



**ADDERLEY  
HEAD**

ENVIRONMENTAL LAW SPECIALISTS

# NES Plantation Forestry: Implications for foresters

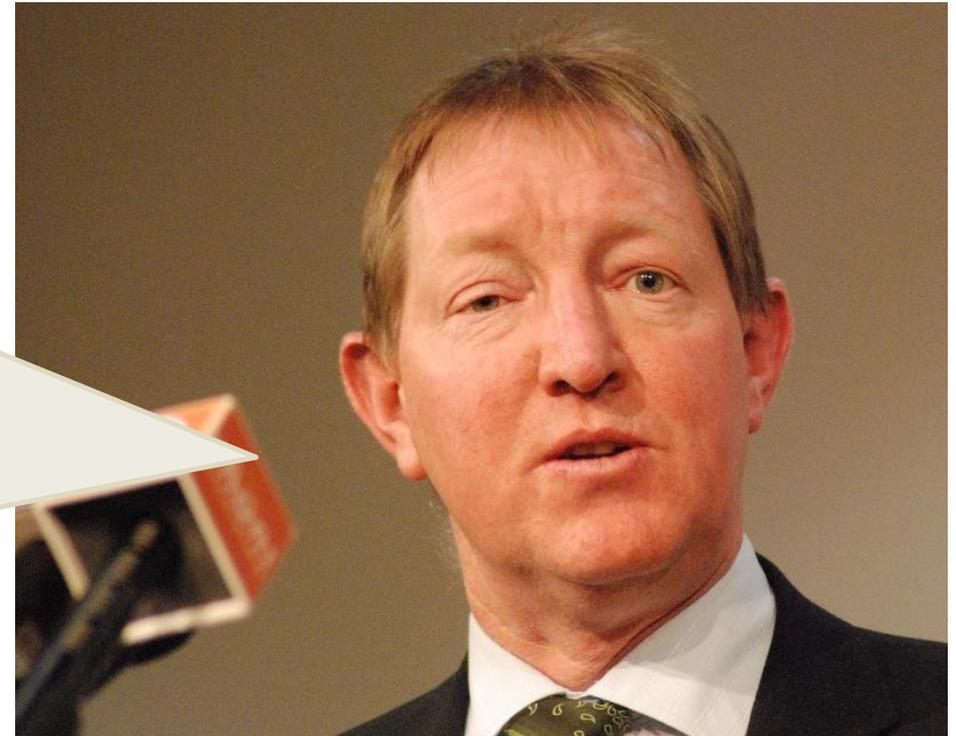
Chris Fowler, Partner, Adderley Head

5 September 2017



# The NES has arrived!

*The NES "...will better protect the environment while also improving the productivity of the forestry sector by applying consistent environmental standards to reduce operational costs."*



