

Ten-year review of progress
with implementation of the

Tasmanian Regional Forest Agreement

SCOPING AGREEMENT

between the Tasmanian Government
and Australian Government

December 2006



Australian Government



Explore the possibilities

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1. Preamble

The purpose of this Scoping Agreement is to confirm the arrangements agreed by the Tasmanian and Australian Governments (the Parties) to undertake the second five yearly review (i.e. the Ten Year Review) of performance against the specified milestones and commitments of the 1997 Tasmanian Regional Forest Agreement (RFA) in accordance with the provisions of Clauses 45, 46 and 47 of the RFA and the 2005 Supplementary Tasmanian RFA (SRFA) in accordance with the provisions of Clauses 1, 3 and 4 of the SRFA.

The provisions of this Scoping Agreement are not intended to give rise to legally enforceable rights or obligations between the Parties.

The Parties agree that this Scoping Agreement will be consistent (including with respect to the definition of terms) with the RFA, the SRFA, the National Forest Policy Statement (NFPS), and other relevant agreements and policies including the National Strategy for Ecologically Sustainable Development, the Intergovernmental Agreement on the Environment, the *Environment Protection and Biodiversity Conservation Act 1999*, *Natural Heritage Trust of Australia Act 1997*, National Framework for the Management and Monitoring of Australia's Native Vegetation (2001), and the Bilateral Agreement for the Extension to the Natural Heritage Trust (2003).

The Parties recognise that this Scoping Agreement cannot impose on a party any obligation that is inconsistent with a law of the State of Tasmania or the Commonwealth of Australia where that law is binding on that Party.

2. Background

The State of Tasmania and the Commonwealth of Australia entered into the RFA on 8 November 1997. The RFA provides for the maintenance and development of a vibrant and sustainable forest industry in Tasmania. The duration of the RFA is twenty years (i.e. 1997 to 2017), which can be extended with the agreement of both Parties under Clause 8 of the RFA following the third five year review (due in 2012) specified in Clause 45.

The Tasmanian RFA was the second of a series of Regional Forest Agreements between the Australian Government and the Governments of Victoria, New South Wales, Western Australia and Tasmania. Whilst all the RFAs have their own unique elements they have all been drawn up under the aegis of the National Forest Policy Statement and all have a requirement for five yearly reviews.

On 13 May 2005 the Parties signed the SRFA which is consistent with, and builds on, the RFA and has the intent of enhancing conservation

values while encouraging the development of forest industries. Under the SRFA the Parties are providing significant resources to assist in attaining the additional conservation outcomes identified and supporting industry restructuring which is necessary to maximise the economic and social benefits provided by this sector.

For the purpose of this Scoping Agreement, the RFA and the SRFA will here after be collectively referred to as the Tasmanian RFA (TRFA), except where specific elements of either agreement warrants acknowledgement under that agreement.

The TRFA is consistent with the National Forest Policy Statement, which establishes the national goals and objectives for management of Australia's forests and forest industries.

The TRFA provides for a suite of measures to provide certainty for conservation of the environmental and heritage values of the forest estate. These include the establishment of a Comprehensive, Adequate and Representative (CAR) Forest Reserve System, management systems to ensure sustainable practices within forests and a reporting framework to ensure their effective implementation.

The TRFA also provides a suite of measures to ensure the efficient and effective development of forestry and forest based industries to provide for better social and, in particular, employment outcomes in rural and regional Tasmania. It also provides specific measures to ensure security for the mining, tourism and apiary industries. It provides for a substantial increase in the net benefit of the forest industry to the Tasmanian economy, many regional and rural communities and the environment in which they operate.

An important element of the TRFA is the requirement for reporting. Clause 45 of the RFA specifically provides for five yearly reviews of performance against the specified milestones and commitments.

3. 2002 Five Year Review

A Scoping Agreement between the Commonwealth of Australia and the State of Tasmania to undertake a five year review of the progress and implementation of the Tasmanian Regional Forest Agreement was signed in July 2001. The Appendices to the Scoping Agreement outlined the Terms of Reference for the review and included a list of milestones and commitments to be assessed.

In February 2002 the then Tasmanian Minister for Primary Industries, Water and Environment issued a reference to the Tasmanian Resource Planning and Development Commission (RPDC) to conduct an inquiry into, and to report on, progress with the implementation of the RFA (the first five year review). A Reference Panel comprising officers from the Tasmanian and Australian Governments supported the RPDC.

In April 2002, the RPDC released for public comment a Background Report for the Review whose major components included:

- Report on progress against each of the 90 RFA milestones and commitments included in the Scoping Agreement; and
- Detailed analyses and assessments against each of the 41 sustainability indicators that had been selected for the review.

The RPDC provided a Final Recommendations Report to the Governments in December 2002. The overall principal conclusion of the report was¹:

'The Commission considers the parties have made substantial progress on implementing the RFA. Ninety specific milestones and commitments were identified in the Terms of Reference for this review. Seventy-eight milestones have been completed, or had substantial progress made, eight other milestones have had some progress made, four milestones have had no progress made, although for three of these, this was with the knowledge and consent of the Parties. Clearly, the Parties have devoted considerable resources toward implementation of the RFA. The Commission has made some specific Recommendations to cover issues where further progress needs to be made in a timely manner'.

It was also noted that *'much of the criticism of the progress on implementation of the RFA was really a criticism of the RFA itself, or at least specific parts of it'.*

The Parties' response to the first five year review was finalised as part of the signing of the SRFA as acknowledged under Clauses 3 and 4 of the SRFA.

4. The RFA Requirements for Five Year Reviews

Clause 45 of the RFA requires inter alia that:

- A review of the performance of the RFA will be undertaken in the fifth year of each five year period to assess progress against the specified milestones and commitments,
- The Parties will appoint a person or body [for the purpose of this agreement referred to as the Review Team] to conduct the review,
- The Parties are to agree on the priorities, procedures and funding arrangements for the review no later than six months before the end of each five year period. This Scoping Agreement represents that arrangement as it relates to the ten year Review, and:
 - o will invite and take account of public comments;

¹P1 of the RPDC *Inquiry on the Progress with Implementation of the Tasmanian Regional Forest Agreement (1997): Final Recommendations Report*, December 2002.

