



Environmental Defenders Office

Our Ref: SE-09933

14 January 2026

Lauren White
Acting Executive General Manager, Consumer and Fair Trading
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601

By email: [REDACTED]

Dear Ms White,

Consumer and Fair Trading | Complaint regarding Bunnings Group Limited (ACN 008 672 179)

We act for The Wilderness Society (**TWS**). TWS is an independent, community-based, not-for-profit environmental advocacy organisation. Their vision is to transform Australia into a society that protects, respects and connects with the natural world that sustains us. TWS are committed to protecting, promoting and restoring wilderness across the continent for the survival and ongoing evolution of life on Earth. From community activism to national campaigns, TWS seeks to give nature a voice to support the life that supports us all. TWS are powered by more than 150,000 supporters from all walks of life.

A Summary

1. Our client is concerned that Bunnings Group Limited (**Bunnings**) may have made, and may be continuing to make, misleading and/or false representations to consumers about its timber products. By making the representations, Bunnings may have contravened sections 18 and 29 of the Australian Consumer Law (**ACL**), being Schedule 2 of the *Competition and Consumer Act 2010* (Cth). The relevant statements are set out at **Annexure A** to this letter.¹
2. As explained in further detail below, some of our client's concerns are based on, among other things, the inference that illegally logged timber may have entered Bunnings' supply chain from Forestry Corporation of New South Wales (**FCNSW**) and/or that Bunnings does not have

¹ Copies of the source of those statements (i.e., copies of the relevant pages of Bunnings' website) are attached at **Annexure B** to this letter.

T 1800 626 239

E sydney@edo.org.au

W edo.org.au

Suite 8.02, 6 O'Connell St, Sydney NSW 2000
ABN: 72002 880 864

sufficient systems/practices in place to verify and *ensure* that all timber supplied to it is harvested legally.

3. The representations of concern constitute environmental claims which, if found to be misleading or deceptive, have the effect of making Bunnings' product (i.e., timber) seem better (or less harmful) for the environment than it really is. On that basis, our client considers that such representations may constitute greenwashing.
4. The Australian Competition and Consumer Commission's (**ACCC**) Compliance and Enforcement Priorities for 2025-26 include “[c]onsumer, fair trading and competition concerns in relation to environmental claims and sustainability, with a focus on greenwashing”. The ACCC intends to “focus on greenwashing” and “proactively target misleading green claims aimed at consumers in a range of sectors including [...] homewares”.²
5. With the above in mind, the purpose of this letter is to request that the ACCC investigate our client's concerns regarding Bunnings' representations and, insofar as Wesfarmers Limited (**Wesfarmers**) was involved in such representations, Wesfarmers.
6. A summary of the representations of concern is set out in the following table:

Representations	Why the representations may be misleading
All timber supplied to Bunnings is harvested legally (Legal Representation)	As detailed below, FCNSW has an extensive history of unlawfully carrying out forestry operations, including harvesting in protected areas and harvesting trees which are prohibited from being harvested. We are instructed that: insofar as FCNSW supplies timber to Bunnings, some timber supplied to Bunnings may have been harvested illegally; further, Bunnings may not have sufficient systems/practices in place to verify and <i>ensure</i> that all timber supplied to it is harvested legally.
Bunnings has sufficient systems/practices in place to verify and <i>ensure</i> that all timber supplied to it is harvested legally (Due Diligence Representation)	Despite the numerous environmental offences which FCNSW has committed and the unlawful damage it has allegedly caused to forests, FCNSW has maintained its PEFC forest certification.
Forest certification <i>ensures</i> that forests are protected and/or conserved (Conservation Representation)	Bunnings may not have excluded timber sources where the source forest is highly contentious, impacting endangered species, and lacks appropriate third-party certification to an FSC or equivalent standard.
Bunnings excludes timber sources where the source forest is highly contentious, impacting endangered species, and lacks appropriate third-party certification to an FSC or equivalent standard (Exclusion Representation)	

² Ms Gina Cass-Gottlieb, 'Keynote speech at the Committee for Economic Development Australia', dated 20 February 2025 (at <https://www.accc.gov.au/about-us/news/speeches/acccs-compliance-and-enforcement-priorities-update-2025-26-address>).

B Background

B.1 Bunnings

7. Bunnings is a wholly owned subsidiary of Wesfarmers. It is a retailer of home and lifestyle products for consumer and commercial customers in Australia and New Zealand, including timber.
8. On 1 July 2020, Bunnings published a Media Statement which stated, among other things, the following:³

Bunnings has a zero-tolerance approach to illegally logged timber that dates back two decades and our commitment is to only source timber products from legal and well managed forest operations.

[...]

in light of the recent legal finding that VicForests has breached the Code of Practice for Timber Production 2014, we will be discontinuing all sourcing of timber from VicForests and will no longer be accepting raw material input into our supply chain from VicForests as of 30 June.

[...]

Ultimately, we believe that customers and team members have the right to expect that the timber they purchase is sourced from responsible and lawful forestry operations.

9. Bunnings' decision to discontinue all sourcing of timber from VicForests was published in various media outlets (including, but not limited to, the [Australian Broadcasting Corporation](#), [SBS](#), [the Guardian](#), the [Sydney Morning Herald](#) and the [Daily Mail](#)). For example, the ABC reported: "Major hardware chain Bunnings is dumping Victorian native timber products from its shelves after the Federal Court ruled timber was felled illegally".⁴
10. On the "Sustainability" page of the Bunnings website, Bunnings advertises the steps it has taken since 2001 in respect to its timber sourcing, including the adoption of a "zero-tolerance approach to illegally logged timber".⁵
11. Our client alleges that at least some of Bunnings' timber is supplied by/sourced from FCNSW, including (but not limited to) via Pentarch Forestry Pty Ltd (and its associated companies) (**Pentarch**). Our client instructs as follows:

³ Media statement, 'Bunnings ends sourcing timber from VicForests', dated 1 July 2020 (at <https://www.bunnings.com.au/media-centre?srsltid=AfmBOooQA3vHAoeH28Rctzw3C2x5AgmNW0hjmRO5Z394VU1P3PunbBBY>).

⁴ Australian Broadcasting Corporation, 'Bunnings stops selling native timber from state-owned VicForests after court ruling', dated 1 July 2020.

⁵ Bunnings' website includes a page addressing Bunnings' "Sustainability" (at <https://www.bunnings.com.au/about-us/sustainability>).

- a. FCNSW is the major supplier of native timber to sawmills in NSW.⁶
- b. Based on the following, Pentarch sources timber from, among others, FCNSW:
 - i. According to Wood Supply Agreements published on FCNSW's website, FCNSW currently has Wood Supply Agreements with: (i) Allen Taylor & Company Ltd (ACN 000 003 056) (**Taylor**) and Duncan's Holdings Ltd (ACN 000 080 704) (**Duncan's**);⁷ and (ii) Allied Natural Wood Exports Pty Ltd (ACN 607 144 089) (**ANWE**) (currently known as Allied Natural Wood Enterprises Pty Ltd).⁸
 - ii. Pentarch Group Pty Ltd (**Pentarch Group**) (among others) own ANWE. Pentarch Group also own Taylor and Duncan's (and our client understands that those companies are owned directly by Pentarch Group or via ANWE).⁹ Pentarch Group is now one of the largest manufacturers of Australian hardwood products in the Country.¹⁰
- c. Currently, Bunnings sources timber from, among others, Pentarch.¹¹ The timber which is supplied to Bunnings by Pentarch includes various species, such as blackbutt, flooded gum, spotted gum, Sydney blue gum and grey ironbark.
- d. Bunnings stocks timber products made of species which are common in forests from which FCNSW harvests timber.
- e. In some of the correspondence referred to further below (at Section B.4), Bunnings' representatives confirmed that they would engage "directly with [FCNSW] to discuss its timber production and harvesting practices". If some of Bunnings' timber was not supplied by/sourced from FCNSW, there probably would not be any reason for Bunnings to engage in such discussions with FCNSW.

