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## Submission on PNF

1 message

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**Brian Turner** [REDACTED]  
To: pnf.info@ils.nsw.gov.au

Wed, Feb 13, 2019 at 10:41 PM

Please find attached my submission on Private Native Forestry in NSW. Although I live in Canberra I am a landowner in NSW and the land contains some native forest which I would like to see well managed for a variety of purposes.

I have also lectured on the management of native forests for 30 years at university level in the USA and Australia and conducted research in that field, as well as having been a forester in coastal NSW in my early career.

Thank you.

Sincerely,

Brian Turner, D For, MF, BSc(For), Dip For, FIFA

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# Private Native Forestry

Name

Dr Brian Tumer

Email address

[REDACTED]

Postcode

2325

About you

- Individual
- Business
- Government Organisation
- Non-Government Organisation
- Landholder
- Private Native Forestry Industry

Name of your business or organisation

[REDACTED]

## 1. What improvements should the NSW Government consider making to the existing Private Native Forestry Codes of Practice (Northern NSW, Southern NSW, River Red Gum Forests, and Cypress and Western Hardwood Forests)?

- The existing Codes are unduly complex and unbalanced. All of the Codes need to be made clearer and easier to understand and use.
- The Codes should be more about implementing good practices and less about what you mustn't do. The existing Codes contain too many 'environmental protection' rules which are not outcome based.
- 'High grading' is a major issue that needs to be addressed in Coastal forest. More silvicultural flexibility is needed. The minimum basal areas for selective harvesting should be reduced to 8m<sup>2</sup>/ha in dry and semi-moist forest types and reduced to 10m<sup>2</sup>/ha in moist forest types.
- To achieve good silvicultural outcomes more flexibility is needed around the rules that apply to habitat tree retention. The existing definitions and retention requirements for habitat trees are far too prescriptive and are having an unnecessary impact on the economic benefits of harvesting. The Codes should focus on the big picture and avoid trying to determine the fate of every tree.
- In forests where the existing number of available habitat trees is less than the prescribed amount there should be no requirement to retain additional 'recruitment trees'. If the NSW Government wants to have additional 'recruitment trees' retained (to improve a forest's habitat value) it should pay the landholder to provide this service.

- The use of controlled fire, before and after harvesting, should be encouraged in coastal forests (and some western hardwoods) to improve regeneration and aid forest health and productivity. Regeneration of degraded moist forest types needs specific attention in the Code (e.g. BMAD affected forest)
- PNF landholders should receive stewardship payments for applying threatened species conservation prescriptions which impact on their harvesting plans. The stewardship payments are needed to incentivise PNF landholders to actively manage the risks to threatened species.
- The principal cause of forest species being listed as threatened is the impact of introduced pests and invasive weeds. Creating threatened species harvesting exclusion zones does not address this problem. The new Codes should give detailed consideration to the control of pests and weeds. This could be linked to stewardship payments.
- The harvesting exclusion buffers that apply to some landscape features are excessive and should be reduced (e.g. rocky outcrops, heath and some threatened species records).
- The rules that apply to buffers (drainage feature buffers in particular) are in need of review because they inhibit forest regeneration and can lead to forest degradation.
- The four Codes should remain as four Codes, not combined.

Please indicate which code/s you are referring to

- Northern NSW Code of Practice
- Southern NSW Code of Practice
- River Red Gum Code of Practice
- Cypress and western hardwood forests Code of Practice
- All codes

**2. Do you have any suggestions to ensure the Private Native Forestry regulatory settings are efficient, enforceable and effective?**

- Heavy regulatory settings that focus on enforcement are inappropriate for PNF. To be effective, the Codes need to encourage cooperation and collaboration with government. Codes that are coercive and punitive will not work. The regulatory settings need to take account of the costs that they impose.
- The current penalties for contravening a Code condition are far too high (up to \$5 million for a company and \$1 million for an individual) and are a major disincentive for getting involved in PNF. The penalty amounts should be realigned with risk.
- The Codes should be designed for the people that use them not just the people that police them. The Coastal IFOA is not an appropriate template for PNF because it was designed by the EPA for the EPA and is not based on trust.

- The new Codes should include provisions for independent appeal so that persons that are alleged to have contravened the Code can have their matter independently reviewed without having to incur the expense of going to court.
- Responsibility for Code compliance should be transferred to LLS. The NSW EPA should keep away from PNF unless LLS asks it to get involved.

### **3. How can the NSW Government improve the authorisation and approval system for Private Native Forestry?**

- LLS should be the sole authorisation body for PNF. The need for dual consents in certain circumstances should be abolished.
- The PNF Plan authorisation process should include provisions which enable applicants to have their forest certified under PEFC or FSC.
- Landholders should be able to have a property plan approved by LLS that covers all aspects of native vegetation management, including routine agricultural activities. Whole of property approved plans should have more flexibility than those which apply to specific areas of native forest.
- Not all forestry operations need to be authorised by LLS and subject to a Code (i.e. some should be eligible for self-assessment). Low intensity operations like commercial thinning of young regrowth is an example. The threshold for approval should be consistent with thresholds set for routine agricultural management activities. The land management codes are also relevant to this issue but do not currently cater for forestry.
- A rolling approval term of at least 20 years (that is reviewed and extended every five years) is needed to incentivise landholders to take a long term view. The option to extend should be up to the landholder. In perpetuity PNF Plan approvals should also be an option.
- LLS' authority to terminate a PNF Plan approval should only apply in exceptional circumstances and be subject to an appeals process that is fair and equitable.

### **4. What training and advice services would assist landholders, industry and the community?**

- LLS should support and promote forestry the way it does other agricultural activities.
- LLS should have extension services that explain what's involved in timber harvesting and what you need to do to get your property ready.
- Having some private native forestry demonstration sites would be beneficial, particularly if they show-cased the many ways that a forest can be harvested. Demonstration sites would also be good places to hold courses and formal training. A similar model to the one in use in Queensland is needed.

**5. Do you have any other comments or feedback relevant to Private Native Forestry that you would like to share with us?**

- Local consultants such as Registered Professional Foresters accredited by the Institute of Foresters of Australia could be used in producing PNF Plans and providing advice to landowners on best practice.

Mark my response as confidential *\*All submissions will be published unless marked confidential.*

- Yes
- No

Email to: [pnf.info@lfs.nsw.gov.au](mailto:pnf.info@lfs.nsw.gov.au)