- will use and take account of the sustainability indicators agreed to by the Parties.
- would be sufficient to satisfy the requirements for the Tasmanian State of the Forests Report;
- should be completed within three months of its commencement; and
- will develop a report detailing the review process and its findings.

The “milestones and commitments” referred to above were assessed by the RPDC in the first Five Year Review. Many of these RFA commitments were found by the RPDC to be actioned and/or completed. Attachment 2 of this Scoping Agreement details the remaining outstanding and the ongoing RFA commitments and milestones. These will be the only RFA commitments and milestones subject to the Ten Year Review.

The RPDC made a series of recommendations to the Parties in their final Recommendations Report on the first Five Year Review of the RFA in 2002. The Parties agreed in clause 3 of the SRFA to fully implement the recommended actions, except for recommendation 4.5. The Parties also agreed in clause 4 of the SRFA that the SRFA represented “a full and final response” to the recommendations.

Attachment 3 of this Scoping Agreement lists the RPDC recommendations. Progress in addressing these recommendations will be reported on as part of the Ten Year Review.

A list of commitments agreed to under the SRFA is at Attachment 4. Progress in addressing these commitments will also be reported on as part of the Ten Year Review.

5. Principles for Conduct of the Review

The RFA is a twenty year agreement. It explicitly provides for reporting annually for the first five years and thereafter every five years. jThe purpose of this review is to assess and report on progress achieved during the second five years for the RFA (2002 to 2007 inclusive). The review will examine achievements with regard to the objectives, the milestones and commitments specified in the TRFA. This Review is not an opportunity to re-negotiate or amend either the RFA and/or the SRFA.

The Tasmanian and Australian Governments recognise the Tasmanian Government’s constitutional responsibility for land and forest management in Tasmania.

In undertaking the Ten Year Review, the Parties agree that they are jointly responsible for the review and undertake to take such measures

as are necessary to ensure effective coordination within and between both Parties.

The Parties also recognise their responsibility for the efficient management of taxpayers' money. To help the Parties meet this responsibility, the review process will be designed to avoid duplication of process and waste of effort. Therefore, the Ten Year Review will be consistent with, will draw on, and will contribute to, other State and national forest reporting processes and requirements.

The Parties recognise their responsibility to the community for accounting for the management of Tasmania's forests under the TRFA. Therefore the conduct of the Ten Year Review of Progress with Implementation of the TRFA is to be undertaken in a manner that:

- is open, transparent and equitable;
- provides appropriate opportunities for communication with and input from the community;
- is consistent with other forest reporting requirements; and
- is scientifically based and reliant on agreed data as required by the TRFA.

6. Linkages to other Processes

There are a number of processes requiring essentially similar information aimed at reporting on sustainable management of forest ecosystems. These include the Tasmanian and Australian State of the Environment reporting, Tasmanian and Australian State of the Forests reporting and reporting against Montreal Process criteria and indicators.

The Tasmanian *State Policies and Projects Act 1993* requires that the Resource Planning and Development Commission produces a *State of the Environment Report* every five years. The next report is due in December 2007.

The *Forest Practices Act 1985* requires that the Forest Practices Authority produce a report on the state of Tasmania's public and private forests by no later than 30 November 2007 and every five years thereafter. The information from the above Tasmanian reports feeds into the *National State of the Forests Report*. The third such report will be released in early 2008.

In addition, the Australian Government, as a signatory to the Montreal Process and has obligations to report against the internationally agreed sustainability criteria and indicators by December 2008.

7. Governance

The development, implementation and finalisation of the Ten Year Review will be by a high-level, joint Tasmanian and Australian Government Steering Committee, chaired by Tasmania.

The Steering Committee will have primary responsibility for developing elements of the ten year Review as outlined in this Section of this Agreement, including, where appropriate, progress reports for the consideration and/or approval of Ministers. It will also oversee the work of the Review Team, as outlined under Section 8 of this Agreement.

The Steering Committee will be responsible for:

- Day to day implementation of this Scoping Agreement;
- Arranging preparation of a *Report on Sustainability Indicators for Tasmanian Forests* and a *Report on Implementation of Tasmanian Regional Forest Agreement*, both of which will inform the Review;
- Inviting public comment on both Reports;
- Approving and implementing of the communication strategy;
- Developing an appropriate model under which the Review Team will operate;
- Oversight of the Review Team; and
- Allocation of resources to assist the Review Team.

Ministerial

The Parties to this Scoping Agreement are represented by:

Tasmania

The Hon Paul Lennon MHA

Premier

Minister for Economic Development and Resources

Commonwealth

Senator the Hon Eric Abetz

Minister for Fisheries, Forestry and Conservation

The Ministers shall jointly appoint the Review Team.

The Ministers will receive a *Report on the Review of Progress with Implementation of the Tasmanian Regional Forest Agreement* prepared by the Review Team and decide on its publication.

8. Time frame for conducting the Review

The following steps and time frame for the Ten Year Review has been agreed:

Phase 1 - Preparation

By 28 February 2007

- *A Report on Sustainability Indicators for Tasmanian Forests 2001-2007* to be jointly prepared by the Parties; and
- *A Report on Implementation of the Tasmanian Regional Forest Agreement* to be jointly prepared by the Parties.

Phase 2 - Public Comment

March/April 2007

- Public comment invited by the Parties on the *Report on the Sustainability Indicators for Tasmanian Forests* and the *Report on Implementation of the Tasmanian Regional Forest Agreement*.

Phase 3 – Review

May/June 2007

- The *Report on Sustainability Indicators for Tasmanian Forests* and the *Report on Implementation of Tasmanian Regional Forest Agreement* and the public comment on these *Reports* reviewed by the Review Team; and

By 30 June 2007

- *Report on the Review of Progress with Implementation of the Tasmanian Regional Forest Agreement* prepared by the Review Team and presented to Governments.

