

REGIONAL FOREST AGREEMENT
for the
EDEN REGION
of
NEW SOUTH WALES

*Progress on the implementation of the
Regional Forest Agreement for the Eden Region*

1 July 2001 – 30 June 2002

ANNUAL REPORT

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Introduction

Regional Forest Agreements (RFAs) are separate Agreements between the Australian Government and the State Governments of NSW, Victoria, Tasmania and Western Australia. Based on good science and extensive consultation, the Agreements set out broad strategies to achieve a balance between conservation and a sustainable and competitive forest industry. The Agreements are in place for 20 years.

In New South Wales there are three RFAs in place covering the North East, Eden and Southern regions. The Prime Minister, the Hon John Howard MP and the Premier of NSW, the Hon Bob Carr MP, signed the Eden RFA on 25 August 1999.

The RFAs are subject to annual reporting during the first four years and thereafter five-yearly reviews, to report progress against milestones and recommend remedial action where necessary. Progress reporting by the Australian and NSW Governments (the Parties) on the implementation of the New South Wales RFAs has been aligned to a financial year basis, being the period 1 July to 30 June each year.

This is the second Eden RFA annual report providing details in the achievement of milestones for the period 1 July 2001 to 30 June 2002. Progress to the 30 June 2002 reflects steady progress. The challenges experienced initially to establish and implement the RFA are being progressively overcome.

Progress on Milestones

Note: References to NSW Government agencies are as they were established at 30 June 2002

Clause	Milestone	Timeline	Implementation
6	The Parties to determine the process for extending the Agreement for a further period.	3 rd Five yearly review	This does not need to be considered until the third five-yearly review.
17	The Parties to develop and consider regional development initiatives to be funded from unspent Commonwealth and State funds committed under the South East Forest Agreement.	Within six months of signing	Unspent Australian Government South East Forest Agreement (SEFA) funds (\$3.6 million) have been committed to the Eden Region Adjustment Package, which was announced on 26 November 1999. No uncommitted funds remain under SEFA.
37	Parties to report annually on the achievement of milestones in this Agreement.	Annually for first five years	<p>This is the second annual report on the achievement of milestones contained within the Eden RFA covering the period 1 July 2001 to 30 June 2002.</p> <p>The first report was an interim report which covered progress from the date of implementation of the Eden RFA from August 1999 to 30 June 2000, and was subsequently updated to reflect the agreed reporting timeframe of 1 July to 30 June each year.</p> <p>Reporting is to continue on this basis.</p>
40	The Parties to determine the mechanism for the five-yearly review.	Before the end of the five-yearly review period	<p>Initial discussions between NSW and the Australian Government were held in January 2001. Further discussions to determine the process for the review are to take place in 2003.</p> <p>In preparation for the five-yearly review, NSW is initiating a system to retain information and implementing strategies for data generation and retention. This will provide input into the review.</p>

Clause	Milestone	Timeline	Implementation
46(b)	NSW to complete and publish plans of management of areas dedicated under the <i>National Parks and Wildlife Act 1974</i> (NSW).	1 January 2002	<p>At 30 June 2002 there were 19 national parks, nature reserves and historic sites which require management plans to be prepared within the Eden region. At 30 June 2002, the NSW Minister for the Environment had adopted eight plans of management (including one which was being revised). Plans adopted include those developed for Bournda National Park and Nature Reserve and Mt Imlay National Park. A further six plans were in preparation (including three which have been publicly exhibited). Preparation of a plan for the Biamanga National Park will not commence until co-management arrangements are finalised for this park with the Aboriginal community.</p> <p>Preparation of the remaining five plans had not yet begun.</p> <p>Discussions about the return and lease back of lands under Part 4A of the <i>National Parks and Wildlife Act 1974</i> continued throughout 2001/2002 for Biamanga and Gulaga national parks. During the year the Office of the Registrar, <i>Aboriginal Land Rights Act 1983</i> registered a number of Aboriginal owners for Biamanga and Gulaga national parks. This is a key step in negotiating the return of lands to a local Aboriginal land council to hold on behalf of the Aboriginal owners and the lease back of those lands to the National Parks and Wildlife Service (NPWS).</p> <p>Plans of management may be viewed on the NPWS website at: http://www.nationalparks.nsw.gov.au.</p>
46(c)	NSW to complete and publish a Regional ESFM Plan for State forests.	1 April 2000	Draft Regional Ecologically Sustainable Forest Management (ESFM) Plans were placed on public display in September 2000. Feedback received during the public exhibition resulted in further refinement of the plans throughout 2001/2002.
46(d)	NSW to implement the Forest Management Zoning system for the Eden Region.	1 October 1999	<p>The 'Forest Management Zoning System' for State forests was announced in March 1999 with the release of the document entitled <i>Managing Our Forests Sustainably: Forest Management Zoning in NSW State Forests</i>.</p> <p>Proposed forest management zones (FMZs) were identified on maps attached to the draft Regional ESFM Plans publicly displayed in September 2000, defining the areas of State forest to be managed for conservation purposes and those to be managed for timber production. FMZs are being progressively implemented across State forests.</p>
46(f)	NSW to develop and implement an inventory system for regrowth forests and review the calculation of Sustainable Yield, using methods consistent with Attachment 11 and the principles and processes used in the Forest Resource and Management Evaluation System (FRAMES).	In time for the first five-yearly review	Inventory and review program under development.
46(g)	NSW to grant an Integrated Forestry Operations Approval covering the Eden Region.	Within three months of signing	The Integrated Forestry Operations Approval (IFOA) for the Eden Region was granted on 21 December 1999.