⁶ Independent Pricing and Regulatory Tribunal, 'Review of Forestry Corporation of NSW's native timber harvesting and haulage costs', dated December 2017; New South Wales Parliament, Legislative Council, Portfolio Committee No. 4 – Customer Service and Natural Resources, Report no. 54, 'Long term sustainability and future of the timber and forest products industry', dated September 2022 at [4.5].

⁷ Variation Deed, dated 19 June 2014 (at

https://www.forestrycorporation.com.au/_data/assets/pdf_file/0009/1466433/Allen-Taylor-and-Company-Wood-Supply-Agreement-Type-A-includes-variation.pdf).

⁸ Wood Supply Agreement, dated 9 December 2019 (at

https://www.forestrycorporation.com.au/_data/assets/pdf_file/0005/1466447/Allied-Natural-Wood-Exports-Wood-Supply-Agreement-Hardwood-Forest-Sawlogs.PDF).

⁹ Taylor and Duncan's previously formed part of Boral Limited's Australian hardwood and softwood timber businesses. ANWE is reported to have paid \$64.5 million for those businesses.

¹⁰ Ryan Media Pty Ltd, 'Boral agrees to sell its timber business to Pentarch', dated 28 July 2021 (at <https://www.timberbiz.com.au/boral-agrees-to-sell-its-timber-business-to-pentarch/>).

¹¹ Bunnings' website includes a page advertising Pentarch as one of Bunnings' brands (at <https://www.bunnings.com.au/brands/p/pentarch-forestry>).

- f. Our client's letter dated 29 October 2025 (referred to further below at Section B.4) sought from Bunnings an explanation as to: which native forests it sources timber from; whether timber from FCNSW has entered Bunnings' supply chain; and the extent of Bunnings capability to trace its timber to the point of origin – however, our client instructs that Bunnings has failed to adequately respond to TWS' letter.

12. As explained in further detail below, our client is concerned that, among other things, Bunnings may have accepted illegally logged timber into its supply chain from FCNSW and/or that Bunnings may not have sufficient systems/practices in place to verify and ensure that all timber supplied to it is harvested legally.

B.2 FCNSW

- 13. FCNSW is a state owned corporation that harvests timber from plantations and native forests in NSW.¹²
- 14. Our client instructs that, on numerous occasions, FCNSW has been found to have breached relevant environmental protection requirements (e.g., by illegally logging in protected areas and logging trees which are prohibited from being harvested).
- 15. By way of summary, between 2021-22 and 2025-26 (Q1), the NSW Environment Protection Authority (**EPA**) took 41 enforcement actions against FCNSW, including 5 formal warnings, 8 official cautions, 2 clean up notices, 3 stop work orders, 12 penalty notices, 1 enforceable undertaking, and completed 10 prosecutions.¹³ Details of some of the actions taken against FCNSW are set out in **Annexure C** to this letter, including (but not limited to) examples of alleged illegal logging in Conglomerate State Forest, Yambulla State Forest, Wild Cattle Creek State Forest, Nadgee State Forest, Mogo State Forest, Cooperbrook State Forest and Bindarri National Park.
- 16. The extensive history of FCNSW's misconduct has been recognised in the Parliament of New South Wales. The following question (among others) was asked on 8 November 2024 (session 58-1) and published in Questions & Answers Paper No. 377:¹⁴

Are you aware that in a second 2022 decision of the Land and Environment Court in *EPA v Forestry Corporation NSW LEC 75*, Forestry Corporation was convicted for the twelfth time, for environmental offences committed in the Dampier State Forest in the hinterland of the state's south coast, which included failing to mark out the boundary of an environmentally

¹² Section 5 of *Forestry Act 2012* (NSW).

¹³ The EPA's website includes a page which provides a summary of the compliance actions taken (at <https://www.epa.nsw.gov.au/Your-environment/Native-forestry/Regulating/Compliance-update>).

¹⁴ Parliament of New South Wales, 2926 – Environment – Environment Protection Authority Prosecutions (at <https://www.parliament.nsw.gov.au/lc/papers/Pages/qanda-tracking-details.aspx?pk=101738>).

sensitive area as an exclusion zone, as well as carrying out logging and unlawfully using machinery in the exclusion zone?

17. In a recent judgment on sentence in the Land and Environment Court of New South Wales for a conviction of FCNSW:¹⁵
 - a. Justice Pepper recognised FCNSW's "significant history of unlawfully carrying out forestry operations";¹⁶ and
 - b. the EPA made submissions concerning FCNSW's: (i) "pattern of environmental offending"; and (ii) failure to provide "any compelling evidence of measures taken by it to prevent its reoffending" and "accept the true extent of harm that it has caused".¹⁷
18. Even more recently, in August 2025, the EPA commenced a prosecution against FCNSW for alleged breaches of forestry and biodiversity laws in Tallaganda State Forest. The EPA alleges that, among other things, between August 2021 and January 2024, FCNSW logged seven compartments of the forest without properly identifying and protecting southern greater glider habitat.¹⁸
19. The EPA's website indicates it is continuing to investigate FCNSW in respect to numerous alleged offences.¹⁹
20. Forestry operations are carried out in remote areas of New South Wales, and the EPA has limited resources to check all FCNSW's operations or to investigate all complaints.
21. On 1 October 2025, the Environmental Defenders Office wrote to the EPA to, among other things, seek confirmation as to whether the EPA has seized any logs harvested in connection with alleged native vegetation offences. By letter dated 3 November 2024, Jacqueline Moore (Executive Director Legal, Governance and People at EPA) confirmed that, to Ms Moore's knowledge, "the EPA has not previously seized timber harvested in connection with alleged native vegetation offences". Our client infers from this that timber harvested in connection with alleged native vegetation offences has entered into supply chains.

¹⁵ *Environment Protection Authority v Forestry Corporation of New South Wales* [2024] NSWLEC 78 (at <https://www.caselaw.nsw.gov.au/decision/191025c8c3849ddaec6b6ba2>).

¹⁶ [2024] NSWLEC 78 at [137].

¹⁷ [2024] NSWLEC 78 at [145].

¹⁸ NSW Environment Protection Authority, 'EPA commences legal proceedings over alleged breaches in Tallaganda State Forest', dated 28 August 2025 (at <https://www.epa.nsw.gov.au/news/epamedia/250828-epa-commences-legal-proceedings-over-alleged-breaches-in-tallaganda-state-forest>); Australian Broadcasting Corporation, 'Forestry Corporation of NSW accused of logging breaches in Tallaganda State Forest', dated 29 August 2025 (at <https://www.abc.net.au/news/2025-08-29/forestry-corporation-nsw-charged-by-epa-tallaganda-state-forest/105711516>).

¹⁹ The EPA's website includes a page which provides a list of its investigations into native forestry operations in Crown forests (at <https://www.epa.nsw.gov.au/Your-environment/Native-forestry/Regulating/Register-of-crown-forestry-investigations>).

