

Hurford Forests Submission to the New South Wales Private Native Forest Code of Practice Review - 2019

Submission prepared by Andrew Hurford

Email - ahurford@hurfords.com.au

Business Address – 6414 Kyogle Rd, Kyogle, NSW 2478

Hurford Forests (Hurfords) is a company engaged in the Private Native Forest Industry

This submission relates particularly to the Northern NSW Code

Background

Private Native Forests make up around half of total log supply to Hurford Hardwood. Hurford Hardwood own & operate 5 sawmills & 3 drymills, we market & distribute our products through a network of wholesale warehouses located in key markets across Australia. The Hurford Group of Companies employ more than 300 people, the majority of these in NSW

The ongoing sustainable & economically viable supply of timber from PNF owners is critical to Hurfords' long term viability.

The majority of private property sourced supply to Hurfords comes from third party land owners. Hurfords' foresters, contractors & suppliers are actively involved in supporting land owners in their interface with LLS & EPA in relation to managing their timber stands & harvesting events.

Hurford Forests also own and manage approximately 4,000 Ha of forested land spread over 10 properties on the Far North Coast of NSW.

These properties contain some 1,500 ha of plantations authorised under the Plantations and Reforestation Act, leaving approximately 2,500 hectares of Private Native Forests under management.

1. What improvements should the NSW Government consider making to the existing Private Native Forestry Codes of Practice?

The current code has been broadly supported but there are areas where improvement or change is warranted.

The code relies on basal area retention rates as its main means of control of PNF activities, however, there is little or no assessment of the future productivity of the forest. This can lead to an approach known as 'high grading' where trees of the best species and form are harvested keeping the poorest form and least desirable species mix to meet the high retention rate requirements. Over a couple of harvesting cycles this can lead to a degraded forest with poor health and limited future productivity.

The current code gives few options for improving forest stands such as these. Hurfords have trialled the current allowance for Australian Group Selection & other approaches over the years and have found the size of the allowable 'gaps' to be too small to be effective particularly in Blackbutt dominated forests where overshadowing of the surrounding trees limits growth leaving only a very small area in the centre of the gap receiving sufficient light to achieve suitable growth rates & stem form. We have found areas of about .64ha to be the minimum to be effective. This is equivalent to 80metres x 80 metres square which is two times a typical mature height coastal stand, these are in practice, usually an irregular shape dictated by the need to fit around existing features such as habitat & recruitment trees, existing healthy regrowth, drainage lines & buffers, roads, EECs etc. The adoption of a standard allowable area for gapping fixes current issues with grey areas over stand height assessment & provides for a size of gap which should allow for effective regrowth to take place.

The current limits in the existing code about spacing & timing to cover the frequency & separation of gaps would still be ok if related to the new gap size, that is gaps must be separated by at least 80 metres & take up no more than 20% of gross harvest area. New gaps cannot be established beside existing gaps until trees in those gaps are 20 metres high. There should also be an obligation on the land holder to achieve a certain level of regeneration after say 2 years – potentially subject to audit. Overall gross harvesting area requirements for retention of features such as habitat & recruitment trees would remain.

Gapping is an important tool in resetting forests which have a preponderance of poor form & health following a history of wildfire, invasive weeds, selective harvesting or 'high grading'.

As indicated earlier in the submission many owners of private native forests will also have areas of high environmental value such as rainforests, wetlands & old growth. It is in the community's best interests that these are managed for the best environmental outcome. This takes significant time & resources by the land owner to implement. These areas could be mapped & submitted to the biodiversity fund for annual payments to assist with the best practice management of these areas provided key performance measures are met.

This should lead to an improved environmental outcome with landholders motivated & funded as stewards of these areas.

It is recognised that the productivity of many PNF stands in Northern NSW is poor. Encouraging land holders to engage in proactive improvement of the health & productivity of their PNF woodlots will require a multipronged approach. Currently the requirements of the code are all about retention of basal area & retention of habitat & recruitment trees – regardless of stand health, species mix or silvicultural best practice. Many areas have been degraded by invasion of pest weed species such as lantana, wattle or vines & processes such as Bell Miner Associated Dieback, or poor recovery from past clearing, high grading & grazing management, or wildfire events & require proactive management intervention & a silvicultural reset. The code is completely silent on this, falsely relying on retention as its only means of regeneration. The code discourages active & adaptive management through its complete focus on these high retention rates & lack of other options. Minimum retention rates should be reduced to a rate of 10 m² per ha to allow for more healthy & vigorous regeneration.

