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The need to review land clearing approval procedures

Introduction

Evidence for the need to review land clearing regulations is everywhere, and the following case just one tiny example. In mid June, the Clarence Environment Centre was alerted to the extensive 'underscrubbing' of native forest north-west of Grafton, which we investigated and then reported the Environment Protection Authority via the EnviroLine.

Below is a copy of the report we emailed to the EnviroLine. We have removed details of the whereabouts of the clearing, including the map, as those details are irrelevant to the purpose of this article, which is merely presenting it as an example of the problems that exist as we see them.

The Report

*"The Clarence Environment Centre has received report of land clearing at [REDACTED]
[REDACTED] The map below shows the extent (as far as we could see from the*

road, and the three images show the type of clearing, otherwise known as "underscrubbing", which is occurring.

Not only have tens of thousands of native trees, shrubs and other plants been bulldozed, but the use of a bulldozer has damaged many of the remaining trees which will likely be permanently scarred and die as a result.



Undertaken where it is, right alongside a busy public road, it's hard to believe that this has been done without some sort of approval. However, the end result, in known Koala habitat, is completely unacceptable, particularly in an age when we desperately require more trees and forests to sequester carbon, not less.

With the bulldozer still on site, and clearly intending to continue this horrific destruction, we sincerely hope this can be stopped as soon as possible”.



The Centre received a prompt response from the EPA, who investigated our complaint, and explained that, as we had suspected, the landowner had received approval from Local Land Services to undertake the work. We immediately approached that agency for a comment, feeling sure that the level of environmental damage was way beyond what had been approved. We explained our concerns at the scale of damage caused by 'underscrubbing' which effectively sees a loss of



biodiversity, possibly as much as 90%, and a process that is being blamed for the dramatic loss of smaller bushland birds. Again our complaint received prompt attention, but were surprised to hear that the work was in line with the approval which was granted under regulations related to “thinning”.

However, we were assured that the landowner, who was described as environmentally aware, had been warned to consider erosion potential resulting from the work.

Discussion

We feel there are a number of considerations to be taken into account when it comes to the management of native vegetation.

Firstly, as is clear from the above images, the forest in question has been heavily impacted by past logging, with barely a single tree with a diameter greater than 35cm. Unfortunately, this is the case for almost all remaining forests on private land in the region, particularly land that has been subdivided for Large lot, and Rural Residential development over the past 40 years where, almost without exception, the land was stripped of every stick of available timber, to ensure maximum dollar return prior to subdividing.

It is a well-known fact that when a large tree is logged, or even if it is killed or felled during a storm event, nature responds by taking advantage of the additional sunlight reaching the forest floor, to regenerate rapidly, resulting in dozens of saplings filling that space. Allowed to progress naturally, and over the next 100 to 200 years, one or two of those saplings will dominate and the weaker trees will die and disappear. When huge numbers of large trees are logged during a single event, the result is a dense covering of thousands of small trees per hectare, all struggling to survive, growing upwards seeking sunlight but barely adding to their girth.

The timber industry knows this well, but they can't wait 100 years for nature to take its course, so they follow the recommended silvicultural practice of “thinning” to remove smaller deformed or weaker trees, to allow space for more vigorous trees to grow.

Unfortunately, the native forest timber industry has not been financially viable for decades, and as a result 'thinning', which was previously undertaken manually, no longer occurs. Logging methods have also changed, and with the introduction of industrial scale mechanical harvesting methods, much heavier logging levels, and even clear-felling is the norm. The resultant rapid regrowth of un-thinned forest develops into a fuel-filled, highly flammable landscape which, combined with heating world, is creating catastrophic fire conditions just waiting for some lunatic to strike a match.



Typical of many over-logged state forests, with its mass of regrowth saplings. Is it any wonder this forest exploded into flame during the drought and last summer's heatwaves?

This is supported by the current Bushfire Royal Commission which has heard evidence from one expert after another, proving that logging of native forests makes them more flammable.

The case in question

Under pressure from the farming community, a large proportion of whom believe they have the right to do whatever they want on their own properties, the former Catchment Management Authority (now Local Land Services [LLS]), bowed to pressure to scrap the Native Veg Act, and introduced a number of concessions that now allow a degree of land clearing, one of which is 'thinning'.

It was explained to us by both the EPA and LLS investigators, that they were unable to provide details of the approval in this instance, or its justification, so we do not know why the owner wishes to spend tens of thousands of dollars on this destruction. However, the terms “grazing” and “bushfire paranoia” were mentioned during conversation, so perhaps those reasons were put forward by the landowner as justification.

We are unaware of how closely LLS officers look at land-clearing applications, but suspect it is a 'tick the box' exercise, allowing any landowner to thin vegetation to whatever degree is allowed under the regulation, without asking why.

This property is small, 40 hectares, on very low fertility soils, so with a grazing capacity of perhaps 5 head, in a good year, clearing for grazing seems unlikely, but perhaps they own adjoining land. With the catastrophic fire events that occurred last season, one of which burned relatively close to the property, with a number of others threatening for months on end, thinning as hazard reduction for bushfire protection is more logical. In that case, the question that needs to be asked is, has the work reduced the fire threat?