B.3 Forest certification

22. Two forest certification bodies operate in Australia: the Programme for the Endorsement of Forest Certification (**PEFC**) and the Forest Stewardship Council (**FSC**). Forest managers and owners in Australia can choose to have their forests certified through PEFC and/or FSC. The relevance of these certification bodies is explained further below.

B.4 Our client's attempts to seek clarification from Bunnings

23. On 14 April 2025, after becoming increasingly concerned that Bunnings may have accepted allegedly illegally logged timber into its supply chain from FCNSW and that Bunnings may not have sufficient verification and traceability measures to ensure that it does not source illegally logged timber, representatives of our client met with employees of Bunnings to discuss our client's concerns.

24. In the following paragraphs we summarise the relevant correspondence which has been exchanged between representatives of our client and employees of Bunnings since 22 April 2025, including the outcome of Bunnings' "thorough" review.

- a. On **22 April 2025**, TWS emailed Bunnings to, among other things: (a) provide specific examples of instances in which FCNSW has been found guilty of illegal logging; and (b) seek an explanation as to: (i) whether Bunnings is able to verify that it has not sourced (and is not continuing to source) illegally logged timber from FCNSW; and (ii) whether sourcing timber from FCNSW is consistent with Bunnings' "zero-tolerance" approach to illegally logged timber. By email dated 24 April 2025, Bunnings confirmed that it was conducting a review of, among other things, its "existing due diligence processes relating to [its] timber supply" and would be in touch once the review was complete.
- b. On **12 May 2025**, TWS emailed Bunnings to share an article published by the Guardian, which reported that FCNSW had "been convicted of more than a dozen environmental offences, including a judgment in the [L]and and [E]nvironment [C]ourt [which] found [FCNSW] was likely to reoffend and had poor prospects of rehabilitation".²⁰ On the same day, Bunnings emailed TWS to confirm that perspectives raised in the article were relevant to Bunnings' "ongoing discussions regarding [FCNSW]" and that Bunnings would be in touch once it had completed its review.
- c. On **16 September 2025**, TWS emailed Bunnings stating, among other things:

²⁰ The Guardian, 'NSW forestry agency should be shut down for repeatedly breaking law, critics argue', dated 11 May 2025 (at <https://www.theguardian.com/australia-news/2025/may/11/nsw-forestry-agency-called-criminal-organisation-by-critics>).

We understand that Bunnings continues to source timber that has been logged by Forestry Corporation of NSW in public native forests and this exposes Bunnings to the risk of sourcing and selling illegally logged timber, as well as timber from high conservation value forests (including endangered species habitat and old growth).

It's been six months since you committed to undertake a review of your zero tolerance policy on illegally logged timber, and you haven't provided us with any substantive updates on your progress or the nature of the review, nor any timeframe for completion.

- d. On **23 September 2025**, Bunnings emailed TWS, confirming the outcome of Bunnings' review:

Following the information you provided in April 2025, we promptly advised The Wilderness Society that we would undertake a thorough review. That review has now been completed. As part of our next steps, we will be engaging directly with Forestry Corporation NSW to discuss its timber production and harvesting practices, particularly in light of the recent EPA proceedings.

Bunnings remains firmly committed to upholding our Responsible Timber Sourcing Policy. We take matters of non-compliance seriously and will continue to take appropriate action where necessary.

- e. On **29 October 2025**, TWS sent the **enclosed** letter (at Annexure D) to Bunnings to, among other things, seek an explanation as to: (a) whether Bunnings is certain that illegally logged timber has not entered into Bunnings' supply chain; (b) the extent to which Bunnings can trace its timber to the point of origin; and (c) the traceability information Bunnings requires its suppliers provide it.
- f. On **17 November 2025**, Bunnings sent the **enclosed** email (at Annexure E) to TWS.

- 25. Our client is disappointed with the responses received from Bunnings. Contrary to what Wesfarmers' say about Bunnings engagement with stakeholders,²¹ our client instructs that Bunnings have not responded directly to the questions set out in our client's letter dated 29 October 2025 (and therefore have not addressed our client's concerns). For example, Bunnings have not confirmed whether illegally logged timber has entered into its supply chain, the extent to which Bunnings can trace its timber to the point of origin or the traceability information Bunnings requires its suppliers provide it. We otherwise make the

²¹ The Wesfarmers' website includes a page addressing Wesfarmers' "Sustainability" (at <https://www.wesfarmers.com.au/sustainability/fy2024/our-businesses/bunnings/nature-and-biodiversity>). It states: "Bunnings remains focussed [...] to engage closely with [...] environmental non-government organisations" and "continue to work with its timber supply chains to enhance transparency of timber sourcing data".

following preliminary observations regarding specific statements contained in Bunnings' email dated 17 November 2025:

Statement in Bunnings' email	Our preliminary observations
"We are committed to sourcing timber and wood products from legal and well-managed forest operations, and we maintain a zero-tolerance approach to illegally logged timber in our supply chain."	As explained further below, the statements made on Bunnings' website arguably go further than this (e.g., the statement that Bunnings excludes illegally harvested timber is unqualified and is expressed as a statement of fact or expectation).
"Our policy requires all natural forest timber products to be independently certified"; "Forestry Corporation of NSW's operations are subject to regular independent surveillance audits by BSI to maintain Responsible Wood certification."	<i>First</i> , that Bunnings' policy requires independent product certification does not qualify the statements of concern. The relevant representations (discussed further below) are unchanged by any certification FCNSW currently holds (or has previously held). <i>Second</i> , despite the numerous environmental offences which FCNSW has allegedly committed and the extent of damage FCNSW has allegedly caused to forests, FCNSW has maintained its certification. Therefore, that Bunnings' policy requires independent product certification (or that FCNSW is subject to regular audits) does not alleviate our client's concerns.
"We require our suppliers to provide robust evidence of legal and sustainable sourcing, including independent certification and chain of custody documentation. Bunnings regularly reviews supplier compliance and undertakes due diligence for new timber products."	Refer to paragraph 42 below.
"We have engaged Forestry Corporation of NSW to confirm that supplementary pre-harvest practices, including nocturnal surveys and additional tree retention requirements, are being implemented in line with updated EPA protocols."	We infer from this (among other things) that at least some of Bunnings' timber is supplied by/sourced from FCNSW. Further, given some of FCNSW's alleged misconduct relates to the accuracy of data collection ²² (and it has been publicly criticised for recording data inaccurately), ²³ our client has concerns about the accuracy of data provided by FCNSW to Bunnings (and whether it is reasonable for Bunnings to rely on such data).
"We also understand that in response to proceedings, harvesting activities in	Bunnings have not confirmed whether any illegal logs have entered into its supply chain

²² For example, see *Environment Protection Authority v Forestry Corporation of New South Wales* [2024] NSWLEC 78 at [109]-[119].

²³ For example, see Australian Broadcasting Corporation, 'NSW Forestry Corporation overstated timber harvest data over three years', dated 7 February 2025 (at <https://www.abc.net.au/news/2025-02-07/nsw-forestry-corporation-logging-data-error-revised/104908728>).

the Tallaganda area have ceased, pending further review".	from that forest (or any other forests where FCNSW was found to have unlawfully carried out forestry operations).
---	---

C Representations made by Bunnings may be misleading

C.1 Sections 18 and 29 of the ACL and the legal principles

26. Section 18(1) of the ACL provides as follows:

A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or likely to mislead or deceive.

