

WWF's Dr Kita Ashman with a lone seedling poking through waist-high timber debris. This seedling is one of the few signs of regeneration two years after logging in Tallaganda State Forest. © David Gallan

The End of the RFA Era: Why NSW's forest logging rules aren't protecting our threatened species

Executive Summary

For more than 25 years, native forest logging under Regional Forest Agreements (RFAs) has been largely exempt from federal scrutiny under the *Environment Protection and Biodiversity Conservation (EPBC) Act.* Reforms passed in late 2025 will sunset this exemption from 1 July 2027, subjecting forestry operations in RFA regions to EPBC approval processes and fundamentally changing how native forest logging is regulated.

Changes to the EPBC Act introduced criteria for unacceptable impacts, a requirement to address the mitigation hierarchy, including a net gain test for offsets and enabled the Minister to make national environmental standards to which decisions under the Act must comply. Consistent with the mitigation hierarchy, avoiding and minimising impacts must remain the priority — offsets should be a last resort only, must not justify avoidable destruction, and are not appropriate for irreplaceable habitat or ecosystems that cannot realistically be restored. The reforms also established a new National Environmental Protection Agency to oversee compliance with the new laws.

This transition period is pivotal, and there is currently ambiguity in the process of how EPBC Act reforms will be applied to RFAs. If reforms simply accredit existing state systems through strategic

assessments or bilateral agreements without addressing their weaknesses, the current problems - inadequate protections, cumulative impacts, and compliance failures - will be replicated at the national level. It is critical that states be required to improve their systems and demonstrate alignment with the requirements of the reformed EPBC Act – at policy, legal and technical levels – before the replacement of RFAs is agreed. Doing this after the fact will be too late and extremely difficult to correct, even if evidence demonstrates continued failings.

This report examines the Coastal Integrated Forestry Operations Approval (CIFOA) as a critical test case for the current reform process. The CIFOA is the legal framework that governs native forest logging across the east coast of NSW, setting out the rules the industry must follow to protect threatened species and the environment while operating. Currently, if the native forest logging industry follows the CIFOA rules, they don't need to seek separate approval under the EPBC Act for impacts on listed threatened species. This makes the effectiveness of the CIFOA critically important, particularly if the federal government approves this as part of the new arrangements for RFAs.

If the CIFOA continues to provide a right to operate with limited additional oversight under Australia's national environmental laws, as is currently the case, the framework must be capable of delivering equivalent or better standards of environmental protection than the EPBC Act. If its rules fail to adequately protect threatened species, there are few additional safeguards available to prevent ongoing impacts. This report finds that the existing state-level framework (CIFOA) is not fit for purpose; its protections are too narrow, and compliance failures are common. The CIFOA cannot currently demonstrate that it is providing the protection required, as a result, threatened species continue to decline[1,2]. It's clear that the CIFOA requires significant improvement if it is to be up to the standard of the reformed EPBC Act.

The CIFOA primarily selects individual features to protect in isolation, such as nests, den trees, hollows and burrows, rather than focusing on the habitat needed to support the persistence of threatened species across landscapes. In addition, protections are often only triggered when a nest or specific feature is directly observed in use by the threatened species. For all threatened species, but nocturnal species in particular, this creates unrealistically high evidentiary thresholds that leave large areas of important habitat unprotected. Case studies of greater gliders (*Petaurus australis*), threatened frogs, including northern corroboree frog (*Pseudophryne pengilleyi*) and *Philoria* species, small forest birds (scarlet and flame robins; *Petroica* spp.), glossy black-cockatoos (*Calyptorhynchus lathami*) and wombats (*Vombatus ursinus*) illustrate these shortcomings in the report. Several of these species are listed threatened species under the EPBC Act.

Key issues include:

- Reliance on seasonal or difficult-to-detect survey triggers;
- Protection of isolated habitat features rather than the habitat needed to support species persistence;
- Inconsistent treatment of species records depending on who collected them;
- The exclusion of many listed threatened species from direct protections altogether.

The scale at which the CIFOA primarily operates - the individual logging operations scale - does not match the scale of how ecosystems function, creating a fundamental mismatch that limits its efficacy as a tool to safeguard threatened species. In addition, the CIFOA also fails to account for cumulative impacts from repeated logging, fire and climate change – as a framework applying at regional and landscape scale, there is no basis for ignoring cumulative impacts. Compounding these narrow protections, documented breaches of forestry rules, including failures to protect threatened species habitat and exclusion zones, undermine the limited safeguards that do exist. In effect, the current framework creates an illusion of protection by safeguarding individual features while failing to maintain the ecological conditions species need to persist.

