

Lapoinya Scrapes The Barrel Of Tasmania's Forests Conflict

Introduction

Tasmania has seen some big environmental contests down the years. Lake Pedder, the Franklin dam, Farmhouse Creek, Wesley Vale, the Bell Bay pulp mirage, Ralphs Bay. The latest flashpoint, Lapoinya, isn't one of them. To many veterans on either side it must be astonishing that we now have a barney over the logging of *forty-nine hectares of regrowth* - that anyone would bother protesting it, let alone getting arrested over it, or on the other hand that anyone would bother with the logging or arresting. To put it into perspective, bushfires in Tasmania have burnt almost 900 Lapoinya-coupees worth of native vegetation in the past fortnight alone.

The Lapoinya argument seems like nothing more than a vintage example of *Sayre's Law* (the contest is so bitter precisely because the stakes are so small). Behind what has become a comically petty contest in the context of the battles of the past, however, are some players with a bigger game to play. But before I get onto specifics of Lapoinya (then all that), I'd like to look at how we got here.

The Forest Peace Deal

The previous Tasmanian parliament (2010-2014) was the third in which the Greens have held the balance of power. The previous two such parliaments (the Field Labor-Green "Accord" government of 1989-1992 and the Rundle minority Liberal government 1996-8) were both unstable, with forestry differences a constant source of tension in both arrangements and the explicit cause of the collapse of the former. This instability arises from the major parties both having similar pro-forestry positions, to which the Greens are opposed. While forestry does not employ that many people directly, it is politically important to a class of swinging voters who jump between the major parties to avoid hung parliaments in the state. For this reason, a major party that moves away from forestry bipartisanship seals its electoral fate.

Labor Premier David Bartlett, upon losing his majority in 2010, decided to try something different and brought the Greens into Cabinet in a Labor-Green coalition. This government more or less lasted its term (apart from a highly staged "divorce" right near the end) but caused great damage to the standing of both parties, which between them shed over 17% of the vote and five of their fifteen seats at the 2014 election. But before then, the government needed a way of reducing tensions between the governing parties, and the near-collapse of the forestry industry in the face of bad market conditions provided an ideal window for a process to try to solve Tasmania's endless forest conflicts.

...A shambolic process saw areas passed off as "high conservation value" by conservation ENGOS (Environmental Non Government Organisations) on the basis of a shoddy self-assessment against a beefed-up version of the Forest Stewardship Council's HCV criteria. Most of these were then held to have **some** (not necessarily high) conservation value by a rushed scientific review process of uneven quality, and then those that had got this far (over 500,000 hectares) were reserved.

The obvious problem with all this was that while certain environmental groups were agreeing to abide by the outcome and not protest the logging of areas outside the reserved area, there was nothing to stop their members from forming new groups not thus bound. The Legislative Council put some teeth into the agreement by making the deal conditional on an absence of substantive protest. By the time the deal was passed in watered-down form it had done its thing and the government's time was almost up.

The new Liberal Government, with a clear mandate to do so, ripped up as much of the deal as it could, transferring many of the reserves thus created to a new deferred status called Future Potential Production Forest (Crown); the intention is that these be available for logging again from 2020.

However, it couldn't do anything about those areas that had already been added to the

World Heritage Area, not even the ones that look like this:



Freshly logged newly minted premium Tassie World Heritage!

With the deal revoked, anti-logging forces have made permanent gains with the WHA extensions and can now protest against whatever they like. The purists who sat outside the peace deal tent give the pragmatists far too little credit for this.

