

Natural Resources Commission
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August 8 2014

Submission to: **Draft Report by the Natural Resources Commission. Active and Adaptive Cypress Management in the Brigalow and Nandewar State Conservation Areas.**

Submission by: **National Parks Association of NSW Inc (NPA)**

The National Parks Association of NSW (NPA) was formed in 1957 to promote the concept of a network of national parks in NSW under specialist national parks and wildlife legislation and managed by a professional agency. Today NPA continues to build on this work through a network of 18 regional branches and over 20,000 supporters. NPA has a strong interest in protecting the health and integrity of high conservation value land and biodiversity across NSW, within national parks and also beyond them on travelling stock routes, private land and many other land tenures. NPA is also involved in tourism by providing our members with over 1000 guided bushwalks throughout the state each year.

Introduction

NPA is strongly opposed to the recommendations outlined in the *draft report: active and adaptive cypress management in the Brigalow and Nandewar state conservation areas*. We believe there is no scientific justification to the recommendations.

NPA understands that the Natural Resources Commission (NRC) is suffering from a lack of financial resources to properly undertake its roles:

- to help government find evidence-based solutions to complex natural resource problems.
- to provide rigorous, high quality independent advice to the Premier and Ministers on managing natural resources and related issues to improve production, biodiversity and community well-being across the state, in line with the Natural Resources Commission Act 2003.
- to assist government in making informed decisions on improving service delivery, policies and regulation for long term socio-economic and environmental benefits.

- to develop practical solutions that have triple bottom line outcomes.
- to promote performance, good governance and accountability.
- to support evidence-based decision making.

This has never been more evident in its draft report on Cypress Management in the Brigalow and Nandewar State Conservation Areas.

Essentially this report seeks to overturn the outcome of the Comprehensive Regional Assessment process for the Brigalow Belt and Nandewar bioregions which resulted in the creation of a number of conservation reserves across the two bioregions.

One only has to reach the third paragraph to realise that the NRC has succumbed to forest industry propaganda with the tenor of the document demeaning the sound conservation reasons why these conservation reserves were dedicated by Parliament.

The terms “active and adaptive management” are a misnomer in the context of the report. They are used to excuse exploitative use of areas where nature conservation ought to be the primary management purpose.

The draft report is not a document which relies on evidence based decision making, other than evidence supplied by the vested interests which seek to overturn sound conservation decision making. There is little, if any, evidence presented which indicates the ecological outcomes predicted in the report. Alternative methods of achieving the stated outcome are dismissed without sound ecological justification.

Indeed, there is little evidence of an understanding of ecosystem dynamics, the mechanisms by which vegetation globally is responding to a changing climate or of parallel issues of woody plant thickening in other parts of the world.

Section 3.2 Managing White Cypress Forests

The text of this section demonstrates the inherent bias in this NRC report. The discussion uses older forest management authorities rather than referring to the wider ecological literature. The wording of the last paragraph implies that conservation reserves would benefit from logging operations.

No attempt has been made to demonstrate an understanding of management for biodiversity, of the management principles and procedures adopted and used by the State’s nature conservation agency, the National Parks and Wildlife Service, nor of ecological management principles, as opposed to the much narrower objectives of management for timber production.

Economic Costs and Benefits

NPAs submission on the Terms of Reference indicated that we believed that the costs of the types of management apparently being contemplated would outweigh any return to the Government.

We are pleased that our concerns regarding the costs of these logging operations have been borne out in the NRC report which indicates an annual cost of up to \$3.5 million. It is likely that this is an underestimate as compliance costs do not appear to be fully factored in to the analysis. This is evident in the lack of costing for establishment costs.

This alone should be enough to convince the Government to abandon the proposal.

There is wide public support for the conservation reserve system and that National Parks and other reserves are created to manage land for nature conservation and other appropriate uses.

The Government should not be subsidising native forest logging and it certainly should not do so within conservation reserves.

Management Plans

In our submission on the Terms of Reference NPA stated:

The CCACs were working with departmental staff to complete draft plans of management for the reserves which are not subject to this adaptive and active management assessment process.

It is important that these plans be finalised as a priority of Government. Any management actions should be consistent with the aims, objects and actions contained within these draft plans.

No action should be taken which would detract from the significance values identified for each of the reserves.

Conservation Management

It is an established conservation management practice that places ought to be managed to reflect the significant values protected within those reserves. This principle is expressed in existing reserve Plans of Management under the NSW National Parks and Wildlife Act, in the Australian Natural Heritage Charter and the Burra Charter.

The NRC report fails to establish a link between the proposed activity and the key ecological values protected by these reserves.

No reference is made to conservation management authorities and neither the Australian Natural Heritage Charter nor the Burra Charter are listed as references. The guiding principles in those documents for management of significant areas are either ignored or glossed over.

Fire as a Management Tool

NPA would support trials which involve use of fire as a management tool to achieve the thinning outcomes indicated in the NRC report. The National Parks and Wildlife Service has considerable expertise in the application of prescribed fire to achieve ecological outcomes and it seems strange that the NRC has focussed on logging rather than fire management.