27. Section 29(1)(a), (b) and (g) of the ACL provide (relevantly) as follows:

A person must not, in trade or commerce, in connection with the supply or possible supply of goods or services or in connection with the promotion by any means of the supply or use of goods or services:

- (a) make a false or misleading representation that goods are of a particular standard, quality, value, grade, composition, style or model or have had a particular history or particular previous use; or
- (b) make a false or misleading representation that services are of a particular standard, quality, value or grade; or
- (g) make a false or misleading representation that goods or services have sponsorship, approval, performance characteristics, accessories, uses or benefits;

28. The applicable principles are well known. The central question is whether the impugned conduct, viewed as a whole, has a sufficient tendency to lead a person exposed to the conduct into error (that is, to form an erroneous assumption or conclusion about some fact or matter).²⁴ Several subsidiary principles, directed to that central question, are summarised in two recent decisions of the Full Court of the Federal Court: *Australian Competition and Consumer Commission v Tpg Internet Pty Ltd* [2020] FCAFC 130; and *Australian Competition and Consumer Commission v Employsure Pty Ltd* [2021] FCAFC 142.

29. Although a qualification to a statement might be effective to neutralise an otherwise misleading representation, this might not always be so, particularly if the misleading representation is prominent but the qualification is not.²⁵ It is the impression or thrust conveyed to a viewer, particularly the first impression, that will often be determinative of the representation conveyed.²⁶

²⁴ *Australian Competition and Consumer Commission v Tpg Internet Pty Ltd* [2020] FCAFC 130 (**TPG**) at [22]; *Australian Competition and Consumer Commission v Employsure Pty Ltd* [2021] FCAFC 142 (**Employsure**) at [92].

²⁵ TPG at [25].

²⁶ Employsure at [98].

C.2 The statements and representations

30. Bunnings has made and continues to make statements to the public about its timber.
31. These statements continue to be made: (a) on the “Sustainability” page of the Bunnings website;²⁷ and (b) in Bunnings’ “Responsible Timber Sourcing Policy”.²⁸ Our client instructs that some of the statements may have also been made on other pages of Bunnings’ website and on social media platforms, potentially widening the target audience of the statements. The relevant statements are set out in **Annexure A** to this letter.
32. In the following paragraphs, we summarise the relevant statements and the representations of concern.

C.2.1 Legal Representation and Due Diligence Representation

33. Bunnings states that:
 - a. it has a zero-tolerance approach to illegally logged timber;
 - b. it has worked closely with suppliers to confirm the legality of wood products;
 - c. to *ensure* that its goal is achieved, Bunnings evaluates all suppliers of timber products and conducts timber supply chain due diligence to verify the source and chain-of-custody of the timber products it purchases; and
 - d. to deliver on its policy commitment, Bunnings excludes timber sources where the material was illegally harvested or traded,
34. By making those statements, Bunnings represents one or more of the following:
 - a. All timber supplied to Bunnings is harvested legally (i.e., harvested in compliance with the relevant laws in force) (**Legal Representation**). Bunnings is representing a fact about its timber — that all timber supplied to it has in fact been harvested legally.
 - b. Bunnings has sufficient systems/practices in place to verify and *ensure* that all timber supplied to it is harvested legally (i.e., harvested in compliance with the relevant laws in force) (**Due Diligence Representation**). Bunnings is representing a fact about its conduct - that it does things to *ensure* that all timber supplied to it is harvested legally.
35. In respect to the Legal Representation, we note the statement referred to at paragraph 33(d) above (that Bunnings excludes timber sources where the material was illegally harvested or traded). That statement is not qualified and is not expressed as a goal or aspiration – rather,

²⁷ Bunnings’ website includes a page addressing Bunnings’ “Sustainability” (at <https://www.bunnings.com.au/about-us/sustainability>). Extracts of Bunnings’ “Sustainability” page appear at Annexure B.1 and Annexure B.2.

²⁸ A copy of the “Responsible Timber Sourcing Policy” appears at Annexure B.3.

it is unequivocally expressed as a statement of fact or expectation. There is no ambiguity – Bunnings represents that it excludes illegally harvested timber.

36. In respect to the Due Diligence Representation, the relevant issue is not whether Bunnings' systems/practices (i.e., the due diligence which it undertakes) is of an appropriate standard having regard to industry standards (e.g., the issue is not whether it was reasonable for Bunnings to rely on information provided by suppliers or independent certification and chain of custody documentation). Rather, the relevant issue is what impression was conveyed by the conduct (and then whether that conduct was misleading or false). In terms of the impression conveyed by the relevant statements, our client's position is that a reasonable member of the target audience would understand that Bunnings does certain things (i.e., due diligence) to "verify the source and chain-of-custody of the timber products" and, importantly, that this "ensure[s]" all timber supplied to Bunnings is harvested legally. Read fairly and in the context of the statements as a whole, Bunnings' use of the word "ensure" conveys that Bunnings makes certain that all timber supplied to it is harvested legally. Making certain or guaranteeing an outcome (that all timber supplied to it is harvested legally) goes beyond seeking or aiming – it means that illegally harvested timber does not enter its supply chain.

C.2.2 Conservation Representation

37. Bunnings states that:
 - a. forest certification provides assurances that forests are conserved and managed responsibly; and
 - b. in sensitive forest regions, the timber it purchases must have credible third-party certification and that this ensures that sensitive forest regions are protected, and the ongoing biodiversity of the forest is maintained.
38. By making those statements, Bunnings represents that forest certification *ensures* that forests are protected and/or conserved (**Conservation Representation**).

C.2.3 Exclusion Representation

39. Bunnings states that it excludes timber sources where the source forest is highly contentious, and impacting endangered species, and lacks appropriate third-party certification to an FSC or equivalent standard (**Exclusion Representation**).

C.3 Misleading or false

40. We set out our client's concerns regarding each of the Legal Representation, Due Diligence Representation, Conservation Representation and Exclusion Representation (**Representations**) below.
41. Legal Representation - Contrary to the Legal Representation, our client considers that some timber supplied to Bunnings may have been harvested illegally. Our client takes that position on the following basis:
 - a. *First*, as explained above, on various occasions, FCNSW has been found to have unlawfully carried out forestry operations, including harvesting in protected areas and harvesting trees which are prohibited from being harvested. Currently, the EPA is prosecuting FCNSW for offences which are alleged to have occurred in the Tallaganda State Forest and is separately investigating FCNSW in respect to numerous other alleged offences.
 - b. *Second*, given FCNSW's extensive history of illegal harvesting, and noting the time between the various instances of FCNSW's illegal harvesting and enforcement in respect to same (see, for example, Annexure C), our client infers that: (i) a substantial amount of illegally harvested timber has not been removed from FCNSW saleable product; and (ii) there may be further instances of illegal harvesting that remain undetected, especially because forestry operations are carried out in remote areas that are not routinely inspected.
 - c. *Third*, our client alleges that at least some of Bunnings' timber is supplied by/sourced from FCNSW. In that regard, we refer to paragraph 11 above.
 - d. *Fourth*, we are instructed that Bunnings stocks timber products made of species which are common in the forests where FCNSW has illegally harvested timber.
 - e. Consequently, it is probable (or, at the very least, possible), that some timber supplied to Bunnings by FCNSW may have been harvested illegally (or may, in the future, be harvested illegally). Further, for the reasons set out in the following paragraph, irrespective of whether timber supplied to Bunnings was in fact harvested illegally, our client is concerned that Bunnings may not have reasonable grounds to represent that all timber supplied to it is harvested legally.
42. Due Diligence Representation - Contrary to the Due Diligence Representation, our client considers that Bunnings may not have sufficient systems/practices in place to verify and ensure that all timber supplied to it is harvested legally (i.e., our client does not think that

