



Private Native Forestry Submission



The Southern Tablelands Forests or Firewood? Biodiversity or Biofuel?

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All photos taken in Mount Rae Forest

1. Inadequacies of Species Prescriptions...p 2
2. Lack of Environmental Surveys... p 4
3. Aboriginal Cultural Heritage ...p 6
4. Endangered Ecological Communities ...p 6
5. Commercial Firewood - No regulation of end product...p 7
6. Forestry and extinctions ...p11
7. Exclusion of Input ...p12
8. Removal of Dual consent...p14
9. Lack of Transparency ...p15
10. Tree retention requirements ...p16
11. History and hypocrisy in Mount Rae Forest...p 20
12. Cumulative impacts...p 21
13. Legislation over Conservation ...p 23
14. Conclusion...p 29
15. Recommendations...p 30

The case for the inclusion of meaningful surveys, and the exclusion of existing loopholes in the Southern CoP. As exemplified by The Mount Rae Forest case, this case being familiar to the writer, having lived in this forest and studied its biodiversity for many years. The flaws are so substantial that a concise rebuttal to the final draft is difficult...

1. INADEQUACIES OF THE SPECIES PRESCRIPTIONS FOR SOUTHERN NSW

(a) **MANY THREATENED SPECIES ARE STILL NOT LISTED** in the final draft of prescriptions for Southern NSW. This is despite five years of PNF approvals and logging in their habitat.

Mount Rae Forest :

The following 3 threatened species are not on the list of prescriptions, despite the PNF unit being notified of their presence on lands in Mount Rae Forest currently undergoing PNF:

- **Gang gang cockatoo** (*Callocephalon fimbriatum*) - known in dense tall forests of mountains and alpine woodlands
- **Varied Sittella** (*Daphoenositta chrysoptera*) - make use of the eucalypt forest here and in surrounding woodlands. Nests are very well camouflaged and difficult to identify
- **Greater Broadnosed bat** (*Scoteanax rueppelli*) - roosts in tree hollows and feeds on forest insects.
- **Eastern Bentwing bat** (*Miniopterus schreiberaii*) - roost mainly in caves and old culverts but feed above forest canopy on insects. Known threats – habitat destruction.

All responses by the then DECCW in local media and personal communications are that threatened species are protected by an **"extensive suite of prescriptions"**. How are they protected when no prescriptions exist for them?

How many other threatened species are not on this list? **"In NSW there are 850 plant and animal species at risk of extinction"** - Environment & Heritage website August 2012. Whilst not all reside in the area covered by the Southern Code and not all are forest and woodland dependent species, there can be no doubt that the current PNF list of prescriptions is inadequate. I have no doubt that should I check the prescriptions for the Northern or Western codes similar omissions would be present. Perhaps those within the department with knowledge on threatened species should be invited to give input? From my own limited knowledge I would ask that some of the following listed threatened species be considered for listing on the Southern Code:

Bats :

- **Eastern False Pipistrelle** (*Falsistrellus tasmaniensis*) - Uses tall forests along the GDR. Uses tree hollows. Known threats – disturbance of roost sites and logging.
- **Eastern Freetail bat** (*Mormopterus norfolkensis*) - roost mostly in tree hollows and in crevices under bark. Known threats - loss of habitat and lack of suitable tree hollows.
- **Yellow-bellied sheath-tail bat** (*Saccolaimus flaviventris*) - threatened by logging of old trees.
- **Inland Forest Bat** (*Vespadelus baverstocki*) – roosts in hollows of trees that are extremely small and in trees that may be only a few metres high. Threatened by forestry activities and extensive vegetation clearing and degradation of habitat.

The only microchiropteran bat species currently listed in the final draft for PNF prescriptions (South) is the Golden-tipped bat (*Kerivoula papuensis*). Recent Government websites now state forest harvesting affects 11 of 36 threatened bat species. Bats have been largely understudied and like bird species have widely different requirements which cannot be met by general PNF prescriptions such as – leave 10 mature or hollow bearing trees (if you can find them) and 10 recruitment trees per 2 ha.

Birds :

- **Speckled Warbler** (*Chthonicola sagittata*) - known in open eucalypt woodlands with tussocky grass groundcover and scattered logs.
"The speckled warbler is a bird of shrubby woodland understoreys of temperate woodlands in south eastern Australia. These ecosystems have been heavily modified in the past 200 years (Prober and Thiele 1995; Lindenmayer et al 2005) and the speckled warbler is among a raft of bird taxa known to be declining in Australia's temperate woodland ecosystems (Reid 1999).
- **Painted Honeyeater** (*Grantiella picta*) - known in forests and woodlands, eats mistletoe berries, sap and insects .
- **Olive Whistler** (*Pachycephala olivacea*) - The olive whistler occurs in dense highland forests of south-east Australia. They are both terrestrial and arboreal, however they spend much of their time on the ground foraging

for insects and berries. Threats to the olive whistler include habitat destruction causing the loss of nest sites and reduction in foraging habitat (NP&W website)

- **Grey-Crowned Babbler** (*Pomatostomus temporalis*) - open forests and woodlands
- **Pink Robin** (*Petroica rodingaster*) - undergrowth of rainforest and wet eucalypt forest in summer. Breeding habitat reduced by clearfelling in these forests.
- **Diamond Firetail** (*Stagonopleura guttata*) - grassy groundcover underneath open forest and woodland.

Amphibians :

- **Littlejohn's Tree frog** (*Litoria littlejohni*) - forages in tree canopies in sandstone woodlands. Threatened by clearing of native vegetation and reduced breeding habitat availability and inappropriate fire practices including pre and post logging burns.

Regardless of how many species eventually qualify for listing on the Southern Code of Practice the above is **indicative of the PNF hastily thrown together, 'tick a box' process. These omissions are representative of a process that would appear to have been designed to facilitate logging, not environmental protection.**

(b) INCONSISTENT PROTECTIONS FOR LISTED THREATENED SPECIES:

Mount Rae Forest :

PNF approvals were granted in Mount Rae Forest in known habitat for the *Diuris aequalis* (Buttercup Doubletail Orchid) - NSW listed as **Endangered** and **EPBC Act listed as Vulnerable**. (PNF PVP's 0016, 0017, 0025)

No prescriptions existed for this orchid, but I was informed (confirmed in Questions and Answers paper NSW Parliament No.36, 6 November 2007) that landholders would **fence off** any known locations. When the prescriptions for this orchid were finally posted there was no such prescription. In fact it had been given the lowest level (**H**) for protection. "**H** - Damage to individuals of the species to which this condition applies should be avoided to the greatest extent possible."

Perhaps those in charge of this review could explain why the terrestrial orchid *Gastroides sesamoides* (Potato orchid/cinnamon bells) has been granted a **HIGHER** level of protection than the *D. aequalis*? *G. sesamoides* is only listed on the Protected Native Plant Schedule 13 of the NP&W Act ?

Another terrestrial orchid – the Red Helmet orchid - is, like the *D. aequalis*, NSW listed as **Endangered**. It is not EPBC act listed as the *D. aequalis* is. It has also been granted a higher level of protection (**E**) than the *D. aequalis*. Why?

Has ANY action been taken to fence off these orchids as promised? One property owner has since sold. I have been on this property under the new owner. No orchids were fenced off. In fact the new owners had not been informed of their existence.

The actual OEH advice for the *D. aequalis* orchid is that if you find this orchid on your property then it is being managed in a way that is currently conducive to its survival and you would probably not be required to make changes. **OEH advice does NOT recommend change of land management by logging with heavy machinery and metal tracked skid steer forestry harvesters!**

These orchids cannot be identified in one-off surveys. This forest is important **habitat** for this species and DECC scientists wrote of a one-off survey during drought in 2007 – "*it was unlikely that the Diuris would have been able to be detected. Thus the survey can at least be regarded as inconclusive*". Statements from the developer and forestry networks that the *Diuris aequalis* will benefit from opening up the forest canopy and letting the sun shine in are **not supported** by any scientific evidence.

The Manager, Biodiversity Conservation Section, Environment Protection and Regulation Division (South Branch) 20th April 2007 in correspondence to Upper Lachlan Shire Council...

"Thinning will undoubtedly "increase sunlight penetration to the forest floor" however it does not follow that this action will increase the area of available habitat for the species. That is, whilst *Diuris aequalis* has been recorded occasionally in areas where trees have been removed, **its natural habitat is shaded woodland and forest** and thus it cannot be assumed that the increased light will enhance conditions. "

Thinning trials (D. Oliver NP& W 2011 "to thin or not to thin: the value of dense woody vegetation for birds") "noticed incidental effects"...*"poor biodiversity outcomes for ground orchids"*. Terrestrial orchids are likely to be burnt off by increased sunlight, the drying effects of increased wind speeds and such sudden changes to their existing habitat. The cryptic nature of this federally listed orchid species, the uncertainty over it's requirements, the likelihood of the introduction of soil borne pathogens from forestry operations , should see a **precautionary** approach taken.

Alan W Stephenson, National Conservation Officer, Australasian Native Orchid Society (ANOS) conducted many surveys in this forest for native orchids and wrote: " *The likelihood of the introduction of weeds and pathogens must be seriously considered. Phytophthora cinnamomi and Echium plantagineum are but two of a number of serious pests which have the ability to destroy a large number of orchids of all types. If the proposal gains approval will there be any requirement for any persons or vehicles accessing the area, to be suitably prepared in necessary preventive hygiene measures?...*

I refute any suggestion that this operation will "improve' the habitat for this orchid species. Past statements that D. aequalis will benefit from opening of the forest canopy by allowing a greater degree of light on to the forest floor is incorrect and the scientific advice which led to this statement is easily refuted by the fact that D. aequalis has survived for millennia without the interference and artificial aid of humankind. It is pertinent to note the occurrence of D. aequalis is limited to areas of natural existing forest on the two properties to the north and south of the property proposed for logging and that no plants have been located on open areas as is the case with numerous other orchid species. Opening the forest canopy to a greater degree of light will only result in weed invasion, as has been proved to be the case in most operations of this type in Australia for over 100 years."

It was DEC's view in 2005 and 2007 that the operations proposed were likely to **"significantly impact"** upon this orchid and the forests of Mount Rae, known to be an important area for this species. Landowners where the *D. aequalis* exists are urged to consider **conservation covenants**. We were not urged to take out logging PVP's. Government ecologists made it quite clear the damage that such an operation would cause to this forest.

DECC advice in 2005 stated that if *D. aequalis* was not found to be more common **"the orchid might easily become extinct"**.

PHOTO : *Diuris aequalis* in situ. Mount Rae Forest. (Photo taken by Alan W. Stephenson – National Conservation officer, Australasian Native Orchid Society)



Diuris aequalis in situ - Mount Rae Forest

2. LACK OF ANY ENVIRONMENTAL SURVEYING PRIOR TO APPROVAL ENSURES PRESCRIPTIONS WILL NOT BE TRIGGERED:

The preparation of suitable harvesting plans in EEC's and species prescriptions for threatened species is problematic as the first problem with the PNF process is the reliance for identification of both threatened species and EEC's on the developer. Reliance on landowner capacity to identify under represented vegetation or threatened fauna and flora is most unwise.