Consideration should be given to an option for a regeneration obligation where a land owner could select for a silvicultural reset with an obligation to establish a required number of

healthy regrowth stems per hectare within two years. Under this scenario other requirements could be included such as weed control, eg lantana & other woody weeds to be maintained at a low level for 5 years to allow for the regrowth tree canopy to recapture the site. The new code should assist landowners & managers wanting to manage their forests back to health & productivity by firstly recognising key threatening processes & then developing some recommended procedures for recovery.

Habitat & Recruitment Trees

The current requirements for a total of twenty habitat & recruitment trees to be maintained per two hectares of net harvest area is too high.

Having this many large trees retained across the net harvest area is not conducive to healthy & productive regeneration due to the large areas of overshadowing created. It would be preferable to allow trees within the gross harvest area to be included in the count, that is, all habitat & recruitment trees within the drainage lines, buffers & EECs count towards the total required retention number. Habitat & recruitment trees should be able to clumped & any reference to species, removed as a requirement, with existing hollows or potential to form hollows the main criterion for retention. Species should remain relevant to feed tree requirements, but not to requirements for hollow bearing or recruitment trees.

These habitat ‘clumps’ or in the case of streams & buffer areas ‘corridors’ were referred to in the recent NRC report on the IFOA as current ‘best practice’

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

Audits, Compliance & Penalties

The size of penalties for infringements under the code have recently been increased dramatically & are out of proportion to the activity. This will serve a disincentive for landowners, managers & contractors to get involved in forestry. As a growing population with a growing demand for sustainable timber supply this would be a bad outcome. The industry in Northern NSW is currently reliant on PNF to provide for half its resource supply & if we are to grow our output in line with demand for our products much of that growth will have to come from PNF so it is important that this code review aims to assist in providing a growing & sustainable resource into the future.

Most landholders want to do the right thing & comply with the law as well as manage their forests sustainably for the future. A heavy-handed regulatory approach is not likely to encourage an expansion of the sector.

A better approach would be for LLS to run the approval, routine audits, & initial follow up of complaints, with EPA being involved only in the most flagrant rule breaking such as land clearing or unauthorised works.

LLS could provide counsel to owners, managers & contractors on how to come into line with requirements, issue make good orders & penalty infringement notices where necessary, just as DPI does on plantations, but the focus should be on mentoring & outcomes rather than technical matters which have little or no effect on the environment at the landscape level.

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

Multiple Agency Authorisation Issues

Hurford Forests own and manage approximately 4,000 Ha of forested land spread over 10 properties on the Far North Coast of NSW.

These properties contain some 1,500 ha of plantations authorised under the Plantations and Reforestation Act, leaving approximately 2,500 hectares of Private Native Forests under management.

Cattle are utilised on most Hurford properties for income and as part of the management toolkit for control of weeds & wild fire risk.

Many of these properties also contain rainforests, wetlands, riparian areas, EEC's and TEC's. Although these areas currently offer no prospect of commercial return, Hurford Forests aim to conserve and manage these areas to a high level through appropriate fire management, weed & feral animal control and fencing out cattle where appropriate.

Currently in NSW all of these different areas and activities are impacted by different and sometimes overlapping & conflicting regulatory regimes. This is not only inefficient but can lead to confusion with regard to which regulatory body & rule set is applicable when making decisions involving the management of the property. At its worst it will result in an inability to manage your own forest & land.

These complications & frustrations are experienced by many farmers & PNF owners in Northern NSW

A better approach may be an authorised whole of property management plan. The Property Management Plan would –

Incorporate PNF areas, plantation areas, high conservation and agricultural production.

Recognise that beef cattle and other agricultural production may overlap many of the aforementioned areas.

Allow for property management requirements such as fence lines, firebreaks and infrastructure such as sheds, silos, dams, stockyards and log landings to be incorporated.

At the land owners' option, include areas of high conservation value for potential Biodiversity Fund income.

Currently, even firebreaks and fence line corridors can become contentious, with local councils making differing determinations to what is allowable.

Importance of Fire Management to PNF

Fire is another important tool in the management of weeds and forest health.

Hurford Forests have developed a Fire Management Policy and Procedure document – Attachment I. We take a mosaic approach to hazard reduction burns across our properties and seek to spread the impact of fire across space and time, respecting the history of indigenous burning and its importance in the ecology of our native forests. Each property, aspect and forest type have different needs and many areas have very narrow windows when burning will be both ‘controllable’ and effective.

