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Private Native Forestry Review

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Thank you for the opportunity for the North Coast Environment Council (NCEC) to make this submission into the Private Native Forestry Code of Practice.

Introduction

The North Coast Environment Council is the peak regional conservation group on the NSW North Coast which has been active in protecting the environment for more than forty years. Our organisation receives no government funding, relying on the 'in kind' contribution of dedicated volunteers to highlight issues of environmental concern and campaign for an end to environmental destruction.

The NSW North Coast is the most biodiverse region of the state. It has the large areas of forest and has had the largest uptake of PNF approvals of any state region. NCEC representatives have been formally involved in negotiations to develop the PNF legislation since its inception and fully understand its shortcomings. Many of our members reside in rural areas and have witnessed firsthand the destruction of nearby private forest habitats through logging under the PNF Code of Practice.

While we accept the right of private property owners to sustainably harvest timber from their land, we believe that the PNF Code of Practice for North Coast forests does little to ensure that private logging operations are ecologically sustainable and result in minimal impact to threatened species and their habitats.

Addressing the impacts of fire on forest biodiversity

As a result of the massive loss of biodiversity and critical habitat for threatened forest species from recent unprecedented bushfires, we believe that Private forestry should be subject to the same bushfire affected forestry operation conditions that forestry in native forests is subject

to as per the EPA website <https://www.epa.nsw.gov.au/your-environment/native-forestry/bushfire-affected-forestry-operations>.

Failure to identify Threatened Species and Endangered Ecological Communities prior to logging

A major failing of the PNF COP that has been apparent since its inception and continues under the revised code is that it does not require formal, independent ecological surveys prior to approving logging operations on private land. So while the minimal measures in the code to protect threatened species and their habitats could mitigate some potential impacts on biodiversity, unless threatened species or Endangered Ecological Communities (EEC's) are first identified they will not be protected.

The PNF code relies primarily on existing threatened species records being listed on the Bio Net Atlas and also on landholders and logging contractors to identify threatened species on properties prior to or during logging activities. As there are very few Bio Net records listed for private land, (particularly in timber producing areas) and property owners and logging contractors are unlikely to have any incentive to identify them in the field due to reduced harvesting opportunities, most will go unprotected.

We question what monitoring of existing PNF approvals has been carried out to inform this review. In such an area of rich biodiversity as the North Coast how many threatened species not already listed on the Bio Net Atlas been identified and protected during PNF operations?

The PNF code has failed to protect important koala habitat since its inception. With such little area of private land formally identified as 'core koala habitat' we can see little improvement of this situation under the revised code. If the code cannot appropriately identify and protect such a high profile threatened species as the koala we have little faith lesser known and more cryptic threatened species will be identified and protected.

The identification and protection of EEC's where logging is not permitted is particularly problematic. An example is the Grey Box /Grey Gum Wet Sclerophyll forest in NSW North Coast bio region which occurs on parts of the Richmond Range, where our members report PNF operations are being carried out. This EEC occurs in Cherry Tree State Forest so it is highly likely to occur on adjoining private forests. When a government PNF representative from Grafton was contacted last year about this matter he had no knowledge of this EEC.

The current procedures for the identification and protection of threatened species and their habitats as well as EEC'S prior to logging is open to neglect and abuse, with very little risk of compliance action. While some property owners may try to do the right thing, generally those with a direct pecuniary interest in PNF (both landholders and contractors) cannot be relied on to identify threatened species EEC'S and other landscape features requiring protection. In any case there is little the regulator can do as monitoring activities undertaken in PNF Plan areas "*can only occur with the written consent of the landholder*". Since its inception the code has allowed and promoted ignorance to be an excuse to allow the destruction of threatened species and their habitats.

There needs to be site specific surveys of properties applying for PNF approvals carried out by independent experts to survey for Threatened Species and EEC's and map all exclusion zones prior to granting approval. There needs to be sufficient auditing of operations and imposing of penalties where breaches are identified to ensure greater compliance. Large PNF applications should require a full Development Application process to ensure rigorous environmental assessments and allow the local community to raise any concerns they may have.

Increased logging intensity

We do not support the significant reduction in retained basal area, down to 10m/s per hectare as proposed in the revised code.

Habitat tree retention

We do not support the inclusion of two standing dead trees contributing to the habitat retention requirements of ten hollow bearing trees. Dead trees are highly susceptible to loss by fire and should not be counted towards hollow tree habitat requirements.

Riparian Protection

There needs to be better protection of riparian areas including unmapped drainage lines. All drainage features should require at least a twenty metre exclusion zone to protect water quality and provide drought refuge and connectivity for fauna species.

Slope limits

Logging should not be allowed to occur on slopes greater than 25 degrees due to high risk of sediment transport during intense rainfall events.

Exclusion buffers

A minimum twenty metre buffer should be required around all areas of Rainforest, Old Growth Forest and rocky outcrops, which should be excluded from logging.

Protection of very large trees.

Due to extensive loss of large hollow bearing trees due to the extensive 2019-20 bushfires and their significant decline due to past widespread unsustainable logging operations, all trees greater than eighty centimetres diameter should be protected.

Post logging weed management

Post logging weed mitigation, particularly to control lantana should be a mandatory requirement following logging. It is now well understood that unmitigated logging disturbance has been identified as a precursor to the development of Bell Miner Associated Dieback, a Key Threatening Process under NSW legislation.

Post logging forest regeneration

Effective forest regeneration must be ensured under the revised code to prevent dieback as well as prevent the conversion by stealth of forest to pasture for grazing purposes. Monitoring of regeneration should be carried out for at least five years after logging operations to ensure survival of seedling trees. If insufficient regeneration is apparent seedlings from local provenance stock should be planted and managed until at least five years old.

Conclusion

The current proposals in the reviewed code of practice continue a pattern of erosion of environmental protections to allow greater resource extraction with minimal accountability that has been apparent since PNF legislation was first enacted. The impacts of global heating, including extended droughts, heatwaves and recent unprecedented wildfires have caused a significant loss of biodiversity from forests across the state. This is not the time to pander to the lobbying of timber industry interests through further reductions of environmental protection; rather it is a time for recognition of the contribution private forests can make to the restoration of biodiversity losses over recent years. To facilitate this process of forest conservation there is a need for more extension services to provide advice on conservation options for private landholders and financial incentives, equal to the value derived from logging, to encourage conservation covenants in perpetuity over high conservation value private forests.

Regards,



Jimmy Malecki

Secretary North Coast Environment Council