Protecting a single tree while the forest around it is logged will not stop species decline. Saving our threatened species means safeguarding whole, connected habitats — guided by scientific evidence and backed by robust rules designed to help forests recover so nature can thrive. But meaningful conservation goes further still, with lasting outcomes depending on conservation that is designed and delivered through First Nations leadership, Indigenous Knowledge, science and community voices, in partnership with local communities. By combining ecological science with local and Indigenous Knowledge, we can develop more effective, durable and equitable approaches that protect threatened species across entire landscapes — and support the communities connected to them — rather than focusing narrowly on single nests, dens or sightings.

This report recommends a shift from small, reactive safeguards to enforceable, proactive, landscape-scale habitat protection, including:

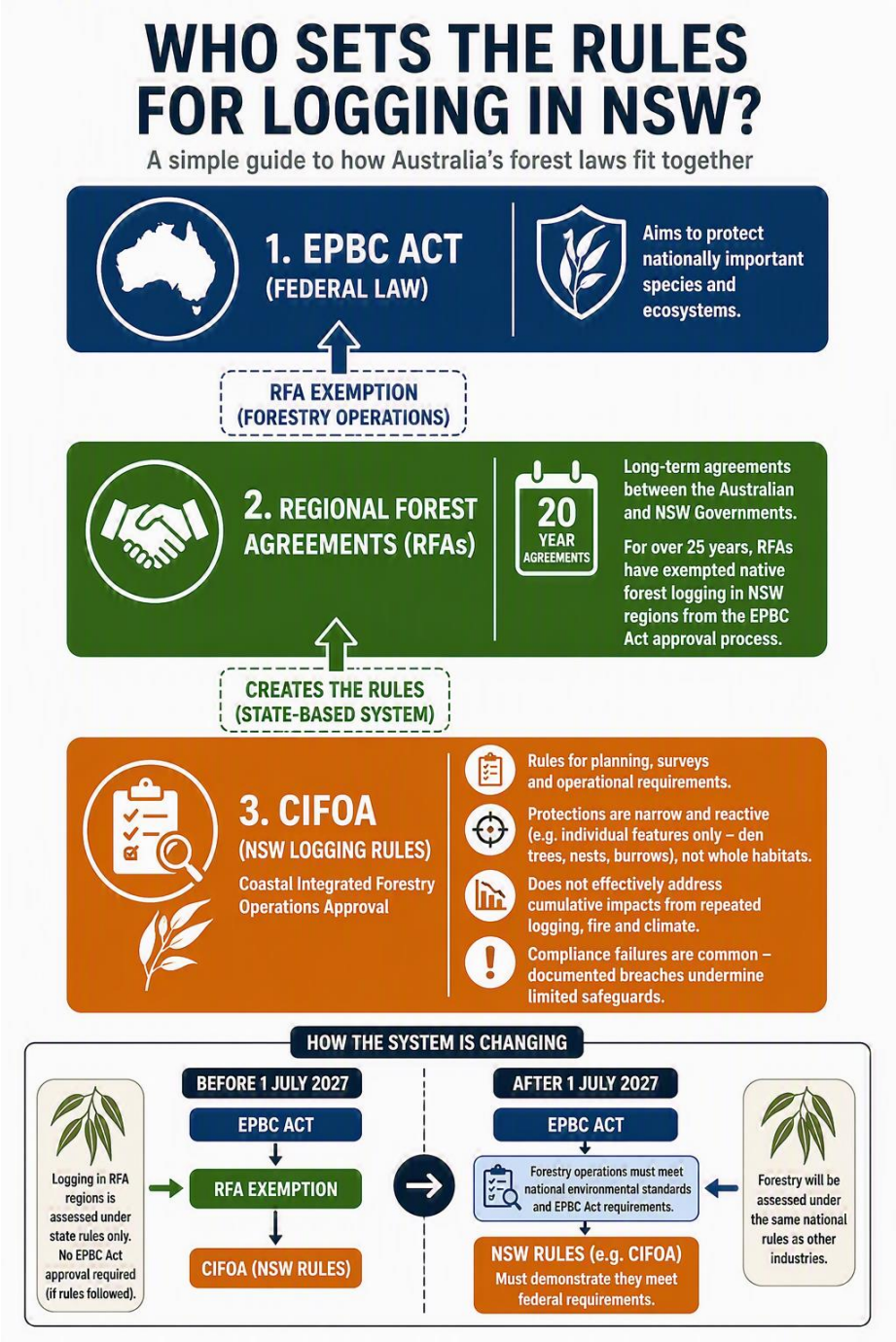
- Protecting critical and irreplaceable habitat through clear, mapped, enforceable 'no-go' zones for logging.
- Ensuring EPBC reforms are properly implemented, including strong national standards, and supported by technical work at federal government level necessary to embed the new rules in state-based frameworks.