Bunnings' systems/practices are as robust as Bunnings represents them to be). Our client takes that position on the following basis:

- a. *First, to ensure* (i.e., make certain or guarantee) that all timber supplied to Bunnings is harvested legally, Bunnings would need to have its own sophisticated mechanism beyond documentation enabling it to trace all timber supplied to it from the point of origin (including the forest and harvest plan) and crosscheck that information against precise locations where illegal logging has been found to have occurred (or is being investigated).
- b. Having regard to the following, our client suspects that Bunnings does not have such a mechanism but instead relies on third parties to provide it with data:
 - i. The following statement made in Bunnings' email dated 17 November 2025: "We require our suppliers to provide robust evidence of legal and sustainable sourcing, including independent certification and chain of custody documentation. Bunnings regularly reviews supplier compliance and undertakes due diligence for new timber products".
 - ii. The following statement made on the "Sustainability" page of the Wesfarmers' website: "During the 2024 financial year, Bunnings continued to conduct due diligence to monitor and improve timber supplier performance in accordance with its policy. Bunnings' Responsible Timber Sourcing Survey is conducted quarterly by suppliers of new timber, wood, or fibre products to Bunnings to capture the timber species, country of harvest, forest type, country of manufacture, applicable timber certification and product claims".²⁹
 - iii. The absence of a meaningful response from Bunnings to our client's requests for information (e.g., our client's request for information concerning the extent to which Bunnings can trace its timber to the point of origin).
- c. The matters set out in paragraph (b) above suggest that, rather than verifying the source of its timber itself by triangulating data sources, Bunnings relies on third parties to provide it with information. Our client alleges that these systems/practices (relying on data provided by suppliers, independent certification and chain of custody documentation) alone are not sufficient to *ensure* (i.e., make certain or guarantee) the legality of timber. Reliance on third-party data, certification and chain of custody

²⁹ The Wesfarmers' website includes a page addressing Wesfarmers' "Sustainability" (at <https://www.wesfarmers.com.au/sustainability/fy2024/our-businesses/bunnings/nature-and-biodiversity>).

documentation does not equate to ensuring an outcome – those mechanisms may reduce risk and support due diligence, but they do not eliminate the possibility of illegally harvested timber entering Bunnings' supply chain. As explained above, to ensure that all timber is harvested legally, Bunnings would need to have its own sophisticated mechanism beyond documentation by which it can trace all timber supplied to it from the point of origin and crosscheck that information against precise locations where illegal logging has found to have occurred (or is being investigated). If Bunnings does not have such a mechanism to guarantee the legality of its timber, then our client is concerned that Bunnings' claims may be overstated. Further, given some of FCNSW's alleged misconduct relates to the accuracy of data collection³⁰ (and has been publicly criticised for recording data inaccurately),³¹ our client holds concerns about the accuracy and completeness of data provided by FCNSW and chain of custody documentation (and whether it is reasonable for Bunnings to rely on such data) to ensure the legality of timber. Therefore, in our client's view, Bunnings cannot hold itself out as *ensuring* that all timber supplied to it is harvested legally.

- d. *Second*, irrespective of whatever systems/practices Bunnings does have in place, if any of the timber supplied to Bunnings was harvested illegally, then Bunnings' systems/practices are not as robust as Bunnings represents them to be. In other words, if it is found that Bunnings has accepted illegally logged timber into its supply chain from FCNSW, then whatever Bunnings does do is not enough to *ensure* that all timber supplied to it is harvested legally.
43. Conservation Representation – Contrary to the Conservation Representation, our client considers that FCNSW's certification does not *ensure* that sensitive forest regions are protected and/or conserved. Despite the numerous environmental offences which FCNSW has committed and the extent of unlawful damage FCNSW has allegedly caused to forests, FCNSW has maintained its PEFC certification. Consequently, in our client's view, it is difficult to see how the Conservation Representation (that forest certification *ensures* that forests are protected and/or conserved) could possibly be accurate. The Conservation Representation ought to be qualified by a statement that some forest certification “provides confidence”

³⁰ For example, see *Environment Protection Authority v Forestry Corporation of New South Wales* [2024] NSWLEC 78 at [109]-[119].

³¹ For example, see Australian Broadcasting Corporation, 'NSW Forestry Corporation overstated timber harvest data over three years', dated 7 February 2025 (at <https://www.abc.net.au/news/2025-02-07/nsw-forestry-corporation-logging-data-error-revised/104908728>).

(rather than a blanket statement such as “certification provides assurances” or “certification [...] ensures”).

44. Exclusion Representation – Having regard to the example set out below (at paragraph 44(c)-(d)), in our client’s view, it is conceivable that the Exclusion Representation may be misleading or deceptive.

- a. In the “Responsible Timber Sourcing Policy”, Bunnings says that it excludes timber sources where each of the following three elements are satisfied: (1) the forest is highly contentious; (2) there is an impact on endangered species; and (3) there is not an appropriate third-party certification to an FSC or equivalent standard.
- b. The Exclusion Representation may require Bunnings to exclude a significant amount of timber. Our client takes this position for the following reasons: In respect to element (1), in our client’s view, each of the forests from which FCNSW harvests timber is a highly contentious region. Alternatively, each forest in respect to which FCNSW has been found to have unlawfully carried out forestry operations is a highly contentious region (often with endangered species). On that basis, as is exemplified by Annexure C below, many forests throughout New South Wales are highly contentious regions. In respect to element (2), endangered species are often impacted by logging (particularly illegal logging). The potential impact is often underestimated.³² In respect to element (3), we are instructed that some academic analyses suggest: “significant differences exist between the AFS/PEFC schemes and the FSC-Australia/FSC-IC schemes”;³³ FSC-certified schemes can have positive outcomes for biodiversity conservation;³⁴ and within the Australian context, there is an “urgent need for substantial reform of the [PEFC-endorsed] Responsible Wood certification scheme”.³⁵ Based on those analyses (among other relevant academic literature), our client asserts that PEFC certification is not an

³² For example, see Australian Broadcasting Corporation, ‘Government-contracted loggers underestimate the number of endangered greater gliders in areas set for logging’, dated 17 October 2024 (at <https://www.abc.net.au/news/2024-10-17/endangered-greater-gliders-nsw-forests-logging-conservationist/104478304>).

³³ F. Gale (2014), ‘Australian forest governance: a comparison of two certification schemes’, *Australasian Journal of Environmental Management*, 21:4, 396-412, 409 (5 August 2014). One “major” explanation for the differences is that the AFS/PEFC schemes “were designed by governments and industry to secure access to overseas’ markets” whereas “the FSC scheme sought to empower environmental and social actors in the setting of forest management standards to improve, from their point of view, ecological and social outcomes”.

³⁴ Zwerts, J.A., Sterck, E.H.M., Verweij, P.A. et al, ‘FSC-certified forest management benefits large mammals compared to non-FSC’, *Nature* 628, 563–568 (2024).

