



**Institute of Foresters
of Australia**

SUBMISSION ON REMAKE OF THE COASTAL INTEGRATED FORESTRY OPERATIONS APPROVALS



SUBMISSION BY THE INSTITUTE OF FORESTERS OF AUSTRALIA (IFA)
NEW SOUTH WALES DIVISION

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The Institute of Foresters of Australia (IFA) welcomes the opportunity to provide a submission into the review of the coastal Integrated Forestry Operations Approvals (IFOAs).

The Institute of Foresters Australia (IFA) is the peak professional body for forest scientists, forest educators and forested land managers in Australia. We are a non-profit organisation with 1200 members who are committed to the principles of sustainable forest management and the processes and practices which translate these principles into outcomes.

The IFA has a long history of involvement and interest in the science and sustainable management of the public and private native forests in NSW. Our submission includes contributions from IFA members who are senior foresters from the public and private sectors who are working or have worked in these forests for many years, both in management and scientific research capacities.

The Institute would be pleased to make a member available to discuss the submission, provide supplementary advice or meet with your review group.

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Cover image: modern reduced impact harvesting machinery in action in northern NSW, photograph Ross Peacock.

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1. EXECUTIVE SUMMARY

The Institute of Foresters strongly support the proposed coastal IFOA remake.

A summary of the key issues raised follows:

- i. The Institute of Foresters of Australia; as the peak professional body for forest scientists, forest educators and forested land managers in Australia, wishes to contribute actively to the stage 3 process;
- ii. A statement of the current processes relationship to the Commonwealth led RFA reviews would be useful;
- iii. A variant is proposed for the IFOA structure which incorporates several complementary processes such as ESFM and certification reporting;
- iv. A proposal for the establishment of Forest Practices Officers in NSW is made;
- v. The proposed landscape level approach to TSL conditions is strongly supported;
- vi. The role proposed for the Forest Practices Authority is strongly supported;
- vii. An expanded role for expert panels, including soil and water protection mechanisms is recommended;
- viii. The adoption of new technologies is strongly supported.

2. WHY THE NSW GOVERNMENT IS REMAKING THE COASTAL IFOAs

The NSW IFOAs are arguably Australia's most complex and cumbersome forest planning and regulatory instrument. They developed from the simpler and more robust code of practice documents adopted in the state jurisdictions the 1980s to one which attempted to apply regional and landscape level forest agreement outcomes by prescribing site and stand level codified rule sets of considerable complexity. Support, training and compliance has been a continual challenge for the agencies involved and environmental, silvicultural and economic outcomes have been difficult or nearly impossible to demonstrate.

The Institute of Foresters supports the concept of a single, integrated IFOA for coastal NSW on the basis that it will reduce the costs of implementation and compliance and improve the understanding of and enforceability of IFOA conditions. The existing system is unnecessarily cumbersome, confusing, inefficient and ineffective. Experience has shown that it is difficult to comply with, and also to regulate. Analysis undertaken by Graham Wilkinson (2008) shows that 60 to 80% breaches of environment regulations worldwide is the result of lack of knowledge or lack of training. The single integrated IFOA will reduce the risk of lack of knowledge. The current review process is strongly supported by the Institute of Foresters



High quality third rotation sawlogs being harvested from northern NSW. Photograph Ross Peacock.

2.1 OBJECTIVES OF THE IFOA REMAKE

The objectives of the remake are supported however the proposal to reduce costs associated with implementation and compliance require clarification. The principal public costs associated with implementation and compliance are salaries and operating costs for EPA staff. If one of the review outcomes is to identify efficiency savings via staff reductions it should be made clear how these efficiency savings will be delivered.

The IFA agrees with the NSW Government's aims of delivering these objectives without any net change to wood supply and the maintenance of environmental values.

2.3 STAKEHOLDER ENGAGEMENT

The stakeholder engagement process outlined is supported however the Institute of Foresters Australia, as the peak professional body for forest scientists, forest educators and forested land managers in Australia is not aware of any approach to date from the EPA to engage with it as part of the targeted consultation process on this issue. The IFA is regularly approached as part of targeted stakeholder consultations by the NRC and OEH (NPWS) and would welcome the opportunity to contribute to the Stage 3 process.

4.2 RELATIONSHIP TO COMMONWEALTH AGREEMENTS

A paragraph describing the role of the performance review process agreed between the Commonwealth and NSW for NSW RFA's would be useful here, particularly the trends reported using the Montreal Indicators.

5. THE PROPOSED COASTAL IFOA STRUCTURE AND FRAMEWORK

The last decade has seen rapid changes in harvesting and planning technologies. The associated level of environmental risk has also changed. The proposed structure is supported although a specific recognition of the need to incorporate new technologies and landscape science outcomes would be welcomed in the general statement of aims.



