting operations on private lands.

(b) Plantations

Clearing of native vegetation for plantation establishment is regulated through the Memorandum of Understanding.

An association of private forest growers (Australian Forest Growers) encourages private forest growers to apply the Code of Practice for Timber Plantations on private lands.

These ongoing commitments were achieved during Period 1 and Period 2.

(a) Native Forests

Managing a forest for sustainable wood production is subject to the same legislation as clearing and requires a clearing permit under the EP Act. Also, there is a requirement for a Commercial Producers Licence issued by DEC under the WC Act where products are sold from native forests. In catchments contained in Schedule 2 of the CAWS Act, a licence is required to harvest native forest. In circumstances where a clearing permit has been approved under the EP Act, this requirement is waived.

(b) Plantations

The WA RFA acknowledged the Australian Forest Growers¹⁴⁸ and its role to encourage forest growers to apply the *Code of Practice for Timber Plantation in Western Australia*¹⁴⁹ on private lands. This code of practice was updated in 2006. Clearing native vegetation for the purpose of a plantation also requires a clearing permit in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

3. *Remnant Vegetation Protection Scheme*

This scheme protects CAR values; including flora, fauna, wetlands and soils; through assistance for fencing of remnant vegetation on private land. Landholders enter into a contract deed with the Commissioner of Soil and Land Conservation to set aside the land for the protection and management of the remnant native vegetation for a minimum period of thirty years. A memorial is placed on the land title to advise future owners that they must preserve the area of fenced vegetation.

4. *Farm Forestry Advisory Service*

The Department of Conservation and Land Management (CALM) and Agriculture WA jointly operate a Farm Forestry Advisory Service which provides information on the management and restoration, growth and yield, commercial, and environmental aspects of native forests and plantations on private property. The contribution of the Department of Conservation and Land Management in this area is in accordance with strategies contained in the Forest Management Plan 1994-2003.

These ongoing commitments were achieved during Period 1 and Period 2.

The Remnant Vegetation Protection Scheme no longer operated, but covenants could still be placed over land under the *Soil and Land Conservation Act 1945* (WA) or through the conservation covenant programs

¹⁴⁸ <http://www.afg.asn.au/>
¹⁴⁹

<http://www.forestindustries.com.au/upload/Code%20of%20Practice%20for%20Timber%20Plantations%20in%20WA%202006.pdf>

operated by DEC and the National Trust of Australia (WA)¹⁵⁰. Assistance with fencing and other management requirements were available through the conservation covenant program.

The South West Catchments Council¹⁵¹ funded a Farm Forestry Development Officer who provided an extension service for private landholders in the south-west region who required advice on revegetation and managing native forest. This position was funded to December 2008. The Catchments Council and Trees South West, a Private Forestry Development Committee based in Bunbury, were key drivers for maintaining farm forestry extension services.

The FPC provided advice to private landholders (on a small scale) where commercial native forest operations were likely to occur. In 2008, the *Western Australian Strategy for Plantations and Farm Forestry 2008-2012*¹⁵² was launched. The strategy appointed the FPC as the lead agency to coordinate support for the plantations and farm forestry industry.

Subsequent to the review period, in January 2010 government announced that the FPC would cease to play a direct role in establishing new plantations on private property.

The work of the Revegetation Systems Unit (RSU) of CALM is focused on developing new industries based on native, woody plants. Through this unit, work was undertaken to investigate the development of mallee eucalypts as a basis for eucalyptus oil and biomass industries. This work was targeted at the low (less than 600 mm) annual rainfall zones and its aim was to provide a revegetation component of salinity management. A report, *Selection and development of multipurpose species for large scale revegetation* (Olsen et al. 2004) provided insight into the commercial potential of WA native plants in the south-west.

5. Land for Wildlife Scheme

Through this scheme, the Department of Conservation and Land Management (CALM) encourages landholders to make a personal commitment to provide habitat for wildlife on their property. On-site advice that is provided includes: integrating wildlife habitat with other land uses; management of remnant vegetation and fauna; and the ecological role and requirements of native flora and fauna.

This ongoing commitment was achieved during Period 1 and Period 2.

*Land for wildlife*¹⁵³ is a key DEC initiative dedicated to protecting the natural values of bushland located outside of WA's conservation estate and reserves system. This scheme, along with a range of other off-conservation reserve initiatives, encourages landholders to make personal commitments to provide habitat for wildlife on their properties. On-site advice includes:

- integrating wildlife habitat with other land uses
- how to include wildlife aspects into revegetation schemes and landcare
- managing remnant vegetation and fauna, and
- the ecological role and requirements of native flora and fauna.

Land for Wildlife does not alter the legal status of the property and landowners are able to withdraw at any time if they wish.

In addition to *Land for Wildlife*, DEC manages the *Nature Conservation Covenant Program*¹⁵⁴. Conservation covenants are also entered into voluntarily, but the covenants are legally binding and registered on the

¹⁵⁰ <http://www.ntwa.com.au/>

¹⁵¹ <http://www.swcatchmentscouncil.com/>

¹⁵² http://www.fpc.wa.gov.au/content_migration/_assets/documents/plantations/wa_plantation_farm_forestry_strategy_2008-12.pdf

¹⁵³ <http://www.dec.wa.gov.au/management-and-protection/conservation-on-other-lands.html>

¹⁵⁴ <http://www.dec.wa.gov.au/management-and-protection/conservation-on-other-lands.html>

Certificate of Title of the property. The covenant normally protects the land in perpetuity. A similar covenant operates through the National Trust of Australia (WA). Both programs provide advice on managing the land for nature conservation values.

Table 9. Summary of Land for Wildlife and Conservation Covenant sites in the WA RFA region (June 2010)

Program	Number	Area (hectares) #
DEC Nature Conservation Covenants Sites	58	1,654
Land for Wildlife Registrations*	833	
Land for Wildlife Sites**	1,603	

Sites were identified to be within the WA RFA region if they were totally within or intersected the boundary.

For those sites that intersected the boundary the total area of the Covenant site was reported.

* Number of properties (land parcels) registered with the *Land for Wildlife* program.

** Number of areas on a registered *Land for Wildlife* property, which were identified as areas where nature conservation was a primary management aim.

Strategy for Improving Ecologically Sustainable Forest Management on Private Land

Western Australia will seek to ensure that ecologically sustainable forest management of native vegetation on private land is managed through:

- encouraging industry to implement the Codes of Practice on a voluntary basis on Private Land
- continuing to improve the efficiency and effectiveness of instruments and mechanisms for promoting ecologically sustainable forest management of remnant native vegetation on private land;
- publishing a brochure or information sheet for landowners that briefly describe the Forest Management System for private land. This document will encompass both native forests and plantations and the points of contact for the various mechanisms and instruments.

These commitments were achieved during Period 1 and Period 2.

The *Code of Practice for Timber Plantations in Western Australia* was based on the national principles in *Forest Practices Related to Wood Production in Plantations: National Principles* (March 1996). The code provided a guide for developing plantation management plans that formed the basis of plantation management activities. The code applied to both public and private plantation growers on all land tenures.

The Natural Heritage Trust, the (then) CALM, the FPC and the (then) Department of Environment commissioned the publication of a booklet on *Managing private native forests and woodlands in the south-west of Western Australia: combining wood production and conservation* (Bradshaw, 2005) to assist private forest growers to understand how management operations relating to wood production could be undertaken in a way that protected nature conservation. The booklet aimed to address management issues involved in managing private native forests and assisted landowners to develop management plans for their native forest.

Principles for the Protection of CAR Values on Private Land

The strategy to protect CAR values in the CAR Reserve System on Private Land will be implemented in accordance with the following principles:

- Participation by private landowners will be voluntary.
- The CAR values will, wherever possible, be secured in perpetuity.
- Implementation of the program will be the responsibility of the State.
- Valuations of land offered for inclusion in the CAR Reserve System will be conducted by the State Valuer Generals Office.
- Private landowners will be afforded the opportunity of playing an active role in the formulation of management plans.

The key objective of the strategy is to seek to increase the level of protection for forest ecosystems where achievement of the JANIS targets is not possible on Public Land. These ecosystems are:

- Bullich and Yate;
- Darling Scarp;
- Jarrah Rates Tingle;
- Jarrah Red Tingle;
- Karri Rates Tingle.