There is **no requirement to conduct surveys** for threatened species or cultural heritage sites, and no protective measures triggered unless these attributes are already known to occur. Failure to adequately recognise an EEC or threatened species makes any subsequent harvesting plans, species prescriptions or codes of practice largely redundant. Here in lies **the major problem with PNF** - as most private lands have not undergone surveys there will rarely

be records on the NSW Wildlife Atlas to trigger supposedly protective prescriptions. **Self regulation cannot be considered a substitute for effective governance regimes .**

The **DECCW website** in 2007 made the following facts available to those undertaking PNF: Identification of threatened species:

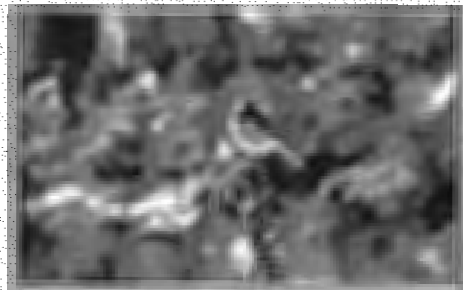
"Over 900 plant and animal species in NSW have been listed as threatened. The lists of threatened species can be viewed on the Department of Environment and Climate Change (DECC) website . Identification of these threatened species in the landscape can be difficult and often requires specialised botanical or ecological skills. For example, many threatened animals are secretive and only emerge at night."

Yet PNF requires no such surveys? In this forest it is like placing Dracula in charge of the blood bank.

Mount Rae Forest:

Making available on a website EEC and threatened species identification fact sheets to a firewood merchant is meaningless. Self regulation and inadequate prescriptions cannot protect threatened species when **neither the expertise or will exists to identify them.** Compliance with prescriptions depending on the voluntary efforts of developers? PNF is promoting a lack of knowledge of the components of an ecosystem as an excuse for the ongoing destruction of these same components.

If I were to check prescriptions for the NSW listed as Vulnerable Scarlet and Flame Robins (both known in Mount Rae Forest) we will see that the protective measure is "no forest operations permitted within a 50 metre radius of all flame and scarlet robin nests". How would the average person (let alone a non-resident firewood merchant) identify a scarlet robin nest? or be able to differentiate it from that of a more common species of robin or wren? **The PNF process is a farce.**



Scarlet Robin in Mount Rae Forest

The **Gang-gang cockatoo, Powerful Owl and Barking Owl** were well known in Mount Rae Forest from 2005 on, and these facts appeared in local media well before the granting of PNF logging approvals. Logging and clearing within their habitat and loss of hollows are recognised threats to these species.

I paid for surveys by professional consultants on neighbouring properties, verifying the presence of these owls and the gang gang cockatoo, as well as that of the NSW listed as vulnerable **Squirrel glider** (*Petaurus norfelicensis*) and the information sent to the department. All ignored.

The NSW listed as Endangered and EPBC Act listed as Vulnerable Alpine Tree Frog (*Littoria verreauxii alpina*) was verified in this forest by a former DEC frog consultant (who coincidentally is a non-resident landholder in this forest) and licensed breeder of the Green and Gold Bell Frog. DECCW were notified in 2006 of this species, and whilst answering that it occurred outside of their predicted range, they were interested in conducting surveys to clarify issues for this species.

None of the above species have been given **ANY** consideration in the PNF process. In fact the opposite. Under PNF the landholder is allowed to say nothing exists. 11 threatened species and nearly 250 species of fauna and flora identified. Yet next door only 2 things appear to exist. The *D. aequalis*, because it's on the NSW Wildlife Atlas, and firewood .

PNF would appear to be a way to streamline the process of logging, with very little genuine concerns for threatened species. A process more concerned with economic impacts, than the impacts on biodiversity and ecosystem values.

Even if admitted to, how does anybody know if prescriptions for threatened species are being met on private land? Given that requirements for species 'protection' are not being met on public land, (demonstrated by the number of breaches occurring in public forests) it is likely that private lands will fare far worse.

Mount Rae Forest:

In questions to NSW Parliament (16 October 2007, 0957 Logging at Mount Rae) my local member for Burrinjuck, Ms Katrina Hodgkinson asked :

*"Did the Minister's department take an **audit of wildlife and vegetation species in the Mount Rae Forest area prior to the logging commencing?**"*

The response was that *"the DECC is working co-operatively with landowners to arrange **botanical surveys of the area**"*.

This referred to the one off inadequate survey for the *D.aequalis* mentioned previously, performed after approvals were given, and only after it was revealed that they had been **recorded in the past by DECCW botanists on the property** before purchase. The developer (Firewood Baron) had previously denied their existence. **No wildlife surveys were performed** and they are **not required under PNF**.

The then Shadow Minister for Climate Change and the Environment and Member for Goulburn, Pru Goward wrote on 10 November 2007 that the then Government **"had bungled in a decision to log the Mount Rae Forest in the Taralga –Crookwell area."**

"Ms Goward said Environment Minister Phil Koperberg's own department had objected to logging in the forest in June 2007 but was over-ruled by amendments to the Native Vegetation Regulation 2005 which came into force on 1 August this year . The regulations enabled logging proponents to come up with a Property Vegetation Plan (PVP) which would let the work commence. There is obviously confusion in the Minister's department and he should be sorting this out once and for all" Ms Goward said.

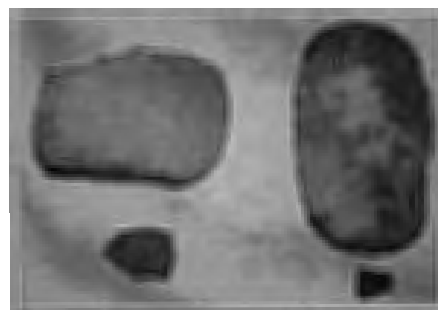
I AM CALLING ON THE CURRENT ENVIRONMENT MINISTER TO RESPOND, ACKNOWLEDGE THE THREATENED FAUNA SPECIES OF THIS AREA AND SORT THESE ISSUES WITH PNF OUT, "ONCE AND FOR ALL" AS MS GOWARD REQUESTED.

3. ABORIGINAL CULTURAL HERITAGE:

Just as threatened species preservation relies upon developer identification, so do items of indigenous heritage rely on the PNF operator's 'due diligence'. Indigenous cultural heritage matters on private lands are poorly known. PNF doesn't do much for encouraging assessments and building bonds with local indigenous communities.

A HNCMA pamphlet states: *"There are many aspects of the landscape which contain Aboriginal cultural heritage. Aboriginal cultural heritage is far broader than just identifying archaeological sites... you need to consider whether there may be impact on any Aboriginal cultural heritage values. The HNCMA can assist you to have a cultural heritage assessment carried out on your property with the help of appropriate local Aboriginal organisations or community groups."*

Scarred trees. Midden sites. Ceremonial sites. Stone tools and artefacts. PNF relies on the developer to identify, notify and preserve.



Aboriginal stone artefacts found in Mount Rae Forest

4. ENDANGERED ECOLOGICAL COMMUNITIES (EEC's).

There is no guaranteed protection for EEC's. Logging can occur in EEC's as part of an approved 'Ecological Harvesting Plan'. If the point of listing a community is that it is endangered then logging them would seem contrary to the stated need to protect them. EEC's have biodiversity components which are dependent on these areas being undisturbed and left for natural regeneration.

EEC's have already been approved for logging despite issues over identification and there being no guidelines developed at the time for 'Ecological Harvest Plans' in EEC's. I asked to view these guidelines in a 2008 meeting with former Environment Minister Ms Verity Firth and her chief advisor, the Manager for Landscapes and Biodiversity, Mr Tom Grosskopf. I was informed that PNF was only 'new' (1 year old at that time and already over 100,000 ha. of approvals had been issued) and that **no such ecological harvesting plans were in**

existence. It was not till 2010 that submissions on the preparation of such guidelines and plans were even called for.

Mount Rae Forest:

Two landholders, adjoining lands approved for PNF clearing in Mount Rae Forest, entered **Conservation Agreements (CA's) in perpetuity with one department of the OEH, to protect EEC's and threatened species from future PNF firewood clearing by another department of the OEH.** Sounds absurd? That's because it is. Welcome to the bureaucratic world of PNF, where one hand (promoting forestry?) does not know (or care?) what the other (promoting threatened species protection) is doing.

CA's at this level receive legal protection from covenants on the land title and require surveys which have recognised threatened species and vegetation matching EEC profiles and found these lands eligible for National Park level protection. **The same** vegetation is ignored next door under PNF. An on ground example of the consequences of relying on developers and forestry networks for vegetation identification under the PNF process.



The photo to the left clearly demonstrates how flawed the PNF process is - one side of the road (right hand side) is **approved for protection by the NSW Environment Minister, Robyn Parker.** The **other side of the road is approved for commercial firewood logging.**

My own property in this forest is also legally protected in perpetuity through a conservation covenant signed by the previous Environment Minister Frank Sartor, also recognising vegetation matching profiles for EEC's, threatened species and the area being part of a regionally significant vegetation corridor. In total 6 properties have been surveyed, confirming threatened species and healthy vegetation matching profiles for EEC's.

Under PNF however, we are told that this forest is the more common forest type, (Western Tablelands Dry forest) dead and dying, with no understorey (apart from leaf litter), no threatened fauna species and desperately in need of improvement by that well known ecological technique - firewood logging with heavy vehicles ???

This photo clearly demonstrates how flawed the PNF process is.

On-ground examples demonstrate the perverse outcomes being delivered by the current PNF process. Once again it would appear our future is left up to individual efforts in the face of hypocritical decision making.

5. NO REGULATION OF END PRODUCT: Commercial firewood clearing

Mount Rae Forest:

PNF approvals in Mount Rae Forest are for the **sole purpose** of commercial firewood. Not a byproduct, offcut or residue but purely for firewood. The name of the developer, 'FIREWOOD Baron' says it all.

Bio-certification of PNF by the Environment Minister have been used by a Forestry network to 'greenwash' their own plans to open up "300,000 ha. in the Upper Lachlan Shire" (this quote comes from an advertisement run in the Crookwell Gazette) and "over a million ha. in the Southern Tablelands" (their words, not mine!) for commercial firewood to supply markets in Sydney, Canberra and the South Coast. The precedent has now been set under PNF. Is this the future for the Southern Tablelands?

What actions will the Environment Minister take to prevent this?

The forests and woodlands of the Southern Tablelands were largely protected by the fact that they were not considered to be saw log standard, and are mostly 'defective' in silvicultural terms (but provide high biodiversity value). These declining woodlands and forests on private lands were targeted as genetic reservoirs for conservation by our governments, but will now be logged with government approval with firewood as the economic driver. All under the guise of large scale 'silvicultural improvements'.

How can PNF as it currently stands be granted bio-certification when it provides a pathway for ADDITIONAL areas of forest, that would otherwise be overlooked, to be logged and harvested as firewood?

Governments have spent millions of dollars promoting the growth of private forestry across the country. Did they know they were promoting cutting down existing native forests for firewood?

The Southern Tablelands Farm Forestry Networks (STFFN) Plan, in their own words.
Or as it should be known – STuFF'N our forests?)

