

# Public submission

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# JAN BARHAM

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13 October, 2024

## **Submission to Independent Forest Panel – The future of NSW Forests**

*The NSW Government has established an Independent Forestry Panel to lead consultation on the sustainability of current and future forestry operations in NSW, ahead of the NSW Government developing its Forestry Industry Action Plan. The Forestry Industry Action Plan is intended to outline the path NSW will take to ensure a sustainable timber industry that **aligns with the government's key environmental priorities.**<sup>1</sup>*

Dear Chair, Peter Duncan AM, Professor Mary O’Kane AC and the Hon. Mick Veitch.

Thank you for the opportunity to make a submission. I have made many submissions over the decades on the issue of NSW forests, which unfortunately have been ignored. I can only hope that this review will deliver on the statement that the goal is to ‘*align with the government’s key environmental priorities*’. This has not been the history but must be the future and it is urgent.

This process is timely as NSW has adopted a Plan for Nature, that states

*Biodiversity in NSW is in crisis. We must take **urgent action** to put nature on a path to recovery.*

*Government cannot simply be the manager of a steady decline – we must actively turn around the loss and restore habitats and biodiversity. **Our goal is to leave nature better off than we found it.***<sup>2</sup>

Also the recent international conference in Sydney,

*The Global Nature Positive Summit will accelerate collective action to drive investment in nature and strengthen activities to protect and repair our environment*

*At the Summit, leaders will explore effective ways to realise global commitments under the Kunming-Montreal Global Biodiversity Framework. The event will build understanding of changes required to systems and settings to value nature and address biodiversity loss.*<sup>3</sup>

**Change IS required and a commitment to these statements could be effectively delivered by an immediate end to native forest logging in NSW.**

I’m troubled by the lack of action on the NSW Government’s commitment to establish the **Great Koala National Park** and instead have allowed the continuation of logging of the

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<sup>1</sup> <https://www.nsw.gov.au/have-your-say/forestry-industry-action-plan>

<sup>2</sup> NSW Plan for Nature July 2024

<sup>3</sup> Nature Positive Summit website <https://www.dccew.gov.au/initiatives/nature-summit-2024/program>

forests of the mid north coast that provide habitat not only for the iconic koala but also for many other threatened species.

The Government has failed to publicly explain why it hasn't fulfilled its commitment and why despite ample evidence of the values of the habitat and the risks to biodiversity why the ongoing logging destruction is occurring.

This and other actions fuel the communities lack of trust in Government. It also fuels the cynicism that many feel in relation to stated commitments to the protection of biodiversity and the extinction crisis and climate change, when action doesn't occur.

I live in the north east and have been aware of the success of community actions to protect our precious forests since the Terania action in 1979 that resulted in Wran Governments powerful decision to protect rainforests. I'm also aware of how outdated commercial activities can cease when awareness of impacts reveal the damage that is being done. Whaling and sand mining are two examples of industries that came to an end in my home area and now it's time for native forest logging to end. The evidence supports an end to this devastating practice, as has happened with other destructive industries.

After my time in Parliament under a Coalition government and witnessing the erosion of biodiversity protections I was inspired by young people and the actions they took globally for climate change action. I worked alongside many young people as they undertook their school climate strikes with a hope that Governments' would respect their right to a safe future and the protection of nature.

I now fear for not only their future but their wellbeing. I have recently re-connected with some of those young people and am shocked that many are experiencing depression and anxiety at the lack of action by Governments especially with the growing awareness of the impacts of climate change and the associated risks for humans and nature. It's impossible to explain to them why action hasn't been taken, but I believe that they deserve an explanation as to why foreseeable risks are not being addressed and why action hasn't been taken to avoid a very frightening future.

I will address the requested topics but first raise a concern regarding the use of the term sustainability. There is no definition provided and my view is that Government has a legislated commitment to **Ecologically Sustainable Development** and that should be the guiding principle and importantly when considering the future of the management of public lands, the **Precautionary Principle** should be applied. This would require consideration of the potential destruction of First Nations cultural heritage, the risks to endangered and threatened species and climate change impacts as a result of continued logging.

