

NPA Submission to Private Native Forestry Review

By email to: pnf.info@lfs.nsw.gov.au

23rd January 2019

The National Parks Association of NSW (NPA) was formed in 1957 to promote the concept of a network of national parks in NSW under specialist national parks and wildlife legislation managed by a professional agency. This goal was achieved with the passing of the *National Parks and Wildlife Act 1967* and the establishment of the National Parks and Wildlife Service (NPWS). Today, in our 61st year, NPA continues to build on this work through a network of 16 branches and over 20,000 members and supporters. NPA promotes nature conservation and sound natural resource management. We have a particular interest in the protection of biodiversity and its supporting ecological processes, both within and outside of the formal conservation reserve system.

NPA opposes native forest logging on public land as it is not, in our view, the optimal use of that land and is driving wildlife declines. We have undertaken much work to provide the NSW government with policy alternative to perpetual logging. We do not oppose Private Native Forestry (PNF) *per se*, but we believe strongly that any timber extraction should be done within ecological limits, conform to strong environmental standards, involve contact and collaboration with government agencies and be transparent to the public.

Unfortunately, given our experience in engaging on land clearing laws, the Integrated Forestry Operations Approvals (IFOA) and Regional Forest Agreement (RFA) renewals we have little confidence that this review of PNF will improve environmental outcomes. All of the above have resulted in retrograde legislative changes that have reduced environmental protection and concerns raised through public consultation have been dismissed in all cases. The PNF review appears similar to the pattern followed during the land clearing law changes, where public consultation was sought on what the changes should look like, with the subsequent introduction of extensive self-assessable codes despite widespread opposition. We hope that the PNF review will be different.

The disaster in the Murray-Darling basin should act as a stark warning that we must prioritise the ecological needs of species and ecosystems if we are not to experience further catastrophic ecosystem collapses. We urge the government to reconsider its approach to environmental protection before wildlife declines are irreversible, and we note that many of the coastal forests of NSW are globally significant due to their biodiversity values, and included in the 'Forests of East Australia' Biodiversity Hotspot. We make several comments relevant to the Terms of Reference below and make the following key recommendations:

1. Ensure that the PNF review does not reduce environmental protection;
2. Ensure that self-assessable codes permitting large-scale PNF are not implemented;
3. Ensure that the review of State Environment Planning Policy 44 (SEPP 44) is made public prior to development of any new PNF code of practice;
4. Ensure that the Biodiversity Conservation Trust is not used as a tool to facilitate PNF;
5. Improve PNF transparency through a public register that permits the public to identify the (approximate) location and scale of PNF operations;
6. Genuinely implement Ecologically Sustainable Forest Management and cease to undermine the term by implementing contradictory settings;

PO Box 528, PYRMONT NSW 2009

The purpose of the PNF review

The review of PNF should not be used to increase access to timber at the expense of the environment to compensate for shortages on public land. Industry has never been good at accurately forecasting wood supply as multiple timber buy-backs attest. Regular industry advertisements in media outlets calling for private landholders to partake in PNF highlights industry appetite for logs and suggests pressure to facilitate log extraction—supported by industry statements that the PNF review should ‘facilitate’ PNF. This is supported by the sudden transfer, in April 2018, of licensing responsibility to the Local Land Services, without explanation and even as consultation on the *Native Forestry Bill* was ongoing.

The scale of PNF

The majority of extant forests are found on private land, because private land covers about 90% of NSW. It is therefore no surprise that the majority of underrepresented Forest Ecosystems are also on private land, and that these tend to be the less steep, more fertile forests (Pressey et al. 2002). As such, sustainable management of private land is enormously important for persistence of wildlife. For example, two-thirds of koala ‘hubs’ are found on private land. A 2015 analysis of PNF by NPA using a public register data that was (then) available on EPA’s website (NSW Environment Protection Authority 2015), showed that between 2007 and 2015 a total of 2916 PNF approvals were granted covering a total of 534,503 hectares. The vast majority of these were located between Taree and the Queensland border. Twenty five percent of these PVPs (65,292ha) were located within 10km of NPA’s proposed Great Koala National Park (Figs. 1 and 2). It was not possible to know, from the publicly available information as to how many of these PNF approvals have resulted in felling. Nor is it possible to know how many PNF approvals have expired over the same period.

