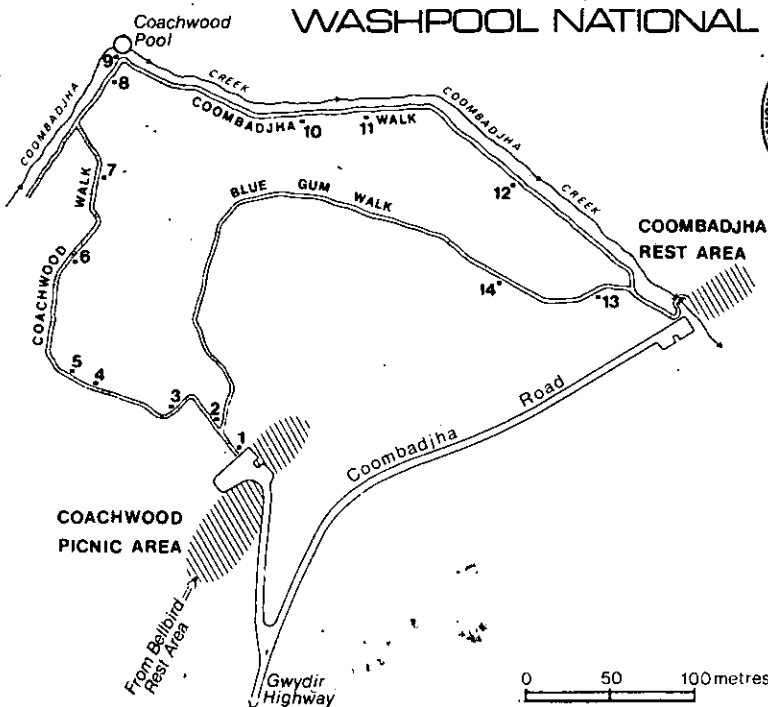


COOMBADJHA NATURE STROLL

WASHPOL NATIONAL PARK



Commencing at Coachwood Picnic Area, this self-guiding nature stroll follows Coachwood Walk (300m) to Coachwood Pool, thence Coombadjah Walk (400m) towards Coombadjha Rest Area and returns along the Blue Gum Walk (400m). You may wish to pause at Coombadjha Rest Area before completing the circuit via Blue Gum Walk.

Washpool is an important wilderness national park containing two large rainforest stands, Viper Scrub in the centre and Willowie Scrub to the north. Willowie Scrub, the larger of the two areas is the largest undisturbed rainforest area in N.S.W. (approx. 3000 ha), and the largest intact forest of coachwood in the world.

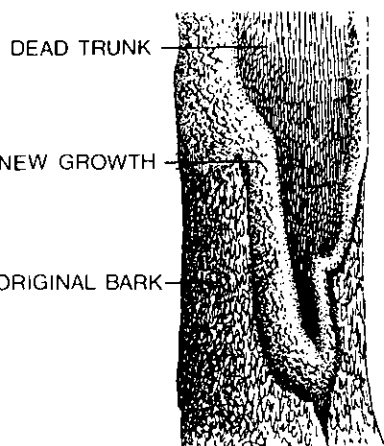
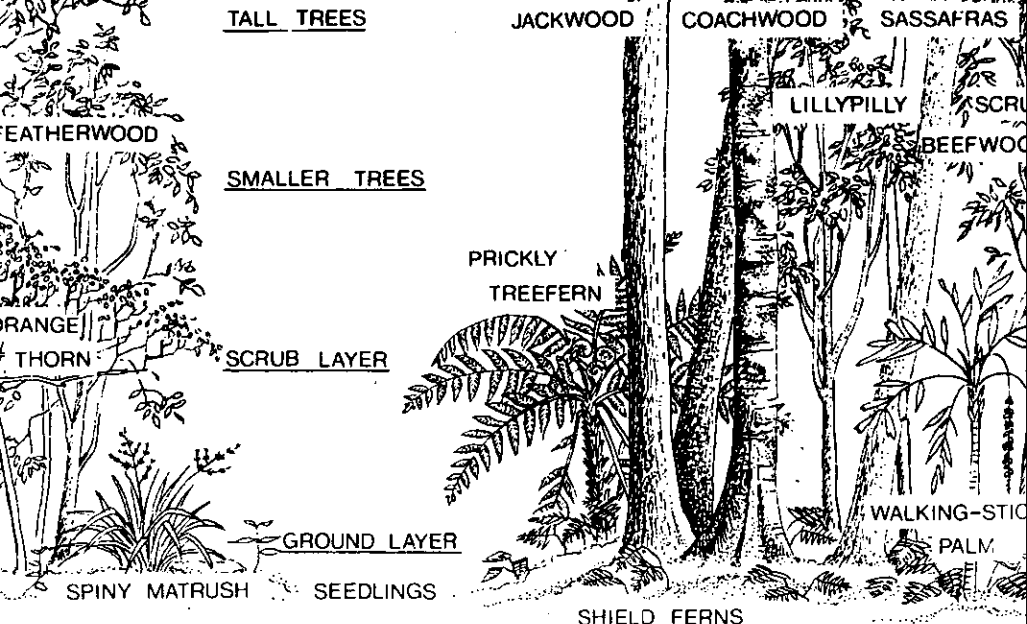
The remote wilderness location of Willowie and Viper scrubs require time, fitness and forward planning to visit. The facility areas and nature walk at Coombadjha Creek on the southern edge of the wilderness have been designed with this in mind, to provide a "mini washpool", allowing visitors to experience many elements of the vast rainforest wilderness which stretches 22 kms away to the north.

What is a rainforest? How is it different from a dry eucalypt forest? The first thing you will notice is that it is much shadier — almost no sunlight penetrates through the various layers of leaves. Hence the term 'closed forest' as opposed to the 'open forest' of the eucalypts. It has a clear understorey — few shrubs or ferns cover the ground. The leaves are larger and much softer than the leathery leaves of the open forest. Leaves in shade grow larger than those that have access to good light. It supports trees much closer together. Although not all rainforests are in good soil, the nutrients that are there recycle very quickly. In short, it is very interdependant and very complicated.

This is a warm-temperate rainforest. What does that mean? Simply, there are relatively few tree species in the canopy, they have medium to small leaves and slender trunks without buttresses. Palms are rare and there are no stranglers. Large vines and epiphytes are present but are not abundant and there are only a few species. Ferns are common. These warm temperate rainforests occur on poorer soils at altitudes of 450 to 1200 metres under high rainfall conditions (most of this track is about 800 metres above sea level).

Stop 1. The area of Coachwood Picnic Area was once a log dump for logging operations carried out nearby until 1966. A wildfire burnt the logged area in 1968. The area that was originally cleared for a log dump in the 1960's was again cleared of most of the regrowth in 1984 to establish this facility. Looking across the picnic area you will notice low regrowth around the edges — blackwood, black wattle, banksia, lillypilly, thick-leaved laurel, prickly ash, coachwood, sassafras and Sydney bluegum. Dieback associated with the earlier logging and fire, is particularly noticeable on the tall coachwood but less on the sassafras and crabapple. Because of the high proportion of coachwood in the forest, it has a more noticeable effect overall.

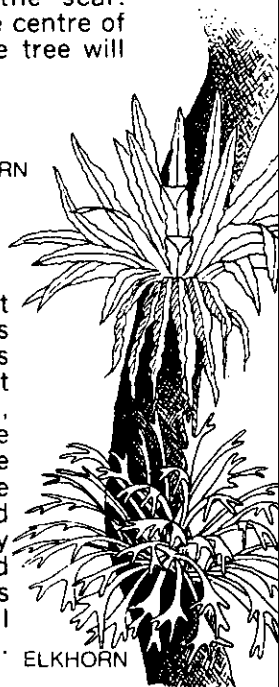
Stop 2. A feature of rainforest is the layers within. From this point can be seen some of the large trees — coachwood, sassafras and jackwood; the smaller trees — lillypilly, thick-leaved laurel, featherwood and below the track a scrub beefwood; the shrub layer — walking-stick palms, citriobatus, prickly treefern and pepperbush; the ground layer — seedlings, spiny matrush and shield fern. Throughout all of these layers are epiphytes and vines. The epiphytes are described at stops 4 and 5. Below the track are two different vines — the white leaved water vine and the jasmine morinda.



Stop 3. This corkwood is scarred for about 6 metres along its side due to a tree falling against it, or similar logging damage, in the past. Note the recovery by wound tissue as the tree actively tries to join up across the scar. However, in spite of this, the centre of the trunk is rotting and the tree will eventually blow down.

BIRDS NEST FERN

Stop 4. Here is a good opportunity to look at epiphytes and vines. Epiphytes are not parasites that gain nutrient from their host but use them as a place to grow. The corkwood is a good base as it provides a good place to collect spore or seed, helps trap food and does not shed its bark. There are 'sun' and 'shade' epiphytes and some that are happy in either situation. Note the 'funnel' shape of some that allows the leaves to collect and become a miniature compost heap that not only provides food but acts as a sponge to collect and hold water. Notice that the tree heath is supporting strap, felt and birds nest ferns as well as mosses. The large water vine can again be seen.



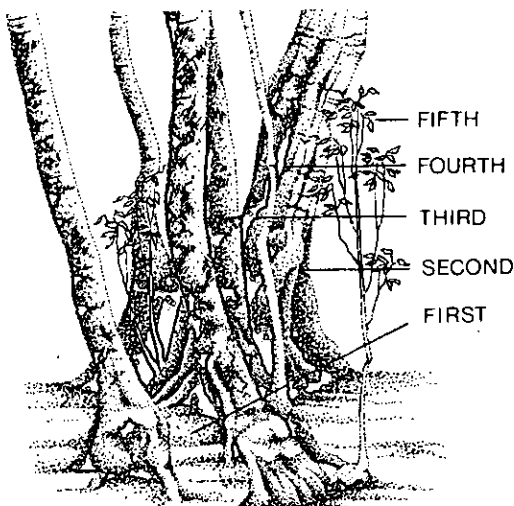
ELKHORN

Stop 5. Here we can examine lichens on the lillypilly, coachwood and sassafras. Lichens are interesting because they actually consist of two different types of plants living in close partnership. The body is a fungus and the colour comes from an algae. Lichens need moist conditions for growth, and a rainforest provides almost continuous moist conditions. Note the different colours of lichens on the coachwood as you move along the track.

Stop 6. This shows what the clearing at the picnic area was like after the major disturbance of clearing for log loading. Here, another major disturbance let a lot of sunlight in. The first stages can be seen at work in colonising this area as it slowly returns to a 'closed' forest. The first colonisers are the bat's wing ferns, then the second stage colonisers — the Queensland bramble and the tall nightshade. These are sun demanding short-lived species. During the third stage the vines come through and remain, even when the older trees have matured. During the fourth stage the lillypilly, orange thorn, coachwood, thick leaved laurel and black wattle persevere. The tallest of these, the coachwood, eventually outgrows all the others (with the possible exception of Sydney bluegum) and also outlives them for reasons explained at stop 8.

Stop 7. Here is the second oldest piece of rainforest on the walk. Possibly due to a cyclonic disturbance 50-100 years ago the area was severely disturbed and stage three plants still survive. Notice the tall smooth barked Sydney bluegum that are emergents above the coachwood canopy. Notice also that they have not regenerated in spite of possibly millions of seeds falling to the forest floor. The very old banksias and blackwood do not normally reach this size or age, but without fire to destroy them they have reached a great size and age and are now dying out and the longer lived coachwoods are continuing.

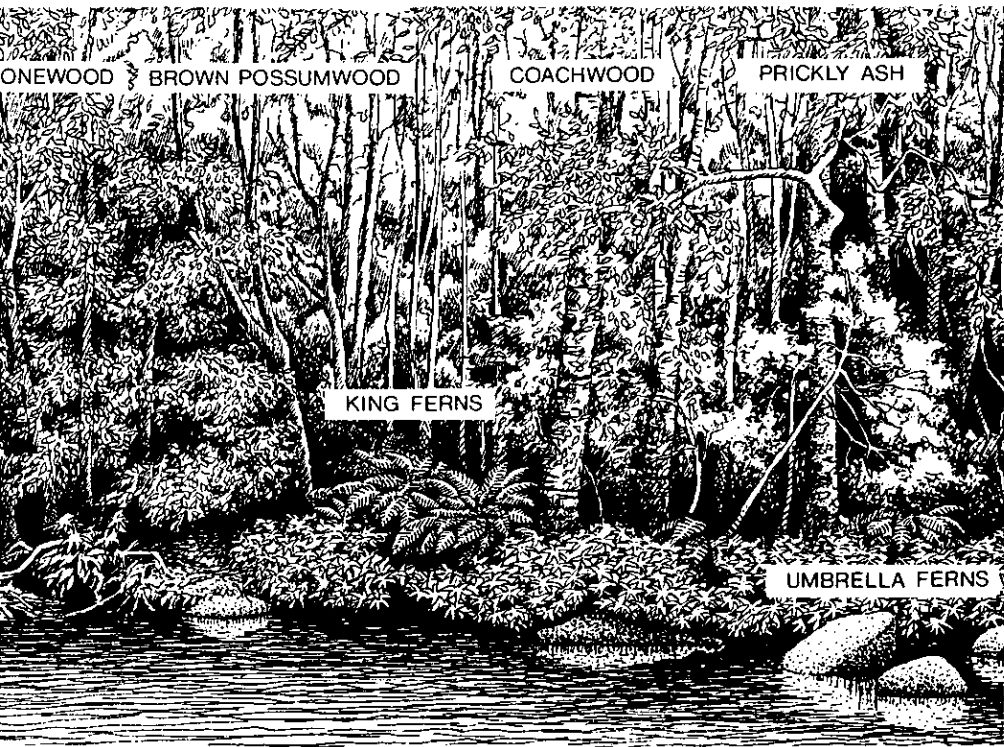
Stop 8. This old coachwood could hold the key to the history of this forest. In higher altitudes and colder climates, many trees regenerate from epicormic shoots which lie dormant beneath the bark. For the rest of the walk we will refer to this as coppicing. This tree belongs to a 'post climax' rainforest and is much older than those at stop 7. Let us say that the space which these trunks surround is the long-dead first (?) generation trunk. Then notice the old rotten trunk that is about 3m tall on the right. This would have coppiced off the original. It has now died and there are third generation trunks 20-30cm thick, fourth generation 3-6cm thick and fifth generation still coppicing, awaiting their chance. Note again the lichens and mosses. As you progress along this walk look for further examples of this regeneration by coppicing.



Stop 9. Using the diagram below, the following plants and associations can be seen whilst sitting at the picnic table. Begin by looking across the clear waters of Coombadjha Creek. On the edge of the bank, with access to the most moisture, are umbrella ferns and behind these king ferns. The tree on the right of the diagram is a prickly ash. Note the plants growing on the branch on the upstream side of the trunk. A small birds nest fern has taken root in the fork, felt ferns and strap ferns are growing on the top of the branch and dagger orchids are hanging from it. The next tree to the left is a coachwood. The tree next to it with the bend in the trunk is a brown possumwood. This tree has a very tiny seed and cannot reproduce in the rough, leafy forest floor, but usually manages to take root in the finely textured base of tree ferns, in this case the king fern.

Three species of this genus, *Quintinia*, occur in New Zealand and others in New Caledonia, confirming our geological and botanical links with these lands. The low, spreading, leafy trees to the left of this tree are bonewoods (*Acradenia euodiiformis*). The only other species in this genus is the *A. franklinae* from S.W. Tasmania, indicating a common origin with this region. Still further to the left and leaning over the creek is a callicoma with weeping spleenwort hanging from it taking advantage of the moisture.

On this side of the creek, growing around the picnic table, are four different trees. The prickly ash with its smooth grey bark; the lillypilly with its scaly red-brown bark, the coachwood with its smooth grey bark with horizontal lines and the brown possumwood with its wrinkled brown-black bark.



Stop 10. Epiphytes are plants that grow on trees. Here we have lithophytes — plants that grow on rocks. The finger-like leaves belong to the finger fern, *Grammitis billardieri*. The leaves on the jungle filmy fern, *Macroglena caudata*, are only one cell thick so must always be wet. Being very careful not to damage any of these delicate plants, examine the colonisers of this rock and see how many different ferns, mosses and lichens you can distinguish.

Stop 11. This stop allows us to examine closely brown possumwood seedlings growing on the trunk of a rough treefern. Also at this stop is a young corkwood and a young callicoma.

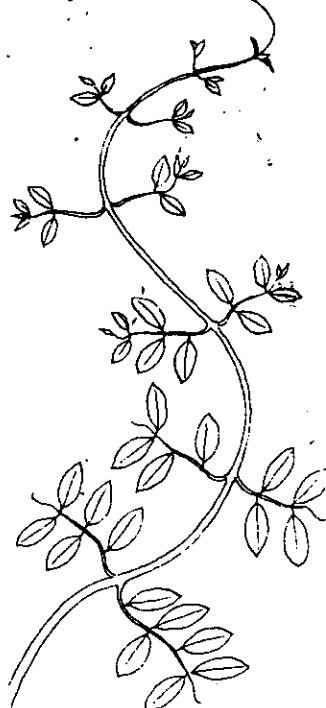


Stop 12. Stopping on the track and looking towards the creek is a relatively open area with many smaller and younger plants. Amongst the boulders are fishbone and umbrella ferns and smooth leaved nettles (without a sting!). A young callicoma has managed to grow below the floodline but has to bend every time it floods. The tree species in this rainforest drop many thousands of seeds every year, but only a miniscule amount ever germinate and even less reach maturity. Observe the seedlings that have germinated — coachwoods, prickly ash, lillypilly, bonewood — many of these on a rotting log. Consider how few, if any, will ever reach maturity. Observe the larger coachwoods leaning over the creek. These trees are reaching for more light, as no other species will come up and compete out of the bed of the creek. Because these stream-edge trees live on the edge of a space that is never filled by 1st to 4th stage plants, they therefore take advantage of this extra light by leaning out and reaching sideways for it.

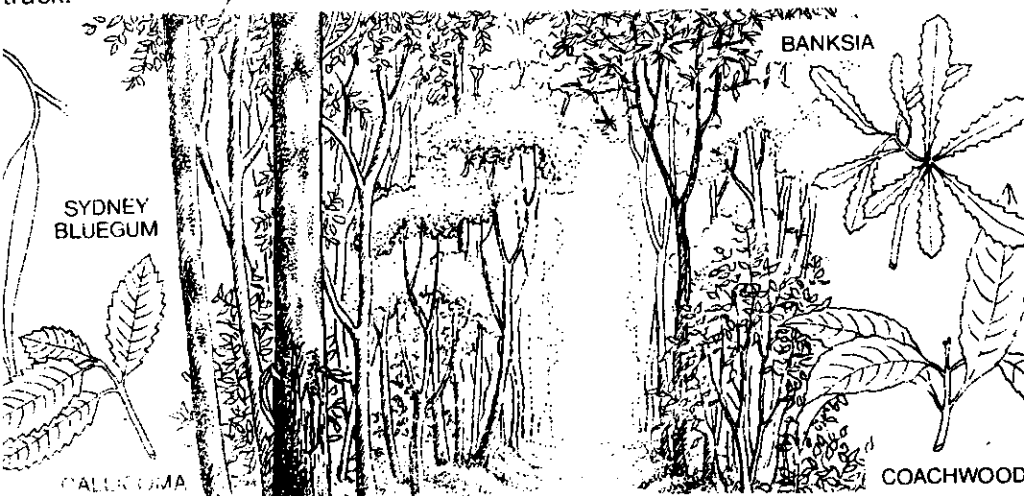
Also from this stop observe the 'clear' understorey on both sides of the creek.

