Private Native Forestry

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About you

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

Name of your business or organisation

STL Timbers

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 Codes need to be clearer and easier to understand and use.

- 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 increase a forest's habitat value**) it should pay the landholder to provide this service. This has a big impact on silviculture and the production of high value products and incomes for property owners

- Candidate old growth and rainforest mapping is vastly incorrect, and the current review system takes too long. Need to do a field assessment with two officers, one from LLS and one from the EPA. In the case of access to certain areas being too difficult to reach or enter (which is a common occurrence), its proposed that rather than guessing PNF should be approved with candidate areas to be reassessed when harvesting roads and tracks are opened near the edge of the candidate (old growth and rain forest areas).

  > **Commented [jm1]:** Who needs to?

- The Codes should focus more on the implementation of good practices and less about what you should not do.

- The existing Codes contain too many 'environmental protection' rules that are not outcome based.

- 'High grading' needs to be addressed in Coastal foresting. More silvicultural flexibility is needed,

- To achieve good silvicultural outcomes more flexibility is needed with minimum basal areas for selective harvesting reduced to 8m2/ha in dry and semi-moist forest types and reduced to 10m2/ha in moist forest types. More flexibility is additionally needed around the rules applying to habitat tree retention with existing definitions and retention requirements for habitat trees being far too prescriptive and have 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.

- 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) need review as they inhibit forest regeneration, which can induce 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 co-operation and collaboration with government bodies and organisations. Codes that are coercive and punitive are flawed and show no promise of working. 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 generate major disincentives towards individuals and companies involving themselves with PNF. The penalty amounts should be realigned with risk.

- The Codes need to be designed for the people that utilise them, instead of focusing on the people that police them. The Coastal IFOA is <u>not</u> an appropriate template for PNF, as it was designed by the EPA for the EPA and is not based on trust.

- The new Codes should include provisions for independent appeal, ensuring that persons alleged to have contravened the Code can have their matter independently reviewed without incurring 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 as the need for dual sanctioning in certain circumstances is unwieldy and impractical.

- The PNF Plan authorisation process could potentially include provisions enabling applicants to have their forest certified under PEFC or FSC.

- Not all forestry operations need to be authorised by LLS and subject to a Code, and instead could be eligible for self-assessment. Low intensity operations such as commercial thinning of young regrowth is an example of what operations can fall under self-assessment. The threshold for approval will need to 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.

- It is recommended landholders 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 approval plans need to provide more flexibility in contrast to those which apply to specific areas of native forest.

- 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 and action regarding their land. The option to extend should be up to the landholder. In perpetuity, PNF Plan approvals should also be an option available.

  <mark>Commented [jm2]:</mark> To who? The landholder?Logger

- 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 needs to support and promote forestry the way it supports other agricultural activities and projects in the region.

- LLS is recommended to have extensive services that explain what's involved in timber harvesting and what you need to do to get your property prepared, available for all interested and participating parties.

- 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?

- This submission supports the Timber NSW submission.

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

- ○ Yes
- ◉ No

John McPherson
STL Timbers
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