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Q7. Country	Australia
Q8. Stakeholder type	Industry group
Q9. Stakeholder type - Other	not answered
Q10. Stakeholder type - Staff	not answered
Q11. Organisation name	Newell's Creek Logging Pty Ltd
Q12. What is your preferred method of contact?	Email
Q13. Would you like to receive further information and updates on IFOA and forestry matters?	Yes
Q14. Can the EPA make your submission public?	Yes
Q15. Have you previously engaged with the EPA on forestry issues?	Yes

Q16. What parts of the draft Coastal IFOA are most important to you? Why?

Newell's Creek Logging (NCL) is interested in entire draft Coastal IFOA and considers all parts to be important. As a regulatory instrument IFOAs are a critical determinant of the timber industry's continuing commercial viability and its vital importance to regional economies in NSW. The way and extent to which native timber harvesting operations is regulated has an impact on the amount, type and quality of timber that comes to market and its price. All sectors within the NSW hardwood timber supply chain will in some way be affected by the IFOA remake.

Q17. What parts of the draft Coastal IFOA do you think have a positive outcome on the management of environmental values or the production of sustainable timber? Why?

NCL supports the need for an effective regulatory instrument that maintains forest values in accordance with ecologically sustainable forest management (ESFM) principles. NCL also recognises the value of operating rules which are transparent and easy to interpret. The consultation draft is much easier to read and interpret than the existing IFOAs. The new layout is also an improvement allowing detailed information to be more easily found. Splitting the instrument into Conditions and Protocols is supported as it will enable prescriptive details to be more easily updated. In terms of enforceability there can be no doubt that the draft is water tight comprising almost 250 pages of detailed regulation.

Q18. What parts of the draft Coastal IFOA do you think have a negative outcome on the management of environmental values or the production of sustainable timber? Why?

The consultation draft introduces a raft of new conditions and protocols and additional layers of complexity. Of all the proposed changes the new individual tree retention prescriptions pose the greatest risk to sustainable timber supply, particularly those relating to koala habitat retention. The industry is totally committed to the protection of the koala and the recent research by Dr Brad Law indicates that the koala numbers are far higher than previously thought. So simple tree retention strategies will not necessarily improve the population of koalas. NCL accepts that the proposed changes are designed to improve accountability and transparency. What appears to have been overlooked is at what cost? Potentially the general increase in the number and type of regulatory obligations might manifest themselves in higher harvesting rates. Harvesting rates for high quality sawlog are borne by the industry (not the Forestry Corporation) and consequently its competitiveness. It can be anticipated that the proposed changes will also likely impact on forest productivity, timber quality, quantity and species mix. If history is any guide, these impacts will subtly emerge over time (years). In the absence of any testing or trials we can only guess at their quantum and timing. Excessive regulation of operational activities is also having a perverse effect on the culture and mindset of Forestry Corporation staff and the industry contractors that they employ. The Forestry Corporation's senior management are focussed on their compliance obligations when their skills and expertise should be used for the wider benefit of state forests, other forest tenures and improved forestry outcomes. This results in activities which are subject to minimal regulatory oversight now, being given minimal attention. Controlled burning, road and trail maintenance, pest and weed control and infrastructure maintenance have all become lower priority activities which are afforded minimal resources. Under the IFOA draft penalty changes, Forestry Corporation has acknowledged that its exposure to potential fines and prosecutions is greatly enhanced and that to mitigate this risk, the Corporation may shift responsibility to harvesting contractors. Shifting more of the regulatory burden onto contractors will have two effects; harvesting rates will rise and the commercial attractiveness of the activity will decline (as a consequence of the increased liability). In summary, the excessive regulatory control model being proposed by the EPA will not deliver positive ESFM outcomes envisaged because of the lack of acknowledgment that forestry science has equal weighting with environmental science. These impacts are not in the overall public interest.

Q19. What are your views on the effectiveness of the combination of permanent environmental protections at the regional, landscape and operational scales (multi-scale protection)?

NCL's view is that multi-scale protection of the environment is of utmost importance. At the same time, it is important to manage native forests to be sustainable to provide a well-managed timber industry with good environmental and socioeconomic outcomes to the people of NSW well in to the future. To only focus on environmental values is not the way to manage our native forest as they are unique and if well managed will benefit all. These forests are unique in the world and has a proven track record to be sustainable if well managed. If you compare the current state forest land to national parks it can clearly be seen how well managed forestry practices improve the forest stand quality. It is also better protected against wildfire than large land sections locked-up with on access due to non-forestry activities. When a wildfire gets in to these large un-managed forests it is usually a catastrophic event with long lasting and unrepairable damage to the environment and community. Where there are well managed forest practices these catastrophic events are limited.