Stop 13. Here is an example of a recent treefall opening up a narrow space in the canopy. This log was an unusually large *Banksia*. Note the damage caused to the coachwood and the *Callicoma* in the fall, but both of these trees have coppiced and are recovering quickly. Growing up between the first branches of this tree is a vine with an unusual method of climbing. It has neither hooks nor tendrils, but its branches form an acute angle with the stem thus assuming the form of an anchor when it grows easily through a space but cannot return as easily. This is the anchor vine, *Palmeria scandens*. The tall, single-stemmed shrub with the long leaves is the Macleay laurel, a third stage plant commonly found on the edges of rainforests. The only other species in this genus is also only found in S.W. Tasmania. The parent rock, rhyodacite, can be clearly seen in the step material. The darker crystals include calcium feldspars which, when broken down, yield essential plant nutrients, not present in the poorer granites along Dandahra Creek to the south-east. Another scrub beefwood is marked with a peg. Because this fall has only made a narrow opening, it will probably grow up with stage four plants.

This fallen tree exemplifies death, decay and regeneration in a rainforest.



Stop 14. This section of the Bluegum Walk follows an old logging road, to the former log dump (now Coachwood picnic area). This road was last used in 1966, so we have an easy way to judge the ages and growth rates of these plants. The largest, the Sydney bluegum, will become an emergent. Two shorter-lived third stage trees, *Callicoma* and *Banksia*, have grown at about one quarter of the rate. Beneath these, many fourth stage coachwood seedlings are growing. These will outlive the third stage trees and eventually dominate the fully developed, mature rainforest. As you walk back to the picnic area, notice the layers in this section and the large watervines below the track.



Individual species pegged—

A	Featherwood	<i>Polyosma cunninghamii</i>
B	Coachwood	<i>Ceratopetalum apetalum</i>
C	Thick-leaved laurel	<i>Cryptocaria meisnerana</i>
D	Sassafras	<i>Doryphora sassafras</i>
E	Jackwood	<i>Cryptocarya glaucescens</i>
F	Lillypilly	<i>Acmena smithii</i>
G	Scrub beefwood	<i>Stenocarpus salignus</i>
H	Corkwood	<i>Caldcluvia paniculosa</i>
J	Walking-stick palm	<i>Linospadix monostachyus</i>
K	Tallnightshade	<i>Solanum sp. aff. cinereum</i>
L	Queensland bramble	<i>Rubus hillii</i>
M	Tree heath	<i>Trochcarpa laurina</i>
N	Banksia	<i>Banksia integrifolia</i> — var. <i>Compar</i>
O	Sydney bluegum	<i>Eucalyptus saligna</i>
P	Blackwood wattle	<i>Acacia melanoxylon</i>
Q	King fern	<i>Todea barbara</i>
R	Prickly ash	<i>Orites excelsa</i>
S	Orange thorn	<i>Citriobatus pauciflorus</i>
T	Callicoma	<i>Callicoma serratifolia</i>
U	Brown possumwood	<i>Quintinia sieberi</i>
V	Straw tree fern	<i>Cyathea cooperi</i>
W	Prickly tree fern	<i>Cyathea leichhardtiana</i>
X	Rough tree fern	<i>Cyathea australis</i>
Y	Macleay laurel	<i>Anopterus nucleayanus</i>







Department of

THE ARTS, SPORT, THE ENVIRONMENT, TOURISM and TERRITORIES

CLARENCE ENVIRONMENT CENTRE
P.O. BOX 1073, GRAFTON. 2460

12/12/90

Mr Martin Frohlich
Acting Secretary
Clarence Environment Centre
PO Box 1073
GRAFTON NSW 2463

Dear Mr Frohlich

Thank you for your letter of 13 November 1990 to Dr Andy Turner recommending the nomination of North Washpool to the World Heritage list. I understand that you also wrote to the Australian Heritage Commission on this matter.

I realise the importance placed on the scientific, conservation and scenic qualities of the area by the conservation movement. However, the reality of the situation is that the Commonwealth Government has made it clear that it will not proceed with further World Heritage nominations without the support of the relevant State or Territory government. In the case of North Washpool the NSW Government has indicated that it is not prepared to consider recommending the addition of the area to the existing NSW Rainforest Parks listing. In the circumstances the preservation of this area remains a matter for the NSW Government.

Yours, sincerely

R J Pegler
A/g First Assistant Secretary
Environment and Conservation Policy Division

29/12/90

PILOT BAT SURVEY OF NORTH WASHPOOL

H. Parnaby,
Mammal Department, Australian Museum, Sydney

Summary

Nine insectivorous bat species were recorded during a trapping and netting survey over 3 nights, bringing the total recorded from North Washpool area to 10 species. Trapping results are considered to be rich in terms of numbers of individuals and species. Significant occurrences include the presence of the Golden-tipped Bat and a comparatively large number of Pipistrelles. A further 7 insectivorous and 2 fruit bat species are likely to occur in the area.

Background

A preliminary assessment of the bat fauna of North Washpool using bat traps and mist nets was undertaken during the three nights of 13-15 December, 1990. Extreme time constraints limited the scope of this work, however the bat fauna of this area was so poorly known that this represents a useful addition to knowledge of the mammal fauna of the area. This work supplements the vertebrate survey reported by Gilmore (1990) for the same area.

Trap Sites

Location and altitude of the eight sites are shown in Table 1. Forest types at each site are summarised below, taken from Forestry Commission forest type maps, Washpool 1:25 000 (December 1986) and Malara Creek 1:25 000 (June 1990):

- Site 1 - Wet sclerophyll/rainforest ecotone: New England Blackbutt, Tallowood/Sydney Blue Gum and Myrtle/Viney Scrub.
- Site 2 - Rainforest: Yellow Carabeen/Crabapple and Coachwood Crabapple.
- Site 3 - Wet sclerophyll/rainforest ecotone: Coachwood Crabapple; Myrtle/Viney Scrub; and Tallowood/Sydney Blue Gum >40m.
- Site 4 - Wet sclerophyll/rainforest ecotone: Tallowood/Sydney Blue Gum; Myrtle/Viney Scrub.
- Site 5 - Rainforest - Myrtle/Viney Scrub.
- Site 6 - Dry sclerophyll/ rainforest ecotone: New England Blackbutt <25m; Yellow Carabeen/Crabapple.
- Site 7 - Wet sclerophyll: Tallowood/Sydney Blue Gum >40m.
- Site 8 - Dry sclerophyll: Grey Gum/Grey Ironbark/White Mahogany.

Bat traps were used at sites 1-7, set for between 1 and 3 consecutive nights. Mist nets were set at site 8 for about 2 hrs following dusk on 15/12/90. Seven nets were set: 3 across

the dam, 1 along the dam wall, 2 in surrounding vegetation and 1 parallel with the edge of Desert Spur Fire Trail; a total of 380 ft of net.

Species Accounts

Species are discussed below in descending order of total number of individuals captured. Species and number of individuals captured at each site are summarised in Table 2. Registration numbers of voucher specimens lodged in the Australian Museum are given in brackets. Only the Bentwing Bat and the Eastern Horseshoe Bat are cave roosting species, the rest utilise tree hollows.

1. Bentwing Bat Miniopterus schreibersii The majority were captured in a trap placed over a creek at site 3.
2. Pipistrelle Falsistrellus tasmaniensis Captured at four of the 6 productive sites. (M23969, M23970).
3. Chocolate Wattled Bat Chalinolobus morio Captured at four of the six productive sites. (M23961, M23971).
4. Large Forest Eptesicus Eptesicus darlingtoni Captured at three of the six productive sites. (M23963, M23965)
5. Goulds Long-eared Bat Nyctophilus gouldi. Trapped in low numbers as in the survey of Parnaby (1986). Captured in both dry sclerophyll, wet sclerophyll forest, and rainforest sites. (M23966, M23968).
6. Eptesicus pumilus This species is frequently trapped in northeastern NSW but is apparently less commonly encountered at higher altitudes (Parnaby 1986). This species has not been reported from caves in northeastern NSW in the course of extensive research on cave species by P. Dwyer and is thus presumed to utilise tree hollows. (M23964, M23973).
7. Eastern Horseshoe Bat Rhinolophus megaphyllus This species is normally trapped in low numbers. (M23967).
8. Goulds Wattled Bat Chalinolobus gouldii The two individuals captured were from site 3. Recorded by Tidemann but not captured during the extensive survey of Parnaby (1986). (M23962).
9. Broadnosed Bat Scotorepens orion Captured only in the lower elevation dry sclerophyll forest at site 8. (M23972).

Discussion

This survey suggests that the area contains a rich bat fauna as the trapping results are comparatively high in terms of number of individuals and species captured per site

compared with the results of an extensive trapping survey of northeastern New South Wales (Parnaby 1986) using similar (in some cases identical) traps. Thus mean number of bats captured per trap night during this survey (excluding results from mist nets) was 9.0 compared to a range of 0.44 to 7.12 for 14 areas in northeastern NSW in the bat trapping survey of Parnaby (1986).

Although the *Pipistrelle* is a widely distributed species in eastern New South Wales, it evidently only occurs at higher elevations (above about 700 m) in northeastern NSW where it was trapped in low numbers (Parnaby 1986). Thus the high number of *Pipistrelles* captured during this survey is significant as it is not a common occurrence.

Gilmore (1990) recorded a specimen of the Golden-tipped Bat (*Phoniscus papuensis*) from this area, trapped in rainforest in a tributary of Desert Creek (altitude 250m). This represents only the sixth recorded locality of this species from New South Wales, of a total of 16 Australian localities (Parnaby, unpublished). The status of this infrequently encountered species is unclear. Either it is unusually adept at avoiding traps and nets (mist net capture of this species has not been reported), or it is an uncommon species. This is not due to a lack of trapping effort. For example, three extensive trapping studies produced the following results: Bega region, 3 individuals (Lunney and Barker 1986); Wattigan State Forest, 1 individual (P. Wilson, pers. comm.); and northeast NSW, 1 individual (Parnaby 1986). Listing of this species on Schedule 12, National Parks and Wildlife Act 1974, therefor appears justified.

A further seven insectivorous and two flying fox (*Pteropus*) species could reasonably be expected from this area based on the habitat present and their occurrence in adjoining regions. Tidemann (1981) recorded The Greater Broadnosed Bat *Scoteanax rueppellii*, the Little mastiff-bat *Mormopterus norfolkensis*, and the Large-footed Bat *Myotis adversus* from just south of the survey area. Tidemann (loc. cit.) also recorded *Eptesicus vulturnus*, a species usually found in drier forest types, from moist rainforest and wet sclerophyll forest. It is likely that the latter species was *E. pumilus*, a species not adequately defined prior to the taxonomic revision of Kitchener et al. (1987). An additional species, the Large Pied Bat *Chalinolobus dwyeri* could also be expected - I have trapped this species on a dry sclerophyll-wet sclerophyll ecotone near Lismore (Parnaby 1986). Several other species known to forage above the forest canopy and thus less likely to be captured during surveys are the White-striped Bat *Tadarida australis*, and the Yellow-bellied Freetail Bat *Taphozous flaviventris*. Thus it is likely that the total number of insectivorous bat species from the area is at least 16. Two flying fox species are also likely to visit the area, these being the Grey-headed Flying Fox (*Pteropus poliocephalus*) and the Little Red Flying Fox (*Pteropus scapulatus*).

Further surveys of the bat fauna in this region are required to: a), more extensively sample the area, particularly lower elevations; b) sample the high flying canopy species and c), sample at different seasons to assess possible seasonal differences in species composition.

References

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TABLE 1

Location of trap sites: Grid references are for 1:25 000 topographic sheet Malara Creek 9339-I-S; asterisked sites refer to Washpool Sheet 9339-II-N.

Site	Alt	Grid Ref.	Compartment	
1	880m	422685	667	Crabapple Rd TRAP
2	860m	410664	679	Old Ewingar Spur Trail "
3	740m	402658	695	Berry Rd, Creek "
4	840m	381643	695	Berry Rd "
5	850m	404652	688	Ewingar Spur Trail "
6	950m	370642*	695/6	Ridge top "
7	750m	363647	695/6?	Unnamed track "
8	340m	428611*	N. Park	Desert Spur Fire Trail NETS

TABLE 2

Trapping results by species and site. Traps were used for sites 1-7, mist nets at site 8. Numbers given are for females, males. Note: nil captures for site #4 and #7.

#	Date	E.pm	E.dl	C.mr	C.gl	N.gd	M.sc	F.ts	S.or	R.mg
1	14/12 15/12	1m	5,3 2f	1f		1m				1m 1f
2	14/12 15/12		1f	3,2 5,2		1,1	1,1	24,3		
3	14/12 15/12		1,1 1,1	1m 1f	1m 1m		11,11 10,16	1f 1f		
4	14/12- 16/12									
5	15/12 16/12			1f				1f 1f		1m
6	15/12 16/12						1m	1,2		
7	16/12									
8	15/12	2f				2,1			2f	
TOTAL		3	15	16	2	6	51	34	2	3



Premier of New South Wales
Australia

September 4, 1990

STATE CABINET DECISION ON NORTH WASHPOOL

State Cabinet today agreed to adhere to a decision taken by the Wran administration on the future of the North Washpool forest area.

In a joint announcement Premier Nick Greiner and the Minister for Forests, Garry West said Cabinet had endorsed the 1982 decision to allow logging in the Billilimba and Washpool State Forests.

"At the time that decision amounted to a social contract between the people of the area and the government of the day," Mr Greiner said.

"If society is to function properly a contract of that kind, in this case made by a previous administration, should be honoured."

Mr West said the Cabinet decision provided the promised long term security to the local industry and local communities.

He said Cabinet had considered a National Park and Wildlife Service report on the area in question.

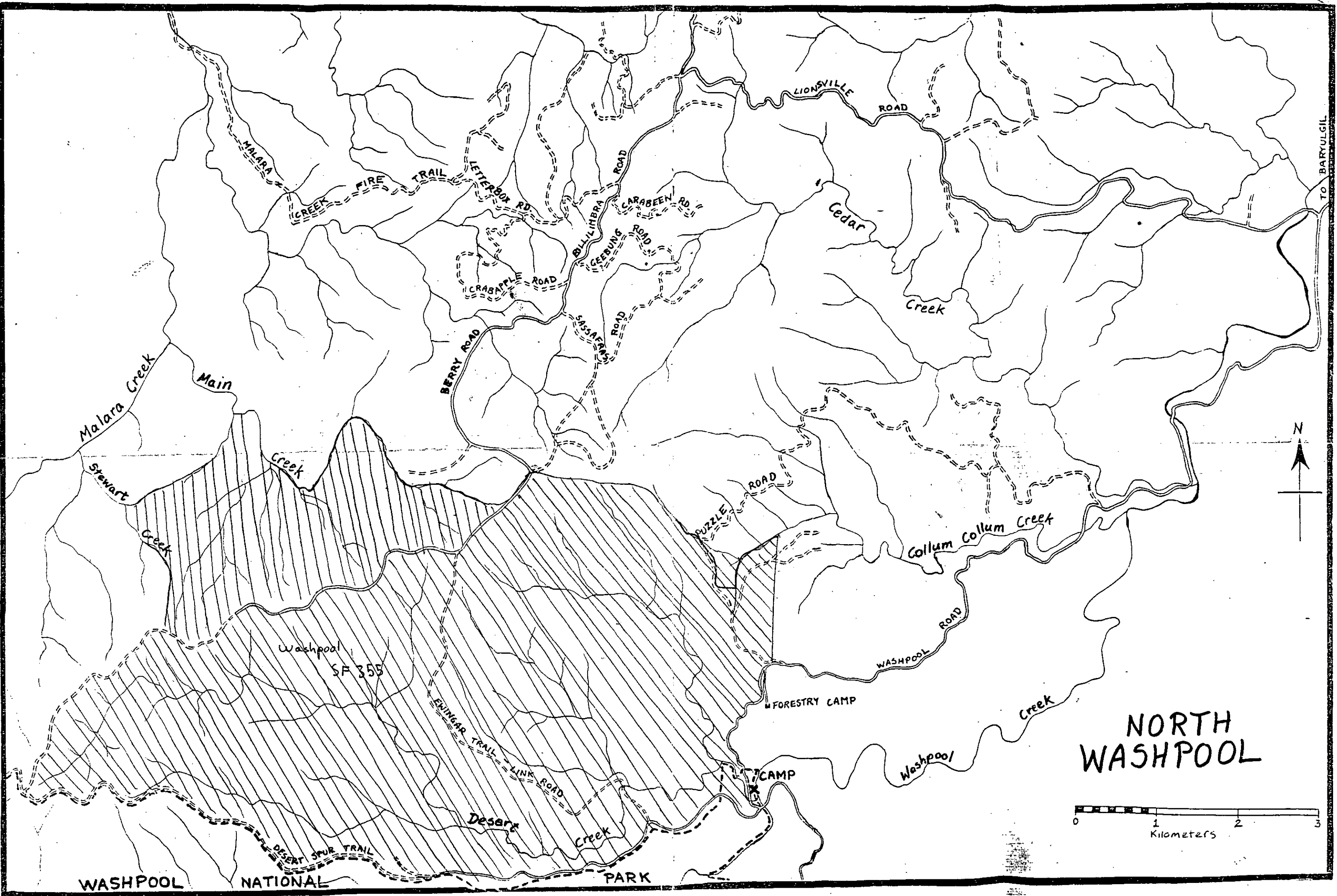
The report had recommended a series of options ranging from total national park to maintaining the status quo.

"Cabinet decided there should be no change to the previous government's decision after considering all points of view," Mr West said.

"The decision will not only give long term security to the industry, it will also be of enormous benefit to the State's north-east."

Contact: David Jones (02) 228 3666 (0)
Premier's Press Secretary

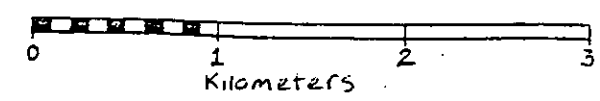
Geoff Mort (02) 230 2210
Minister for Forests Press Secretary



WASHPOOL NATIONAL

PARK

NORTH
WASHPOOL



NOW! THE HUNT FOR THE GUILTY
NEFA asks Minister West for Inquiry into serious misconduct
by senior staff of the Forestry Commission of NSW

North East Forest Alliance (NEFA) co-ordinator Mr John Corkill has written for the third time to the NSW Government requesting an Inquiry into serious misconduct by senior officers of the Forestry Commission of NSW (FCNSW), following the uncovering of significant evidence during the successful North Washpool legal action.

Mr Corkill, in releasing a copy of the latest NEFA letter, admitted that the proposed Inquiry could be seen as 'a hunt for the guilty'.

He said that NEFA had written to The Minister for Forests, Mr Garry West and the Premier, Mr Greiner in November 1990 soon after he became aware of numerous breaches and unlawful works by FCNSW.

The responses from the Minister (27.11.1990) and the Cabinet Office, (2.1.1991) on behalf of the Premier advised that it was considered inappropriate to pursue the allegations while the matter was under consideration by the Land and Environment Court. Mr Gary Sturgess, from the Cabinet Office suggested the allegations be placed before the Independent Commission Against Corruption (ICAC).

Mr Corkill told Mr West in January 1991 that judgement on the allegations of serious misconduct by FCNSW had never been sought from the Land and Environment Court. Mr West was told that NEFA had legal advice that the Court could not investigate or rule on the allegations and that there was no legal obstacle to him commencing an Inquiry. However, Mr West refused to reconsider the request.