*"There is over 1.5 million hectares of existing native forest on private land in the Southern Tablelands and most of it is unmanaged...the native forest types of the Southern Tablelands rarely produce reasonable quantities of sawlog grade trees. In fact most of the wood in our forests is **firewood grade**. Therefore commercial harvesting will require access to the **firewood industry**...Don't be fooled, as the **firewood industry is booming** ...the challenge lies in co-ordinating a private industry and ensuring consistent supply."*

Mount Rae Forest:

*"STFFN has been assisting some landholder's to obtain a PVP to allow for harvesting of their PNF... Despite all this, governments appear to be reluctant to accept that firewood can be a legitimate greenhouse gas friendly heating source. The ACT Government has actively tried to stop wood heating, rather than work in a positive manner to lessen pollution, and some **local governments have refused development consent** for sustainable harvesting of PNF, despite the landholder having a legal and legitimate PVP *. Woody biomass does not appear to be on the radar when it comes to renewable energy options."*

**this refers to Mount Rae Forest before the new Council LEP allowed ministerial bio-certification to remove the need for council consent .*

*"The first step is to **promote** the inherent commercial opportunities in order to fund both the management required for recovery and to **create a new industry** which has as its core the sustainable management of native forest. Commercial opportunities are real and exist right now. These include (but not limited to):*

- 1. **Firewood.** Environment Australia estimates 6 million tonnes used per year, half of which is sold to other users.*
- 2. **Post & Poles.** Shortages are apparent in many regions, expanding vineyard industry in Victoria is sourcing some of its supplies from Queensland!"*

*"**Firewood in use in Canberra ..here is the answer. The Southern Tablelands has 1.2 million hectares of private native forest (PNF) , which if managed properly, could yield an estimated 800,000 tonnes of firewood per annum. However, 95% of this is unmanaged, and most PNF owners do not realise the potential of the resource.** As well as supplying all of the Southern Tablelands with firewood in a carbon neutral manner, the 800,000 tonnes can also generate electricity, provide industrial charcoal and bio-char for agriculture. "*

This group still funds a newsletter to members and attempts to gain more funding for their plans.

When commercial firewood logging can be given bio-certification by the NSW Environment Minister, the firewood sourced promoted as a "greenhouse positive" "bio-fuel" by forestry networks, when firewood floggers can state it is only a means to improve and regenerate the supposedly "dead and dying" forests of the Southern Tablelands, then I know the lunatics have taken over the asylum.

Mount Rae Forest:

The spokesperson for the STFFN said in local media on the operation in this forest *"the used wood from the present forest will be greenhouse gas positive ..."* *"Mr Smillie's small renewable and*

sustainable firewood operation of 1,500 tonnes per annum has the capacity to replace almost 3000 tonnes of additional carbon dioxide being released into the atmosphere if coal were used "

Farm forestry networks should be promoting agro forestry and plantation establishment on suitable lands (with safeguards to protect water) and the establishment of woodlots for farm use and future sale. Not promoting the logging of native forests over vast tracts of sensitive forests and woodlands for firewood.

When did firewood floggers buying up rare forested lands and threatened species habitat to bulldoze them for firewood become conservationists?

Perhaps bags of kindling from Mount Rae Forest will be marketed in the future as coming with bio-certification from the NSW Environment Minister?

Does firewood logging with the Environment Ministers approval meet the requirements of the FSC?



Governments would ban the importation of such a product if it was sourced in threatened species habitat overseas.

Responses from Departmental bureaucrats have been that firewood is a 'social' issue and the end product of PNF is not the department's concern. This attitude could also see the remaining woodlands of the Southern Tablelands (in fact any lands anywhere in NSW) turned into firewood, woodchips, biomass (or toothpicks?).

A spokesperson for the then Environment Minister Verity Firth answered questions in the Goulburn POST newspaper in October 2008 with "there were no loopholes...The way the end product (the wood) is used does **not** alter the environmental outcomes, and the PNF rules do not govern this... there is a wide range of other programs focussed on climate change

So there you have it. Using native forests as firewood does NOT alter environmental outcomes?

It is counter-productive to create economic incentives to reduce emissions while the NSW Government encourages increasing of emissions under PNF.

"Protecting the native forests offers a low economic cost means to mitigate net greenhouse gas emissions ...and it allows for the maintenance of biodiversity of the whole suite of biota that constitutes the forest ecosystem. Furthermore, biodiversity performs ecosystem functions which give native forest resilience"
"Dr Sandra Berry and Professor Brendan Mackey ANU WildCountry Development Hub ANU 2008 Submission in response to Garnaut Climate Change review : Issues Paper 1 Land -use -Agriculture and Forestry".

PNF approvals will not increase biodiversity but **will increase pollutants** and exacerbate the **health concerns** of low lying city dwellers. Where population density is high more people risk more concentrated exposure to the products of burning wood fuel over sustained periods. In rural areas there are larger distances between households and smoke dissipates. There is nothing healthy in expanding firewood use into Sydney and Canberra, and especially not if it comes from EEC's and threatened species habitat.

Recently AECOM prepared a report (Economic Appraisal of Woodsmoke Control Measures 2011) for the OEH projecting that **the cost of woodsmoke to NSW between 2010 -2030 to be \$8 billion.** Greens MP and environment spokesperson Cate Faehrmann said:

"The \$8 billion figure isn't surprising when you consider that even in Sydney, more particle pollution is caused by wood smoke during winter than any other source...Taking action now will literally shave millions off the NSW health budget for years into the future."

In Canberra the **pollution issues and health effects** have become so bad, that in some areas new subdivisions are being prohibited from installing wood heaters.

It seems ironic that private lands for logging are called the **forgotten forests** and that the firewood industry is called the **forgotten forestry**.



"It has been estimated that Australia wide, the annual harvest of remnant timber for domestic firewood exceeds woodchip export quotas" (Robinson 1994)

"A major issue is the firewood industry – the total amount of firewood cut nationwide rivals the export woodchip industry. The impacts of firewood harvesting in woodlands are greater than the effects of woodchipping on forests".

(Lindenmayer, Crane and Michael. Woodlands a disappearing landscape. 2005.)

The Stern Review (Emissions from Land Use Change and Forestry sector) states that the loss of natural forests around the world contributes more to global emissions each year than the transport sector. Carbon stored within trees is released into the atmosphere as carbon dioxide, either directly if vegetation is burnt or more slowly as the unburned organic matter decays. They don't come much more carbon emitting than burning trees felled for firewood. **No storing of carbon for the life of the product when the product goes straight up a chimney!**

"Forest protection is an essential component of a comprehensive approach to mitigating the climate change problem for a number of key reasons. These include: For every hectare of natural forest that is logged or degraded, there is a net loss of carbon from the terrestrial carbon reservoir and a net increase of carbon in the atmospheric carbon reservoir. The resulting increase in atmospheric carbon dioxide exacerbates climate change. (Mackey B, Keith H, Lindenmayer D, Berry S, 'Green Carbon: The Role of Natural Forests in Carbon Storage')

Eucalypt forests recovery for removal of CO₂ from the atmosphere can take more than a 100 years. On average the recovery rate is over 50 years for 75% carrying capacity and over 150 years for 90% carrying capacity. Currently logging rotations in Australia are typically 50 years and often 20-30 years and sometimes as low as 5 years. Under PNF it is whenever suitable regeneration occurs and I believe this can be measured as when stocking rates achieve 50%. The amount of carbon stored in the regrowth can never equal the amount lost in logging and then burning as firewood. The older a forest is the more effective a carbon sink. Even if the trees die they still store carbon. The removal of vegetation and the introduction of heavy machinery also disturbs the soil, causing it to release its stored carbon into the atmosphere. Commercially logged forests have substantially lower carbon stocks and reduced biodiversity than intact natural forests, and studies have shown carbon stocks to be 40 to 60 per cent lower depending on the intensity of logging.

If people in cities must use firewood there are better sources than native forest logging. Plantations, residues from tree lopping industries, trees felled from roads and subdivision clearing and under power lines, salvage timber, used fence posts, old wharf timbers etc. The Australian Government has developed regulatory impact statements on firewood (Environment Australia 2001) recommended encouraging use of waste wood, establishing plantations and the use of RESIDUES from private and state forests as alternative sources. Not to approve logging of entire native forests with firewood as the primary product, or in the case of Mount Rae Forest – the sole product.

The NSW Government claims to have ended broad scale land clearing, to be protecting biodiversity, that climate change is a serious issue, that they encourage input from local communities and representation from local catchment management authorities. That decisions are science based. **Then they ignore all of the above through PNF and consign our forests and their dependent fauna and flora to the woodpile and the chimney.**



6. FORESTY AND EXTINCTIONS

Mount Rae Forest:

The chairman of STFFN who had previously denied the existence of threatened species in Mount Rae Forest responded to proof of these species by saying that there was no scientific evidence of logging having ever caused extinction. That this absence of "recorded extinctions" is evidence that logging does not threaten any species of fauna or flora. Of course he failed to mention localised extinctions as opposed to species level extinction and quoted a report of the Resource Assessment Commission in support of this claim. He did not mention that The Commonwealth Government's Forest & Timber Inquiry responded to these claims by stating:

"This observation should be treated with caution for several reasons: forest ecosystems contain many different types of organisms and very few have been monitored for any length of time; the absence of recorded extinctions is not in itself evidence that there have been no extinctions; the absence of recorded extinctions does not mean that future extinction risk is low, especially under changing environmental and management conditions."

Scientists who also refute these claims by the logging industry include Professor Hugh Possingham who states: *"It is a scientific fact that increasing the area that is logged in any region will increase the probability that forest-dependent fauna and flora will become extinct..."*

Dan Lunney of NSW NP&W says: *"...research has shown that there has been a decline of many species as a result of logging and that extinctions are likely if current logging regimes persist."*

A combined Statement by Professors Tony Norton, Hugh Possingham and Harry F. Recher says in part: *".... current forestry practices in Australian native forests are not ecologically sustainable. There are localised extinctions occurring due to current forestry practices and there is a significant risk of future global extinctions."*

D.B. Lindenmayer and P. Gibbons (Centre for Resource and Environmental Studies, ANU) state: *"...there is evidence of localised extinctions" and "... it is possible there are long-term effects of current logging operations and that future losses in forest biodiversity may occur in response to activities taking place now."*

"Some species have very slow life cycles – several species of large cockatoos and parrots are examples. (Forshaw 2002).

"Therefore individuals may persist for a long period in an area of degraded habitat, although they fail to breed, or they produce only very few offspring. Rapid snapshot studies may confirm the presence of such species but fail to detect problems with limited reproductive success. Long term population declines as a consequence of habitat degradation may therefore go undetected or be extremely difficult to reverse once they are identified " (Caughley and Gunn 1996).

"The delay in species extinction following landscape change is sometimes termed an extinction debt." (Tilman et al 1994; McCarthy et al 1997.) Habitat Fragmentation and Landscape Change. Lindenmayer and Fischer.

Mount Rae Forest:

I will give The Chairman of the STFFN the last word on forestry operations and species extinctions. Having publicly stated that Mount Rae Forest was a highly degraded forest with no threatened species or anything of high conservation value he must have seen documentation by government scientists and consultants to the contrary. He responded with:

"The catch word of the opponents seem to be endangered species. Realise that in the living world of plants and animals in any ecosystem there are winners and losers - better adapted organisms will survive and prosper while less well adapted will die out and become endangered. This has been happening throughout all geological time and will continue as conditions change."

SO THERE YOU HAVE IT. PNF IS JUST A MEANS OF HASTENING THE EVOLUTIONARY PROCESS.

7. EXCLUSION OF LOCAL, in fact any, INPUT:

When I first tried to supply information on threatened species in this forest and the condition and type of native vegetation for logging to help in determining sustainability of operations I was told - "why would you bother?"

PNF is a legislative process and if the landowner agrees to abide by the COP it will be approved.

Questions on sustainability?

"Trees grow back".

Whilst it would be hoped that input into an interim act would be welcomed to demonstrate issues that have arisen, in an effort to better achieve a balance between the environment and the economy in upcoming future legislation, the opposite would appear to be true. Until now, all input has been ignored.