In addition, the strategy seeks to increase the protection of other CAR values on private land.

The elements of the strategy are:

- Areas with CAR values identified on Private Land may be included in the CAR Reserve System and their protection can be secured through a variety of approaches, including Agreements to Reserve with the Commissioner for Soil and Land Conservation, management agreements with Government agencies, voluntary covenants and voluntary sale. Where land is offered for inclusion, assistance with covenants and management issues will be provided by the State through the appropriate scheme.
- Where landowners offer land for contribution to the CAR reserve system, assessment under this strategy will include the contribution that land may make to meeting JANIS targets for forest ecosystems which cannot be met on Public Land.
- The Parties will consider any request for funding to purchase land or develop management plans for land that has been identified as worthy of inclusion in the CAR reserve system and for which the landowners agreement has been obtained.

These commitments were achieved during Period 1 and Period 2.

DEC delivered on this measure through a range of programs to protect biodiversity and landscape values off conservation reserves, although these were not specifically focused on the three forest regions. The extent of private land registered under programs such as *Land for Wildlife* and the *Nature Conservation Covenant Program* are reported in DEC's Annual Report and/or Yearbook. For example, for 2009/2010 89 new properties totalling an area of over 300,000 hectares were registered under *Land for Wildlife*.

Table 9 lists the number of sites registered under *Land for Wildlife* and the *Nature Conservation Covenant Program*.

DEC was able to influence the management and conservation of flora values outside the reserve system through advice on land use planning, advice to proponents and decision-making authorities and the Environmental Protection Authority on development proposals affecting biodiversity assets and administering the *Environmental Protection Act 1986* and Regulations that protected native vegetation. Schedule 5 of the Environmental Protection Act, *Principles for clearing native vegetation*, provides DEC with a framework to apply the native vegetation clearing regulations and advice to external agencies and proponents.

A review of the management options for poorly represented vegetation complexes was undertaken in 2002.¹⁵⁵

¹⁵⁵ <http://www.conservation.wa.gov.au/media/1145/VegComplexesPoorlyRepresented.pdf>

Appendix 5 | Threatened flora and fauna¹⁵⁶

Attachment 8 of the WA RFA provided the 1999 status of threatened flora and fauna on WA's public lands. The following tables provide updated information on the status of protected species under the *Wildlife Conservation Act 1950* with recovery plans or actions, as at 2009.

The status of threatened species is regularly reviewed and the State Environment Minister considers recommendations on threat categories. DEC's website provides an overview of the framework to protect threatened and priority species in Western Australia¹⁵⁷.

A: Threatened fauna

When the WA RFA was signed in 1999, a total of 12 threatened fauna species which occurred (or which had occurred) within the WA RFA region were declared as specially protected fauna under the WC Act, or listed in the Schedules to the then ESP Act.

By 2009, a total of 26 threatened fauna taxa, declared as protected fauna under the WC Act, or listed in the Schedules to the EPBC Act had (or were believed to have had) populations within the WA RFA region. This included five species that were thought to be extinct.

National recovery plans are in place for eight specially protected species¹⁵⁸ and a further 11 species had WA recovery plans or interim recovery plans¹⁵⁹.

Table 10. Summary of recovery plan status for threatened fauna as at 2009

Taxon	Common Name	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
Taxa with Recovery Plan published and being implemented						
<i>Atrichornis clamosus</i>	Noisy Scrub-bird	Endangered	Endangered		Vulnerable	Recovery plan adopted 16/07/2000
<i>Bettongia penicillata ogilbyi</i>	Woylie		Endangered		Endangered	State recovery plan adopted 1992
<i>Cacatua pastinator pastinator</i>	Muir's Corella		Endangered		Vulnerable	Recovery Plan adopted 1/10/2008
<i>Calyphorhynchus banksii naso</i>	Red-tail Black Cockatoo		Vulnerable		Vulnerable	State recovery plan adopted 2007
<i>Calyptorhynchus baudinii</i>	Baudin's Black Cockatoo	Vulnerable	Endangered		Vulnerable	State recovery plan adopted 2007
<i>Calyptorhynchus latirostris</i>	Carnaby's Black Cockatoo	Vulnerable	Endangered		Endangered	State recovery plan adopted 2002

¹⁵⁶ This appendix relates to Clause 60 and Attachment 8 of the WA RFA.

¹⁵⁷ <http://www.dec.wa.gov.au/management-and-protection/threatened-species.html>

¹⁵⁸ <http://www.environment.gov.au/biodiversity/threatened/recovery-list-scientific.html>

¹⁵⁹ <http://www.dec.wa.gov.au/management-and-protection/threatened-species/recovery-planning-and-implementation/approved-interim-recovery-plans.html#fauna>

Taxon	Common Name	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth Endangered Species Protection Act Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Dasyurus geoffroii</i>	Chuditch	Vulnerable	Vulnerable	Endangered	Vulnerable	Recovery plan adopted 5/10/2001
<i>Engaewa pseudoreducta</i>	Margaret River Burrowing Crayfish		Critically Endangered		Critically Endangered	State recovery plan adopted 2007
<i>Engaewa reducta</i>	Dunsborough Burrowing Crayfish		Endangered		Critically Endangered	State recovery plan adopted 2007
<i>Galaxias truttaceus hesperius</i>	Western Trout Minnow		Endangered		Critically Endangered	State recovery plan adopted 2008
<i>Geocrinia alba</i>	White-bellied Frog	Endangered	Critically Endangered	Endangered	Endangered	Recovery plan adopted 16/07/2000
<i>Geocrinia vitellina</i>	Orange-bellied Frog	Vulnerable	Vulnerable	Vulnerable	Vulnerable	Recovery plan adopted 16/07/2000
<i>Pezoporus wallicus flaviventris</i>	Western Ground Parrot	Critically Endangered	Critically Endangered		Endangered	State recovery plan adopted 2009
<i>Potorous gilbertii</i>	Gilbert's Potoroo	Critically Endangered	Critically Endangered		Critically Endangered	Recovery plan adopted 21/10/2005
<i>Pseudemydura umbrina</i>	Western Swamp Tortoise	Critically Endangered	Critically Endangered		Critically Endangered	Recovery plan adopted 15/08/2005
<i>Psophodes nigrogularis nigrogularis</i>	Western Whipbird	Endangered	Endangered		Endangered	State recovery plan adopted 2009
<i>Spicospina flammocaerulea</i>	Sunset Frog	Vulnerable	Vulnerable		Endangered	State recovery plan adopted 2002
Taxa with Interim Recovery Plan developed						
<i>Pseudocheirus occidentalis</i>	Western Ringtail Possum	Vulnerable	Vulnerable	Vulnerable	Vulnerable	State interim recovery plan adopted 1997
Recovery Plan being prepared, recovery action being identified						
<i>Myrmecobius fasciatus</i>	Numbat	Vulnerable	Vulnerable	Endangered	Vulnerable	Recovery plan being prepared
<i>Setonix brachyurus</i>	Quokka	Vulnerable	Vulnerable		Vulnerable	Recovery plan being prepared
<i>Phascogale calura</i>	Red-tailed Phascogale	Endangered	Endangered	Endangered	Endangered	Recovery plan being prepared
No Recovery Plan in place or in preparation						
<i>Phascogale tapoatafa subsp (WAM M434)</i>	Brushtail phascogale	Not listed	Vulnerable			
Taxa with distribution principally outside the WA RFA, research program undertaken						
<i>Botaurus poeciloptilus</i>	Australasian Bittern	Vulnerable	Vulnerable		Not listed	Recovery plan not being developed

Taxon	Common Name	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Leipoa ocellata</i>	Malleefowl	Vulnerable	Vulnerable	Vulnerable	Vulnerable	Recovery plan adopted 19/03/2001
<i>Petrogale lateralis lateralis</i> (and four other rock wallaby taxa)	Black-flanked Rock-wallaby	Vulnerable	Endangered	Endangered	Endangered	Recovery plan being prepared
Taxa requiring no further action						
<i>Rallus pectoralis clelandi</i>	Lewin's Water Rail	Presumed Extinct	Presumed Extinct	Presumed Extinct	Extinct	

Note:

Commonwealth Endangered category also includes species listed by WA and the IUCN as Critically Endangered.