# What is the NES?

Afforestation

Earthworks

Forestry  
quarrying

River  
crossings



Pruning &  
thinning to  
waste

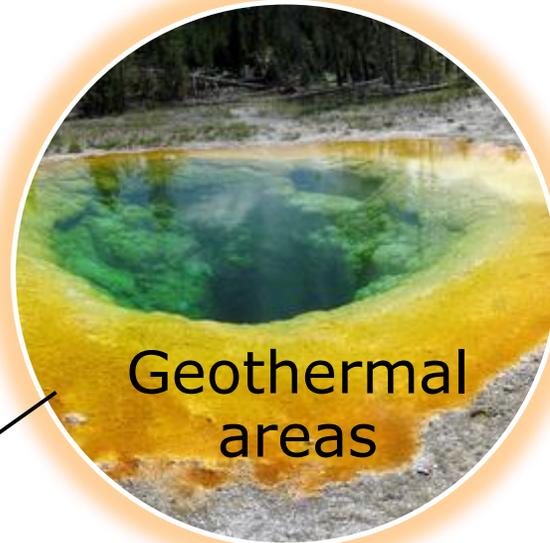
Harvesting

Mechanical land  
preparation

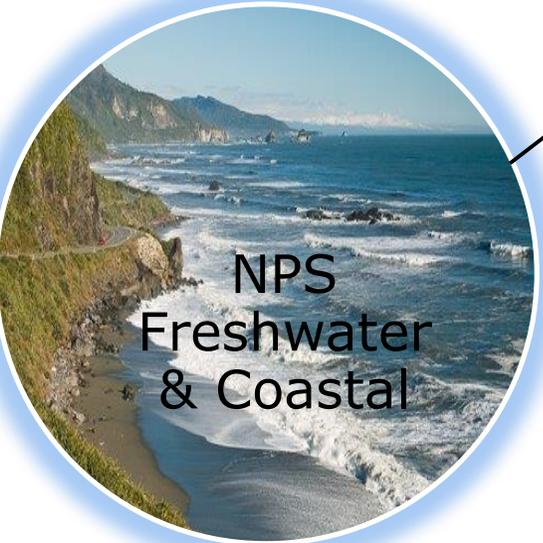
Replanting



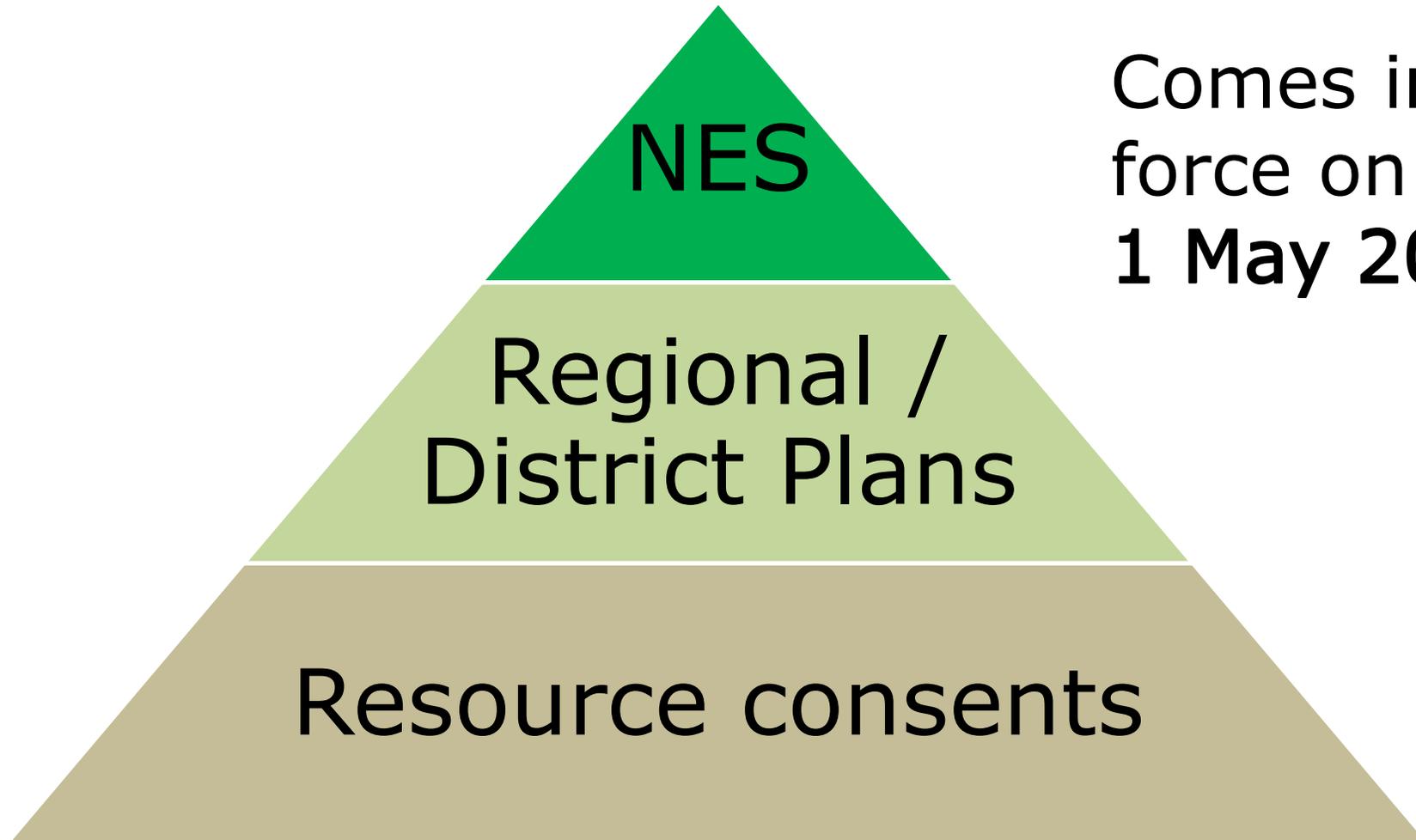
'Local' Rules



Matters  
where a  
Council can  