Current regulations, where they exist, are mostly about limiting or controlling a land holder’s ability to conduct a controlled burn with little or no recognition of the environmental health and risk management benefits of encouraging landholders to be involved.

We would like to see more recognition & support of the role of the land owner in the management of fire through controlled burning & the importance of a suitable fire regime within the code.

Time Frames

Fifteen years is too short. Growing & nurturing a forest for future timber production is a long-term commitment, & in many cases, a multigenerational undertaking. Decisions often need to be taken to forgo revenue, or invest in interventions now for a better long-term outcome. The current term for a timber harvesting approval of 15 years does not encourage this & if anything encourages a short-term approach to forest management & timber production. The decision can too easily become “better harvest that small tree now, while I still can, rather than let it grow on to a larger tree & risk losing my right to it in future years”. I suggest a process of development of an authorisation of a long-term timber reserve – similar to conservation reserves – with a 100 year time frame. These would be an option for those really committed to a long-term sustainable future of forestry & timber production on their land.

One of the benefits of the 100 years is that it should override any future planning instrument changes or at least make a case for compensation should these occur (similar to the Plantation & Reafforestation Act). This is to future proof landholders against the sovereign risk of regulations taking a forest owner’s assets by stealth & allow that manager to make sound decisions for the future free of that risk. The other option would be some sort of 20 year approval with 5 year rolling review points. Both these options should be available to choose from & both should require some sort of medium to long term silvicultural plan. The plan should of course be active & adaptive, but it can at least provide some sort of road map for how the forest is to be managed with the timing of interventions such as controlled burns, harvesting events, weed control, grazing, thinning, etc noted within the plan.

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

Field Days, Extension Services, Training Courses & Seminars

Field days & demonstration sites should be conducted along with land holder & contractor training, not just in harvesting, but in longer term management of a timber stand. Issues such as chemical thinning, timber stand improvement, enrichment planting, controlled burning, weed & feral animal management need to be considered. The current code deals with harvesting only, which is in most forests a few weeks or months every decade or two, but is silent on the other 95% of time in the life of the forest which is spent on silvicultural management.

The Queensland Government is currently funding an excellent PNF extension & training series through PFSQ a not for profit organisation dedicated to ecologically sustainable private forestry. For more details of their excellent programme & other good works see their website www.pfsq.net

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

Thank you for the opportunity to provide input to the review of the of the PNF code. As pointed out earlier in the submission the outcome of this review is critical to the future of the NSW hardwood industry.

More than that it is critical to the future of Australia being able to manage & produce its own naturally durable & appearance grade timber needs. To get this wrong will be to delegate the supply of much of our own timber requirements to other countries, many of whom have a poor track record of environmental management.

New South Wales has been blessed with some of the strongest, most durable & beautiful timber species in the world. With good silvicultural management our native forests can provide both, habitat for all of our wonderful biodiversity, along with the high quality renewable timber products we all love, in perpetuity.

Timber is the ultimate renewable.

It is up to us to make the most of the possibilities this provides.

As world renowned architect Frank Lloyd Wright said many years ago

“The best friend on earth of man is the tree. When we use the tree respectfully & economically, we have one of the greatest resources on earth”

Attachment I

Hurford Forests Fire Management Policy and Procedures



Introduction

The Hurford family business has been involved in managing native forest stands on the north coast since the 1940's, and in the year 2003 expanded into native hardwood timber plantations. Management of the timber estate includes prescribed burning operations covering management objectives aimed to; reduce the risk of wildfire by modifying forest fuel loads, protect the forest estate and its values, promote seed bed regeneration post harvesting operations and increase the incidence of regeneration and diversity of populations. Public and private land managers also are legally obliged to minimise fire hazards on the land held under their management or ownership.

Prescribed burning is a key tool towards reducing bush fire risks, and maintaining healthy ecosystem function. It requires careful planning and implementation as it also has its own inherent risk. Prescribed burning is described by the AIDR (2018) as the *'deliberate and controlled burning of vegetation growing close to, or on the ground to minimise the fuel supply for future bush or forest fires. Another known term is "burning off"'*.

Prescribed burning is also carried out for other land management objectives that may include regulation of environments that have adapted to the periodic influence of fire, for the control of exotic species in bush or pastured areas, and to protect assets such as cleared land or land cultivated for timber. However, there are underlying principles and practices governing the use of controlled fire.

