



# Leadbeater's Possum Detection Report

Coupe 463-504-0014 'Togo'

McCarthy Spur Road, Latrobe State Forest



**Report on a Leadbeater's Possum (*Gymnobelideus leadbeateri*) detection at VicForests active logging coupe 463-504-0014, Latrobe State Forest.**

## Abstract

Forest in and adjacent to VicForests active logging coupe 463-504-0014 was investigated to assess presence/absence of the critically endangered Leadbeater's Possum. WOTCH surveyors detected a Leadbeater's Possum. The investigation shows that VicForests has begun logging operations in areas of forest currently inhabited by Leadbeater's Possum after failing to identify biodiversity values relating to Leadbeater's Possum – a breach of the *Code of Practice for Timber Production 2014*. The methodology, results and conclusions are detailed below.

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**Date of report:** 18/05/2021

## Introduction

VicForests logging coupe 463-504-0014 is listed on the VicForests Timber Release Plan approved in December 2020. The coupe is located on McCarthy Spur Road in the Latrobe State Forest. WOTCH conducted an active survey to assess the presence/absence of the critically endangered Leadbeater's Possum at the coupe. WOTCH has previously reported two Leadbeater's Possum detections at the coupe.

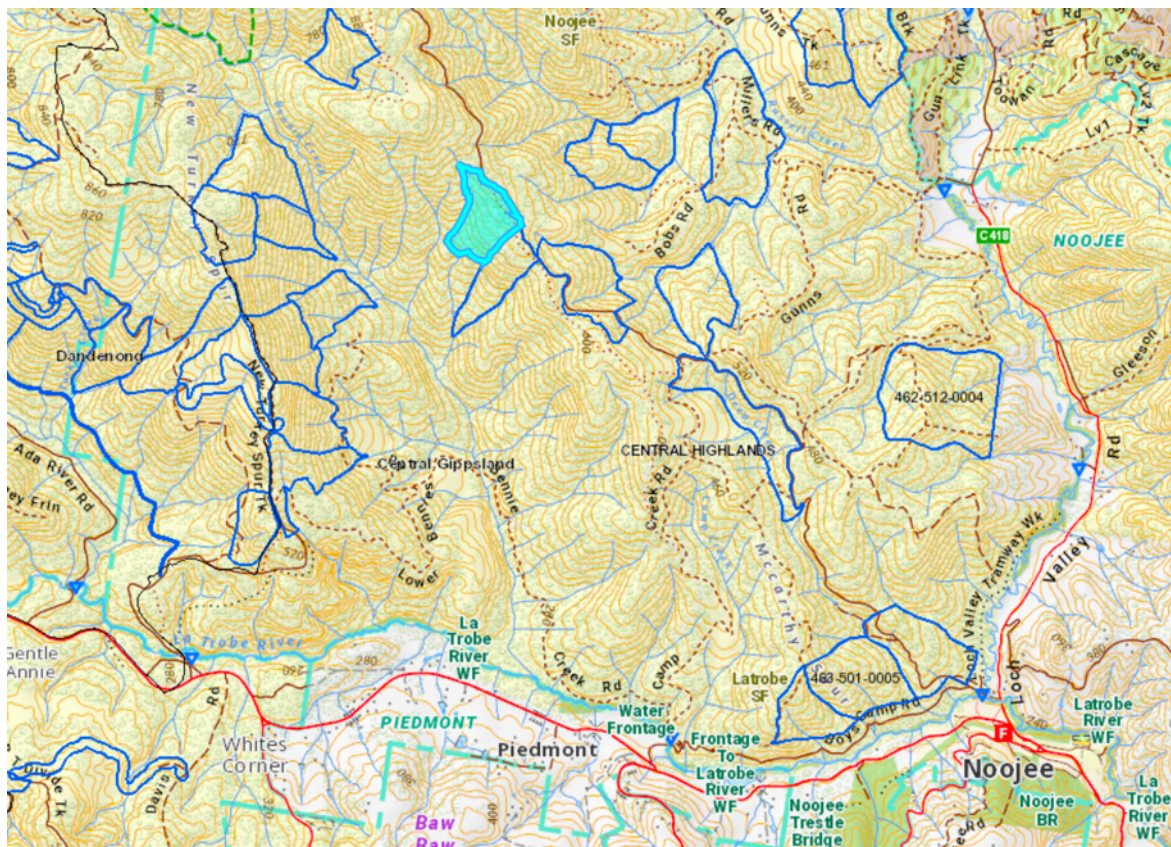


Figure 1 – Map showing the surrounding area and the investigated coupe highlighted blue. Source: Forest Information Portal <<https://maps.ffm.vic.gov.au/fip/index.html?viewer=fip>>.