- Closing gaps for overlooked species that present significant welfare issues such as wombats, including targeted pre-logging burrow surveys and associated exclusion zones.
- Require strategic assessments or bilateral arrangements to demonstrate how known gaps, weak protection mechanisms and compliance shortcomings will be addressed, and how state systems will be brought into alignment with national environmental standards, before accreditation occurs.
- Committing to end native forest logging, with stronger CIFOA and national standards applied to limit harm during the transition, and a planned, funded and fair transition for workers, regional communities and First Nations peoples.

These findings have direct implications for the transition away from Regional Forest Agreements under the reformed EPBC Act. Accreditation of state forestry frameworks should only occur where governments can demonstrate that threatened species protections operate at scales relevant to species persistence, address cumulative impacts, and are supported by independent and enforceable compliance mechanisms. In NSW, this will require substantial reform of the CIFOA to replace narrow detection-based protections with precautionary, habitat-based approaches focused on maintaining ecological function across connected landscapes.

How the CIFOA works—and where it falls short

On public land across the east coast of NSW, native forest logging is controlled by the Coastal Integrated Forestry Operations Approvals (CIFOA). These approvals operate directly underneath Regional Forest Agreements (RFAs), which are overarching, 20-year agreements between the NSW and Commonwealth governments, therefore exempting logging from the Commonwealth EPBC Act assessment. The CIFOA regulates native forest logging through three layers: 1) the direct CIFOA provisions - the state-wide rules in the approval, 2) site-specific biodiversity conditions - protections triggered by particular species or features at a site, and 3) broader operating practices - how operations are planned and carried out.



This legal framework sets out what the native forest logging industry must comply with while they operate. The CIFOA includes requirements for planning logging operations, surveying for threatened species and applying protections on-the-ground. The stated purpose of the CIFOA is to provide a regulatory framework that allows the native forest logging industry to continue operations, prioritising timber volume supplies and securing a long-term industry, while establishing credible, effective and

enforceable environmental regulations for forestry operations; however, there are two core issues with the current CIFOA:

1) the rules themselves are often not strong enough to protect species from significant impacts;

2) the NSW native forest logging industry frequently does not follow the rules.

Together, these issues demonstrate that the current system is failing to provide the level of environmental protection required for threatened species conservation. When protections are narrow in scope and frequently breached, their capacity to safeguard threatened species over time is fundamentally undermined.

How the system works in practice

The CIFOA system is built around identifying where threatened species and sensitive habitats occur and then applying specific rules to those locations. Before logging begins, forestry operations must be planned and mapped, with surveys used to detect species and inform protections that are put in place.

In practice, protection under this system focuses on specific points and features in the landscape, rather than protecting whole ecosystems or areas of species habitat that are critical for threatened species persistence. Rules are applied to individual trees, nests, waterways, or observed records, based on the assumption that reducing direct impacts to these selected features will provide sufficient protection for the species relying on them during the logging operations. For example, buffers may be placed around a tree hollow or a creek line; however, logging is still permitted in the surrounding forest, which creates a situation where some features are protected in isolation, while the broader habitat continues to be destroyed.

This approach does not maintain the ecological conditions that species need to survive, such as connected habitat, stable microclimates[3], and sufficient food/shelter resources[4]. Species persistence requires more than the retention of a few select habitat features. Species persistence requires the maintenance of ecological processes across landscapes to enable population dispersal[3,4], gene flow[5], predator-prey dynamics and resilience to disturbance regimes[5,6]. Protecting isolated trees, nests or burrows without maintaining these broader ecological functions creates the illusion of protection without securing the conditions required for species persistence.

Why these measures often fall short

The CIFOA places a high evidentiary burden on triggering protections for threatened species, which are often rare, cryptic (i.e. hard to detect), nocturnal or seasonally active. Many of the shortcomings of the CIFOA arise from three assumptions embedded within the framework: 1) that it provides a comprehensive safeguard mechanism for threatened species affected by logging; 2) that point-in-time surveys provide a reliable basis for determining species occupancy and triggering protections; and 3) that protecting habitat features is sufficient to protect threatened species. The evidence is clear that these assumptions do not hold up in practice[1,7,8,9].

1) The framework is not a comprehensive safeguard mechanism for threatened species

The framework assumes that listed threatened species are adequately safeguarded by the CIFOA. However, many threatened species receive no direct protection under the framework, even when they are formally listed under state or federal law. Being listed does not automatically mean a species is protected during logging. Instead, protections only apply if the species is specifically included in CIFOA rules and then detected through surveys or linked to a particular feature like a nest, den or hollow. This creates a long lag, often years, between a species being recognised as threatened and any corresponding protection being applied on-the-ground. Conservation science and species listing continue to evolve, but the CIFOA does not adapt at the same pace. Consequently, species can be formally recognised as threatened or experience significant declines, without corresponding updates to logging protections, leaving many species vulnerable to logging impacts despite their official threatened status.

