

**Submission
No 49**

**INQUIRY INTO PROVISIONS OF THE FORESTRY
LEGISLATION AMENDMENT BILL 2018**

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Submission - Inquiry into the Provisions of the Forestry Legislation Amendment Bill 2018

Regarding the regulation of private native forestry

I live in the far north coast of NSW in a biodiversity hotspot and surrounded by world renowned national parks. I have witnessed the devastating effects of private native forestry on an adjoining property which has significant environmental values, with the logging operation having absolutely no regard for endangered species including the koala and no regard for protection of streams and watercourses or indeed even the Logging Code of Practice. This has resulted in ongoing pollution to water catchments, logging of koala habitat, unauthorised logging in environmental zones and damage to both crown land and neighbouring private land. The current Private Native Forestry system fails miserably. And is likely to fail even further with responsibility handed down to Local Land Services.

I consider it inappropriate that the Minister for Lands and Forestry should prepare Codes of Practice for private property given that his priority is to obtain timber from private land to make up for public shortfalls. Clause 60ZT 'Responsibility for preparation and making of code' should identify the Minister administering the Biodiversity Conservation Act 2016 responsible for preparing and making private native forestry codes of practice.

Requirements that Codes of Practice include provisions relating to "biodiversity conservation" means very little and will certainly NOT ensure protection of threatened species and ecosystems. For the Code of Practice to provide meaningful protection for threatened species the following should be included

- A) Biodiversity conservation that maintains the diversity and quality of ecosystems and enhances their capacity to adapt to change and provide for the needs of future generations.
- B) Threatening processes, threatened species, populations and ecological communities under Part 4 of the Biodiversity Conservation Act 2016:
- C) Commonwealth recovery plans and conservation advices under the Environment Protection and Biodiversity Conservation Act 1999

Impacts to threatened species and ecosystems need to be minimised by identifying those species and systems and identifying possible threats. Adequate surveys need to be done to identify all species needing specific protection before any forestry operation is approved.

Section 60ZR needs to expand the objects to separate out and expand "protect biodiversity" to a separate clause:

to protect biodiversity (including threatened species, populations and ecological communities under Part 4 of the Biodiversity Conservation Act 2016)

Clause 60ZU (1) sets a minimum consultation period on draft Codes of Practice of 4 weeks, but for meaningful consultation this minimum time frame is far too short and the exhibition time should be extended to at least 8 weeks. .

Clause 60ZU (5) allows that there is no requirement to comply with the basic requirements for the draft Codes of Practice to be made publicly available for a period of at least 4 weeks and for the minister to consider any submissions, do not have to be complied with. This clause should be removed.

The current secrecy surrounding PNF approvals does not ensure public participation, provision of information, accountability and transparency in relation to the carrying out of forestry operations.

Local Land Services need to take into account the advice of any other agency or local government authority with specific responsibility for the subject lands in determining whether to approve a draft plan.

Before approving a private native forestry plan Local Land Services should inform neighbours and publicly exhibit the proposed plan for a period of at least 4 weeks.

Approved private native forestry plans need to be publicly available.

Current self management clearly does not work. Regular inspections are needed. Any breaches of the Code of Practice need to be enforced, taken seriously and met with severe penalties to discourage further breaches.

Thankyou
Susie Header