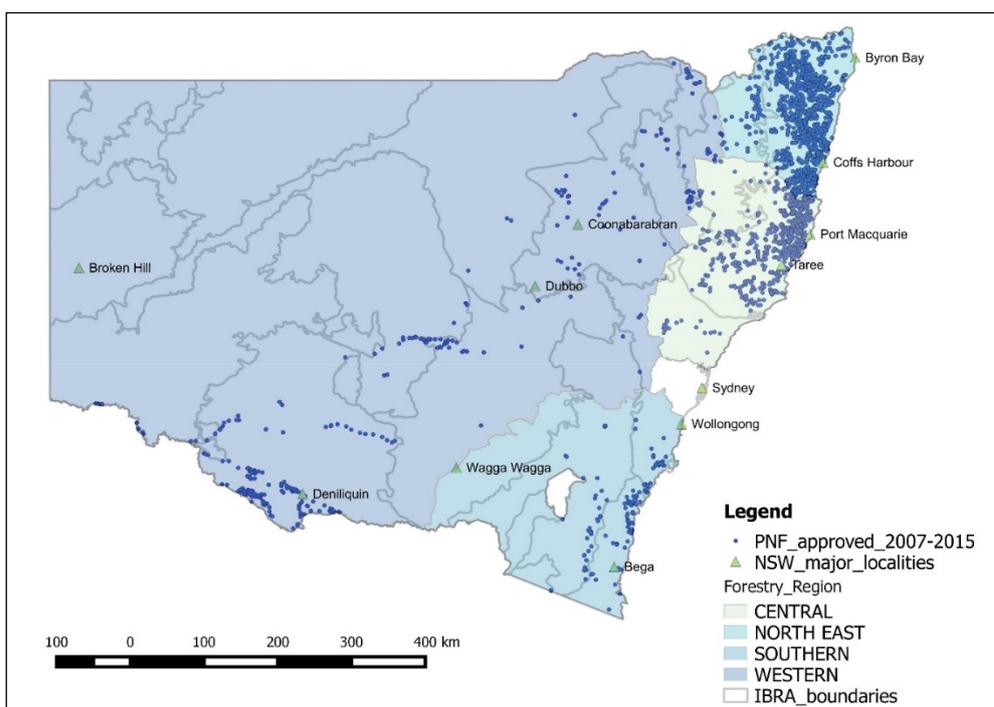


Figure 1: Map of NSW showing the location of PNF PVP approvals (blue dots) between 2007 and 2015. n = 2916.

