

Case headed to full hearing in Federal Court

The Federal Court today continued an injunction brought against VicForests by the Friends of Leadbeater's Possum (FLBP), preventing VicForests from harvesting timber in five coupes in the Central Highlands and West Gippsland.

The application for an injunction was submitted by FLBP, as part of the Amended Statement of Claim; a follow-on of the original case brought against VicForests in March regarding the Federal Environment Protection and Biodiversity Conservation (EPBC) Act exemption.

The Federal Court had previously found that VicForests were not affected by government delays in reviewing the Central Highlands Regional Forest Agreement (RFA) and therefore remained exempt from the EPBC Act.

The amended Claim will now proceed to a full hearing and is expected to be before the court in February next year.

The amended Claim alleges that VicForests' operations in the Central Highlands are not in accordance with the Regional Forest Agreement because VicForests had not fully complied with State-based regulation.

VicForests General Manager, Corporate Affairs, Alex Messina said he remained confident that VicForests' operations were compliant.

"We will defend our record and argue this matter at the full hearing next year" Mr Messina said.

"The livelihoods of many of our contactors is dependent on continuing a planned harvest schedule. Unfortunately, as a result of this injunction, we will not be able to resume harvesting in five coupes until the after the full hearing next year" Mr Messina said.

"VicForests undertakes a comprehensive and heavily regulated planning process prior to any harvesting, and we believe our operations are compliant with the RFAs."

"VicForests harvests only select timber that has been allocated to it by the State Government. The total suitable area is a maximum of 6% of public forest areas, and we harvest only 0.04% of forests in any given year, which is nominally equivalent to four trees in ten thousand," he said.

"The native timber industry contributes hundreds of millions of dollars and thousands of jobs to regional Victoria each year," Mr Messina said.

The Amended Statement of Claim follows a previous Claim that did not proceed because FLBP failed to substantiate a threshold question of law.

VicForests regrows all harvested areas with the same type of forest that was originally there – and the vast majority of Victoria's native forests will never be harvested.

The five affected coupes are: Backdoor, Farm Spur Gum, Vice Captain, Dry Spell and Dry Creek Road; all in the Central Highlands RFA area.

-ends-