2) Protection depends on detecting species at a specific point in time

The framework assumes that point-in-time surveys provide a reliable basis for determining species occupancy and triggering protections. In practice, however, this assumption does not always hold - as detection probability varies considerably among species, survey methodologies and survey conditions. In addition, the effectiveness of surveys depends heavily on the methodologies used, but survey requirements do not always reflect advances in monitoring approaches, instead relying on methodologies and survey windows that may under-detect species compared to newer approaches. Currently, for many cryptic or rare species, protections under CIFOA are only triggered by observing the animal in the forest at the time of survey, rather than assuming it is present in areas where it has previously been recorded or where mapping and ground surveys clearly show suitable habitat. This means that if a species is not observed on the particular date and time that surveys are carried out, no protections will be put in place, even when surveys have been conducted inappropriately, such as

searching for a nocturnal species during the day. This approach creates a high risk of false absences, where protections are not triggered despite suitable habitat and other evidence indicating a species is present.

These problems are compounded for nocturnal and crepuscular (animals active at dawn or dusk) arboreal animals, which are inherently hard to detect. Surveys often rely on traditional spotlighting methods, while newer technologies such as thermal drones have limitations (e.g., typically only suitable for locating animals rather than dens and other habitat features CIFOA requires)[7]. In addition, surveys are often restricted to roads and tracks, reducing the likelihood of detecting animals (or the habitat features that would trigger protection under CIFOA) in more remote parts of the forest. Because these routes tend to follow ridgelines, animals living on slopes, in gullies or in more remote forest are routinely missed.

3) Protection focuses on specific features rather than habitat

The framework also assumes that protecting selected habitat features is sufficient to protect the broader habitat requirements of threatened species. However, ecological evidence consistently shows that this assumption does not hold. Species persistence depends on maintaining intact, connected habitats and ecological processes across landscapes, not simply retaining individual habitat features, isolated trees or small patches of habitat. Under the CIFOA, this assumption is reflected in a ruleset that focuses protection on individual features, such as nests, dens and tree hollows. Even when a threatened species is observed, that is often not enough to trigger protection. In many cases, protections depend on locating a specific habitat feature and demonstrating that it is actively being used at the time of the survey. As a result, a species can clearly be present and relying on the surrounding forest yet still receive no protection because its nest or den hasn't been found or hasn't been confirmed as active.

In this report, we examine five case studies that demonstrate the different ways in which the current protections under the CIFOA are inadequate. For each, we explore how the framework’s reliance on point-in-time detection and its focus on protecting habitat features rather than habitat play out in practice, often leaving species vulnerable even when the rules are followed.

Species case studies: Where CIFOA protections break down in practice

Greater gliders (EPBC endangered)

Rules under the CIFOA: "A den (specifically in relation to Petaurus australis, Petaurus norfolcensis and Petauroides volans) that includes, but is not limited to, a tree hollow or other hole, crevice or fissure in a tree, which the subject species is seen entering or leaving."

Greater gliders receive targeted protections under CIFOA through a combination of tree retention rules, den tree protections, and site-specific conditions. Where a den tree is identified, a 50-metre protection buffer is applied around that tree, and where a glider is recorded during Forestry Corporation NSW surveys, a 25-metre exclusion zone may be established around the location for the duration of forestry operations.

Where these protections fall short

1) Protection depends on detecting species at a specific point in time

Protections rely on an extremely narrow definition of what counts as a den tree. A tree is only protected as a den if a glider is directly observed entering or exiting a hollow. If a glider is seen sitting next to a hollow but hasn't been seen emerging from the hollow itself, the tree does not qualify for protection. If a glider is seen inside its tree hollow during a survey and remains in the hollow or retreats further into the hollow due to the presence of surveyors, no protection would be triggered even though an active den has been unequivocally identified. This creates an unrealistic evidentiary threshold and means many important habitat trees receive no protection, even when gliders are clearly present and using the tree.

There is also inconsistency in how records are treated. The 25-metre exclusion zone is only applied to Forestry Corporation's own glider records and only while forestry operations occur, while observations from scientists or citizen scientists do not trigger the same protection. This creates an arbitrary and inequitable system where the level of protection depends not on the ecological significance of the record, but on who recorded it, undermining confidence that the most accurate and comprehensive data are being used to inform protections.

2) Protection focuses on features rather than habitat

The CIFOA still focuses on individual trees and isolated detections rather than whole habitat. Even where retention rules and buffers are applied, logging can remove large areas of surrounding forest, reducing canopy connectivity, food availability, and microclimate stability[8,10]. Because populations of

greater gliders depend on continuous, structurally complex forest, these broader changes often lead to population decline and local extinctions over time[1,8,10,11].