Clause	Milestone	Timeline	Implementation
46(h)	NSW to develop and implement environmental management systems.	Within five years of signing	<p>Development of an Environmental Management System (EMS) at NPWS is being progressively developed and is on schedule for implementation by 2004.</p> <p>The development of the NPWS EMS during 2001/2002 has included expanding the system to cover all areas of NPWS operations. This development included trials of components of the system. The <i>State of the Parks</i> report will comprise one component of the system [refer Att 5, Point 1(p)].</p> <p>State Forests of New South Wales (SFNSW) are continuing to develop an EMS to assist in environmental management in native and planted forests. The EMS will be a comprehensive planning, assessment, implementation, monitoring, auditing and reporting system which details how SFNSW is implementing ESFM on its native and planted forest estate.</p> <p>Following the public display of the Native Forest Strategic Framework in September 2000 and a 'gap analysis' by an external ISO 14001 certification company, the Native Forest Environmental Management System (NFEMS) was rolled out to all Native Forests regions. Simulated (training) EMS audits followed with audit outcomes used to focus further development work (continuous improvement) of the NFEMS. Development is continuing with an objective of obtaining ISO 14001 certification.</p>
49	NSW to report annually to Parliament on compliance with any <i>Integrated Forestry Operations Approval</i> for the Eden region and the New South Wales <i>Eden Forest Agreement</i> , and to furnish a copy to the Commonwealth.	Annually from 1999	<p>Annual reporting on compliance with the IFOAs has been incorporated into the NSW Forest Agreement annual reports which are completed on a financial year basis [refer milestone Att 5 Point 2 (i)].</p> <p>The first annual report for 1999/2000 is complete, and covers compliance on IFOAs for the period 1 January 2000 to 30 June 2000 and achievement of milestones in the NSW Forest Agreements from 5 March 1999 to 30 June 2000.</p> <p>The report for 2000/2001 provides progress for the period 1 July 2000 to 30 June 2001.</p> <p>Subsequent reporting will continue on a financial year basis (1 July to 30 June).</p>
52(d)	Both Parties to further develop, review, and if necessary revise Sustainability Indicators.	In time for the first five-yearly review	<p>The sustainability indicators (ESFM criteria and indicators) referred to in clause 47 of the Eden RFA and described in Table 1 and Attachment 9 of the NSW Forest Agreement for the Eden Region, were developed consistent with the Montreal process criteria. The indicators have been implemented since 1999/2000.</p> <p>NSW prepare a report on the results of the monitoring of the sustainability indicators for each financial year. The results of monitoring are summarised in the annual reports for the NSW Forest Agreements.</p> <p>The Parties are continuing to undertake activities to monitor progress on implementation of the regional indicators and review and revise them as appropriate.</p> <p>An evaluation of the effectiveness and appropriateness of the indicators will be made at the five-yearly review of the NSW Forest Agreements.</p>

