

[Sooty on the High Court win that affirms right for third parties with a "special interest" to take Forestry Corporation to court while 15 year old Jesinta calls for more relevant environmental education in schools.](#)

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Walawani

Welcome to Earth Matters: Environment and Social justice storeys from Australia and around the world.

Produced at the studios of 3Cr on Wurundjeri country in Naarm, Melbourne and broadcast across this continent via the Community Radio Network.

Today's Earth Matters was produced on Yuin country on the South coast of New South Wales.

I've spent my childhood with these trees and I've watched these forests grow.

The bush is a safe place for me and I want to be able to protect that and in return offer the forest some safety too.

The forest is a part of who I am.

Is a part of who we all are.

Some people have just forgotten that.

Hi, my name is Jecinta Newland.

I'm 15 and I'm from Ulladullah.

I'm currently in year nine Ulladullah High School and I am a part of SCAN.

When I was eight years old I had my first encounter with the reality of logging.

My family and I went out to Berry Farm.

But it was here that I was exposed to the truth of the logging industry.

As far as I could see, massive spotted gums had been cut and left.

And that's a memory that I'll never forget.

Ever since then I've been passionate about preventing further damage to our forests and making sure that the people around me are aware of the destruction occurring in our local environment.

People often ask me, who's Forestry Corporation?

Why do you care so much?

And why should I care about deforestation?

Is it only cutting down a few trees and they grow back in a few years?

For decades, Forestry Corporation have been carelessly spending taxpayers money to log our native forests.

It is imperative that we stop this destructive industry from continuing to push species towards extinction.

They are destroying critical habitat for endangered species like koalas and greater gliders.

Mostly for wood chips, cardboard and toilet paper.

These forests are our future and the future of the generations to come.

And we cannot continue to destroy it.

One of my favourite quotes is; " the least I can do is speak for those who can't" by Jane Goodall.

This quote can definitely relate to what is happening in our native forests at the moment.

Big beautiful trees and endangered species are at their turning point in history and they need all the help they can get.

Now is our chance to end native forest logging and it needs to stop now.

Thank you.

That's 15 year old Jacinta Newland who has no trouble capturing the heart of why native forest logging needs to stop.

We'll hear more from Jacinta and her visions of the future later in the show.

But first, Sooty from South East Forest Rescue explains the legal weirdness of current definitions of a New South Wales glider den.

How a glider sitting in a tree hollow, legally is not at home until it leaves the hollow.

Hello, could you introduce yourself please?

I'm Sooty from South East Forest Rescue.

I'm with Sooty who's a very experienced forest activist and an activist in very many ways.

The last time I talked to him we were outside a Pentarch timber mill on the mid north coast.

A group of people blockading all the entrances actually shut down the mill for the working day.

And at that time Sooty had a court case happening.

What's the update, Sooty?

Yeah, well back when last spoke we had just one in the Court of Appeal for the right to take forestry to court.

I suppose that victory was short lived because not long after we last spoke forestry took us to the High Court and arguing that the Court of Appeal got it wrong and that third parties don't have the right to take forestry to court.

It took it all until February last year in fact to get to the High Court we had a one day hearing with five High Court judges and thankfully it was a very quick decision.

Only about six weeks later, the full bench of the High Court, all five judges found in favour of us.

So that sets the precedent that third parties with a special interest in New South Wales can take forestry to court.

The High Court?

The High Court, yes, the High Court decision as it's now total precedent, third parties with a special interest can take forestry to court in New South Wales.

Forestry argued that, oh, that opened the floodgates, but it's not, you still have to have a special interest which is more than just, you know, I love forests.

You've got to have actually have done specific or done things towards the case that you're taking.

So our group has been around for 20 years, so it was laughable that we didn't have a special interest being involved for 20 years.

Thankfully the High Court backed us up.

So that decision was in about March, April last year and then we finally got back to the Landing Environment Court in the beginning of November for the actual case and, and that's almost two years after starting the case.

So we had a two day hearing in November and we're still waiting for the judgement.