be more  
stringent

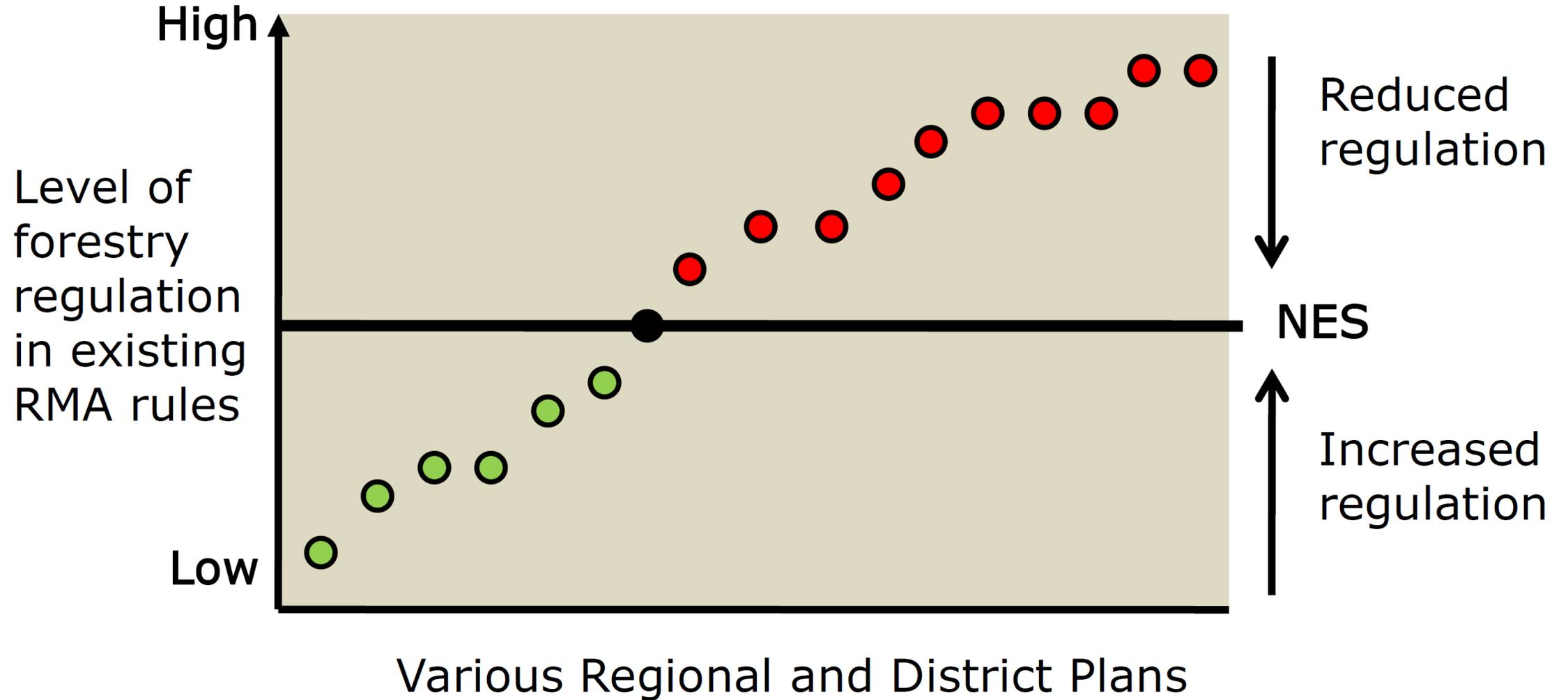


# Legal effect



Comes into  
force on  
**1 May 2018**

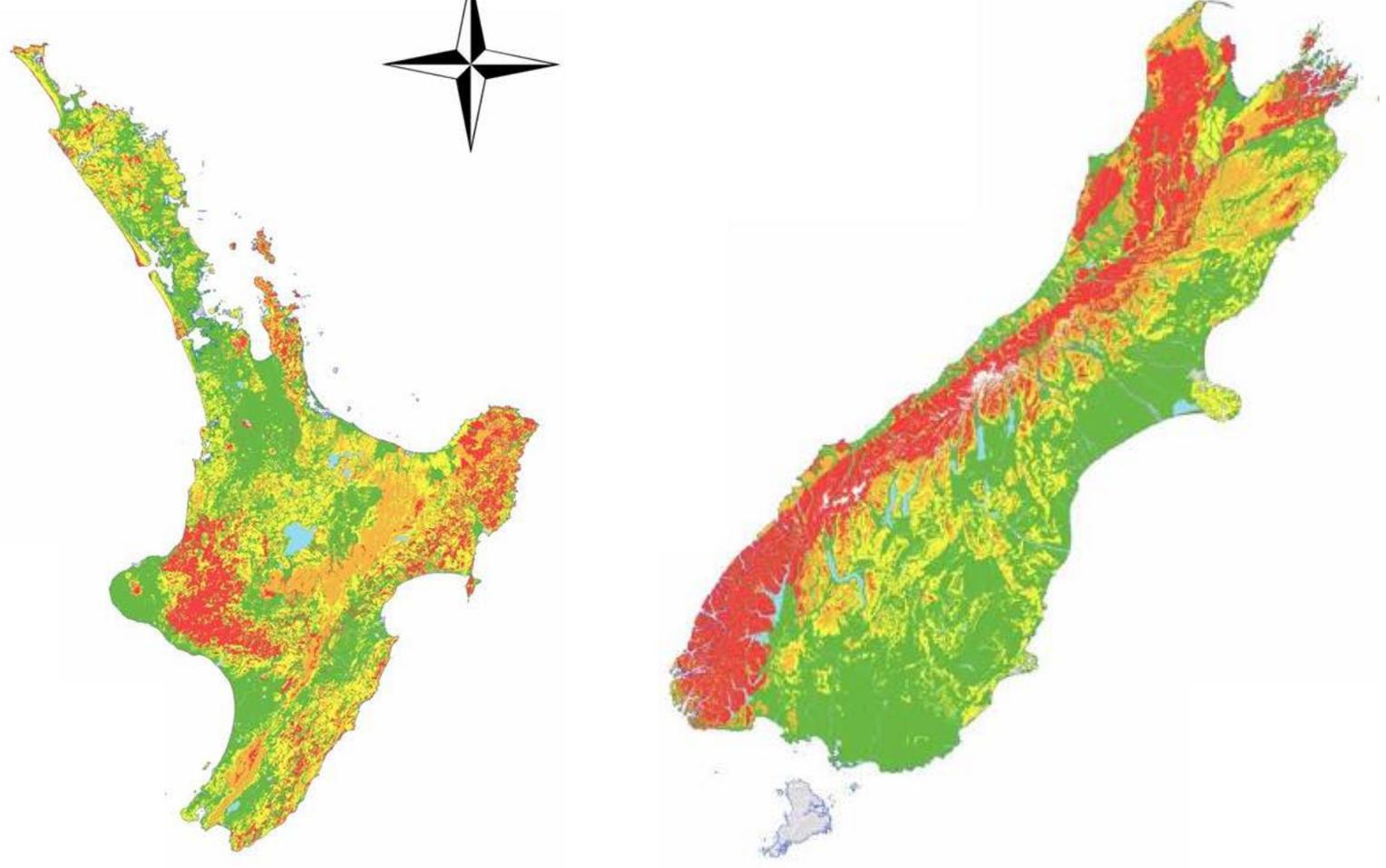