Lapoinya and the Peace Deal

There has been quite a lot said about the Lapoinya coupe scheduled for imminent logging (FD053A) and its relationship to the peace deal. Proponents of logging say that the Greens and ENGOs signed off on the peace deal without this coupe being included (although it is slightly more complex than that, since one Green, Kim Booth, voted for the original version of the deal but against the final amended version.) As Braddon Liberal MP Joan Rylah puts it *"All parties to the so-called forest peace deal, including the Wilderness Society, Australian Conservation Foundation, Environment Tasmania, and the Greens, voted for it to remain production forest."*

Rylah's claim and others like it have been validly if somewhat sluggishly countered by the argument that since a vote for any portion of the peace deal was conditional on the deal as a whole staying intact, and since it didn't stay intact, all concessions made in the deal are off. But FD053A is not some trumpeted gem of High Conservation Value forest that green groups proposed for retention and then decided to sacrifice. Rather it was *never even proposed as an inclusion in the deal*. By anyone!

The following maps show this.

First a map of the coupe area ... showing the scheduled harvesting in the coupe (the small darkly shaded area) directly west of the pale area that is the Flowerdale River Regional Reserve.

Second, a map of land tenure in the area (c/- Tasmania's fabulous [list mapping system](#)), showing in connection to the above that the coupe is on green (State Forest) and not FPPF (hatched): (This time the reserve is brown).

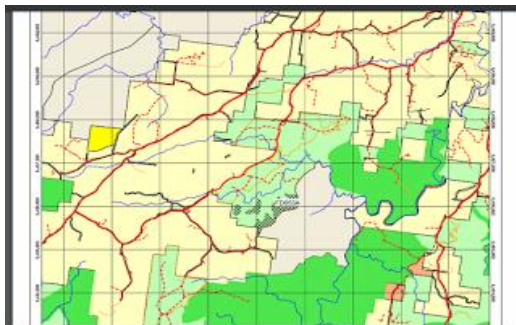


Fig1

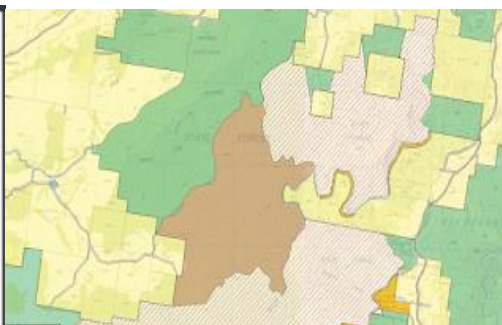


Fig 2

Third, a section of a map of ENGO claim polygons (poor resolution is the original's, alas - again, click for larger version), showing that the claimed areas near Lapoinya (polygons 249 and 254) are the same as the two hatched FPPF abolished reserves:



Of course, the coupe's omission from the ENGOs' want list doesn't mean they thought it was worthless. But it does mean that by definition from the ENGOs' scoping report, the coupe was **not** among the "areas of high conservation value forest that are considered most important to local, state and national conservation organisations for immediate protection."

The obvious reason for this is that the coupe has been rather heavily logged before, as part of a working forest landscape that also includes a pine plantation, and is objectively inferior in conservation value to other forest areas close at hand. Some opponents of logging have received Monty Python style ridicule ("every tree is sacred!") on social media by seeking to turn this to their advantage, passing off their charge as "a juvenile forest", "a most beautiful baby" and so on.

Of course all this concedes exactly what the industry has been saying all along - that you can log forests and forests will grow back from what Bob Brown calls "utter destruction", and may develop aesthetic values within a few decades. Opponents then counter that clearfell, burn and sow silvicultural regeneration creates communities so skewed towards eucalypts that they may as well be plantations, and some have then slipped from this questionable claim (native plantations?) to even asserting that the coupe *will* become a plantation, although this isn't true (broadscale conversion to plantations ended years ago.)

The Magic Coupe Game

Some of the opponents of logging near Lapoinya are local residents and some of these have just been taking the traditional NIMBY "this is my patch, leave it alone" approach to arguing for the area. As much as that might be derided, at least it's honest, and there is probably some kind of valid psychological sense of place argument in some such cases. Much of the other propaganda surrounding FD053A shows the inverted logic typical of Tasmanian green activists. My colleague Dr Simon Grove already noted the back-to-front nature of the ENGO reserve-picking process in the forest peace deal, and it is much the same thing when it comes to saving forestry coupes. While a scientific process for deciding which coupes to protect would start by asking what should be protected, and then look for areas matching it, the activist process consists of deciding a coupe should be protected (just because) and then looking for arguments that can be used.