B: Threatened flora

When the WA RFA was signed in 1999, a total of 57 threatened flora species, which occurred (or which had occurred) within the WA RFA region were declared as specially protected flora under the WC Act, or listed in the Schedules to the then ESP Act.

By 2009, a total of 87 threatened flora species, declared rare under the WC Act or listed in the Schedule to the EPBC Act, had (or were believed to have had) populations within the WA RFA region.

In addition to the specific species recovery planning for threatened flora¹⁶⁰, regional wildlife management programs (flora)¹⁶¹ were published covering DEC's Swan, South-West and Warren regions. Recovery plans were prepared for species listed as critically endangered. Recovery plans were also prepared for species listed as endangered or vulnerable where resources were available and managing the species requirements justified preparing such a plan. The regional wildlife management programs (flora) provided a brief description of the appearance, distribution, habitat and conservation status of flora species, subspecies or variety which were declared as rare¹⁶² or listed as priority flora¹⁶³. These plans included recommendations for those research and management actions necessary to ensure the continued survival of the species identified with a threat status.

Operational management teams were in place and coordinated research, management and recovery actions for all threatened flora in those regions.

Table 11. Summary of recovery plan status for threatened flora as at 2009

Taxon	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
Taxa with Recovery Plan published and being implemented					
<i>Boronia exilis</i>	Critically Endangered	Endangered		Endangered	Recovery plan adopted
<i>Brachyscias verecundus</i>	Not listed	Critically Endangered		Critically Endangered	State recovery plan adopted
<i>Caladenia bryceana</i> subsp. <i>bryceana</i>	Endangered	Endangered	Endangered	Endangered	Recovery plan adopted 09/03/2001
<i>Caladenia busselliana</i>	Critically Endangered	Critically Endangered	Endangered	Endangered	Recovery plan adopted
<i>Caladenia huegelii</i>	Endangered	Critically Endangered	Vulnerable	Endangered	Recovery plan adopted 2/12/2009
<i>Caladenia procera</i>	Not listed	Critically Endangered	Not listed	Not listed	State recovery plan adopted
<i>Caladenia viridescens</i>	Critically Endangered	Critically Endangered	Endangered	Endangered	Recovery plan adopted
<i>Conostylis misera</i>	Endangered	Vulnerable		Endangered	Recovery plan adopted
<i>Caladenia winfieldii</i>	Critically Endangered	Endangered	Endangered	Endangered	Recovery plan adopted

¹⁶⁰ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=842&Itemid=2007

¹⁶¹ <http://www.dec.wa.gov.au/management-and-protection/threatened-species/recovery-planning-and-implementation/wildlife-management-programs-for-flora.html>

¹⁶² Listed under the *Wildlife Conservation Act 1950*

¹⁶³ Many flora species are known from only a few collections, or a few sites, but which have not been adequately surveyed. Such flora may be rare or threatened, but cannot be considered for declaration as rare flora until such survey has been undertaken. These flora are included on a supplementary conservation list called the Priority Flora List. The Priority Flora List is dynamic, as new information comes to light the species' conservation status is reviewed and changes to the listing may result.

Taxon	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Conospermum undulatum</i>	Vulnerable	Vulnerable		Vulnerable	Recovery plan adopted 2/12/2009
<i>Cryptandra congesta</i>	Not listed	Vulnerable			Recovery plan adopted
<i>Darwinia ferricola</i> ms*	Endangered	Endangered	Vulnerable	Endangered	Recovery plan adopted
<i>Drakaea confluens</i> ms	Critically Endangered	Critically Endangered	Vulnerable	Endangered	Recovery plan adopted 26/03/2002
<i>Dryandra squarrosa</i> subsp. <i>argillacea</i>		Vulnerable		Vulnerable	Recovery plan adopted
<i>Grevillea althoferorum</i>		Critically Endangered		Endangered	Recovery plan adopted
<i>Lasiopetalum pterocarpum</i>		Critically Endangered		Endangered	Recovery plan adopted
<i>Rhacocarpus rehmannianus</i> var. <i>webbianus</i>		Critically Endangered		Not listed	State recovery plan adopted
<i>Rulingia</i> sp. Trigwell Bridge	Critically Endangered	Critically Endangered	Endangered	Endangered	Recovery plan adopted 18/08/2004
<i>Sphenotoma drummondii</i>	Critically Endangered	Endangered	Endangered	Endangered	Recovery plan adopted
<i>Synaphea</i> sp. Fairbridge Farm (D. Papenfus 696)	Critically Endangered	Not Critically Endangered		Not listed	Recovery plan adopted in WA only
<i>Thelymitra dedmaniarum</i>	Endangered	Critically Endangered	Endangered	Endangered	Recovery plan adopted
<i>Verticordia plumosa</i> var. <i>ananeotes</i>		Critically Endangered		Endangered	Recovery plan adopted
<i>Verticordia plumosa</i> var. <i>pleiobotrya</i>		Vulnerable		Endangered	Recovery plan adopted
Taxa with Recovery Plan being developed					
<i>Andersonia annelsii</i>		Critically Endangered		Not listed	State recovery plan being prepared
<i>Caladenia lodgeana</i>		Critically Endangered			State recovery plan being prepared
<i>Drakaea elastica</i>	Endangered	Critically Endangered	Vulnerable	Endangered	Recovery plan being prepared (Note: adopted outside reporting period on 15/2/2010)
<i>Dryandra nivea</i> subsp. <i>uliginosa</i>	Endangered	Endangered	Endangered	Endangered	Recovery plan being prepared (TEC plan adopted 18/8/2004)
<i>Grevillea acropogon</i>		Critically Endangered			State recovery plan being prepared
<i>Grevillea fuscolutea</i>		Vulnerable			State recovery plan being prepared

Taxon	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Grevillea rara</i>		Endangered			State recovery plan being prepared
<i>Verticordia apecta</i>		Critically Endangered			State recovery plan being prepared
<i>Laxmannia grandiflora</i> subsp. <i>brendae</i>		Vulnerable			State recovery plan being prepared
Taxa with Regional Flora Management Program published or in preparation					
<i>Acacia anomala</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Acacia aphylla</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Acacia brachypoda</i>	Endangered	Vulnerable		Endangered	
<i>Acacia chapmanii</i> subsp. <i>australis</i>	Not listed	Endangered		Endangered	
<i>Anthocercis gracilis</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Asterolasia nivea</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Banksia goodii</i>	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Banksia verticillata</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Caladenia christineae</i> *	Vulnerable	Endangered	Vulnerable	Vulnerable	
<i>Caladenia dorrienii</i> *	Endangered	Endangered	Endangered	Endangered	
<i>Caladenia excelsa</i> *	Endangered	Endangered	Vulnerable	Endangered	
<i>Caladenia harringtoniae</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Chamelaucium roycei</i> ms *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Darwinia acerosa</i> *	Endangered	Endangered	Endangered	Endangered	
<i>Darwinia apiculata</i> *	Endangered	Endangered	Vulnerable	Endangered	
<i>Daviesia elongata</i> subsp. <i>elongata</i>		Vulnerable		Vulnerable	
<i>Diplolaena andrewsii</i>		Vulnerable			
<i>Diuris drummondii</i>	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Diuris micrantha</i>	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Diuris purdiei</i>	Not listed	Endangered	Not listed	Endangered	
<i>Drakaea micrantha</i>	Vulnerable	Endangered	Vulnerable	Vulnerable	
<i>Dryandra aurantia</i>	Not listed	Vulnerable	Not listed	Endangered	
<i>Dryandra mimica</i> *	Endangered	Vulnerable	Endangered	Endangered	
<i>Eleocharis keigheryi</i>		Vulnerable		Vulnerable	
<i>Eremophila glabra</i> subsp. <i>chlorella</i>		Critically Endangered		Not listed	
<i>Gastrolobium modestum</i>	Vulnerable	Vulnerable		Vulnerable	
<i>Goodenia arthrotricha</i>		Endangered			
<i>Grevillea brachystylis</i> subsp. <i>australis</i>		Endangered			
<i>Grevillea bracteosa</i>		Endangered			

