

Public submission

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Thank you for the opportunity to contribute to the NSW Independent Forestry Panel. Our group, Friends of the Forest (Mogo), has been operating in the forest conservation space for 8 years since inception in 2016. Our submission prosecutes the argument that we need to transition away from native forest logging as quickly as possible.

Back Story

Our group formed following the distress of local residents to the logging happening on their doorstep in Mogo State Forest immediately behind residential areas of Batehaven and Surf Beach and around the headwaters of the Tomaga River.

We met with Forestry Corporation ecologists on site who revealed that during the scant pre-logging faunal surveys they were not permitted to enter the forest at night except on vehicle tracks because of workplace health and safety protocols. Hence, they had not detected the presence of the endangered Greater Gliders, Yellow Bellied Gliders or the wombats living in the “harvest” zone. We spotlighted that night on mountain bike tracks and recorded Greater Gliders and Yellow-bellied Gliders. The local WIRES group located the active wombat burrows.

It was right then that we realised that we couldn't rely on Forestry Corp to determine what precious fauna and flora existed in compartments due to be logged. The community had to step up. With the advent of the new CIFOA the requirement for FCNSW to undertake field survey was removed altogether. Furthermore, fauna records

more than 10 years old are not even taken into account. We started to track where logging was about to occur with a view to conducting our own pre-logging surveys.

Topic areas:

1 Sustainability of current and future forestry operations in NSW

From 2016 we started to monitor compliance of native forest logging operations, a massive undertaking considering the complexities of the then IFOA (and its successor the CIFOA) and the large and distant areas involved. We quickly realised that Forestry Corp couldn't be relied upon to manage their contractors to operate within the rules. We began reporting breaches by the contractors to the EPA who would eventually go and investigate for themselves.

The combination of investigations initiated both by concerned citizens like us and by the EPA themselves have resulted in numerous fines, and warnings to Forestry Corporation, urging it to lift its game. For instance, in December 2023 in relation widespread breaching in Mogo State Forest a Batemans Bay local magistrate increased an existing fine and required FCNSW not only to pay costs but also to widely publicise an adverse judgement through media outlets to "increase criminal stigma and deter repeat offending". And as recently as 2024 a Land and Environment Court judge fined Forestry Corporation \$360,000 for breaching in Yambulla State Forest and commented that "it was likely that FCNSW would reoffend in similar circumstances".

The litany of breaches can be viewed on the [EPA news and media website](#) searching for the key word "forestry fines".

One excellent publication titled *Breaches* emerged in September 2024 profiling logging breaches in 8 very different state forests in NSW in recent years. Some hardcopies are available, and [free download is available by following the links on this site](#).

These are not the hallmarks of a responsible industry operating sustainably. They are demonstrations of a corner-cutting industrial logging sector willing to do whatever it takes to stay afloat even with the loss of social licence so starkly shown in the industry-initiated survey of 2016 which showed even 5 years ago 65% of respondents found native forest logging unacceptable:

<https://www.smh.com.au/environment/sustainability/bush-turns-its-back-on-support-for-logging-native-forests-20181113-p50frc.html>

2 Environmental and cultural values of forests, including threatened species and Aboriginal cultural heritage values

The findings of the Natural Resources Commission report into post fire logging (2020) didn't sit well with the NSW government. So it labelled the report "cabinet-in-confidence" and has sat on it ever since. Consistent lobbying by various upper house MPs along with community pressure finally resulted in the leak despite still being deemed secret.

So, what didn't the government want to hear in the very report itself commissioned? That of course the science backed what community members on the ground had been saying ever since the wildfires impacted 80% of south coast state forests: Leave these ecosystems alone so they can recover. Don't push threatened species closer towards extinction by imposing a second major impact of logging on top of wildfire damage.

Two areas around Narooma and Nowra were deemed by the report as at "extreme" risk of ecosystem collapse and should be left alone for at least 3 years. Meanwhile Forestry Corporation is currently proposing "harvesting" in 3 separate compartments near Narooma.