³⁵ Taylor, C, Ashman, K, Ward, Michelle et al, ‘Have significant biodiversity values been protected from industrial logging across Australia?’, *Conservation Science and Practice*, 7:8 (23 June 2025).

appropriate third-party certification to an FSC or equivalent standard in Australia. In our client's view, statements on the "Sustainability" page of Bunnings' website, by which Bunnings recognises FSC (but not PEFC) as the "preferred" certification body for "highly contentious regions", may suggest that Bunnings agrees with this conclusion.

- c. By way of example, we refer to the judgment on sentence in the Land and Environment Court of New South Wales for the conviction of FCNSW in respect to forestry operations in Wild Cattle Creek State Forest which occurred in around 2018.³⁶ FCNSW was convicted of four offences, including (but not limited to) constructing or operating two snig tracks within a "Koala high use area exclusion zone" and felling four trees within that exclusion zone. In respect to environmental harm, Justice John Robson found, among other things, the following (at [128] emphasis added):

The area of the Koala offence is an area of relatively high koala abundance for NSW; that, taking into account the accepted conduct of reproductive females and the importance of that conduct to koala population growth, the scats indicated the presence of a mother koala and joey within the KEZ; that the four trees felled were secondary browse trees within the home range used by a mother koala and joey; that **the trees felled therefore constituted koala habitat; and that the Koala offence would have had some effect on breeding animals (for the reasons stated by Dr Crowther), which I find amounts to environmental harm**

- d. In our client's view, Wild Cattle Creek State Forest is highly contentious.³⁷ We are instructed that, while the felling did not harm the koala itself, because of the effect on breeding animals, it is arguable that an endangered species (i.e., the koala) was impacted. For the reasons set out at paragraph 44(b) above, FCNSW's PEFC certification may not be an appropriate third-party certification to an FSC or equivalent standard. Consequently, insofar as Bunnings has accepted timber into its supply chain from FCNSW which was logged in Wild Cattle Creek State Forest at or around the time the offences occurred, the Exclusion Representation may be misleading or deceptive. Our client instructs that Bunnings stocks species of timber which are logged in Wild Cattle Creek State Forest.

³⁶ *Environment Protection Authority v Forestry Corporation of New South Wales* [2022] NSWLEC 70 (at <https://www.caselaw.nsw.gov.au/decision/18145ef040e3b57a3d583217>).

³⁷ Since FCNSW was convicted of the offences referred to at paragraph 43(c) above, FCNSW has pleaded guilty to further offences relating to forestry activities at or near Wild Cattle Creek State Forest. Those further offences involved the failure to retain six 'giant trees' and three 'hollow-bearing trees': *Environment Protection Authority v Forestry Corporation of NSW* [2024] NSWLEC 84; *Environment Protection Authority v Forestry Corporation of New South Wales (No 2)* [2025] NSWLEC 24.

45. Our client is concerned that, contrary to Principle 2 of ACCC's guide to making environmental claims for business,³⁸ which states that it is "good practice to be able to substantiate any environmental claim [...] with clear evidence", Bunnings does not have a reasonable evidentiary basis for making the Representations.
46. By reason of the matters in paragraphs 41 to 45 above, our client is concerned that the Representations may be misleading and/or false. Bunnings made each of the Representations in trade or commerce. The Representations are made to the public at large.

C.5 Contraventions

47. Our client is concerned that, by making the Representations, Bunnings may have contravened s 18(1) and 29(1)(a), (b) and (g) of the ACL, by engaging in conduct in trade or commerce that is misleading or deceptive, (or likely to mislead or deceive) and/or by making false or misleading representations.
48. To the extent that any of the Representations are representations as to future matters within the meaning of s 4 of the ACL, and insofar as Bunnings does not have information to suggest that it had reasonable grounds for making the Representations, our client considers that it is possible that Bunnings did not have reasonable grounds for making the Representations.

D Next steps

49. For the reasons set out above, our client requests the ACCC investigate our client's concerns and take such compliance action as is deemed appropriate.
50. If you have any questions or would like to discuss, please contact us.

Yours sincerely,

Environmental Defenders Office



Brendan Dobbie

Deputy-Director, Litigation



Josh Baravelli

Senior Solicitor, Corporate and Commercial

³⁸ ACCC, 'A guide to making environmental claims for business', dated 12 December 2023.

ANNEXURE A: THE STATEMENTS

Source	Statement (emphasis added)
“Legal Representation” and “Due Diligence Representation”	
Annexure B.1: The “Sustainability” (Nature and Biodiversity) page	“Bunnings has a zero-tolerance approach to illegally logged timber. ”
Annexure B.2: The “Sustainability” (Timber Timeline) page	“2001 [...] Bunnings adopted a zero-tolerance approach to illegally logged timber ”
	“2002 [...] Bunnings completed the first global timber supply chain assessment to trace timber sources”
	“2009 [...] Bunnings introduced a condition of supply that required independent verification of legal origin for all 100% timber products made from tropical hardwoods”
Annexure B.3: The “Responsible Timber Sourcing Policy”	“We have worked closely with suppliers to confirm the legality of wood products. To ensure that our goal is achieved Bunnings evaluates all suppliers of timber products and conducts timber supply chain due diligence to verify the source and chain-of-custody of the timber products we purchase.”
	“We believe that our customers and team members have a right to know that the timber we sell is responsibly sourced and we remain committed to ensuring that we provide this assurance.”
	“To deliver on our policy commitment we exclude timber sources where [...] [t]he material was illegally harvested or traded.”
“Conservation Representation”	
Annexure B.1: The “Sustainability” (Nature and Biodiversity) page	“Forest certification provides assurances that forests are conserved and managed responsibly.”
Annexure B.3: The “Responsible Timber Sourcing Policy”	“In sensitive forest regions the timber that we purchase must have credible third-party certification. This ensures that these regions are protected, and the ongoing biodiversity of the forest is maintained.”
“Exclusion Representation”	
Annexure B.3: The “Responsible Timber Sourcing Policy”	“To deliver on our policy commitment we exclude timber sources where [...] [t]he source forest is highly contentious, and impacting endangered species, and lacks appropriate third-party certification to an FSC® or equivalent standard.”

ANNEXURE B: THE SOURCE OF THE STATEMENTS

B.1: THE “SUSTAINABILITY” (NATURE AND BIODIVERSITY) PAGE OF BUNNINGS’ WEBSITE

Nature and biodiversity



Bunnings has a zero-tolerance approach to illegally logged timber. Our goal is to ensure all timber and wood products supplied to Bunnings originate from legal and well-managed forest operations.

Our **Responsible Timber Sourcing Policy** was established in 2003 and revised in 2018 to include a commitment that all natural forest products will originate from third party certified forests by December 2020. This required all natural forest timber products to be derived from forests that are independently certified to Forest Stewardship Council® (FSC®), Programme for the Endorsement of Forest Certification (PEFC) or another equivalent standard.

You can learn more about our responsible timber sourcing actions over the last two decades in the timber sourcing timeline below.



The mark of
responsible forestry



Forest Stewardship Council®(FSC®) is a global, not-for-profit organization dedicated to the promotion of responsible forest management worldwide. FSC defines standards based on agreed principles for responsible forest stewardship that are supported by environmental, social, and economic stakeholders.

The PEFC and Responsible Wood logos identify products from sustainably managed forests through independent third-party certification. Forest certification provides assurances that forests are conserved and managed responsibly.



