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Ref: F12/241  
BL

6 February 2018

Private Native Forestry Review  
Locked Bag 6013  
ORANGE NSW 2800

Dear Sir/Madam

Kempsey Shire Council is thankful for the opportunity to provide input to the NSW Government review of Private Native Forestry (PNF). The impacts of PNF within the Kempsey Council Local Government Area are of high significance.

Council has identified the following issues in relation to the current Private Native Forestry Code of practice:

1. The PNF code of practice sets out specific management actions on PNF sites with a known record for listed threatened species. The NSW Bionet Atlas (Office of Environment and Heritage) lists all known records of threatened species in NSW, however the majority of PNF sites are situated on land that have not been subject to a previous ecological study (i.e Ecological assessment associated with a Development Application). Therefore most PNF sites have no records shown on the Bionet Atlas. The development of the Property Vegetation Plan (PVP) associated with the PNF approval should involve identification of Plant Community Types (PCTs) on the site and from the PCT, the candidate threatened species that apply to that PCT can be derived. This is similar to the methodology used to derive candidate threatened species on a site as per the Biodiversity Assessment Method under the *Biodiversity Conservation Act 2016*. The management of these candidate threatened species should then be included in the management actions of the PVP.
2. The code also requires that the landowner or PNF operator identify site evidence of the occurrence of threatened species on the site and apply the relevant prescriptions set out in the PNF code. To identify evidence of threatened species on a site requires significant knowledge and expertise and it is highly unlikely in most cases that the landowner and PNF operator would have this knowledge and expertise. In particular, the ability to identify threatened flora that may occur on any site requires specific botanical knowledge and expertise.
3. Section 4.2 of the PNF Code of Practice sets out minimum standards for hollow bearing tree retention of 10 hollow bearing trees per 2 hectares. Hollow bearing trees are critical habitat for threatened arboreal mammals and threatened hollow nesting bird species. The removal of this habitat component is listed as a key threatening process (in accordance with schedule 4 of the *Biodiversity Conservation*



Act 2016) for these types of species. It is considered that there should be no instances where hollow bearing trees should be removed for PNF purposes.

The PNF Code requires one recruitment tree per hollow bearing tree to be retained. Recruitment trees are an integral successional factor in safeguarding against declining biodiversity when natural events cause loss of hollow bearing trees through wildfire or natural attrition. The PNF Code should restrict removal of any trees that are over a certain basal size in order to ensure retention of recruitment trees within the forest community.

4. Koala habitat – The PNF code does not permit forest operations within areas identified as core koala habitat within the meaning of SEPP 44. Council has a Comprehensive Koala Plan of Management, however the mapping contains very few land parcels identified as core koala habitat due to the costs associated with studies and mapping areas of core koala habitat. It is considered that PNF should also be excluded from areas mapped as primary koala habitat. OEH has included the Kempsey Comprehensive Koala Plan of Management primary koala habitat layer as ‘Biodiversity Value land’ (requiring offsetting regardless of clearing thresholds) on the Biodiversity Values Map. Local Land Services (LLS) has also included this primary koala habitat mapping layer on the Native Vegetation Regulation Map as ‘sensitive regulated land’. PNF should be excluded from ‘Biodiversity Value land’ on the OEH BV map and ‘sensitive regulated land’ on the LLS NVR map and hence protecting the removal of primary koala habitat.

The prescriptions within the PNF code for determining exclusion zones around koala food trees by checking for koala faecal pellets (scats) has significant issues in regards to reliability of classification of koala habitat. Koala scats can be difficult to identify without the skills and experience required to conduct koala scat searches. In addition to this, koala scats have a limited life before breaking down (particularly in the warmer months of higher rainfall). Due to the transient nature of koalas (particularly within the breeding season), areas of koala food trees on a land parcel may be important sites regularly used by koalas but only at certain times of year, however still important areas for ensuring generational persistence of a local population. At the time of year that a PNF forestry operation is being carried out, evidence of scats from the logging areas may be absent and subsequently, important koala habitat lost.

5. Reporting requirements set out in the PNF code should include the methodology used to gather site evidence for threatened species within the forestry operation area. The management prescriptions put in place if site evidence found records or evidence within the logging area should also be reported. The reporting requirements within the PNF code should also include documentation of the methodology and results of koala scat searches (with the Spot Assessment Technique (SAT) being the most recognised methodology for presence of koalas) and the prescriptive management actions that were carried out based upon the results.

6. The process of developing a PVP (prior to issuing a PNF) should involve a requirement for LLS to consult with Local Councils. It is considered that this may identify any site specific issues relating to the land parcel and allow Councils to provide knowledge, information (such as ecological assessments for DA applications), historical information or data on a site that may result in better management of the PNF operation and subsequent better outcomes for retention of the biodiversity values of the site.

Should you wish to discuss the above submission, please contact Councils Environmental Strategies Officer, Bill Larkin on 65663255.

Yours faithfully



Erin Fuller  
Manager Strategic and Asset Planning

*As part of Council's initiative to reduce paper use we encourage as much correspondence to be sent via email as possible. If you believe this is an option that you would like to use, please send your letters to [ksc@kempsey.nsw.gov.au](mailto:ksc@kempsey.nsw.gov.au)*