

**Submission
No 410**

**INQUIRY INTO MANAGEMENT OF PUBLIC LAND IN
NEW SOUTH WALES**

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I am a wildlife ecologist with over 40 years survey and research experience in the forests of eastern Australia. My submission details the ecological significance of public hardwood forests in north east NSW and the NSW Riverina. It also reveals the current crisis in management of the public timber production forests in north east NSW, in particular the failure to apply the principles of ESFM.

I recommend:

- i) excluding degrading activities such as grazing, hunting, four-wheel driving and horse riding from the public hardwood forest estate;
- ii) adding further areas of public land to the State's formal reserve system to meet CAR criteria guaranteed under the RFAs; and
- iii) initiating a compliance system to ensure ForestsNSW achieve ESFM in their operations, including meeting their legal obligations to maintain biodiversity and ecological function.

SUBMISSION TO THE INQUIRY INTO THE MANAGEMENT OF PUBLIC LAND IN NEW SOUTH WALES

with particular reference to the Native Hardwood State Forests in
Northern NSW and the River Red Gum State Forests in the
Southern Riverina

David Milledge
31 August 2012

**The Hon. Robert Brown MLC, Chairman, General Purpose Standing
Committee No. 5, Inquiry into the Management of Public Land in New
South Wales**

Dear Sir

I wish to make the following submission to your Inquiry:

RELEVANT EXPERIENCE

1. I am a wildlife ecologist with over 40 years survey and research experience in the forests of eastern Australia.
2. I have worked for government authorities and as a private consultant in three States on numerous projects involving studies of forest ecosystems and the impacts of timber harvesting on their vertebrate animal communities.
3. Some past studies and activities that I have been engaged in that are relevant to the State Forest and forestry management component of this Inquiry comprise:
 - i) detailed involvement with the Australian Museum's 1975 assessment of the impacts of the Eden woodchip industry;
 - ii) co-operative research with the NSW Forestry Commission in 1979-1980 on the effects of forestry operations on wildlife in the Kendall Forestry Management District;
 - iii) provision of expert evidence to the NSW Land and Environment Court in cases in 1980, 1990 and 1991 concerning forestry operations at Terania Creek and in the Washpool and Chaelundi State Forests;
 - iv) engagement by the NSW National Parks and Wildlife Service in 1992-1993 as a team leader conducting regional forest fauna surveys;

- v) engagement by the NSW National Parks and Wildlife Service in 1993-1995 reviewing the NSW Forestry Commission's EISs for forestry operations in north east NSW and developing prescriptions for protecting threatened fauna species;
- vi) membership of the 1996 Ministerial Panel reviewing the Gaps and Clusters silvicultural technique in timber production forests in north east NSW;
- vii) membership of the 1995-1996 Northern Fauna Expert Panel reviewing reservation targets for the NSW north east forests Comprehensive Regional Assessment; and
- viii) engagement by the NSW National Parks Association in 2007 to assess impacts on the Barking Owl and other threatened fauna of forestry operations in Riverina Red Gum Forests and Woodlands.

PUBLIC HARDWOOD FORESTS IN CRISIS

4. Over the period of my work in NSW I have witnessed the application of a variety of management practices in State Forests that have become increasingly unsustainable, particularly in northern NSW where the public forest resource is now being rapidly destroyed.
5. In my opinion, this is due to the following factors:
 - i) the deliberate over-cutting of forests during the past few decades to meet unsustainable wood supply quotas guaranteed by Government;
 - ii) the failure by ForestsNSW, the State forest management authority, to provide accurate timber volume estimates to Government and to report on the overall health of public native forests, particularly in terms of biodiversity conservation and ecological function;
 - iii) the failure by ForestsNSW to apply ecological principles in managing the forest estate, in particular in not applying silvicultural techniques designed to maintain healthy multi-aged forests in perpetuity;
 - iv) the failure by ForestsNSW to apply threatened species (as listed under the NSW *Threatened Species Conservation Act* 1995) and other protective prescriptions designed to maintain biodiversity and ecological functioning in State Forests;
 - v) the failure by ForestsNSW to properly address pest species problems in the public forest estate, particularly Bell Miner Associated Dieback and the impacts of the Feral Pig, Red Fox and Feral Cat; and
 - vi) the inadequate responses by Government regulatory authorities such as the Office of Environment and Heritage (OEH, formerly DECC, DECCW) and the Environment Protection Authority (EPA), to deliberate and systemic

disregard by ForestsNSW of their legal obligations to protect threatened species and communities and sustain biodiversity values across the public forest estate.

ECOLOGICAL SIGNIFICANCE OF NORTH EAST HARDWOOD FORESTS

6. The State hardwood forests of north east NSW have exceptionally high ecological and biodiversity conservation values as a result of many outstanding attributes including;
 - i) the provision of core habitat for many of the continent's major flora and fauna groups;
 - ii) the occurrence of a number of centres of endemism;
 - iii) the provision of numerous refugia; and
 - iv) the presence of many stands of old-growth forest.

These values are emphasised by the high number of forest-dependent species listed as threatened under State and Commonwealth legislation.

7. The hardwood forests of the area provide strongholds for a number of species that have declined markedly over their ranges in NSW and characteristically have greater carrying capacities, supporting higher densities of many species because they are generally more productive than adjacent reserves in the National Parks estate.
8. These forests are also likely to become increasingly important in buffering the effects of future major environmental impacts such as climate change.
9. In many cases, the north east NSW hardwood forests are of particular significance because they are contiguous with and integral to the key biodiversity conservation function and viability of National Parks and Nature Reserves, expanding, linking and buffering the ecological values of the State's primary reserve system.
10. The north east NSW hardwood forests, particularly at lower elevations, are of national significance in providing food resources for many southern-breeding insectivorous bird species when food becomes scarce during winter months. Migratory species comprise a substantial proportion of southern spring and summer breeding bird assemblages that contribute significantly to ecological functioning in southern Australian forests.
11. The various eucalypt species that dominate the north east NSW hardwood forests flower prolifically at different times of the year, producing an abundance of nectar and pollen of major importance to other migratory and nomadic bird species and to nomadic fruit-bats. These vertebrate species make a significant contribution to ecological

functioning in the hardwood forests by effecting pollination of the different tree species across the landscape.