These arguments typically consist of claims about threatened species present in the coupe, and by the time the activists are done with their exaggeration process it would be believed that any scrap of bush one cares to mention stands alone between some species and extinction. Getting in a bunch of well-known but known to be green-friendly scientists to do surveys helps with the process too; put enough scientists on a coupe and someone will find something vaguely interesting. But in fact the same game can be played more or less anywhere, and it's only a matter of time before we see it played not just for regrowth forests, but even for plantations. Yes, even though when the fight was mainly about old growth, it was supposed that logging those forests would "destroy" their conservation values forever.

Certain listed threatened species are especially useful for the magic coupe game because they are everywhere, and hence inevitably present on or near such coupes. I call these the "landscape threatened species". Tasmanian devils, at often overstated risk from a dramatic facial tumour disease that is yet to cause even local extinctions after 20 years, are especially handy. In reality, if the

disease attacking devils has the ability to wipe them out from the whole state then the logging of this or that scrap of forest is unlikely to make the slightest difference to whether that happens or not (and if it does make a difference, could do so in either direction).

Another *cause celebre* in the Lapoinya conflict is the Giant Freshwater Crayfish, which in fact occurs in most river systems flowing into Bass Strait on the northern coast excluding the Tamar (though it is certainly doing better in the north-west than the north-east, and in some catchments in the north-west than others). Whether the precautions taken to protect this species in the coupe in question are completely adequate is a debate I leave to those expert in it, but from the hysteria about the impact of logging this one coupe on the species ("deliberate extinction of vital habitats", Bob?) one would think none had been taken whatsoever.

And others ... masked owls, grey goshawks, wedge-tailed eagles and spotted-tailed quolls are also very widespread in wet forest in low numbers (so their presence or possible presence can be claimed in virtually any such coupe), swift parrots don't breed in the area but might now and then pass through almost anywhere, and so on. The (often fleeting) presence of such species in an area doesn't mean it's impossible in a conservation sense to log it; it just means there are certain requirements in forest planning, which are attended to through the Forest Practices system. (An official response to these issues is [here](#)). If there was a very localised or very rare threatened species on the coupe that would be interesting, but nobody so far has named one.

There have also been some red herrings along the way: false claims of the presence of a threatened tree fern *Cyathea cunninghamii* (based on misidentification of the common and widespread *C. australis*), beatups about the tree *Eucalyptus brookeriana* (the tree species itself is not threatened, but substantial community areas dominated by it are - small areas found within the coupe and not classed as substantial communities were voluntarily removed from the logging area), and unfounded claims that the listed orchid *Caladenia pusilla* occurs on the coupe (at this stage it hasn't been found, despite surveying.)

Far from being an "extraordinary high conservation" coupe, this is a coupe that is apparently lacking in unusual and special scientific values, and perhaps even scientifically boring, but that is being made to sound special by a dedicated focus on it amplified by constant exaggeration.

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The Case For Logging?

Examples of logging supporters pointing out contradictions, errors and hypocrisies in the arguments of opponents have been frequent, and no wonder since there is so much fine material to work with. The case for logging has been more difficult to find, beyond a claim by Minister Harriss that the coupe is needed to "meet the legislated wood supply allocation". It has also been asserted that the coupe will be cash-profitable. Opponents particularly cite the work of economist John Lawrence (note that the "Brooker's Gum" comments are inaccurate as noted above), updated [following the coupe expansion here](#), which gives some idea of the complexities involved in debates about what it really means for a coupe to be profitable at all, let alone whether this coupe is a cash-profit. The Lawrence estimates have been dismissed by Forestry Tasmania (largely on the basis of their use of averages rather than specifics presumably not available to Lawrence) but there has been no specific detail in the public domain on these items that I currently know of.