The allegations of serious misconduct refer to breaches, by senior officers of the Commission, in the years 1980-1990, of policies, Management Plans, prescriptions or conditions made under the much criticised pre-WWI Forestry Act, 1916. Under this Act, there are no opportunities for third party enforcement of law, such as is available under s.123 of the EPA Act.

"These allegations are of such a serious nature that they cannot be 'swept under the carpet'. Those responsible for 10 years of illegal logging and roadworks must be brought to account, and the Forestry Commission's curious corporate culture which permitted, then 'covered up' the breaches must be exposed," Mr Corkill said.

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- * failed to comply with its policies by:
 - * logging rainforest without preparing harvesting plans;
 - * not enforcing the Standard Erosion Mitigation Conditions (SEMC) adopted as Commission policy to protect soil;
 - * ignoring its Wildlife Policy by not identifying rare endangered or sensitive species, and taking their habitat requirements into account in management practices;
- * breached s.45 of the Forestry Act, 1916, by recording 'false information' on the history of unlawful works;
- * 'covered up' breaches of prescriptions and conditions by later amending the Casino West Management Plan to permit the logging of rainforest buffer strips to continue;
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"NEFA will continue to campaign to have North Washpool gazetted as a wilderness and listed on the World Heritage Register as an addition to the World Heritage Washpool National Park," he said.

"Then, any Plan of Management must take into account the promised dedication of part of North Washpool as an aboriginal place under the National Parks and Wildlife Act, 1974 and the protection of important sites identified by the Baryulgil aboriginal community.

Footnote: the North Washpool court action has been discontinued because the Commission and Mr Corkill reached an unprecedented out of court agreement to achieve the goals the court action sought.

The Forestry Commission of NSW has agreed to:

- * prepare an environmental impact statement (EIS) in accordance with the Environmental Planning and Assessment Act, 1979;
- * rehabilitate and conserve disturbed rainforest and soils; and
- * pay Mr Corkill's legal costs for his enforcement of the law.

Chaelundi State Forest Blockade

Lismore. The Forestry Commission of NSW (FCNSW), with the Greiner Government's connivance, appears intent on devastating a unique stand of 'old growth' forest which supports the highest density of arboreal (tree living) mammals and endangered owls known in Australia. The proposed logging in the Chaelundi State Forest is to provide prime Tallowood, on an unsustainable basis and at bargain basement prices, for cross arms on power poles!

A blockade was instigated by the North East Forest Alliance (NEFA) on 8th April, 1991 when the FCNSW announced their intention to commence roading and logging. Barricades have been installed and have been attended by up to 50 people. Many others are on standby, waiting to join the blockade when required.

So far, the FCNSW and the loggers have been kept at bay, and no attempt has been made to storm the barricades.

Within compartments 180, 198 and 200, the following rare and endangered animals, listed on Schedule 12 of the National Parks and Wildlife Act, 1974 are known/expected to occur: Powerful, Masked and Sooty Owls, Spotted Tail Quoll, Feathertail Glider, Koala, Beech Skink, Carpet Python, Glossy Black Cockatoo, White-throated

Needletail, Cicadabird, White's Thrush, Crested Shrike-tit, Rufous Fantail, Long-nosed Potoroo, Fletcher's Frog and the Hastings River Mouse, a mammal in imminent danger of extinction.

The 3 Compartments now proposed for logging total 561 hectares and are part of a 7,000 hectare old growth stand, one of the largest old growth forests left in NSW, which is in turn part of the extensive Guy Fawkes wilderness area, identified as long ago as 1976. It is immediately adjacent to the Guy Fawkes River National Park which forms the centre of the wilderness.

The National Parks and Wildlife Service is still completing its assessment of wilderness values under the Wilderness Act, 1987 and will report to the Minister for the Environment by March 1992. NEFA believes that the area to be devastated has the highest conservation value of the entire wilderness.

If not prevented, logging will pre-empt and impair any consideration of wilderness protection by the NSW Cabinet.

In March 1990, the NEFA was forced to establish a blockade to stop the FCNSW illegally roading and logging the area. The protesters told the police that they were there to uphold the law and it was the Forestry Commission who were breaking it by not preparing an environmental impact statement (EIS) as required by the Environmental Planning and Assessment Act, 1979.

Despite this warning to FCNSW and the police, 13 protesters were arrested before an injunction to restrain the Commission was obtained from the Land and Environment Court. The Forestry Commission was forced to admit to the Court that an EIS was required, after wasting thousands of dollars of taxpayers' money.

The protesters' stance was further vindicated when those appealing their convictions in the Local Court had their appeals upheld and convictions quashed by Grafton District Court on 5.3.1991, on the grounds that the Forestry Commission closed the forest to facilitate an unlawful act: logging and roading without an EIS.

The Commission prepared a thoroughly inadequate EIS in November 1990 which purported to meet the Requirements of the Environmental Planning and Assessment Act, 1979. Submissions by NEFA and others exposed the manifest problems with the EIS so the FCNSW undertook a few additional studies then compiled its Report on the EIS. The report, made under clause 64 of the EPA Regs, forms part of the EIS proper.

Some of the problems identified were addressed, though poorly, and the Commission decided to proceed with logging, (was the result ever in doubt?). NEFA is examining its legal options but is unable to proceed with a further court action at this time.

NEFA considers it reprehensible that the NSW Government is refusing to take any further action to protect this priceless national asset or to bring the Forestry Commission under control following the exposure of their incompetent and antiquated management in the PAC Report.

Chaelundi is in the Dorrigo Forestry District and is located 50 kms north west of Dorrigo on the NSW North Coast.

The Chaelundi State Forest dispute is only one of many which have continued unresolved in the state's north east between the Forestry Commission and the North East Forest Alliance for some time.

AGENDA FOR REFORM

As a model for reform the following program for the NSW Forestry Commission has been devised. Legislative change and new financial and forest custodial arrangements will be necessary, covering several existing bodies and Acts.

1 The NSW Forestry Act and administration of the NSW forests be transformed to give primacy to:

- * conservation goals through environment protection plans;
- * transition plans for transferring timber getting currently based on native forests to plantations;
- * transfer of lands to the National Parks and Wildlife Service;

* improved methods of public participation in the management of native forests.

2 The Commission shall be charged with transferring timber getting operations from native forests to pine and hardwood plantations as expeditiously as possible by the development of transition plans and finance assistance derived from its revenue surplus.

3 The Commission shall be directly involved in the management of native forests in private hands by the development of management plans and imposition of environmental standards at least equivalent to its own.

4 The Commission shall ensure the efficient use of timber and arrangements to achieve this, in the forest and the mill, will be reflected in timber supply agreements and licences.

5 The commission shall charge royalties that reflect the real costs of timber from the state's native forests and plantations.

6 The environmental standards used by the Commission to control logging, guidelines in the preparation of management plans, public involvement and research will be subject independent review by the proposed Environment Protection Authority and open for public debate and scientific comment.

7 Where native forests are logged they will be done so on an environmentally sustainable basis that ensures the retention of species diversity and habitat to ensure the continuation of all flora and fauna for all time.

8 Third party rights shall be afforded in the Forest and other relevant Acts, to allow the restraint or remedy of a breach of the Forestry Act or environmental regulations by any person or group of persons, whether incorporated or unincorporated.

9 Management plans, environmental and logging codes and agreements or licences to supply timber shall be publicly reviewed every 5 years and be supplied to any person free of charge, upon request.

10 The native forest lands controlled by the NSW Forestry Commission shall be vested in a Forest Conservation council, which shall decide which forest will be allocated to timber production and under what logging regimes. It shall commission independent scientific advice as the conservation of forest communities and environmentally sustained yields in NSW and provide lands for dedication as national parks and nature reserves.

CONCLUSIONS

There is much to do in a short time. Our society which no doubt wants the native forests protected and plantations to be the basis of the timber industry, needs to turn its attention to changing the guts of the forest control system. A transformation of Forestry Commissions will go a long way to achieving this and at the end of the day we will have a native forest estate and forest products sector of which we can all be proud.

HUNT FOR THE GUILTY

NEFA ASKS MINISTER WEST FOR INQUIRY INTO SERIOUS MISCONDUCT BY SENIOR STAFF OF THE FORESTRY COMMISSION OF NSW

North East Forest Alliance (NEFA) coordinator Mr John Corkill has written for the third time to the NSW Government requesting an Inquiry into serious misconduct by senior officers of the Forestry Commission of NSW (FCNSW), following the uncovering of significant evidence during the successful North Washpool legal action.

Mr Corkill, in releasing a copy of the latest NEFA letter, admitted that the proposed Inquiry could be seen as 'a hunt for the guilty'.

He said that NEFA had written to The Minister for Forests, Mr Garry West and the Premier, Mr Greiner in November 1990 soon after he became aware of numerous breaches and unlawful works by FCNSW.

The responses from the Minister (27.11.1990) and the Cabinet Office, (2.1.1991) on behalf of the Premier advised that it was considered inappropriate to pursue the allegations while the matter was under consideration by the Land and Environment Court. Mr Gary Sturgess, from the Cabinet Office suggested the allegations be placed before the Independent Commission Against Corruption (ICAC).

Mr Corkill told Mr West in January 1991 that judgement on the allegations of serious misconduct by FCNSW had never been sought from the Land and Environment Court. Mr West was told that NEFA had legal advice that the Court could not investigate or rule on the allegations and that there was no legal obstacle to him commencing an Inquiry. However,

Mr West refused to reconsider the request.

The allegations of serious misconduct refer to breaches, by senior officers of the Commission, in the years 1980-1990, of policies, Management Plans, prescriptions or conditions made under the much criticised pre-WWI Forestry Act, 1916. Under this Act, there are no opportunities for third party enforcement of law, such as is available under s.123 of the Environment Planning and Assessment Act.

"These allegations are of such a serious nature that they cannot be 'swept under the carpet'. Those responsible for 10 years of illegal logging and roadworks must be brought to account, and the Forestry Commission's curious corporate culture which permitted, then 'covered up' the breaches must be exposed," Mr Corkill said.

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NORTH WASHPOOL legal case and campaign update

John Corkill

Background

In 1982 the southern area of the Washpool wilderness was dedicated as a National Park, while the area to the north was omitted as a concession to logging interests. Since then conservationists have fought to have North Washpool added to the National Park. Late last year, John Corkill succeeded in having an injunction granted against the Forestry Commission, halting all logging until the case hearing in April.

UPDATE

While many people ate, drank, slept or partied their way through the Christmas holidays, the North Washpool court case was being feverishly prepared in order to meet the Land and Environment Court timetable for a 3 week trial commencing on March 25, 1991.

However, following the filing of affidavits from expert witnesses and receipt of legal advice from their QC, the Forestry Commission agreed to prepare an EIS for the Washpool and Billilimbra State Forests, though they have made no admissions to the legal action's claims.

This announcement came after 18 months of requests from NEFA and six months of legal action. In this time, repeated denials that a new EIS was required, were made by the Commission, the previous Minister, Mr Ian Causley, and the new Minister, Mr Garry West.

This agreement to prepare an EIS effectively undermined the original basis of the case, and avoided the Court's judgement as to the legality of the operations since 1980. We are told that the EIS will be commenced in 2 years time.

While pleased to have received the promise of an EIS, NEFA was not content to allow the question of the legality of the Commission's past operations in North Washpool rest there. Neither were we happy to allow the Commission to avoid the judgement of the Court.

It was always intended to seek Court orders ensuring that the Forestry Commission carry out rehabilitation and stabilization works for the disturbed areas of North Washpool, in order to maintain (as much as is possible) the natural values of the forests, and to mitigate any further impact on the environment resulting from earlier roadworks and harvesting.

Consequently, following discussion with legal counsel and a disturbance ecologist, the original application was amended to seek the Court's determination of the legality of the work to date, and an order that rehabilitative works be undertaken.

In the brief hearing of this amended application, before Mr Justice Noel Hemming on 15th February, the Commission indicated that it may consent to undertaking some rehabilitation works, again avoiding the need to involve the Court.

Following a conference between NEFA's barrister and the Commission's QC, the Commission now seeks to have the matter wholly settled out of court, by reaching agreement on the rehabilitation works proposed by NEFA's expert advisers.

In early March, an inspection of North Washpool will be undertaken by NEFA's experts before an on-site meeting with the Commission is held. This meeting and a further conference in Sydney between NEFA and the Commission may resolve all outstanding issues, preventing the need for a trial.

While disappointed in not being able to have the Court make a finding about the legality of the work,

NEFA believes that an out of court agreement would see the case resolved more quickly and cheaply than otherwise and would enable rehabilitation works to commence immediately with a budget unaffected by major court costs.

A settlement would also allow NEFA co-ordinators John Corkill and Dailan Pugh, who are applicant and adviser for the case, to concentrate on other court actions against the Commission and on increased political lobbying and liaison work.

Of course, if agreement

cannot be reached in negotiations, NEFA will insist the matter is heard by the Land and Environment Court in the week commencing 8.4.1991 already allocated to the North Washpool hearing.

The Forestry Commission's startling turn-around on this case, after such vehement assertions that it had already done an adequate EIS, certainly smacks of political intervention in the run up to an early state election, but may have been provoked by no more than the provision of good legal advice (at last!).

Subsequently, NEFA has referred the sworn evidence of its expert witnesses, which testify to the unique natural values of the area, to the Australian Heritage Commission (AHC) to support a 1983 nomination for National Estate listing and a recent nomination for World Heritage listing.

NEFA is also requesting that the Minister for the Environment, Tim Moore, take crucial new evidence discovered and generated by the legal case, to the NSW Cabinet to reconsider North Washpool's dedication as a wilderness addition to the Washpool National Park.

staff news

The faces have changed at NCC, but they're still nice faces.

On most days you'll find Sandra and myself (wo)manning the fort. Sandra Heilpern is the Executive Officer (and she keeps the Executive on their toes too!). My name is Kate Cramond and I am the Project Officer and general roustabout.

On not so predictable days you'll find: Jules Pearce, intrepid book-keeper; Matthew Baird, Environmental Liaison Officer

(Matthew replaced Peter Wright, who I think got sick of banging his head on doorways!);

Kim Brebach, Fundraising/ Admin Officer (who'd better watch his head also);

And then there's our indispensable volunteers, Ziggy and Margaret.

Randy Cooper, Information Officer, jetted off to sunny Melbourne in January, and Doris, our typist is on 6 months leave to travel the Trans-Siberian.

ENVIRONMENTAL EDUCATION PROJECT PUBLICATIONS

Water Pollution: Environmental Education Yrs 9-12 \$15
Over 100 pages of activities - simple experiments
to cross word puzzles.

Greening of Schools: Annotated Bibliography \$7

Recycling in Schools: Annotated Bibliography \$5

Cost-Benefit Analysis \$10
An explanation of cost-benefit analysis using the
Harbour Tunnel as a case study.

Environmental Impact Statements: A reader \$10
A sampling of articles on the Environmental
Impact Assessment process.

To: The Environmental Education Project, Institute
Building H03, University of Sydney, NSW 2006.

Please send me the following (cheque enclosed):

- ☐ Water Pollution: Environmental Education Years 9-12
- ☐ Greening of Schools: An Annotated Bibliography
- ☐ Recycling in Schools: An Annotated Bibliography
- ☐ Cost-Benefit Analysis
- ☐ Environmental Impact Statements: A Reader

Name: _____ Phone: _____

Address: _____



700

species of animals and plants in NSW may soon face extinction. Australia has the worst record for mammal extinctions in the world.

What is NSW doing about this?

In 1988 the Liberal Party made a pre-election commitment to introduce legislation protecting threatened species in NSW. Tim Moore, Minister for the Environment commissioned the National Parks and Wildlife Service to prepare a discussion paper on a Threatened Species Conservation Act for NSW. Since then the Government has repeatedly promised the imminent release of the discussion paper.

The controversial NPWS paper is now complete.

In the proposed legislation, the presence of any threatened species (not just endangered) would require initiation of species and habitat protective measures, as well as species recovery plans. The legislation has the potential to be very powerful.

The NPWS paper was presented recently by Tim Moore to Cabinet, and has met with very strong opposition.

The paper, instead of being released for discussion, has been suppressed.

act now!

Instead the Government has now decided to back away from the issue of legislation in NSW, claiming that the issue should be resolved at Federal levels first.

This face-saving manoeuvre in effect puts NSW legislation near completion on hold for an indefinite time.

Pam Allan is now planning to introduce Labour's

Australia has the worst record for mammal extinctions in the world.

proposed version of the Threatened Species Act late in the Autumn session of Parliament. This Bill is based on the NPWS paper, with amendments by Labour and the Threatened Species Network.

The Threatened Species Network in NSW has approached all NSW MP's individually to find out whether they support the introduction of legislation. The Network believes that the bill has bipartisan support.

Write to your local member and find out if they support the bill. If not - why not?!! They need to be aware that the public wants to protect NSW's threatened plants and animals as a priority.

A 'Day of Action for Threatened Species' will be

The Network:

The National Threatened Species Network was set up in 1990 to co-ordinate and lobby for the protection of threatened species in Australia. The NSW Network coordinator, Sonia Mellor, with support from several environment groups including NCC, has been campaigning vigorously for state threatened species legislation since then.

held outside of Parliament House on Thursday 21st March, highlighting the importance of threatened species legislation, the ongoing loss of species, and the need for action.

As a lead up to the Day of Action, an information stall will be set up two days a week in Martin Place. The purpose of the stall is to make people aware of the importance of legislation and give out general information about threatened species.

Please come along on the 21st of March. Make sure everyone knows that our Government is not prepared to ACT to save NSW's threatened species. If you need more information, contact me at NCC (247 4206), or Sonia Mellor at TEC (241 1438).

(cont. from p.2)

The transition to true-cost water pricing and environmentally safe water supply and waste management systems would generate many value-added activities in the public and private sectors.

All candidates in the forthcoming NSW elections should be strongly urged to support the above policies.

NCC EXECUTIVE

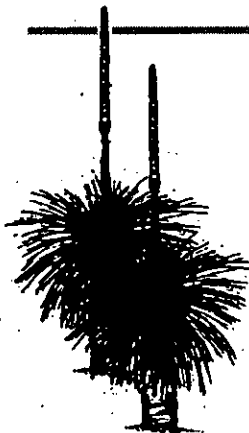
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(Chairperson)
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Graham Douglas
Milo Dunphy
Geoff Lambert
Roger Lembit
Peter Maslen
Caron Morrison
Anne Reeves
Vincent Serventy
Margaret Setter
Gay Spies
Fay Sutton

events

- | | |
|-------------|---|
| March 16 | Environmental Defender's Office
Forestry Reform Seminar:
"Towards a new forestry act for NSW" |
| March 23 | Nature Conservation Council of NSW
Seminar:
"Urban Bushland in Western Sydney" |
| April 7-14 | Heritage Week |
| April 19-21 | NSW Forest Summit Meeting |
| June 5 | World Environment Day
(for details please contact NCC) |

NCC News Editorial

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Is Sydney's Air fit to breathe?

Caron Morrison

Numerous requests from environmental groups, members of the public, government departments and the media have forced the Minister for Planning, Mr David Hay to release an important report on Sydney's air quality.

The work detailed in the report was commissioned by the NSW Department of Planning and the Federal Department of Transport and Communications, and carried out jointly by researchers from CSIRO and Macquarie University.