B.2: THE “SUSTAINABILITY” (TIMBER TIMELINE) PAGE OF BUNNINGS’ WEBSITE

Responsible timber sourcing timeline

2001

- Bunnings adopted a zero-tolerance approach to illegally logged timber
- Since 2001 Bunnings has been an active member of the New Zealand Imported Tropical Timber Group collaborating with government and environmental organisations to support responsibly sourced timber

2002

- Bunnings collaborated with Greenpeace to address global illegal logging concerns and the potential impact on Bunnings' supply chain
- Bunnings completed the first global timber supply chain assessment to trace timber sources

2003

- Bunnings developed and implemented our Responsible Timber Sourcing Policy

2007

- Bunnings became the first retailer and founding partner of the WWF Global Forest Trade Network (GFTN) in Australia. The GFTN was established by WWF to provide technical advice and foster links between companies committed to responsible forestry and trade; independent forest certification being a key part of this process. Through the GFTN, Bunnings helped suppliers progress through a stepwise approach to certification
- Bunnings introduced the Mimosa range, an exclusive 100% FSC® certified and labelled outdoor leisure timber products

2009

- Bunnings was the lead signatory to a joint industry, community, and conservation group statement led by Greenpeace, which called for an Australian government ban on the importation of illegally logged timber
- Bunnings introduced a condition of supply that required independent verification of legal origin for all 100% timber products made from tropical hardwoods

2011

- Bunnings was part of the Common Platform supporting the Illegal Logging Prohibition Bill, which was presented to the Australian government. The participating parties who signed the Platform were prominent in promoting an end to the importation and trade of illegal timber and wood products by advocating action from industry, consumers, and the Federal Government.

B.3: THE “RESPONSIBLE TIMBER SOURCING POLICY”

Responsible Timber Sourcing Policy

Bunnings has been committed to responsible timber sourcing for well over two decades. We understand our responsibility to ensure that the communities where we source timber derive direct and long-term benefit from well managed forestry operations.

Our goal is to ensure all timber and wood products supplied to Bunnings originate from:

- Legal, responsibly sourced and well managed forest operations.
- Plantations or natural forest that don't contribute to deforestation by conversion or clearing.
- Forests that provide direct benefit to local communities.

All timber in our products originating from natural forests must originate from third party certified forests (e.g. Forest Stewardship Council (FSC®) or Programme for the Endorsement of Forest Certification (PEFC)). Timber harvested from plantations must at minimum be from documented legal plantation sources.

Bunnings' commitment to responsible timber sourcing began in 2001 when we introduced a zero-tolerance approach to illegally logged timber in our supply chain. During this time Bunnings has worked closely with key industry groups, government and environmental organisations to continuously improve our timber sourcing practices.

We have worked closely with suppliers to confirm the legality of wood products. To ensure that our goal is achieved Bunnings evaluates all suppliers of timber products and conducts timber supply chain due diligence to verify the source and chain-of-custody of the timber products we purchase. We monitor and report supplier performance and agreed action plans on a regular basis. In sensitive forest regions the timber that we purchase must have credible third-party certification. This ensures that these regions are protected, and the ongoing biodiversity of the forest is maintained.

We believe that our customers and team members have a right to know that the timber we sell is responsibly sourced and we remain committed to ensuring that we provide this assurance.

To deliver on our policy commitment we exclude timber sources where:

- The source forest is known or suspected to be of high conservation value, except where:
 - The forest is certified or;
 - In progress to certification under a credible certification system, or;
 - The forest manager can demonstrate that the forest and/or surrounding landscape is managed to ensure that value is maintained.
- The source forest is highly contentious, and impacting endangered species, and lacks appropriate third-party certification to an FSC® or equivalent standard.
- The source forest is being actively converted from natural forest to a plantation or other land use, unless the conversion is justified on grounds of net social and environmental gain, including the enhancement of high conservation values in the surrounding landscape.
- The material was illegally harvested or traded.
- The material was traded in a way that drives violent armed conflict or threatens national or regional stability (what is commonly referred to as conflict timber).
- The harvesting or processing entity, or a related political or military regime, is violating human rights.
- The supplier doesn't support indigenous communities.
- The material is sourced from genetically modified trees.
- The source forest is unknown.

ANNEXURE C: EXAMPLES OF FCNSW'S MISCONDUCT

Forest	Investigation completed	Investigation commenced	Allegation against FCNSW	Outcome	Link
Styx River	May 2025	August 2023	Species specific conditions - fauna	Penalty Notice	Register Related article
Conglomerate State Forest	February 2025	September 2023	Cut down two hollow-bearing trees and failed to conduct a compliant habitat search	Formal warning, official caution and two penalty notices (\$30,000)	Register Media release
Moonpar State Forest	December 2024	November 2023	Planning assessments and survey	Penalty notice and Official Caution	Register
Wild Cattle Creek 32, 33, 34		July 2020	Failed to permanently retain six 'giant trees' and failed to retain three 'hollow-bearing trees'	Pleaded guilty to four offences	[2024] NSWLEC 84 [2025] NSWLEC 24 Article
Yambulla State Forest 299A	July 2024	October 2020	Failed to identify two environmentally significant areas, resulting in 53 eucalypt trees being cut down in one of those areas	Convicted of two charges and ordered to pay a fine of \$360,000	Register Media Release [2024] NSWLEC 78
Nadgee State Forest	February 2024		Trees were allegedly removed in an Environmentally Significant Area and from a steep slope when restrictions were in place	Penalty notice (\$45,000)	Register Media Release

Forest	Investigation completed	Investigation commenced	Allegation against FCNSW	Outcome	Link
Mogo 174A	December 2023	April 2020	Illegally felled hollow-bearing trees	Convicted of one charge and ordered to pay a fine of \$20,000 and the EPA's legal costs of \$84,340	Register Media Release
Coopernook State Forest	November 2023	December 2021	Illegally harvested 17 protected trees	Must pay \$500,000 towards four environmental projects in a legally binding Enforceable Undertaking	Register Media Release
Bindarri National Park			Illegally cleared 1.44 hectares	Restore the illegally cleared area to the standard of a national park and pay \$500,000 to purchase land, or transfer an agreed area of state forest, for gazettal as national park	Register Media Release
Shallow Crossing 211A	August 2023	January 2023	Incursions into threatened species exclusion zone	Penalty notice issued	Register
Dampier State Forest	June 2023	May 2019	Failed to mark the boundary of an environmentally sensitive area as an exclusion zone	Convicted of 3 charges, ordered to pay fines of	Register [2022] NSWLEC 75

Forest	Investigation completed	Investigation commenced	Allegation against FCNSW	Outcome	Link
				\$230,000 and the EPA's costs of \$8,000	Article
South Brooman 58A – Part 2	June 2022	6 October 2020	Alleged felling of 1 hollow bearing trees after re-commencement of harvest operations (post SWO)	Penalty notice issued	Register Article
Wild Cattle Creek Cpts. 537 539 540 and 548	June 2022	December 2018	Alleged felling of nine trees and constructing and operating two snig tracks while conducting forestry operations	Convicted of 4 charges, ordered to pay fines of \$135,600 and the EPA's costs of \$150,000	Register [2022] NSWLEC 70
Bodalla State Forest, Boyne State Forest and Mogo State Forest (Swift Parrots)	March 2021	24 July 2019	Alleged damage to habitat of threatened species and/or ecological communities	Two penalty notices issued and three official cautions issued	Register Article
Ballengarra State Forest	February 2021	21 August 2019	Alleged damage to habitat of threatened species and/or ecological communities	Two penalty notices and an official caution issued	Register Article
Wild Cattle Creek State Forest -Compartments 551, 552 and 553 -old IFOA	February 2021	27 February 2020	Alleged damage to habitat of threatened species and/or ecological communities	Advisory letter written	Register