12. The north east hardwood forests also support a number of vertebrate groups that are important for ecosystem functioning and hence maintaining the health and viability of these forests and the ecosystem services they provide. Examples are the leaf-litter scratchers, the dispersers of fungal spores and the dispersers of seeds of many important plant species.

MISMANAGEMENT OF NORTH EAST HARDWOOD FORESTS

13. In recent years I have been engaged on a number of occasions by the North East Forest Alliance (NEFA) to provide advice on threatened fauna species and prescriptions in their audits of forestry operations in selected north east NSW State Forests. These audits have revealed that current management of the public forest estate in these areas is not being undertaken in a manner that protects their ecological values and is in fact destroying these values and jeopardising the forests' long-term survival as providers of timber and other ecosystem services.
14. Such management is diametrically opposed to the principles of ecologically sustainable forest management (ESFM).
15. In audits of forestry operations in 2009 in Yabbra State Forest, in 2010 in Doubleduke and Girard State Forests, and finally in 2012 in Royal Camp State Forest, NEFA found that in breach of prescriptions in ForestsNSW's Threatened Species Licence and other requirements under the Integrated Forestry Operations Approvals (IFOA):
 - i) rainforest had been logged;
 - ii) wetlands had been logged;
 - iii) stream buffers had been logged;
 - iv) populations of threatened plant species had been logged;
 - v) endangered ecological communities (EECs) had been logged;
 - vi) old-growth forest had been intensively logged;
 - vii) habitat required to protect threatened fauna species such as the Mountain Frogs, Glossy Black-cockatoo, declining woodland birds, the Brush-tailed Phascogale, Koala, Yellow-bellied Glider and Black-striped Wallaby had not been marked for retention and had been destroyed by logging and post-harvest burns; and
 - viii) habitat and recruit habitat trees had not been marked for retention or in other instances had been inappropriately marked, in numerous cases retained trees had logging slash piled about their bases and in many other examples these trees had subsequently been incinerated in post-logging burns.

16. During audits in these State Forests it was noted that the problem of Bell Miner Associated Dieback (BMAD) was widespread and forest management appeared to be ignoring this serious issue. Areas where existing Bell Miner colonies had already caused substantial dieback had been further logged and burnt, resulting in an exacerbation of the problem, with substantial Lantana invasion and expansion of BMAD.
17. Protection of drainage lines and riparian vegetation was frequently ignored and overall unnecessary damage to understorey vegetation from incursions by machinery was widespread.
18. In my opinion these examples demonstrate an overall disregard for the principles of ESFM and reflect a systemic failure by ForestsNSW to comply with their legal obligations to sustain forest values and cater for the long-term supply of timber and other ecosystem services.

IMPORTANCE AND PAST MISMANAGEMENT OF RIVERINA PUBLIC RED GUM FORESTS

19. During field inspections of Riverina Red Gum forests in Barooga, Millewa, Moira, and Gulpa Island State Forests in late 2007 and early 2008, I was able to observe the ecological significance of these forests as a regional wildlife corridor of national significance, providing core habitat for a range of threatened fauna species and in their function as a major refuge for regional biodiversity. Their provision of habitat for a suite of declining woodland bird species is particularly important.
20. At this time the Red Gum forests, which in NSW have been substantially reduced, fragmented and degraded, were under extreme stress from drought, grazing, logging and other impacts.
21. As with the north east hardwood forests, prescriptions designed to protect important fauna habitat attributes during logging operations (that were current during my inspections) appeared to have been ignored or inadequately applied by ForestsNSW.
22. These included prescriptions to retain large senescent hollow-bearing trees and mature trees with well-developed crowns providing important foraging resources for threatened fauna species. As well as the observed problems with their application, these prescriptions did not appear to be based on levels necessary to sustain hollow-dependent fauna.

IMPLICATIONS AND RECOMMENDATIONS WITH RESPECT TO THE INQUIRY

23. Far from considering allowing an increase in degrading activities in public hardwood forests in north east NSW and the Riverina such as

grazing, hunting, four-wheel driving and horse riding, I suggest that the Inquiry recommend that they be totally excluded, together with the application of increased protection measures to safeguard ecological values and ecosystem services provided by these irreplaceable assets.

24. Values and services that should be afforded primary consideration in the National Parks estate in these areas include biodiversity conservation, water and catchment protection, carbon sequestration, protection of cultural and heritage values and low impact recreation. These should also receive primary consideration in the public timber production forests together with sustainable sawlog production, erosion control and lower impact activities such as apiary.
25. Additional areas of public land should be added to the formal reserve system in these areas to provide the comprehensive, adequate and representative (CAR) reserve systems guaranteed by State and Commonwealth Governments under the Regional Forest Agreements (RFAs). This is particularly important in the upper north east hardwood forests where 103 forest ecosystems remain below target to meet national reservation criteria in this area.
26. ForestsNSW should be required to meet their legal obligations under the RFAs and associated agreements in the public timber production forests through a system of effective penalties such as increased fines that adequately compensate for damage and provide for ecological restoration. Compliance with these obligations should be ensured through the operation of a competent, fully independent, adequately resourced regulatory authority and include the initiation of a comprehensive pro-active auditing system that should become standard procedure.

D.R Milledge