Far from working with the community and other OEH staff, PNF has created an adversarial process.

Is PNF a 'streamlined' process or expedience at the expense of the environment?

If DECCW staff will not employ a **precautionary approach** to such scale of development then who will?

Mount Rae Forest:

Two of the species in this forest are the Powerful and Barking Owls. The very existence of the Powerful Owl, heard calling at night, demonstrates the health of this forest. Otherwise it would not reside here in the first place.

But the proponent and his forestry backers are able to falsely claim through PNF that nothing exists here and this forest is unhealthy and in severe decline. And of course if any TS were to exist, they are just improving this forest for it.

If input from the department's own ecologists are ignored then it should come as no surprise that professional consultants and those possessing local knowledge are likewise rebuffed.

"Breeding populations of raptors and owls are good indicators of biodiversity hotspots and faunal abundance. Forest or woodland raptors and owls could therefore function as umbrella species for biodiversity and ecosystem -level conservation, by indicating the best habitat patches to target for protection in public reserves and on private land." (Debus 1997)

Mount Rae Forest:

The following photos are examples of surveys conducted on six surrounding properties in this forest. All findings were sent to PNF officers. All findings ignored on adjoining lands under PNF.



These surveys were conducted by professional environmental consultants for mammals and avian species. Botanical surveys performed by NSW Government botanists and ecologists.

Wildlife students conducting field research techniques as part of TAFE studies. The National Conservation Officer of the Australasian Native Orchid Society, members of local Field Naturalist, Fauna and Flora societies and the Australian Society for Growing Australian Plants.

Methods used : spotlighting, Elliot trapping, sand track & hair tube analysis, pitfalls, ANABAT, call playback, transects, plot surveying.

Nearly 250 SPECIES OF FAUNA AND FLORA and 11 THREATENED SPECIES identified so far.

Yet the only species admitted to next door under PNF is the *D. aequalis* orchid as it was identified and recorded on the NSW Wildlife Atlas by DEC scientists prior to these landholders purchasing their property. This is the only reason that this flora species must (begrudgingly) be admitted to.

The PNF farce continues.

News

It's owl forest for the future

By STEPHANIE ANDERSON

TENSIONS around logging have intensified recently with the confirmation of another endangered species within Mt Rae Forest.

Whilst camping this month in Mt Rae Forest, local TAFE students were able to identify the presence of the Barking Owl, a NSW listed endangered species.

Mt Rae Forest campaigner and wildlife expert Mark Selmes said the confirmation highlighted the damage that proposed logging could have on the forest's wildlife.

"Verification of this species, along with the previously verified Powerful Owl - the largest owl in Australia - indicates a forest ecosystem of high conservation value," Mr Selmes said.

"The biggest threat to these owls is clearing, degradation and fragmentation of habitat from logging operations and firewood harvesting.

"Barking Owls are known to roost in the eucalypts of this forest and hunt over forest edges and surrounding farm and woodland areas, where they will search for their prey species - rabbits, rodents, insects, small gliders and birds."

Along with environmental consultant and TAFE teacher Pat Guinane, the students completing their animal identification for conservation and land management course were able to identify one of the forest's rare orchids, the buttercup doubletail, in flower.



• OFF THE BEATEN TRACK: Goulburn TAFE students exploring the forest earlier this month.

Recent efforts to shelter the forest's flora and fauna have been undertaken by the Roslyn Landcare group, as they took part in a tree-planting day on November 1.

Volunteers spent the day planting 400 native trees and shrubs as part of a much larger and ongoing community effort to increase vegetation cover by creating wildlife corridors.

"By linking remnants that lead to major forest areas - in this case Mount Rae forest - it is hoped to encourage insectivorous birds, threatened species and other wildlife to further enhance biodiversity," Mr Selmes said.

"Past plantings have greatly increased connectivity and led to a resurgence of local bird species."

I am lead to believe that in the north of the state it is possible that up to two-thirds of areas supposedly protected as old growth were approved for logging after requests for reassessment, and that rainforest areas are similarly available for logging after a discretionary inspection by field officers.

"In our latest National Parks Journal (April-June 2011 vol 55 no 2, p6) we reported on some startling developments in relation to logging on private land. An independent audit of DECCW's implementation of parts of the PNF logging code found that genuine old-growth forests were being opened up for logging illegally by the department.

It would appear from this article that if commercial interests wish to have PNF officers reclassify an area for logging it's fairly easy. **Yet requests for on ground assessment of wildlife values on lands are ignored by PNF officers?** Ignored by the department charged with their protection and who previously wrote of the need to protect these lands?

PNF seems to be only concerned with 'opening up' more areas for logging, not conserving areas of important habitat. Local CMA's were set up for the very purpose of assessing local PVP's yet PNF PVP's do not require this. WHY?

8. **REMOVAL OF DUAL CONSENT:**

Mount Rae Forest:

Dual consent for forestry operations was required under the Upper Lachlan Shire Council LEP (ULSC). In 2008 ULSC Councillors unanimously voted no to PNF firewood logging. They cited environmental concerns and the public interest.

Concerns were raised regarding possible changes under new state template LEP's that would remove the need for council consents in areas where they were required.

The following responses were received :

From **Hon. Frank Sartor MP, Minister for Climate Change and the Environment** (4 March 2010) to Ms Cate Faehrmann, Executive Director, Nature Conservation Council of NSW .

"Any proposal to remove dual consent for private native forestry activities under the private Native Forestry Code of Practice, the Native vegetation ACT 2003 and a Local Environmental Plan under the Environmental Planning and Assessment Act 1979, will be subject to consultation with key stakeholders, including the Nature Conservation Council."

Similar assurances from the Director , Landscapes and Ecosystems Services Conservation Branch, were given in writing to the Goulburn Field Naturalist Society (GFNS) .

In a presentation of the NSW Biodiversity Strategy to members of the Nature Conservation Council of NSW on 20 December 2010, the Manager, Landscapes and Biodiversity Biodiversity responded to a question from the Chair of the NCC Biodiversity Committee as to whether there were any plans to remove dual consent under these new LEP's. The reply **"No"**.

Goulburn Post
Friday February 29, 2008

Councillors unite; the people rejoice

THE Upper Lachlan Shire Council made a courageous stand on the community's behalf yesterday in rejecting a proposal to log Mt Rae Forest.

Councillors acted as one in voicing the will of the people and were unanimous in their rejection of the proposal which would have seen the rare Tablelands Basalt Forest logged and the habitat of many threatened species destroyed.

The forest's majestic trees - home to a wondrous assortment of flora and fauna - would have been processed as firewood and sold in plastic bags in service stations on the south coast.

Cr Charlie Prell said at the meeting that the council needed to put the protection of the forest habitat before a commercial operation.

And Cr John Coombs said it as well.

"I don't really think firewood is a commodity that's going to get me excited at this stage of my life," he said.

"As I drove here I saw enough firewood (on the ground) to keep Crockwell going for the next five years."

Roslyn Landcare deputy chair Eric Hearn reiterated what many who had made submissions to the council against the proposal knew - that the forest is a rare ecological resource and worthy of protection for future generations.

"Mt Rae is a lifeline to landcare groups in Roslyn and Taralga and Tarto and other places. It is important for the whole catchment," he told yesterday's emotional shire council meeting in Gunning.

The councillors' decision went against the recommendation of the council's planners and proves the collective wisdom of the people's elected representatives is often more in tune with the community's wishes than the advice of bureaucrats.

But as Cr Bill Martin also pointed out in yesterday's meeting - the council planners had only been placed in this "invidious" position by a State Government back flip, where one piece of advice from the Department of Environment and Climate Change contradicted another.

Mr Hearn also told the council of the concerns of a 10-year-old boy who had asked him: "Are they going to log the forest?"

"I hope not," was his answer.

This answer will resound through the forest tonight.

Mount Rae Forest :

The new State template LEP did in fact remove the need for dual consent in ULSC and logging for commercial firewood has now commenced. Who were the key stakeholders that were consulted? It was certainly not the Nature Conservation Council or the GFNS.

Representatives from OEH and HNCMA offered expert advice and assistance to help council formulate **"Biodiversity Planning Frameworks to provide guidance for protecting and enhancing biodiversity values of the Shire"**. This information was supposed to form the basis for management recommendations. The Mount Rae area was labelled "biodiversity significant" recognising important remnant native vegetation, habitat for threatened species, and wildlife corridors with regional connectivity values. A past procession of political ministerial appointments at the DECCW conveniently ignored any local input and their own scientists when issuing firewood logging approvals to absentee landowners in Mount Rae Forest.

How does removing local council with local knowledge from the process meet the NSW government's claims that they would put communities at the forefront of the decision making process and have strategic input into the types of development allowed in particular areas at the planning stage? Councils were urged by both state and federal governments to be in the front line in deciding conservation issues that affect their community. But not when it comes to forestry and logging?

9. LACK OF TRANSPARENCY:

The DECCW stated that PNF PVP's would be made available on a public register. The information supplied on the PNF website is difficult to access and completely inadequate. They reveal the size of the property and the amount of area approved for logging.

Mount Rae Forest:

For two and a half years inquiries to view State approved logging plans in Mount Rae Forest were rejected. Requests to the DECCW under Freedom of Information and internal reviews all met with the same denial of a basic democratic right. It is amazing how quick our State elected representatives are to turn their backs on the democratic process when it suits.

Acting on my complaint the NSW Ombudsman directed the DECCW to release these plans for 3 properties in Mount Rae Forest.

A small win for democracy against government departments who whilst publicly claiming to be open and transparent are not.

A small win against the political spin that community input is encouraged in issues affecting our future, while those involved actually exclude input, targeting individuals as the path of least resistance.

So what did these plans reveal in Mount Rae Forest? Nothing more than a signature on a document and a map of properties, showing the extent of clearing approved. **No environmental surveying, silvicultural or forest management plans that forestry networks here misleadingly claimed were required.** Clearing to open up a few hectares? No. They reveal approvals to conduct operations over entire properties.

These plans represent policy making on the run, with subsequent denial of access a blatant attempt to hide the embarrassing flaws, inadequacies and inconsistent practices which exist.

These refusals are symptomatic of the double standards which see local communities denied access to basic information. These same state laws have seen over 225,000 hectares of clearing and logging exemptions, handed out by the State Environment Minister on private lands.

Attempts to abuse both the democratic process and our fragile natural ecosystems should not be tolerated.

PNF is further veiled by the use of silvicultural terms and forestry rhetoric. Terms to disguise the true intent. Forestry spin doctors state there is no clearing – it's just ecological thinning,

gapping and opening up of areas and canopy adjustment through Australian group selection. Clearfelling becomes 'regeneration events', and 'freeing up' growth. They use ecological harvesters. Century old trees of remnant native vegetation in this forest become largely regrowth from the 1890's. Firewood becomes a greenhouse positive natural biofuel, and its harvesting and sale is just funding for further 'silvicultural improvements'.

Are our wildlife and threatened species to become nothing more than 'collateral damage'?

10. TREE RETENTION REQUIREMENTS: A hollow argument

Australia contains a large amount of arboreal mammals requiring trees and using cavities and hollows. Over 300 vertebrate species depend on tree hollows for shelter and nesting. The huge decline in tree hollow numbers is seeing a corresponding decline in these species.