At the time of writing this submission there are reports of at least a dozen arrests in the **Bulga State Forest** as brave and caring individuals are trying to protect the habitat of the endangered **Greater Glider** from logging operations. It was shocking that this was happening at the same time as the Global Nature Positive Summit.

I hope that your process will also review the role of citizen scientists and environment organisations who have raised concerns about breaches of forestry practices with the EPA. These actions have resulted in prosecutions of FCNSW and the failure of the current

systems and also the failure of the EPA to oversee the operations. The outstanding efforts of the community to protect biodiversity should be commended.

In relation to the submission process, I suggest that it would've been useful to provide access to relevant information including the FCNSW website, the Auditor General's Report 2023, IPART's forestry review, the Frontier Economics report, *Transition support for the NSW native forest sector 2022* and scientific papers that provide assessment of the overall impact of forestry operations.

I encourage the panel to provide access to information to allow the public to be further informed.

The Auditor General's report 2023 outlines the current status of the operations of the Forestry Corporation of NSW and its management of approximately two million hectares of public native forests and plantations. The report identified that FCNSW must comply with Integrated Forestry Operations Approvals (IFOAs) 2018, which set out rules for how timber harvesting may occur.

It is relevant that those IFOAs are assessed as whether they represent credible guidelines for the management of the public estate against current knowledge regarding the impacts on biodiversity and climate change and whether they align with the current government's key environmental priorities. The approvals were developed under a Coalition Government with a reduced commitment to biodiversity protection and climate change.

The AG report identifies the legislative framework for the IFOAs and again I express my concern that the consultation fails to address 'ecologically sustainable forest management' as a topic for consideration.

Under the *Forestry Act 2012*, the purpose of IFOAs is to:

- authorise the carrying out of those forestry operations in accordance with principles of **ecologically sustainable forest management**, and
- integrate the regulatory regimes for environmental planning and assessment, for the protection of the environment and for threatened species conservation, including threatened species, populations and ecological communities under Part 7A of the *Fisheries Management Act 1994*.

The AG Report identified a series of concerns with the operation of forestry practices,

*Forestry Corporation of NSW (FCNSW) clearly articulates its compliance obligations at the corporate level and for each harvest site. However, there are **deficiencies in FCNSW's compliance approach**. While FCNSW undertakes monitoring of its contractors in a number of ways, it does not consistently monitor compliance across its contractors and does not target its monitoring activities on a risk basis. **This increases the risk that non-compliant practices will not be identified, potentially leading to environmental harm.***

The identification of non-compliance with the FC Compliance Policy, including the appropriate level of training and reporting, the lack of implementation of the MOU between the EPA and the FCNSW and concerns regarding training and equipment deficits for EPA officers resulted in recommendations and it's essential that these matters receive attention in this assessment.

It's vital that detailed information regarding the operation of forestry practices in NSW is publicly available in a clear and comprehensive manner to clarify the operations of FCNSW. A review of whether it provides an acceptable business case or if the economic losses combined with the losses and impacts associated with biodiversity degradation and climate change impacts are in the Public Interest.

There are many factors in relation to the forestry practices in NSW that require disclosure and the public has a right to be informed, including

- the **real costs** involved in the ongoing destruction of public native forests and clarification of the **tax payer funded** contribution to the process, including subsidies and losses
- full disclosure on the **end use** of previously and planned logged resources, including the volume of material that ends up as woodchip or for low value use such as pallets
- The impact of logging on the loss of **biomass and carbon storage** and the value of retaining forests for emission abatement particularly as the ongoing approval of coal mines and other carbon creating developments are continuing and the potential for extreme weather events including a repeat of the 2019 fires and the impact of other extreme weather events .
- The value of the **biodiversity** that exists in the forests that could be calculated in line with values determined under the Biodiversity Offsets schemes and the losses that would occur if logging continues
- The importance of the **First Nations** connection and knowledge to these areas and a commitment to ensure comprehensive consultation and respect for those cultural values and an assessment of the potential for other uses such as tourism or other income generating cultural practices to be an alternative to logging
- The impact of logging on **ecosystem services** including water yields and quality, increased fire threat and intensity, the reduction of stream flows and increased erosion and stream pollution and the promotion of weeds and dieback (BMAD).
- Clarification of the role that forests play in the delivery of **water supply**, both the quantity and quality and the need to calculate a dollar value to allow an appropriate analysis of the true value of retaining forests. This is of particular relevance as many proposals currently exist for the development and expansion of dams for the delivery of water supply for population growth, some of which could possibly be avoided
- An assessment of the potential of **tourism use** to provide an alternate income generating use of the public estate, this should also include the First Nations engagement in the management and use of these areas especially with the increasing international visitor focus on First Nations cultural practices and the recognition of that value as identified in the *First Nations Businesses Succeeding Internationally Report*<sup>4</sup>
- An analysis of **wood supply needs** in relation to housing and other uses and how those needs are able to be met by plantation timber supply rather than native forest logging
- A **financial analysis** of the impact of the cessation of logging on the jobs and contracts that are currently in place, noting that this has been considered before