Finally, the effectiveness of greater glider protections is also undermined by serious shortcomings in the independence and survey process itself. Across seven NSW state forests, Forestry Corporation located only 42 greater glider den trees, while citizen scientists found 918 in the same logging areas[12]. Because den trees are the feature that triggers logging exclusion zones, failing to detect them means protections were never applied. This stark disparity also highlights a clear conflict of interest at the heart of the current system: the native forest logging industry itself is responsible for conducting the surveys that determine how much of a forest can be logged, meaning the fewer den trees found, the more timber can be harvested. Independent, ecologically robust surveys, undertaken by qualified ecologists with no commercial stake in the outcome, are essential if even these limited protections are to be applied meaningfully. As it stands, the current arrangement raises serious questions about whether critical habitat can be reliably identified and protected before logging occurs, particularly when survey requirements cover only a small portion of the forest and many den trees are likely to go undetected.

Frogs (northern corroboree and *Philoria* species, EPBC endangered or critically endangered)

Rules under the CIFOA: "Surveys for Northern Corroboree Frog must be conducted between 14 February and 15 March in the daytime when weather conditions are fine"[13]

"Surveys must only be conducted between 1 August and 31 March and be conducted during periods of likely high-calling activity." (Philoria species)

Under CIFOA, frog protections rely heavily on seasonal survey requirements. For example, surveys for the northern corroboree frog must be carried out between 14 February and 15 March, and *Philoria* species can only be surveyed between 1 August and 31 March, during periods when frogs are actively calling. These rules reflect the reality that frogs are only detectable at certain times of the year, when they are active and breeding. Alongside surveys, protections focus on keeping logging away from water, using small buffer zones along streams, wetlands, and drainage lines, and requiring operators to assess aquatic habitat before logging begins.

Where these protections fall short

1) Protection depends on detecting species at a specific point in time

These survey requirements reflect monitoring approaches that rely heavily on frogs being active and calling, rather than taking advantage of newer techniques, such as eDNA, that can detect species outside narrow survey windows. This creates a fundamental disconnect between when frogs can be reliably detected under the CIFOA and when logging can occur. Logging operations can take place year-round, whereas the survey approaches under CIFOA are constrained to periods when frogs are active or calling. As a result, logging may proceed during periods where frogs are difficult or impossible to detect using the methodologies prescribed by the framework. This increases the risk that important habitat will be logged without protections being triggered, even if frogs are present.

2) Protection focuses on features rather than habitat

The rules focus only on the immediate area around water, rather than the larger system frogs depend on. Logging just outside buffer zones still impacts downstream habitat, with water flows and increased sediment in streams, as well as drying out nearby habitat. Because many frog species are highly sensitive to small changes in moisture and water quality[14], these direct and indirect impacts can degrade habitat even when the rules are followed. Combined with the reliance on seasonal detection and small, site-based protections, this means frog habitat is likely to decline over time even when logging is fully compliant with CIFOA rules.

Scarlet robins, and flame robins (small forest birds)

Rules under the CIFOA: a bird nest including, but not limited to, a structure built by birds or a tree hollow or a site on the ground or in a cave used by birds for the purposes of the incubation and/or rearing of young. A nest also includes a site where the actual nest cannot be seen or found, although there is clear evidence of breeding nearby and it is considered likely that a nest occurs nearby (i.e. within 50 metres)[13];

Small forest birds are primarily protected through rules that apply to nests when they are identified. Under CIFOA, this usually means establishing a small exclusion buffer around an active nest, where logging is restricted or excluded. These nest protections are triggered by pre-logging surveys or incidental detections during operations. In addition, broader habitat protections such as vegetation buffers along waterways and the retention of some forest patches may indirectly benefit these species.

Where these protections fall short

1) Protection depends on detecting species at a specific point in time

For small forest birds, protection can only be triggered during the breeding season, creating a major gap, as outside these periods there are no equivalent mechanisms for protection, even though birds continue to rely on the surrounding habitat for feeding, shelter and movement. By linking protection to a narrow seasonal window, the framework risks overlooking birds present for the rest of the year – but not actively nesting when surveys occur.

There is also a practical and ethical challenge with surveying for nests. Nests are often very difficult to detect, particularly in dense forest, meaning many are missed entirely. At the same time, the period when nests are most likely to be found - during breeding - is also when birds are most vulnerable to disturbance. Survey activity can contribute to nest abandonment or reduced survival of eggs and chicks, creating animal welfare risks. This creates a paradox: the system depends on finding nests to protect them, but the best time to find them is also when disturbance is most harmful, making detection both difficult and inappropriate.