The answer is, with the massive windrows of dead vegetation, probably not, and even if they are burned prior to the next fire season, the fuel reduction will be short lived because, as was explained above, nature will intervene. That intervention will see a rapid regrowth of pioneer species and most likely exotic weeds like Lantana, which always thrives when soil disturbance of this magnitude occurs, and the situation will be back to 'square one' within a couple of years. Will the owner then spend further tens of thousands of dollars to redo the work? If so, after that permission will no longer be required because it will have become a RAMA (routine agricultural management activity)

Considerations.

We put these issues to the responsible minister suggesting the following should be considerations when asked to grant approval for land clearing.

As we see it, action on climate change is imperative, land-clearing and destruction of biodiversity simply has to be reduced, and more forests planted to help store the excess carbon from the atmosphere. And that should be a priority consideration in every case.

Hopefully, some real solutions that reduce fire in the landscape will result from the royal commission, perhaps through fire bans, penalties, and development of professional, well equipped, rapid response fire-fighting capabilities.

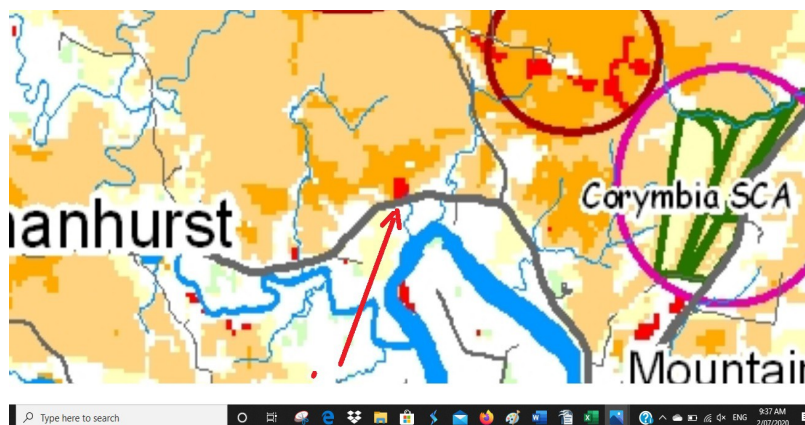
As we see it, the possible short term benefit obtained from 'underscrubbing' this property, will likely be off-set by erosion which reduces water quality down stream, weed invasion and spread. The Clarence River itself is only a matter of a few hundred metres away, and everyone downstream could potentially be impacted by this type of work, particularly on such fragile soils. This, and the cumulative impacts of literally hundreds of similar works across the valley, should always be taken into account before granting approval.

The problem of weed invasion resulting from soil disturbance is pretty much guaranteed, and already taxpayers spend many millions of dollars annually on eradication of weeds that have become established through previous mismanagement, much of it on private property. The consequences of disturbance should also be considered when landowners apply to destroy forest

Maintaining biodiversity levels has to be a priority. Biodiversity supports all life on earth, including human, so its destruction must be considered undesirable.

Thought should also be given to what happens next. Undoubtedly, that will involve burning the windrows of dead vegetation, adding yet more unwanted greenhouse gas to the atmosphere, something we, Australia, are supposed to be reducing under numerous climate change accords signed over the years. That burning process will most likely kill, or permanently scar all remaining trees standing in close proximity to the flames, many of which will already have been permanently scarred by the bulldozer during the 'underscrubbing' process.

We wonder what consideration, if any, is given to the ecological values on the property, suspecting that, at best, only a brief scan of the Bionet Atlas records will occur. That process is unlikely to throw up any red flags because very few rural properties have ever been subjected to flora and fauna surveys. However there is a lot of mapping provided, and published in the Northern Rivers Regional Biodiversity Management Strategy, which shows areas of endemism, wildlife corridors, areas recommended for priority biodiversity repair, areas containing high nectar index, important habitat for nectivorous mammals and birds, and more.



The dark ochre and red hatching show areas recommended for repair to enhance biodiversity and wildlife corridors.

The property in question rates extreme for nectar, is within a mapped wildlife corridor, and mapped as priority repair (see map left). However, rather than repair, LLS has opted for destruction.

The question we ask is, what if any consideration is given to the Strategy, or the mapping that supports it when deciding approvals?

Finally, there are almost certainly endangered and vulnerable species living in that forest. Clarence Environment Centre volunteers collected a road killed Koala just up the road last year, and delivered it to the National Parks Office in Grafton. The wildlife carer group, WIRES, has also placed numerous records from the immediate area on the NSW Wildlife Atlas. This is a species that an Upper House Committee report revealed, only this week, that under current conditions, will be extinct within 30 years.

In short, LLS has approved this 'underscrubbing', a process which is known to remove upwards of 90% of a forest's biodiversity, without considering impacts on supposedly protected threatened species, all of whom are headed for extinction if current trends are not reversed. The identified primary threat to all of those species is land clearing and loss of habitat, and the landowner isn't even required to find out if any of those threatened species are present before destroying it.

All of the above impacts, actual and potential, are the direct result of what we refer to as "tick the box" legislation that avoids the hard issues that should be considered, and avoids confrontation with a loud and often highly antagonistic minority.

Therefore we urge you, as Minister to urgently review all land-clearing regulations with a view to taking these threats seriously, particularly climate change and biodiversity conservation, which are key to the long term survival of humans.

Yours sincerely

John Edwards
Honorary Secretary.