## Method

An active search method was employed:

- Forest in and adjacent to logging coupe 463-504-0014 was actively surveyed between dusk and dawn on 17 May 2021
- Patches of high-quality habitat were surveyed for Leadbeater's Possum by scanning the mid-storey with a thermal imaging camera and, in some cases, mimicking the call of Leadbeater's Possum
- Once spotted on the thermal imaging camera, spotlights were used to light up the animal and video evidence was obtained using a Sony Handycam
- Upon successfully obtaining video footage of the animal, the camera was panned to a handheld Global Positioning System (GPS) unit to record evidence of the detection time and location
- A waypoint was marked on the GPS unit in the detection location
- Surveying each patch of forest was concluded shortly after obtaining the footage
- The harvest boundary of the coupe was walked and marked on a GPS on the same night.

## Results

### Summary

This investigation detected a Leadbeater's Possum at GPS coordinates 0407034 5810501 (GDA / MGA Zone 55 H).

Results are provided in the following sections:

- Results 1: Attachment 1 is video file of the Leadbeater's Possum detection and GPS coordinates; Attachment 2 is a GPX waypoint of the detection; Attachment 3 is a GPX of the marked logged area
- Results 2: Figures 2 to 4 are screenshots from the attached video showing the Leadbeater's Possum and detection time and location (GPS coordinates); Figure 5 is a screenshot of machinery at the part-logged coupe
- Results 3: Figure 6 is a map of the Leadbeater's Possum detection location and recommended buffer.

### Results 1

Refer to attachments 1–3.

Results 2



*Figure 2 – Screenshot of Leadbeater's Possum detection*



*Figure 3 – Screenshot of Leadbeater's Possum detection*



Figure 4 – Screenshot of location (GPS coordinates)