So it's been like five months, getting close to six months since the hearing.

So hopefully the decision is, you know, coming very soon.

Could be a good thing that it's taken so long.

Hopefully it means the judge is.

She's really thinking about the case.

And the case hinges largely on we're contesting the definition of a glider dentry.

There's three species of gliders that get protection.

That's the greater glider, the Yellow Belly glider and the Squirrel glider.

And if you find their dentry, it gets a 50 metre radius exclusion zone.

Now, the way it's written is it starts off a greater glider dentry includes but is not limited to comma, and then it goes through a whole series of things and one of them is which a glider is seen entering or leaving.

Now, forestry's contention is it is only a dentry or for it to be a dentry, you must see a glider exit the hollow or enter the hollow.

We contend that is one way of saying that's a dentry, but in it it talks about a hollow, a tree hollow that may be used by a glider for the purpose of denning.

So our contention is that if there's a tree with a hollow large enough for a glider, it should be classed as a den tree as well.

And get the 50 metre exclusion.

Is that whether or not you've seen a glider connected to it or any scats or anything, just a hollow that would fit a glider is a den.

Yep.

And it is a 50, 50 case.

Like.

Yeah, it's all grammar, the way the legal arguments are all on where the commas are in the, in the text and how you interpret the words and everything.

But I suppose we acknowledge that, yeah, you can interpret it forestry's way and forestry actually acknowledged that, yes, you can interpret it our way.

So it's up to the judge make the call as to who's right.

On the last day of the hearing, and literally a few minutes before the judge was going to adjourn, she asked the forestry barrister who held up the day before my affidavit with some pictures and said, now there were pictures of gliders in the hollow.

Now is that a dentry?

And the forestry barrister sort of paused for about five or 10 seconds and went, well, technically, no, but of course we'd wait and see if it left.

And the judge just said, well, that's bizarre.

And really that is the nub of the case.

It is bizarre if that's their interpretation.

And they just spent two days arguing that you have to see it and you'll leave.

So they had to say, no, it's not a denture.

So anyway, I'm hoping we win.

If we don't win, it will show the absurdity of the definition and hopefully something will be done about that.

Yeah, it's in the judge's hands, so we'll wait and see what happens.

Thanks so much for telling us about that.

There's some other things I'd like to ask you about if you're willing to try and give us a potted version of the history of the logging campaign in the southeast of New South Wales.

Like for example, do the listeners out there know about the chipmill?

Yes.

Well, the Eden Wood Chip Mill was the first wood chip mill in Australia and it came into existence I think from memory in about 1969, 1970, 56 years ago.

And that was the beginning of mass destruction of the south coast forests, especially in the Eden region.

In the Eden region, basically 90 plus percent of the wood goes to the chipmill, is chipped up and exported overseas.

They said we need the chip mill because the forests down there, they had fires and they were all degraded forest and you know, they needed to be cut down.

And so we get this nice new forest come back.

Basically what's happened is they've cut down all what they call the multi age forest and now they're recutting what's grown back.

And that was meant to provide them lots more saw logs.

Well it hasn't.

They're still getting the same percentage.

90% goes to the chipmill, less than 10% goes to saw log.

So does that mean that their so called sustainable logging plan, the rotation cycle just hasn't worked, the timber hasn't grown back the way they thought it would?

Oh totally.

And they say it's sustainable, but this is a classic example of how it's not sustainable.

Sustainability means you keep the same forest structure, you keep the same age classes, which also then means you should be still getting large timber, you know, the same size saw logs you got 20 years ago, 30 years ago, 50 years ago, 100 years ago, the size of a high quality log, the minimum size of a high quality log used to be greater than 40 centimetres.

They've now reclassified it as greater than 25 centimetres.

So clearly that's not sustainable.

They've cut out the multi age forest and they're into this regrowth forest which is trees, you know, 20, 20, well, 25, 30 centimetres.

So they're way smaller than they used to get.

Down in the Eden region, a tree called silvertop ash, *Eucalyptus cyberi*.

It likes a good disturbance.

So logging fire and it comes back really quick and out competes all the other species.