The recommendations contained in the report need to be accepted and adopted by the NSW Government as a matter of urgency because the environmental integrity of Sydney is at risk. The credibility of the Government will be at stake if planned developments in the region are allowed to proceed without a detailed investigation of the environmental impacts.

Some information contained in the report follows:

... Ozone gas is the prin-

ciple component of photochemical smog.

... The data previously published by the NSW State Pollution Control Commission seriously underestimates the current severity of photochemical smog in the Sydney region.

... There are gross deficiencies in knowledge of the causes and distribution of photochemical smog in Sydney.

... In the absence of further pollution controls, urban growth during the next 20 years is set to give rises of up to 50% in western Sydney ozone concentrations.

... The capacity of the Hawkesbury Basin to accommodate pollution emissions is less than that of eastern sectors of the Sydney Airshed.

... On current projections, it is likely that haze levels in western Sydney will increase, degrading the visual amenity of the area. During air pollution episodes in the morning, the layer of haze close to

the ground will become more opaque and in the afternoon increasingly the sky may appear white rather than blue.

Reference:

Pilot Study: 'Evaluation of air quality issues for the development of Macarthur South and South Creek Valley regions of Sydney.' Final report, December 1990. Robert Hyde (Macquarie Uni.), Graham Johnson (CSIRO Div. of Coal and Energy Technology).

Available from NSW Dept Planning. Cost \$12.

PAC Inquiry NFWs

The Public Accounts Committee is conducting an inquiry into the National Parks and Wildlife Service activities, including the efficiency of its leasing system, its licensing and fees structure.

Public submissions are invited from the community.

Please respond!

WATER, WASTE

and ecological sustainability

Judy Messer, Chairperson

Ecological sustainability is clearly the necessary precondition for a sustainable economy over the long term. Since the early 1970's the Nature Conservation Council's policies have called for less and more efficient use of NSW's natural resources, for waste control at the source, and for re-use and recycling in preference to end-of-pipe/stack/landfill solutions.

However, the conversion of a whole society to ecologically sustainable practices is a very complex process. It requires government to set mandatory targets for pollution reduction and natural resource conservation. It will be obstructed by various interest groups unless the community as a whole is kept fully informed and is allowed to play a pro-active role in environmental decision-making.

The management of NSW water resources and industrial and sewerage wastes illustrates the choices confronting decision-makers and the community.

Water Pricing

The demand for water will increase so long as State and Federal Government policies promote population growth in the Sydney region, resulting in the expansion of Warragamba Dam or a new one at Welcome Reef. Either solution will

have major impacts on the environment and the taxpayers. In spite of this undesirable scenario, water conservation and re-use is still a virtual non-event in the Sydney region.

This is because water is underpriced. Domestic consumers are subsidised by industry. This results in the profligate use of high quality drinking water for gardens, swimming pools, and car washing. Industry and commerce also use this high quality water.

The Nature Conservation Council believes that the price of water should be raised to a level that will discourage inappropriate usage of drinking quality water while encouraging on-site 'water harvesting' and re-use systems. Cross subsidies should be abolished. Reduced water usage should be rewarded.

Sewage Disposal

Sewage disposal is an unremitting problem for all communities, but sewage contaminated by toxic substances creates extra environmental, management and financial problems.

The public has rightly focussed on the causal role of industry and government. However, the domestic community has done little to reduce its contribution of toxics, plastics, and nutrients such as phosphorus.

This means that while the sewage from 23 inland plants can be composted, much of Sydney's sludge cannot be applied to the land without restriction. Incineration and co-generation would merely shift the polluted sludge effects from the ocean or land to the air, and polluted liquid effluent still goes into the rivers and ocean.

The Nature Conservation Council calls for:

- ** no discharge of liquid wastes to wetlands, creeks, rivers or the ocean if harm will result to human health or natural ecosystems (based on Class 0 standard of the Clean Waters Act).
- ** sludge discharge into the ocean from Bondi, Malabar, and North Head to cease by 1992;
- ** no new ocean outfalls, or existing off-shore outfalls extensions to deep-water outfalls;
- ** no incineration or co-generation of sludge contaminated by toxic substances;
- ** the preferred use of sludge for compost and fertilizer production.

Throughout the world, environmental waste management is creating new industries and jobs. Australia is at the leading edge with some technologies.

(Continued p.8)

5 years of road- works on the North Coast

Caron Morrison

In December 1990 I represented the Nature Conservation Council at the Road Traffic Authority's North Coast Road Network presentation in Coffs Harbour.

After two days of discussions relating to their major works program, the following list of projects planned for the next five years was put forward.

I am not familiar with the environmental impact of the

1 Highway deviation at O'Sullivan's Gap north of Buladelah.	24 Repair collapsed road near Mt. Seaview.
2 Four lanes between Wang Wauk and Bundacree Creek from Failford to Purfleet, including bridges over Talawahl and Bungwahl Creeks.	25 Provide Special lay-bys as scenic lookouts and overtaking spots for slow vehicles.
3 Investigate by-pass from Coopernook to Moorland.	BUCKETT'S WAY
4 Heron's Creek Deviation near Port Macquarie.	26 Bridge over rail line at Gloucester
5 Deviation at Christmas Creek, north of Kempsey.	27 New Bridge at Kundibakh Creek.
6 Deviation south of Macksville, near Eungai and Allgomera.	OCEAN DRIVE, PORT MACQUARIE
7 Bridge and approaches at Watt Creek, near Nambucca.	28 Reconstruct selected sections.
8 Deviation at Raleigh, including bridge over Bellinger River.	SOUTH WEST ROCKS ROAD
9 Four lane carriageway on approaches to Coffs Harbour.	29 Replace Coopers Bridge near Jerseyville.
10 Duplicate Newport Creek Bridge at Coffs Harbour.	TAREE TO WINGHAM
11 Duplicate Pinebrush Creek Bridge.	30 Replace bridge over Great Northern Railway at Taree West.
12 Replace old concrete road between Grafton and Maclean.	GWYDIR HIGHWAY
13 Bridge over Clarence River at Mororo.	31 Maintain a good standard two lane road.
14 Widen Dunbible Creek Bridge and approaches, south of Murwillumbah.	BRUXNER HIGHWAY
15 Chinderah by-pass, including new bridge at Barney's Point.	32 Ballina cutting and investigate Alstonville by-pass
16 Reconstruction from Tea Gardens turnoff to Waterhole Gap, Croki to Figtree, Hastings River to Telegraph Point and Clybucca to Eungai.	33 Widening to four lanes at Goonellabah, and at Union Street, South Lismore.
17 Provide regularly spaced overtaking lanes throughout the entire length of the Highway.	SUMMERLAND WAY
TOWN BYPASSES.	34 New Bridges and approaches at Myall and Fawcetts Creek
18 Taree \$24.0M	35 Raise road across Deep Creek floodway.
19 Bangalow \$10.5M	36 Reconstruct selected sections, including those north of Kyogle.
20 Chinderah \$40.0M	37 Investigate alternative route to Brisbane.
21 Tweed Heads \$29.0M	LISMORE/BANGALOW ROAD
22 Cowper \$5.0M	38 Overtaking lanes at Springvale Hill and investigate deviations at Binna Burra and Nashua.
OXLEY HIGHWAY	RALEIGH TO EBOR ROAD
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COURSE of four Tuesday evenings, 7.00 - 9.30pm, 16/23/30 April, 7 May.

CLASS limited to 60; divided into 6 groups of 10 each.

COORDINATOR R.D. (Bob) Walshe, author of Better Writing, Clearer Thinking and other books, with long experience as writer, editor, environmentalist.

COST \$30.00 for the full course. Payable in advance. Send cheque to 'Writing for the Environment', c/- Sutherland Entertainment Centre, 6 Eton St, Sutherland NSW 2232.

CONDUCTED in the Rainbow Room, Sutherland Environment Centre

1. Writing: Important in Every Campaign. Tuesday 16th April
Speaker: Bernie Clarke, President Botany Bay PPC; Shire Citizen of the Year 1991.
2. Effective Letter Writing. Tuesday 23rd April
Speaker: Peter Prineas, Former Director of the National Parks Association, Editor 'Environmental Newsletter'. Currently private secretary to Ted Mack MHR.
3. Effective Articles, Releases, Brochures, etc. Tuesday, 30th April
Speaker: Gordon Shrubbs, Secretary of Gerroa Protection Society: 'How a Desktop Campaign Won a Major Battle'.
4. How to Proceed From Here. Tuesday, 7th May
Speaker: Milo Dunphy, Director, Total Environment Centre.

(If you have any enquiries, ring Coordinator Bob Walshe on 521-7592.)

National Forest Summit

February 1991

A radical change has happened in the campaigns to save the native forests in Australia. The approach adopted until now has been rather fragmented and has had varying degrees of success. Conservationists have been, by and large, focussing on specific areas of forest, such as the South-East of NSW, or Washpool, or River Red Gums along the Murray, while in other states there have been similar campaigns to save the Daintree, the Tasmanian forests and the huge hardwood forests of Western Australia.

Last month, almost 40 conservationists from five states across Australia and the ACT, met to develop a national strategy for the protection of the remaining high conservation forests in this country.

The major aim of this summit was to pool the knowledge base, experiences and energies of forest campaigners, and to develop a common strategy which would lead to a co-ordinated approach on the national level, while also forming the basis for community action at the local level.

At the end meeting, the strong nucleus of a national forest strategy emerged.

The primary goal in the national strategy is to stop logging in all high conservation forests (including rainforests and old growth forests).

It was agreed by all at the summit that there must be a transition from using native timber as a resource to using eucalypt plantation timber. While some states have started sizeable eucalypt plantations, NSW is definitely lagging behind in this area.

NSW is ripe for change. With the public shaming of the Forestry Commission in the Public Accounts Committee Report released in December last year, and with the recognition that the whole forest industry in NSW needs to be revamped, it is an ideal time to initiate the establishment of a hardwood plantation base to the timber industry. In this process it will be necessary to look very carefully at all the essential environmental issues such as appropriate species, mixture of species, locations and management.

Two important components of the national strategy were formulated at the summit. The first encompasses ways to speed up the transition

Sandra Heilpern



to plantation timber - each step towards plantations is a saving of existing precious native forest.

The more immediate action required is to vehemently and unconditionally oppose resource security legislation. During the years that it takes for the plantations to come into a productive phase, it is

FOREST

essential that no native forest, beyond the amount needed to keep the industry on its feet, is locked up.

The delegates at the summit were also committed to a rapid phase out of the processing of native trees into woodchip for export. It was clearly recognised that this practice is only possible because of the ridiculously low prices put on native timbers, together with the ridiculously high level of direct and indirect subsidies awarded to the industry.

Summit papers are available from the NCC office.

FORMBY, J. (1987) EIA: where has it gone wrong? EIA and the Tasmanian woodchip controversy
CRES Working Paper 1987/12
ANU Canberra

NORTON, T.W. (1990) Maintaining biological diversity pp. 61-68
In NORTON, T.W. and WILLIAMS, O.B. (Eds) Greenhouse Effect: Environmental Socio-economic and Political Implications for Australia. C.R.E.S. Resource and Environmental Studies Monograph 4, A.N.U. Canberra

BRINKMAN, R. (1990) Wood, water and wildlife yields of the Otway Forests. Otway Project Working Paper 1990/1. Centre for Resource and Environmental Studies. Aust. Nat. Univ.

SELMAN, P.H. (1988) Implementation of a National Conservation Strategy. The case of Australia. The Environmentalist 8: 7-18

DARGAVEL, J., GODDARD, J. and
CATON, S. (1986) Allocating
forest resources in New South
Wales: guide to legislation
regulation and administrative
practice. CRES Working
Paper 1986/12 A.N.U. Canberra

PILLER, G. (1986) Sustained yield
in Tasmanian forest management:
an examination of the conflicts
between sustained yield management
and the provision of non wood
values. M. Env. Stud. & thesis
Uni Tasmania, Hobart

EHA

H Nix (1987) The trees for the wood or the wood for the trees
Tasmania's forests: beyond 2000... Hobart, Institute of Foresters of
Australia, 1987 10p

A major barrier to formulation of effective forest policies and
management plans is inadequacy of the knowledge base. New
computer-based technologies, particularly geographic information
systems and decision support systems offer real prospects for coping
with the increasingly complex world of humans, their institutions
and a changing environment beyond 2000. (Au, MS)

EIS a worry for timbermen

● From page one.

"What they should be doing is publicising how they believe local mills can be supplied with how much alternative timber, from where and in what volumes, what products it could produce and where it could market them and the levels of employment that could be maintained, Mr Pidcock said.

"It would be interesting to hear their comments on the commercial continuity of the Grafton crown sawmills.

"If they cannot put forward a commercial proposal we can only conclude that their aim is to destroy the local sawmilling industry."

Forestry Commission district officer at Coffs Harbour Mr Dale McLean agreed that a prolonged EIS delay could make things a bit awkward for sawmillers.

Most of the resources that had been identified as alternatives to the Washpool resource had already been allocated in management proposals by the commission.

Australian Democrats spokesman Mr Martin Frohlich said the NSW Government had wasted taxpayers money on a futile campaign through the Land and Environment Court over the North Washpool.

It was time the 1916 Forestry Act was scrapped and replaced with one more appropriate to the 1990s.

He believed there was a danger that if the Coalition government was re-elected with control of the upper house it would pull forestry operations out of the provisions of the Environmental Planning and Assessment Act.

If that were to happen the State could kiss its old growth forests goodbye, Mr Frohlich said.



New EIS ordered for Washpool

A NEW environmental impact statement (EIS) has been ordered to assess the effect of logging in the Washpool forest, Forests Minister Garry West announced yesterday.

The decision followed a successful injunction to halt logging in the forest obtained by conservationists late last year in the Land and Environment Court.

The move was won on the grounds that the Forestry Commission's existing EIS for the area was inadequate.

Mr West said it was clear that the 1980 EIS prepared for the area needed "updating to meet current implications of planning laws".

But he warned the considerable cost of producing detailed forest impact statements would ultimately be reflected in

higher wood prices for consumers.

The latest EIS was the 15th study planned for North Coast old growth forests, he said.

"I am concerned that the requirement to conduct such detailed EISs may compromise the security and reliability of wood supply," Mr West said in a statement.

"We should always bear in mind that there are costs as well as benefits for the community in undertaking this process."

The timber industry had argued long-term investment was being affected by the uncertainty over access to timber resources in many State forests.

A 1982 State Government compromise decision protected some of the Washpool forests as a national park but left others available to the timber industry.

But the validity of the decision was this year successfully challenged by conservationists seeking the area to be totally classified as a national park.

Opposition leader Bob Carr said the new EIS had to be prepared with-

out "government interference or National Party bias".

"The new EIS must be of the highest standard, taking account of the ecological significance of the rainforest and endangered species now known to exist there," he told a news conference.

While the ALP agreed with the 1982 agreement allowing logging in selected areas of Washpool, Mr Carr said this was dependent on clearance from an EIS.

Last September, State Cabinet rejected Environment Minister Tim Moore's wilderness nomination of Washpool.

Wilderness Society spokesman A J Brown described the Government's decision to undertake a new EIS for Washpool as "no more than a welcome delay to the destruction of the forest".

"No more assessment needs to be done to prove that the Washpool area, and many other forest areas, require immediate protection for their scientifically established wilderness, rainforest habitat, Aboriginal and world heritage values," he said in a statement.

EIS worries timbermen

SAWMILLS in the Grafton and Casino area could face serious problems if the proposed new Environmental Impact Study for the North Washpool took as long as two years, Mr Kerry Pidcock said yesterday.

Mr Pidcock, who is president of the NSW Forest Products Association and also a major user of timber from the North Washpool, was commenting on the announcement by Minister for Forests Mr Garry West that the Government would prepare a new EIS for the area.

Mr West said the new study would end the need for continuing court action by environmental groups who gained court injunctions to stop forest operations in the area last year.

In a broadcast interview he warned that the proposed EIS could take two years to complete.

But Mr Pidcock said he believed the study should take no more than three or four months to be fully processed.

Much of the required information was already available through earlier studies and it seemed what was being asked for now was just additional specific information which should not take that long to gather.

A three or four month delay was no longer than the industry already faced for the completion of court action over the site.

"That is the sort of delay we are already anticipating. But a delay of say two years would have some serious implications for the industry."

He said four mills from Grafton and several from the Casino area would be affected.

He said the timber industry had already supported the Government's commitment to carry out EIS for logging operations in various forests but the length of the delay would be the key to the problem.

"The radicals will be saying this is another chance to block the supply of timber to the industry."

NORTH WASHPOOL legal case and campaign update

John Corkill

Background

In 1982 the southern area of the Washpool wilderness was dedicated as a National Park, while the area to the north was omitted as a concession to logging interests. Since then conservationists have fought to have North Washpool added to the National Park. Late last year, John Corkill succeeded in having an injunction granted against the Forestry Commission, halting all logging until the case hearing in April.

UPDATE

While many people ate, drank, slept or partied their way through the Christmas holidays, the North Washpool court case was being feverishly prepared in order to meet the Land and Environment Court timetable for a 3 week trial commencing on March 25, 1991.

However, following the filing of affidavits from expert witnesses and receipt of legal advice from their QC, the Forestry Commission agreed to prepare an EIS for the Washpool and Billilimbra State Forests, though they have made no admissions to the legal action's claims.

This announcement came after 18 months of requests from NEFA and six months of legal action. In this time, repeated denials that a new EIS was required, were made by the Commission, the previous Minister, Mr Ian Causley, and the new Minister, Mr Garry West.

This agreement to prepare an EIS effectively undermined the original basis of the case, and avoided the Court's judgement as to the legality of the operations since 1980. We are told that the EIS will be commenced in 2 years time.

While pleased to have received the promise of an EIS, NEFA was not content to allow the question of the legality of the Commission's past operations in North Washpool rest there. Neither were we happy to allow the Commission to avoid the judgement of the Court.

It was always intended to seek Court orders ensuring that the Forestry Commission carry out rehabilitation and stabilization works for the disturbed areas of North Washpool, in order to maintain (as much as is possible) the natural values of the forests, and to mitigate any further impact on the environment resulting from earlier roadworks and harvesting.

Consequently, following discussion with legal counsel and a disturbance ecologist, the original application was amended to seek the Court's determination of the legality of the work to date, and an order that rehabilitative works be undertaken.

In the brief hearing of this amended application, before Mr Justice Noel Hemming on 15th February, the Commission indicated that it may consent to undertaking some rehabilitation works, again avoiding the need to involve the Court.

Following a conference between NEFA's barrister and the Commission's QC, the Commission now seeks to have the matter wholly settled out of court, by reaching agreement on the rehabilitation works proposed by NEFA's expert advisers.

In early March, an inspection of North Washpool will be undertaken by NEFA's experts before an on-site meeting with the Commission is held. This meeting and a further conference in Sydney between NEFA and the Commission may resolve all outstanding issues, preventing the need for a trial.

While disappointed in not being able to have the Court make a finding about the legality of the work,



700

species of animals and plants in NSW may soon face extinction. Australia has the worst record for mammal extinctions in the world.

What is NSW doing about this?

In 1988 the Liberal Party made a pre-election commitment to introduce legislation protecting threatened species in NSW. Tim Moore, Minister for the Environment commissioned the National Parks and Wildlife Service to prepare a discussion paper on a Threatened Species Conservation Act for NSW. Since then the Government has repeatedly promised the imminent release of the discussion paper.

The controversial NPWS paper is now complete.