Forest	Investigation completed	Investigation commenced	Allegation against FCNSW	Outcome	Link
Olney exclusion zone breach	February 2021	April 2020	Alleged damage to habitat of threatened species and/or ecological communities	Penalty notice issued	Register
Olney erosion control	September 2020	April 2020	Alleged soil erosion and/or water pollution	Official caution issued	Register
Tantawangalo	April 2020	January 2019	Contravene requirement of integrated forestry operations approval	Penalty notice issued	Register
Tantawangalo	April 2020	January 2019	Contravene requirement of integrated forestry operations approval	Penalty notice issued	Register
Orara East 565 566	7 January 2020	November 2018	Alleged damage to habitat of threatened species and/or ecological communities	Two penalty notices issued	Register

ANNEXURE D: LETTER TO BUNNINGS DATED 29 OCTOBER 2025

Bunnings Group Limited
Botanicca 3 - Level 2 East Tower,
570 Swan Street,
Burnley VIC 3121
By email [REDACTED]

29 October 2025

RE: Addressing timber sourcing and deforestation risks in Bunnings supply chains

We are writing to you in the context of the Wilderness Society's longstanding dialogue with Bunnings about its important role in helping to protect Australia's globally unique forests. As you know, The Wilderness Society's mission is to protect, promote, and restore nature and wilderness in Australia.

With globally significant forests still being logged for domestic and global supply chains, particularly for timber and pulp, Australia's deforestation crisis is continuing to wreak havoc. As the climate and nature crises accelerate in tandem, decisive corporate action is urgent and critical.

Native forest logging continues in Australia, pushing threatened species towards extinction, destroying irreplaceable ecosystems, accelerating climate change, increasing bushfire risk, damaging cultural heritage, and polluting water sources.

Due to the poor track record of state-owned logging agencies, including a string of convictions for illegal logging by Forestry Corporation of NSW, there is a real risk that illegally logged timber is entering Bunnings' supply chains.

A reliance on timber sourced from native forests subjects Bunnings to supply chain uncertainty. This has resulted in significant disruption to business operations in other states when native forest logging ended. There is pressure to end native forest logging now in NSW and Lutruwita/Tasmania.

Notwithstanding these risks, Bunnings—as one of Australia's most trusted brands—is uniquely positioned to play a leading role in ending this crisis.

We acknowledge the important steps Bunnings has taken in the past, including its commitment to stop sourcing from VicForests, and that more recently Bunnings undertook a review of its zero tolerance policy on illegally logged timber, as well as committing to engage directly with Forestry Corporation of NSW, after the Wilderness Society raised concerns about the risk of illegal logging



in Bunnings' supply chains.

In order to be assured that Bunnings is adhering to its commitment to responsible timber sourcing and its zero tolerance policy, we ask that you respond to the following questions:

- Is Bunnings sourcing timber from native forests in NSW?
- Is Bunnings sourcing timber from native forests in Lutruwita/Tasmania?
- Which state forests is Bunnings sourcing timber from in NSW?
- Which state forests is Bunnings sourcing timber from in Lutruwita/Tasmania?
- If Bunnings is not sourcing from native forests, what traceability evidence can you provide to substantiate this to customers and investors?
- Are you certain that timber that was illegally logged by Forestry Corporation of NSW between 2020-25, as detailed in this list of [completed investigations](#), has not entered Bunnings' supply chains? Are you certain that timber that might have been illegally logged, as documented in this list of [ongoing investigations](#), has not entered Bunnings' supply chains? If yes, what evidence can Bunnings provide to demonstrate this certainty?
- Do you have full traceability to the point of origin of your timber products sourced in Australia? If not, what level of traceability do you have? What traceability information do you require your suppliers to provide?

The Wilderness Society notes that increasingly there are both societal and regulatory expectations that companies are transparent about nature-related dependencies and impacts in their supply chains, and so we believe it is reasonable to expect that Bunnings provides a response to these questions.

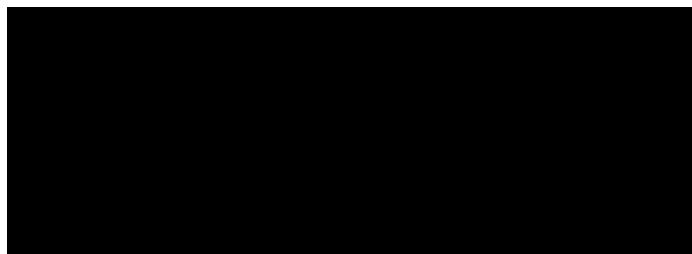
Bunnings has a unique responsibility and opportunity to lead on sustainability with immediate, verifiable, and transparent action to ensure its supply chains are free from high conservation value forest timber.

We believe Bunnings can help protect vital forests if it ensures it is not buying from high conservation value forests or from PEFC/Responsible Wood certified sources, and instead only sources from full FSC Forest Management sources, and conducts robust monitoring of all its supply chains.

We request that you respond to this letter within 14 days.

Thank you for your time and consideration on these matters.

Yours sincerely,



The Wilderness Society

The Wilderness Society

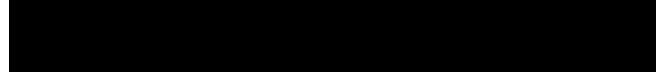
GPO Box 716, Hobart
Tasmania, Australia 7001

1800 030 641
ABN: 18 611 229 086

wilderness.org.au
info@wilderness.org.au

Life. Support.

ANNEXURE E: EMAIL FROM BUNNINGS DATED 17 NOVEMBER 2025



RE: Wilderness Society correspondence for Bunnings

17 November 2025 at 14:56

Good Afternoon [REDACTED]

Thank you for your letter and for your ongoing engagement with Bunnings regarding responsible timber sourcing and forest protection.

Bunnings recognises the importance of protecting Australia's unique forests and biodiversity. We are committed to sourcing timber and wood products from legal and well-managed forest operations, and we maintain a zero-tolerance approach to illegally logged timber in our supply chain.

Our policy requires all natural forest timber products to be independently certified. We require our suppliers to provide robust evidence of legal and sustainable sourcing, including independent certification and chain of custody documentation. Bunnings regularly reviews supplier compliance and undertakes due diligence for new timber products.

We have engaged Forestry Corporation of NSW to confirm that supplementary pre-harvest practices, including nocturnal surveys and additional tree retention requirements, are being implemented in line with updated EPA protocols. We also understand that in response to proceedings, harvesting activities in the Tallaganda area have ceased, pending further review.

We also note that Forestry Corporation of NSW's operations are subject to regular independent surveillance audits by BSI to maintain Responsible Wood certification. These audits assess compliance with sustainable forest management standards, including biodiversity protection and stakeholder engagement. Audit summaries are publicly available and provide further transparency regarding certification status.

Given the ongoing nature of investigations and regulatory reviews, Bunnings will continue to review its supply chain and sourcing relationships as new information becomes available, and remains committed to responsible sourcing and continuous improvement.

Regards,



BUNNINGS

Bunnings Group Limited