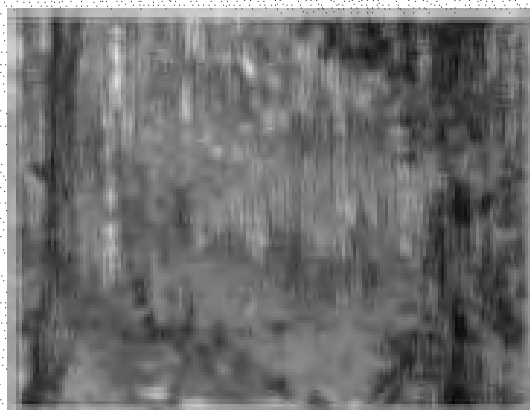
The PNF Code provides for **patch clearfelling of 20 % of a property.**

Also for 'thinning' by **logging the remainder provided that 10 hollow bearing trees and 10 recruitment trees are retained for every 2 ha. logged.** If there are not enough hollow bearing trees, extra recruitment trees from the 'next cohort' must be retained, so **total numbers of trees retained in each two hectare area is kept at 20.** You should also retain six feed trees for every 2ha. where available? and 'if' you can identify them? This is insufficient to adequately conserve all cavity and tree dependent taxa.

Mount Rae Forest:

We are informed by local forestry spin doctors that lands for logging here are overstocked, and sunlight cannot penetrate to the forest floor, necessitating the immediate removal of tree canopy or this forest will die. We are told that no tree hollows exist.

The photos below are from one property approved for PNF firewood logging, since sold and under new owners.



Mount Rae Forest contains century old trees.

As trees age they develop hollows. NP&WS fact sheets on hollows tell us that their removal is a threatening process:

They cannot be replaced without 100 years or more of growth, maturity and decay.

Openings range from as small as 2 cm to as large as 75cm, with depths ranging from 10cm to 10 metres.

We are told that natural tree hollows are essential for wildlife and also informed that *many hollow entrances are very small and difficult to see from the ground.* Hollows suitable for parrots can take around 200 years to form and the larger and deeper hollows occupied by Gang-gang cockatoos, powerful owls and other larger animals can take even longer.

A recent brochure, funded by the Australian Government through Caring for our Country and Communities in Landscapes had a poster saying :

"Don't remove it, it won't improve it. Hang on to ALL hollows, they take over 100 years to form."

It's a pity our governments at all levels don't pay attention to their own advice.



'Some types of habitat degradation take a long time to have a noticeable effect on a given species. For example the loss of large trees with cavities is a major problem in many forest and woodland ecosystems, and many individual species are threatened by it.' Fischer and McClelland 1998; Gibbons and Lindenmayer 2002.

Habitat degradation through the loss of mature trees can be gradual, such as in the cases of repeated low intensity logging (Lindenmayer and Franklin 2002).

Tree mortality rates indicate that the PNF tree retention requirements are unlikely to maintain the targeted number of hollow bearing trees in the mid to long term. The number and spacing of potential nest sites can be critical to many native species, and patches of clearfelled and regenerated forest have significantly fewer hollow trees than unlogged areas. The 'opening up' of areas, the increased wind speeds and drying effects, may lead to accelerated mortality of these few retained trees from 'windthrow'.

Natural systems are also notoriously unpredictable and may not respond as expected.

This is further impacted by the rotation between harvesting events being too short to allow any regrowth trees to form hollows. In fact the loss of hollow bearing trees has been listed as a **Key Threatening Process** by the NSW Scientific Committee since 2007.

While encouraging the rest of the area to retain all hollows, even those on ground and making pamphlets available on the need to retain dead standing paddock trees, the NSW government will now sanction the destruction of such trees on a grand scale?

Will the previous retained 10 'mature' trees be GPS located or will they be felled in the next logging cycle? These forests would require multiple strategies, and individual approaches that reflect species needs and



a host of factors, not a tick the box approval. Under the PNF process (or lack of

process) forests across the region can all be dismissed as needing intervention from forestry with no on ground assessments. Public comments from forestry in this area: *"Mount Rae Forest as it now stands will continue to decline and supposedly threatened species will die out."*

The catch cry of forestry in the Southern Tablelands is that the forests of the region desperately need human intervention to save them in the form of **"disturbance disturbance, disturbance"**. Human disturbance regimes (especially those done with heavy machinery and prompted by financial gain) do not duplicate those from nature.

"Owls are the unseen casualties of land clearance. Destruction, degradation or disturbance of habitat, whether of nesting and roosting sites or foraging habitat, is identified as the major threat to all the Australian owls Timber harvesting has been seen as a threat to forest dependent owls, particularly where logging occurs on a broadscale clearfelling pattern and the next harvest occurs

before the regrowth has reached full maturity ...for logging on private land few, if any, environmental protection measures on public land apply, and the proposed code of practice for private logging in New South Wales promises to be weak . The Barking and Masked Owls are more threatened by the other large timber industry – firewood harvesting in the inland forests ...one of the biggest challenges will be to conserve the Barking and Masked Owl in rural landscapes of southern Australia because much habitat needs to be conserved, re-established or re-connected on private land, but there is much pressure on inland public forests for firewood..." (The Owls of Australia . Stephen Debus . 2009)

Given that generally eucalypts form hollows after about 120 years of age (the age of the majority of trees in this forest) a sustainable rotation age would be one that allows these forest values to regenerate. Reducing forests to a flat rate of 5 hollow bearing trees per hectare puts at risk expectations that future generations may see such fauna as the greater glider in the wild. National Park's information for the South East Forest states "*The greater glider is very sensitive to habitat loss. Removal of the canopy or even thinning of trees for provision of infrastructure could have a severe impact on local populations.*" Of course the greater glider is not a listed threatened species in most areas of NSW. So it's apparently okay to cut down it's trees under PNF in this Shire. There are no prescriptions for this unique species. This is why it will probably be the **next** threatened species across NSW.

Not all tree hollows are used at any one time. Hollow trees may meet the requirements of some species but may be unsuitable for others. The availability of food resources and whether an area becomes inhabited by more aggressive species once opened up, are all factors on occupation of hollows. When several hollow trees are close together, territorial behaviour by some species may mean others will not be used. Tree cavities with a westerly aspect may not be suitable for some species or at certain times due to high internal temperatures. Many species of arboreal marsupials demonstrate 'den swapping' behaviour and may occupy a particular tree for several nights and then shift to another tree with another nest.

Far from improving these areas , the 'opening up' of these forests will see the introduction of more common species that prefer this human disturbance. We would expect to see an increase in species such as the Noisy Miner (*Manorina melanocephala*), the Australian Magpie (*Cracticus tibicen*) and Grey butcherbird (*Cracticus torquatus*). Likewise, a number of introduced species such as the red fox, rabbit, Indian miner and a number of weed species will enjoy the "opening up" of areas and the removal of currently intact native groundcovers.

The subsequent changes in forest structure and composition due to logging is not aimed at improving habitat for biodiversity. Forestry interests see unmillable and defective trees as waste products. They do not see them as the best habitat trees, and attempt to equate silvicultural actions designed to promote production values, falsely improving environmental outcomes. These silvicultural operations are designed to promote **future long straight poles**, suitable for sale not biodiversity.

The frequency and duration of operations will be **driven by the financial returns to the landholder**, and will present ecological problems over time. Biodiversity losses will occur over extended time frames and far from being an "improvement" will result in death (literally) by a thousand cuts.

Tree removal through logging with heavy machinery also does not duplicate aboriginal burns as forestry would have us believe. Nor was such burning of some parts of the bush as widespread as modern day logging and clearing . Forestry interests in Mount Rae and elsewhere also love to claim that logging , thinning and clearing of forests prevents bushfires. There is growing research to suggest that thinning, tree removal and the creation of gaps in the forest canopy allow the forest floor to dry out, creates additional coarse and dry fuels, increasing flammability and fire frequency dramatically (by as much as 50%) and creating more combustible conditions. (ANU ecologist David Lindenmayer 2009).



The native forest logging catch phrase is 'promote regeneration' and 'enhance biodiversity' through 'disturbance' and 'opening up' these areas. Disturbance from logging and clearfelling. This is in conflict with much scientific knowledge. Different species respond differently to disturbance and healthy eucalypt forests are perfectly able to reproduce with little or no management and intervention. Tree stands will self thin, slowly over time, with minimal disturbance to wildlife. Trees will fall in storms, be struck by lightning, branches will break under the weight of snow, forming 'spouts' which become hollow nests, termites and drought will see trees fall or become hollows. This disturbance will be inherently variable.

Forest management practices with heavy machinery do not duplicate natural disturbance patterns. They are intensive and resulting disturbance has detrimental impacts to existing understorey and biodiversity. Everyday small scale habitat changes are part of the natural world, and these natural systems are resilient enough to withstand the disturbance that nature throws at them.

Mount Rae Forest:

Properties in Mount Rae Forest that have taken out PNF PVP's were already undergoing disturbance. These include clearing 3 ha. with a bulldozer for firewood on one property. Past disturbance regimes have included transecting a forest with motor bike trails. These tracks and motorbike jumps on the developer's property are now being passed off under PNF as logging trails and "siltation traps". I am yet to see a loaded firewood truck attempt to drive across this series of jumps. Sorry. Siltation traps.

The PNF Code provides that any area cleared must be allowed to regenerate and not be subsequently

cleared 'except where otherwise permitted'. Of course areas can be 'harvested' again. In this forest, of no agricultural value, (which forestry claims contain no understorey, only a leaf litter layer) stock has been introduced. Not only will this continue soil compaction, reduce the chance of any rare orchids being found in flower, but one must question exactly what regeneration will occur...

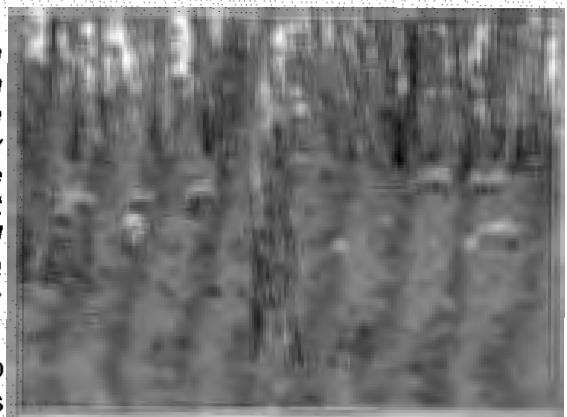
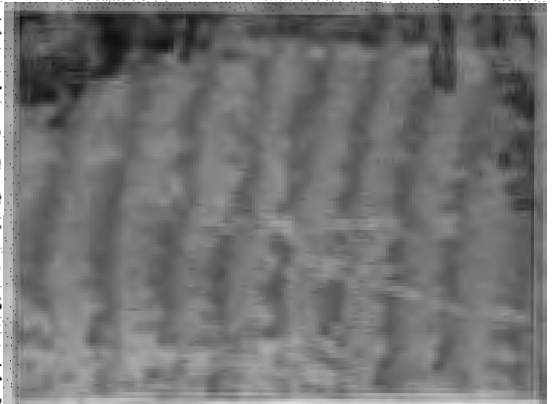
While passing off the effects of such grazing as signs of a forest in severe decline and in need of the promotion of understorey through logging and 'opening up', they themselves wrote the following from a 1991 trial elsewhere in the region:

"Thinning and burning, however, had very little effect on understorey growth, species richness or distribution. In contrast fencing to exclude grazing promoted the establishment, growth and species richness of understorey plants" In 2006 the experiment was revisited "For the understorey, only fencing yielded a significant result...Thinning is the most suitable silvicultural technique because it can assist in the production of a marketable resource of farm timber as well as considerable quantities of good hardwood firewood."