Taxon	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Grevillea christineae</i>	Endangered	Endangered		Endangered	
<i>Grevillea flexuosa</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Hydatella dioica</i>		Vulnerable		Endangered	
<i>Hydatella leptogyne</i>		Critically Endangered		Critically Endangered	
<i>Jacksonia velveta</i> ms		Endangered	Not listed	Endangered	
<i>Kennedia glabrata</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Kennedia macrophylla</i> *	Endangered	Endangered	Vulnerable	Endangered	
<i>Lambertia orbifolia</i> subsp. <i>orbifolia</i> ms	Endangered	Critically Endangered	Vulnerable	Endangered	
<i>Lambertia orbifolia</i> subsp. Scott River plains	Endangered	Endangered		Endangered	
<i>Lechenaultia laricina</i> *	Endangered	Vulnerable	Vulnerable	Endangered	
<i>Meziella trifida</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Microtis globula</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Pultenaea pauciflora</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Reedia spathacea</i>	Endangered	Endangered			
<i>Spirogardnera rubescens</i> *	Endangered	Endangered	Endangered	Endangered	
<i>Stylidium semaphorum</i>		Critically Endangered	Not listed	Not listed	
<i>Tetraria australiensis</i> *	Vulnerable	Vulnerable	Vulnerable	Vulnerable	
<i>Thelymitra stellata</i> *	Endangered	Endangered	Vulnerable	Endangered	
<i>Tribonanthes purpurea</i>		Vulnerable		Vulnerable	
<i>Verticordia carinata</i>		Vulnerable		Vulnerable	
<i>Verticordia densiflora</i> var. <i>pedunculata</i>		Endangered		Endangered	
<i>Verticordia fimbrialepis</i> subsp. <i>australis</i> *	Endangered	Endangered	Vulnerable	Vulnerable	
<i>Verticordia fimbrialepis</i> subsp. <i>fimbrialepis</i>	Critically Endangered	Vulnerable	Endangered	Endangered	
<i>Verticordia plumosa</i> var. <i>vassensis</i>		Endangered	Not listed	Endangered	
Taxa removed from the Western Australian list, and recommended for removal from the Schedules to the <i>Endangered Species Protection Act</i> **					
<i>Aponogeton hexatepalus</i>		Priority 4	Vulnerable	Not listed	
<i>Asterolasia grandiflora</i> *		Priority 4	Vulnerable	Not listed	

Taxon	1998 Western Australian Threat Status	2009 Western Australian Threat Status	1998 Commonwealth <i>Endangered Species Protection Act</i> Status #	2009 Listing of species under EPBC Act	Status of recovery plan (including Interim Recovery Plans) under EPBC Act (with note on WA recovery plan status)
<i>Centrolepis caespitosa</i>	Endangered	Priority 4	Vulnerable	Endangered	
<i>Eucalyptus goniantha</i> subsp. <i>goniantha</i>		Priority 4	Vulnerable		
<i>Hydrocotyle lemnoides</i>		Priority 4	Vulnerable		
<i>Laxmannia jamesii</i> *	Vulnerable	Priority 4	Vulnerable	Vulnerable	
<i>Schoenus natans</i>		Priority 4	Vulnerable		

Notes:

The Commonwealth 'Endangered' category also includes species listed by WA and the IUCN as Critically Endangered.

* Species marked with an asterisk have a specific Conservation Statement prepared for them. Conservation statements were prepared as part of the comprehensive regional assessment phase of the WA RFA for species (within the WA RFA region) listed as endangered or vulnerable and for which recovery plans or interim recovery plans have not or are not being prepared.

** This Act ceased on 16 July 2000 as it was repealed by the *Environment Reform (Consequential Provisions) Act 1999*. It was replaced by the EPBC Act 1999.

Appendix 6 | Aboriginal heritage and consultation¹⁶⁴

Attachment 10 of the WA RFA contained the following milestones in relation to Aboriginal heritage and consultation:

Within the South-West Forest Region:

Milestone

1. Western Australia will develop formal consultation process with Aboriginal people about policy and procedures for the protection of Aboriginal heritage values on CALM-managed lands.

Milestone

2. Western Australia will consult with Aboriginal people on the establishment of mechanisms to enable more effective involvement of Aboriginal people in the protection of significant sites, and the provision of training and employment opportunities.

Milestone

3. Western Australia will protect identified Aboriginal sites in accordance with the requirements of the *Aboriginal Heritage Act 1972* (WA) and develop protocols for, and linking, the CALM geographic information system with information held by Aboriginal Affairs Department.

Milestone

4. Western Australia will, in consultation with Aboriginal people, establish procedures and protocols, and include relevant expertise in Aboriginal heritage in CALM, to enable the early identification of Aboriginal sites as defined in the *Aboriginal Heritage Act 1972* (WA) and afford them protection.

Milestone

5. Western Australia will introduce into Parliament, amendments to the *Wildlife Conservation Act 1950* (WA) and the CALM Act to permit Aboriginal people to undertake traditional and cultural activities on State Forest and other public land.

Milestones 1 to 4 were achieved during Period 1 and Period 2.

Since 2001, a MOU has been in place between DEC and the South West Aboriginal Land and Sea Council (SWALSC)¹⁶⁵, the native title representative body within the WA RFA region. The purpose of the MOU was to formalise the involvement of Aboriginal people in developing policy, procedures and protocols and to work with Aboriginal people to identify, interpret, protect and manage significant cultural and heritage sites. The various native title claimant groups established Working Parties (supported by SWALSC) to negotiate and facilitate interests in the native title claim area. DEC had an established relationship with the Working Parties and through them was able to identify traditional owners and custodians with authority and knowledge relating to Aboriginal cultural heritage.

A dedicated Aboriginal Heritage Unit¹⁶⁶ provided the following services to DEC staff:

- identified and facilitated opportunities to involve Aboriginal people in planning and managing parks and reserve areas
- provided Aboriginal cultural heritage advice and information to DEC's planning processes
- provided support and advice to all DEC staff regarding Aboriginal cultural heritage issues
- provided heritage training and cultural awareness workshops for DEC staff

¹⁶⁴ This appendix relates to Clause 81 and Attachment 10 of the WA RFA

¹⁶⁵ <http://www.noongar.org.au/>

¹⁶⁶ <http://www.dec.wa.gov.au/community-and-education/schools-programs/500-aboriginal-heritage-unit.html>

- liaised with Aboriginal Elders, recognised community leaders and other Aboriginal groups on Aboriginal cultural heritage issues related to DEC
- provided quality Aboriginal cultural heritage education programs (to schools, community groups and special events) relating to the natural environment
- advised on the relevance of women's and men's Aboriginal cultural issues and the need to consider their importance in planning
- assisted with mentoring Aboriginal staff within DEC, and
- liaised with appropriate State and local government authorities, community and special interest groups on protecting and managing lands and water.

Milestone 5 was achieved in part during Period 1 and Period 2.

In 2003, CALM released a consultation paper *Indigenous Ownership and Joint Management of Conservation Lands in Western Australia*¹⁶⁷, which outlined the changes needed to the CALM Act to enable joint management of reserves with traditional owners. Subsequent to the review period, the CALM Act and WC Act were amended (September 2011) to provide for joint management with Aboriginal peoples and the conduct of customary activities on DEC-managed land.

Attachment 10 also contains the following commitments in relation to Aboriginal heritage and consultation:

6. The State, in consultation with Aboriginal people, will ensure Aboriginal heritage values, especially those associated with protected old-growth forests, are recognised and managed in culturally appropriate ways.
7. CALM will facilitate the access to and use of CALM-managed forests by Noongars for culturally important activities.
8. CALM will facilitate cross cultural awareness and interpretive activities to inform and educate the wider community about Noongar values and links to the South-West Forest Region.
9. The State recognises that the *Commonwealth Native Title Act 1993* protects native title rights and interests and will comply with the provisions of the Act.
10. CALM field activities will be monitored in relation to protection of Aboriginal sites.

These ongoing commitments were achieved during Period 1 and Period 2.

DEC and the FPC notify SWALSC of all proposed disturbance activities that had the potential to impact on Aboriginal values, and actions can be formally presented to SWALSC. From 2004 all old-growth forest was protected in formal or informal reserves.

The notification and protection process often included field visits and site inspections with traditional owners and custodians with authority and knowledge relating to Aboriginal cultural heritage, Indigenous representatives on-site during earthworks, and incorporating cultural heritage messages and themes in on-site information. DEC liaises with local Aboriginal groups and custodians to ensure sensitive information is protected from unnecessary disclosure.