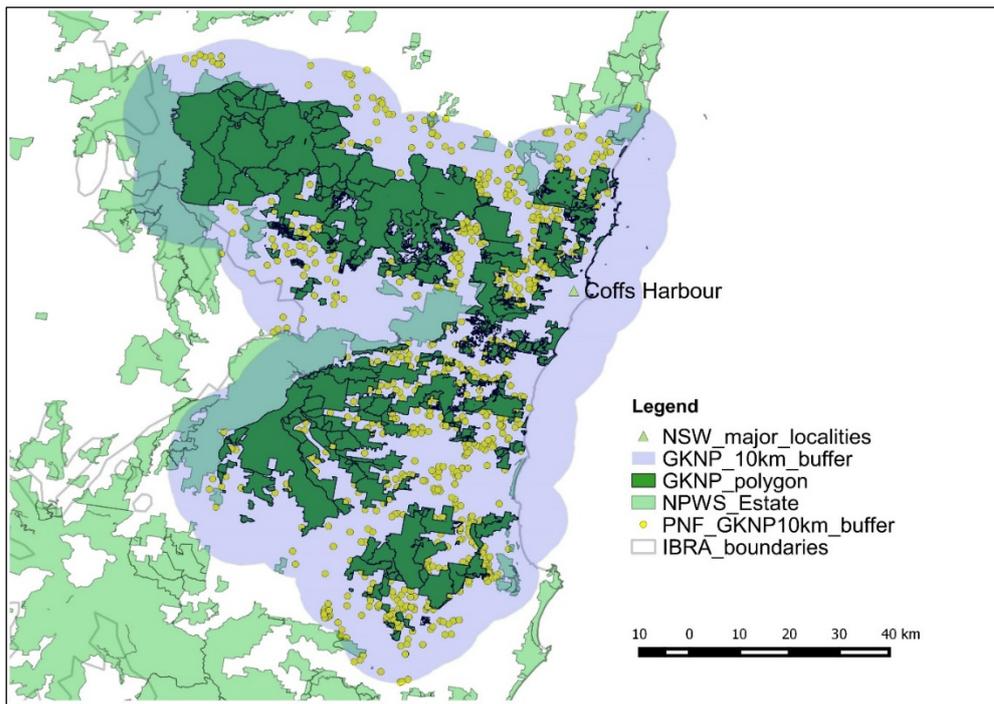


Figure 2: The Great Koala National Park (dark green polygons), a 10km buffer around the GKNP (blue polygon), PNF approvals contained within the buffer (yellow dots) and the National Parks estate (light green polygons)

The new PNF public register no longer contains spatial data so it is not possible to ascertain changes in distribution of PNF approvals. The new ‘assessment public register’ covers the period between 2008 and 2014 and identifies 573 PNF approvals covering 302,889ha. We are unable to explain the difference, but it is clear that, due to the extent of PNF, it has potential to destroy environmental values, forest landscapes and ecosystems, water catchments and carbon stores if not very carefully managed.

Forest Industry Roadmap

The Forest Industry Roadmap was not subject to public consultation and is therefore not a valid document upon which to base decisions on matters of public interest. It is our view that the ‘dual commitment’ made in the Forest Industry Roadmap is untenable. This view is supported by the Natural Resources Commission (NRC) statement in the Integrated Forestry Operations Approval (IFOA) process that “*following analysis of the expected cumulative impact of the agreed and recommended settings, the Commission has determined that it is not possible to meet the Government’s commitments around both environmental values and wood supply*”. The subsequent request (and resulting recommendation) for the NRC to advise on the potential for ‘remapping and rezoning’ old-growth forest is strongly rejected by NPA. We are deeply concerned that the PNF review will be used as another means to maximise wood supply at the expense of the environment, and we note that old-growth has been systematically remapped on private land, which has highly likely led to a substantial reduction in the area of forest protected from PNF.

National Forest Policy Statement and Ecologically Sustainable Forest Management

We are of the view that the recent changes to the IFOA and the failure to properly consider up to date science and evidence in the RFA review process violate the spirit, vision and goals of the National Forest Policy Statement and that forest management has not—and will not under the new IFOA—conform to Ecologically Sustainable Forest Management (ESFM). Declines in forest wildlife (Australian Government Department of Environment 2016), decreases in carbon stores as a result of logging (Perkins & Macintosh 2013; Keith et al. 2015; Australian Bureau of Agricultural and Resource

Economics and Science (ABARES) 2017; Keith et al. 2018), impacts on soil (Bowd et al. 2019) and water (Australian Conservation Foundation 2009) and the spread of bell-miner associated dieback (Silver & Carnegie 2017) attest to the failure to conform to ESFM. Repeated assurances that the government is committed to ESFM are not matched by the on-ground reality.

Land management codes

We do not support the implementation of self-assessable codes for PNF and consider their implementation in agricultural land management, through the *Local Land Services Amendment Act*, to have been retrograde. Self-assessable codes facilitate large-scale, unsustainable clearing and place the entire burden of assessing biodiversity values on landholders. In the hugely diverse forest types of the eastern seaboard, it is not credible to suggest that landholders have the expertise to self-assess the diversity of forest values. Rather, a more transparent and supportive system where landholders are provided with agency support to make sound decisions and the public is provided with evidence of such decisions is more appropriate. We contend that a public register should include spatial data to permit the public to identify where PNF is occurring and to what scale. This need not include landholder details.

Codes of practice

Any new code of practice should retain the prohibition on logging old-growth, rainforest and core koala habitat and avoid watering down protections for forest wildlife. Because koala habitat is identified and protected from PNF through State Environment Planning Policy 44 (SEPP 44), the ongoing review of SEPP 44 should be completed and subjected to public scrutiny prior to the development of any new PNF codes. It is not acceptable to water down protections for koalas through either the PNF review or the SEPP 44 review.