Heavy harvesting machinery designed to snig large logs (above) is increasingly uncommon in NSW, as the industry has largely transitioned to integrated harvesting and processing equipment designed for use in regrowth forests (photographs Ross Peacock). As a result the level of environmental risk has changed.



5.1 A NEW IFOA AND LICENCE STRUCTURE

A variation on the four key sections is proposed to provide greater clarity of intent for both industry, the public, the forest manager and the regulators:

1. Administrative conditions – general and integrated administrative requirements including broad objectives, authorisations, definition and reporting requirements that would apply to the whole IFOA.
2. Strategic and operational planning objectives – all operational planning requirements. Existing longer-term planning requirements, such as annual logging plans, will be reviewed and where relevant will be included in the Administrative conditions section. Existing supply agreements need to be references here.
3. Operational conditions – on-ground operational requirements and expected outcomes.
4. Monitoring and *public* reporting conditions – targeted at assessing the effectiveness of the IFOA in achieving its purpose and stated environmental, silvicultural and economic outcomes. The complimentary role of FCNSW's ESFM reporting here should be stated.
5. Compliance and enforcement conditions. The role of FCNSW's own compliance program, the Australian Standard® for forest management (AS4708–2013) audit and reporting process, the emerging FSC Australia standard and a description of the EPA's compliance and enforcement processes should be documented here.

The Australian Forestry Standard (AFS), certified under the Program for Endorsement of Forest Certification, meets all the necessary requirements for forest regulation in NSW. AFS is managed under independent third-party auditing schemes and as such the IFA contends that this needs to be recognised proposed in the remake document. Accordingly AFS certification should be deemed to satisfy parts of the IFOA. A similar approach (Biocertification) exists under the Threatened Species Act.

The proposed distinction between licence conditions (i.e. objectives) and supplementary best practice material is supported, on the basis that the complexity of the IFOA is reduced and material is simply not moved from the conditions document to the supplementary material.

A description of how the proposed objective statement is linked to the operational condition outcome statement is required. A risk and decision framework is required to link the desired environmental standards with the corresponding objective statement. This is not a simple process and will require external scientific input.

The landscape focus is supported and is consistent with other Threatened Species reforms underway in NSW which take a risk based approach. What is not clear is how the landscape approach will be implemented across tenures, especially with adjoining crown lands. This will be a key outcome for the IFOA to address if it is to avoid the existing costly approach focusing on individual trees or streamside reserves. However, the IFA makes the observation that it is not possible to make definitive rules for every activity in a natural environment due to the large amount of natural variation. It is the outcome that needs to be regulated and monitored.

At recent public meetings it has been suggested that Private Native Forestry (PNF) operations also be changed to match the revised IFOA. The IFA cautions against this approach on a number of grounds and these include;

- a. The owner of this resource is not involved in the remake of the IFOA;
- b. PNF is traditionally conducted by small landowners with an average forested area less than 220 hectares thus not having the same level of professional support as that occurs on Crown Land; and
- c. As the result of the small scale operation the EPA is very unlikely to inspect or monitor all operations.

5.2 REGULATORY APPROACH UNDER THE NEW COASTAL IFOA

The regulatory approach needs to be explicit in terms of enforcement standards, procedures for investigation of alleged breaches and evidentiary standards. This is a key component of increasing public confidence in the enforcement process.

The proposed competencies system for forest contractors is supported.

The EPA is responsible for the compliance monitoring and enforcement of the IFOA. The EPA needs to ensure it has or has access to the necessary skills, qualifications or experience of forest management and the environmental context within which forestry operations occur. To address the skills required a system of accredited Forest Practices Officers is proposed to oversee the new regulatory approach. FPO's would be trained and accredited for their expertise in forest operational planning and supervision, and a further group would be trained in forest operations compliance auditing and monitoring. FPO's would be drawn from the existing pool of graduate Foresters in public and industry employment and would require recurrent CPD training to maintain their accreditation. The Institute of Foresters currently maintains a Registers Professional Foresters scheme which accredits Foresters on the basis of both prior learning and experience and annual audits of their CPD training.

6. WHAT WILL THE NEW COASTAL IFOA COVER?

The proposal in Table 2 that *allowable silvicultural practices will be removed* although the *new IFOA will still include tree retention requirements* is inconsistent. Tree retention is a key component of any silvicultural system. The IFOA needs to ensure there is an adequate and appropriate species mix in the regeneration cohort and that the regeneration is growing at an appropriate rate, is adequately stocked, etc. Recent research by the EPA (Killey 2013) indicates in dry blackbutt forest types a higher level of canopy removal is required to ensure that an adequate level of blackbutt regeneration is obtained. Other forest types where the adequacy of regeneration is an issue includes mixed species moist sclerophyll forest and grassy *Eucalyptus fastigata* forests in northern NSW.

