

A HUGE WIN FOR OUR FORESTS!
And a huge THANK YOU to everyone supporting us!
THIS WIN IS FOR YOU!

Warburton Environment Inc is thrilled to announce that after nearly 2 and a half years of battling VicForests in the Supreme Court, Justice Garde found in favour of Warburton Environment Inc and increased protection for the endangered Tree Geebung!

Our deepest gratitude & respect goes to our amazing legal team Jonny Korman, Kwabena Larbi and Kylie Weston-Scheuber. Our heroes that have fought tirelessly to get the endangered Tree Geebung the protection it deserves.

Media Release:

Court protects endangered species; thwarts Victorian Government

The Victorian Government's attempts to have its wood chipping company VicForests, log an endangered tree species towards extinction, have been partly ruined by the Supreme Court.

The [judgment](#) by Justice Garde on Tuesday 25 Nov 2022 found that State Government VicForests must properly survey for the endangered Victorian tree, the Tree Geebung, before bringing in its bulldozers. When Tree Geebungs are found, the Court ruled VicForests must protect it with a 50 metre buffer. However the court did rule the survey and protection was not needed if it was not "practicable", with VicForests required to inform Warburton Environment and the Office of the Conservation Regulator.

Warburton Environment, a local community group, had taken the Government company VicForests to court in an attempt to have them obey the law, and stop logging an endangered species for cheap packaging from woodchips.

A 2020 Federal Court decision had found Government owned wood chipping company VicForests had failed to survey for Tree Geebung and failed to protect them during their wood chipping operations, and the Victorian Government in June 2022 tried to change the law to allow VicForests to continue sending the tree extinct.

Warburton Environment president Nic Fox said "the verdict was a win for the rule of law".

"The Victorian Government has spent vast amounts of taxpayer money on this court case to allow its money pit woodchipping company to send a great Victorian tree extinct," Ms Fox said.

"We know the State Government's company VicForests loses tens of millions of taxpayer money a year because it has woodchipped all the viable forest, and so now it has begun woodchipping endangered species habitat.

"VicForests admitted in the Supreme Court in 2020 that the 'vast majority' of areas it now bulldozes, burns and woodchips are endangered species habitat. The Victorian Government is supposed to enforce the equivalent of the Australian Environmental Protection and

Biodiversity Act but has not protected endangered species and so respecting the rule of law has fallen to community groups taking legal action.

Fast facts:

- Victorian Government wood chipping company VicForests was bailed out another \$21.12 million last year.
- Construction and house frames come from plantation timber, not native forest.
- Some 90% of logs and related jobs in Victoria already come from plantations.

[Judgment Link](#)

Top Quotes from the Judgement

- Paragraph 401: Justice Garde stated in the Judgement that **“no attempt was made by VicForests to show that it was not reasonably practicable to protect the significant number of Tree Geebungs which have been destroyed in harvested areas through the use of bulldozers and mechanical equipment or by regeneration burning.”**
- Paragraph 403: **“Given the evidence as to the past harvesting and burning practices of VicForests, it is highly likely that significant numbers of mature Tree Geebungs have been lost in the Central Highlands in the past through harvesting and regeneration burning. The precise extent of the loss will never be known, but on the basis of recent records it is likely to amount to many hundreds or even thousands of mature trees.”**
- Paragraph 461: **For the reasons I have given, the SMP is an inadequate prescription to achieve the minimum required by the Management Action. If VicForests and its contractors act in accordance with the SMP, it is inevitable that there will be ongoing contraventions of the Code and Standards and significant losses of mature Tree Geebungs.** Compliance with the Code and Standards requires targeted pre-harvest surveys of coupes to identify and locate mature Tree Geebungs, the provision of proper buffers during timber harvesting, and wider firebreaks to protect mature Tree Geebungs within buffers from the destructive effects of regeneration burning

For further information please contact our team:
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