Phase 4 – Public Reporting and Government Response

By 30 August 2007

- Governments' response to the *Report on the Review of Progress with Implementation of the Tasmanian Regional Forest Agreement* released.

9. Arrangements for conduct of the Review

Terms of Reference for the Review Team are at [Attachment 1](#). These may be amended by agreement between the responsible Ministers.

The Parties have agreed to jointly appoint a Review Team to undertake Phase 3 of the Review. The Review Team shall consist of an independent chair supported by senior representatives from each of the Tasmanian and Australian Governments with expertise and knowledge of the TRFA and sustainable natural resource management.

This approach is consistent with arrangements being developed between the Australian Government and other State governments who are considering undertaking reviews of progress relating to RFAs.

The responsible Ministers identified in section 7 of this Scoping Agreement will agree the membership of the Review Team by 31 December 2006.

10. Public Consultation

Public consultation has been integral to the development and implementation of the RFA and the first Five Year Review. The process and outcomes of this public consultation is detailed in the reports of the Public Land Use Commission and its successor the RPDC (<http://www.rpdc.tas.gov.au/>).

For the Ten Year Review, following Phase 1 as specified in Clause 8 of the Scoping Agreement, and as part of Phase 2, documentation on progress with implementation of the TRFA will be available for public comment. The Review Team will be provided with all public comment received and will consider this as part of the review process. The Review Team may address queries to government agencies, to people or to organisations that have provided comment on the draft report to clarify issues raised. The Review Team will have access to all relevant information and documentation that relate to the assessment of commitments and milestones of the TRFA.

11. Reporting protocols

The Steering Committee shall report to:

- responsible Ministers by 31 December 2006 on progress toward meeting the Phase 1 milestone;
- responsible Ministers on the recommendations for the persons to undertake Phase 3; and
- responsible Ministers on the Review Team's compliance with the Terms of Reference.

The responsible Ministers shall consider the report of the Review Team and a formal response from the Parties with a view to publication of the Review by 30 August 2007.

12. Financial Issues

The State and the Commonwealth are to be responsible for all their own internal costs associated with the implementation of this Agreement. The Parties will share evenly the agreed additional costs of the Review, including costs of the Review Team preparation and publishing of reports, implementing the communication strategy and any necessary additional data collection required for the Review as agreed by the Steering Committee.

13. Signatures

The Hon Paul Lennon MHA
Premier
Minister for Economic Development and Resources

Senator the Hon Eric Abetz
Minister for Fisheries, Forestry and Conservation

Attachment 1:

Terms of Reference for the Ten Year Review of Progress with Implementation of the Tasmanian Regional Forest Agreement

The Review Team is required to undertake a review of the progress with implementation of the 1997 Tasmanian Regional Forest Agreement to assess progress against its specified milestones and commitments as required in Clauses 45, 46 and 47 of the Tasmanian Regional Forest Agreement. The “commitments” and “milestones” are detailed in the Scoping Agreement for the Tasmanian Regional Forest Agreement Ten Year Review of Progress with Implementation of the Tasmanian Regional Forest Agreement, December 2006 and include recommendations arising from the 2002 review of the Tasmanian Regional Forest Agreement and the commitments made in the 2005 Supplementary Regional Forest Agreement.

The Australian and Tasmanian Governments have invited public comment on the *Report on the Sustainability Indicator* and the *Report on the Review of Progress with Implementation of the Tasmanian Regional Forest Agreement*.

In particular the Review Team is required to:

- adhere to the Principles that are detailed in the Scoping Agreement;
- review the *Report on the Sustainability Indicators for Tasmanian Forests* and the *Report on Implementation of Tasmanian Regional Forest Agreement*;
- consider and take account of the public comment on those Reports;
- as necessary, address queries to government agencies, to people or to organisations who have provided comment on the Reports to clarify outstanding issues; and
- provide a Report to the Australian and Tasmanian Governments detailing the Review process and its findings no later than three months from commencement of the Review.

Administrative Arrangements

- The Australian and Tasmanian Governments have established a Steering Committee to oversight the Review.
- The Steering Committee shall provide administrative and technical support to the Review Team in undertaking its task.

Attachment 2

Agreed Milestones and Commitments following the 2002 Five Year RFA Review

* All milestones and commitments that are 'struck-through' were completed prior to and addressed in the 2002 five-year review. They are listed here for reference only, and are not being reviewed as part of this process

Clause	Milestone / Action	Timeline
8	The State and the Commonwealth to jointly determine the process for extending the RFA.	As part of the third five yearly review of the RFA (2012)
22(a) (b)	Commonwealth to seek enactment of legislation that includes provisions for where a RFA is in force	No date
23 (a) and (b)	The Commonwealth to prepare a policy outline for RFA legislation, which will include provisions as specified in clause 22 and consult with the State	by 31 December 1997
23(e)	The Commonwealth to introduce legislation to provide certainty to the provisions specified in clause 22.	by 30 June 1998
24(a)	The State undertakes to manage areas in the CAR Reserve System identified in Attachment 6, with the exception of Commonwealth owned or leased land, on the basis outlined in that Attachment and in accordance with the relevant objectives set out in Attachment 7.	Continuing commitment
24(b)	The State to proclaim such new reserves having categories provided by existing legislation	by 31 December 1998
24(c)	The State to introduce legislation to establish required new categories of the revised public land classification system.	by 31 December 1998
24(d)	Where any new reserves are to be included in a category specified in Attachment 7, which is not already provided for by existing legislation, Tasmania undertakes to proclaim such new reserves.	Within 3 months of commencement of legislation in 24(e)
26	The Parties agree to the management of National Estate values as set out in Attachment 1.	Continuing commitment
32	Any new or revised Recovery Plans will be jointly prepared and funded and implemented cooperatively.	Continuing commitment
33	Multiple species Recovery Plans will be developed where appropriate	Continuing commitment
34	The Commonwealth will continue to consult with the State on the preparation of Threat Abatement Plans for key threatening processes	Continuing commitment
35	Commonwealth to adopt a State Recovery Plan where they meet the requirements of Commonwealth legislation.	Continuing commitment

