

1 Background

1.1 INTRODUCTION

The competing demands of conservation and industry on our forests have been an area of debate and controversy for more than two decades. The National Forest Policy Statement (Commonwealth of Australia 1992), agreed by the Commonwealth, State and Territory governments in 1992, provides the framework for a long-term solution to this issue.

The NFPS sets out the process for undertaking joint Commonwealth and State Comprehensive Regional Assessments (CRAs) of natural, cultural, economic, and social values of Australia's forests. These assessments will form the basis for the negotiation of Regional Forest Agreements (RFAs) between the Commonwealth and State governments. A joint regional assessment of national estate values in the Southern Forest Region in 1990 by the Australian Heritage Commission (AHC) and the Department of Conservation and Land Management (CALM) provided a model for the approach to later CRAs under the NFPS.

Regional Forest Agreements will encompass:

- the establishment and management of a forest reserve system which is comprehensive, adequate and representative;
- ecologically sustainable management of the forest estate; and
- the development of an efficient, internationally-competitive timber industry.

RFAs are agreements between the States/Territories and the Commonwealth and recognise the range of economic and environmental obligations which each government has regarding the long term management and protection of forest values in specific regions. RFAs are intended to provide stability through the establishment of a sustainable resource base for industry, while at the same time ensuring the protection of Australia's biodiversity, old growth and wilderness through a comprehensive, adequate and representative (CAR) reserve system and complementary off-reserve management.

A central aim in the RFA process is to recognise and consider the full range of forest values when making forest resource use decisions. This reflects the need to consider both benefits and costs when making policy or resource use decisions.

1.2 LEGISLATIVE AND POLICY FRAMEWORK FOR THE RFA PROCESS

There is a range of legislative obligations and policies at the Commonwealth and State levels that forms the framework for the RFA process. RFAs are intended to recognise and meet the legislative obligations and policies of both governments.

The National Forest Policy Statement (NFPS)

The NFPS defines the policies of State and Commonwealth governments in relation to the RFA process and its objectives. The NFPS sets out the vision of the Commonwealth and State governments for Australia's forests and forest industries based on the principles of ecologically sustainable forest management. The elements of that vision are described in the NFPS and comprise the following:

- forest conservation;
- wood production and industry development;
- integrated decision making and management;
- private native forests;
- plantations;
- water supply and catchment management;
- tourism and other economic and social opportunities;
- employment, workforce education and training; public awareness, education and involvement;
- research and development; and
- international responsibilities.

National reserve criteria (JANIS)

Following signing of the NFPS, an intergovernmental Technical Working Group on Reserve Criteria was established in 1993 to draft the national criteria required by the NFPS, under the Joint Australian and New Zealand Environment and Conservation Council (ANZECC)/Ministerial Council on Forestry, Fisheries and Aquaculture (MCFFA) NFPS Implementation Sub-committee (JANIS). The Technical Working Group comprised representatives from Commonwealth and State forestry, conservation and scientific agencies.

A report by JANIS, *Proposed Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia*, was released in mid-1996 and public submissions were invited. Following consideration of these submissions by JANIS, the criteria were finalised and Ministers from ANZECC and MCFFA have now endorsed these criteria.

The National Reserve Criteria include provision for the protection of biodiversity, old growth and wilderness, as well as recognising the role of off-reserve management in meeting conservation objectives. Further details of the criteria are provided in the biodiversity, old growth and wilderness chapters of this report.

Commonwealth legislation

The Commonwealth's principal involvement in forest issues derives from the *Export Control Act 1982* which regulates the export of woodchips and unprocessed wood. In assessing applications for export licences under this Act, the relevant Minister is required to ensure that a range of Commonwealth legislative obligations is met. The major legislation includes:

- *Export Control Act 1982*;
- *Endangered Species Protection Act 1992*;
- *World Heritage Properties Conservation Act 1983*;
- *Australian Heritage Commission Act 1975*; and
- *Environment Protection (Impact of Proposals) Act 1974*.

Western Australian legislation

The NFPS recognises that State and Territory governments have constitutional responsibility for land use decisions and primary responsibility for forest management. To fulfil this responsibility the States and Territories have enacted legislation that allocates forest land tenures and specifies the administrative framework and policies within which public and private forests are managed. The major Western Australian legislation includes:

- *Conservation and Land Management Act 1984*;
- *Wildlife Conservation Act 1950*;
- *Mining Act 1978*; and
- mineral-based Agreement Acts.

A list of the Commonwealth and State legislation relevant to the RFA process is provided in Appendix 1.

Indigenous issues

The RFA process addresses indigenous issues in two distinct ways: consultation on the outcomes and process in general (as part of the wider consultation process); and on cultural heritage, through the national estate assessment.

As with all communities and stakeholder groups with an interest in the Western Australian RFA, Aboriginal communities in the region and appropriate representative bodies are already involved and will continue to be consulted throughout the RFA process.

The *Native Title Act 1993* recognises and protects native title rights and interests. In recognition of this Act:

- where any government action to implement an RFA could affect native title, the action will be taken in accordance with the *Native Title Act*; and
- an RFA is not intended to influence in any way native title claims that may arise.

1.3 THE RFA PROCESS IN WESTERN AUSTRALIA

Background

During 1995, the Commonwealth and the States of New South Wales, Victoria, Western Australia and Tasmania undertook a process of identifying Deferred (or Interim) Forest Areas in order to provide interim protection for forests that may be required for a CAR reserve system while RFAs are being completed.

A Deferred Forest Agreement (DFA) between the Commonwealth and Western Australia was signed in July 1996. At the same time, the Prime Minister and Premier also signed a Scoping Agreement setting out the administrative and operational arrangements for undertaking a CRA and developing the RFA for the South-West Forest Region, as well as committing both governments to establishing processes and timetables for the completion of the RFA.

The RFA process is managed by a Joint Commonwealth-Western Australian Steering Committee, supported by technical committees.

Stages in the RFA process

The major stages in the RFA process are outlined below.

1. Project planning
—including an analysis of gaps in data, data evaluation and accreditation.
2. Filling of data gaps and developing agreed methodologies for the CRA.
3. Assessment phase
—assessments undertaken for the South-West Forest Region CRA, which are described in this report, include:
 - timber production and other forest products;
 - tourism and recreation;
 - water resources;
 - mineral resources;
 - social values;
 - biodiversity;
 - old-growth forests;
 - wilderness;
 - national estate;
 - world heritage; and
 - ecologically sustainable forest management.

The CRA provides a synthesis of the information on which the RFA can be developed and agreed between the Western Australian and Commonwealth governments. References to any technical papers relevant to the assessments are provided.
4. Integration and options development phase
—during the integration phase, information from the assessments and public consultation will be brought together to identify and analyse issues that need to be addressed in the development of RFA options for public comment.
5. RFA options report
—production and release for public comment. Opportunities for consultation with the community and stakeholder groups will be provided following the release of the options report. With this in mind, a series of workshops will be held in the south-west and in Perth over the next few months. The consultation process is designed to focus discussions on the issues that need to be addressed in the RFA. The first workshops will familiarise stakeholders with the information contained in the report. Any deficiencies identified in the data or methods at that stage will be taken into account in the development of the RFA. The options report will be released for public comment.
6. RFA finalisation
—following conclusion of the public comment period and consideration of submissions, the Commonwealth and Western Australian governments will develop and negotiate the Regional Forest Agreement, which is scheduled to be completed in early 1998.