¹⁶⁷ http://www.dec.wa.gov.au/pdf/projects/abpolicy/2003_indig_ownership_hires.pdf

Ministerial consent is required in circumstances that necessitate a registered Indigenous site to be disturbed. The proponent of the disturbance activity is required to apply to the State Aboriginal Cultural Materials Committee¹⁶⁸ for approval to undertake the activity in the vicinity of the registered site.

DEC's Aboriginal Heritage Unit undertook the following programs and initiatives in the WA RFA region:

- trained DEC staff at cultural protocol days at Walyunga National Park including a presentation on the cultural significance of the Park and a visit to the archaeological site and traditional bush garden
- contributed to the Healthy Parks, Healthy People program in partnership with the Office for Seniors Interests and Volunteering
- provided advice to DEC staff regarding Aboriginal involvement on the DEC-managed estate (e.g. assisting with management plans)
- provided a link for ongoing liaison between Department regional and district staff and the Aboriginal community
- male staff from the Aboriginal Heritage Unit attended Noongar maarman (men's) group meetings to build partnerships with other Noongar men in the community.

¹⁶⁸ <http://www.dia.wa.gov.au/en/Boards-And-Committees/ACMC/>

Appendix 7 | Priority areas of research¹⁶⁹

Attachment 11 of the WA RFA referred to the following commitments in relation to areas of research on a state-wide basis:

The following priority areas of research were developed on a state-wide basis. Some of these priorities may not apply to the South-West Forest Region during the life of this Agreement.

1. Description and documentation of biological diversity:
 - Establish a resource centre for taxonomic, conservation and economic information on flora and, in collaboration with other institutes, fauna.
 - Develop and co-ordinate the inventory of systematic, geographic and habitat data concerning biota and ecosystems.
2. Protection and conservation of biodiversity:
 - Continue to identify species and communities with high conservation significance.
 - Understand the processes determining the structure and stability of terrestrial and aquatic biological communities and their resilience to change.
 - Determine the impact of threatening processes on the structure and function of communities and devise management practices to ameliorate these processes.
 - Develop the scientific basis for the conservation and rehabilitation of integrated landscape systems.
 - Develop the protocols required for the conservation of threatened and other priority conservation taxa.
3. Sustainable utilisation of natural resources:
 - Provide the scientific basis for the ecologically sustainable utilisation of native forest and other natural resources.
 - Develop appropriate forest fire regimes to protect life and property and to maintain biodiversity.
 - Develop appropriate insect and disease management systems for forests.
4. Development of tree crops as integral, multiple purpose components of sustainable land management systems:
 - Develop systems that optimise the productivity and survival of tree crops.

These commitments were achieved during Period 1 and Period 2.

A significant number of research projects relevant to the impact of disturbance activities such as fire and timber harvesting on forest dwelling species had been and were being undertaken by DEC either through the department's in-house applied research capability or in collaboration with universities, cooperative research centres, CSIRO and other research institutions. For example, DEC is an industry partner with the Centre of Excellence for Climate Change, Woodland and Forest Health.

A research activity report, outlining the research activities and progress made on these activities is published annually. These research activity reports are available on the DEC's website¹⁷⁰.

A comprehensive list of research papers¹⁷¹ is also available from the DEC's website.

¹⁶⁹ This appendix relates to Clause 88 and Attachment 11 of the WA RFA.

¹⁷⁰ <http://www.dec.wa.gov.au/our-environment/science-and-research/publications-and-resources.html>

¹⁷¹ <http://science.dec.wa.gov.au/papers/>

Other research programs administered by DEC examining the sustainable use of natural resources and include:

- ForestCheck monitoring program
- Western Shield Program
- Kingston Project
- Woylie Conservation Research Project
- Possum Ecology Study, and
- Long-term Perup Monitoring Study.

Following is a summary of key actions that are implemented under priority areas of research:

1. The WA Herbarium¹⁷² provides a resource centre for information on flora. FloraBase¹⁷³ program is made available as a web-based resource and provides taxonomic and conservation information on Western Australian flora.
2. ForestCheck¹⁷⁴ commenced in 2002. This integrated site based monitoring program monitors the response of forest dwelling species to timber harvesting. ForestCheck results are reported annually and published on the DEC website¹⁷⁵.
3. Research into silvicultural treatment of dieback affected forest.
4. Research into amelioration of soil disturbance during timber harvesting.
5. Ecological responses to past fire regimes were studied using fire history records as part of a project conducted in association with Bushfire Cooperative Research Centre¹⁷⁶. Fire regimes in semi-arid woodlands were described and related to changes in vegetation structure. Ongoing research improved knowledge of forest fire behaviour under summer conditions, and the relationship between fire behaviour and the time since the last fire (Project Vesta¹⁷⁷).
6. The optimisation of productivity and survival of tree crops was largely undertaken by FPC in collaboration with industry and research partners.

The Seed Technologies Centre¹⁷⁸ is a section of the FPC focused on the seed requirements of the public. The Centre works to improve the understanding of genetic diversity to make new and better seed lots available for local, interstate and overseas uses. The Centre's tree improvement programs are designed to produce superior wood product for the Mediterranean climate and to assist with land rehabilitation. Over 500 species are available of which approximately 20 tree species are identified for commercial development either for fine wood or other wood-based markets. The Centre's catalogue can be viewed online¹⁷⁹.

The Seed Technologies Centre covers two areas:

- Seed Centre from which seed orchards are established and managed, native seed is collected, seed extracted, cleaned and dispatched, and
- Product development used the Tree Improvement section to develop and enhance newly identified products to meet customer requirements.

¹⁷² <http://www.dec.wa.gov.au/our-environment/science-and-research/wa-herbarium.html>

¹⁷³ <http://florabase.calm.wa.gov.au/>

¹⁷⁴ http://www.dec.wa.gov.au/index.php?option=com_content&view=article&id=5605&Itemid=2290

¹⁷⁵ <http://www.dec.wa.gov.au/our-environment/science-and-research/landscape-conservation-research/forestcheck.html?showall=&start=8>

¹⁷⁶ <http://www.bushfirecrc.com/>

¹⁷⁷ <http://www.csiro.au/science/Vesta.html>

¹⁷⁸ http://www.fpc.wa.gov.au/content_migration/products_services/seed_technologies/Default.aspx

¹⁷⁹ <http://www.fpc.wa.gov.au/SeedCatalogue>

The Tree Breeding Centre¹⁸⁰ administered by the FPC undertakes major breeding programs such as the maritime Pine (*Pinus pinaster*) breeding program, which was initiated in 1958. Since 1958, major breeding programs have been developed for Radiata Pine (*Pinus radiata*) in the early 1960s and Southern Blue Gum (*Eucalyptus globulus*) in the 1980s. A range of other species, mainly pines and eucalypts, are at different levels of breeding development. The FPC is also a partner in the *Australian Low Rainfall Tree Improvement Group* project and has made a major contribution to the development of low rainfall species for Australia.

The FPC's major commercial nursery at Manjimup comprises 226 hectares and is capable of producing approximately 45 million seedlings and cuttings each year.

The nursery is used for:

- commercial production and sale of tree seedlings
- the sale and deployment of native and genetically improved seed (dieback resistant, salt tolerant, low rainfall dependency)
- research and development of tree species for commercial production, and
- the growth of mixed native shrubs, hardwood species and specialised product lines.

¹⁸⁰ http://www.fpc.wa.gov.au/content_migration/innovation/tree_breeding.aspx

Appendix 8 | External reviews undertaken as part of the development of the Forest Management Plan 2004-2013

Following is a list of social, economic and environmental reports, which were prepared for the development of the *Forest Management Plan 2004-2013*.

Alison Day and Associates (2002). *Draft Forest Management Plan, Supplementary Social and Economic Impacts Report*. A report to the Conservation Commission of Western Australia.

Burrows N., Christensen P., Hopper S., Ruprecht J., Young J. (2002). *Towards ecologically sustainable forest management in Western Australia: A Review of Draft Jarrah Silviculture Guideline 1/02. Panel Report Part 2*. Report to Conservation Commission. 42 pp.

Coakes Consulting (2002). *Socio-Economic Assessment of the Forest Management Plan*. Prepared for the Conservation Commission and the Forest Products Commission.