Clause	Milestone / Action	Timeline
36	National Recovery Plans and Threat Abatement Plans will be prepared jointly with other governments where possible	Continuing commitment
37	The Parties will consult on the priorities for listing threatening species, Forest Communities and threatening processes and in the preparation of all Recovery Plans and Threat Abatement Plans	Continuing commitment
39	The State and the Commonwealth to jointly participate in further World Heritage assessment of the relevant themes	Commencing by 30 June 1998
40	The Commonwealth agrees that it will give full consideration to potential social and economic consequences of any World Heritage Nomination of places in Tasmania and that any such nomination will only occur after the fullest consultation and agreement with the State.	Continuing commitment
41	World Heritage Nomination to be drawn from Dedicated Reserve System.	Continuing commitment
42	The Parties agree: <ul style="list-style-type: none"> • that before any World Heritage Nomination of any part of the Forest Estate is made all necessary management arrangements, including joint policy coordination arrangements and a statutory management plan under the relevant Tasmanian legislation will be in place; and • that prior to any World Heritage Nomination all related funding issues will be resolved to the satisfaction of both Parties. 	Continuing commitment
44	The Parties to provide each other with written reports detailing the achievements of Milestones.	Five yearly
45	The State and the Commonwealth to review the performance of the RFA.	Five yearly (2002, 2007, 2012)
48	CAR Reserve System is to be established as per Attachment 6 and Attachment 8 for the purpose of ensuring long term conservation and protection.	Continuing commitment
51	The Parties will take action to establish the CAR reserve system and to manage the CAR values in a regional context consistent with the management objectives specified in Attachment 7.	Continuing commitment
52	The State will consult with the Commonwealth prior to rejecting any recommendations of the Resource Planning and Development Commission in regard to tenure to be applied to those reserves listed in Attachment 6 sections 1.7 and 1.8.	No date
53	All Deferred Forest Lands not included in the CAR reserve system other than those specified in Attachment 6 will be removed from the Register of Deferred Forest Land and added to the Register of Multiple Use Forest Land.	No date

Clause	Milestone / Action	Timeline
54	The Commonwealth has requested and the State has agreed to postpone any harvesting in the Savage River pipeline corridor. Accordingly the parties agree: to postpone any harvesting and associated forest roading in the area as shown in map 1, and that this area will continue to be included in the calculation of sustainable yield of special species timber; and that uses other than timber production will continue to be managed in accordance with clause 78 of the agreement	No date
55 (a&b)	The State to review and publish a report on its resource estimates for the supply and availability of deep red myrtle and commission and publish an independent audit report of the deep red myrtle assessment	during first 4 years of the RFA (2001)
55 (c-e)	Commitments related to provision of resource to industry including management arrangements of Savage River pipeline corridor	
56	The Commonwealth agrees that those areas of the Buckland Military Training Area leased by the Commonwealth from the State and not required for the CAR Reserve System will remain available to the State for timber production purposes, including plantation development.	Continuing commitment
57	The Parties agree that any changes to those elements of the CAR reserve system in informal reserves: will only occur in accordance with this agreement; will maintain the level of protection of identified values at the regional scale; that information on all such changes will be publicly available and provided to the person or body conducting the 5 yearly review described in clause 45 for incorporation into the review process.	Continuing commitment
58	The State will continue, with respect to Private Land, to <ul style="list-style-type: none"> (a) ensure that private forest owners comply with the Forest Practices Code for harvesting and regeneration operations (b) develop adequate mechanisms to protect nature conservation and catchment values (c) undertake the initiatives specified in Attachments 9,10 and 11 	Continuing commitment
59	The State agrees to implement a process to facilitate the voluntary participation by private landowners to protect CAR values on private land	Continuing commitment
60	The State agrees to adopt the Permanent Native Forest Estate policy framework in Attachment 9	Continuing commitment
64	The State agrees to amend its forest management systems to reflect the undertakings in this Agreement, particularly those in Attachment 10	Continuing commitment

Clause	Milestone / Action	Timeline
68	The State agrees to protect the Priority Species listed in Attachment 2 (Part A) through reservation or applying relevant management prescriptions	Continuing commitment
69	The State will, where practical, assess the species listed in Attachment 2 (Part B) and determine management requirements in accordance with clause 96.	Prior to the first 5 year review
70	Management prescriptions or actions in agreed Recovery Plans or Threat Abatement Plans will be implemented as a priority.	Continuing commitment
71	Any changes to the Priority Species in Attachment 2 or altered management prescriptions for Priority Species will be in accordance with processes in clause 96.	Continuing commitment
72	Public reporting and consultation opportunities provided through the processes outlined in Attachment 11 will continue	Continuing commitment
73	The State will implement the range of reporting and consultative mechanisms in Attachment 11	Continuing commitment
74	The Parties agree to cooperate in implementing the specified actions in the Employment and Industries Development Strategy (Attachment 12)	Continuing commitment
80	Mineral exploration proposals in CAR reserves to be referred to the Mineral Exploration Working Group	Continuing commitment
81	All mining activities in CAR reserves will be subject to environmental impact assessment and environmental management conditions	Continuing commitment
82	In parts of the CAR reserve system with high quality wilderness value measures will be taken to minimise the effects of mining exploration and mining activities on wilderness values. Any rehabilitation will aim to restore the site to wilderness condition.	Continuing commitment
83	Tasmania will introduce legislation to replace the <i>Aboriginal Relics Act</i> following consultation with the Tasmanian Aboriginal Community	No date
87	The State to review legislation relevant to the allocation and pricing of hardwood logs from State forests as part of the Competition Principles Agreement	before 31 December 1999
89	Relevant research reports will be made publicly available wherever practical	Continuing commitment
90	Commonwealth and Tasmania to provide each other with access to data as per Attachment 14.	Continuing commitment
94	The State and the Commonwealth to develop a set of appropriate, practical, and cost effective sustainability indicators.	by first December 1999
93	The State to further develop its Forest Management Systems and processes	within 5 years of the RFA date