# Practical effect



# Erosion Susceptibility Classification

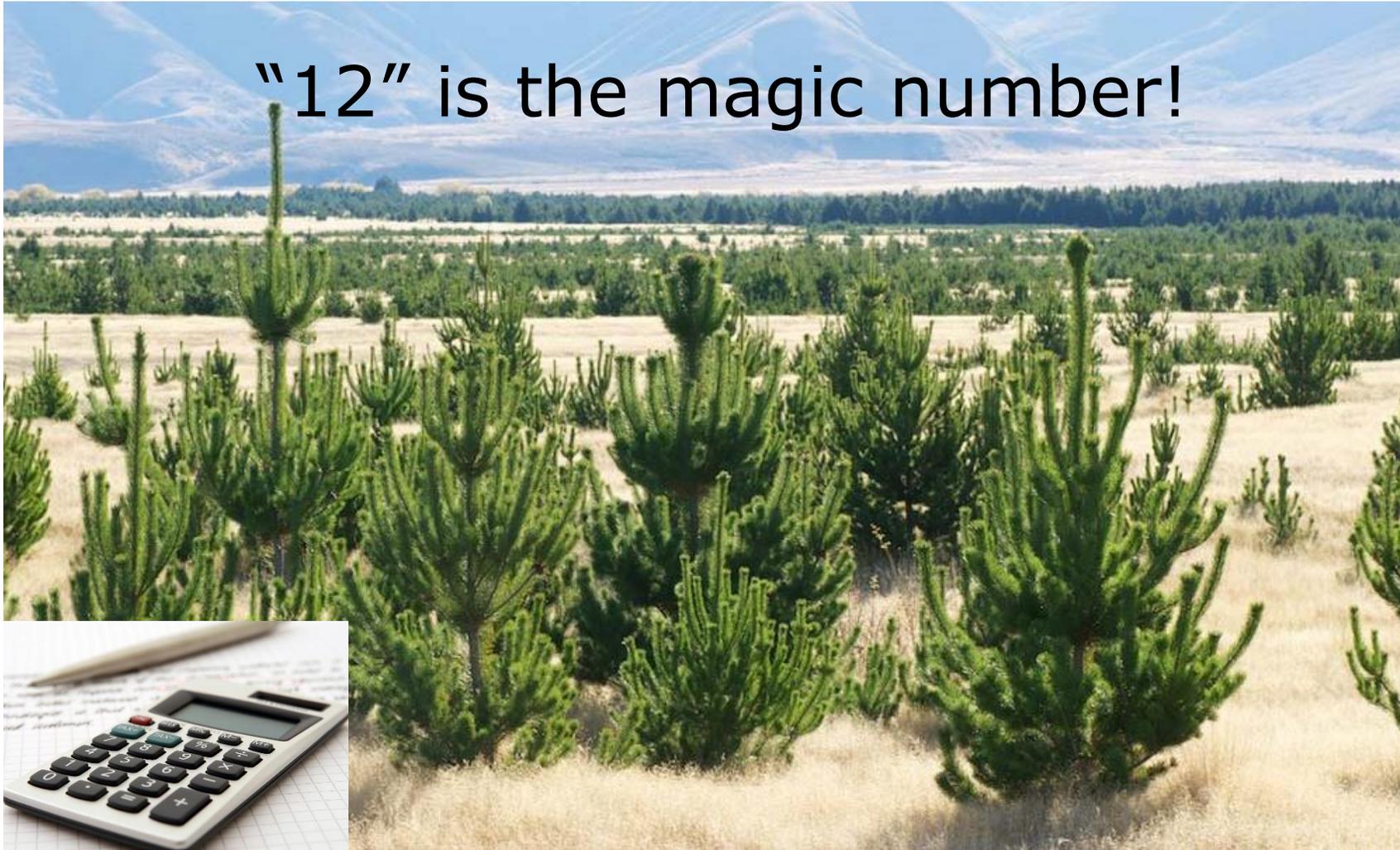
## Legend

### ESC2017



# Wilding Tree Risk Calculator

“12” is the magic number!