Conservation Commission and Forest Products Commission (2002). *Overview of social and economic impacts associated with the draft Forest Management Plan*. Conservation Commission of Western Australia and Forest Products Commission, Perth.

Ecoscope Australia (2002). *A Review of the High Conservation Values in Western Australia's South-West Forests*. A report to the Conservation Commission of Western Australia, Perth.

URS Australia (2001). *Assessment of the Scientific, Economic and Community Values and the Impact of Logging on Salinity of Areas Subject to a Moratorium on Logging – Draft Report*. Prepared for the Conservation Commission of Western Australia.

Waters and Rivers Commission (2001). *A Review of Stream and River Logging Buffers to ensure their adequacy in protecting our waterways from salinity, degradation and turbidity – A Policy and Planning Division Report to the Conservation Commission of WA*.

Ferguson, I.F., Adams, M., Bradshaw, J., Davey, S., McCormack, R., Young, J. (2001a). *Calculating Sustained Yield for the Forest Management Plan (2004-2013): A preliminary Review*. Report to the Conservation Commission of WA by the Independent Panel. Conservation Commission of Western Australia, Perth

Ferguson, I.F., Adams, M., Bradshaw, J., Davey, S., McCormack, R., Young, J. (2003). *Calculating Sustained Yield for the Forest Management Plan (2004-2013) Stage 3 Report. Report for the Conservation Commission of Western Australia by the Independent Panel*.

Ferguson I., Gardner J., Hopper S., Young J. (1999). *Report to the Minister for the Environment by the Ministerial Advisory Group on Karri and Tingle management*.

Appendix 9 | Forest employment and industries development strategy¹⁸¹

Attachment 14 of the WA RFA referred to the following commitments in relation to actions to facilitate employment and industry development:

Both parties agree to a framework of government actions under the Agreement to facilitate enhanced employment and industry development, based on secure access to forests.

As part of a general Employment and Industries Development strategy, the parties agree to support a range of specific and generic employment and industry development proposals for the following forest-based industry sectors:

- wood and wood products industry
- tourism and regional development
- minerals industry
- other industries that depend on access to forests.

Implementation

The Parties agree to contribute in appropriate ways to the implementation of the actions within this Strategy.

The Parties agree to support the Strategy by providing funding as set out in Clause 98 of the Agreement.

The Parties agree that any additional contributions will be obtained through existing industry development and other relevant programs. Encouragement will be provided for Western Australian applications for assistance under these programs, directed to actions included in this Strategy.

These commitments were achieved during Period 1 and Period 2.

Under Clause 98 of the WA RFA, a commitment of \$59 million was initially made by the Parties to industry assistance. A package worth \$161 million was allocated to a number of government agencies to implement the then Labor Government's *Protecting our old-growth forest policy*, which included a number of industry assistance programs (see response at *Wood and wood products industry* below).

The Commonwealth provided up to \$20 million for the *Western Australia Forest Industry Structural Adjustment Program* (WAFISAP) with \$5 million allocated to the then Australian Government Department of Transport and Regional Services for the *Timber Industry Road Evaluation Study* (TIRES) and \$15 million allocated to DAFF.

Between 2004 and 2006, the DAFF component of WAFISAP was administered through allocations of \$12.5 million for the *Forestry Assistance Program for Western Australia* (FAPWA) and \$2.5 million for the *Grants for Forest Communities* (GFC).

FAPWA was designed to assist businesses to invest in the forest and timber industries and promote a sustainable, efficient, value adding and internationally competitive industry. The GFC was designed to assist community groups and small businesses to invest in community development projects. Both programs also aimed to maintain and enhance the employment levels within the native forest timber industry.

There were 38 grant recipients under the FAPWA and 45 grant recipients under the GFC. Total funding allocated for projects under FAPWA was \$12.51 million and \$1.89 million under the GFC. Of the 38 FAPWA grant recipients, two declined their funding and five of the 45 declined funding under the GFC.

¹⁸¹ This appendix relates to Clause 79 and Attachment 14 of the WA RFA.

The GFC granted funding and associated investment to the South-West Forest Region on a leveraged basis by providing grantees with a proportion of the funds required to undertake their investment project. The allocation of \$14.4 million through the GFC and FAPWA led to an estimated \$47 million being invested in the region from 2004 to 2006.

The businesses participating in FAPWA invested in a broad range of projects including direct investment in harvesters, haulage trucks and milling equipment to industry-based training and marketing of forest products.

Specifically for the GFC the investment of \$1.89 million in grant funding led to an estimated \$4.42 million in business investment in the South-West Forest Region in the development of community projects such as refurbishing visitor centres, interactive education displays and promoting timber industry products at regional expos, to training timber industry labour and private timber business investment.

Wood and wood products industry

The Parties acknowledge that there may be some sub-regions within the RFA area which may require special assistance measures to ensure that development opportunities are fully achieved. Accordingly, the Parties agree to jointly consider, on a case by case basis, the provision of assistance for sawmilling and related value adding and manufacturing redevelopments to address specific sub-regional impacts and opportunities which may arise as a result of the RFA.

In addition, the Parties will jointly facilitate measures to ensure the maintenance and enhancement of employment opportunities. These measures will also contribute to the viability of forest-dependent communities.

The Parties agree to develop a Memorandum of Understanding for a joint Commonwealth - Western Australian Forest Industry Structural Adjustment Program (WA FISAP) which will establish the respective roles and responsibilities of the two governments in administering and implementing the general and specific undertakings of the Program.

The Parties agree that the following measures should be given priority in implementing the WA FISAP:

- provision of grants and low-interest loans to assist the wood and wood products industry retool, redevelop and to install new processing and manufacturing systems to achieve best practice and international competitiveness;
- provision of business exit assistance;
- provision of labour adjustment (training and relocation) assistance;
- production of a strategic plan for the further development of the timber industry;
- promotion of the sustainability of Western Australian wood products in domestic and international markets;
- development of an internationally recognised certification program for Western Australia's forest products industries to assist in achieving best practice and highest value added market value;
- investigation of alternative uses for lower grade and residue jarrah, including activated carbon;
- support for the establishment of marketing, processing, design and other related manufacturing networks between existing and emerging forest industry participants;
- consideration of special support measures for small industry operators to more effectively process, market and export timber products. This could include an assessment of the commercial feasibility for the provision of a community infrastructure for small sawmillers;
- research and development into techniques and technology to increase value adding for karri and marri timbers, including kiln drying, gluing and finishing;
- assistance to modify sawing technology and skills to enhance recovery rates and utilisation for whole bole logging;
- support for pre-feasibility and feasibility studies for forest based industry projects which have strategic significance and economic potential for the state and the nation;
- the continued implementation of silvicultural programs and reforestation works to provide employment

- opportunities and improve the productive capacity of State forests; and
- improve access to on-site skills training and assessment.

The Parties also agree to the following additional research, development and marketing activities aimed at increasing value adding and the international competitiveness of the Western Australian wood and wood products industry. Parties agree to consult each other in the development of future research projects that may affect the Agreement and to make publicly available, wherever possible, relevant research reports. Activities could include:

- promotion of the Wood and Paper Industry Strategy and other programs, to facilitate skills development in enterprises and workplaces, including the furniture and wood craft sectors.
- support for wider dissemination of up to date information on sustainability and issues dealing with forest management practices;
- support for an industry wide collection centre for information on research, development and processing techniques for Western Australian forest products;
- support for CALM Timber Technology (CTT) as a provider of Best Practice Research and Development, demonstration, technology transfers, industry training and information dissemination;
- additional support for continued implementation of Plantations for Australia: The 2020 Vision in the Western Australian context; and encouragement of the development of value added processing opportunities including high grade veneer, plywood, LVL, overlay, multiple layered flooring, particleboard, MDF, furniture, solid flooring, glulam, panelling, docking and mouldings;
- assistance for the development of an Australian/International marketing data base for native hardwood, regrowth hardwood, plantation hardwoods and plantation softwood, markets, products and processes; and
- research into the development of new suitable and sustainable markets for regrowth native hardwoods and hardwood plantation timbers.

These ongoing commitments were achieved in part during Period 1 and Period 2.