The state forests ecosystems near Eden and Batemans Bay including the lower Shoalhaven were deemed as at "high" risk of collapse. The NRC recommended that if logging was to proceed then 75% of the landscape should be set aside under protection leaving only 25% for logging. In the Batemans Bay management zone there are three active logging operations which are completely non-compliant with this recommendation – Mogo, Currowan and Shallow Crossing. In Mogo compartment 146 for instance only 27% was set aside for protection leaving 73% available for logging. This is almost exactly the reverse of the NRC recommendation.

At the very least, all current "harvest" plans should be torn up and re-written to align with the findings of the NRC. However, as the NRC states it is almost impossible for the objectives of the Coastal Integrated Forestry Operations Agreement (CIFOA) to be met because the fires changed everything. At the time the CIFOA was written there was no acknowledgement of the increasing severity and frequency of wildfire impacting our native forests. The report states this trend will only increase into the future with climate change.

This implies that not only existing "harvest" plans should be torn up but the whole CIFOA needs to be withdrawn and re-written. In the meantime, the Environment Protection Agency (EPA) should step up and admit that current logging is not

compliant with the existing CIFOA objectives. All native forest logging in NSW should be suspended. Indeed, as the community has been saying for almost 2 years this is the perfect time for NSW to pivot away from native forest logging as Victoria and WA are doing. Any government with backbone would announce a restructuring and retraining package so that no forest dependent families are affected.

There is a long list of fines or prosecutions for breaching on the South Coast (list supplied on request). However, since the 2019/20 fires the rate of breaching has increased exponentially. In fact, in NSW Parliamentary Estimates in 2021, the then EPA CEO Tracey Mackey indicated that there were still 16 outstanding penalties or prosecutions related to logging operations in NSW in 2020 alone.

We can confirm this as community members entered the forest in April 2020 shortly after post-fire logging recommenced in Mogo and South Brooman State Forests finding hollow bearing trees scattered all over the forest floor and three giant trees felled. Two stop work orders were issued in an attempt to ensure that both contractors and FCNSW alike operated within the Bushfire Affected Operations Site Specific Operating Conditions imposed by the EPA. However, when logging resumed breaching resumed, demonstrating the complete inability of the contractors and FCNSW to comply. They knew they couldn't comply and yet they continued to operate, knowingly and willingly committing breaches.

It was a three-way failure:

- 1 Failure of the contractors (i.e. to leave all hollow bearing and giant trees standing)
- 2 Failure of FCNSW to monitor compliance of its contractors
- 3 Failure of the EPA to monitor the operation in a timely fashion

It took the community reporting of over 100 incidents in South Brooman and over 75 in Mogo State Forest to prompt the EPA in action which at best only halted the breaching for a period of time. It shouldn't be up to us to do this work. We are the only actors in this sector who are not paid and yet every else is on a wage or salary and they have variously failed in their remit.

This is one reason we believe that it is long overdue that logging our native forests should cease, and that they should be sustainably managed for values other than timber production. These values would recognise our trees are more valuable left standing for instance as carbon sinks, threatened species habitats, clean water catchments, ecotourism and human recreation opportunities in an increasingly urbanised world.

Over the past decades we have observed that logging gradually has resulted in simplified and younger forest ecosystems with diminished biodiversity. The unsustainability of this ecological dimension is exemplified by many threatened species including the decline of the Swift Parrot population which is now considered to be 300 individuals. Our South Coast native forests provide a crucial nectar source in winter for this bird especially between Ulladulla and Merimbula, a nationally recognised Key Bird Area. You would think every effort would be made to preserve every potential tree for the Swift Parrot yet contractors need only save 5 nectar trees per hectare.

Tree Retention Protocols

Another key reason why the industry is not ecologically sustainable is the tree retention protocols in the CIFOA. Under the existing rules the “harvest” plans set aside 8 trees per hectare as Habitat trees. This in recognition of the 140 or so native species which use tree hollows for roosts, nests and shelter for survival some of which are already listed as threatened or endangered. Under this regime, over time we will end up with no trees old enough to develop hollows, as the middle-aged trees on their way to hollow development will be “harvested” before they have a chance to develop hollows. The old hollow bearing trees will gradually die out and without replacements the forests become a no-go zone for hollow dependent species. This is a massive blow for biodiversity and patently unsustainable.