It is well known that some landowners wish to remove trees to introduce stock and statements were made that future buyers prefer areas that are

open with dotted trees not thick forest. PNF is doing nothing more in this area than promoting clearing by stealth and funding a firewood merchant. **Back to the days of log and flog?**

Change in species composition of an ecosystem due to the preferential grazing of palatable species is well documented, particularly in our temperate woodlands. Habitat Fragmentation and Landscape quotes findings by Vera 2000 and Saunders et al 2003, that "high intensity grazing precludes the recruitment of new trees and alters tree species composition. Further impacts are increased soil compaction and general degradation of ecological processes by causing the



loss of leaf litter and soil micro-organisms, reduced soil water infiltration rates and increases in soil erosion.

Government departments tell those who wish to preserve patches of forest and woodland understorey to : *"Exclude stock (or reduce stocking numbers) from areas of remnant native vegetation. This will protect and enhance understorey species, allow for natural regeneration"*

The OEH is being made a fool of through the PNF process in Mount Rae Forest. PNF legislation is being used to get around past opposition from the same department.

11. MORE HISTORY, HYPOCRISY AND RHETORIC IN THIS FOREST:

Mount Rae Forest:

The non-resident landowner in Mount Rae Forest first came to the attention of the then DEC in **2005 after clear felling 3 ha. for firewood**.

The DEC contacted him regarding clearing in **threatened species habitat** and informed him that these lands also contained **significant vegetation eligible for listing as an EEC**. They recommended to ULSC that there be **"no further removal of standing trees"**. Permission was given by council for the non-resident Firewood Baron to only remove for sale as firewood the trees already cleared, but there was to be **no further felling** as part of the business. In an application to council we were told that the Firewood Baron would operate for a few years and then finish.

Then along came PNF and OEH approvals. We were told by the developer that areas needed to be 'regenerated' through "mechanical disturbance of mineral soil "with this machine to 'save' this forest. We have since been told by forestry networks that a rubber tyred forestry 'harvester' with a 'light footprint' will now be used to minimise soil disturbance. I am informed that the developer has taken delivery of a metal tracked, skid steer 'harvester'.

I have been informed that there are actually no restrictions on the types of vehicles used in PNF. Can we still see trees pushed over by a bulldozer as part of 'improvements' and 'regeneration'?



The Firewood Baron's first 'ecological harvesting machine'.

Mount Rae Forest:

DECC ecologists held field days on my property in 2005 to inform locals of the significance of this forest and the threatened species that were here and to discuss land management issues. Logging was not considered an appropriate management tool !

In early 2007, when another application to clear for firewood was lodged with local council these DECC scientists wrote to council again informing:

"DECC objects to the proposal on four major grounds, these being; impact on threatened species, impact on significant vegetation, inadequate consideration of Aboriginal cultural heritage and inadequate supporting documentation and consideration of the ecological sustainability of the proposed operations".

The State government that we had previously turned to and which had helped protect this area from logging, **back flipped, betrayed the threatened species they had encouraged us to conserve and approved the SAME operation**.

In Mount Rae Forest PNF has merely **removed all previous protections** and helped a non-resident firewood flogger add to his manipulating of past clearing laws, a litany of breaches of council consent conditions and provided further loopholes for firewood logging.

12. CUMULATIVE IMPACTS:

As well as the previously mentioned increase in carbon emissions, studies around the world are showing that removal of vegetation cover leads to reductions in rainfall and goes far beyond effecting micro climates .

Agriculture Today March 2008 published research that demonstrated how *'land clearing in Western Australia's south west had contributed to the region's plummeting rainfall'* and how research in the US has found that *'deforestation in one area influences rain elsewhere.'* Now Queensland research has concluded that 150 years of land clearing has added significantly to the warming and drying of eastern Australia ... *'when trees are removed, heat is reflected rather than absorbed, which means less moisture evaporates into the atmosphere and, in the long run, less rain falls'...* *'Native vegetation moderates climate fluctuations and this has important, largely unrecognised consequences for agriculture and stressed land and water resources'* Dr McAlpine said.

PNF does not take into account the need for regional scale land-use planning. High conservation value and significant areas of forested lands are not going to be protected under the current PNF process.

"As human development alters landscapes and reduces the amount and size of remaining woodland patches, the physical distance between vegetation remnants becomes larger. This means they become less connected (and hence more isolated) for many species." Woodlands are a disappearing landscape - Lindenmayer, Crane, Michael.

The protection of these areas should be a priority, in fact an obligation of our government .

The first rule of conservation is that it is cheaper to protect now, rather than pay for expensive restorations later. Do we know the long term consequences of allowing operations based on short term gain?

The cumulative effects of clearfelling and logging rotations may not be apparent for some time. PNF fails to acknowledge the cumulative impacts of operations which may reduce the overall habitat for species in the area that is needed for long term survival; or the effects on prey species which may not themselves be listed as threatened, but are necessary as feed for those that are.

Typically threatened species can be 'top predators' needing large tracts of land for forage and currently coping with already restricted ranges.

In the Southern Tablelands habitat loss has already occurred over vast tracts of land due to past agricultural clearing. Any forested areas left are important for biodiversity conservation precisely because the remainder of the landscape has been subject to past intensive human use. The fragments of forested natural vegetation that remain are often isolated 'islands' important for the fauna and flora they have within. These areas of habitat can be lost rapidly or can be degraded over time. Remnant patches of natural ecosystems can be increasingly reduced to smaller and smaller patches until they do not support all the species characteristics of the original ecosystem. Allowing commercial scale logging within these areas is contrary to all advice previously preached by the department. What is being proposed in the Southern Tablelands is not small scale disturbance with minimal impacts, but broadscale clearing for firewood across the region.

In 1990 ecologist Henry Recher wrote: *"Wildlife management and conservation, if it is to succeed, must be extended to all land, regardless of tenure and despite arbitrary political boundaries and bureaucratic divisions. Many private forests contain remnants of uncommon ecosystems that are important to the creation of a Comprehensive Adequate and Representative nature reserve system."*

Practical Conservation Biology p237. (Lindenmayer and Bergman) ...

"Many animals maintain territories or strict home ranges that they defend against conspecifics. They are unable to move to other areas when their habitat is cleared and often perish. Animals that succeed in moving to an adjacent area are often unable to compete with the individuals that have already established a territory there, so these animals also die."

NSW WIRES 2007. Animal Tales: the crucial role of habitat : *"If a habitat is destroyed, changed or fragmented too dramatically, its capacity to maintain viable populations is negated or reduced. These issues present major problems for Australian wildlife...Some animals have needs which limit their ability to adapt to changes ... Our overall knowledge of wildlife requirements is so low that there are those who believe that we may be losing species to threatening processes which we don't even properly understand yet."*

Ecology and Conservation of Owls. Newton et al. CSIRO 2002 *"...although recent management plans have attempted to integrate the needs of many different species, we still know very little about many of the species we are trying to manage. A great deal more research is needed on these species before we can hope to understand how they interact within a larger system."*

"Clearing of native forest (including logging operations) reduces the population viability of the biota in the remaining unmodified forest..." Dr Sandra Berry and Professor Brendan Mackey January 2008 ANU WildCountry Research

There are knowledge gaps in our understanding of many native animal requirements (particularly invertebrates), issues such as seed dispersal and also the effects of silvicultural treatments over time from what is called 'cascading effects' and the 'disaggregation of logging' (Putz et al). This results from the number of activities associated with logging each of which has consequences for ecosystem processes and biodiversity.

In summary animals that survive logging and habitat loss are **often doomed anyway** because of subsequent reduced food supply, exposure to the elements, a high risk of predation and increased competition for decreasing territory. In the last 100 years, humans have increased the rate of extinctions, and scientists believe that, because it can take so long to see the impact on ecosystems, we will be left with an 'extinction debt' that will continue to cause extinctions in the future. **There is a threshold beyond which many species cannot bounce back.**

It is ironic that local CMA funding is being used to restore and rehabilitate the native vegetation of the region, protect remnants for their biodiversity values and promote tree planting to link these areas, providing connectivity, meet NRM targets and educate landholders about indigenous values. We are urged on government websites, pamphlets and through field days to protect these disappearing native vegetation remnants of the Southern Tablelands and their dependent species. **Are we now to believe that none of this is true... and we should just clear 20% of them and log the rest as PNF allows?**

Mount Rae Forest:

An award winning local Landcare group has been given **over \$360,000** of federal, state, CMA and private monies to create wildlife and vegetation corridors focussing on the Mount Rae Forest and linking to other remnants at a landscape scale .

10th February 2010 - **Minister for Climate Change and the Environment, Frank Sartor** says

"the Roslyn Landcare Group has also been successful in winning a \$69,260 grant for a project that includes fencing pockets of remnant vegetation on unused travelling stock reserves and adding wide corridors of native vegetation between the Mount Rae Forest and the Wollondilly and Tarlo rivers. "It is critical to provide additional habitat and 'stepping stones' for the threatened wildlife identified in the area as well as protection for the rare and threatened plants in the many pockets of remnant vegetation" says Mr Sartor. *"This means that families in Burrinjuck can continue to enjoy the presence of native animals and healthy plants in our local community"*

"It is critical to provide additional habitat and 'stepping stones' for the threatened wildlife identified in the area as well as protection for the rare and threatened plants in the many pockets of remnant vegetation" says Mr Sartor. *"This means that families in Burrinjuck can continue to enjoy the presence of native animals and healthy plants in our local community"*

PNF means we can expect to see these same remnant vegetation and these same threatened species now cleared for firewood. These efforts should not be undermined by the **hypocritical** logging of the focus of these efforts.



13. **LEGISLATION OVER CONSERVATION: THE NV, TS (and various other Acts and Departmental advice) versus MINISTERIAL bio-certification:**

PNF is portrayed by the OEH as a positive regulation protecting biodiversity and meeting the requirements of the NV and TS acts. This is why it has been granted **bio-certification** by the Environment Minister. The facts presented in this submission calls these claims into question. A submission by the Nature Conservation Council of NSW (26 February 2011) in response to the NSW Draft Biodiversity Strategy 2010-2015 listing PNF as a positive achievement drew this response:

"NCC members strongly oppose the inclusion of private native forestry as a conservation 'achievement' - PNF as it currently stands is a threat to biodiversity, and should be recognised as such, and a strategy suggested to improve the situation. "

The North Coast Environment Council (NCEC) wrote:

"The NCEC does not accept the argument that logging in accordance with the PNF Code of Practice (CoP) improves or maintains environmental outcomes or that current PNF regulations provide sufficient protection for biodiversity to warrant bio-certification.

The objective of Private Native Forestry (PNF) was to ensure the supply of valuable timber products from privately owned forests at a sustainable rate that can be maintained indefinitely for present and future generations, while at the same time maintaining non wood values at or above target levels considered necessary by society for the prevention of environmental harm. and the provision of environmental services for the common good.

Mount Rae Forest:

The above letter, written to the Goulburn Post by the NCEC went on to state:

"The granting of PNF approvals on high conservation value remnants such as that in the Mount Rae area, for the low end product of firewood hardly fits the description of a valuable timber product, nor does it seem likely to maintain non wood values by logging in threatened species habitat. The allowance of commercial logging in EEC's further reduces our confidence that the present PNF CoP deserves to be given bio-certification and thus exempt operations from the provisions of the Threatened Species Conservation Act 1995."