A MOU between the Parties was developed for a Forest Industry Structural Adjustment Program¹⁸². The WAFISAP (August 2002) was intended to provide financial assistance to businesses and industry bodies to prepare and implement new project or program initiatives that would develop the WA native forest timber industry¹⁸³. The Parties administered the funding of WAFISAP through separate programs under Commonwealth and WA government agencies.

The Commonwealth administered \$5 million under the *Timber Industry Road Evaluation Study* and \$15 million under the *Forestry Assistance Program for Western Australian* and the *Grants for Forest Communities* (see response at *Implementation* above).

From 2001, WA's focus was funding the implementation of the then Labor Government's *Protecting our old-growth forest policy*. A budget of \$161 million was allocated to a number of initiatives including:

- \$74 million *Business Exit Assistance Program* (BEA) was designed to provide 'reasonable financial assistance to help certain businesses to completely or partially' leave the native forest timber industry to compensate sawmills and associated industries leaving the industry as a result of reduced timber allocation
- \$27.3 million *Workers Assistance Program* (WAP) assisted workers retrenched from the native forest timber industry with payments or assistance, including redundancy top up payments, assistance with training and obtaining new employment, relocations, mortgage and rental assistance
- \$25 million to create the new reserve areas identified by the policy
- \$28.5 million *Industry Development Assistance, Investment Attraction*, to enable mills to move into higher value adding use of timber and attract non-timber industry to the affected areas

¹⁸² <http://www.daff.gov.au/rfa/publications/deferred/wood-paper/commonwealth-fisap>

¹⁸³ http://www.dec.wa.gov.au/pdf/nature/forest/fisap_guidelines.pdf

- \$6.6 million for other initiatives including, but not limited to Family and Development Assistance, Relocations Compensation and a Furniture Promotion Fund.

By December 2004, over 100 businesses and 700 workers had been assisted to leave the native forest timber industry in accordance with BEA and WAP objectives¹⁸⁴.

The FPC was a partner in the Cooperative Research Centre for Wood Innovations¹⁸⁵ (CRCWI) based at the University of Melbourne. The CRCWI commenced in July 2001 with funding over seven years of \$16 million from the Commonwealth Government and \$49 million cash and in-kind contributions from the partners.

The CRCWI brought together innovations that had the potential to revolutionise the wood products industry. FPC's involvement in the CRCWI enabled it to contribute directly to the CRCs effort in bending, drying, gluing and coating durability research and to evaluate the potential benefits to WA of new technologies first hand.

The CRCWI successfully completed its seven-year program of research and commercialisation on 30 June 2008.

FPC was a partner with UWA in the Advanced Timber Concepts (ATC) Research Centre¹⁸⁶ joint venture from 2006 to 2010. The ATC joint venture was formed to broaden the scope of research undertaken in the timber industry by the FPC and UWA's Faculty of Architecture, Landscaping and Visual Arts. The research was designed to ensure stakeholders, buyers and manufactures of native forest and plantation products had sufficient knowledge to get the best from the materials. Projects included the design of a chair and table that utilised small section timber in structural application to enhance the use of lower value material.

With funding from the *Native Timber Industry Support Scheme*, the ATC Research Centre brought together professional architects, furniture manufacturers, wood technologists and marketing professionals to create designer furniture pieces for export market development and to replace imports.

The plantation and farm forestry industry provided significant, multiple benefits to regional economies and communities. It resulted in significant investment in tree farm development and associated value-adding infrastructure, provided alternative, profitable land use options for farmers and more jobs in rural areas. It also established large areas of woody perennial vegetation to help contain or reverse land degradation and provide other environmental services. An Action Plan for Tree Farming in Western Australia (2002) and the Western Australia's Strategy for Plantations and Farm Forestry: 2008-2012 were developed¹⁸⁷.

As part of the *Strategic tree farming* project, there was collaboration between natural resource management catchment councils, FPC and individual landowners, and approximately 18,000 hectares of plantations were established and comprised of 9,300 hectares of *Pinus pinaster*, 4,600 hectares of eucalypt sawlog and 4,200 hectares of sandalwood. This project was completed in 2009-2010. The project helped create plantation resources, diversify rural incomes and economies and contributed to achieving regional natural resource condition targets.

The FPC supported a major eucalypt hardwood plantation study in cooperation with CSIRO, *Comparison of solid wood quality and mechanical properties of three species and nine provenances of 18-year old eucalypts grown in clearwood plantations across southwest Western Australia*. The latest new small log sawmilling line at Greenbushes was contracted to mill on a production basis to establish sawn timber quality and processing costs.

¹⁸⁴ http://www.audit.wa.gov.au/reports/pdfreports/report2005_06.pdf

¹⁸⁵ <http://www.crcwood.unimelb.edu.au/>

¹⁸⁶ <http://www.atcwa.org/>

¹⁸⁷ http://www.fpc.wa.gov.au/content_migration/plantations/

The Australian Forest Certification Scheme¹⁸⁸ (AFCS), incorporated as an Australian Standard[®] The Australian Forestry Standard (AS 4708-2007) and the Australian Standard[®] Chain of custody for certified wood and forest products (AS 4707-2006), was developed between 2000 and 2007. The AFCS had been endorsed under the mutual recognition framework of the international Program for the Endorsement of Forest Certification schemes based in Geneva, Switzerland. A number of WA's forest managers and wood processing facilities were certified under the AFCS.

The FAFPESC Assessment service was established during the 1990s by the Forest and Forest Products Employment Skills Company to work as a low cost, no frills provider of Registered Training Organisation assessment services to industry as required.

Australia's State of the Forests Report provided the Australian public with forest sustainability reporting every five years, to show how they might be changing, to indicate positive and negative trends, to report the state of Australia's forests to the world and meet international reporting requirements under the Montreal Process. This report was produced in 2003 and 2008¹⁸⁹.

The Forests Australia website¹⁹⁰ contains the most up-to-date information available on Australia's forests - from links to forest management organisations and institutions to the latest forest-related publications, maps and tools.

The Planning Plantations website¹⁹¹ was developed by Plantations for Australia: The 2020 Vision to provide planning and scientific information intended to support improved understanding of the many aspects of establishing and managing plantations in Australia's rural landscape. It provides both national and state level information as a resource for the plantation-based sector as well as local government.

¹⁸⁸ <http://www.forestrystandard.org.au/>

¹⁸⁹ <http://adl.brs.gov.au/forestsaustralia/publications/sofr2008.html>

¹⁹⁰ <http://adl.brs.gov.au/forestsaustralia/index.html>

¹⁹¹ <http://www.planningplantations.com.au/index.html>

Tourism and Regional Development

The Parties are committed to supporting regional, including nature-based, tourism development and will do so through a range of initiatives including:

- development of tourism infrastructure to provide enhanced recreation, tourism and regional employment opportunities;
- identification and development of sites in forests which may have potential for commercial investment in providing facilities and services for visitors including campsites in areas such as the lower Warren valley, lower Blackwood valley, the Donnelly Valley, Mt Frankland and Big Brook Dam;
- establishment of potential tourist drives, in the Nannup and Pemberton areas, and support for the development and promotion of forest related self drive tourist routes;
- purchase of private land at Wellington Dam and the provision of infrastructure around the dam, to increase opportunities for enhanced recreation and tourism activity in the Collie region;
- implementation of the State Nature Based Tourism Strategy in which the South-West is identified as a “zone of opportunity”;
- protection of the tourism related values of forests;
- support for infrastructure required for visitor access and appreciation of forests including visitor information and interpretation facilities;
- encourage eligible organisations in Western Australia to apply for Government assistance under Commonwealth and State tourism development programs;
- the production of quality promotional materials which highlight the region’s features and their natural and cultural value;
- support for a cooperative approach to developing and marketing tourism products;
- encouraging the involvement of Aboriginal people in forest related tourism ventures particularly where these are opportunities for showcasing indigenous culture and history
- adoption of advanced information technologies for educational and promotional purposes;
- support for mechanisms which communicate, facilitate and coordinate tourism enterprises that explain and enhance sustainable benefits to local communities; and
- consultation with the tourism industry consistent with the Memorandum of Understanding between the Department of Conservation and Land Management and the Western Australian Tourism Commission.

These commitments were achieved in part during Period 1 and Period 2.

DEC’s Warren Region completed a *Regional Recreation Framework* plan based on *Recreation Opportunity Spectrum* planning, and subsequently prepared detailed precinct plans. These were completed for about half of the region. Swan Region developed a structure for the two *District Recreation Framework* plans and developed a process to analyse data, which was required to effectively place recreation facilities for future needs.

