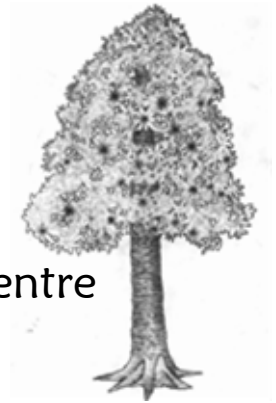


# Hunter Community Environment Centre



**Reply to: Paul Winn  
PO Box 290  
Newcastle, 2300**

21<sup>st</sup> August, 2006

Private Native Forestry  
Department of Natural Resources  
By email: [pnf@dnr.nsw.gov.au](mailto:pnf@dnr.nsw.gov.au);  
CC: Premier Morris Iemma [thepremier@www.nsw.gov.au](mailto:thepremier@www.nsw.gov.au)

## **Submission to the Private Native Forestry Code of Conduct**

The Hunter Community Environment Centre is pleased that a Draft Private Native Forestry Code of Conduct has finally been released by the NSW Government, and urge the Department to ensure that a final Code is implemented as soon as possible.

That said, HCEC holds deep concerns about the environmental prescriptions in the Draft Code. HCEC is uneasy with the form that the Draft Code has taken, since it purports to protect environmental values, but in effect will not provide secure protection for threatened species habitats, endangered ecological communities or high quality habitats like oldgrowth and rainforest. The Draft Code has in effect enflamed landholder resistance without actually achieving the environmental protection outcomes that would give reason for that resistance.

Some fundamental changes need to be implemented to the PNF Code, particularly in relation to sustaining forestry operations in the long term, and not allowing forests that have been logged in accordance with the PNF Code to be cleared for agriculture or other development.

Additionally, there are a number of smaller and more specific changes that should be made to clarify clauses that are ambiguous, or to bring environmental protection mechanisms in private forests into line with measures in place on public lands.

HCEC supports the position put forward by the North East Forest Alliance and will be guided by NEFA in our response to the final Code.

## **Recommendations**

- Severely-depleted ecosystems, habitat corridors and Identified Wilderness must be included in the list of exclusions in Table C. It is unacceptable that private

logging should be used as a backdoor to clear areas where clearing would otherwise be prohibited.

- Tree retention rates must not be wound back in coastal forests and must be strengthened and made consistent in western forests:
  - A higher retention rate is imperative for the River redgum forests, which are already under significant stress and where the public reserve estate is so poor.
  - There must be a single, consistent retention regime for Cypress and Western Hardwood forests, since they are in effect the same forests,
  - The retention of one recruitment tree for every habitat tree is inadequate, as it does not allow for incidental loss of recruitment trees between logging cycles.
  - Maximum size prescriptions of 45 cm must be imposed for Cypress and Ironbark, and the size limit for River regums reduced to 1m.
  - Cypress and Western Hardwood retention prescriptions must specify retention of commercial species of eucalypt.
  
- Threatened species surveys or habitat assessments must occur in all areas prior to logging and site assessments for endangered ecological communities and other landscape exclusions must be conducted on all properties prior to PNF PVPs being given approval.
- Commercial firewood collection must be addressed by the Code of Conduct, and prescriptions imposed to retain dead standing and fallen timber.
- Mapped oldgrowth and rainforest must not be undermined by introduction of a discretionary field test.
- Patch-clearfelling must not be allowed under the PNF Code of Conduct, and must require clearing approval through the PVP Developer.
- Areas approved for private native forestry must become ineligible for any future land-clearing approvals and exclusion zones must be mapped and attached to the land title.
- Forest Management Plans must be prepared for all logging operations and FMPs must be submitted as part of a PVP for approval. FMPs and Harvest Plans must be approved by the DNR and must not be able to be amended.
- All logging must immediately be subject to the improved Code of Practice.
- There must be a public register of PVPs and Development Approvals, and these must be available (along with FMPs and Harvest Plans) for inspection by the public at DNR offices.
- Areas that are excluded from logging must be protected in perpetuity from other damaging uses, and no other clearing of any form, including Routine Agricultural Management Activities, should be allowed in them.
- HCEC supports strong protection of creek banks and gullies but recommend that the riparian prescriptions be amended so that
  - ❖ There is a 30m exclusion zone around all rivers and streams in River Red Gum forests
  - ❖ There is a 10m machinery protection zone around unmapped drainage lines, and a 5m exclusion zone

- ❖ No part of any tree "accidentally" felled into exclusion zones should be allowed to be removed (draft clause 4.5.14).
- There must be no DA pathway that allows landholders to log in areas that are exclusions under the PNF Code

HCEC strongly believes that the only way that the PNF Code can “maintain or improve” biodiversity is for the Code to afford perpetual protection to exclusion areas. To prevent the degradation of the landscape through progressive and intensive logging and abuse of the Native Vegetation Act by the PNF Code, all land which has ever been granted a PNF PVP must be scheduled as forestry land and become ineligible for clearing approval. Such a clause is basic to the very meaning of the words “sustainable forestry” and if the purpose of the protected landscape surrogates are to offset the impact of logging over time, then any change of land use would negate that offsetting. Biodiversity could not be said to be maintained or improved by such a system.

We are profoundly concerned about the future of the River redgum forests and wetlands. The guidelines in the Draft Code do not go nearly far enough to ensure basic habitat persistence and it is an unavoidable fact that since there is so little public land protected in the reserve estate in that region, habitats must be protected on private land if ecosystems are to be maintained.

HCEC believes that it is critical that the Government maintains the principles of transparency and public scrutiny of land management regimes. The biodiversity values supported by privately owned forests are a common heritage and the public must be allowed to access information regarding the protection and management of those values. The Code of Practise for PNF does not adequately address the public need for transparency and accountability.

Forest Management Plans must include assessments of sustainable yield, constraints on logging cycles, and monitoring and management of weeds and diseases. All Forest Management Plans must be submitted as part of the Private Property Plan/Development Application and all documents associated with them must be available for inspection by the public.

HCEC is anxious that a final Code of Conduct be gazetted immediately, but unless the above changes are made, we do not believe that biodiversity values will be maintained or improved. The Draft Code encourages panic logging and the exploitation of loopholes to avoid basic environmental protection mechanisms. These problems must be solved if the Code is to accomplish its objective of ensuring sustainability both for forest ecosystems in NSW and for the industry.

Paul Winn  
For the Hunter Community Environment Centre  
0407 074 370