Claims of improvement for such lands by a firewood clearer would seem to be based on **opinion**, not any known **facts**. This is something that genuine science tries to avoid. Where is the scientific rigour to these claims? How can this warrant bio-certification ?

PNF is a political policy and a streamlined bureaucratic process lacking in scientific integrity. There is a clear difference between decisions which have a scientific basis and those where they come from Ministerial discretion .

Mount Rae Forest:

The developer's justification for firewood logging is to *'conduct the silvicultural operations and environmental works necessary to rejuvenate the forest and enhance its biodiversity as required under our PNF PVP agreement.'*

What available **science recognises commercial scale firewood clearing as a tool for improvement** in either endangered terrestrial orchid habitat or that of the large forest owls?

How can the OEH consider firewood clearing an appropriate land management practice in an EEC?

PNF in Mount Rae Forest is a tool for a developer **who cannot see the forest for the firewood, and the only thing likely to be improved by this operation is the bank balance of those involved.**

Mount Rae Forest as it stands is a fully functioning ecosystem. To make any claims such as 'improvement' it would be essential to undertake thorough surveys of the area prior to logging, accurately assess what is supposedly being 'improved' and then take this pre-disturbance data and monitor effects over time before drawing ANY conclusions.

An objective of the **Threatened Species Act** is to *"properly assess the impact of development on threatened species"* and meet the aim of *"conserving biological diversity" ... "preventing the extinction of native plants and animals"*. Source: OEH website: **The Threatened Species Act.**

How does PNF meet these objectives or qualify for **biodiversity certification**? What methodology and protocols were used to assess how PNF met the requirements of biodiversity certified plans ?

"surveying and mapping vegetation, measuring condition and measuring loss of biodiversity values from impacts of conferral of biodiversity certification and the improvement in general biodiversity values on land subject". Source : OEH website: Biodiversity Certification Assessment Methodology.

What monitoring will occur under PNF ? The above cannot be met as there is no knowledge base to work with and no quantitative data as they are no surveys or monitoring of impacts on biodiversity? Without monitoring systems in place there is no way to assess whether a forest is being managed in an ecologically sustainable way.

Mount Rae Forest:

To demonstrate how PNF does not meet the requirements of the Threatened Species Act we will look at the one species that the Managing Director of Firewood Baron now admits to being on this property, and according to PNF officers is supposedly now protected. The *Diuris aequalis*.

Compare approved conservation advice for the EPBC act listed orchid with PNF requirements.

Research priorities include :

a. Determine reasons for low population numbers, such as research into pollinators .

Alan Stephenson, National Conservation Officer of ANOS, wrote of this operation *"...will result in a loss of pollinator habitat and lead to a slow but certain loss of orchid numbers. The precise pollinator is not known, indications of a native bee or hoverfly are imprecise and the risk of the loss of a most important feature of the lifestyle of D. aequalis must not be left to chance. These shrubs in the Fabaceae genus act as a mimic for the orchid pollinator and if destroyed through the logging process will result in no pollinator activity and no orchid pollination."*

You don't conduct research by logging known habitat. This will only add to low population numbers.

b. Undertake survey work in suitable habitat and potential habitat to locate additional populations.

DEC officers from the TS unit recognised this area as existing habitat and identified this orchid here. Residents listened, and a 100 metre by one kilometre strip of land adjoining the PNF developer, and duplicating habitat next door, has been surveyed since 2005 during the short flowering period in November for this species. 18 of these orchids have been documented. They require precise conditions and rarely flower in consecutive years. These orchids cannot be identified when not in flower.

Firewood merchants and foresters recognised this area as suitable firewood and PNF officers support degradation of habitat for this orchid.

Regional Priority actions include :

a. Identify populations of high conservation priority

b. Investigate formal conservation arrangements, such as the use of covenants, conservation agreements or **inclusion in reserve tenure.**

c. Raise awareness of orchid within the local community.

DEC officers and residents identify populations. PNF officers and firewood merchants log them.

Conservation Partners officers and 2 landowners entered covenants. The Humane Society International enters Wildlife Land Trust agreements with 2 other land owners.

PNF officers enter clearing agreements with a firewood merchant.

Community members pledge \$50,000 towards land purchase to protect habitat in this forest.

PNF officers pledge support for local forestry and 'work cooperatively' with the developer to make sure all existing obstacles to logging are removed.

PNF raises awareness of orchid by approving logging in habitat. This is a success with a series of articles and even a front page in local media on PNF approvals betraying this forest, it's threatened species and the efforts of locals and landcare.

Local priority actions include:

Monitor known populations to **identify key threats**. Monitor the effectiveness of management actions. **Minimise adverse impacts** from land use at known sites. Erect bollards and signs for roadside populations. Prevent trampling, browsing and grazing on known sites through exclusion fencing.

The NSW Government has a site for a project within The Lachlan Catchment Management Authority – Conservation Management of Threatened Flora Sites: "The aim of this project is to protect, enhance and increase the extent of populations of priority State/Federally listed threatened flora, ... Priority flora were identified in the PAS Prioritisation in the Lachlan Catchment report prepared by DECCW on behalf of the Lachlan CMA...and provided the methodology for implementation of a threatened flora project. "This project recognised known high priority flora sites which included - Doubletail Buttercup *Diuris aequalis* - Mt Rae.

The NSW Government threatened species site for Goulburn Mulwaree Council states for the *D. aequalis* : *"negotiate conservation agreements or enhanced management to secure populations on private land. (High priority)"*

Conservation advice for this species in Upper Lachlan Shire Council is to: *"prepare a management plan for roadside populations "* (a *D. aequalis* plant is known on the roadside outside this forest) .

The OEH tells councils to do this, and then they override ULSC councillors and remove dual consent under PNF when they oppose clearing in this forest!

Why ask Government ecologists to devise priority actions and projects, give councils advice spend money on websites and reports, encourage landowners to stand up for this area and protect it , and then ignore their own advice whenever it suits?

Do fickle politicians actually expect other landholders to take them seriously in the future and continue to do their job for them? A string of environment ministers have made a mockery of this advice under bio-certification of PNF and now allow anyone who wants to, for any reason at all, to clear with heavy machinery in the very same habitat they had targeted for protection.?

How does PNF meet ANY of the above priority actions for this ONE species let alone the other TEN in this forest that PNF officers continue to ignore?

Ecologically Sustainable Development? Major international documents set out these principles. How can PNF be considered 'ecologically' sustainable without surveying, systematic flora and fauna studies or monitoring of the impacts on these components? In this forest the aim is sustainable firewood, not **ecological** sustainability.

Why do Governments sign intergovernmental agreements on biodiversity loss, climate change and carbon emissions and then ignore them?

*"As a signatory to the UN Convention on Biological Diversity Australia has committed to achieving a significant reduction in loss of biodiversity by the year *2010... despite it's reasonable achievements in various international forums, and being well aware for decades of the growing threats to the conservation of biological diversity domestically, Australia's ability to effectively manage and protect it's own approaches to conserving our rich diversity of plant and animal species, the genetic pools that provide their resilience, and the ecosystems of which they are part, are demonstrably and dangerously inadequate" - Humane Society International January 2009.*

**2010 was the International Year of Biodiversity. Because of the lack of any meaningful results the United Nations has now made 2010-2020 the International Decade of Biodiversity.*

At the UN conference on Environment and Development in Rio de Janeiro in 1992 the convention of biological diversity sought to prevent further losses. 168 nations, including Australia, signed the convention. Consistent with the intent of this convention the NSW Government target was by 2015 to see an increase in the **recovery** of threatened species populations and ecological communities. A current OEH website states :

" Through it's biodiversity management planning, OEH ensures" :

- *recovery efforts for TS and communities are co-ordinated and prioritised.*
- *Biodiversity corridors are maintained and re-established.*

Mount Rae Forest:

This case clearly demonstrates how efforts are **NOT** co-ordinated, even within the same department.

A local landcare group put in writing to local council that such a scale of logging on properties within the Mount Rae area would largely make 'redundant' their own wildlife corridor planting efforts. So much for maintaining biodiversity corridors.

Prioritised? The Threatened Species Unit (Southern Directorate) prioritised this area for biodiversity protection. Now through PNF the OEH has prioritised forest remnants in the Southern Tablelands as a source of future firewood.

2006 State of the Environment Report *"Despite large investments and some promising responses, biodiversity in Australia continues to declineThis is the third national state of environment report that raises concerns about the lack of long term, systematic biodiversity information that would allow firm conclusions to be drawn about the details and mechanisms of this decline ..."*

Mount Rae Forest:

If this proposal for logging in Mount Rae Forest was submitted to the local CMA under the NV Act it would trigger a series of 'red flags'. The clearing aspect alone would require offsetting. The Threatened Species Unit (Southern Directorate) opposed the same plan for two years until PNF came along. Ecologists from the Department's Environment Protection and Regulation Branch (South) wrote:

"DECC objects to the proposal on four major grounds, these being; impact on threatened species, impact on significant vegetation, inadequate consideration of Aboriginal cultural heritage and inadequate supporting documentation and consideration of the ecological sustainability of the proposed operations" ... "that should it be determined that consent is not required from Council, then Mr Smillie also needs to obtain a Section 91 licence from DECC to conduct operations within known habitat of threatened species"

"that DECC ecologists are of the opinion that the proposed operation will have a negative impact upon the forests and threatened species of the Mount Rae area"

"that the land in question is of very high conservation value"

A few months later logging approvals were granted with forestry interests claiming this as recognition that Mount Rae Forest had no conservation values and State governments recognise PNF logging as improvement.

Comment from local forestry spin doctor in local media: *"DECC have recognised that the proposed operation will improve the ecological and biodiversity values of the Mount Rae Forest, and this is why they have issued a legally approved Property Vegetation Plan that has taken all factors into consideration, and has biodiversity certification"*.

In Questions to Parliament - 1160 - Ian Cohen -

Q: *"Is it true that the Threatened Species Unit of the DECC has previously objected to the Development Application pertaining to logging on this block?"*

A: *"I am informed that the former DEC objected to a DA lodged with the Upper Lachlan Shire Council by the landholder prior to the introduction of the new PNF CoP under the native vegetation regulation 2005."*

Q: *"Does the Minister admit that the approval of this PVP makes a mockery of the PNF CoP, and shows that the CoP and its implementation by ex DNR staff now within DECC has delivered a worse outcome for this block than the previous legal requirements?"*

A: No

It is such responses that allow forestry networks to claim firewood 'harvesting' as a method of improving the entire Southern Tablelands and claim support from 'senior' DECCW officers in the past.

So who was wrong? The department's best scientific minds, botanists and ecologists, with supporting facts and on ground studies? Or vested interests, with a supporting PNF officer and no biodiversity studies in this area?

Even this forestry group's own report on firewood clearing in this region *"Doing nothing in dry sclerophyll forests is not an option"* states: *"the level of knowledge of these forests is limited to best guessing management actions to improve stand condition"*. There you have it. bio-certification of PNF in the forest remnants of the Southern Tablelands is based on that proven science - 'best guess.'

Claims that logging was unregulated previous to PNF is UNTRUE in this case. Mount Rae Forest was **preserved previous to PNF** through the intervention of the department's Threatened Species experts. A section 91 license was necessary to clear in TS habitat. Local councillors voted 'no' to the same operation when consent was required prior to bio-certification of PNF. **Sydney Water Authority** placed a 'stop the clock' order on the development.