Clause	Milestone / Action	Timeline
94	The State to publish and make publicly available compliance audits of the Forest Practice Act and Code and the code of reserve management. See also Attachment 11, Clause 3.	Annually: (1998-2017)
94	The State to publish and make publicly available independent expert reviews of the operation of its Forest Practices Code and its code of practice for reserve management.	Five yearly (2002, 2007, 2012)
96	The State agrees that any changes to Priority Species including new or altered management prescriptions will be endorsed by the Threatened Species Scientific Advisory Committee and take note of public comment.	Continuing commitment
97	The State to maintain and update the Management Prescription database and the Response to Disturbance database.	Continuing commitment
98	The State to review sustainable high quality sawlog supply levels to reflect the changes in the forest inventory and new intensive management forest management initiatives concluded in the RFA	at the five yearly review
99	The State to undertake a review including reporting to Governments on pricing and allocation policies for commercial government owned forestry operations.	30 April 1998
100	The Commonwealth will provide \$20 million of NHT funds for the Private CAR Reserve system.	No date
101 (i)	Commonwealth to provide \$57 million for intensive forest management initiatives	First three years
101 (ii)	Commonwealth to provide \$13 million for employment and industry development initiatives, as per Attachment 12	First three years
101 (iii)	Commonwealth to provide \$10 million for infrastructure development initiatives, as per Attachment 12	First three years
101 (iv)	Commonwealth to provide \$10 million for protecting conservation values on private land, as per Attachment 8	First two years
Attachment 1, Clause 6	The State and the Commonwealth to jointly fund and accredit digital maps at 1:100 000 scale of all lands in Tasmania listed on the Register of the National Estate	by 31 December 1998.
Attachment 6, Clause 5	The State to finalise boundaries (of CAR reserves) on 1:25 000 maps to enable gazettal.	by 30 June 1999
Attachment 6, Clause 17	Forestry Tasmania to include Informal Reserves in new and revised Forest Management Plans	by the year 2000
Attachment 6, Clause 18	Any changes to Informal reserve boundaries to be in accordance with clause 57	Continuing commitment
Attachment 6, Clause 20	The Commonwealth will include the new Formal Reserves in new and revised management plans prepared with public participation	By the year 2000
Attachment 6, Clause 21	Certain communities will be protected on public land outside of reserves	Continuing commitment

Clause	Milestone / Action	Timeline
Attachment 6 Clauses 22 and 24	Deferred Forest Land not required for the CAR Reserve system to be removed from the Register of Deferred Forest and entered on the Register of Multiple Use Forests	No date
Attachment 6, Clause 23	Referral of certain Deferred Forest Land to the Public Land Use Commission for recommendations on tenure and management	No date
Attachment 8, Clause 1, 3-18	A variety of commitments were made with respect to a Strategic Plan, identification of priorities, Advisory Committees, and implementation of the CAR Private Reserves Program	Continuing commitment
Attachment 8, Clause 2	The strategic plan for implementing the CAR Reserve System program on Private Lands is to be developed	no later than 3 months from commencement of the RFA (31 March 1998)
Attachment 9, Clause 5	The State to conduct a formal review of the area of Forest Communities within each IBRA region as part of the five yearly review of the RFA	Five yearly (2002, 2007, 2012)
Attachment 9, Clause 8	The State to introduce, in respect of Private Land, mechanisms to encourage native vegetation retention and management.	1999
Attachment 9, Clause 11	The State to review the policy for maintaining a permanent Forest Estate as part of the ongoing review of the Forest Practices Code	During reviews of the Forest Practices Code
Attachment 10 Clause 1	Implementation of the State Policy <i>Setting New Standards for Water Quality</i>	Continuing commitment
Attachment 10 Clause 2	Developing a State Policy on integrated catchment management	No date
Attachment 10, Clause 3	The State to develop and implement a Threatened Species Protection Strategy	31 December 1998
Attachment 10, Clause 3	The State to develop and implement a Tasmanian Biodiversity Strategy	31 December 1999
Attachment 10, Clause 4	Implementing the <i>Historic Cultural Heritage Act 1995</i>	Continuing commitment
Attachment 10, Clause 5	The State to develop new legislation in relation to Aboriginal cultural heritage to replace the Aboriginal Relics Act 1975	No date
Attachment 10, Clause 6	The State to further develop and apply flexible silvicultural systems on public land to promote the sustainable production of special timbers	Continuing commitment
Attachment 10, Clause 7	The State to develop and implement state wide policies across all tenure on fire management, nature based tourism and recreation management, cultural heritage management in forests, and forest pest and disease management	2002

Clause	Milestone / Action	Timeline
Attachment 10, Clause 8	The State to ensure that management plans are implemented: - for all State Forest and National Parks; and - for all other Formal Reserves	- by 2000; - by 2003 or as soon as practicable thereafter
Attachment 10, Clause 9	The State to implement as a high priority the mechanisms for improving transparency and independence of the Forest Practices Board	No date
Attachment 10, Clause 10	The State to continue to resource the Forest Practices System and maintain appropriate contributions from industry	Continuing commitment
Attachment 10, Clause 11	The State to develop and implement a code of practice for reserve management	2000
Attachment 10, Clause 12	The State to ensure that Forest Practices Plans specify best practice reforestation standards and provide for monitoring Where endangered species have been identified on private land, the plan includes appropriate management prescriptions for those species	Continuing commitment
Attachment 10, Clause 13	Management Plans for Formal and Informal Reserves to identify the CAR values identified in the CRA and actions to manage those values	Continuing commitment
Attachment 11, Clause 1	The State to complete and publish silvicultural guidelines for the management of commercial Forest types	by 31 December 1998
Attachment 11, Clause 2	The State to publish a description of the methods of calculating sustainable yield on Public Land, including for special species timber sawlogs	by 31 October 1998
Attachment 11, Clause 3	Relevant State agencies to include in their annual reports a report on outcomes of the compliance audits for codes of practice, and the monitoring of Forest regeneration success and trends. See also #41	Continuing commitment
Attachment 11, Clause 4	The State to release a document describing the Management Decision Classification System	by 30 April 1998
Attachment 11, Clause 5	The State to prepare and release a revised manual for the Management Decision Classification System, including prescription guidelines for special management zones	by 31 March 1999
Attachment 14, Section 2.5	Latest versions of all jointly owned data listed in Schedule 1 of Attachment #14 to be exchanged	within 3 months of commencement of RFA (March 1998)
Attachment 14, Section 3	The State and the Commonwealth to delete all copies of data which they do not own but were provided for of the RFA purposes, unless otherwise agreed to in writing by the respective data owners	not later than one month after RFA is signed (December 1997)