And so they've also turned it into almost a de facto plantation of silver top ash.

The Chipmill loves silvertop ash.

It's a light coloured wood.

So the paper makers like that because it requires less dyes to get your white paper.

Yeah, and again, that's not sustainable.

They're converting a mixed forest into an almost monoculture.

Clearly not sustainable.

What sort of a vision do you actually have for the forests of the southeast of Australia?

And how would we maintain the roads if we did stop logging?

So that's two questions.

What's your vision and where would the roads be in that?

My vision is to end native forest logging.

The forests have had a hard life but they're still there.

And in this age of climate change, the forests are one of the most important assets we've got to combat climate change.

They are carbon sequesters.

So leaving the forest to grow on will benefit climate change, hopefully reduce the impact.

And it's not only carbon, there's biodiversity.

Now we are also in a biodiversity crisis and so continuing to log forests is driving species to extinction.

Like the gliders.

We've had 200 odd years of logging.

It's time to move to a plantation based system where plantations are established on already cleared derelict farmland and we leave our natural native forests to regrow and get back to what they should be with big large trees, hollows, species.

Yeah, it's good for, good for climate, good for biodiversity and good for us, good for the soul getting out into these beautiful forests.

As for for roads, well, the roads.

In the state forest.

Yeah, well just maintain them, you know, yes, it costs money but you know, so be it.

No, and I suppose a lot of the roads are just designed for logging, logging access, so probably not all of them need to be maintained, but definitely for fire mitigation and that, yes, we do need to keep roads in the forest and as long as the maintaining of the roads is done, taking in regard of sediment and all that, yeah, I don't see a problem with leaving the roads there.

And yeah, I suppose there is a contentious proposal to get carbon credits for locking up our forests.

There are some problems with it, but there's also, I think some benefits in going down that path and that is that a, the forests are protected, they're left to grow on, there is some money generated so that money can then be put back into maintaining the roads but also rehabilitating the most damaged parts of our forests.

So yeah, I suppose, well, as I said there are some concerns but, but if, if we can mitigate those, I think it could be a way forward and that's a way of actually making, making money rather than at the moment forestry loses, you know, just last year \$30 million.

It was like \$15 million a few years, you know, cheap for the few years before that.

Probably over \$100 million in the last five, five or six years it's.

And in the 20 odd years I've been doing this I don't think they've ever made a profit.

So it's probably in the vicinity of you know, half a billion dollars over all this time of losses.

So yeah, it's time to, time to cut the losses and, and do something good.

Is there anything else you feel to.

Say this time is, you know, in the, you know, the 20 odd years I've been doing it it feels like we're, we're as close as where I've ever been to ending native forest logging.

So for all the listeners, you know, if you see actions, you know, on Facebook, you know, right, right to the polys, whatever, please do attend rallies, protests, get out there, you know, get out there and make it happen.

We're so close and New South Wales election's coming up in March next year.

So now's the time to put pressure on the Labour government and get a commitment from them to end native forest logging.

Sooty from South East Forest Rescue who are taking Forest Corporation to court over the definition of a glider den.

You're listening to Earth Matters broadcast nationally across this continent via the Community Radio Network.

Welcome back.

I'm your show host Bec Horage.

The National Parks association is currently working on a proposal for a new Great Southern national park in South East New South Wales.

As the National Parks association writes on its website, the public forests of the Southeast have been decimated by the wood chip industry and unsustainable forest activities.

These forests sit on the brink of an ecological collapse and it's long past time to give them the protection they deserve.

At stake is the future of more than 400,000 hectares of vulnerable native forest.

The simple objective of the Great Southern Forest national park campaign is to build the case for the establishment of the largest forest reserve in New South Wales history.

The campaign has begun with a meticulous investigation of the conservation values of public native forests across south eastern New South Wales.

Some of the best news in the forest campaign sphere lately is that logging has now stopped in areas around Coffs harbour for the 176,000 hectare area nominated for the new Great Koala national park in the mid north coast of New South Wales.