On 1 July 2007, DEC appointed a Recreation Activities Coordinator to provide enhanced capacity for dealing with growth in recreation activities such as mountain biking, off-road vehicles and trail bike use. This position provided the opportunity for greater planning and coordination of these activities.

In 2007, development of a State Trail Bike Strategy was jointly sponsored by DEC and the Departments of Sport and Recreation, and Planning and Infrastructure. The strategy was released for public comment in 2007 and the final strategy was published by Department of Sport and Recreation in 2008¹⁹². *Mountain Biking Management Guidelines* were developed by DEC in 2006-2007 to assist with planning and managing this activity.

DEC continued to issue and manage leases, licences, and permits for commercial tourism uses. As at 30 June 2009, there were 20 leases for recreation/tourism with four new leases issued that year. There were 145

¹⁹² <http://www.dsr.wa.gov.au/offroad>

licences for commercial operations in place across the three forest regions, Swan, South-West and Warren, with 118 issued or renewed during the 2006-2007 financial year.

DEC continued to issue permits to enable organised non-commercial recreation and educational groups to undertake appropriate activities. Demand for recreational activities on lands managed by the Department increased steadily from 2004 to 2007. This trend was particularly evident in the Perth Hills District where the number of non-commercial permits increased from 64 to 173 over the reporting period. Popular activities included sporting competitions, school expeditions and weddings.

DEC continued to undertake research in relation to the knowledge, attitudes, skills and activities of visitors. DEC's visitor survey program collected information on visitor satisfaction, use/activities, characteristics and demographics of the visitor, visitor needs and levels and patterns of use. The survey program enhanced the rigour of measuring the overall level of visitor satisfaction to recreation areas managed by DEC and provided a benchmark Visitor Satisfaction Index and the collection of other information useful for planning and management. Regions and Districts are responsible for distributing surveys in parks where recreation occurs and survey results are analysed and reported on by the Social Research Unit.

Minerals industry

The Parties will jointly facilitate minerals industry development and related employment by:

- advocating and supporting the Agreement as providing secure access for mineral and petroleum exploration and production in relevant areas covered by the Agreement, subject to compliance with the approval processes which apply to the land tenure status of those areas; and
- through data acquisition and research, support the development of an improved geoscientific knowledge base at regional and continental scale to promote investment in mineral and petroleum exploration.

The State will provide and maintain relevant mineral industry related databases and search and retrieval systems for clients.

These commitments were achieved during Period 1 and Period 2.

Work done for the WA RFA showed that the south-west contained the potential for 13 metaliferous, five industrial and three energy source deposits, many of which are on State forests. WA continues to facilitate access by industry to minerals through SAAs. Mineral and petroleum resources are accessed through the *Mining Act 1978* and *Petroleum Act 1967*.

Since 2006, mining proposals are publicly available through the Department of Mines and Petroleum library once assessed and approved. A range of online systems are also available through the Department of Mines and Petroleum website. Access to these systems is free, but users need to register to obtain a system logon. These systems include:

- Mines and Mineral Deposits (MINEDEX)¹⁹³ – a continuously updated database containing information on mines, minerals deposits and prospects along with their operating status, location and project ownership. Geological attributes include commodities, mineralisation style, resource estimates and production history.
- Mineral Titles Online (MTO)¹⁹⁴ – provides details of mineral exploration and mining tenements in WA. Users may also order, pay for and receive tenement title searches online through this system.
- TENGRAPH Online¹⁹⁵ – is a tenement graphics system that displays the position of WA's mining tenements and petroleum titles in relation to other land information and allows users to determine what land is available for mineral exploration. It provides a current and accurate picture of land under mining activity.

¹⁹³ <http://www.dmp.wa.gov.au/3970.aspx>

¹⁹⁴ <http://www.dmp.wa.gov.au/3968.aspx>

¹⁹⁵ <http://www.dmp.wa.gov.au/3980.aspx>

Other databases that provided additional geoscientific support include:

- WAMEX - for relinquished exploration licence reports and data on past exploration activities¹⁹⁶.
- GeoView - which provides spatial geological, geophysical and geochemical information as well as location of mining tenements¹⁹⁷.
- A Data and Software Centre to download statewide spatial datasets and various spatial application software, geological maps, geochemical and geophysical data¹⁹⁸.

Other Forest Based Industries

The Parties agree to provide advice and assistance to other industries that depend on access to forests through existing industry programs in the areas of research and development, commercialisation, business and strategic planning (including quality management and benchmarking), business networks, business licensing and innovation.

This ongoing commitment was achieved in part during Period 1 and period 2.

The forest on public land managed as State forest and timber reserves provides for a range of uses which contributes to the economy of many south-west communities through, recreation and tourism, wildflower picking, water production and beekeeping. DEC manages these activities primarily through licensing under the WC and CALM Acts.

On a state-wide basis, wildlife-based commercial activities and people carrying out fauna surveys were required to be licence in accordance with WC Act. Through its Wildlife Licensing Section, DEC provides a *one-stop* licensing centre for all requirements related to commercial wildlife activities.

Managing the trade in wildflowers and other flora products was also controlled by DEC in accordance with a management program approved by the Commonwealth Minister for the Environment.

The export of native flora from Australia is regulated by the EPBC Act, which details the requirements to manage native flora harvested from natural stands. Dealers, wholesalers, florists and others who trade in protected flora are not required to hold a licence unless they are also involved in taking flora for sale. As it is an offence to sell flora that has not been legally taken it is essential that traders ensure their stock is obtained from licensed sources. Individuals picking wildflowers from DEC-managed land are required to hold a licence issued under the WC Act. People who wish to take flora for scientific study, education, hobby, propagation, or other non-commercial purposes need to hold a Scientific or Other Prescribed Purposes Licence. Special restrictions apply to taking flora from nature reserves, national parks or conservation parks, and these reserves are excluded to commercial pickers.

Access to forest areas for beekeeping¹⁹⁹ is managed by DEC under the CALM Act. As at March 2008, there were 1,246 apiary sites on land vested within the DEC's three forest regions, Swan, South-West and Warren. Some 75 per cent of the honey resource in WA is located on DEC-managed lands state-wide.

Apiary site permits are granted subject to consultation with the Conservation Commission and the approval of the State Environment Minister. Apiary authorities are issued for a term of one year, three years, five years or seven years depending on the land tenure. Environmental conditions are placed on site permits to reflect DEC's management requirements, water catchment guidelines, dieback control, fire prevention and native vegetation clearing.

¹⁹⁶ <https://wamex3.dmp.wa.gov.au/wamex3/>

¹⁹⁷ <http://warims.dmp.wa.gov.au/GeoView/Viewer.html?Viewer=GeoVIEW>

¹⁹⁸ <http://geodownloads.dmp.wa.gov.au/datacentre/datacentreDb.asp>

¹⁹⁹ <http://www.dec.wa.gov.au/management-and-protection/animals/apiary-information.html>

DEC is the largest provider of nature-based opportunities in WA and manages more than 25 million hectares of diverse and varied lands and waters.

An increased number of visitors to WA experienced the natural environment using the services of commercial tourism and recreation operators. These operators were businesses that delivered tourist, recreational or educational services for private benefit (profit) while on conservation or forest estate.

Legislation governing the management of this land requires commercial businesses to gain the consent of the land manager, DEC, for access and use, to abide by specified conditions, and to pay fees and charges towards maintaining licensing systems and management. DEC gives this formal approval by issuing Commercial Operations Licences granted under Part 7 of the Conservation and Land Management Regulations 2002.

Regulation 108 of the Conservation and Land Management Regulations 2002 requires any photographer taking images or footage for commercial purposes on DEC-managed lands to obtain lawful authority from DEC.

The Nature Based Recreation and Tourism Research Reference Group²⁰⁰ was established in 1998 and was a joint initiative between DEC and WA universities. Its main function is to coordinate the allocation of nature-based tourism research projects to suitable students. The group comprises academic staff from all five WA universities as well as departmental staff and representatives from Tourism Western Australia.

²⁰⁰ <http://www.dec.wa.gov.au/parks-and-recreation/research/nature-based-recreation-and-tourism-research-projects.html>

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