Given the downward trajectory of many of our native forest dependent endangered species such as the Greater Glider, Gang Gang Cockatoo and Swift Parrot we have long maintained that it is not possible to protect and restore biodiversity AND log the very same landscapes.

Threatened Species Case Study

For threatened species the native timber industry is bad news. As a case in point witness the Swift Parrot now estimated to be down to 300 individuals. The CIFOA recognises the vulnerability of the critically endangered Swift Parrot by specifying the requirement to retain 5 nectar trees per hectare during operations. However, in March 2021 the EPA decided to fine FCNSW for negligence in 3 of our local forests in 2019 in relation to Swift Parrot provisions. Refer to [https://www.epa.nsw.gov.au/news/media-releases/2021/epamedia210301-forestry-corporation-fined-\\$33k-for-failing-to-keep-records-endangering-parrots](https://www.epa.nsw.gov.au/news/media-releases/2021/epamedia210301-forestry-corporation-fined-$33k-for-failing-to-keep-records-endangering-parrots)

Furthermore, we have concluded that both the IFOA and the CIFOA are worded in such a way that there is usually enough wriggle room for the FCNSW and its contractors to

avoid consequences of any transgressions we have detected. For instance, in Mogo SF compartment 180 which has a net “harvestable” area of 208 hectares a “reasonable person” would expect to see 1664 (208 x 8) trees retained as habitat trees and 1040 (208 X 5) trees retained as nectar trees. However, in this compartment there were very few nectar trees marked for retention.

This fact was reported this to the EPA in April 2021 and the verbal ruling came back that FCNSW were allowed to double up by deeming that 5 of the 8 retained habitat trees per hectare as also nectar trees. It effectively means that up to an extra 1040 trees can be felled and, in this case, depriving a critically endangered species of food. And that is just in one compartment!

This interpretation of the CIFOA is totally against the spirit of the document but more to the point it is another nail in coffin for a threatened species. Unsustainability exemplified.

Trust the Science

Of course, when it comes to the advisability of logging forests severely impacted by fire Professor David Lindenmayer world renown forest ecologist is in no doubt. He has repeatedly said that to move in and log fire-impacted forests can set back their recovery by 200 years. This is a clear indication of the long-term unsustainability of the native forest industry since 85% of the “resource” was burnt in the huge 19/20 fires, the worst naturally destructive event on the planet in recorded history. [Hear David talk in this clip](#)

The 2019/20 fires did change everything and provided an ideal opportunity to transition out of native forest logging altogether as I have pointed out in this article: <https://newbushtelegraph.org.au/a-golden-opportunity-to-pivot/>

3 Demand for timber products, particularly as relates to NSW housing, construction, mining, transport and retail

The Panel must be constantly alert to the tendency of certain sections of the industry to conflate statistics of hardwood and softwoods. Yes, there will always be a strong demand for timber in Australia. However, such demand can be largely satisfied by softwoods, substitutions of other products for hardwood products and demand management (architect education and public education).

Many common uses for hardwood products can be substituted with alternative materials. For example, pallets can be obtained from other sources such as recycled plastic. Power poles are currently being replaced with composite materials and can

have a longer life-span than timber poles. See next paragraph for more substitution possibilities.

Housing Industry

Plantation softwood already meets over 88% of construction wood supply for framing, laminated and engineered products. Most hardwood used in housing construction is for purely aesthetic value such as hardwood floor boards and feature posts. In the event that hardwood for the building industry experiences supply issues on account of the turn down in public native logging, the substitution of this material for others, such as bamboo flooring and beautiful laminated plantation hoop pine posts can be accompanied by public education along the lines that “why wreck their homes to beautify yours?” referring of course to native fauna living in our state forests. Once the public is made to realise that the true cost of that hardwood feature beam or that architectural element is the sliding of an endangered species closer to extinction then an end to native forest logging becomes more palatable or even demanded.