In the proposed legislation, the presence of any threatened species (not just endangered) would require initiation of species and habitat protective measures, as well as species recovery plans. The legislation has the potential to be very powerful.

The NPWS paper was presented recently by Tim Moore to Cabinet, and has met with very strong opposition.

The paper, instead of being released for discussion, has been suppressed.

act now!

Instead the Government has now decided to back away from the issue of legislation in NSW, claiming that the issue should be resolved at Federal levels first.

This face-saving manoeuvre in effect puts NSW legislation near completion on hold for an indefinite time.

Pam Allan is now planning to introduce Labour's

The Network:

The National Threatened Species Network was set up in 1990 to co-ordinate and lobby for the protection of threatened species in Australia. The NSW Network coordinator, Sonia Mellor, with support from several environment groups including NCC, has been campaigning vigorously for state threatened species legislation since then.

Australia has the worst record for mammal extinctions in the world.

proposed version of the Threatened Species Act late in the Autumn session of Parliament. This Bill is based on the NPWS paper, with amendments by Labour and the Threatened Species Network.

The Threatened Species Network in NSW has approached all NSW MP's individually to find out whether they support the introduction of legislation. The Network believes that the bill has bipartisan support.

Write to your local member and find out if they support the bill. If not - why not?! They need to be aware that the public wants to protect NSW's threatened plants and animals as a priority.

A 'Day of Action for Threatened Species' will be

held outside of Parliament House on Thursday 21st March, highlighting the importance of threatened species legislation, the ongoing loss of species, and the need for action.

As a lead up to the Day of Action, an information stall will be set up two days a week in Martin Place. The purpose of the stall is to make people aware of the importance of legislation and give out general information about threatened species.

Please come along on the 21st of March. Make sure everyone knows that our Government is not prepared to ACT to save NSW's threatened species.

If you need more information, contact me at NCC (247 4206), or Sonia Mellor at TEC (241 1438).



NATURE CONSERVATION NEWS

published by the
Nature Conservation Council of NSW

Environment Centre of NSW, 39 George St, The Rocks. 2000

Is Sydney's Air fit to breathe?

Caron Morrison

Numerous requests from environmental groups, members of the public, government departments and the media have forced the Minister for Planning, Mr David Hay to release an important report on Sydney's air quality.

The work detailed in the report was commissioned by the NSW Department of Planning and the Federal Department of Transport and Communications, and carried out jointly by researchers from CSIRO and Macquarie University.

The recommendations contained in the report need to be accepted and adopted by the NSW Government as a matter of urgency because the environmental integrity of Sydney is at risk. The credibility of the Government will be at stake if planned developments in the region are allowed to proceed without a detailed investigation of the environmental impacts.

Some information contained in the report follows:

... Ozone gas is the prin-

ciple component of photochemical smog.

... The data previously published by the NSW State Pollution Control Commission seriously underestimates the current severity of photochemical smog in the Sydney region.

... There are gross deficiencies in knowledge of the causes and distribution of photochemical smog in Sydney.

... In the absence of further pollution controls, urban growth during the next 20 years is set to give rises of up to 50% in western Sydney ozone concentrations.

... The capacity of the Hawkesbury Basin to accommodate pollution emissions is less than that of eastern sectors of the Sydney Airshed.

... On current projections, it is likely that haze levels in western Sydney will increase, degrading the visual amenity of the area. During air pollution episodes in the morning, the layer of haze close to

the ground will become more opaque and in the afternoon increasingly the sky may appear white rather than blue.

Reference:

Pilot Study: 'Evaluation of air quality issues for the development of Macarthur South and South Creek Valley regions of Sydney.' Final report, December 1990. Robert Hyde (Macquarie Uni.), Graham Johnson (CSIRO Div. of Coal and Energy Technology).

Available from NSW Dept Planning. Cost \$12.

PAC Inquiry News

The Public Accounts Committee is conducting an inquiry into the National Parks and Wildlife Service activities, including the efficiency of its leasing system, its licensing and fees structure.

Public submissions are invited from the community.

Please respond!

5 years of road- works on the North Coast

Caron Morrison

In December 1990 I represented the Nature Conservation Council at the Road Traffic Authority's North Coast Road Network presentation in Coffs Harbour.

After two days of discussions relating to their major works program, the following list of projects planned for the next five years was put forward.

I am not familiar with the environmental impact of the

1 Highway deviation at O'Sullivan's Gap north of Buladelah.	24 Repair collapsed road near Mt. Seaview.
2 Four lanes between Wang Wauk and Bundacree Creek from Failford to Purfleet, including bridges over Talawahl and Bungwahl Creeks.	25 Provide Special lay-bys as scenic lookouts and overtaking spots for slow vehicles.
3 Investigate by-pass from Coopernook to Moorland.	BUCKETT'S WAY
4 Heron's Creek Deviation near Port Macquarie.	26 Bridge over rail line at Gloucester
5 Deviation at Christmas Creek, north of Kempsey.	27 New Bridge at Kundibakh Creek.
6 Deviation south of Macksville, near Eungai and Allgomere.	OCEAN DRIVE, PORT MACQUARIE
7 Bridge and approaches at Watt Creek, near Nambucca.	28 Reconstruct selected sections.
8 Deviation at Raleigh, including bridge over Bellinger River.	SOUTH WEST ROCKS ROAD
9 Four lane carriageway on approaches to Coffs Harbour.	29 Replace Coopers Bridge near Jerseyville.
10 Duplicate Newports Creek Bridge at Coffs Harbour.	TAREE TO WINGHAM
11 Duplicate Pinebrush Creek Bridge.	30 Replace bridge over Great Northern Railway at Taree West.
12 Replace old concrete road between Grafton and Maclean.	GWYDIR HIGHWAY
13 Bridge over Clarence River at Mororo.	31 Maintain a good standard two lane road.
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4. How to Proceed From Here. Tuesday, 7th May
Speaker: Milo Dunphy, Director, Total Environment Centre.

(If you have any enquiries, ring Coordinator Bob Walshe on 521-7592.)

In reply please quote:
32636/ek



Mr Martin Frohlich
Woodford Island
via BRUSHGROVE NSW 2460

18 FEB 1991

Dear Mr Frohlich,

I refer to your letter of 27 August 1990 regarding the North Washpool wilderness nomination and environmental guidelines for copper chrome arsenic (CCA) treatment plants. Please accept my apologies for the delay in replying.

You may be assured that the Government is aware of the community concern about forestry and heritage conservation issues on the North Coast. The Government seeks to maintain a proper balance between conserving forests for the sustainable production of timber, and preserving other forest areas for heritage conservation values only.

The North Washpool wilderness nomination (nominated by a community organisation under the Wilderness Act 1987) comprised parts of Billilimbra and Washpool State Forests and adjacent the proclaimed wilderness area in the adjacent Washpool National Park.

As has been publicly noted, I presented a detailed assessment from the National Parks and Wildlife Service on these forests together with a recommendation that the areas be dedicated as national park.

On 6 September, 1990 State Cabinet endorsed the 1982 decision of the former Government to retain the North Washpool for timber production. This decision was made following detailed consideration of the economic and heritage conservation values, including the report by the Service. This position was also publicly supported by Mr Bob Carr, MP, Leader of the Opposition, prior to Cabinet's consideration.

.../2



The Land and Environment Court has since imposed an injunction on logging in the North Washpool area until the court is able to hear a case concerning the Forestry Commission's Environmental Impact Statement. It is understood that there will be a hearing in March regarding the injunction.

I have been advised by the State Pollution Control Commission that although NSW does not have explicit guidelines for CCA treatment plants, the Commission is aware of the guidelines mentioned in your letter.

In approving the application for the construction and operation of the CCA treatment plant at Bucca, the Commission required the applicant's compliance with the requirements of Australian Standard AS 2843-1985 and the Timber Preservation Safety Code, together with other conditions.

In relation to CCA residues from the plant's operations, the Commission believes that such wastes could only be disposed of by qualified operators. It therefore required that any contaminated material or sludge be placed in suitable chemical drums and stored in a locked enclosure until such time as the drums could be properly disposed of by return to the manufacturer.

Because of the potential hazards associated with burning CCA treated timber, the Commission also required that no wood waste from the CCA treatment plants be burnt. Studies have indicated that leachate from this timber is not an environmental risk.

The Commission believes that the conditions of approval for the Bucca plant will provide good environmental protection for this North Coast area.

The Commission is aware of problems relating to the redevelopment of contaminated industrial sites, such as wood treatment plants, and has prepared draft guidelines for the identification, control and rehabilitation of such sites.

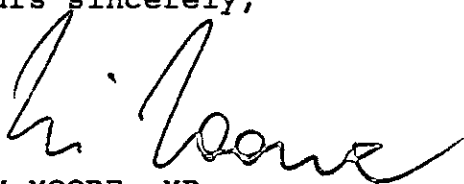
The Commission is also aware of the environmental risks of chemicals such as arsenic. With the formation of the Environment Protection Authority later this year, it is expected that more resources will be provided to ensure adequate controls are enforced for all environmental matters.

I have forwarded a copy of your letter to the Commission's Regional Office at Newcastle for its information and consideration. Should you wish to obtain further details from the Commission regarding the CCA plant at Bucca, please contact the Regional Manager, Mr Alan Crapp, by writing to PO Box 488G, Newcastle, NSW, 2300, or by telephone on (049) 26 9971.

2.

Thank you for bringing your concerns to my attention. The correspondence received on such issues helps to identify areas of community concern which is an important part of the Government's deliberations.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Tim Moore', written in a cursive style.

TIM MOORE, MP
Minister for the Environment

NORTH WASHPOOL COURT CASE STILL ALIVE

Court action over the future of the North Washpool forests entered a new phase today with the filing in the Land and Environment Court of an amendment to the original application.

"I allege that all rainforest logging in North Washpool, since 1980 has been illegal, and I'm asking the Court to rule on this. Further, I am asking the Court to order that the areas of rainforest which have been unlawfully harvested be rehabilitated by a variety of methods," said Mr John Corkill Applicant in the proceedings and spokesperson for the North East Forest Alliance.

The Court was told by Ms Margaret Beasley QC, Counsel for the Forestry Commission that the Commission "had made no admissions" as to the lawfulness of logging in the North Washpool forests, but had agreed to do an Environmental Impact Statement (EIS). She said that the Commission had not yet reached a satisfactory form of undertaking to settle the original proceedings, but hoped to.

Mr Tim Robertson, Counsel for Mr Corkill told the Court that rehabilitation was required because regeneration of rainforest species logged 10 years ago was not occurring and serious soil erosion problems had developed after the logging operations.

He said that "significant damage had been done to the forest" and the Commission had failed to repair damage to the forest contrary to the requirements of the Casino Management Plan, despite "pious promises to politicians and the public" that they would do so.

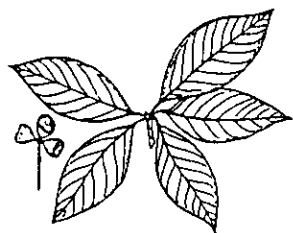
Mr Justice Noel Hemming observed that there appeared to be a "Clayton's settlement" being proposed by the Commission. He said that he would need to rule on question of lawfulness before considering the need for rehabilitation of the disturbed rainforest areas. Mr Justice Hemming set a date for a hearing of the amended application to commence on April 8, 1991.

"This latest step in the Court is designed to compel the Commission to restore an area which was never lawfully proposed to be logged," said Mr Corkill.

"I'm not going to settle for a promised EIS, and allow the damaging legal proceedings to be swept aside while a state election is held. I want a judgement on the legality of what the Commission's been doing in North Washpool for the last 10 years."

"The Forestry Commission's offer to prepare an EIS does not engender any confidence in NEFA. Their latest EIS for the Chaelundi SF, prepared during 1990, is a shoddy piece of work which will also be challenged in the Court if the Commission attempts to approve and commence logging works," Mr Corkill said.

...ends.



BRUSH BOX
Lophostemon confertus

N.E.F.A.

NORTH EAST FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945
LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

NEWS RELEASE - FOR IMMEDIATE DESPATCH - 15.1.1991

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"I allege that all rainforest logging in North Washpool, since 1980 has been illegal, and I'm asking the Court to rule on this. Further, I am asking the Court to order that the areas of rainforest which have been unlawfully harvested be rehabilitated by a variety of methods," said Mr John Corkill Applicant in the proceedings and spokesperson for the North East Forest Alliance.

The Court was told by Ms Margaret Beasley QC, Counsel for the Forestry Commission that the Commission "had made no admissions" as to the lawfulness of logging in the North Washpool forests, but had agreed to do an Environmental Impact Statement (EIS). She said that the Commission had not yet reached a satisfactory form of undertaking to settle the original proceedings, but hoped to.

Mr Tim Robertson, Counsel for Mr Corkill told the Court that rehabilitation was required because regeneration of rainforest species logged 10 years ago was not occurring and serious soil erosion problems had developed after the logging operations.

He said that "significant damage had been done to the forest" and the Commission had failed to repair damage to the forest contrary to the requirements of the Casino Management Plan, despite "pious promises to politicians and the public" that they would do so.

Mr Justice Noel Hemming observed that there appeared to be a "Clayton's settlement" being proposed by the Commission. He said that he would need to rule on question of lawfulness before considering the need for rehabilitation of the disturbed rainforest areas. Mr Justice Hemming set a date for a hearing of the amended application to commence on April 8, 1991.

"This latest step in the Court is designed to compel the Commission to restore an area which was never lawfully proposed to be logged," said Mr Corkill.

"I'm not going to settle for a promised 'EIS, and allow the damaging legal proceedings to be swept aside while a state election is held. I want a judgement on the legality of what the Commission's been doing in North Washpool for the last 10 years."

"The Forestry Commission's offer to prepare an EIS does not engender any confidence in NEFA. Their latest EIS for the Chaelundi SF, prepared during 1990, is a shoddy piece of work which will also be challenged in the Court if the Commission attempts to approve and commence logging works," Mr Corkill said.

...ends.

For more information phone John Corkill 02 660 3496 home > 7.00am

HILLMAN & WOOLF SOLICITORS

10 FL, 82 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

BRUCE WOOLF
BA LLB Dip URP

BRIAN HILLMAN
LLB. Dip B Admin.
Dip S de Fr des Aff
Accredited Migration
Consultant

OUR REF

BSW 2347/90

YOUR REF

DATE 11 April 1990

Mr J. Corkill
3 Albert Street
FOREST LODGE NSW 2037

Dear Mr. Corkill

OLD GROWTH FORESTS
LETTERS TO MINISTERS

I enclose copy letter dated 3 April, 1990 which we have received from Sally King, Policy Adviser to Tim Moore MP, Minister for the Environment.

Yours sincerely



Bruce Stephen Woolf

Encl.

19.3.90 (Hon. Moore Porcom NPWS), Moore's letter

HILLMAN & WOOLF SOLICITORS

OUR REF BSW 2347/90

YOUR REF

DATE 22 March 1990

10 FI, 82 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

BRUCE WOOLF
BA LLB Dip URP

BRIAN HILLMAN
LLB, Dip B Admin.
Dip S de Fr des Aff
Accredited Migration
Consultant

Mr J. Corkill
3 Albert Street
FOREST LODGE NSW 2037

Dear Mr Corkill

FORESTRY COMMISSION OF NSW

I note that you obtained copies of the letters dated 19 March, 1990 which we forwarded to the Commission, Forestry Commission of NSW; the Director, National Parks and Wildlife Service; the Hon. Tim Moore and the Hon. David Hay. You also obtained a copy of the Memorandum of Advice of Tim Robertson of 16 March, 1990.

I also enclose copy letter dated 15 March, 1990 from Tim Robertson to me.

Yours sincerely



Bruce Stephen Woolf

Encl.



The Honourable Richard Jones, M.L.C.
Legislative Council,
Parliament House,
SYDNEY, N.S.W. 2000.
Telephone: (02) 230 2858

PRESS RELEASE

20 September 1990

GREINER'S MINISTERS LAUGH ABOUT RAINFOREST LOGGING

Democrat Richard Jones asked three Ministers in the Upper House today whether they had read and understood the North Washpool Wilderness Assessment Report and the Natural and Cultural Heritage Conservation evaluation.

"Virginia Chadwick made it abundantly clear that she knew absolutely nothing about the wilderness values of North Washpool when she voted in Cabinet on the decision to log this pristine rainforest wilderness," said Richard Jones, MLC.

"John Hannaford, the new Minister for State Development, said that the decision was 'correct' and 'moral' but his reply suggested that the decision was a political one based on the number of votes that would be influenced and not on the merits of the issue.

"The Minister for Police skirted around the question and would not answer.

"When I asked these questions about saving this priceless wilderness the Government Members burst into laughter.

"From this reaction it is clear that the Greiner/Murray Government can only be regarded as an enemy of the environment.

"The Government is pretending to be green, but it is merely a wolf in sheep's clothing. The Government has declared no new National Park in two-and-a-half years, has sold off rainforest land for \$1 an acre, and has allowed large areas of koala habitat to be destroyed. Also, its new Coastal Policy is a developer's dream - it allows canal estates in SEPP 14 wetlands and littoral rainforest, and sandmining in wetlands and virtually unrestrained development elsewhere.

"Endangered species such as koalas, eastern spotted quolls, and other endangered flora and fauna have no hope of long term survival under the uncaring, inhumane Greiner/Murray Government," concluded Mr Jones.

For further information please contact Richard Jones on (02) 230 2858.

Protect our Environment -- Use Recycled Paper.

COMMONWEALTH RAINFOREST CONSERVATION POLICY

The Commonwealth Government recognises :

- (a) a global urgency to protect rainforest;
 - (b) that rainforest is a most valuable and diminishing world and national resource;
 - (c) the ecological complexity of Australian rainforest;
 - (d) a Commonwealth obligation in collaboration with the States, Territories and local governments, to promote the protection of rainforest;
 - (e) as a party to the World Heritage Convention, with respect to rainforest, 'the duty of ensuring the identification, protection, conservation, presentation, preservation and transmission to future generations of cultural and natural heritage' as defined in the Convention.
-
- (f) the paramount roles of State, territory and local governments in managing rainforest resources;
 - (g) traditional relationships between Aborigines and rainforest and the need to ensure that Aboriginal interests are considered in rainforest policies and programs;
 - (h) the need for rainforest to be managed in a manner that takes account of its ecological, genetic, cultural, natural heritage, scientific, economic and recreational values;
 - (i) the need for further loss or degradation of Australian rainforest to be minimised;
-
- (j) that Australia's future timber needs should be met without placing at risk the long term conservation of the rainforest resources of other countries;
 - (k) the need to take account of the effect that reductions in rainforest timber availability would have on dependent industries and communities; and
 - (l) the special and traditional values and uses of many timbers derived from rainforests trees;

and seeks to achieve the following objectives:

- (a) protect all rainforest as a matter of priority;
 - (b) provide a stable basis upon which future developments in the timber industry can be planned;
 - (c) have identified and established a system of national parks and equivalent reserves to ensure conservation of rainforest ecosystems adequate to maintain their ecological and genetic diversity and value for scientific research and educational and recreational uses;
 - (d) promote the management of any other rainforest areas on a long term sustainable basis;
 - (e) promote the rehabilitation of degraded rainforest; and
 - (f) ensure that the Australian community is made aware of the value of rainforest and the need to conserve it, and that the information necessary to support conservation measures is made available.
-

1. BSW ^{Judgment} Cripps to Legal Aid Can.
2. " → Leg Aid Can. urgent grant
urgent necessity for surveys of forest
not previously undertaken

- Hines *
- Adan *
- * a) R + Ed fauna surveys:
 - * b) Flora Assoc. incl R + Unnat
 - * c) indicative archaeological + anthropological studies.
 - * d) dieback expert Dr Margaret Lowman (Entomologist)
 - * e) M'Garity into forest 3-5 days.
 - * f) Hydrologist! run off volumes + rates:
 - * g) Freshwater Ecologist - Duncan or Barbara Riche (!)
(sensitivity of fl + fa to suspended sediment)
 - * h) Don Lunnay → forest ecology.
 - * i) effects of burning / forest traffic on forest productivity
 - * j) climate
 - * k) economics - Judy Clarke? Keith. ^{per RSL Jones → ?}
economic justification out of date

✓ ACF Tax Deductibility — Toyne?