And the then Environment Minister states this is not a worse outcome? It's certainly a worse outcome for the environment and the wildlife, so I must assume the Minister was referring to it being a better outcome for the Firewood Baron.

If landowners wished to attempt some form of "improvement" they would discuss 'adaptive management' trials with OEH and the CMA, or join local landcare and ask about obtaining local plant species. Conduct feral animal control with the local Livestock Health and Pest authority.

The claims (logging to improve) are further made a mockery of by those involved in PNF in the Mount Rae area now undergoing exploratory drilling for bauxite. I guess **if firewood logging was designed to 'improve' these forests, then open cut mining to the predicted depth of 30 metres will really fix them.**

Patch clear felling, thinning and even so called low impact logging has significant ecological effects. With regard to climate change and biodiversity loss it would be very difficult to argue that logging for firewood in threatened species habitat was **'for the common good'**.

The Native Vegetation act allows firewood **for domestic** use. Landowners here source firewood from existing windrows from past road clearing events and under power lines, they do not need to fell green trees with bulldozers. How does the Environment Minister granting approvals in threatened species habitat for the **SOLE purpose of COMMERCIAL** firewood meet the intent of the NV Act? Is firewood, biomass or woodchip logging from native forests providing **'valuable timber products'**?

Issues relating to commercial firewood collection; removal of intact groundcover; the introduction of weeds and spread of pathogens via wood and machinery and loss of hollow bearing trees are overlooked in the PNF process, and yet they are acknowledged as **Key Threatening Processes** under the **Threatened Species Conservation Act**.

How can any department claiming conservation as a core principle give bio-certification to this operation? It clearly presents a way to get around the spirit and intent of the above legislations.

This is similar to how our firewood merchant sourced firewood in the past. Using loopholes in past clearing laws under rural exemptions. We were told this would be prevented in future legislation through the NV Act. PNF and bio-certification has now just presented a further loophole for this operation to continue on an even larger scale than before!

PNF allows logging on lands to 30 degrees of slope and I am lead to believe it replaces the requirements of the former **Soil Conservation Act**. Landholders were restricted to clearing on lands below 18 degrees and some lands here were **'protected lands'** for this reason. Forest vegetation minimises surface water flow and erosion. Land clearance for forestry results in significant increases in **catchment run-off**. This run-off is a major source of elevated sediment and nutrient loadings in waterways. Forestry machinery compacts soil, preventing absorption of rainwater and any run-off then carries a significant amount of sediment into streams. CSIRO research has shown that timber harvesting and its associated activities fundamentally change local soil and climate conditions as well as the levels and chemical composition of the local water table. It is difficult to see how maintaining 5 metre exclusion zones around streams will provide for the protection of soil on lands with this degree of slope.

The below article from The National Park's Association's Journal also calls into question how PNF is meeting current legislation :

"In addition, it was revealed that nearly 2,000 ha of core Koala habitat mapped by the Coffs Harbour City Council in its Koala Plan of Management had been approved for logging unlawfully by DECCW contrary to wishes of council."

If iconic species such as koalas are not afforded appropriate protections under PNF, what chance do other threatened species have? What of the 'lesser', more 'common' species residing in this forest and others?

Mount Rae Forest:

This forest is documented to contain nearly 250 fauna and flora species. Sugar and feathertail gliders, ringtail possums and antechinus, crimson rosellas, boobook owls, tawny frogmouths, sacred kingfishers, echidnas and wombats, wallabies and wallaroos. Over 20 species of native orchids. There is a greater diversity of living things in our forests than in any other Australian environment. Destroyed through felling trees, patch clearfelling with heavy machinery, ongoing degradation and fragmentation of habitat and subsequent increase in edge effects. All sanctioned by the OEH in this forest.

No concerns for the **NP&W Act designed to protect native plants and animals**. I guess the lesson to be learned is if you're going to kill wildlife do it on a large scale and the NSW government will grant bio-certification. After all, you are only killing them to **improve** this forest for them??

Who will speak out on behalf of the wildlife if not the Office of Environment and Heritage?

Under PNF if there are records of species in adjoining areas of public land, species can be ignored if it can be demonstrated that they have been protected in the adjoining area. Yet we are told that the national parks system alone is not enough to protect our biodiversity and that we must all be involved in protecting private land habitat?

Local Catchment Management Authorities employ professional staff who assess PVP's under the NV act. But not PNF PVP's ?

CMA's co-ordinate with landcare groups and operate on a whole of catchment scale. So once again an agency set up to provide the necessary ground truthing of areas and assessments of vegetation condition are removed from the process. Why? CMA's have worked with other government agencies to refine key habitat and corridors at catchment level, helped councils develop biodiversity planning frameworks, prioritised areas for protection or rehabilitation and worked with locals. Co-ordinated policies? Landscape scale policies? Not considered under PNF.

HOW IS PNF COMPLIANT WITH THE ABOVE LAWS? and the department's own stated aims?

Mount Rae Forest:

Taking the word of firewood merchants for biodiversity protection? This is not only not compliant, with other legislation, it is naive or worse.

bio-certification in this forest is an abuse and an affront to those laws.

A department charged with protection, choosing not to listen to those within their department who provide scientific recommendations for this area, but instead choose to listen to those who only seek economic gain.

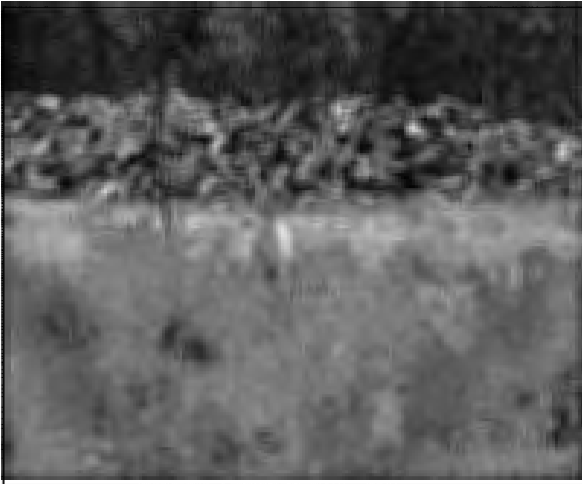
People have an expectation that legislation will reflect the values of the above acts and demonstrate departmental diligence to maintaining same. What will they say when they realise that the OEH, charged with protecting the environment, is now just another politicised, regulatory agency, choosing firewood over threatened species? PNF seems more concerned with covering up flaws in legislation, keeping approvals secret, pacifying developers while ignoring other agencies and their own experts who still cling to conservation ethics.

The PNF Interim Act : IGNORING INFORMATION THAT THEY ARE SUPPOSED TO KNOW, CONCEALING THE INFORMATION THEY ARE SUPPOSED TO REVEAL, AND APPROVING FOR ONGOING DEGREDEATION THAT WHICH THEY ARE ENTRUSTED TO PROTECT.

14. CONCLUSION:

Our forests and woodlands provide essential environmental services. These benefit mankind, come free from nature, but are valued in the billions of dollars. These vegetation remnants in the Southern Tablelands are important for biodiversity conservation and maintaining surrounding farm productivity.

We are urged by Governments to preserve these assets. Many areas are undergoing major regeneration, rehabilitation and threatened species conservation projects.



Conservation on private lands is necessary to ensure the survival of threatened species and we are informed that a reliance on national parks alone is not enough.

A NSW Government funded fact sheet states:

"The majority of Australia's biodiversity exists outside of the public reserve system. In NSW, less than 9% of land is held in protected areas, such as National Parks. There is now a broad consensus that relying on protected areas alone will not adequately conserve our native plants and animals, and we need to support landholders to protect private lands."

The temperate woodlands of Southern NSW occur almost entirely on private lands currently unreserved. Many of our forest remnants are

valuable for the very reason that threatened species have been trapped within and they now represent islands of biodiversity, containing intact genetic stores and seed banks for the future.

The Commonwealth State of the Environment report 1996 identified **loss of biodiversity as Australia's most serious environmental problem**. The scale of land clearing we have witnessed in this country is an unfortunate historical fact. The unfortunate current fact is that it is still continuing.

There is a genuine need for an integrated approach to biodiversity loss and concerns for the effects of increased greenhouse gas emissions. *"If Australia's rich biodiversity is to survive, integrated management must extend beyond the National Reserve System...land uses on both public and private land are recognised as important in reversing the declining trend in Australia's biodiversity and in maximising conservation benefits."* Humane Society International January 2009 - "Conserving Natural Landscapes beyond the National Reserve System"

This integrated approach is clearly at odds with the current PNF approval process.

The second edition of Conservation of Australia's Forest Fauna quotes Recher (2004) as expressing the opinion that *"a holistic approach to forest fauna management is currently lacking"* and that *"many land owners toil long hours to re-establish trees on their properties; others only a short distance away are clearing mature native vegetation."*

The above quote directly sums up the issues of PNF in the Mount Rae area.

Policies are needed which incorporate all levels of government and apply a **precautionary** principle unless it wishes to see continuing biodiversity losses on a grand scale. Governments should pool resources and build networks, not remove them under Ministerial discretion and bio-certification.

The wider public would be appalled to know that logging can occur in threatened species habitat without any environmental surveys, that PVP's are not assessed by CMA's who were set up for this purpose, that advice from departmental experts is ignored and that the OEHL is encouraging the homes of these animals to be sent up a chimney.

PNF needs immediate reforms before the current draft becomes a full Act to the detriment of forest dependent fauna and flora, water and air quality, carbon storage and both current and future generations.

15. **RECOMMENDATIONS:**

In order to see this interim act become a more effective regulation and achieve a more appropriate balance between economic outcomes and environmental protection, I would urge that as a **minimum**, the following be implemented.

- **Ecological and Aboriginal cultural heritage surveys** must be performed **PRIOR** to approvals.

Environmental surveys must be performed by **independent consultants** to determine site specific requirements for threatened species.

*In Mount Rae Forest, prior to bio-certification, an application was required by council for this firewood business. The environmental consultant, claiming to be 'suitably qualified' in the *D.aequalis* orchid turned out to be a local goat farmer, friend and former neighbour of the proponent, and was currently employed to operate a hydraulic splitter for the firewood business. He had a BSc obtained over 30 years previous.*

- Logging should not be allowed in **EEC's** and **HCV forests**
- Logging at a **commercial** scale in **native forests** for the **SOLE purpose** of such low end products as **firewood**, woodchips or biomass should not be approved.
- Lands above 18 degrees of slope were previously afforded protection. PNF clearing is currently permitted on lands to over **30 degrees of slope**. This should not be allowed.
- Consider stewardship payments or tax relief for genuine farmers to retain remnant native vegetation and manage them for the greater public good. Not a financial handout but monitored conservation programmes and education for landholders as a disincentive to turn native forests into firewood, fenceposts and pulp.

I have read in the Canberra times that further south one landowner signed with a PNF logging contractor at the royalty rate of \$2.00 per tonne. Were alternative programmes, funding and incentives to retain these trees even explained to this landholder by OEH officers? Shouldn't officers from OEH inform that lands assessed as high conservation value qualify for rates exemptions?

With improved education, sharing of knowledge and a truly coordinated approach sustainable natural resource management is possible.

I thank the EPA for the opportunity to make the above comments and for the time taken in reading such a lengthy submission of an actual 'on ground' example.

Regards,

Mark Selmes


TARALGA NSW 2580

Below...

Mount Rae Forest currently being 'enhanced' for biodiversity and threatened species under PNF silvicultural improvements... thanks to PNF.