Recently, nationally agreed principles and guidelines for prescribed burning resulted from the AFAC's 'National Burning Project' where the purpose was to articulate nationally agreed principles for the development and implementation of prescribed burning policies and programs. Hurford Forests follows these principles and guidelines when planning and implementing a hazard reduction burn. The AFAC principles are listed below.

- Protection of life is the highest consideration
- Landscape health is linked to fire and fire management
- Prescribed burning is a risk management tool to mitigate bushfire
- Engagement with community and business stakeholders is important
- Prescribed burns should have one or more explicit measurable outcomes
- Informed knowledge of fire in the landscape is important
- Capability development
- Traditional owner use of fire in the landscape is acknowledged
- An integrated approach is required across land tenures
- Prescribed burning is carried out under legislative, policy and planning requirements

Further information on the 'National Burning Project' can be found on <https://knowledge.aidr.org.au/resources/national-prescribed-burning-guidelines-and-frameworks/>

Prescribed burning as a tool to reduce fire risk

Hurford Forests carry out prescribed burns with the objective of reducing the spread and severity of bushfires and improving the safe and effective control of bushfires should they

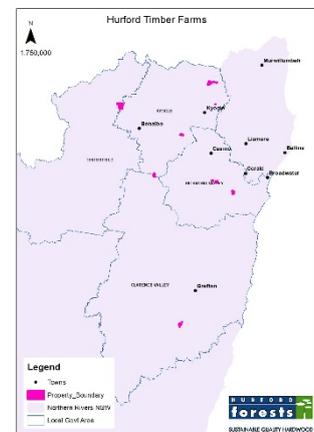
occur. The higher the forest fuel loads the greater the intensity of a fire. Fuel loads increase over time in the absence of fire.

Considerations of weather conditions.

To minimise risk of fire escape, stable and predictable weather conditions during prescribed burning operations are of high importance. Fire behaviour is affected by temperature, relative humidity, wind speed, wind direction, and atmospheric stability. Another factor that influences fire is the topography such as slope and aspect of the landscape to be burnt. This complexity demonstrates the fact that there is only a small window of opportunity to manage for fire, with fire within Australia. Planning for fire commences well before a prescribed burn is implemented, enabling a burn to proceed when all the factors are favourable, and plans are approved. Any delay of a burn operation that cannot be implemented when scheduled, particularly if a prescribed burn is delayed by 12 months or more will therefore result in higher risk factor due to build-up of forest fuels until the burn can be implemented. *NSW Rural Fire Service, 2018.*

Planning for a Prescribed Burn to reduce wildfire risk

Hurford Forests covers more than 3900 hectares of land across variable types of landscapes located within four Local Government Areas of the Northern Rivers Region of NSW. Managing the forest estate and reducing the risk of wildfire to protect values is an essential part of the business. This is achieved through prescribed burning. The objective of prescribed burning is to protect the forest resource, communities, neighbouring properties, and the forest ecosystem.



A burn program is developed and includes planning and risk assessment. Each site is assessed based on its assets, topography, current fuel loads, and biodiversity values. A site is then rated based on its inherent fire risk classification and scheduled over one or more years. Specific management zones and risk reduction targets may also be assigned to individual sites as a risk minimisation tool against adverse effects as a result of burning. Areas that have particular environmental values may require exclusion from burning or less frequent burning regimes. This method of planning provides a systematic method of developing the burning program across different sites, tenures and forest ecosystems.

Operational plans form the basis of the 'burn plan' with this objective in mind. Operational plans use both on ground and desktop assessments as part of this planning process. Each site is operationally assessed by an experienced forester and fire manager who know and understand the land they are working on. This is a very important feature of the operational planning prior to any implementation of a prescribed burn to ensure the plan is safe to conduct, and the person in charge of the burn feels that a burn will be safe to conduct. Sites are assessed relative to specific site current conditions taking into consideration localised weather and vegetation conditions, fuel loads and moisture content. This assists towards predicting fire behaviour, staging and timing of prescribed burning events over shorter time periods of up to one year. Burn planning involves determining the type of ignition proposed and location of ignition points across a site, identifying containment lines and safety zones, and number of fire crew required to undertake the burn. Furthermore, consideration and planning towards any specific traffic management in or nearby the site, and demarcation of specific management areas. This information goes into the operational

document and forms the basis of the application towards a Bush Fire Hazard Reduction Certificate, issued by the Rural Fire Service.