FCG

Rf Foundation

Ros Kelly.

Norton

Colong Foundation

"Research Reports"

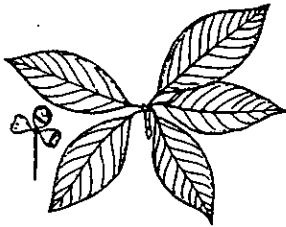
Marcus Scammell

see Lisa:

how to get \$ for the study
Aquatic fauna impacts

* Jurasais inquiry into assets

Obtain: Hastings River EIS and Transcript.
Carol Helman CV to Tim



BRUSH BOX
Lophospermum confertus

N.E.F.A.

NORTH EAST FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945
LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

BRIEFING NOTE: THE HON. NEVILLE WRAN, Q.C. - 10.9.1990

SUBJECT: PROTECTION OF NSW RAINFORESTS - '82 CABINET DECISION

Introduction

It is broadly understood that the decision of 26 October, 1982 by the Wran Government was a landmark in the conservation and protection of important conservation areas, particularly rainforests.

The World Heritage Listing of North Eastern NSW Rainforest Parks in 1986 proved the international significance of the areas protected in Cabinet's historic 1982 decision.

Issues

Concern is expressed that the 1982 decision has been weakened over the intervening years, with a process of bureaucratic 'adjustment' effectively undermining key aspects.

Despite further progress on rainforest conservation made with additions to rainforest parks in 1984, and again in 1987 with the gazettal of the SEPP 26 Littoral Rainforest Policy, much more needs to be done, on a systematic basis to ensure conservation of all remaining NSW rainforests.

The continuation of rainforest logging was based on industry demands to maintain historical employment levels, not on a consideration of sustainable yield. Rainforest logging is inherently unsustainable on time-scales less than hundreds of years. Industry has not made a transition out of rainforest logging. Further resource conflicts are underway or imminent.

Discussion points

1. Was it the intention of the Wran Cabinet to end all NSW rainforest logging by 'phasing out' progressively in an 8 year transition to non-rainforest timbers?

2. The allocation of continuing supplies of rainforest timbers to certain companies accommodated economic interests since the industry claimed massive jobs losses would result if rainforest logging was immediately halted.

3. Was an independent verification of industry employment instability provided to Cabinet to support claims of massive job losses? Who prepared this analysis?

4. Cabinet decided to establish a 'Rainforest Fund' of \$1 million "to promote and encourage the development of new technologies and to assist affected industries during the transition period in which these changes of policies will be implemented".

No evidence can be discovered of the fund having been created, or the \$1 million having been allocated.

Whose responsibility was this Fund? Was it proceeded with?

5. A subsequent decision, some time in 1983, changed the basis for continued rainforest logging, from an 8 year transition period, to the recovery of an 'agreed' volume over an unlimited time. (See attached letters.)

Was this a decision of Cabinet? A Ministerial review of Cabinet's position? An administrative 'adjustment' by FCNSW?

6. Has the acquisition of new additional information in the intervening years; viz:

- * the World Heritage values of the adjacent National Park and rainforest which extends into North Washpool, (UNESCO 1986);
- * the significance of 70 species of rare, restricted or otherwise notable plants, (Fox Survey, 1983);
- * the important Aboriginal cultural values (Bell, 1980 and Donnelly 1990);
- * the likelihood that North Washpool provides critical habitat for endangered mammal species, e.g. Eastern Native Cat, (NPWS 1990);
- * the areas importance as pristine Wilderness (WWG 1986, NPWS 1990);

changed your opinion regarding the appropriateness of the 1982 decision? If so, how?

7. Given the reliance on the ForTech Report in 1982 regarding alternate timber sources, what is your opinion of the FCNSW's reliability in resource assessments? Do you have an opinion as to FCNSW's efficacy in 'policing' the timber industry or enforcing NSW laws?

8. Is the 'social contract' referred to by Premier Greiner accurately set out in the attached Press Release?

Prepared by John Corkill, Sydney NEFA Co-ordinator. ENCL.=5

28th November, 1984.

The Hon. J. Crosio
Minister for Natural Resources
Parliament House
SYDNEY 2000.

Dear Minister,

Big River Timbers

I am writing to enquire about the rainforest timber supplies available to Big River Timbers and would be grateful for information on the following:

1. Their source of timber in the 1982/83 quota year and quantity.
2. Their source of timber in the 1983/84 quota year and quantity.
3. Timber supplies, at present outside areas 7b, 6b, 7a (North Washpool) and available to Big River Timbers.
4. Big River Timber's quota and copy of their licence.
5. Proposals by Big River Timbers to switch to non-rainforest timbers and any timetable agreed to by the Forestry Commission.

Yours faithfully,

Jeff Angel
Assistant Director
Total Environment Centre.

The Commission for Forestry Management (CFM) hardwood species on land in its regional and national forests at Grafton. It is understood that Big River Timbers expect the transition period to be a 10 year number of years, however, the Forestry Commission for all species of timber and the Commission for all



NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

23-33 BRIDGE STREET
SYDNEY 2000

Mr. J. Angel,
Assistant Director,
Total Environment Centre,
18 Argyle Street,
SYDNEY. N.S.W. 2000 00.

15 FEB 1985

Dear Mr. Angel,

I refer to your letter of 28th November, 1984 enquiring about rainforest timber supplies to Big River Timbers.

Answers to your specific questions are provided in the numbered order presented by you as follows:-

1. 2 407 cubic metres net log volume, obtained from Billilimba State Forest during 1982/83.
2. 2 400 cubic metres and 448 metres net log volume from Billilimba and Ewingar State Forests respectively for 1983/84.
3. Approximately 1 000 cubic metres net log volume.
4. 6 260 cubic metres net log volume per annum.
5. The Company has already commenced to cut hardwood species and utilise them in its plywood manufacturing at Grafton. It is understood that Big River Timbers expect the transition period to extend over a number of years, however, the Forestry Commission has not agreed to any specific timetable for completion, to date.

Yours sincerely,



JANICE CROSIO,
Minister for Natural Resources.

NEW SOUTH WALES

MINISTER FOR LOCAL GOVERNMENT
AND LANDS

Mar 83

Mr. A.K. Jordan,
Executive Director,
N.S.W. Forest Products Association Ltd.,
P.O. Box Q145,
Queen Victoria Building,
SYDNEY. N.S.W. 2001.

	Circuit	Action
DIR	<i>[initials]</i>	<i>[initials]</i>
ADM		
PR	<i>[initials]</i>	
ENV	<i>[initials]</i>	
File <i>P4</i>		

Dear Mr. Jordan,

I refer again to your letter of 2nd December, 1982, concerning the meeting of members of your Association with the Minister for Planning and Environment and myself on 28th October, 1982, regarding Cabinet's decision on rainforests.

With respect to alternative timber sources to those within proposed National Parks, I can confirm that Cabinet has agreed that all necessary action, including the possible use of a state environmental planning policy or, if necessary, special legislation, be taken to ensure that such alternatives are made available for logging. The logging of these areas and in all State Forests and other Crown-timber lands will continue to be under the control of the Forestry Commission.

I agree that assurances are necessary to permit industry to confidently continue with those investments necessary to maintain its viability, and you may care to also approach my colleague, the Minister for Planning and Environment, with whose portfolio certain of these matters overlap.

With respect to alternative rainforest volumes, specifically in the Washpool and Hastings areas, it was agreed that these are to be regarded as available to industry on a volume rather than time control basis, provided that an increase in the period over which the volumes are utilised does not result in job losses.

I will be happy to receive submissions from the industry on both the Hastings and Barrington Tops areas and have been pleased to receive several such submissions to date.

With respect to future resource investigations, the Forestry Commission will continue to seek industry views and provide reasonable opportunities for input. Again, you may care to approach my colleague, the Minister for Planning and Environment, on this matter.

Yours faithfully,

[Signature]

(A.R.L. GORDON),
Minister for Local Government
and Lands.



Premier of New South Wales
Australia

September 4, 1990

STATE CABINET DECISION ON NORTH WASHPOOL

State Cabinet today agreed to adhere to a decision taken by the Wran administration on the future of the North Washpool forest area.

In a joint announcement Premier Nick Greiner and the Minister for Forestry, Garry West said Cabinet had endorsed the 1982 decision to allow logging in the Billilimba and Washpool State Forests.

"At the time that decision amounted to a social contract between the people of the area and the government of the day," Mr Greiner said.

"If society is to function properly a contract of that kind, in this case made by a previous administration, should be honoured."

Mr West said the Cabinet decision provided the promised long term security to the local industry and local communities.

He said Cabinet had considered a National Park and Wildlife Service report on the area in question.

The report had recommended a series of options ranging from total national park to maintaining the status quo.

"Cabinet decided there should be no change to the previous government's decision after considering all points of view," Mr West said.

"The decision will not only give long term security to the industry. It will also be of enormous benefit to the State's north-east."

Contact: David Jones (02) 228 3666 (0)
Premier's Press Secretary

Geoff Mott (02) 230 2210
Minister for Forestry Press Secretary

GOVERNMENT POLICY ON RAINFORESTS

Cabinet at its meeting on October 26, 1982 decided on a rainforest policy involving:

- conservation of certain rainforest areas in national parks and nature reserves;
- maintenance of employment levels consistent with that existing and predicted from the Forestry Commission's current management proposals;
- identification of alternative timber sources, the availability of which will be guaranteed.

A "Rainforest Fund" be established with an initial sum of \$1 million to promote and encourage the development of new technologies and to assist affected industries during the transition period in which these changes of policies will be implemented.

In the management of hardwood resources in the Forestry management areas affected by the new rainforest parks and reserves, the Government has reaffirmed the principle of sustained yield.

Border Ranges

- 1 That the Border Ranges National Park be extended to include Wiangarie, Roseberry and part of Mt Lindesay State Forests.
- 2 That the Grady's Creek Flora Reserve be included within the Border Ranges National Park without prior logging.
- 3 That the Murray Scrub area in Toonumbar State Forest be reserved as a flora reserve.
- 4 That the Forestry Commission continue its current practice of drawing the entire brushwood quota of Munro and Lever Pty Ltd of 8,500m³ per annum from the Urbenville Management Area followed by the phasing in of plantation resources of hoop and bunya pine from Pikapene, Beaury, Koreelah and Toonumbar State Forests. Other mills utilising timber resources from the Urbenville management area will not be affected.

Nightcap

- 1 That the area comprising Goonimbar State Forest (3,197 hectares) and part of Whian Whian State Forest (975 hectares) plus three adjoining parcels of vacant Crown land, be reserved as Nightcap National Park.
- 2 That logging within the proposed park be not permitted to recommence and that the balance of the combined hardwood/rainforest quota from the Murwillumbah Working Circle be obtained elsewhere in the Murwillumbah Working Circle and supplemented by a limited volume to be obtained from the adjoining Mullumbimby Working Circle until 1984.

Washpool

- 1 That the remaining allocation of rainforest timbers to Big River Timbers Pty Ltd from the 1982/83 quota year be halved to a maximum volume of 25,300m³.

The Government will assist Big River Timbers in obtaining alternative non rainforest timbers during an eight year transition from rainforest timbers.

- 2 That the proposed 25,300m³ allocation of rainforest timbers to Big River Timbers Pty Ltd be obtained from Area 6b and Area 7b of Washpool or other possible alternative areas.
- 3 That the current projected life of the hardwood mills in the Casino West Management Area be maintained by a requirement for such mills to utilise as large as practicable volume of ex quota logs with additional supplies from the northern section of Washpool.
- 4 That hardwood supplies for the Grafton Management Area be contained from outside the Washpool area and the northern section of Washpool and the date of commencement of the second cutting cycle be brought forward as far as practicable consistent with sustained yield management. Further, the Forestry Commission should encourage the establishment of a smallwood industry in the Grafton Management Area.
- 5 That the Washpool Area (except for Area 6b, Area 7a and Area 7b) be reserved as a national park. Additionally part of Never Never and Killungoondie State Forest will be added to Dorrigo National Park, part of Marengo State Forest will be reserved as a nature reserve, and the Cambridge Plateau in Richmond Range State Forest will be reserved as a flora reserve.

Black Scrub

- 1 That the western section of Bellinger River State Forest be included in the New England National Park.

Hastings

- 1 That no rainforest logging be permitted within lands proposed by the National Parks & Wildlife Service for reservation as an addition to Werrikimbe National Park and an addition to Mount Seaview Nature Reserve.
- 2 That approval be given to the reservation under the National Parks & Wildlife Act of those parts of Mount Boss, Mount Seaview and Doyles River State Forests proposed by the National Parks & Wildlife Service. Relevant departments have been requested to formulate a plan to rationalise arrangements for hardwood supply and consequent employment.
- 3 That existing rainforest mills be supplied limited rainforest resources equivalent to the present rate of cut until mid 1984 from the alternative areas identified by Fortech and thereafter the Forestry Commission arrange for these mills to adjust to the utilisation of non rainforest species.

Barrington

- 1 There is no rainforest logging in the Barrington Tops. Relevant departments have been requested to report on additions to Barrington Tops National Park.

HIGH CONSERVATION VALUE - OLD GROWTH - FORESTS OF EASTERN NSW

- AREAS OF CONCERN -

The following areas of high conservation value forests, largely old growth forests, have been identified on and east of the great dividing escarpment in New South Wales.

This list has been prepared on the basis of limited preliminary assessments by the South East Forest Alliance and the North East Forest Alliance.

Both groups assert that this list is indicative only and cannot be assumed to represent an exhaustive listing of high conservation forests in eastern NSW.

Detailed and exhaustive studies, by researchers independent of the NSW Forestry Commission, are required to determine the full extent of remaining 'old growth' forests and to fully document the range of high conservation values extant in these areas and areas which may be subsequently identified.

SUMMARY

Progressive estimate of areas:

NEFA areas - 9 SF's notified to MP's and FORCOM (19.3.90)
Sub total 21,950 ha

NEFA areas under legal consideration,
Sub total 14,719 ha

SEFA areas preliminary identification
Sub total 39,361 ha

At 1.5.90 Progressive total 76,030 ha

OLD GROWTH FORESTS OF NORTH EAST of N.S.W.

Agreement or undertaking given by Forestry Commission

- * Richmond Range S.F. (Dome Mountain area)
Compartment Nos. 201 - 208,
and part Yabbara S.F. 135 & 136 - 2,800 ha
- * Ben Halls Gap S.F. approx. 3,000 ha

Sub total 5,800 ha

Land and Environment Court Injunction

- ** Mount Royal SF, (Davis Creek) 999 ha
Mount Royal Management Plan 1988
Compartment Nos.
Adjacent
- ** Chaelundi SF, (Pine Creek) 7,000 ha
Dorrigo Management Plan 1985
Compartment Nos. 180, 197 - 204, 209 - 219, 221 - 224,
302 - 306,
Adjacent Broadmeadows Rd/Liberation Fire Trail off
Chaelundi Forest Way;

Sub total 7,999 ha

Ombudsmans Investigation and Report

- *** Nullum SF, (Blackbutt Plateau) 920 ha
Murwillumbah Management Plan 1988
Compartment Nos.
Adjacent Nevasae Rd off Wilsons Ck Rd

NEFA Sub Total (all above on this page) 14,719 ha

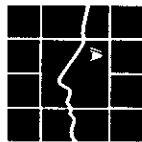
OLD GROWTH FORESTS OF SOUTH EAST of N.S.W.

SEFA has identified the following areas of high conservation value forests as threatened by roading, logging and burning.

- Monga SF 10,200 ha
- Dampier S.F. (Diamond Ck / Geogre Ck) approx 2,000 ha
- Murrabrine S.F. 7,500 ha
- Bemboka S.F. 14,000 ha
- Tantawangalo S.F. (Devils Creek) approx. 1,000 ha
- Cathcart S.F. 4,661 ha

Sub total 39,361 ha

My Registrations for:-



V.L. Industries (Qld) P/L
Thos. Ridgocke & Sons (Aust) P/L
Notaras Bros Sawmillers P/L

John
Corkill

With Compliments

Stockland House 175 Castlereagh Street Sydney GPO Box 7018 Sydney NSW 2001

Telephone (02) 895 0111 Telex 26504 CASYD DX7

Business & Consumer Affairs is an agency of the NSW Government

NATIONAL COMPANIES AND SECURITIES COMMISSION
Form 600 Sub-section 263(1) Regulation 5GA

ANNUAL RETURN OF A COMPANY

Please refer to the accompanying instructions before completing this form.

Company No:

000693023

Page 1 of 2

27

C JACKET

CODE

ABCEFGQ

08

RIG RIVER TIMBERS PTY LTD

000693023

TREHAY RD
CARRS CREEK JUNCT
GRAFTON 2460 294

1. FULL NAME OF COMPANY

2. ADDRESS OF REGISTERED OFFICE

(Financial year ended)

30 / 6 / 89

3. CLASS OF COMPANY

If company is public or non-exempt, accounts and reports must be lodged.

Public ☐

Exempt proprietary ☒

Non-exempt proprietary ☐

Was the company exempt throughout the financial year to which this return relates? Yes ☒ No ☐

4. PRINCIPAL ACTIVITIES

Where the principal activity of the company is acting as a trustee for a trust or trusts, state the nature or purpose of that trust or trusts.

PLYWOOD MANUFACTURERS

5. PARTICIPATING STATES OR TERRITORIES

Name of Company is registered in SYDNEY

Enter address of the company's principal office in each participating State and Territory in which the company has a place of business or carries on business.

STATE	Address	STATE	Address
NSW	9 MASON DRIVE, BRAESIDE VIC. Postcode: 3195	NSW	
VIC		VIC	
QLD	33 COLERIDGE STREET EAST, ACACIA RIDGE. Postcode: 4106	QLD	

6. DIRECTORS, PRINCIPAL EXECUTIVE OFFICER AND SECRETARIES

List details of all officers as at the date of this Return or amend existing data. For additional details, not advised previously use the attached 'Statement of Changes' form. Enter date and place of birth in respect of Officers appointed or re-appointed after 30th March, 1986 (54 c 236)

Surname, Given names	Usual residential address	Date and place of birth (Town and Country)	Office held
PIDCOCK KYRAN THOMAS	GRAFTON 2460	02/09/44 GRAFTON	DIR
PIDCOCK JOHN LOUIS	CLIFTON GARDENS 2096	30/12/34 GUSFORD	DIR
PIDCOCK CHARLES PATRICK	NELSON HAY 2315	07/10/41 GRAFTON	DIR
PIDCOCK DENTS WILLIAM	NEWTOWN 2042	04/11/38 GRAFTON	DIR
KEMNICH TERENCE DOUGLAS	MYLNEFORD 2460	27/10/51 MACLEAN AUSTRALIA	SEC

7. AUDITOR DETAILS

Insert the full name of the firm(s) or individual(s) holding office as auditor(s) and the Address of principal place of practice in Australia at the date on which the annual return is signed.