Community acceptance

There is a fundamental disconnect between the stated aim of community acceptance of PNF and lived reality of community groups. By systematically watering down environmental protection and transparency on public native forest logging through the IFOA and RFA processes, consistently inflating jobs numbers and ignoring community wishes and views expressed through consultation processes, the government and industry are undermining industry credibility rather than building it. The loss of the social license of native forest logging throughout Australia, as reported in the Sydney Morning Herald, is a consequence of rhetoric not matching reality. The failure to reinstate community standing to challenge breaches of logging laws through the *Forestry Legislation Amendment Act* is a further example of the preferential treatment given to industry over the public interest. High-profile, large-scale and environmentally-damaging PNF events on the north coast have also acted to undermine community acceptance of PNF. We note that transparency is a key element of ESFM and the National Forest Policy Statement, and again therefore assert that ESFM is not, and will not, be the model by which forests are managed.

The Biodiversity Conservation Trust

We support the investment by the Biodiversity Conservation Trust (BCT) for landholders to protect koala habitat. However, we note that the BCT was a product of the new land clearing legislation, which led the Wentworth Group of Concerned Scientists to label the investment it a subsidy to clear land due to the simultaneous creation of self-assessable codes (particularly the equity code). We do not support the use of public funds as a tool to facilitate clearing or PNF. Instead, we support the use of public funds as part of a holistic system of land management that commits to protecting the full suite of environmental values, including carbon and water stores. Were such a system to be implemented, we would support the BCT in seeking to provide alternative management options to PNF for landholders.

We appreciate the opportunity to comment.
Yours sincerely,

Anne Dickson,
President, National Parks Association of NSW

References

- Australian Bureau of Agricultural and Resource Economics and Science (ABARES). 2017. Australia's forests at a glance 2017, Canberra. Available from http://data.daff.gov.au/data/warehouse/9aaf/9aafe003/fag17d9abfe20170822/ForestsAtGlance_2017_v1.0.0.pdf.
- Australian Conservation Foundation. 2009. Woodchipping our Water: A case for reassessing the use of Victoria's Goulburn Catchment's wet montane forests, Carlton. Available from https://www.acfonline.org.au/sites/default/files/resources/woodchipping_our_water-Goulburn_Catchment_Report.pdf (accessed 9th February 2016).
- Australian Government Department of Environment. 2016. *Petauroides volans* - Greater Glider, Available from <http://www.environment.gov.au/biodiversity/threatened/species/pubs/254-conservation-advice-20160525.pdf> (accessed 29th June 2016).
- Bowd EJ, Banks SC, Strong CL, Lindenmayer DB. 2019. Long-term impacts of wildfire and logging on forest soils. *Nature Geoscience*.
- Keith H, Lindenmayer D, Macintosh A, Mackey B. 2015. Under what circumstances do wood products from native forests benefit climate change mitigation? *PLoS ONE* **10**:e0139640.
- Keith H, Vardon M, Stein JA, Lindenmayer D. 2018. Contribution of native forests to climate change mitigation – A common approach to carbon accounting that aligns results from environmental-economic accounting with rules for emissions reduction. *Environmental Science & Policy*.
- NSW Environment Protection Authority. 2015. Public register of approved private native forestry property vegetation plans, Available from <http://www.epa.nsw.gov.au/pnf/approvedpnfpvps.htm> (accessed 24th September 2015).
- Perkins F, Macintosh A. 2013. Logging or carbon credits: comparing the returns from forest-based activities in NSW's Southern Forestry Region. Technical Brief No. 23.
- Pressey RL, Whish GL, Barrett TW, Watts ME. 2002. Effectiveness of protected areas in north-eastern New South Wales: recent trends in six measures. *Biological Conservation* **106**:57-69.
- Silver MJ, Carnegie AJ. 2017. An independent review of bell miner associated dieback. Final report prepared for the Project Steering Committee: systematic review of bell miner associated dieback., Available from <http://www.environment.nsw.gov.au/resources/vegetation/bell-miner-associated-dieback-independent-review.pdf>.