



NSW Regional Forest Agreements Forestry Branch, Environment Protection Authority  
forestry.policy@epa.nsw.gov.au

28/02/2018

Dear Sir/Madam

## Submission on the NSW Regional Forest Agreements Second and Third Five-Yearly Review

The Nambucca Valley Conservation Association Inc. (NVCA) is a voluntary community group which has operated on the NSW mid north coast for over 30 years and which maintains a long-standing and strong interest in forest management, in particular in public native forests in the north east region of NSW.

### Overview

The stated purpose of the NSW RFAs is to:

- identify a comprehensive, adequate and representative (CAR) reserve system and provide for the conservation of those areas
- provide for the ecologically sustainable management and use of forests
- provide long-term stability of forests and forest-based industries.

It is this Association's long held opinion that the **North Coast NSW Regional Forest Agreement (RFA) has failed**. We base this opinion on our direct witnessing of environmentally and economically unsustainable logging practices within our region in public native forests by Forestry Corporation NSW (FCNSW) and also on the indisputable evidence of threatened species decline. We are painfully aware that the same unsustainable practices of increased industrial scale logging and clearfelling have been implemented across the other two (Southern and Eden) RFAs with similar unacceptable outcomes.

The NVCA received a letter from the EPA in May 2016 on behalf of the then Environment Minister Mark Speakman, in response to our letter of concern regarding clear felling in public native forests on the north coast under the terms "Regeneration Harvesting" and specifically "Single Tree Selection (STS) Heavy and Medium". In the letter Mr Gary Whytcross stated:

*"Intensive harvesting is outside the authorisation of the IFOA" and "The EPA has previously indicated its view that "regeneration harvesting", as practised by FCNSW, is not consistent*

*with the definition and intent of STS in the Integrated Forestry Operation Approvals (IFOAs) as well as FCNSW's own silvicultural guidelines."*

Despite NVCA's and other organisation's requests to the NSW Government that the illegal intensive and clear fell logging of north coast public native forests cease, the practice continues and looks to be legitimised in the proposed RFA rollover. **This disgraceful logging practice flies in the face of true Ecologically Sustainable Forest Management that was promised in the RFA and must cease.**

The NVCA is receiving increasing communications from members of the public and neighbouring and downstream property owners alarmed at the increased intensification of logging and destruction of forest values, to the point where walking groups, bird watchers, and visitors in general avoid their public forests due to the unsightly damage and destruction. They also point out that forests areas are not recovering like they did 30+ years ago, most say that they observe mainly weeds growing with little or no sign of healthy mixed species regrowth in the clear felled and "trashed" areas. Community members are reporting hearing bellbirds after logging operations, where they never had before. These observations align with what NVCA forest volunteers have been observing in logged areas over the past 15 years, in particular in the coastal forests and underpin our opinion that **the RFAs have failed to achieve their core objectives and must not be renewed.**

## Our Key Concerns

### 1 NSW Government failure to undertake timely reviews of the RFAs

It is unacceptable that the second and third 5 yearly reviews were not undertaken when required under the RFAs and are now being belatedly done as a last-minute exercise before the expiration of the RFAs. The purpose of the reviews was to assess the performance of the RFAs and (assumably) adjust practices accordingly to ensure key agreed objectives are being met. Failure to review performance has meant a 'business as usual' approach to logging practices and failure to make any adjustments in response to review outcomes or changing circumstances eg new threatened species listings and climate change.

We note however, that despite the lack of second and third period reviews, intensive industrial scale logging and clear felling increased substantially and are being undertaken illegally under the term "Single Tree Selection".

No consideration has been afforded newly listed threatened species under the current RFAs, nor has there been consideration of the Government's own declaration that koala numbers on the north coast have declined by 50%.

Climate change was not considered when the RFAs were established, but is now the largest social, economic and environmental challenge we face, timely reviews should have informed changes to practice in response to climate change.

## 2 The 'consultation' process

The NSW Government has already made a commitment to extending the RFAs, prior to this review process being concluded. The NVCA therefore does not consider this consultation process as genuine. The review should be collating evidence to assess the performance of the RFAs with a view to making an evidence-based decision, assessing whether the RFA's are an appropriate model for forest management. We do not believe they are.

The outcomes of this consultation process are clearly predetermined. The RFAs affect two million hectares of public native forest in NSW and there is growing concern regarding the poor and inappropriate management of our asset. It defies belief that the NSW Government has clearly made its decision about the future use and management of our forests before this review process is complete and because of this, we consider the RFA review and renewal process a sham.

Many community volunteers invested years of their time in the CRA and RFA process 20 years ago in good faith. We are angered by the arrogant and dismissive process now adopted by the State Government for this RFA review and renewal process.

It is inappropriate for a NSW Government corporation to undertake an 'in house' self-assessment of the RFAs with input only from FC and the timber industry. The RFAs clearly have not resolved the 'forest wars' and this flawed and dubious review and renewal process has opened fresh wounds which will not heal under the current Government's openly pro-logging, anti-conservation, anti-consultation modus operandum.

The consultation period is inadequate given the significance of the issue and size of the review report (368 pages). Insufficient time makes reading and understanding it difficult, let alone responding to it or investigating the claims, statements and information contained therein. If the Government was genuine about this process it would have afforded much more time for the community to respond.

## 3 Lack of independence

In order to be effective, the independent RFA reviewer must:

- consult independent scientists and not just government agencies;
- undertake on-ground inspections of logging impacts including areas of concern raised by community groups and
- consider all formal complaints from the community of non-compliance by Forestry Corporation lodged with Forestry Corporation and/or the EPA.