Clause	Milestone / Action	Timeline
Attachment 14, Section 4.1	The State and the Commonwealth to list and archive data used for RFA purposes	within three months of commencement of the RFA (March 1998)

Attachment 3

Actions agreed to be implemented by the State of Tasmania and Commonwealth of Australia arising from the 2002 Five Year RFA Review

RPDC recommendation	Timeline
3.1 That the State continues to improve forest community mapping. Particular attention needs to be given to improving the mapping of forest communities in reserves through additional field survey.	Continuing commitment
3.2 That the State reserves areas currently vested in the Hydro-Electric Corporation and identified in the RFA as indicative reserves.	30 June 2004
3.3 That the Parties commit to designing a program that provides for the long term future of the Private Forest Reserve Program and in particular provides for the future financial resources for management, monitoring and reporting of properties conserved under the RFA Private Forest Reserve Program.	No Date
3.4 That the State reinforces and makes more effective the mechanism for providing the RFA Private Forest Reserve Program with basic forest type and coverage information for areas being assessed under the Private Timber Reserve approval process.	Continuing commitment
3.5 That the Parties clarify the commitment in Clause 39 of the RFA and make publicly available information on progress to date and how they intend to pursue the implementation of this commitment including the timelines.	No Date
3.6 That the State makes known its decision on future access to the deep red myrtle resource in the Savage River Pipeline corridor.	February 2003
4.1 That the State improves the accountability of the Forest Practices System.	No date
4.2 That the State completes the Nature Conservation Strategy and commences implementation of the Strategy.	June 2003
4.3 That the State completes the Reserve Management Code of Practice and commences implementation of the Code. That the State undertakes annual reporting on compliance with the Reserve Management Code of Practice.	June 2003
4.4 That the Parties complete the preparation of Recovery Plans for all endangered forest-related threatened species within the next five years. Where species listed under the Tasmanian Act meet the criteria for listing under the Commonwealth Act, both Parties should contribute funding.	2007
4.5 That the Parties accredit Threatened Species Listing Statements as an alternative to Recovery Plans for listed threatened species, and as providing for adequate management of listed threatened species under the RFA.	Continuing commitment

4.6	That the State provides for the protection of threatened Forest Communities through an appropriate statutory framework.	Continuing commitment
4.7	That the State provide sufficient resources, including financial resources to be allocated in the 2003-04 Budget, to ensure that the implementation of the Threatened Species Strategy for Tasmania is carried out in an effective and timely manner.	Continuing commitment
4.8	That the State subjects future substantive changes to management prescriptions for Priority Species to public consultation and take note of public comment.	Continuing commitment
4.9	That the Parties deliver on the outstanding National Estate commitments contained in Clause 6 and Table 1, Category 3 of Attachment 1 to the RFA.	2007
4.10	That the Parties prepare a list of relevant research reports at future five yearly reviews.	Continuing commitment
4.11	That the list of priority research areas in Attachment 13 should be reviewed by the Parties, in consultation with relevant stakeholders, at future five yearly reviews to determine if priorities have changed.	2007
4.12	That the State develops an environmental management system for reserves and other public lands consistent with Attachment 5 of the RFA prior to the next five yearly review.	2007
4.13	That the Parties encourage the development of environmental management systems in the private forest sector.	Continuing commitment
4.14	That the State completes the review of the policy on maintaining a Permanent Forest Estate taking into account public comment. That, subsequent to the review and before the end of May 2003, the State amends the policy to increase the levels of retention of native forest, and specifically to ensure that no further forest communities become threatened and that there is no deterioration in the status of any existing threatened forest community.	May 2003
4.15	That, subsequent to the review of the policy on maintaining a Permanent Forest Estate, the State implements the policy through a legislative framework.	No Date
4.16	That the Forest Practices Board considers, during the next review of the Forest Practices Code, the issue of smoke management from forestry operations, including giving effect to the smoke management guidelines.	Next review of the Code
4.17	That the State moves quickly to enable proclamation of the Natural Resources Management Act 2002 (Tas) and facilitate regional natural resource management strategies.	No Date
5.1	That the Parties, as a priority, develop a process to obtain reliable data to inform social and economic indicators for the community and the performance of the forest based industries relevant to Attachment 12 of the RFA. The sustainability indicators relevant to the social and economic aspects of the industry need to be reviewed when such reliable data becomes available.	Continuing commitment

5.2	That the Parties clarify the intent of Attachment 12 by 30 June 2003 and that the State prepares an industry development strategy, in consultation with the Commonwealth and the Forests and Forest Industry Council, by 30 June 2004, based on that intent and providing an industry vision and an action plan to achieve it. Table 5.1 provides an incomplete list of issues that should be covered by the industry development plan.	- June 03 - June 04
6.1	That the State continues to improve transparency in reporting, and continuously improves the methodology as identified in previous sustainable yield reviews, with the aim of increasing public understanding of, and confidence in, the sustainable yield reviews of high quality sawlogs from public lands.	Continuing commitment
6.2	That the State develops a strategy for ongoing supply of special species timbers from public lands. The State needs to provide information to the market to clarify the future resource.	No Date
7.1	That the State finalises its nature based tourism and recreational management policy by 31 March 2003.	March 2003
7.2	That the State continues to work with the apiary industry to resolve the issues on public land for bee keeping and the leatherwood resource. That the State and the Tasmanian Beekeepers Association jointly prepare a plan for management of the leatherwood resource in the southern forests by 30 June 2003.	June 2003
9.1	That the Parties support ongoing research and development for sustainability indicators including, where appropriate, consideration of benchmarks and interpretation to guide performance outcomes.	Continuing commitment