# Forestry Management Plans



# River Crossings



Impact on existing structures?



# “Significant Natural Areas”

*significant natural area means an area of significant indigenous vegetation or significant habitat of indigenous fauna that—*

*(a) ...; and*

*(b) is identified in the policy statement or plan, including by a map, a schedule, or a description of the area or by using significance criteria*

# Discharge of Sediment



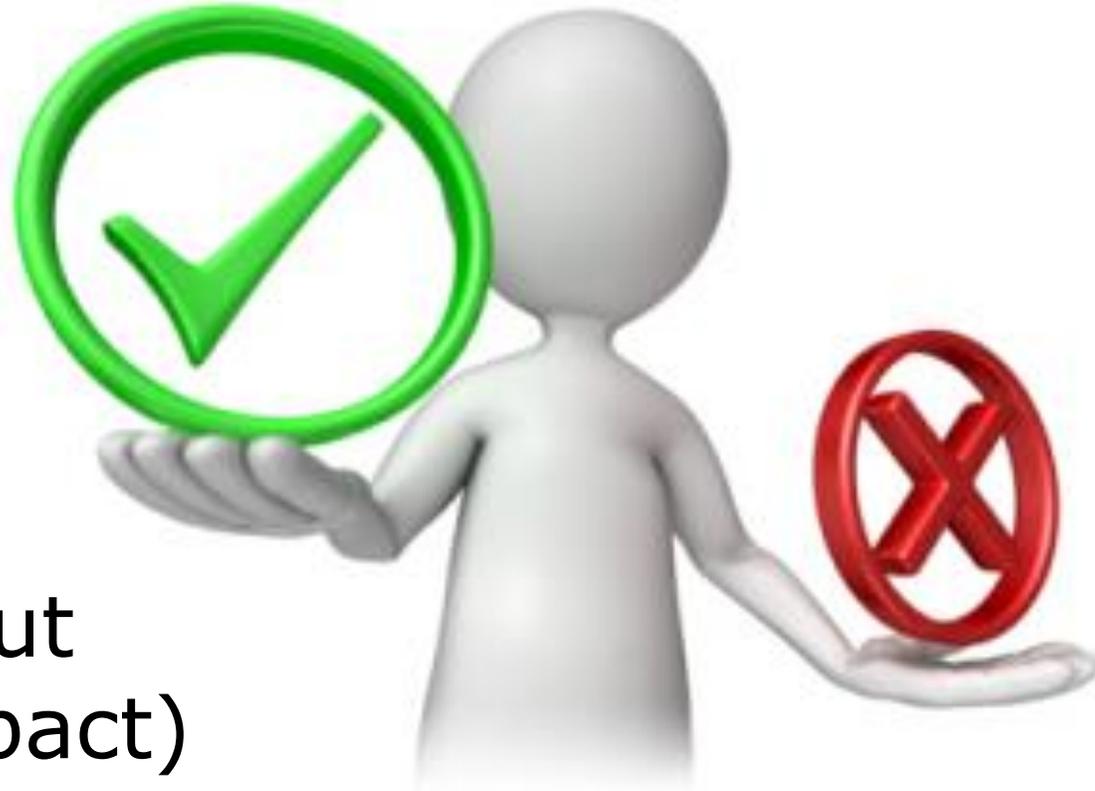
"Reasonable mixing"?

"Conspicuous change"?

# Overall Implications

Licence to  
operate

Balanced  
outcome (but  
variable impact)



Not a  
complete  
one-stop-  
shop

Reduced  
'churn'



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# Thank You