This could involve local Aboriginal groups as is being trialled elsewhere in New South Wales and has been applied in northern Australia.

Public Exhibition Standards

NPA considers that any ecological thinning which involves commercial timber extraction would be an activity likely to have a significant environmental impact and that an Environmental Impact Statement would be required to justify any such proposal.

Should the NSW Government opt to consider the impacts of the proposed activity through a Review of Environmental Factors (REF), higher than usual standards of public exhibition and consultation ought to apply. Any REF should be placed on public exhibition for a period of 3 months.

Accountability and Compliance

The NRC misunderstands modern practice in relation to compliance risk and risk management. In section 13.1.1 of the report it states that *"The NRC is not recommending that an external regulator such as the Environment Protection Authority is required."*

Situations where a single agency acts as the developer and the regulator do not represent sound practice. These functions need to be at arm's length.

The NRC seems to be saying that regulators with specific powers ought not to apply those powers in relation to the activities proposed.

The NRC states that it does not consider that the activity is classed as commercial logging under an Integrated Forestry Operations Approval. This seems to be a dubious conclusion if the effective nature of the activity corresponds to logging with a commercial outcome.

Regardless of definition the activity must comply with various legislation including the Environmental Planning and Assessment Act 1979.

NPA maintains its view that the existing Regional Advisory Committees under the National Parks and Wildlife Act is the appropriate mechanism for community involvement in reserve management planning. We are disappointed that the NRC report fails to make a strong recommendation in relation to this point.

The NRC proposes that a Regional Officers Working Group and that this Group, among other matters, collaborate on developing commercial opportunities to improve recovery of management costs. This is entirely inappropriate in relation to management of conservation reserves which should be free of commercial exploitation and whose primary purpose ought to be management from nature conservation.

The NRC report fails to make the operations contingent on adoption of Plans of Management for the relevant reserves, The draft plans referred to in section 13.2.1 have no legal status and cannot be relied upon as a compliance mechanism to guide the proposed activity. The publication of a Statement of Management Intent is no replacement for an adopted Plan of Management under the provisions of the National Parks and Wildlife Act. The proposed activities are highly contentious and negate the conservation purpose for the reserves. To permit the proposed activity in the absence of a Plan of Management brings into question the activity's legitimacy.

Section 13.2.2 effectively seeks to provide a back-door method of allowing grazing and logging throughout the National Park estate. This abhorrent proposal should not be driving National Park management. The long established international standards for conservation reserve management published by IUCN and its World Commission on Protected Areas, as well as the complementary management objectives enshrined in the National Parks and Wildlife Act should determine reserve management planning and policies.

NPA opposes use of native forest biomass for electricity generation due to its impact on forest biodiversity, soil nutrient cycling and impact on atmospheric carbon dioxide. NPA therefore opposes any change to the Protection of the Environment Operations (General) Regulation 2009 which would permit such use of any wood harvested as part of the proposed activity. The NRC report also errs in not acknowledging there is considerable community opposition to this use of wood products.

In terms of application of the National Parks and Wildlife Act, the proposed activity would appear to invoke additional provisions of the Act not identified in Table 35 within section 13.2.3 of the NRC report.

Whilst the NRC report outlines governance structures, including an independent review process, it is unclear how this would be constituted, the degree of oversight or review involved and the extent to which this process would be open and accountable to the general public.

Precedent Setting

Recommending commercial logging of a conservation area would set worrying precedent of grave concern to our organisation. These State Conservation Areas are high in biodiversity and support large populations of threatened woodland fauna and flora.¹ The four priority areas targeted for the commercial logging trial are the largest conservation areas in the Pilliga and contain the best stands of mature white cypress which is under represented in the reserve system.

¹ EPA, *Western Regional Assessment*, <http://www.epa.nsw.gov.au/forestagreements/BrigalowNandewar.htm>, Accessed: 5 August 2014

The Brigalow and Nandewar contain some of the most threatened semi-arid biodiversity systems in NSW. It is listed as one of Australia's 15 national biodiversity hotspots.² Allowing logging in such a bio-diverse area would not be viewed well by the community.

CONCLUSION

NPA is strongly opposed to the recommendations outlined in the draft report: *active and adaptive cypress management in the Brigalow and Nandewar state conservation areas*. We believe there is no scientific justification to the recommendations.

It is our view that the NRC report is flawed as it does not rely on sound conservation management to arrive at its recommendations.

The report relies on forestry science and production management principles rather than a broad ecological understanding of ecosystem dynamics.

The report fails to present a link between the key values of the conservation reserves and the intended management activity.

The report does not provide a comprehensive range of governance and accountability mechanisms to provide the public with any confidence that the commercial drivers will not over-ride conservation of the natural environment.

The report promotes commercial logging at the expense of sound conservation management. It involves an unacceptable cost to the State.

The Government should reject this report.

Sincerely,



Kevin Evans

CEO, National Parks Association of NSW Inc.

² The area forms part of the Brigalow Belt South bioregion, see www.environment.gov.au/topics/biodiversity/biodiversity-conservation/biodiversity-hotspots/national-biodiversity-hotspots#hotspot2