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<sup>4</sup> <https://www.trademinister.gov.au/minister/don-farrell/media-release/first-nations-trade-and-tourism-businesses-shine-new-report>

under the Carr Government when the Forestry Restructuring was undertaken, where funds from the Environmental Trust were used to compensate the industry. Now there are new financial tools available by way of climate emission offsets and biodiversity credits to compensate for the loss of jobs and they must be reviewed to allow a credible assessment of the options and opportunities available for a transition.

It makes no sense why the destruction of native forest logging continues. Over the past four decades there has been so much effort to try and end this practice due to its ecologically and financially detrimental outcomes. Victoria and WA have made the commitment to end native forest logging and it's a mystery as to why NSW has continued the destructive practice at a cost to the citizens and environment of NSW.

Having been involved in the processes that delivered an end to logging in over one million hectares of State Forests by the Carr Government between 1995 and 2004 I have seen that it is possible to have change. I worked as an advisor in the office of Ian Cohen who was elected in 1995 to the Legislative Council as the first Greens Member of Parliament in NSW. The election campaign had focused on the protection of Old Growth Forests but it took concerted effort over many years, both in the parliament and by many dedicated conservation advocates to achieve delivery of the promised outcomes. Some of those advocates are now on the front line defending Bulga and other forests that are at risk of logging and destruction of significant habitat for endangered species.

In the past, it was a struggle to achieve recognition of the environmental values of the forests and there was also the pressure and influence of the industry and the CFMEU with particular focus on the loss of jobs. The protection of significant areas of state forests was achieved and now it's time for a renewed consideration to end the destructive native forestry practices in NSW.

We are now painfully aware of the risks of climate change and the reality of biodiversity extinction and it is time for change. It's time for responsible action to avoid the foreseeable risks of this devastation and the most immediate and effective way to do this is by ending native forest logging.

I hope that the panel is up to the challenge, to be truly independent and undertake appropriate consultation with experts who understand the impacts of the current practices, undertake respectful engagement with First Nations People to identify their cultural connection to these areas and address climate change.

I wish you all well in this process. I have addressed the stated topics below and acknowledge that I have utilised information from a template produced by Greens MLC Sue Higginson as it provides relevant points and reflects the values and concerns I hold and presents the information in a succinct form. Therefore, I request that my reproduction of the points is not dismissed as a form response but recognised as legitimate input.

Yours sincerely,

Jan Barham

## **Jan Barham TOPIC responses**

### **Sustainability of current and future forestry operations in NSW.**

- Native forest logging is unsustainable, whatever definition is applied
- Estimations by the Forestry Corporation of the amount of harvestable timber are consistently over estimated and this has been revealed many times since 1995, including statements from State Forest workers, tabled in the NSW Legislative Assembly on the 17 November 1998 by Mr Fraser regarding quota volumes in the Northern Rivers in an internal SF memo identifying that the logging quotas were unable to be met. It was stated that the information tabled suggested that this issue was a state wide issue. This has led to the size of trees available for logging to be reduced and the environmental protocols reduced and or rejected.
- The yield from public native forests has declined by 40% since 2010
- Protections for mature trees were removed in 2018 and logging was intensified to provide more wood from native forests
- Logging of native forests reduces biomass and carbon storage, and removing mature trees takes away valuable food sources and hollow bearing trees
- 174 species in NSW rely on hollows for dens and nests, logging reduces the number of hollows that will be created in native forests and therefore impacts on the viability of those hollow dependent species
- Native forest logging increases fire threat and intensity, erosion and water way pollution, and the penetration of weeds and other invasive species
- The impact of Bell Miner Associated Dieback (BMAD) on forests in north-east NSW is a direct result of logging, canopy openings and lantana invasion post logging and the invasion of miner birds which encourage psyllids which remove the tree sap causing trees to die. This represents a management failure and affect vast areas of state forests.
- Native forest logging reduces the function and health of waterways, including streams and rivers