Now the government is still saying the final creation of the park is dependent on the successful registration of a carbon project, which is still being considered by the Commonwealth.

And then, in northern New South Wales, the Northeast Forest alliance have started a campaign for 56,6200 hectares of public native forests to be created as the Richmond River Koala parks.

This is the largest stronghold of koalas in the Richmond catchment, a genetically different population from the habitat found in the Great Koala national park further south.

Protecting these forests will also help over 130 other threatened species and improve the health of the Richmond River.

Meanwhile, all forest protection groups would like to take it a lot further and stop all native forest logging completely.

As the Nature Conservation Council say, the future of our forests is at a crossroads.

Right now, the New South Wales government is considering the future of the logging industry and it's critical that we don't allow this destructive industry to keep driving species towards extinction.

Now, more from Jacinta Newlin, who's 15 years old.

I found her for the second time at a wonderful weekend forest festival in the hinterland of Borley Point, New South Wales.

I'm here in a green field surrounded by trees, a butterfly flapping past.

It's the Scan South Coast Action Network Forest Festival.

I'm with Jesinta, who happens to be 15, and her mum, Jackie.

Jesinta, I noticed you've been engaged with the activities here at the Forest Festival while I've just been sitting around and I'm curious what I've missed out on.

What have you been doing at the festival?

Yeah, we've been having spotlighting and eco dying and stuff like that, which has been really fun.

And we've had NVDA training, which is teaching us about protests and stuff like that.

NVDA stands for Non Violent Direct Action.

And yeah, it's been really fun just engaging in all of the activities.

And during the night we go out spotlighting, looking for endangered Greater Gliders so we can try to help save their habitat from logging.

Looking for hollows and going out with big bright lights.

And when you go looking for them, you can see their eyes reflecting like two dollar coins in the sun and it reflects really brightly and you can just see them out there and it's really fun to go see all of the wildlife during the night and see what they do.

And what was the eco dying?

What sort of dying?

Well, we find different types of leaves and flowers and stuff like that, and you place them onto whatever type of shirt or fabric and you mainly have to use, like, natural fibres like cotton and silk and wool, and you just Layer the leaves and the flowers on there and then you roll them up and like wind them up in twine and then you boil them in soy milk.

And we did that over the fire and then we boiled them overnight and then in the morning we got to dry them and unwrap them and they had all cool, like, leave and flower plants on there.

Where does your love from nature come from?

Well, I've sort of just been around the bush my entire life and I obviously love the bush so much and all the animals and stuff like that in there, but I was never really that interested in, like all of the protesting sort of sides of it and all really in depth of it.

But then I got introduced by it by one of my close friends was telling me about Big Spotty and how North Bruman State Forest, one of the compartment sets were going to get logged and I decided to do a school assignment on that.

And that's just sort of where it went off.

And I just gained sort of like an addiction to it and it just became so interesting and I was just so in awe by all of the things that I was learning and it just became a passion for me.

What do you think needs to be happening now?

I just think that people need to be told about what's happening in our forest at the moment.

Because every single time I've brought up Big Spotty or something like that to people, they say, what I didn't know that's happening because they're trying to log around Big Spotty and they're trying to log that area.

And then Forestry Corporation have been getting complaints and stuff like that, like, you can't log Big Spotty.

And Big Spotty is pretty much over 500 years old and so old and so loved and the First Nation, people call it Mother Tree and it's so beautiful and it's just like connecting all the other trees together.

And it's just such an amazing experience to be out there as well.

We went and saw it today in one of the forest tours and, yeah, I just think people need to know about it because whenever I tell people, they just get really sad and they're like, I didn't know that's happening.

And I just think we need to tell people and we need people to know.

My understanding is, by the way, that they're not going to cut down Big Spotty, but they're going to log near it and that that won't do Big Spotty's health any good whatsoever.

Yeah, they're trying to keep 60 metres around big Spotty, but.

And then log the rest of it.

But if you just cut around the tree, it's still going to do the tree as much damage as cutting directly right next to it, because it's just killing all the trees.

