

# **PRIVATE NATIVE FORESTRY CODE OF PRACTICE REVIEW.**

## **From a Landowner's Perspective.**

### **Preface:**

*We completed a stage of Private Native Forestry harvesting on our property in December, 2018. We have no concerns with the planning process or the workmanship of the harvesting contractor.*

*Perceived shortcomings of the PNF Code of Practice are listed below. Suggested improvements follow each concern of which there are five:*

- 1. Glossary Additions namely a) Pollution b) Significant c) Streams*
- 2. Tree Crowns Sections 4.4(7) & (13)*
- 3. Snig Tracks Section 5.2.1(17) and Gully Stuffers Section 5.2.2(2)*
- 4. Environmental Protection Authority Modus Operandi*
- 5. Protection of the Environment Operations Act.*

### **1. Definitions:**

#### **Pollution.**

*The logging contractor was fined by the EPA for "causing pollution of water, related to significant amounts of sediment in waterways." The Glossary does not include words like pollution or significant. Pollution is a factor which offends the senses. It is site specific. What might be classified as pollution in one area might not be regarded as such in another. There are wide gaps between city and country values with divisions growing exponentially. Therefore, to use a single universal descriptor for a number of criteria, sometimes expressing a particular ideology, is not good practice.*

#### **Suggestion.**

- 1.1 When formulating a definition of pollution, try to recognise and respect the knowledge, experience, understandings and expertise of land owners and those working in the forestry industry. The best managers are those people working in the community, not some academic working in an air- conditioned office in some far-away city.*
- 1.2 Be aware of the motives of radical ideologies.*
- 1.3 In country matters, is it good practice to have city based assessors? The reverse also applies.*

#### **Significant:**

*This term is largely a matter of opinion and is difficult to quantify. As such, it is difficult to gain consensus.*

#### **Suggestion:**

*As for 1.1 above.*

**Streams, Page 21 Fig.3.**

The general concept of a "stream" is a body of flowing water. When this concept is applied to EPA Sketch Maps, it becomes misleading. There were a number of stream classifications on the area we harvested, but there was only one stream of flowing water. Of the remaining "streams", 95% exsiccate rapidly after rain and remain dry for most of the year. All this is systematic in a year of near average rainfall.

**Suggestion:**

1.4 .1 Replace "streams" with conventional terms such as:-

- i) Rivers (Permanent Flowing)
- ii) Creeks ( " " )
- iii) Gullies ( Intermittent Flowing)
- iv) Wetlands such as Swamps (Non Flowing)
- v) Depressions

All of these terms are commonly understood as they stand for different topographical features. It is confusing to categorize them as "streams", albeit in different orders as stated on page 21. (PNF Code of Practice for Northern NSW. The reference is questionable).

1.4.2 Use realistic terms rather than academic nomenclature.

**2. TREE CROWNS IN RIPARIAN ZONES AND ELSEWHERE. Section 4.4 (7) & (13)**

*This Section has little regard for property management or farm biosecurity.*

*It: i) Reverses strategies that have been installed at high input costs and have been in place for a long period of time.*

*ii) Creates difficulties in weed control.*

*iii) Workplace Health and Safety Issues arise.*

- a) Use of heavy machinery such as slashers and sprayers.*
- b) Cattle mustering becomes a big problem.*

*iv) Creates a massive fire hazard and destructive concomitant problems.*

**Suggestion:**

2.1 Tree Crowns should not be left in a position which interferes with traditional land use.

### **3. SNIG TRACKS AND GULLY STUFFERS.**

3.1 A lot of collateral damage occurs during the construction of crossbanks on snig tracks on fragile mountain soils. Soil erosion problems are exacerbated and in periods of heavy rain, these banks lose their effectiveness. The sediment ends up in the "streams" and in the absence of gully stuffers, the consequences are contrary to original intentions.

This is exactly what happened on our property. The code of Practice was enforced, and we ended up with soil erosion problems never before seen on the property.

The "streams" are bone dry for 95% (340 days) of the year. There is no marine life therein.

In sediment control, the questions are asked "Why do half a job? Why enforce different procedures in adjacent areas? Why are dry gullies sacrosanct in effective sediment control?"

3.2 Gully stuffers of non toxic material help control sediment runoff from failed Snig Track crossbanks. Roadway piped culverts have no such preventative value. The local council uses material in socks and netting in water tables, but, because of weight and durability, their effectiveness is limited.

#### **Suggestions:**

3.1 Soil types should determine the location, type, depth and frequency of any crossbank construction on hilly country and roadways.

3.2 Gully stuffers, of non toxic natural material, should be permissible where necessary in dry gullies to prevent sediment runoff from failed attempts to combat soil erosion. Use this strategy along with other vegetative ways to help prevent sedimentation in gullies.

### **4. ENVIRONMENTAL PROTECTION AUTHORITY MODDUS OPERANDI.**

We have no concerns with any person from the EPA with whom we had face-to-face communication. At all times they were courteous and acted with decorum. However, during a litigation process against the logging contractor we were left "out of the loop" and only became involved when a witness statement was requested. As law-abiding citizens, we found ourselves in an invidious situation. Better consultative measures are needed along with better observance of Farm Biosecurity.

#### **Suggestions:**

4.1 Consult with the landowner personally about any concerns before written contact, which can have unintended consequences.

4.2 Observe Farm Biosecurity. (i.e; Notices on entry gates)

4.3 If the Code of Practice is enforced, return to area after heavy rain to ascertain the effectiveness of the procedure. (In our case, the Code of

*Practice was enforced under supervision by the EPA and it caused soil erosion problems. The EPA walked away from problem with no accountability for its actions and we are left to find remedies.) Remember, it is our asset which has been damaged and in Robbie Burn's immortal words, "Lives there a man with soul so dead*

*Who never to himself has said*

*This is my own, my native land."*

*4.4 Clarify roles of responsibility and accountability. The EPA must be held accountable if it enforces the PNF Code of Practice which has destructive effects on a landowner's property.*

*4.5 Is it good practice to use city based personnel as adjudicators in country matters? The reverse also applies.*

#### **5. PROTECTION OF THE ENVIRONMENT OPERATIONS ACT.**

*We suspect that herein lies the cause of our concerns. We understand that the PNF Code of Practice was formulated within the parameters of the Act and that the EPA is responsible for its implementation. Given the present political situation, the media hysteria searching for more records than a cricket analyst, and religious-like fervour surrounding climate change and its cataclysmic prognoses, the difficulties ahead are obvious. Some effects of this Act on our workplace have briefly been noted. We trust that our concerns will be respected. We leave it to those with more legalistic expertise with practical experience to make adjustments.*

*W.N. & A.R. Campbell*

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