Attachment 4

Commitments agreed to be implemented by the State of Tasmania and Commonwealth of Australia as part of the 2005 Supplementary RFA

Clause	Milestone / Action	Timeline
3	The Parties agree to fully implement the actions recommended in the Report of the Inquiry on the progress with Implementation of the Tasmanian Regional Forest Agreement (2002), subject to the exception outlined in clause 5	No date
5	Recovery Plans will continue to be the mechanism for compliance with the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>	Continuing commitment
6	The Parties agree to protect one million hectares of old growth forest – 977,000 hectares on public land, 30,000 hectares minimum on private land	No date
7	The Parties agree to add approximately 141,000 hectares of public land to the CAR Reserve System	June 2006
8	The Parties agree that all additional protected areas on public land will remain available for mineral exploration and mining under the <i>Mineral Resources Development Act 1995</i> in accordance with clause 79 of the RFA and subject to any requirements under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>	Continuing commitment
9	The State undertakes to finalise the boundaries of the new reserves, with the exception of Commonwealth owned land, at a scale of 1:25,000.	June 2006
10	The State will submit plans of new Formal Reserves to Parliament for approval	June 2006
11	The State will finalise informal reserve boundaries and identify on Management Decision Classification (MDC) maps and manage these areas for protection of CAR values, subject to field verification of the existence and extent of those values.	June 2006
12	The State will progressively amend forest management plans to include new Formal and Informal reserves	June 2008
13	The Commonwealth to protect approximately 500 hectares of Commonwealth owned land as informal reserves. These reserves will be included in new or revised management plans prepared with public participation.	30 June 2008
14	The State to protect 3900 hectares of old growth forest on unallocated Crown land pending completion of the Crown Land Assessment and Classification Project	No date
15	The State to protect 3500 hectares of old growth forest on Hydro Tasmania vested land pending a review of Hydro Tasmania's infrastructure management needs. Old growth forest on land not required by Hydro Tasmania to be protected.	Post Hydro review
	Hydro Tasmania to covenant 1300 hectares of sub-alpine forest on its freehold land	No date

Clause	Milestone / Action	Timeline
16	The Parties agree that any changes to those elements of the CAR Reserve System in Informal Reserves: <ul style="list-style-type: none"> - will only occur in accordance with the RFA; and - will maintain the level of protection of identified values at the regional scale; and - that information on all such changes will be publicly available. 	Continuing commitment
17	The State agrees to maintain records of all changes to informal reserves and net impact on CAR reserve values changes will be recorded	Ongoing and reported as part of five year RFA review
18	The State will provide digital data of new formal and informal reserves to the Commonwealth. This information will be made publicly available on request.	June 2006 and at 5 year reviews
19	The Parties agree to ensure access to data continues to be provided in accordance with clause 90 and Attachment 14 of the RFA	Continuing commitment
20	The Parties agree to co-operate to improve the protection of Old Growth forest on private land, particularly for forest communities that complement the new reserves on public land	Continuing commitment
21	The Commonwealth will establish, administer and fund a new market-based program (Forest Conservation Fund (FCF)) to protect and manage up to 45,600 hectares of forested private land, additional to that secured under the Private Forest Reserves Program, targeting old growth forest and under reserved communities.	No date
22	The FCF will include a component, capped at \$3.6 million, to protect up to 2400 hectares of forested land in the Mole Creek area Landowner participation in the FCF will be voluntary and no non-voluntary instruments will be used. Instruments to be used will be flexible and include voluntary acquisition and covenanting agreements.	30 June 2008 Continuing commitment
23	The Parties will jointly develop and manage the FCF through a steering committee and consult with Tasmanian private forest owner representatives on design and implementation	No date
24	The Parties agree to develop a strategic plan under which the FCF will be administered.	September 2005
25	The State will establish conservation covenants on land titles on protected under the FCF. The Commonwealth to reimburse the State all costs associated with covenanting the land.	Continuing commitment
26	The State will provide monitoring and management support services to owners of covenanted land The Commonwealth will provide \$5.5 million to the State to cover costs of these services	Continuing commitment 30 June 2006
27	The Parties agree that the Private Forest Reserves Program will continue until 30 June 2006 then cease	30 June 2006
28	The Parties agree to negotiate a new financial agreement for the use of the remaining Private Forest Reserves Program NHT funds held by the State and the transfer of any of those funds remaining at June 2006, to the new program outlined in clause 21	No date