Name	
Address	
Postcode	
Phone	

If an auditor was appointed, did the report of the auditor of the company for the financial year include a statement of reasons for the auditor not being satisfied as to any matter referred to in paragraph 265(3)(a), or a statement of particulars of any deficiency, failure or shortcoming in respect of any matter referred to in sub-section 265(4)?

Yes ☐

No ☐

Where an exempt proprietary company appoints an auditor and that auditor's report for the financial year included either, or both, of those statements, attach a copy of that auditor's report in accordance with sub-paragraph 51 (1)(b) of the Companies Regulation.

00693023

ANNUAL RETURN OF A COMPANY

Page 2 of 2

ANNUAL GENERAL MEETING (A.G.M.)

For the financial year ended 31/12/89, the AGM was held on 11/11/89 at 11 Breimba Street, Grafton. The AGM was held in accordance with the provisions of the Companies Act 1985.

ANNUAL GENERAL MEETING FOR PREVIOUS FINANCIAL YEAR

For the financial year ended 31/12/88, the AGM was held on 11/11/88 at 11 Breimba Street, Grafton. The AGM was held in accordance with the provisions of the Companies Act 1985.

7. SHARE DETAILS (Refer to accompanying instructions)

Number of shares issued

Nil

Paid Up Capital

\$ 118,816

11. LIST OF MEMBERS (In alphabetical order - Please refer to instructions for number & class of shares)

For the financial year ended 31/12/89, the AGM was held on 11/11/89 at 11 Breimba Street, Grafton. The AGM was held in accordance with the provisions of the Companies Act 1985.

Surname, Given Name

Residential Address

No. of shares held

PIDCOCK, Thomas Louis

11 Breimba Street, Grafton

2

As Nominee for Thos. Pidcock & Sons Pty. Limited

Pty. Limited

THOS. PIDCOCK & SONS PTY. LIMITED

Trenayr Road, Junction Hill
Via Grafton.

59,406

Total: 59,408

12. NAME OF COMPANY'S ULTIMATE HOLDING COMPANY

Name THOS. PIDCOCK & SONS PTY. LIMITED

Place of Incorporation SYDNEY

State or Territory in which each of these names is registered

13. BUSINESS NAMES

List the names under which the company carries on business

NSW	VIC	QLD	SA	WA	TAS	ACT	NT

14. KEY FINANCIAL DATA (as at the end of the financial year - N.B. Public and non-exempt companies must also lodge accounts)

Current assets \$ 5,075,012

Current liabilities \$ 4,279,738

Share capital & reserves \$ 1,303,199

Other liabilities \$ 1,095,985

Other assets \$ 1,603,910

Not tangible assets \$ 6,678,922

For the financial year ended 31/12/89, the company has:

Items after income tax \$ 640,990

Where the company has:

(1) the liabilities incurred by the company at the end of the financial year

(2) the amount by which the company's assets exceed its liabilities

15. DECLARATION

I certify that, to the best of my knowledge and belief -

(a) the information contained in this return is correct as at the date of signing;

(b) the information in the accompanying STATEMENT OF CHANGES IN PARTICULARS SHOWN ON ANNUAL RETURN correctly records changes that have occurred up to the date of signing this return and which in the case of items 2, 4, 5 & 8, have not previously been lodged with the Commissioner;

(c) the key financial data in items 14 have been accurately extracted from accounting records kept in accordance with sub-section 267(1);

(d) there are reasonable grounds to believe that the company will be able to pay its debts as and when they fall due; and

(e) this declaration is made pursuant to a resolution of the board of directors of the company which adopted the contents of this annual return.

Dated this

22nd

day of

November,

1989

T.D. KEMPNIH

Director of the company

Signature of Director

* Strike out whichever is not applicable. If the company is a company limited by guarantee, the directors are able to form an opinion in respect of the matter.

LOGGING PARTY DETAILS

MR. T.D. KEMPNIH
BIG RIVER TINDERS PTY. LIMITED
P.O. BOX 281,
GRAFTON, N.S.W. 2460

Mark X if company is a public company

ON 21/10/89 SYDNEY

066 44 7211

Attention: Aldis + RSL JONES

from J. Conkall

DRAFT QUESTIONS TO BE ASKED

Rainforest Fund

In 1982 Cabinet announced a Rainforest Fund of \$1 million for "to promote and encourage the development of new technologies and to assist affected industries during the transition period in which these changes of policies will be implemented".

Whose responsibility was the allocation of monies from this Fund?

What funds were allocated to what companies? for what purposes? When?

Were these funds spent as they were intended?

What auditing of the fund and the expenditure has been undertaken? When?

Is there any money remaining in the Fund?

Washpool National Park boundary

Does the northern boundary line of the Washpool National Park, drawn in 1982 and redrawn in 1984, reflect the boundaries of eco-systems of the area?

Did the Government sacrifice the North Washpool area, in a compromise deal made at the insistence of the then Member for Clarence Mr Don Day, in order to maintain his seat?

If not, what was the basis for drawing the Northern boundary of the Washpool National Park?

End to Rainforest logging

Did the 1982 decision of Cabinet intend to end all logging of rainforest except for specific areas, where logging was to be permitted during an eight (8) year 'phasing out' period?

Did Cabinet decide that there was to be no rainforest logging after 1990?

If so, why did Premier Greiner refer to the 1982 as a binding 'social contract' when he refused to protect the North Washpool Wilderness.

If not, then when will the logging of ancient remnant rainforest ecosystems be finally terminated? When all the rainforest has been logged?

Forest closure of Washpool and Billilimbra SF's

Have the Washpool and Billilimbra State Forests been closed by the Forestry Commission, preventing public access to these public lands?

On whose authority and on what date were the forests closed?

For what purposes were the forests closed? Are these purposes consistent with the requirements of the Forestry Regulations?

**HILLMAN
& WOOLF
SOLICITORS**

OUR REF BSW 2489/0

10 FL, 82 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

YOUR REF

BRUCE WOOLF
BA LLB Dip URP

DATE 19 September 1990

BRIAN HILLMAN
LLB, Dip B Admin.
Dip S de Fr des Aff
Accredited Migration
Consultant

Mr P. Bowe
H K Roberts
Crown Solicitor
8-12 Chifley Square
SYDNEY NSW 2000

Dear Sir

CORKILL v FORESTRY COMMISSION OF NEW SOUTH WALES
No. 40208 of 1990, LAND AND ENVIRONMENT COURT

We enclose herewith a Notice to Produce documents for the purpose
of the hearing of the motion before the Court tomorrow.

Yours faithfully,

Encl.

IN THE LAND & ENVIRONMENT COURT
OF NEW SOUTH WALES

No. 40208 of 1990.

JOHN CORKILL

Applicant

FORESTRY COMMISSION OF NSW

Respondent

NOTICE TO PRODUCE

Filed by:

HILLMAN & WOOLF,
Solicitors,
82 Elizabeth Street,
SYDNEY NSW 2000
DX: 1558 SYDNEY
PH: 221-8522
FAX: 223-3530
REF: BSW 2489/0

To the Respondent:

The Applicant requires you to produce at the hearing of the motion at 9.30 am on 20 September 1990 the following documents for the purpose of evidence -

1. File notes, correspondence, minutes, memoranda and notes of conversations recording or reporting enquiries of and/or information from the "responsible officers of the Forestry Commission" referred to in paragraph 4 of the affidavit of Anthony Eric Ireland sworn 18 September 1990 and filed herein.
2. Documents recording or referring to steps undertaken by or on behalf of the Respondent to produce the documents referred to in the subpoena issued on behalf of the Applicant on 12 September 1990 directed to the Respondent.

Date: 19 September 1990.

.....

Solicitor for the Applicant

TO: FORESTRY COMMISSION OF NEW
SOUTH WALES (RESPONDENT),
C/- H K ROBERTS,
CROWN SOLICITOR,
8-12 Chifley Square,
SYDNEY NSW 2000

HILLMAN & WOOLF SOLICITORS

10 FL, 82 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

BRUCE WOOLF
BA LLB Dip URP

BRIAN HILLMAN
LLB, Dip B Admin.
Dip S de Fr des Aff
Accredited Migration
Consultant

FAX NO.: 247 5945

19 September 1990

TO: JEFF CHURCHILL

FROM: Bruce Woolf

RE: NORTH WASHPOOL

ENCL.:

No. of pages including this page: 5

IF THE ABOVE MESSAGE COVERS IT IS NOT RECEIVED PLEASE TELEPHONE (02) 221 8522

FURTHER MESSAGE IF ANY

Tim Robertson requests that you produce by 8.00am, 19 September, 1990, a comparative list under the headings of the paragraphs of clause 5 of the Subpoena issued to the Forestry Commission which list gives the following information.

1. The heading under the paragraph number;
2. The reference in the 1980 Environmental Impact Statement to that item in the list, eg rainfall. If no reference is in the EIS to that subject matter then state that this is the case.
3. If there is a reference in the EIS, detail whether site specific survey work was done in relation to that item. Was North Washpool particularly referred to in relation to that item?

This list is required urgently to support the request for the Subpoena documents.

Yours sincerely

per J. Redmond

Bruce Stephen Woolf

Charmaine not available 7-9 October '90

TO: The Proper Officer
Forestry Commission of NSW
Forestry House
95 York Street,
SYDNEY NSW 2000

THE COURT ORDERS THAT you shall attend and produce this Subpoena and the documents and things described in the Schedule:-

- (a) before the Court
- (b) at Level 6,
American Express Tower,
388 George Street
(cnr King Street)
SYDNEY NSW 2001
- (c) on 18th day of September 1990 at 9.00 am or, if notice of a later date is given to you, the later date at am and until you are excused from further attending; but -
 - (i) you need not attend or produce any document or thing on any day unless reasonable expenses have been paid or tendered to you.
 - (ii) instead of so attending, you may produce this Subpoena and the documents and things described in the Schedule to a clerk of the Court at the above place by hand or by post, in either case so that the clerk receives them no later than two days before the first date on which you are required so to attend, specified for attendances.
 - (iii) you need not comply with this Subpoena if it requires your attendance at a place in Sydney and is served on you after the last day for service shown below.

IN RE: CONNELL

Applicant

FORESTRY COMMISSION
Respondent

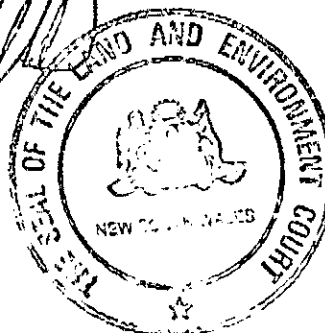
Respondent

SUBPOENA FOR PRODUCTION

TIME FOR SERVICE
ATTACHED TO 4pm on 12/9/90
ORDER
M. J. CONNELL
REGISTRAR

Filed by:

HUGHES & WOODS
Solicitors
82 Elizabeth Street
SYDNEY NSW 2000
DX: 1568 SYDNEY
PH: 221 8700
FAX: 223 3530
REF: BSW 2489/0



SCHEDULE

"North Washpool" refers to Compartments numbers 700-713 inclusive in Washpool State Forest No. 355 and 700-713 inclusive in Billilimbra State Forest. "Forestry activities" refers to logging, harvesting, and other activities conducted by or on behalf of the State or on its behalf or knowledge.

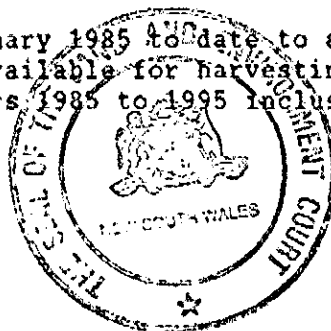
Final harvesting, roading and burning plans and maps for North Washpool from 1 September, 1980 to date.

2. Logging history maps and/or plans for North Washpool.
3. Draft and Final Management Plans for the Casino West Management Area from July 1979 to date.
4. Draft and Final Environmental Reviews for forestry activities in North Washpool from 26 October, 1982 to date.
5. Studies, reports, notes, correspondence, memoranda and other records concerning research on North Washpool (including the collection and/or analysis of data) relating to:

- (a) flora
- (b) vertebrate fauna
- (c) invertebrate fauna
- (d) avifauna
- (e) aquatic fauna
- (f) hydrology
- (g) rainfall
- (h) climate
- (i) wind speed and direction
- (j) geology and soil types
- (k) erosion potential
- (l) water quality
- (m) archaeology
- (n) anthropology
- (o) visual amenity
- (p) recreational use
- (q) impact of forestry activities
- (r) proposals to mitigate impacts of forestry activities
- (s) fire management
- (t) fuel management
- (u) fuel loads
- (v) ground truthing of forest type maps

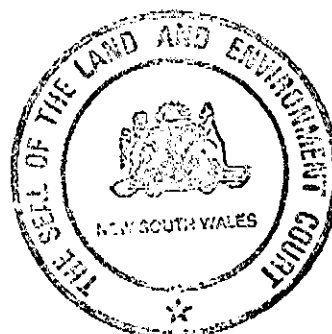
used in the preparation of the 1980 EIS entitled "Proposed Forest Operations in the Washpool Area."

6. Original and copy timber licences and correspondence relating to allocation of quotas and recovery of ex-quota logs for North Washpool from 26 October 1982 to date.
7. All working documents used 1 January 1985 to date to assess volumes of hardwood and softwood timber available for harvesting in the Coffs Harbour region for the years 1985 to 1995 inclusive.




-2-

7. All consents from 1 January 1985 to date of hardwood and rainforest timber volumes available for harvesting in the Coffs Harbour Region in any of the years 1985 to 1995 inclusive.
8. Documents recording or referring to approvals (including consents, licences or permissions) by the Respondent for forestry activities in North Washpool from 26 October, 1982 to date.
10. Documents recording or referring to decisions by the Respondent to carry out forestry activities in North Washpool from 26 October, 1982 to date.
11. Documents recording or referring to final decisions by the Respondent to undertake and/or approve of the undertaking of forestry activities in North Washpool from 26 October, 1982 to 2 February, 1986.
12. Correspondence, reports, notes, memoranda, submissions and other records relating to:
 - (a) timber quotas allocated to Big River Timber Company Pty Ltd ("BRT");
 - (b) volumes and types of timber extracted by BRT and Forests from which the timber was extracted from 26 November, 1982 to date.



DATED: 12/9/10



BY THE COURT REGISTRAR
NEW SOUTH WALES
Late day for service
Issued at the request of BRUCE STEPHEN WOOLF
Applicant's Solicitor.

4pm on 12/9/10

NOTE THAT:-

1. if you do not comply with this Subpoena you may be arrested;
2. If, by paragraph (c)(i), you are permitted to produce this Subpoena and other documents and things to a clerk of the Court at 388 George Street, Sydney you may produce them to the Clerk by hand at the office counter, level 6, at the place or by posting them to:

Exhibits Clerk
Land & Environment Court of
New South Wales
GPO Box 3365
SYDNEY NSW 2001
3. In accordance with paragraph (c)(ii);
4. In paragraph (c)(ii), "days" means days other than Saturdays, Sundays, and other holidays;
5. documents and things produced by you in accordance with this Subpoena may be returned by post to you at your address shown in the Subpoena but you may in writing on or attached to the Subpoena request that they be posted to you at another address given to you;
6. any questions relating to the requirements of this Subpoena should be directed not to the Court but to the person who requested the issue of this Subpoena.

**HILLMAN
& WOOLF
SOLICITORS**

10 FI, 82 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

BRUCE WOOLF
BAILL Dip URP

BRIAN HILLMAN
LLB, Dip B Admin.
Dip S de Fr des Aff
Accredited Migration
Consultant

OUR REF BSW 2489/0

YOUR REF

DATE 18 September 1990

TO: Mr JOHN CORKILL

FAX NO.: 247 5945

FROM: Bruce Woolf

RE: NORTH WASHPOOL

ENCL.:

No. of pages including this page: 5

IF THE ABOVE NO. OF PAGES IS NOT RECEIVED PLEASE TELEPHONE (02) 221 8522

FURTHER MESSAGE IF ANY

Tim Robertson requests that you produce by 8.00am, 19 September, 1990, a comparative list under the headings of the paragraphs of clause 5 of the Subpoena issued to the Forestry Commission which list gives the following information.

1. The heading under the paragraph number;
2. The reference in the 1980 Environmental Impact Statement to that item in the list, eg rainfall. If no reference is in the EIS to that subject matter then state that this is the case.
3. If there is a reference in the EIS, detail whether site specific survey work was done in relation to that item. Was North Washpool particularly referred to in relation to that item?

This list is required urgently to support the request for the Subpoena documents.

Yours sincerely

per J. Redmond

Bruce Stephen Woolf

Charmaine not available 7-9 October '90

IN THE LAND & ENVIRONMENT COURT

OF NEW SOUTH WALES

No. 40208 of 1990

TO: The Proper Officer
Forestry Commission of NSW
Forestry House
95 York Street,
SYDNEY NSW 2000

THE COURT ORDERS THAT you shall attend and produce this Subpoena and the documents and things described in the Schedule:-

- (a) before the Court
- (b) at Level 6,
American Express Tower,
388 George Street
(cnr King Street)
SYDNEY NSW 2001
- (c) on 18th day of September 1990 at 9.00 am or, if notice of a later date is given to you, the later date at am and until you are excused from further attending; but -
 - (i) you need not attend or produce any document or thing on any day unless reasonable expenses have been paid or tendered to you.
 - (ii) instead of so attending, you may produce this Subpoena and the documents and things described in the Schedule to a clerk of the Court at the above place by hand or by post, in either case so that the clerk receives them no later than two days before the first date on which you are required so to attend, specified for attendances.
 - (iii) you need not comply with this Subpoena if it requires your attendance at a place in Sydney and is served on you after the last day for service shown below.

JOHN CORRELL

Applicant

FORESTRY COMMISSION
OF NSW

Respondent

SUBPOENA FOR PRODUCTION

TIME FOR SERVICE
ABRIDGED TO 4pm on 12/9/90
ORDER
M. J. CONNELL
REGISTRAR

Filed by:

HILLMAN & WOOLF
Solicitors
82 Elizabeth Street
SYDNEY NSW 2000
DX: 1558 SYDNEY
PH: 221 8522
FAX: 223 3530
REF: BSW 2489/0



SCHEDULE

In this Schedule, the expression "North Washpool" refers to Compartments numbers 686-694 inclusive, 697-699 inclusive in Washpool State Forest No. 355 and Compartment numbers 679, 695, 696, 700-713 inclusive in Billilimbra State Forest No. 815 and the expression "forestry activities" refers to logging, harvesting, roading, burning and associated activities conducted by or on behalf of the Respondent or with its consent or knowledge.

1. Draft and final harvesting, roading and burning plans and maps for North Washpool from 1 September, 1980 to date.
2. Logging history maps and/or plans for North Washpool.
3. Draft and final Management Plans for the Casino West Management Area from July 1979 to date.
4. Draft and final Environmental Reviews for forestry activities in North Washpool from 26 October, 1982 to date.
5. Studies, reports, notes, correspondence, memoranda and other records concerning research on North Washpool (including the collection and/or analysis of data) relating to:

- (a) flora
- (b) vertebrate fauna
- (c) invertebrate fauna
- (d) avifauna
- (e) aquatic fauna
- (f) hydrology
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- (h) climate
- (i) wind speed and direction
- (j) geology and soil types
- (k) erosion potential
- (l) water quality
- (m) archaeology
- (n) anthropology
- (o) visual amenity
- (p) recreational use
- (q) impact of forestry activities
- (r) proposals to mitigate impacts of forestry activities
- (s) fire management
- (t) fuel management
- (u) fuel loads
- (v) ground truthing of forest type maps

used in the preparation of the 1980 EIS entitled "Proposed Forest Operations in the Washpool Area."

