

**From:** [REDACTED]  
**To:** [\\_ALL-EPA-Forestry-IFOARemake](#)  
**Subject:** Comments on Remake of the Coastal IFOAs  
**Date:** Sunday, 6 April 2014 9:00:37 PM

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Dear Sir/Madam

I wish to provide comment on the Discussion Paper - Remake of the Coastal Integrated Forestry Operations Approvals (February 2014).

While I am providing personal comment as an interested citizen, my comments are from the perspective of a professional forest management systems auditor, regularly engaged in the assessment of many forest management institutions around Australia, each faced with similar issues in the 'sustainable' management of native forests for timber production.

At the outset, I am encouraged by and broadly supportive of the proposed changes. Historically, FCNSW and its regulators (like many other forest agencies) have grappled with the complexities of compliance. While the IFOA was clearly well-intentioned in its attempt to provide a framework for forest management that would give the people of NSW some sense of security, it largely failed to do so, for the reasons described in the Discussion paper. Clearly, from the examples provided in the Discussion Paper, coupled with my own experience, there are far too many 'grey' areas where both the regulator and FCNSW operate without certainty. In the absence of such certainty, it is difficult to establish and maintain an appropriate relationship between all parties, and it is equally difficult to maintain community support and respect. As a result, significant sums of taxpayer monies have gone down the 'prosecution gurgler' in recent times as one agency prepares a case, while the other prepares its defence. There are examples where such cases have been dropped late in the piece, with the taxpayer being the loser, or (regardless of the nature of the alleged offence) the fine is simply paid, as it is a much cheaper to do so than mount a defence. This approach sends the wrong message to the community.

As legislative compliance is a fundamental component of any certified forest management system, my role as an auditor is not made any easier with such a lack of clarity. The move towards an outcomes-based framework is therefore seen as a very positive step forward.

Some issues relating to the current application of the IFOA do not appear to have been effectively resolved in the proposed approach. For example, the Discussion Paper states that *the broad landscape-based habitat protection network established by the RFAs and previous licence conditions will be retained. This includes:*

- *Existing RFA commitments to the protection of old growth, rainforest, rare non-commercial forest types and the Forest Management Zone (FMZ) **layer will be maintained unchanged.***

While I'm supportive of the approach to maintain RFA commitments to protect important forest values, field experience has shown that the old layers were developed at a much broader scale than could be applied accurately on the ground. The old raster images provided a pixelated image which was applied 'as drawn' giving rise to many on-ground anomalies, often out by hundreds of metres. In this case, many areas of forest have been erroneously excised from the production footprint for no valid reason. They were simply a casualty of a flawed approach at the outset. This does not provide any sense of confidence. The new IFOA should enable a review of the respective areas and facilitate a re-alignment of boundaries where appropriate to realistically reflect the true condition of the landscape, rather than simply adopting the output of a modelled or mapped layer.

I am very supportive of the involvement of the Forest Practices Authority as an independent reviewer. This provides a high level of confidence that the outcome will be a better product. The credibility and professionalism of this organisation is well-recognised.

The approach to management of forests in bell-miner associated dieback (BMAD) areas presents some challenges. While it is convenient for those opposed to timber harvesting in native forests to associate such activity with the decline in forest health, there appears to be a body of evidence that relates BMAD to changed fire regimes. The IFOA should facilitate support for on-going research.

With respect to development and maintenance of the road infrastructure within the forest estate, the proposed flexibility provided to forest managers for achieving preferred environmental outcomes is a positive step forward. Likewise, the approach to investigating practicalities of harvesting on steep slopes while meeting the IFOA objectives of protecting the aquatic environment and mitigating harm to threatened species is supported.

The intelligent use and application of new technologies to assist in the correct identification and protection of streams and drainage features and the demarcation of all exclusion, protection and buffer zone boundaries contained in the new coastal IFOA is also supported.

The Discussion Paper states that the NSW Government proposes to develop enforceable protocol documents that sit outside, but are linked to the IFOA. It is unclear how such a linkage would occur. I believe that it would be simpler and more effective if the IFOA could have a specific set of outcomes, rules or standards, independent of any external document.

The key to success of the new approach is the effectiveness of the monitoring processes embodied in the IFOA. At operational level, FCNSW is interested in increasing the responsibility of contractors through a self-monitoring arrangement. The effectiveness of this approach will be determined by the training and demonstrated competence of the contractors as well as the competence, vigilance and diligence of the FCNSW supervisory staff. In addition, the EPA and DPI will need to be resources with sufficient regulatory staff to undertake routine audits of operations as well as spot-checks and following-up on complaints.

A separate level of monitoring needs to be built into the new system. This monitoring needs to assess and determine the effectiveness of the IFOA in delivering the outcomes it is intended to achieve. The assessment requires the establishment of long-term ecological monitoring programs as well as mechanisms to determine whether current practices are effectively maintaining all the forest attributes. The mechanisms adopted for the long-term ecological monitoring needs to be developed by appropriate experts and agreed by all parties as part of the IFOA monitoring and reporting framework.

Finally, the IFOA needs to be implemented, cognisant of the other major players contribution to biodiversity management at a landscape scale. That means the monitoring needs to encompass other public tenures (such as National Parks) as well as private property.

It would be beneficial if the IFOA could complement the existing processes embedded in the Australian Standard for Sustainable Forest Management (AS4708:2013) as well as any other appropriate standard, such as the Forest Stewardship Council (Forest Management) if applicable.

Thanks you for providing an opportunity to comment.

Yours faithfully

Ross Garsden BSc(For) ANU, MIFA

[REDACTED]

GOONELLABAH NSW 2480

Other comments

(12) The specified outcome would be explicitly stated in the IFOA and the associated licence conditions would form the mandatory actions or controls essential to achieving the outcome.

(13) This approach is already used successfully in the regulation of the environmental performance of a number of different industries. The IFOA will include conditions that require protocols to be implemented where necessary to achieve the specified outcome and comply with the licence conditions. Protocols may include essential best practice/procedures, approved methodologies and agreed templates or procedures.

Conditions for impacts at the local landscape scale

The licence will include minimum required thresholds of areas protected from forestry operations at the local scale and maximum thresholds for harvesting disturbance at the local scale over both time and space.

For the purposes of the licence, TECs are intended to be defined as:

- areas identified in approved TEC maps, or where this is not available
- with approved field identification keys, or where this is not available,
- by the determination advice provided by the Scientific Committee.

Burning Post-harvest burning will be excluded from areas sensitive to damage from burning, such as rainforest and wetlands. Habitat, recruitment and feed trees required for retention will be maintained where post-harvest burning is applied.

As with all IFOA licence conditions, the EPA and DPI will regulate and assess compliance with IFOA monitoring requirements.