

# Draft POEO (General) Amendment (Native Forest Bio-material) Regulation 2013

Submission by Harriett Swift, Chipstop Campaign against Woodchipping, PO Box 797 Bega NSW 2550 6 August 2013

<http://www.chipstop.savetheforests.org.au/>

1. Defects in Drafting or deliberate Policy to intensify logging?
2. Soil Fertility
3. Creating a new market for native forest wood products will lead to more logging
4. The koala
5. Increasing logging will destroy native forests and devastate wildlife
6. Burning native forestry biomass for electricity does not create green energy
7. Cross Border Issues
8. Conclusion

The executive director of the NSW Forest Products Association, Russ Ainley has commented on the draft regulation, saying “the change just fixes the anomaly and [provides] **an alternative market for woodchip exports**”

<http://library.constantcontact.com/download/get/file/1112482770330-96/ISSUE280.pdf> - Timber and Forestry eNews 29 July 2013: 7

This quote reveals the true motivation of the NSW logging industry in pushing for this regulatory change.

As markets for native forest wood, especially native forest woodchips collapse, the industry is desperately seeking new markets for its products. It aims to augment or even replace existing export markets in decline as traditional woodchip customers demand higher environmental standards.

The domestic construction industry is also increasingly rejecting native forest wood.

Mr Ainley’s comment challenges statements from the Environment Protection Authority (EPA) that the proposed change will not add to have perverse outcomes or increase the intensity of logging.

## 1. Defects in Drafting or deliberate Policy to intensify logging?

The Regulation as drafted will make it possible to log more intensively. It will allow tree species not currently taken by the woodchipping industry to be classified as 'pulp logs' and thus eligible to be logged for burning.

Mr Buffier has said:

"The proposed changes have been designed to avoid any perverse outcomes.

"They have not been designed to increase the intensity of harvesting, but to ensure the opportunity exists to make better value of the products created from logging or legal clearing operations.

This may not be the result of the new regulation.

According to the draft regulation<sup>1</sup>:

1. Any tree that can be cut as a **pulp log** can be burned.
2. Any log from thinnings can also be burned, although thinnings are invariably pulp logs anyway, so I don't know it is necessary to list them separately.

The definition of a 'pulp log'<sup>2</sup> is any tree "used to make a reconstituted wood product such as paper" except for (i) Rough-barked Apple (*Angophora floribunda*), (ii) Smooth-barked Apple (*Angophora costata*), (iii) Scribbly Gum (*Eucalyptus rossii*), (iv) Turpentine (*Syncarpia glomulifera*).

"A reconstituted wood product such as paper," could also include other

---

<sup>1</sup> [2] Clause 96, definition of "native forest bio-material"

Insert after paragraph (a):

(a1) bio-material obtained from:

(i) trees cleared in accordance with a PVP that has been approved under Part 4 of the Native Vegetation Act 2003 after an assessment under Chapter 7 of the Assessment Methodology (within the meaning of Part 5 of the Native Vegetation Regulation 2005), or

(ii) pulp wood logs and heads and off-cuts resulting from:

(A) clearing carried out in accordance with a private native forestry PVP, or  
(B) forestry operations carried out in accordance with an integrated forestry operations approval under Part 5B of the

Forestry Act 2012, or

(iii) trees cleared as a result of thinning carried out in accordance with:

(A) a private native forestry PVP, or

(B) an integrated forestry operations

approval under Part 5B of the Forestry Act 2012,

<sup>2</sup> According to Schedule 1 (1)

**Pulp wood logs**

means any logs used to make a reconstituted wood product such as paper, but does not include the following:

(a) saw logs,

(b) any part of a dead tree,

(c) logs obtained from any of the following species of tree:

(i) Rough-barked Apple (*Angophora floribunda*),

(ii) Smooth-barked Apple (*Angophora costata*),

(iii) Scribbly Gum (*Eucalyptus rossii*),

(iv) Turpentine (*Syncarpia glomulifera*)

products such as paperboard or MDF which need not be pale coloured wood. In other words, the trees that are currently not logged for woodchips because they are too red or too hard can now be logged for burning. These include the prime koala habitat trees, forest red gum and woollybutt, as well as iron barks, bloodwoods and grey box.

This could add to the intensity of logging and pose a serious threat the koala in the south east.

## **2. Soil Fertility**

Currently logging debris is left on the forest floor after logging to rot or, as often happens is burned.

If this material were removed altogether, it would seriously diminish the ongoing fertility of the soil and threaten successful regeneration of regrowth forest into the future. For an industry that claims to be sustainable for generation after generation of short rotation production forest, this will present a major problem.