## 4 Failed promises

4.1 The Government RFAs were designed to facilitate multiple uses of public native forests: conservation (via the establishment of a Comprehensive, Adequate and Representative, CAR, reserve network of forest ecosystems); timber extraction and recreation.

The RFAs were preceded by Comprehensive Regional Assessments (CRAs) which involved detailed ecological investigations which in turn led to the establishment of threatened species requirements in terms of area of habitat needed to be protected to ensure their survival into the future.

The species specific targets were in most cases not met when the RFAs were signed and many by a significant short fall. NVCA volunteers were directly involved in the process. The RFAs have failed to protect the threatened species that exist in production forests, despite the threatened species critical dependence on them, given the significant shortfall in threatened species habitat protected in protection areas such as FMZs, National Parks and Reserves. Another RFA failed promise.

During the life of the RFAs logging intensities have increased substantially (without consultation) and breaches of the logging rules (IFOA) by FCNSW impacting directly upon threatened species are prolific. FCNSW regularly breach the rules because they operate with relative impunity. The EPA do little or nothing to prevent the breaches or bring FCNSW to account for them, despite being made aware of them through extensive community volunteer efforts to identify, report and follow up on them. Infringement notices and penalties for breaches, on the rare occasions they are applied, are so insignificantly small they present no disincentive at all.

4.2 Ecologically Sustainable Forest Management (ESFM), was to underpin logging to ensure that it did not result in negative impacts on forest ecosystems. FCNSW claim they are only logging 1% of the available public native forests per annum, this means that over a 100 year period, all of the available forest would have been logged. Given that tree hollows do not generally start developing until trees are over 100 years old, by its own confession, FCNSW management practices will never allow public native forests to grow old enough to develop hollows and replace old growth hollow bearing trees that are either logged or senesce and die. It is not ESFM in any shape or form. Another RFA failed promise.

The number of listed threatened forest species has continued to rise during the term of the RFAs, with iconic species like koalas and gliders now either absent or experiencing population crashes in many parts of NSW. Logging is identified as a key threat to many forest species, often because of the impact logging has on key habitat features like hollow-bearing trees.

Bell Miner Associated Dieback is a serious problem in native forests and is directly related to logging. Over 100,000ha of forests in NSW are already affected by Bell Miner Associated

Dieback and millions of hectares have been identified as potentially susceptible, yet the review makes no mention of it – other than in the Abbreviation list.

4.3 The review does not consider the facts that logging cycles are shorter, timber yields are declining and size of poles are reducing as younger and younger trees are taken in an effort to meet the absurdly overcommitted Wood Supply Agreements. There are no job futures in native forestry under this short-sighted management. In fact, the ongoing subsidisation of the native forest timber industry (which makes a significant annual loss) to destroy our native forest future is nothing short of madness or corruption – we don't know which. NSW taxpayers have paid millions of dollars to a multi-national corporation to buy-back non-existent timber because of over-estimated timber volumes by FCNSW in the current RFAs. No industry would survive FCNSW's native forest business model in the private sector. Why should we continue to prop up such an unsustainable industry? Another failed RFA promise.

## 5 Inaccuracies and shortcomings of the review document

5.1 The review places much greater focus upon climate change in terms of its potential impacts on maintenance of productive capacity of forest ecosystems (p 157) with tokenistic consideration of the maintenance of forest contribution to global carbon cycles. The CO<sub>2</sub> information provided by FC is questionable to say the least, considering it has not even provided a figure for its annual CO<sub>2</sub>eq harvest and haulage emissions. (Table 33, p171) and no consideration is given to the benefits of leaving the native forest in situ for maximum carbon cycle benefit.

5.2 We are suspicious of the use of NSW Landscapes (Mitchell Landscapes) as the surrogate for regional ecosystems. Mitchells Landscapes, which being an old state-wide system determined over predominantly non-forested landscapes, are much coarser on the coast than the coastal forest type data. The original RFA on the north coast used forest type maps complemented by extensive on ground floristic plot analysis. OEH has much more accurate and informative coastal veg mapping data to hand – why was it not used? To review progress in forest conservation using the much coarser Mitchell Landscape scales is irresponsible.

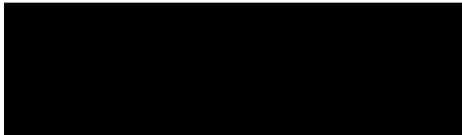
5.3 The RFA review frequently includes plantations in its tables, comments and figures. Plantations are not subject to the RFA and therefore should not be included.

5.4 The review's progress report frequently addresses indicators without providing any data. For example, no spatial data is provided to assess the change in forest growth stage over the life of the RFAs, no data is provided to assess the proportion of each forest ecosystem protected or impacts on species and no data is provided on the value of forest-based services.

## Conclusion

- 1 **We reject the RFA review** as a flawed and inadequate attempt at ticking the box on the expiring RFAs to enable the rollover of the RFAs for another 20yrs, which is obviously the Coalition Government's intention. The review should be withdrawn and redone using an open, transparent and independent process with the original RFA stakeholders involved.
- 2 The obvious pre-determined outcomes of this process render it farcical.
- 3 The NVCA shares the same detailed concerns and opinions contained in the North East Forest Alliance's submission to the RFA Review and RFA Renewal.
- 4 **We strongly oppose the renewal or evergreening of the RFAs. They have failed to protect the environment, failed to result in a thriving timber industry and are driving climate change. The RFAs are a failed model for forest management.**

Sincerely

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Paula Flack  
President