7. LANDSCAPE-BASED PROTECTION FOR THREATENED SPECIES AND COMMUNITIES

The limitations of the existing TSL in providing a cost-effective process to identify and manage these values is well known. Several attempts at trialing alternate approaches since the mid-1990s using multi-scale and multi-species systematic monitoring approaches across the forest estate have been initiated but have variously been abandoned due to agency funding constraints. To implement the proposed landscape based approach scientific review panels are proposed in order to gather the

more up to date input on species habitat characteristics, survey methods and risk frameworks. The landscape based approach will require a significant component of process transparency and reporting in order to win public support.

The challenges inherent in predicting the occurrence of rare plant species is acknowledged although in practice many will be protected indirectly via the proposed habitat feature protection conditions.

Local landscape level conditions should be developed in an integrated way with the TS Priority Action Statements 2 process. The prescriptions and outcomes sought should be a shared between the EPA, FCNSW and OEH.

The landscape protection for threatened species and communities is supported. However the total exclusion of active forest management in Threatened Ecological Communities (TEC) and Endangered Ecological Communities (EEC) is not supported. Often these communities have structural issues that activity management can assist with, or alternately low intensity of harvesting will have minimal impact. This scenario is currently recognized in the PNF process and similarly the Native Vegetation Regulation includes mechanisms for this to occur. The TEC mapping project is welcomed although it is not clear how the diagnostic characteristics of TECs developed by this project can or will vary from the Scientific Committee determinations. Several of the TECs have been subject to on-going management for timber production for decades and to some extent their current composition and structure and recognized values are the result of that active management.

The IFA recommends a system of substituting an area removed from harvesting as a result of newly established environment restrictions with another area for harvesting, following the established principles for biodiversity offset trading.



The protection of giant trees such as this 50m tall Tallowood in northern NSW which had over 20 hollows in a single crown is a welcome development. This stand was excluded from the old growth protection protocol due to the occurrence of lantana clumps in the understory and was subject to a routine harvesting operation. Photograph Ross Peacock.

7.3. PROPOSED PROCESS DEVELOPING THE LICENCE FRAMEWORK FOR THREATENED SPECIES AND COMMUNITIES

The review of the proposed framework by the independent FPA is strongly supported. The IFA makes the following suggestions to the conduct of this review:

The FPA review must include an expert panel process up front, not in step 3.

The FPA review topics are ones which have been reviewed *ad nauseam* by NSW expert panels for at least twenty years and much of the required material will be available although it will require updating.

The independent panel should be composed of independent scientists drawn from industry, consultants and professional societies such as the Institute of Foresters of Australia, the Ecological Society of Australia and The Royal Zoological Society of New South Wales. The panels should be chaired by an independent convener and supported by a public servant Executive Officer. The panels will require adequate resourcing in terms of executive support, research support and facilities.

The outcomes of the panel process, including any dissenting views, must be transparent and public.

7.3. SOIL AND WATER

The proposed review of soil and water protection should adopt the model proposed for the TSL framework, i.e. be managed by an independent group such as the FPA and incorporate expert panel input. The proposed review of EPL conditions should incorporate recent climate modelling of changes in rainfall intensity and runoff and the associated road design failure risk.



Forest roads designed to 1940s standards may require additional drainage structures to avoid costly repairs. This landslip was quickly repaired to a high standard.

8.3. STEEP SLOPE HARVESTING TRIAL

The trial of steep country harvesting techniques is supported. IFA members have extensive experience in these technologies and are available to provide expert input. The results of the trial should be reported publically.

9.1. OPPORTUNITIES PRESENTED BY LIDAR

The proposed use of LiDAR to update and re-classify the stream networks is strongly supported. This technology has been applied by interstate forest management agencies for years for this purpose.

The proposed use of these new technologies to assess stream bed and bank position will be challenging and any trials should be reported publically.

9.2. USE OF GPS FOR BOUNDARY IDENTIFICATION AND NAVIGATION

The last paragraph is unclear – is the proposal to use GPS technologies to identify net harvest area boundaries being offered as an alternate to traditional boundary exclusion marking using paint or tape, or are both options to be included in the IFOA remake. What results were obtained from the trial of using machinery mounted GPS units during harvesting operations to identify exclusion boundaries?

10. A NEW STRATEGIC ENVIRONMENTAL MONITORING FRAMEWORK

The proposed strategic monitoring framework is strongly supported. It should be integrated with other monitoring and reporting systems currently established on adjacent public or private land and follow the collaborative model recommended by the Natural Resources Commission review of monitoring, evaluation and reporting.

The IFA suggests that the IFOA remake also include broader environmental values such as:

- a) Carbon sequestration in forest growth
- b) Carbon storage in timber used for construction and infrastructure
- c) Timber as a low energy building product in comparison with concrete, steel, plastic, aluminum
- d) Woody biomass as a preferred energy source than fossil fuels or high energy infrastructure of other renewables.