Clause	Milestone	Timeline	Implementation
56	NSW to produce a code of practice for Timber Harvesting of native forest on Private Lands.	By the first five-yearly review	<p>The 'Interim Best Operating Standards for Harvesting of Private Native Forestry', under <i>Native Vegetation Conservation Act 1997</i> were released in June 2001. The Standards replace existing draft Best Management Principles and other standards used by vegetation officers. The Standards were prepared to guide forestry operations on private lands requiring consent.</p> <p>In April 2002, a Private Native Forestry Reference Group was established to examine the regulation of forestry on private lands and make recommendations for a workable exemption and consent framework.</p>
86	NSW to review legislation and policies relevant to the allocation and pricing of hardwood logs from State forests as part of the Competition Principles Agreement.	Before the end of 1999	<p>During 1999, in accordance with the schedules review of SFNSW's log pricing policy, the final phase of amendments were made to the Log Value Pricing System to update assumptions within the residual value pricing model and remove anomalies. These amendments included the removal of the remaining 10% capping of price variations in relevant pricing zones. The log value pricing system was also expanded to include the linkage of small sawlog prices to quota sawlog prices. The main objective of the final stage of the implementation of Log Value Pricing was to create a closer consistency of hardwood sawlog prices with market value.</p>
87	NSW to establish a Research Liaison Committee and publish a list of research priorities.	Within 12 months of signing	<p>The Committee was formed in October 2000, and held its first meeting in November 2000. The Committee includes representatives from NPWS, the Department of Land and Water Conservation, PlanningNSW and SFNSW.</p> <p>At 30 June 2002, representatives were identifying current research being undertaken by their agency and other non-government groups and universities.</p> <p>List of research priorities is to be included in the Compendium [refer milestone under clause 89].</p>
89	NSW to prepare a Compendium of New South Wales Forest Research.	By the first five-yearly review	<p>Development of the Compendium is underway by PlanningNSW for completion by the end of 2004.</p>
92 and 93	NSW and the Commonwealth to develop a data agreement and lodge archival copies of data.	Within six months of signing	<p>Data agreement finalised in March 2000, and attached to the North East RFA (Attachment 13). The agreement is also applicable to Eden.</p> <p>A joint NSW/Australian Government archive was completed in July 2001.</p>
Att 1 Point 4	NSW to prepare plans of management for Crown Reserves.	1 January 2002	<p>At 30 June 2002, preparation of plans of management for Crown Reserves had been deferred pending the completion of negotiations between NSW State agencies over the potential transfer of all Crown Reserves to State Conservation Areas. Such a transfer will avoid duplication of land use categories and solve some of the management anomalies that currently exist with Crown Reserves.</p> <p>A Memorandum of Understanding regarding the management of Crown Reserves was signed on 26 March 2001 between the Directors-General of NPWS and the Department of Mineral Resources.</p>

Clause	Milestone	Timeline	Implementation
Att 1 Point 7	NSW to establish all Dedicated Reserve and Informal Reserve components of the CAR Reserve System.	Within six months of signing	<p>Flora reserves were created by the <i>Forestry and National Park Estate Act 1998</i> and the identification of informal reserves on State forests is complete. Administrative steps to create FMZ 2 (informal reserve – special management) and 3a (informal reserve –harvest exclusion) are underway.</p> <p>All national parks, nature reserves and Crown reserves created by the <i>Forestry and National Park Estate Act</i> have been established.</p>
Att 2 Table 1	NSW to develop Recovery Plans for species listed in Table 1.	Within five years of signing	<p>The progressive preparation of recovery plans is continuing. At 30 June 2002, of the 24 recovery plans listed in the RFA, five plans have been approved, seven plans have drafts completed, an additional seven are in preparation and three are in an initial planning stage. Preparation of the remaining two plans had not yet begun.</p> <p><i>Note: 'complete' means the draft is complete and ready for public exhibition. Plans are not final until they have been approved by the NSW Minister for the Environment and may change in response to public submissions received during exhibition.</i></p> <p>Recovery plans may be viewed on the NPWS website at: http://www.nationalparks.nsw.gov.au.</p>
Att 3 Point 8	Both Parties to finalise Statewide Guidelines for the Management of Cultural Heritage Values and Places.	End of 1999	<p>Statewide Guidelines for the Management of Cultural Heritage Values and Places were contained in the reports entitled <i>Protective Mechanisms for Cultural Heritage – Generic Version, Protective Mechanisms for Cultural Heritage – Lower North East Region and Protective Mechanisms for Cultural Heritage – Southern Region</i>. These reports were developed by both Parties in the comprehensive regional assessment process by the Cultural Heritage Working Group.</p> <p>NPWS are reviewing its current cultural heritage guidelines with reference to the above reports.</p> <p>SFNSW heritage guidelines were developed with reference to the above reports and are attached to the Eden IFOA. The guidelines describe planning, operation, monitoring and review processes for managing cultural heritage.</p> <p>The Australian Government has reviewed the reports entitled <i>Protective Mechanisms for Cultural Heritage – Generic Version, Protective Mechanisms for Cultural Heritage – Lower North East Region and Protective Mechanisms for Cultural Heritage – Southern Region</i>. The guidelines for the different regions are sufficiently consistent to be considered Statewide guidelines.</p>