2) Protection focuses on features rather than habitat

Small forest birds themselves are not directly protected; only their nests are, and only when they are detected and confirmed to be actively in use. As with other species, the rules focus on isolated features rather than whole habitats. Logging can still occur across most of the forest, removing dense understorey and connectivity that these species depend on[15]. Retained patches are often small and fragmented, and do not function as viable habitat over time[9]. As a result, even when all rules are followed, the landscape becomes less suitable for small forest birds, leading to reduced breeding success and long-term population decline.

Glossy black cockatoos (EPBC vulnerable)

Rules under the CIFOA: 64.3 The following trees must be retained during and at the completion of the forestry operation: (a) all Glossy Black-Cockatoo feed trees; Table 4: Protection of nest, roost or den, (b) 50 metre radius exclusion zone, Glossy-black Cockatoo nest

Glossy Black-Cockatoo feed tree: A tree of an Allocasuarina spp. which shows evidence of Glossy Black-Cockatoo feeding by the presence of characteristic crushed cones at, or around, its base."[13]

Glossy black cockatoos receive limited protection under the CIFOA mainly through rules that protect feed trees and nests, rather than placing protection buffers around the bird's habitat wherever they are

observed. During broad area habitat searches, Forestry Corporation NSW must search for specific species of trees known as glossy black cockatoo feed trees, and any found during these searches must show evidence of use before it is then mapped and protected. If a glossy black cockatoo nest is found, it receives a 50-metre radius exclusion zone under the nest, roost or den protection rules.

Where these protections fall short

1) Protection depends on detecting species at a specific point in time

The species itself does not automatically receive a protection buffer simply because it is seen in the forest. Protection depends on finding and identifying specific features. In the case of glossy black cockatoos, this may be nests or hollows that are difficult to detect even during breeding season, or feed trees that show evidence of recent feeding at the time of the survey. This creates a similar point-in-time detection problem to other species: a tree may be an important food resource used by glossy black cockatoos, but if no recent feeding evidence is present when the survey is undertaken, the tree may not be recognised or protected. This means important foraging and breeding areas of habitat used by glossy black cockatoos are likely to be logged if the required features are not found, mapped, or recognised at the specific time of the surveys, setting unnecessarily high thresholds for triggering protection.

2) Protection focuses on features rather than habitat

The framework assumes that protecting trees showing evidence of recent glossy black cockatoo feeding, together with identified nests, is sufficient to protect the species. However, this approach focuses on observable signs of use of specific habitat features, rather than the broader feeding and breeding habitat the species depends on. At best, this approach protects isolated habitat features, but it does not address the broader processes that fragment and reduce feeding and breeding habitat. Because the framework targets individual trees rather than the broader forest matrix, glossy black cockatoos can lose access to the extensive, connected foraging and nesting landscapes they rely on, even when specific features have been retained.

Wombats

Rules under the CIFOA: In a compartment within the Bare-nosed Wombat (Northern Population Management Area) map, an exclusion zone with a radius of 20 metres or greater must be retained around each entrance to a wombat burrow that is greater than one metre in length[13].

Wombats are an example of how CIFOA rules largely overlook widely distributed, ground-dwelling species. While specific burrows may sometimes be identified during operations, there are no systematic protections for the broader burrow networks or surrounding habitat outside the narrow Northern Population Management Area. In practice, logging machinery, tree felling and site disturbance can collapse burrows, burying wombats alive[16]. Some broader protections, like limits on ground disturbance in certain areas (e.g. riparian zones or unstable soils), may indirectly benefit wombats by reducing damage to parts of their habitat; however, because wombats rely on extensive burrow systems and stable ground conditions, localised disturbance can significantly impact individuals even when no formal rule is clearly breached.

Where protections fall short

1) Protection depends on detecting species at a specific point in time

Protections for wombats are only triggered when wombat burrows are detected and recorded within the narrow Northern Population Management Area. This means that the effectiveness of protections depends on whether burrows happen to be identified during surveys or forestry operations, creating a risk that occupied burrows remain unprotected when they are missed. This reflects a broader gap in the framework, where protections are geared toward detectable or specialist species, rather than common but ecologically important mammals whose most important habitat is largely hidden below ground.

2) Protection focuses on features rather than habitat

Wombats are not directly protected as a species; only their burrows may be avoided if they are noticed, and there is no consistent requirement to identify or map burrow systems before logging begins. The CIFOA conditions focus largely on above-ground habitat features and species detection, and do not adequately account for subsurface habitat like burrow systems. As a result, even when operations comply with the rules, wombats can experience direct mortality (through burrow collapse) and loss of critical shelter, undermining their ability to persist in logged landscapes.

Beyond the case studies

These five case studies demonstrate that the shortcomings of the CIFOA are not species-specific issues; they are systemic. Despite the differences in the species examined, from arboreal marsupials to ground-dwelling mammals, seasonally active frogs, small forest birds and hollow-dependent cockatoos, the same failures continue to surface. Protection safeguards depend on narrow definitions that limit the likelihood of detecting species, resulting in a bias towards false absences. When detection doesn't happen because conditions are wrong, the species is cryptic, the survey window is misaligned, or the habitat is underground, targeted protection isn't triggered, regardless of whether the species is present.