4 The future of softwood and hardwood plantations and the continuation of Private Native Forestry in helping meet timber supply needs

Friends of the Forest (Mogo) is a member group of the Nature Conservation Council of NSW (NCC) which supports a transition into a 100% plantation-based forestry industry within two years. The ideas of the two organisations closely align in the next 2 sections.

Given the increasing risk of uncontrolled wildfires due to climate change a 100% plantation-based forestry industry offers an effective policy response. This is because plantations offer a faster crop rotation thereby increasing the likelihood of producing a viable crop. Furthermore, they can be located and structured in such ways to best defend crops against wildfires.

Note: Planted trees are indeed crops so can be legitimately “harvested”. Hence contrary to FCNSW language, native forests can only be “logged” and not “harvested”. Continued use of the term “harvesting” in relation to native forest logging lends the industry a legitimacy it doesn’t deserve.

Like in New Zealand where native forest logging stopped in 2002, an increased supply of softwood sawlogs means that it is possible to implement a transition to a plantation-based sawmill industry in NSW without causing a net loss in economic value or employment, although structural adjustment support for hardwood sawmills may be appropriate.

The export of hardwood woodchips accounts for 10.9 million m³ nationally. This represents a gross waste of the resource and undermines the industry claim that an end to native forest logging would affect the building industry. If the 87% of plantation hardwood exported as woodchips and the 50% of native forest hardwood exported as woodchips were diverted to use as sawn timber. This is particularly relevant in south east NSW where frequently half the yield of any compartment logged heads down the highway to the Eden chipmill and exported to countries where they must think we are mad to still be destroying our natural environment for paper production.

In north-east NSW, timber yield estimates have been unreliable and unrealistic, resulting in sustained over-cutting of public native forests and an impending timber supply crisis. This was compounded by the loss of many mature trees in the 2019/20 wildfires. There is an urgent need to reduce committed timber volumes and facilitate an immediate transition to a plantation-based industry.

With a renewed emphasis on sawn wood and composite wood products, rather than export woodchips, combined with public education campaign and increased hardwood plantation establishment throughout regional NSW our hardwood needs can be met now and into the future.

Private Native Forestry

We recognise realistically that when public native forest logging ends private native forest logging will continue for the time being. In relation to this sub-sector, we support the Nature Conservation Council position on reforms namely that, “Private Native Forestry (PNF) has expanded enormously in recent years and presents a significant threat to our forests. NCCNSW supports an end to all native forest logging and a transition to a 100% plantation-based forestry industry. The role of PNF in any transition cannot be ignored and NCCNSW notes the following for current and future PNF operations.

Local Land Service approvals for PNF are simplistic and generic desk-top exercises that require no on ground surveys or consideration of off-site impacts.

There is an urgent need to review and strengthen the private native forestry code. In particular, the regulations should require:

- mandatory pre-logging flora and fauna surveys by independent, professional assessors and site-specific conditions be imposed to protect environmental values.
- independent review and approval of “harvest” plans prior to logging; and
- improved protection for forest structure, stream buffers, steeply sloping land and wildlife habitat.
- mandatory requirements for post logging rehabilitation and managing increased fire risk.

All private native forestry operations must be required to prepare Development Applications as required for other actions on private lands. These are essential to account for all local, regional or state planning instruments, or other planning regulation that relates to the site, as well as off-site impacts on the environment, infrastructure (roads and bridges), road safety, local amenity and neighbours.

The NSW Environmental Protection Agency should be adequately resourced and supported by the government to ensure strict adherence to Private Native Forestry regulations.

Forestry certification standards have an important role to play in improving forest management practices.” However, all native forest logging in NSW fails to, “...meet Forest Stewardship Council (FSC) certification standards. All operations across all tenures should be required to meet FSC or an equivalent certification system supported by the environment movement. All native forests, including protected areas, should be managed in a manner that maintains and restores their ecological values. In particular, there is an urgent need to more effectively manage pests and diseases and to ensure fire management results in positive biodiversity outcomes and reduces fire severity and risk.

