

13 December 2016

Director, Planning Frameworks
GPO Box 39
Sydney NSW 2001
Online submission to
www.planning.nsw.gov.au/proposals

Dear Sir/Madam,

Re: Submission on Review of SEPP 44 Koala Habitat Protection

We make this submission on behalf of Timber NSW – the peak representative body for NSW sawmilling and processing, private native forestry growers and operators, harvest and haul contractors and forestry professionals.

This organisation was and has not been consulted as a stakeholder in the drafting of this review which has the potential to have a major impact on this industry that employs over 22,000 people and provides \$2.4b to the NSW economy.

Currently there are over seven million hectares of national park and reserves in NSW covering the full range of koala habitat types. In addition there are vast tracts of protected Crown timber lands and over two million hectares of sustainably managed state forest of which less than 1 million hectares is available for timber supply. With only ten per cent of public native forests available to provide for the State's growing hardwood timber needs private native forests have an important socio-economic role to play.

Selective timber harvesting of private native forests (private native forestry or PNF) is a widespread but highly controlled activity that operates across the NSW koala's home range. Timber NSW is mindful that some parts of the community remain sceptical about the benign nature of PNF. However, selective timber harvesting and koala populations have successfully co-existed for over 100 years with no documented evidence of adverse impacts. Timber NSW is concerned that the proposed changes to SEPP 44 may provide an opportunity for those politically motivated opponents of the industry to reduce access to private native forests without any sound scientific basis. The opportunists will likely focus on regrowth forests that have a proven track record serving as koala habitat and a source of renewable timber supply.

Recent (unpublished) research undertaken by the Department of Industry – Lands (briefly mentioned in the Chief Scientist & Engineer's Report) on the state's lower north coast has revealed that koalas are thriving in regrowth State forest and may be outperforming those living in conservation reserves. This may be due to working forests having the better record when it comes to preventing and suppressing major wildfires (which are a known major

threat to koala populations) as well as providing a mix of successional regrowth stages which better meets the koala's browsing and habitat preferences.

Habitat fragmentation and Landsat satellite imagery used to measure forest canopy loss and gain clearly shows that the greatest canopy losses within NSW native forests are not being caused by timber harvesting but by wildfires within National Parks and Reserves. (See <http://www.globalforestwatch.org/map/> select Conservation then Protected areas then zoom into the following National Parks and Reserves - Pilliga, Blue Mountains, Kosciusko, Tilligerry, Tomaree, Crowdy Bay, Limeburners Creek and Banyabba).

Timber NSW recommends that the Department carefully evaluate this information before a tenure based solution is adopted within the new guidelines (that are being prepared for the koala comprehensive plans of management).

Local Planning Direction and Local Environmental Studies

Timber NSW supports the Department's proposal to transfer the plan making functions to a Local Planning Direction and to replace the preparation of local environmental studies with strategic planning at the local and regional level. These changes align well with Recommendations 1 and 2 of the Chief Scientist & Engineer's December 2016 Report into the decline of koala populations:

- Recommendation 1 - that Government adopt a whole-of-government koala strategy for NSW with the objective of stabilising and then starting to increase koala numbers.
- Recommendation 2 – that Government initiate a program to improve data on the number, location and occurrence of koalas in NSW, including trends over time.

These two recommendations give Timber NSW some hope that the government's koala management strategy will be driven by science rather than a value based desire to create new private conservation reserves.

Definitions, Guidelines and Development Assessment

Under the existing SEPP 44, koala habitat requiring consideration under the EP&A Act is tightly defined. This tight definition results in minimal interaction between the forests subject to the policy and PNF activities which are conducted in accordance with an approved property vegetation plan under the Native Vegetation Act. PNF activities are subject to PNF Codes of Practice which also contain specific measures to ensure that koalas and their habitat (outside of core areas) are not adversely impacted. In addition the industry developed with Depart of Industry – Lands some two years ago a Koala Code of Practice designed to maximise the welfare of koalas in forested areas accessed by industry.

Proposed changes to broaden the definition of koala habitat (to include any areas where koalas are present and an updated list of 65 trees) will see SEPP 44 rules applying to many of the forests where PNF occurs.

Unless there is an explicit exemption for PNF the proposed changes to SEPP 44 will mean that PNF activities become affected by SEPP 44 on a routine basis. The implications could be quite profound, in particular:

- Landowners seeking to engage in PNF could become subject to a separate Local Government Authority approval process which deters them from applying;
- New guidelines for the preparation of comprehensive plans of management could see vast tracts of regrowth forest (that represent a critically important resource to the NSW timber industry) set aside in private conservation reserves.

When PNF operations first became subject to regulatory approval under the Native Vegetation Act there was clear intent to have a single consent process administered by a single state government authority. Proposed changes to SEPP 44 have the potential to undermine this arrangement making it much more difficult and complex for landowners.

The NSW Government is about to commence a comprehensive review of PNF. The terms of reference for the review require that it:

- (a) does not regulate the harvesting of native timber on private land as a form of land use change
- (b) considers options for regulating sustainable forestry operations based on their scale and intensity rather than tenure, including options for permitting low-intensity operations on private land without the need for approval and a focus on outcomes rather than process

Timber NSW requests that the Department of Planning ensure that any changes to SEPP 44 are consistent with these terms of reference.

Market Substitution and Exploitation

A potentially unforeseen implication of reducing access to native forests for timber production (to provide for koala reserves) will be that more tropical hardwood timber is sourced from rainforests within developing countries like Indonesia (e.g. Borneo and West Papua) that are the home of the Orangutan. Both timber export and substitution for palm oil plantations result in the issues surrounding sourcing of resource from Indonesia. An example of how this timber is likely to be obtained was recently aired on the 7.30 Report (8 December 2016) <http://www.abc.net.au/7.30/content/2016/s4589563.htm>.

While we are not advocating that koalas and their survival be traded for Orangutans, we submit that the environmental controls applying to PNF are amongst the most stringent in the world and will provide for the certain survival and regeneration of koala colonies if the principal causes of koala decline are adequately and effectively addressed (e.g. habitat degradation and loss associated with road clearing and urban development, altered fire regimes and introduced pests and weeds). Those same environmental controls do not exist for Orangutans whose habitat destruction is directly supported by the export trade of tropical hardwood timber and palm oil.

Thank you for the opportunity to make comment. We trust that we may be given further opportunity to comment on the development of the guidelines.



Maree McCaskill
General Manager