Clause	Milestone	Timeline	Implementation
Att 5 Point 1(p)	NSW to publish a State of the Parks report.	April 2000	The first <i>State of the Parks</i> report was released in November 2001. Completion of report was deferred to 2001 as reflected in the RFA for North East New South Wales. The report provided an overview of the conservation values of NSW and their management within the parks system. This was supported by a series of 'case studies' for parks around the State. Indicators are being developed by which NPWS management effectiveness will be reported in future <i>State of the Parks</i> reports. The next report is due for release in December 2004. The 2001 <i>State of the Parks</i> report may be viewed on the NPWS website at: http://www.nationalparks.nsw.gov.au/npws.nsf/Content/State+of+the+Parks+2001 .
Att 5 Point 2(b)	NSW to publish the document Ecologically Sustainable Forest Management for the Eden RFA Assessment.	Within six months of signing	Report is complete. Report is available on CD on request from PlanningNSW.
Att 5 Point 2(c)	NSW to document the basis for silvicultural practices and publish silvicultural guidelines for commercial forest types.	31 March 2000	SFNSW published a <i>Native Forests Silviculture Manual</i> in September 2000. The Manual complements its Field Guides and training programs. The Manual documents the basis for SFNSW's silvicultural practices and contains the silvicultural specifications and guidelines required by the NSW Forest Agreements and IFOAs.
Att 5 Point 2(d)	NSW to publish the results from the Yambulla and Tantawangalo Research Catchments.	By the year 2000	Studies were published in the <i>Forestry Ecology Management Journal 2001</i> . The data from these studies has been applied to further research.
Att 5 Point 2(e)	NSW to publish the results from the Eden Burning Study.	By the first five-yearly review	The final draft of the 'Establishment Report' is being reviewed for publication in the SFNSW Technical Paper series. A Forest Fuel paper has been drafted and is being finalized. A paper on Overstorey Species is being prepared.
Att 5 Point 2(f)	NSW to document and publish a description of the NSW Forest Management System covering Public and Private Lands.	In time for the first five-yearly review	The approach will build on and update the overviews on the responsible agencies contained in the Comprehensive Regional Assessment (CRA) ESFM report entitled <i>Description of Management Systems and Processes for Achieving Ecologically Sustainable Forest Management in NSW</i> .
Att 5 Point 2(g)	NSW to publish a description of the FRAMES system referred to in clause 46(f).	Within three months of signing	Completed and incorporated into Forest Resource and Management Evaluation System (FRAMES) technical report for the Eden region.
Att 5 Point 2 (h)	NSW to publish a description of the methods and results of calculating Sustainable Yield on Public Land.	By the first five-yearly review	Milestone not yet due but is under development.
Att 5 Point 2 (h)	NSW to publish independent audits of Sustainable Yield as outlined in Attachment 11.	For the second and subsequent five-yearly reviews	Milestone not required until the second five-yearly review.

Clause	Milestone	Timeline	Implementation
Att 5 Point 2(i)	NSW to table in each House of Parliament an annual report on the New South Wales <i>Eden Region Forest Agreement</i> in accordance with the <i>Forestry and National Park Estate Act 1998</i> (NSW) which will include an ESFM report and the outcomes of compliance with any Integrated Forestry Operations Approval for the region.	Annually from 1999	<p>The 1999/2000 NSW Forest Agreement Annual Report was tabled in the NSW State Parliament in February 2002.</p> <p>The second annual report for the period 1 July 2000 to 30 June 2001 is complete. Preparation of the report experienced some delays due to the establishment and allocation of State resources and refinement of the report structure and reporting process.</p> <p>Annual reporting for the NSW Forest Agreements is now aligned to report on a financial year basis and provides progress on:</p> <ul style="list-style-type: none"> ▪ Discussion on significant achievements. ▪ Achievement of milestones in the NSW Forest Agreements. ▪ Monitoring of ESFM criteria and indicators (sustainability indicators) by NPWS and SFNSW. ▪ Compliance with the IFOAs. <p>A supplementary report which provides details on the monitoring of the sustainability indicators has also been completed for 1999/2000 and 2000/2001. The 2000/2001 supplementary report also underwent considerable review and refinement, causing some delays in its completion.</p>
Att 7 Point 12	NSW to incorporate codes of practice [<i>sic provisions</i>] that address bush and other fires within Regional ESFM Plans and plans of management for areas dedicated under the <i>National Parks and Wildlife Act 1974</i> (NSW).	By the first five-yearly review	<p>Addressed through District Fire Committees under <i>Rural Fires Act 1997</i> where consideration of these values is undertaken prior to finalisation of District Hazard Reduction Plans.</p> <p>Bushfire management is also addressed through NPWS plans of management. ESFM principles are also being incorporated into bushfire risk management plans.</p>