Clause	Milestone / Action	Timeline
29	The State to transfer any remaining Private Forest Reserves Program NHT funds to the Forest Conservation Fund	30 June 2006
30	The State agrees to transfer any remaining Private Forest Reserves Program State Trust Fund funds, at 30 June 2006, to the Private Property Vegetation Conservation Program	30 June 2006
31	The Parties agree to jointly fund a package of forest management and operations, industry development and research and development activities for reducing clearfelling in public old growth forest.	2010
32	The State will publicly report the area of public old growth harvested by silviculture technique each year	Continuing commitment
33	The State will review progress to achieving safety, regeneration and log supply objectives through the new old growth forest silviculture	2007
34	The Parties agree that, further to clauses 75 to 77 of the RFA, further Intensive Forest Management will be used on State forest to mitigate the impact of new reserves and reduced clearfelling of old growth forest	Continuing commitment
36	The State will deliver an intensive forest management program of existing plantation productivity improvement, new plantation establishment and enhanced native forest thinning designed to maintain RFA targets for sawlog and veneer supplies to industry from State Forests	2010
37	The State will deliver management and planning of new reserves on public land	Continuing commitment
38	The Parties agree that the management arrangements for new reserves in north west Tasmania will involve consultation with Aboriginal and other communities to maintain access for traditional land uses and to maintain cultural links and uses, consistent with conservation values	Continuing commitment
39	The State will phase out the use of 1080 on State Forest	December 2005
40	The Parties to work collaboratively on a joint program to accelerate research into and implementation of alternatives to 1080 for browsing animal control on private forest and agricultural lands. The Commonwealth to provide \$4 million in a research, field testing and demonstration program of alternative options for private landholders and work with the State to continue to reduce usage of 1080 on private lands.	Continuing commitment 30 June 2007
41	The State will develop a pilot wallaby management plan for a forested area on Tasmania's mainland as a priority	ASAP
42	The Commonwealth will progress the regulatory process for the wallaby management plans for Flinders and King Islands and the proposed mainland area referred to in clause 41 under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>	Continuing commitment
43	Selected areas of State forest will continue to be managed for the long-term production of special species timbers, consistent with Attachment 12 of the RFA	Ongoing

Clause	Milestone / Action	Timeline
44	The State to deliver low-impact access roading to and management of special timber management units on State forest for selective harvesting and access to leatherwood apiary sites to maintain sustainable supplies of leatherwood honey	2007
45	<p>The State agrees to revise the Permanent Forest Estate Policy so that:</p> <ul style="list-style-type: none"> - 95 per cent of the 1996 area of native forest will be retained; - broad scale clearing and conversion of native forest on public land will be phased out by 2010; - broad scale clearing and conversion of native forest on private land will be phased out by 2015; and - assessment criteria for regulating forest clearing and conversion ensure regional biodiversity and water quality values will be protected and salinity objectives met 	November 2005
46	The State will design the approach outlined in clause 45 in consultation with the Commonwealth and implement the approach, including publicly release of the revised Permanent Forest Estate Policy	November 2005
47	Controls on private forest clearing and plantation conversion will not constrain private forest owners from undertaking sustainable commercial harvesting and regeneration of native forests and other land uses on their land that maintain the native forest cover	Ongoing
48	The State to introduce new statutory mechanisms to Parliament to prevent clearing and conversion of threatened non-forest vegetation communities on public and private land and use best endeavours to secure the enactment of the proposals	December 2005
	The Parties to amend the 2003 NHT2 Bilateral Agreement consistent with this Clause	No date
53	The Parties to jointly manage a program to facilitate industry retooling and investment in new plant and technology with the aim to maximise recovery of forest products from use of regrowth, plantation and other changes in the resource mix	30 June 08
54	The Parties agree that industry will be consulted to determine priority areas for funding [of the program in clause 53]	No date
55	The Parties agree to provide assistance to country sawmillers and to special species timber mills significantly affected by the new agreed reserves in north-west Tasmania	30 June 07
56	The Parties to provide assistance for improved marketing, recovery and value adding for special timbers	No date
58	The State to implement publicly accountable systems for monitoring the impact of residue harvesting for biomass energy plants on biodiversity	No date
59	The Parties to fund and the State to deliver additional roading and other infrastructure to support implementation of changed harvesting programs required for the introduction of the new silviculture in public old growth forest	No date
60	The Parties to progress all required assessment processes of the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> for a pulp mill in Tasmania.	As a priority
62	The Commonwealth to consider giving the Gunns pulp mill project major project status and facilitation of the project at the national level	No date

Clause	Milestone / Action	Timeline
63	The Commonwealth to fund and administer, in cooperation with the State, a \$10 million Tasmanian softwood industry assistance program	30 June 2008
64	The Commonwealth to consult with the State and the Tasmanian softwood industry to determine the priorities to increase value added investment in softwood in Tasmania	No date
66	The Commonwealth to fund [\$4 million] and administer a program to support improved training and skills development throughout the forestry sector, including environmental care, changing forest management and wood processing, safety, product quality and business skills	30 June 2009
67	The Parties to fund the development of forest tourism and visitor facilities focusing on new reserves on public land created under this Supplementary Agreement	30 June 2007
68	The Commonwealth to fund and administer, in cooperation with the State, and subject to any State approval processes, a \$1 million program towards the provision of bushwalking infrastructure in north west Tasmania	30 June 2007
69	The Commonwealth to provide \$1 million for a catchment water quality program to be developed and delivered in consultation with the State and drawing on CSIRO expertise, and building on State chemical audit and water monitoring programs to assess the impact of chemical usage in Tasmania's water catchments.	30 June 2007
70	The Parties agree to support State research into the Tasmanian devil facial tumour disease through a collaborative partnership	No date
71	The Commonwealth to provide \$2 million to specific priority projects [on research into the Tasmanian devil facial tumour disease] developed in consultation with the State	30 June 2007
72	The Commonwealth to provide \$2.2 million for a communication program to be delivered in consultation with the State	30 June 2006
74	The Parties will contribute funding to specific activities in accordance with Table 1 in Attachment 2 of the Supplementary Agreement	Dates as for 75-77
75	The Commonwealth will contribute to the State \$66 million towards intensive forest management activities and \$13 million as a general grant	30 June 2008
76	The Commonwealth will contribute: \$2 million towards research into alternatives to clearfelling \$42 million towards support for the hardwood sawmill industry \$4 million towards support for country sawmillers \$2.2 million towards a communication program \$2 million towards tourism and recreation projects	30 June 2006 30 June 2008 30 June 2007 30 June 2006 30 June 2007
77	The State will contribute \$90 million towards the package with specific allocations and stated expenditure profiles outlined in Tables 1 and 4 of Attachment 2.	30 June 2010

Clause	Milestone / Action	Timeline
79	The State will provide the Commonwealth with annual acquittal reports and proposed activity statement on Intensive Forest Management funds	Annually to 2009