## **3. Creating a new market for native forest wood products will lead to more logging**

- For NSW's struggling native forest wood chip industry, this proposal to open up native vegetation for power station fuel is a desperate attempt to keep the industry operating and continue its destruction of native forests.
- Despite receiving massive government subsidies, the Eden woodchip mill is currently running at a \$2.6 million a year loss, while in June this year Boral Timber sold its plant and equipment at the Port of Newcastle and Tea Gardens and closed its woodchip export business.
- As cheaper and better quality plantation resources come on stream in countries around the Pacific, Australian woodchippers are looking at biomass power generation to save them, but they know they cannot achieve this without massive subsidies.
- Market conditions have reduced the overall levels of native forest logging, but this proposal would not only create the opportunity for the industry to return to its peak levels of 1million tonnes of woodchips a year from the South and 200,000 tonnes from the North. It would also expand the species and trees that the logging industry would target.

## **4. The koala**

The koala is now a federally listed threatened species and has been listed as threatened in NSW for many years.

The few remaining koalas on the far south coast live mostly in State Forests and rely on the adequacy of IFOA prescriptions for their survival. Unfortunately those prescriptions have not been updated for 13 years and are recognised as grossly inadequate to protect koalas from logging.

The introduction of this Regulation would makes things even tougher for them

by making it possible to log major koala feed trees such as forest red gum and woolly butt that are not currently taken for woodchips because their timber is too red in colour.

To allow logging and burning of these koala feed trees is akin to declaring war on the species on the far south coast.

## **5. Increasing logging will destroy native forests and devastate wildlife**

- Native forest wood-chipping turns high conservation value land into low economic value commodity exports, with devastating consequences for the ecosystems and the native animals that depended upon them.
- NSW native forests are already being pushed to the brink. It is estimated that since 1788 some 60% of native forest cover has been lost. Of the remaining native forests, only 19% is formally protected from logging.
- Millions of native animals are killed, injured and displaced each year as a result of existing native forest logging.
- Hollow bearing trees are critical for the future of many forest dwelling species such as possums, yellow bellied gliders and the large forest owls. They are among the 400 species that rely on the tree hollows which take up to 180 years to form.

## **6. Burning native forestry biomass for electricity does not create green energy**

- Native forestry biomass is not renewable. As the forests are logged, habitat is destroyed and does not fully recover for hundreds of years, if ever. The NSW Environmental Protection Authority's claims that the proposal is consistent with the government's plans to increase renewable energy generation to 20% by 2020 are misleading and deceptive.
- Greenhouse gas emissions from burning native forest for electricity generation can be as much as 6.4 times greater than the equivalent-sized coal-fired power station.
- Greenhouse gas emissions are not only released when the biomass is burnt in the power station but also when the forests are logged and sequestered carbon is released into the atmosphere. Greenhouse gas emissions from logging of native forests to supply the Eden chip mill have been conservatively estimated at over 18 million tonnes per year.
- Burning native forests for electricity generation will not only increase NSW's greenhouse gas emissions but will damage the market for genuinely renewable energy technologies such as solar, wind and wave power.
- Burning native forests for electricity generation produces air pollution containing toxic metals and other chemicals that are detrimental to human health. These include arsenic compounds, micro-fine particles (PM3.5 and PM10) and 2,3,7,8 tetrachlorodibenzo-p-dioxin, 2,3,7,8-tetrachlorodibenzop-furan, hydrogen sulphide, nitrogen oxides (NOx), lead arsenate and other lead compounds, arsenic and inorganic arsenic compounds, mercury, hydrochloric acid, sulphuric acid and sulphur dioxide (SO<sub>2</sub>).

## **7. Cross Border Issues**

The draft regulation fails to clarify the status of trees felled in Victoria which might be sent for processing in NSW, for example at the Eden chipmill.

It is possible that trees from Victoria, currently hauled to Eden for woodchipping, could be burned there if the South East Fibre Exports plans for a wood fired power station are revived.

The draft regulation does not deal with this issue at all.

## **8. Conclusion**

Reject the draft regulation and maintain the current ban on burning native forest trees and logging waste to generate electricity.

**Post:**

Native Forest Biomaterials Consultation Reform and  
Compliance Branch Environment Protection Authority PO Box  
A290  
Sydney South NSW 1232

**email:** [native.biomass@epa.nsw.gov.au](mailto:native.biomass@epa.nsw.gov.au) **website:**

<http://tiny.cc/epawoodpower> **submissions due:** Tuesday 20

August 2013