Clause	Milestone	Timeline	Implementation
Att 7 Point 13	NSW to establish a process, including public reporting, for regular audits of compliance and reviews of Codes of Practice, Eco-field Guides and Regional Prescriptions.	December 2002	<p>An overview of the process was included in the SFNSW draft Native Forest Management System (NFMS) which was displayed for public comment in September 2000, and will be analysing as part of the EMS in December 2001.</p> <p>A comprehensive set of procedures and guidelines were endorsed by the NPWS Executive in March 2002. The procedures and guidelines, in handbook form, were designed for NPWS officers carrying out compliance audit and enforcement activities. The guidelines are now applied across the NPWS to ensure a consistent standard. These procedures cover proactive auditing as well as reactive investigations in response to allegations of contraventions made by the public. They set out guidelines for planning a targeted proactive audit, responding to external complaints, communicating within the NPWS and with SFNSW, carrying out an investigation, analysing data and preparing an audit report, and making and carrying out enforcement decisions.</p> <p>The Environment Protection Authority (EPA) has developed an active audit program of SFNSW forestry operations to determine compliance with licence conditions. The audit program ensures that SFNSW is taking the required measures to protect the aquatic environment through responsible planning and operational activities. Non-compliance with conditions of the licence are dealt with through meetings with senior SFNSW' officers, issuing feedback or warning letters, clean-up notices, penalty notices or prosecution action as appropriate to the circumstances.</p> <p>Focused threatened species compliance activities in relation to forestry operations are carried out by NSW Fisheries opportunistically where they coincide with other fishery compliance duties. Complaints are investigated by NSW Fisheries when received.</p>

Clause	Milestone	Timeline	Implementation
Att 7 Point 13	NSW to undertake audits as described above.	By the first and subsequent five-yearly reviews of the Agreement	<p>During 2001/2002, no complaints were received by the NPWS from the public regarding alleged breaches of the Threatened Species Licence for the Eden region. The NPWS undertook one proactive audit during the year which identified three contraventions of the Threatened Species Licence. At 30 June 2002, no enforcement action had been undertaken.</p> <p>The EPA, during the period 1 July 2001 and 30 June 2002, conducted five comprehensive audits on State forests assessing SFNSW's operational and planning requirements under the Environment Protection Licence. Results of these audits identified 36 breaches of conditions of the Licence. As a result of these audits, the EPA provided feedback to SFNSW and issued warning letters. SFNSW was also required to undertake remedial work on five occasions and seek specialist advice on one occasion.</p> <p>NSW Fisheries, in conjunction with the EPA, undertook inspections of several watercourse crossings on State forest roads in the Eden region during 2001/2002. No breaches of the Fisheries Licence were detected. However, NSW Fisheries raised some concerns directly with SFNSW in relation to aspects of the siting and construction of the crossings.</p> <p>Internal compliance monitoring by SFNSW to ensure activities comply with the conditions of the IFOAs continued throughout 2001/2002. Results of the checks identified 448 incidents of non-compliance. Of the incidents recorded, 58% were related to soil erosion and water quality, 42% were related to flora and fauna, nil were related to fish habitat and passage or other issues such as safety. Overall, the total number of incidents recorded by SFNSW internal monitoring fell by 6% since 1999/2000.</p>
Att 11 Point 1	The Parties to commission, complete and publish a review of the systems and processes used, and the Sustainable Yield calculated from Public Land as a result of the New South Wales review of Sustainable Yield described in clause 46(f).	By the first five-yearly review	Milestone not yet due but is under development.
Att 11 Point 2	NSW to undertake, complete and publish independent audits of Sustainable Yield.	In time for the second and subsequent five-yearly review	Milestone not required until the second five-yearly review. However, the approach to complete this milestone is being considered.
Att 11 Point 5	NSW to establish a continuous FRAMES development program for the Eden region consistent with the Statewide FRAMES.	By the first five-yearly review	Milestone not yet due but is under development.

Acronyms

CAR reserve system	Comprehensive, Adequate and Representative reserve system
CRA	Comprehensive Regional Assessment
EMS	Environmental Management System
EPA	Environment Protection Authority
ESFM	Ecologically Sustainable Forest Management
FMZ	Forest Management Zone
FRAMES	Forest Resource and Management System
IFOA	Integrated Forestry Operations Approval
NFEMS	Native Forest Environmental Management System
NFMS	Native Forest Management System
NPWS	National Parks and Wildlife Service
RFA	Regional Forest Agreement
SEFA	South East Forest Agreement
SFNSW	State Forests of New South Wales