Figure 5 – Machinery at the part-logged coupe on 13 May 2021

Results 3

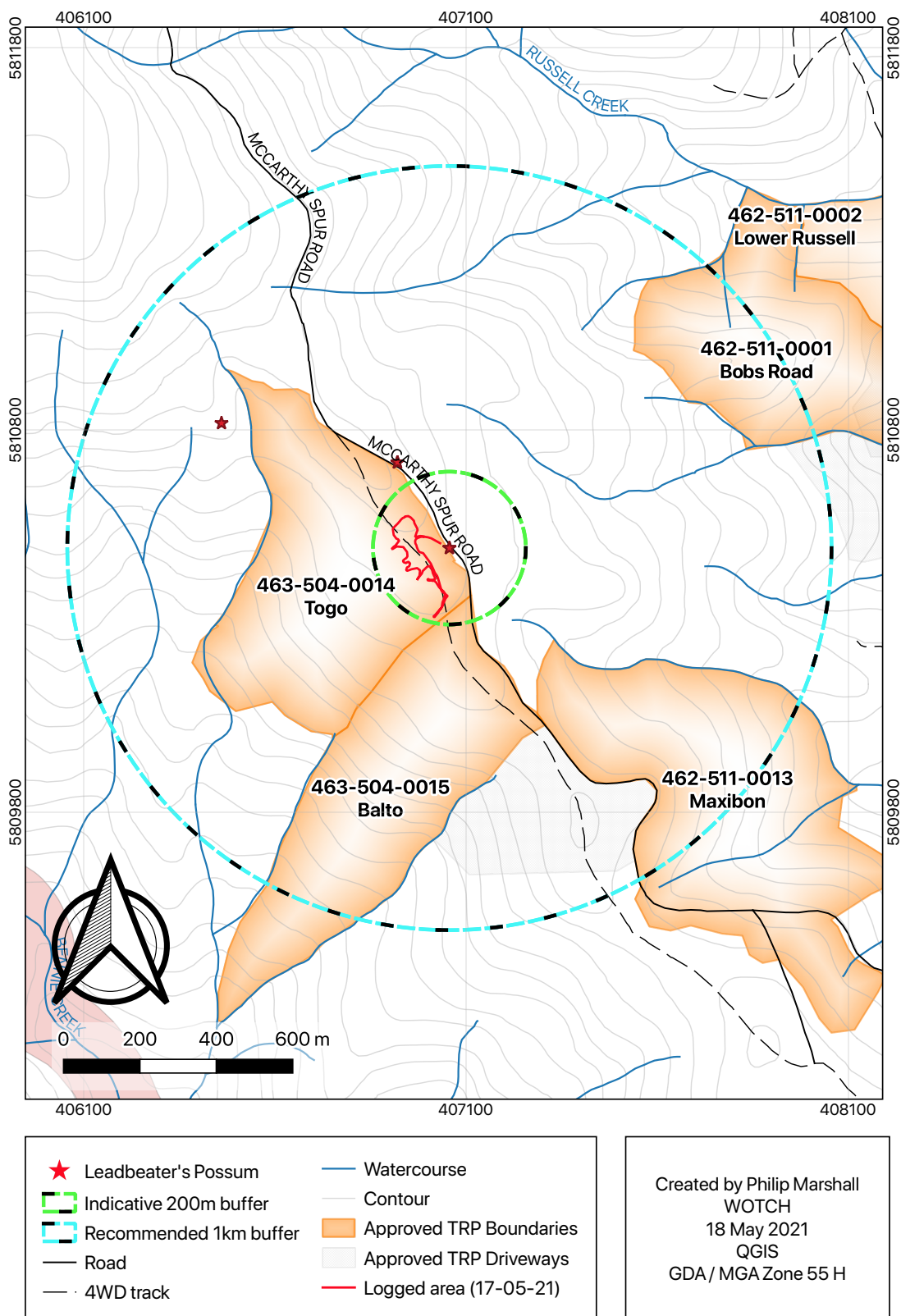


Figure 6 – Map of the Leadbeater's Possum detection at VicForests logging coupe 463-504-0014 with indicative 200m and scientifically recommended 1km Leadbeater's Possum buffers and logged area in the evening of 17 May 2021.

## Discussion

This report has detailed the detection of Leadbeater's Possum in VicForests active logging coupe 463-504-0014.

### Recommended prescriptions

The following prescriptions relevant to this report were recommended by David Lindenmayer, David Blair, Lachlan McBurney and Sam Banks from the Australian National University in their paper produced in July 2013, *New Restoration Forest Management Prescriptions to conserve Leadbeater's Possum and Rebuild the cover of Ecologically Mature Forest in the Central Highlands of Victoria*:

#### **Prescription 2 – Protection of recorded locations**

2.1 All locations where Leadbeater's Possum has been recorded present in the past 15 years will be protected by a 1 km buffer from which logging (both clearfell and thinnings) is excluded.

#### **Prescription 3 – Protection of Hollow-bearing Trees**

3.1 Each hollow-bearing tree (whether living or dead) will be surrounded by a buffer of unlogged forest measuring 100 m in radius.

3.3 All trees 100 or more years old should be protected and surrounded by a buffer of unlogged forest measuring 100 m in radius.

#### **Prescription 5 – Protection of Streamside Buffers**

5.1.1 Streamside buffers will be widened to a minimum of 100 m either side of a stream, whether permanent or temporary/seasonal.

### Mandatory prescriptions

It is mandatory for VicForests, DELWP and any other organisations undertaking timber harvesting operations in state forest of Victoria to comply with all prescriptions outlined in the Code of Practice for Timber Production 2014 (the Code).

Figure 7 shows prescriptions in the *Planning Standards for timber harvesting operations in Victoria's State Forests 2014*, a document in the Code that must be enforced by DELWP, following the detection of a Leadbeater's Possum.

<p><b>4.2 Fauna – fixed zoning:</b></p> <p><b>Table 3. Establish and maintain SPZs of 200 m radius centred on each verified Leadbeater's Possum colony found since 1998 that is not located within forest areas severely impacted by the 2009 wildfire (Exclude colonies within Fire Severity classes 1 and 2).</b></p> <p><b>4.3 Fauna - detection based zoning</b></p> <p><b>Table 4. Establish a SPZ of 200 m radius centred on each verified Leadbeater's Possum colony.</b></p>
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Figure 7 – excerpt from page 20 of the *Planning Standards*, under subheading 'Table 3 Fixed FMZ rules for fauna'.

Figure 8 shows prescriptions for addressing biodiversity conservation risks in the Code.

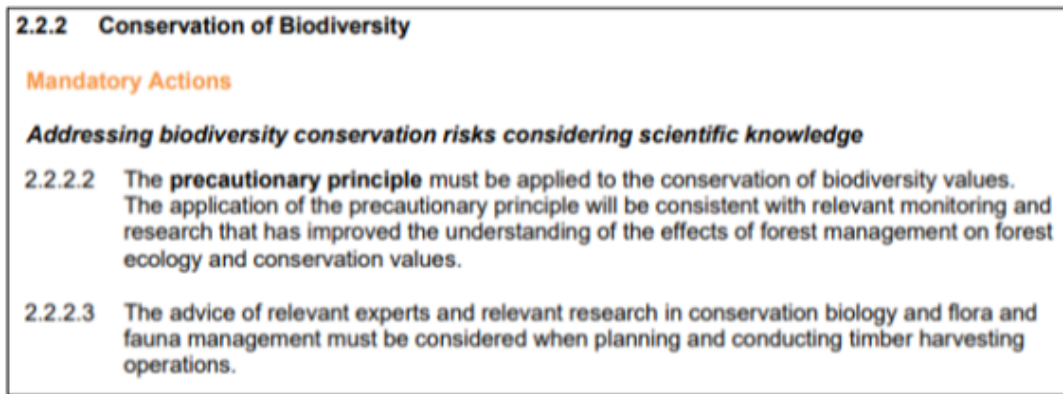


Figure 8 – excerpt from page 34 of the Code, under subheading '2.2 Environmental Values in State Forests'.