I'm not qualified to assess the economic arguments, but I do note that Lawrence's second post refers to the loss of a potential \$14/tonne in carbon credits as an economic/social cost of logging the coupe. If that is to be included, then the calculation should include economic/social costs (health and welfare, primarily) of *not* logging the coupe arising from the lack of employment for those who would be employed logging it, unless there is evidence that they would find alternative work at the same pay rates just as easily without in turn taking it from anyone else. I have never seen this kind of social cost of not logging factored into any such economic analysis. While no-one doubts the industry has struggled terribly in recent years, I'm yet to see a full and fair analysis of the industry's economic costs and benefits to back the widespread green-left view that the whole thing is both an economic and an environmental loss.

Lapoinya as a Test Case

When it is so easy to say that the same wood could easily have been sourced from many other coupes elsewhere (though perhaps not as cheaply) there have been suspicions that the Government's determination on Lapoinya comes from desire to use it as a test case. What would be tested would be the government's laws against obstructive protests. The initial version of the government's new laws had numerous problems, but the version finally passed into law is much more flexible. While lacking the mandatory sentencing provisions of the original, it does provide for harsh maximum penalties, including potentially large fines and long jail terms for protestors who receive repeat convictions for obstructing logging within exclusion zones after being given notice to desist, or who damage or threaten to damage logging equipment.

It's highly unlikely courts would use the more serious penalties except for the most extreme or repeat offenders, but even so there have been concerns raised that the laws may be inconsistent with Australia's implied constitutional protection of free political speech. I actually hope that the laws survive any High Court challenge, which is not to say I agree with the nebulous nature of some of the penalties available. Rather, I think that if a law does not prevent someone from expressing a dissenting viewpoint, then the fact that it prevents them from expressing it in an especially disruptive or obstructive (but supposedly more effective) way is neither here nor there as far as "free speech" is concerned. If protestors are determined to avoidably inconvenience others to make their points (mainly because this gets more media attention), they should be willing to risk a heavy legal price, as many past heroes of civil disobedience did for what they believed in. I think the proper court for judgement of such laws is the next election.

Lapoinya As Oxygen For The Greens

As usual in these sorts of disputes I don't doubt the primary motives of local residents who have seen their own patch under "threat" and set out to "save" it, even if in the process they have sadly got sucked into the usual game of claiming this is really all about threatened species. However the Lapoinya bandwagon has attracted plenty of higher-profile passengers, and the purposes behind the claims by the Bob Brown Foundation especially seem rather transparent to me. The massive exaggeration of the scientific impact of logging a more or less random northern Tasmanian coupe is designed to create a sense that the Hodgman Government is perpetrating some great outrage. The whipping up of the conflict by those more radical ENGOS not compromised by involvement in the "peace deal" serves to encourage more people to protest and make the issue still more prominent and polarised. The end goal is not saving this scrap of unimportant forest, but reignition of the forest wars as political oxygen for the Greens (sure, there are strained relations at state level, but it works federally as well). On the other side, the uncompromising rhetoric of Forestry Minister Paul Harriss, and Joan Rylah's prominence in counter-protests, serves much the same purpose for the Liberals.

The first casualty of any Tasmanian outbreak of Ritual Forest Conflict is generally the scientific facts. In this one the second may well be the stocks of the struggling Tasmanian ALP. It is very difficult for Labor to raise a peep in this debate without the Government reminding voters of Labor's complicity in the "peace deal".

The other aspect of this conflict I want to mention is that the logging of near-rural coupes like Lapoinya is a natural result of the green movement's obsession with wilderness and remoteness. More remote forestry areas have increasingly been reserved whether their removal from the working forest estate was scientifically justified or simply a result of shallow politics. This has intensified pressure to take wood resource from coupes closer to where people live, and NIMBY flashpoints like Lapoinya are likely to be increasingly common as a result.