Hurford Forests take action towards notifying neighbours prior to the actual burn day. Notification may be a letter box drop and/or phone call and provide a proposed time frame the burn may happen subject to suitable conditions and approval.

On ground preparations occur well before the scheduled burn date to assist with minimising risk of fire escape and enable to burn to go ahead as per schedule when suitable conditions occur. Manual removal of fuel loads may include slashing fire breaks, or hand removal of fuels around the perimeter of the site or burn area, and exclusion zones.

Approvals to Burn. Bush Fire Hazard Reduction Certificate & Fire Permits.

The operational plan and attached map form the basis towards the application of a Bush Fire Hazard Reduction Certificate issued by and approved by the NSW Rural Fire Service before any burn is implemented. These approved certificates are valid for one year. If burning is to occur during the Bush Fire Danger period (1st October to 31st March), a fire permit is also required.

Burn Implementation Phase

Once approvals to burn are granted by the RFS, sites are prepared, and suitable conditions are forecast, notification of a scheduled burn date is provided to the burn supervisor and crew to ensure resources are available on the day. Neighbours and stakeholders are notified at least 24 hours prior to the burn date, demonstrating the importance of having phone contact information early during the operational planning phase. Hence, all the planning done prior to actual burning allows the burn to go ahead within the short time frame of suitable conditions that make a burn safer to conduct.

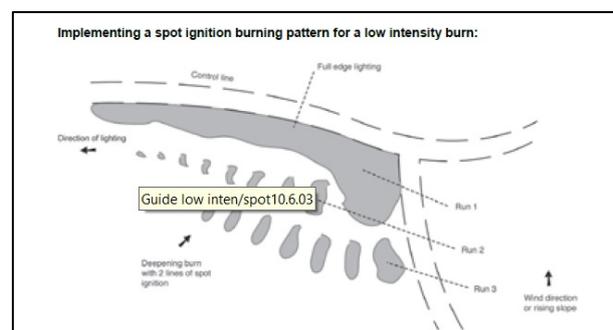
The decision to proceed with a burn on the day is based on good current day and subsequent day's weather forecasting. If expected weather conditions change negatively then the burn will not proceed.

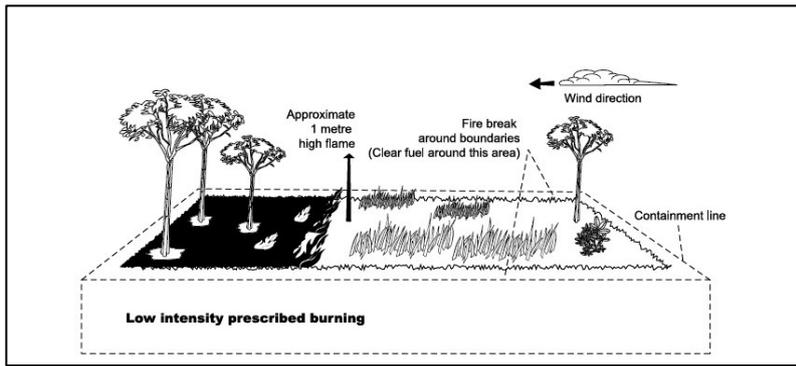
Burn crews are mobilised and an operational briefing is held at a designated assembly point. Briefs contain information on the ignition strategy, safety and operational details, and checks are done to

ensure all crew have appropriate PPE and all equipment is working correctly. If any public safety measures such as restricting site access or traffic are required these are implemented, and warning signs put in place. Before the burn officially starts a small test burn may be done to provide confirmation that the fire will behave as predicted and as planned.

Mopping up and patrol of the burn site continues until the threat of any fire escape is gone. Burns are monitored closely at all times includes checking for any fallen trees or burning logs, and extinguished if necessary to ensure objectives are met. After the event the site is assessed for effectiveness against burn objectives. Any areas that may require some remediation is identified alongside the recommendations for improvement and actions required.

After a prescribed burn, any holder of a certificate must advise the issuing authority within seven days of completing the work specified within the certificate. *NSW Rural Fire Service, 2006.*





For more information on standards and applications for bush fire hazard reduction burning the NSW Rural Fire

Service website.

Further information on the 'National Burning Project' and national guidelines can be found on <https://knowledge.aidr.org.au/resources/national-prescribed-burning-guidelines-and-frameworks/>