In addition, protection focuses on features rather than habitat; buffers are placed around individual trees, nests, dens or burrow entrances, while the surrounding forest that species also depend on for foraging, shelter, breeding and movement can be logged around them. The result is a framework that can be fully complied with on paper, while the ecological systems it is supposed to protect continue to unravel. It is this combination – a reliance on detection methods that can create false absences, paired with a narrow focus on isolated features – that helps explain why threatened species continue to decline under the CIFOA[1,10], and why reform is required to address the underlying flaws rather than tinkering at the margins.

A critical missing piece: compliance

A further equally important issue is that these protections are not always followed. Evidence from enforcement actions, investigations, and penalties shows that breaches of forestry rules occur regularly.

There are numerous examples of reported incidents and regulatory responses, indicating a pattern of non-compliance across multiple forests and time periods. These include fines, warnings, stop-work orders, and prosecutions relating to environmental damage, illegal logging, and failure to protect threatened species habitat.

For example, the NSW EPA has taken legal action over the illegal logging of large and hollow-bearing trees (structures critical for many threatened species)[18], and cases have been brought relating to failures to protect greater glider exclusion zones and habitat[19].

Why compliance matters for conservation outcomes

Environmental rules are only effective if they are consistently implemented. Even the limited protections available under the CIFOA depend on surveys being undertaken, habitat features being identified and mapped, and adherence to operational conditions. When these requirements are not followed, the already limited protections can break down entirely. Breaches can destroy threatened species' habitat, including protected trees and designated exclusion zones. In a system that already focuses on small, site-based protections, these failures can be devastating for species that are already threatened or in decline.

Put simply, weak compliance amplifies the shortcomings of an already inadequate system.

Beyond compliance, the CIFOA framework operates at a smaller scale than required for ecosystem function. Protections are applied at the scale of individual logging sites while threatened species typically require large, connected areas of habitat, particularly to enhance adaptation to climate change. Over time, repeated logging, combined with compounding pressures such as fire, habitat fragmentation from firebreaks and access roads, and climate change, can lead to localised, followed by landscape-level, population extinctions of vulnerable species[10,17]. These cumulative impacts are not accounted for within the current system. Even if individual logging operations meet their immediate requirements under CIFOA, the broader landscape may still become less capable of supporting viable threatened species populations.

For mitigation measures to deliver meaningful conservation outcomes, they must do more than protect a selection of habitat features in isolation. They require landscape-scale planning that protects connected habitats, maintains ecological processes and accounts for cumulative impacts across entire ecosystems. It also requires working with the people who live in, care for and depend on these landscapes, recognising that lasting biodiversity outcomes are achieved when conservation is designed and delivered in partnership with First Nations rights-holders and guided by First Nations leadership, Indigenous Knowledge, science and community voices. By combining ecological science with local and Indigenous Knowledge, governments can develop more effective, socially durable and equitable approaches that support both threatened species persistence and the communities connected to these landscapes, moving beyond a narrow focus on individual species records, nests or den trees, and toward intact, connected habitats and ecological function at scales far larger than individual logging operations.

The system governing native forest logging is highly procedural and unnecessarily convoluted and is not designed to secure the long-term persistence of threatened species. It assumes that careful logging

can sufficiently avoid or mitigate impacts on threatened species through surveys, detection-based triggers and site-based protections. However, a robust body of evidence suggests that these measures are insufficient to maintain viable populations when habitat continues to be destroyed, fragmented and degraded over time[10,14,17]. Protecting an individual tree, nest or den does not safeguard a species when the surrounding habitat and ecological processes are progressively eroded. Where the limited protections under the CIFOA framework are also inconsistently applied or breached, the risk of population decline is amplified further. Together, these shortcomings raise serious questions about whether the CIFOA can deliver the level of environmental protection required for threatened species persistence. Protecting threatened species requires critical habitat protection at a scale relevant to ecosystem function, supported by clear, enforceable safeguards, rather than reliance on small, localised protections within actively logged landscapes.

Ultimately, conservation outcomes cannot be achieved through isolated site-based mitigation measures. They require:

- The protection of clearly mapped critical habitats and irreplaceable areas for all listed threatened species – effective 'no-go' zones for logging.
- Ensuring strong and enforceable compliance of this increased protection.

Without these shifts, threatened species in logged forests will remain at risk—even within a better regulated system.