Q20. In your opinion, would the draft Coastal IFOA be effective in managing environmental values and a sustainable timber industry? Why?

The source of concern about the IFOA regulatory approach is that it attempts to deliver an outcome to environmental critics rather than demonstrate that forestry can operate as a renewable and sustainable activity with improved environmental values. Ever increasing regulation appears to correlate with the politicisation of forestry operations in concert with the philosophy demonstrated by some government agencies that oppose in principle any forestry practices. A major consequence of the draft IFOA's political focus is a lack of attention to the calculation of sustainable timber supply. There is no publicly available information about how the impact of the new operating conditions and protocols will affect sustained timber yield. The lack of accountability and transparency around this key issue is deeply concerning for the industry. It is unreasonable that the industry is expected to accept at face value that the proposed changes will have no effect on timber supply. The proposal to ensure retained trees in permanently protected clumps is an example of a significant change whose effect has not been tested. NCL acknowledges the practical benefits of clumping but are not convinced that such a rigid commitment to the concept has been fully considered. What is known is that the distribution of our native forest trees (in terms of their age, species, condition and structure) is highly unpredictable. Trees with environmental values like hollows do not naturally occur in clumps, they are randomly spread across the landscape. Similarly, the location of individual trees that are preferred browsing by koalas is unpredictable. Trying to clump trees for environmental protection purposes will not work if they are not distributed in this way. Large old trees which have good habitat value typically have no value for commercial timber. Where these and other trees - with special environmental value - occur in isolation it is unclear how they will be treated and how their influence on timber productivity and sustainable supply will be modelled. The IFOA draft's focus on the identification and recording of trees for 'permanent retention' is of concern to the industry. Forests are dynamic ecosystems which are constantly changing. The use of new mapping technology is presented as the answer to addressing an additional compliance burden and the growing complexity of environmental protection rules. The recording of the location of individual trees and important environmental features will undoubtedly increase transparency and will hopefully also reduce ambiguity. GPS accuracy – there needs to be some tolerance built into the IFOA for operators around GPS accuracy. The increase in fines has operators rightfully scared and there is nowhere it says there is tolerance for GPS accuracy issues. Operators need to know if they try and do the right thing to locate boundaries with GPS they can't get pinned because the EPA come back after the event and find a 5m breach due to GPS accuracy.

Q21. General comments

Additional notes on the IFOA submission TEC mapping/Extra Koala trees and Old Growth Re-mapping. The conditions reserve extra high quality spotted gum and tallowwood. The government needs to stick to its commitment to offset that wood loss by making incorrectly mapped old growth available. Should consider doing the same thing for all the incorrectly mapped Rainforest as well. GPS accuracy – there needs to be some tolerance built into the IFOA for operators around GPS accuracy. The increase in fines has operators rightfully scared and there is nowhere it says there is tolerance for GPS accuracy issues. Operators need to know if they try and do the right thing to locate boundaries with GPS they can't get pinned because the EPA come back after the event and find a 5m breach due to GPS accuracy. Some big changes – needs good training and a bit of leeway in auditing operators until everyone is across the changes. Audit approach needs to be reasonable not just a big stick. Ground Protection Zone Conditions - Condition 104.4 is too restrictive for earthworks - add ability to do earthworks/track construction/track re-use where required for practical access, reduce environmental impact etc subject to the area being properly drained and made stable. You can use tracks through every exclusion zone why not ground protection zones if they are properly stabilised. Managing debris around retained trees (Protocol 23.3) needs some other get out clauses where flattening or removal will cause more disturbance and bigger impact than removal (e.g. steep areas, where growers or other retained trees need to be pushed out to do it, on the edge of exclusion zones where you would have to go into an exclusion zone to push them away). Perhaps reduce the area around the tree from 5 m to 2 m. Hard riparian buffers on class 2 to 4 streams in the intensive zone will have a buffer on buffer impact in some good forests. Improvements Two simple boundary types will be easier Ability to use all existing roads and tracks is an improvement. Approvals for new tracks needs to be timely. Clumps will be easier to protect than scattered trees and is a positive change, but we need to note that forests are dynamic ecosystems which are constantly changing. Wildlife clumps and tree protection clumps can change over time and should be managed accordingly. Silviculture/basal area limits will make good forestry practice and benefit the forests to encourage growth and stand improvement over time. Overall the new stream protections are a good balance and make sense.

Q22. **Attach your supporting documents (Document 1)** not answered

Q23. **Attach your supporting documents (Document 2)** not answered

Q24. **Attach your supporting documents (Document 3)** not answered