Extensive areas of native forests are suffering from dieback, a situation that is expected to rapidly worsen due to climate change. Despite this, little effort has been made to rehabilitate affected stands and they continue to be logged. Forests at risk or affected by dieback across all tenures should be excluded from logging and actively rehabilitated.”

Note: The establishment of plantations **must not** come about as from the destruction or conversion of natural ecosystems (including forests) or prime agricultural land. Degraded or abandoned agricultural land is the appropriate place.

Extra note: Remember the old saying – When is the best time to plant a tree?
30 years ago!
When is the next best time?
Today!

5 The role of State Forests in maximising the delivery of a range of environmental, economic and social outcomes and options for diverse management, including Aboriginal forest management models

Other submissions will deal with the unsustainable economics of the native forestry sector in NSW. It only survives with public subsidies which is ironic and shameful given that the public overwhelmingly rejects the whole concept of continued logging of our public native forests. One equivalent would be public subsidies going to prop up the tobacco industry. Clearly ridiculous. I believe a major accounting firm is currently undertaking a privately sponsored review of the economics of the sector. However, it is worth mentioning recent work done by David Shoebridge MLC. Analysis of Forestry Corporation's own figures obtained by his office show the profit from native forest logging in 2019/20 was a just \$28.03 a hectare. He asserts that over the last five years native logging profits have declined from a high of \$225.85 per hectare in 2016/17 to a fraction of that. This means an average profit of less than 20 cents for each mature tree logged. Hardly sustainable in anyone's language.

Currently we are witnessing an explosion of interest in mountain biking in the native forests of Eurobodalla, Shoalhaven and Bega Valley. Mogo State Forest trails are hosting in October 2025 the largest festival of mountain biking in the Southern Hemisphere – the Sea Otter Classic. Visitation numbers are already increasing on the South Coast as more and more active leisure city dwellers from Sydney and Canberra flock to the area. This is where the best economic, health and social outcomes of the forests lie. The nature-based tourism potential for our forest by far eclipses the economics of cutting them down. In a nutshell, our trees are worth far more standing.

6 Opportunities to realise carbon and biodiversity benefits and support carbon and biodiversity markets, and mitigate and adapt to climate change risks, including the greenhouse gas emission impacts of different uses of forests and assessment of climate change risks to forests.

The retention and protection of our native forest estate should not come at the expense of forest removed elsewhere for development as in a biodiversity offset scheme. Furthermore, the carbon sequestration benefits of stopping native forest logging should not then allow more carbon to be emitted in other sectors of the economy, for instance, mining. Offset schemes are wide open for abuse as we have witnessed in the failed NSW biodiversity offset scheme. Any carbon offset scheme or carbon market mechanism involving tree retention fails to recognize the dire need to reach net zero as soon as possible so as to avoid the worst effects of climate change.

And stopping native forest logging would be low hanging fruit in the journey to net zero. Studies undertaken by Frontier Economics and the Tree Projects confirm the benefits of ceasing logging. Annual emissions avoided by ceasing public native forest logging in SE NSW (950,000 tonnes of carbon) is equivalent to the annual emissions of:

224,000 cars **OR** 52,632 Australian homes **OR** 86,088 return flights to London

Sources: Frontier Economics/ANU Report “Comparing the Value of alternative uses of native forests in Southern NSW” and The Tree Projects (Tasmania)

Conclusion

New Zealand and South Australia transitioned to plantation-only forestry over 2 decades ago and it is time to complete the transition in NSW. Plantation sourced products will also provide higher levels of employment and drastically reduced damage to native forest natural values and ecosystem services.

This is the perfect time to draw a line under the demonstrably unsustainable native forest logging industry in NSW, and transition to a 100% plantation-based resource. The public support for the sector is at an all-time low so the political cost of justly winding back the industry will be minimal. An exit strategy could easily involve the re-deployment of all existing logging dependent workers on both the North and South Coasts. It just takes a little vision and courage.

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