What this means for EPBC Act reform and Regional Forest Agreements

The issues outlined above sit within a broader national debate about how Australia regulates environmental impacts under the EPBC Act. For more than 25 years, native forest logging under RFAs, including the CIFOA, has been largely exempt from federal environmental scrutiny, meaning impacts on nationally significant threatened species have been managed primarily through state-based systems. This exemption has been widely criticised, particularly following the 2020 Independent Review of the EPBC Act, which found RFAs were not consistently delivering the environmental outcomes expected under national law[20].

Recent EPBC Act reforms that passed in late 2025 mark a significant shift, introducing a sunset on this exemption. From 1 July 2027, forestry operations in RFA regions will no longer be exempt from EPBC approval processes and will need to pass various tests before being approved, just like other high-impact activities that impact Matters of National Environmental Significance (MNES). These tests include demonstrating no unacceptable impacts, consistency with National Environmental Standards

and achieving a net gain through provision of offsets. This will fundamentally change how native forest logging is regulated and require the limitations of state frameworks to be recognised and addressed.

The evidence from the CIFOA is directly relevant to this reform process. It highlights both ecological risks, where site-based protections like buffers and retained trees fail to maintain viable populations, and regulatory risks, where limited protections are not consistently implemented or enforced. These shortcomings demonstrate that the current framework is failing to deliver the level of environmental protection required for threatened species persistence.

As future EPBC pathways consider strategic assessments and bilateral agreements, accreditation should only occur where state systems can demonstrably meet the reformed national standard of environmental protection. The introduction of unacceptable impacts and the net gain test in the Act, together with National Environmental Standards, provides a critical opportunity to address these gaps by setting enforceable benchmarks focused on ecological outcomes and stronger accountability.

There is currently a technical vacuum at federal level to guide the implementation of these new legal tests, and it is critical that the federal government completes this technical work so the specific requirements that need to be met in state-based forestry operations are clear. However, there is also a clear risk that if reforms simply accredit existing approaches without addressing their weaknesses, current problems such as inadequate protections, cumulative impacts, and compliance failures will be replicated at the national level.

The transition period to 2027 is pivotal: without a shift toward landscape-scale, critical habitat-based protection and robust enforcement, there is a real danger that the next generation of environmental law will repeat many of the shortcomings that have contributed to lengthening lists of threatened species and the ongoing extinction, biodiversity and climate crises.

Conclusion

The CIFOA is not fit for purpose.

Its narrow, detection-based rules protect isolated trees, nests or burrows while allowing the broader habitat that species depend on to be fragmented, degraded and destroyed. Combined with ongoing compliance failures, this means threatened species continue to decline even when the system is technically being followed. Protecting species in logged forests requires a shift from small, reactive safeguards to enforceable, proactive, landscape-scale habitat protection.

Based on the findings of this report, WWF-Australia is calling on both levels of government to act:

We are calling on the Commonwealth Government to withhold accreditation of NSW's forestry arrangements under the reformed EPBC Act unless they meet national environmental standards, protect critical and irreplaceable habitat, address cumulative impacts, and are backed by transparent, independent and enforceable compliance.

We are calling on the NSW Government to reform the CIFOA during the transition period so that protection is precautionary, habitat-based, and capable of maintaining ecological function across connected landscapes — rather than relying on narrow detection triggers and isolated feature-based safeguards.

Key recommendations

- **Protect critical habitat and irreplaceable habitat at scale** for species persistence by establishing clear, mapped, enforceable 'no-go' zones that safeguard large, connected habitat networks and climate refugia, rather than isolated habitat features from logging.
- **Replace narrow detection triggers** with precautionary, habitat-based protections that maintain connected landscapes, so species are protected wherever suitable habitat occurs, and ecological connectivity is required - not only when an individual, nest, den or hollow meets unreasonably high thresholds for protection.
- **Strengthen compliance, monitoring and independent oversight** to ensure environmental protections are consistently implemented in practice, supported by transparent reporting, independent auditing, and meaningful enforcement when breaches occur.
- **Require cumulative impact assessment at landscape scales** so decisions consider combined effects of repeated logging on habitat extent, ecological function and species persistence over time, rather than assessing impacts at the level of individual coupes or operations.
- **Close protection gaps for threatened species** by ensuring all listed threatened species are covered by enforceable protections that are regularly updated to reflect current scientific knowledge, species listings and conservation priorities, reducing the risk that species fall through regulatory gaps.
- **Close protection gaps for overlooked species**, including wombats, by requiring pre-logging surveys for burrow systems, mapping and exclusion zones around burrow networks, and

prohibiting activities that risk unacceptable animal welfare outcomes such as burying wombats alive.

- **Ensure EPBC reforms do not simply accredit weak state systems**, but instead set strong national standards focused on measurable conservation outcomes.
- **Committing to end native forest logging**, with stronger CIFOA and national standards applied to limit harm during the transition, and a planned, funded and fair transition for workers, regional communities and First Nations peoples.

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