And trees feed off each other and they give each other energy.

I learned about it at uni.

It's called an edge effect is one thing when you have an edge of a forest, all sorts of weeds can come in, wind comes in, fire can come in.

It's good if a forest is not fragmented.

So what's the atmosphere been at the South Coast Action Network SCAN Forest Festival this weekend?

It's been so beautiful and I think I'm especially liking it because all of SCAN's festivals and all different types of things like fundraisers and stuff like that, they're all dry, so no drinking and no drugs.

And so it's all family friendly and I've just been loving it.

We've been getting taught like dances and stuff like that and it's been so beautiful and the most beautiful music and food and all vegan food.

It's been so beautiful.

And just finding a beautiful spot to camp under a tree and then just going in the creek every day and just spending this time in nature's been so beautiful.

They've really been loving it.

Jesinta's mum, Jacqueline, was at the festival.

And she said I came along because of her and to chaperone her, but I found just the most wonderful people.

I've met some amazing people and had these amazing conversations and connections with and living in community.

We're all living together.

Everyone is so passionate about what they do, but I'm really surprised at the community.

Everyone's working together, there's, you know, workshops and.

But even just eating together, having community, sitting around a fire and talking and listening to music together and you get in some really beautiful conversations and meet some really interesting people.

And I'm really happy that Jesinta's found this group because it's, yeah, really inspiring and kind, loving people.

Was there anything else that you're thinking about?

Well, I just love that being around here, it's all people who are like me, loving nature and loving our forests around here.

And everyone just loves the forest so much and we just all want to protect it and take care of it.

And I've just been loving it so much, being able to speak what I want to talk about and being able to put my point of view in everything.

And it's very inclusive here.

They always do like voting for stuff if someone had an idea, they'd be like, oh, does everyone agree with that?

Is that suiting to everyone else?

And if it isn't suiting to even just one person, they'll find another thing to do.

And it's just so inclusive and just really nice.

What about the future?

You're the ones that are going to be carrying the future out, making it happen.

What sort of visions do you have?

What would be your ideal sort of future to be living in another 30 years time?

I think that in the future I'd really love most of my community to just come in and be and make gardens together because that's something that I really love.

I have a garden at home and I just love growing veggies and fruits and making bundles of flowers and stuff like that.

And I just love that even just a few people in my community have gardens and I see them like walking up the road to go to like someone's garden and coming back with big bundles of veggies and fruits and stuff like that.

And it's just so beautiful.

And I would really love for to bring the community together with communal gardens and stuff like that is something that I'd love to see in lots more communal gardens because it just brings everyone together and it's so beautiful to just be putting your hands in the dirt and just making so many beautiful things together.

And I just think that I'd really like to see that in the future.

What do you think that adults could do for you as a 15 year old schoolgirl?

What do you think we could be doing better for you?

I think maybe finding people who would like to teach about this type of stuff in school because most of this stuff I've learned from being in SCAN and learning from older people who I look up to and I love lots of my teachers and I'd love to look up to a teacher who would be able to teach us about stuff which is happening in the world, like global warming and stuff like that.

Because I've learned all of this stuff out of school.

I haven't learnt much of it in school and I think that that would be something so amazing to be able to learn about all of this stuff in school as well.

Because I haven't learnt much of it in school.

What would you like our Prime Minister to do next?

I would like our Prime Minister to help us with logging because the ecosystem and just protecting the ecosystem is spoken about in the Parliament a lot, but logging is sort of not

really spoken about much.

And I just think that if we had people in charge taking care of our forest on the logging sort of side of it.

I think that would make a huge difference to the generations to come and to my generation and to just so many people.

It would just make a huge difference.

Jacinta, thank you so much for talking to Earth Matters, and I'll be doing everything I can to make sure those futures unfold.

That was Jesinta Newland from the South Coast Action Network, and you can find all the groups mentioned in the show on the Earth Matters show homepage.

You've been listening to Earth Matters, Community Radio's National Environment Justice Programme.

If you've missed any of today's show, you can find our podcasts@3cr.org au earthmatters.

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