### **Environmental and cultural values of forests, including threatened species and Aboriginal cultural heritage values.**

- Native forests are places of significant cultural and spiritual value for First Nation Peoples, despite a lack of genuine consultation and engagement to understand these values
- First Nations people and communities have ongoing connection to native forests and forest landscapes are an integral part of cultural practice and knowledge
- Healthy and unlogged forests are critical to the whole environment and both First Nations and non-First Nations culture and identity

- Forests, particularly healthy mature forests, generate rainfall, cool the landscape and clean the air
- 150 threatened species in NSW are directly impacted by logging native forests
- There are 269 nationally listed threatened species in NSW and the landscape scale significance of native forests means that native forest logging compromises many ecosystems and habitats throughout NSW
- Mature and unlogged native forests are critical for pollinators and play a key role in pollination across the landscape, both within and beyond the forests
- Native forests provide recreation and improved health outcomes to locals and visitors alike and are a source of community pride and connection to place and present opportunities for economic outcomes by way of visitation

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

- Logging in native forests accounted for only 9% of the total log production in Australia in the year 2023. Native forest logging contributes only 2.4 million of the total 25 million cubic metres for that year
- Half of the logs taken from native forests in 2023 were turned into woodchip and exported
- Hardwood logs taken from plantations made up 8.5 million cubic metres, and just 8% of these logs were saw and veneer logs. 87% of hardwood plantation logs were exported as wood chips
- Hardwood sourced from native forests or plantations are no longer necessary for any of the uses identified above, alternatives exist
- Sawn and treated softwood logs and composite timber products made from softwoods can substitute for all current uses for native forest and plantation hardwoods
- The market and demand for native forests is declining rapidly, the recent example of Essential Energy moving away from power poles harvested from native forests is just one example

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

- Plantations already provide 91% of Australia's log production
- A higher proportion of harvested logs from plantations should be prioritised as saw and veneer logs, rather than exporting them as wood chips
- Subsidising the logging of public native forests by the Forestry Corporation is non-competitive and distorts the market away from the more profitable softwood plantation industry

- High-end and luxury native hardwood products should only be selectively harvested on private land and under strict conditions and this should be reviewed and revised

**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.**

- Native forests that are not logged have real and tangible benefits to the entire ecology and economy of NSW
- Native state forests cover an area of 2 million hectares in NSW and impact on a diverse set of living conditions for many towns, from water quality in reservoirs, to greater tourism industry opportunities, and carbon storage and abatement
- The native forest hardwood division of the Forestry Corporation operates at a loss that runs into tens of millions of dollars, at the expense of the NSW public. It also additionally receives tens of millions of dollars in regular equity injections
- The people of NSW should not be paying millions of dollars to destroy the biodiversity of our own state and critical habitat for threatened species
- Public native forests have a much higher economic value when they are allowed to function naturally and without logging
- First Nations Ranger Programs have been hugely successful at managing the recovery and health of native forests. Programs like the Githabul Rangers have shown how First Nations knowledge and management can restore the natural and critical function of forests in the landscape

**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.**

- Native forest logging in NSW is estimated to release 3.6 million tonnes of carbon every year
- Ending native forest logging would be the equivalent to removing 840 thousand cars from the roads per year
- Logging in a native forest reduces the amount of stored carbon by more than half of the original value
- Ending native forest logging will allow previously logged forests to regain lost carbon and make a significant contribution to meeting our emissions targets
- Climate change is driving increased risks for forest health and continued logging in native forests is exacerbating that risk
- Forests that have not been logged are more resilient to the changing climate and catastrophic fires that are occurring as a consequence