Failure to identify biodiversity values relating to Leadbeater's Possum

VicForests has commenced logging and has already harvested approximately 0.8 ha of the buffer that should be implemented following this report. The coupe is active, with machines present.

The Code requires identification of biodiversity values listed in the Management Standards and Procedures before harvesting. Risks to these values must be addressed through actions consistent with the Management Standards and Procedures, such as those discussed above.

2.2.2.4 During planning identify biodiversity values listed in the Management Standards and Procedures prior to roading, harvesting, **tending** and **regeneration**. Address risks to these values through management actions consistent with the Management Standards and Procedures such as appropriate location of **coupe infrastructure, buffers, exclusion areas**, modified harvest timing, modified silvicultural techniques or retention of specific structural attributes.

Figure 9 – Excerpt from page 34 of the Code, under subheading '2.2.2 Conservation of Biodiversity'

In *Friends of Leadbeater's Possum Inc v VicForests (No 4)* [2020] FCA 704, the Federal Court of Australia held that a failure to detect biodiversity values relating to Leadbeater's Possum before roading and harvesting is a contravention of cl 2.2.2.4 of the Code.

In that case, VicForests did not address the risks to a Leadbeater's Possum detected by WOTCH through creation of the prescribed SPZ – a breach of cl 4.2.1.1 of the Management Standards and Procedures.

The Court held that even a small incursion into a buffer zone constitutes a breach of the Code. At [1262], Mortimer J observed:

The purpose of the 200 m radius buffer around a colony detection was to provide the species, where detected, with some level of protection from forestry operations. The Leadbeater's Possum Advisory Group Technical Report recognises that level of protection is less than optimal. At [43] of his first report Professor Woinarski described the LPAG Report's conclusion that a THEZ of 200 m radius around existing known colonies would have only a "low to medium" impact on reducing extinction-risk, whereas increasing the exclusion zone to 500 m radius would have a "medium" impact on reducing extinction-risk, and increasing it to 1 km radius would have a "high" impact on reducing extinction-risk. The LPAG Report appears to suggest, at p 26, that 200 m was a minimum level of protection that could be afforded while maintaining a sustainable timber industry in native forest occupied by the Leadbeater's Possum. All of this evidence suggests that



a 200 m buffer is minimal protection, and therefore it is critical that it be strictly observed. Coupled with this, the Leadbeater's Possum is critically endangered – that is, facing an extremely high risk of extinction in the wild in the immediate future. In that context, the conservation of every individual of the species matters. The conservation and protection of every single Leadbeater's Possum colony, without doubt, matters.

DELWP has not undertaken Leadbeater's Possum surveys at the coupe and there is no evidence that VicForests has either. If WOTCH had not detected and reported these Leadbeater's Possums, then VicForests would have continued forestry operations and the destruction of further vital Leadbeater's Possum habitat in the coupe.

DELWP must investigate and hold VicForests accountable for these breaches of the Code.

## Conclusion

This investigation has revealed that VicForests has begun clearfell logging operations in high quality habitat for the critically endangered Leadbeater's Possum. Management actions must be implemented by VicForests and DELWP to protect this significant population of Leadbeater's Possum.

DELWP, as a minimum, must enforce the indicative 200m Special Protection Zone buffers around the Leadbeater's Possum detection location in this report. However, to best support this population of Leadbeater's Possum, DELWP should enforce a 1km buffer around the detection and remove the subject coupes from the Timber Release Plan.

This report concludes that VicForests operations in the coupe contravene the Code. VicForests failed to identify this Leadbeater's Possum and implement buffers prior to harvesting, and has commenced timber harvesting within habitat of the critically endangered Leadbeater's Possum. This is the second such contravention in this coupe. Logging must be stopped, and extensive surveys conducted.

## Recommendations

1. DELWP, as a minimum, should refrain VicForests from commencing forestry operations within active logging coupe 463-504-0014 that fall within the prescribed 200m Special Protection Zone around this detection as seen in Figure 6.
2. VicForests and DELWP should adhere to the relevant scientific advice for the species and establish a 1km Leadbeater's Possum buffer around the detection as seen in Figure 6.
3. Further comprehensive surveys should be undertaken throughout the entirety of the coupe and surrounding coupes to determine the locations of any other Leadbeater's Possum individuals that may be present in or around the coupes.
4. The coupe should be removed from the Timber Release Plan as this area is of high significance to the critically endangered Leadbeater's Possum.
5. DELWP must investigate and hold VicForests accountable for this breach of the *Code of Practice for Timber Production 2014*.