6. Original and copy timber licences and correspondence relating to allocation of quotas and recovery of ex-quota logs for North Washpool from 26 October 1982 to date.
7. All working documents used 1 January 1985 to date to assess volumes of hardwood and rainforest timber available for harvesting in the Coffs Harbour Region in any of the years 1985 to 1995 inclusive.



-2-

8. All assessments from 1 January 1985 to date of hardwood and rainforest timber volumes available for harvesting in the Coffs Harbour Region in any of the years 1985 to 1995 inclusive.
9. Documents recording or referring to approvals (including consents, licences or permissions) by the Respondent for forestry activities in North Washpool from 26 October, 1982 to date.
10. Documents recording or referring to decisions by the Respondent to carry out forestry activities in North Washpool from 26 October, 1982 to date.
11. Documents recording or referring to final decisions by the Respondent to undertake and/or approve of the undertaking of forestry activities in North Washpool from 26 October, 1982 to 2 February, 1986.
12. Correspondence, reports, notes, memoranda, submissions and other records relating to:
 - (a) timber quotas allocated to Big River Timber Company Pty Ltd ("BRT");
 - (b) volumes and types of timber extracted by BRT and Forests from which the timber was extracted from 26 November, 1982 to date.



DATE: 12/4/40

BY THE COURT REGISTRAR

NEW SOUTH WALES

late day for service

Issued at the request of BRUCE STEPHEN WOOLF
Applicant's Solicitor.

4pm on 12/4/40

NOTE THAT:-

1. if you do not comply with this Subpoena you may be arrested;
2. if, by paragraph (c)(ii), you are permitted to produce this Subpoena and other documents and things to a clerk of the Court at 388 George Street, Sydney you may produce them to the Clerk by hand at the office counter, level 6, at the place or by posting them to:

Exhibits Clerk
Land & Environment Court of
New South Wales
GPO Box 3365
SYDNEY NSW 2001

in accordance with paragraph (c)(ii);
3. in paragraph (c)(ii), "days" means days other than Saturdays, Sundays, and other holidays;
4. documents and things produced by you in accordance with this Subpoena may be returned by post to you at your address shown in the Subpoena but you may in writing on or attached to the Subpoena request that they be posted to you at another address given to you;
5. any questions relating to the requirements of this Subpoena should be directed not to the Court but to the person who requested the issue of this Subpoena.

Tel: (02) 229 7337
Fax: (02) 221 6036
DX 450 SYDNEY

TIM ROBERTSON
Frederick Jordan Chambers
233 Macquarie Street
Sydney N.S.W. 2000

17 September 1990.

Mr Bob Carr,
Leader of the Opposition,
Parliament House,
Macquarie Street,
SYDNEY NSW 2000.

Dear Bob,

RE: NORTH WASHPOOL.

I refer to our oval table conference on 10 September 1990 concerning this matter.

As you know, a problem has arisen about the precise terms of the 1982 Rainforest Policy Decision. Since our conference I have had the opportunity of discussions with some participants and I have read the Cabinet papers. In relation to Washpool, the 1982 Rainforest Policy decision was as follows:

1. The remaining allocation of rainforest timbers to Big River Timbers Pty Ltd from the 1982/3 year be halved to a maximum volume of 25,300 cubic metres. This was a total terminating quota not a yearly quota and it constituted a reduction in total quota from 67,862 cubic metres (as at 31 May 1980).

Source: The reduction in quota was proposed in the DEP's Environmental Impact Assessment entitled "Proposed Forest Operations in the Washpool Area" (May 1982) at pages 136-137 (Attachment 1). The proposal was crystallized in the Paper presented by the Minister for Planning and Environment to Cabinet on 25 October 1982 entitled "Rainforest", being recommendation 1(p. 51, Annexure "A", Whitehouse affidavit). Cabinet's

decision was recorded in notes prepared by the Secretary to Cabinet, the Hon. Terry Sheahan, MP (Annexure B to the Whitehouse affidavit). The decision was announced in an annexure to the Premier's press statement of 26 October 1982 entitled "Government Policy on Rainforests", Washpool, para 1. (Annexure C, Whitehouse affidavit).

(BRT)

2. The Government will assist Big River Timber in obtaining alternative non-rainforest timbers during an eight year transition from rainforest timbers.

EIA

Source: The DEP ~~EIA~~ Report nominated 8 quota years for BRT to exhaust the 25,300 cubic metres of timber in Table 23 (p. 137). The "Rainforest" paper circulated to Cabinet by the Minister for Planning and Environment did not suggest an 8 year phase out period although its recommendations relating to general policy suggested that "rainforest logging be rapidly phased out". The Sheahan notes approved the recommendations in the "Rainforest" ~~paper~~ with immaterial qualifications and no reference to an 8 year phase out period. The published ~~NSW~~ Government Policy on Rainforests ^{Bedford} states the policy I have outlined ^{in its first para.} in this paragraph ^{at 2.} (para 1). The published document was approved by the then Premier before its release to the media (see Whitehouse affidavit, para 3). Indeed, Mr Whitehouse recalls that it was jointly authored by him and the then Assistant Commissioner of Forests.

Bedford

DEP 1983)

3. The 25,300 cubic metres total quota of rainforest timbers should be obtained from the areas identified on page 266 of the DEP EIA Report (Attachment 2) or area 6B (Desert Creek, North Washpool) and area 7B (Malara Creek, North Washpool). Areas 6B and 7B were not to be logged until supplies from the alternative rainforest sources identified in the Report were exhausted.

+ unless?

Source: Recommendation 2. ^{of Bedford} "Rainforest" ^{paper} as adopted and altered (to add the balance of area 7B) as recorded in Sheahan's notes. The published ~~NSW~~ Government Policy on Rainforests ^{policy} does not disclose Cabinet's decision as recorded by Sheahan to require the exhaustion of alternative areas before rainforest in North Washpool is logged.

4. Hardwood mills in the Casino West Management area will be maintained for their current projected life and they will be required to utilize as large as practicable volume of ex-quota logs with additional supplies from North Washpool.

3

Source: ^{Bellards} Rainforest ^{Paper} recommendation 3, Sheahan's notes and ^{NSW} Government ^{Policy} Policy on Rainforests (para 3).

5. Those parts of areas 6B and 7B at North Washpool which are not required to meet the remainder of the BRT rainforest timber quota or the remainder of the hardwood supplies to the hardwood mills in the Casino West Management area will be reserved as National Park. By inference, this would not occur before 1990 by which time the BRT quota was expected to be satisfied.

Source: ^{Bellards} Rainforest ^{Paper} recommendation 5), Sheahan's notes. The published ^{NSW} Government ^{Policy} Policy on Rainforests makes no reference to the Cabinet decision to add those parts of North Washpool not used for quota purposes to the Washpool National Park.

6. The Government will assist BRT in regard to technology and access to alternative sources of timber currently in private ownership, including the possible use of a State Environmental Planning Policy or special legislation. A "rainforest fund" will be established with an initial sum of \$1 m to promote and encourage the development of new technologies and assist affected industries during the transition period in which the change of policy will be implemented. The FORTECH report on alternative timber supplies to Washpool (DEP HIA report, pp. 222-325) to be taken into account by the Forestry Commission in identifying alternative timber supplies.

Source: ^{B's} "Rainforest" ^{Paper} recommendations 5 and 6, Sheahan's notes, and ^{NSW} Government ^{Policy} Policy on Rainforests.

With great respect to those whose recollections differ, the documentary evidence is compelling. Cabinet decided in 1982 to phase out rainforest logging. It specified with great precision the places from which the timber was to be taken during the transitional period, the amount of timber to be taken, the company which was entitled to take that timber and the period during which the timber could be taken. John Whitehouse has now deposed on oath to his belief that the quota has been exhausted. His affidavit is enclosed herewith.

In the light of the evidence, by now permitting logging of rainforests and wet sclerophyll hardwood with rainforest emergents in the mesic understorey, the Government is rejecting the 1982 decision. It is obvious that Greiner's

press release, which cleverly asserts that by permitting the logging of North Washpool he is merely following Labor policy, was issued in ignorance of the terms of that policy.

I have asked Mr. Wran to write to you setting out his recollection of the matter once they were refreshed by reference to documents and discussions with colleagues. I am copying this letter to him.

Best regards,

Yours sincerely

TIM ROBERTSON.

Attach.

cc: Mr. N Wran

in the light of this evidence ^{taken}
D JA is also apparent, that FENSW has liberties with the facts regarding the 82 decision, in order to maintain the North Washpool till SF's + its control, and in order to assist the timber industry's ambition to continue rainforest logging.

In re-interpreting the 82 decision to successive Ministers FENSW has misrepresented the landmark policy decision of the Wran Cabinet in 1982 and seriously + mischievously misled its political masters.

#28

Tel: (02) 229 7337
Fax: (02) 221 6036
DX 450 SYDNEY

TIM ROBERTSON
Frederick Jordan Chambers
233 Macquarie Street
Sydney N.S.W. 2000

FACSIMILE TRANSMISSION

DATE: 17 September 1990

TIME: 2.00 pm

TO:

ATTENTION: JOHN CORKILL

FAX NO: 247-5945

Five (5) pages being transmitted (including this page).

For your information:

1.

*Description of
Proposal*

*Exist Envisagement
of Impact on*

Assess of Imp. on Env.

2.



Comparison of Proposal then / now

3.

Economics = need economist consultant → FORTECH

Tender

hourly rates

*rel. pt. of EIS EIA Fatal
CV's Rpt*

Analysis of Alt Resource @ '90

Critique of EIS Treatment @ 1990

Affidavit / Evidence

HOW TO ASK the PREMIER NICK GREINER to SAVE the NORTH WASHPOOL
RAINFORESTS.

To: The Premier
Parliament House
Macquarie Street
Sydney, 2000

Print your name
Print your address
Suburb/ Postcode
Today's Date

Your letter can include any or all of the following points :

Dear Mr. Greiner

The NORTH WASHPOOL forests have long been recognised as one of the State's most pristine wilderness areas.

Your Government should honour its commitment to the Wilderness Act by supporting the National Park & Wildlife Service's assessment & recommendation for protection of North Washpool.

You should ban logging, roading, burning off & mining from the area.

Alternatives to proposed Forestry Commission logging of the North Washpool RAINFORESTS & Old Growth forests should be investigated as an urgent priority to defuse the current conflict situation.

The North Washpool forests are continuous with and as significant as the adjacent WORLD HERITAGE Washpool National Park.

At this time of growing concern for the environment, it is vital that rainforest logging in N.S.W. be terminated immediately, and the last remaining wilderness areas be safeguarded for all time.

This is your Government's chance to improve on the Wran Government's 1982 decision to protect the State's rainforests, PLEASE ACT NOW.

Yours sincerely

(Your signature)

The N.S.W. Wilderness Act was passed in 1987 with the unanimous support of the Liberal & National parties, however to date it has not been used to implement any new reserves.

In January 1989, soon after a nomination from the Wilderness Society to protect North Washpool, the Forestry Commission began pushing new logging roads into the area, despite the availability of alternative hardwood & rainforest understory resources outside the forests under nomination.

Only blockades & legal actions by local conservationists highlighting the inadequate & out of date Environmental Impact Statements & logging practices being used by the Forestry Commission have prevented further incursions.

Last month, the new State Minister for Resources, Mr. West, declared a 4 week moratorium on logging activity in North Washpool to permit National Parks & Wildlife Service assessment of the wilderness values of the area. This arrangement expires on Friday 7th September, so only concerted action from environment & political groups and the general public will convince the Greiner government to satisfactorily protect these important forests.

WHAT YOU CAN DO

Write or Fax letters to -

The Premier, Mr. Nick Greiner (02) 231 1110

The Minister for the Environment, Mr. Tim Moore (02) 368 2900

The Minister for Resources, Mr. Garry West (02) 251 1442

The Opposition Leader, Mr. Bob Carr (02) 230 2604

All c/- Parliament House, Macquarie Street, Sydney, 2000

Produced by the Forest Campaign Group of the Australian Conservation Foundation (ACF), (02) 247 4265

For MORE INFORMATION please contact -

The Nature Conservation Council (02) 247 2228

The Wilderness Society (02) 267 7929

RAINFORESTS

CARR PROMISES MORE LOGGING



PRESIDENT of the Forest Products Association, Mr Brian Nuford (left), a timber worker, Grafton Mayor Al Mika Emerson and Member for Page, Mr Harry Woods, discuss the North Coast timber industry with Leader of the Opposition, Mr Bob Carr, in Grafton yesterday.

APPROX 50 timber industry workers and their wives waving placards and banners concerned over the future of North Coast forests, welcomed Leader of the Opposition Mr Bob Carr when he arrived in Grafton yesterday.

In town to launch the ALP's New Lines plan, Mr Carr was the prime target for timber workers who had turned out at a major rally in support of their industry on Thursday night.

However, yesterday's reception was somewhat muted with the one Mr Carr received from amateur fishermen during a visit to the city quay a day ago. On that occasion,

he was jostled and had to be escorted from his vehicle into the Civic Centre.

Yesterday, Mr Carr passed to talk to the timber industry representatives, assuring them he stood by the ALP's 1982 policy on forest boundaries and would not depart from that position.

He said ALP environmental spokeswoman, Ms Pam Allan had "perhaps been sympathetic to environmentalists" but the Shadow Cabinet was firm on its stance that boundaries around North Coast State forests would not extend under a Labor Government.

Protesters told him they were worried about the Government locking up forests and therefore eliminating jobs in the timber industry. Some of the workers, from four generations of timbermen, said they had no intention of leaving the area and looking for other jobs.

Meanwhile, Member for Clarence, Mr Ian Cawsey, said he was surprised Mr Carr would venture to the North Coast to discuss decentralisation when the ALP was trying to extend the State's strongest decentralised industry, the timber industry.



P.2/2
N.E.F.A.
NORTH EAST
FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 38 George St, The Rocks, 2000. Ph 02 2474 208, Fx 02 2475 845
LISMORE: The Big Scrub Environment Centre Inc, 88A Xero St, Lismore, 2480. Ph 066 213 979, Fx 066 219 420

MEDIA RELEASE 2ND SEPTEMBER 1990

GREINER'S CHANCE TO OUT-GREEN CARR?

State Opposition Leader, Bob Carr, has confronted NSW environmentalists and looks set to provide the State Government with a unique opportunity to out-green the ALP, say The Wilderness Society and the North East Forest Alliance.

Green groups responded today to Mr Carr's recent remarks in the Grafton Daily Examiner. He said that the ALP would stand by its 1982 decision on forest boundaries which condones the logging of part of the Washpool wilderness area west of Grafton, northern NSW.

The Wilderness Society (TWS) and the North East Forest Alliance (NEFA) say Mr Carr's comment is particularly significant in view of the State Cabinet decision expected this Tuesday on whether the Washpool wilderness area will be protected for nature conservation.

Ms Elise Newberry, spokesperson for The Wilderness Society's Armidale Branch says "Bob Carr's comments ignore the growth in public and scientific awareness about forest and wilderness protection over the past eight years."

"Mr Greiner now has an opportunity which for the environment's sake he must take up."

"We urge Mr Greiner to recognise the international significance of the area as shown by the World Heritage listing of the rainforests of the Washpool National Park which continue into North Washpool", says Ms Newberry.

This listing was not in place at the time of the Forestry Commission's 1980 EIS. The NEFA and TWS have obtained legal advice that the proposed logging operations in the area are illegal due to the inadequacy and obsolescence of this EIS.

The groups say the NPWS assessment of the area under the Wilderness Act is now complete and is expected to be presented to Cabinet on Tuesday. The North Washpool area was nominated by the Wilderness Society in December 1985.

Mr John Corkill, spokesperson for the North East Forest Alliance says "the Coalition voted for the NSW Wilderness Act, introduced by Bob Carr as the Minister, and Mr Greiner now has the opportunity to go one up and demonstrate a greater commitment to wilderness protection on this issue than Mr Carr has been willing to give to date."

"The future of North Washpool is a crucial test of both parties' professed support for wilderness protection", says Mr Corkill of the North East Forest Alliance.

For further information:

Elise Newberry, TWS (02) 713 7294 (h) 267 7929 (w)

John Corkill, NEFA, (02) 660 3496 (h) 247 4206 (w)

In Washington, TX (02) 969 9090 (h) 267 7929 (w)

GREINER'S CHANCE TO OUT-GREEN CARR?

State Opposition Leader, Bob Carr, has angered environmentalists and provided Mr Greiner with a unique opportunity to out-green the ALP. This follows a report in the Grafton Daily Examiner that the ALP would stand by its 1982 decision on forest boundaries.

Groups campaigning to protect the North Washpool wilderness, The Wilderness Society (TWS) and the North East Forest Alliance (NEFA) say Mr Carr's comment has particular significance in the lead-up to a State Cabinet decision on the future of the Washpool wilderness area in northern NSW.

"Bob Carr is ignoring all that has happened in the last eight years, the World Heritage listing of the adjacent National Park, and the political lessons on the strength of electorate concern about forest protection," said Ms Elise Newberry, spokesperson for The Wilderness Society.

The groups say Mr Carr is accepting harem-scarem statements about huge job losses, despite the fact that the same claims were made by the same companies in 1982, but the projected job losses have not manifest.

TWS and NEFA say the NPWS assessment of TWS's wilderness nomination for the area is now complete and is expected to be presented to Cabinet next week.

The issue has reached boiling point with the State Minister for Forests, Mr Garry West, intervening at the 11th hour to prevent Forestry Commission proceeding with logging and roading operations which TWS and NEFA have legal advice is illegal.

"Mr West's sensible actions forestalled an injunction last week and gave the NPWS breathing space to complete its wilderness assessment of the area and Cabinet time to make a decision on North Washpool's future," said Ms Newberry.

"The Coalition gave unanimous support to the passage of the NSW Wilderness Act, introduced by Bob Carr as the Minister, and Mr Greiner now has the opportunity to go one up and demonstrate a greater commitment to wilderness protection on this issue than Mr Carr has been willing to give to date", said Mr John Corkill of the North East Forest Alliance.

In a startling revelation on the scientific significance of the area, Wilderness Society researchers believe that the World Heritage Bureau may not have realised that the Willowie Scrub in the Washpool wilderness area had been carved up in a political compromise in 1982 and was not fully included in the nomination with which it was presented.

Willowie Scrub, the largest stand of coachwood rainforest in Australia and the world, was one of the major factors in the Washpool National Park being included on the World Heritage List in 1986. The revelation follows a study of the world heritage

nomination map which shows that the rainforest ends at the National Park boundary.

Dr Harry Recher, eminent forest ecologist, has said the addition of North Washpool, including the remainder of the Willowie Scrub, to the adjacent National Park is vital to the ecological integrity of the Washpool World Heritage Area.

"The future of North Washpool is a crucial test of both parties' professed support for wilderness protection following the debacle of the last state election when the Unsworth Government failed to protect the forests of the South East, and the Greiner Cabinet's rejection of the NPWS's wilderness assessment for Coolangubra," said Mr Corkill.

For further information

Attention: John Corkill

MEDIA RELEASE 2ND SEPTEMBER 1990

GREINER'S CHANCE TO GOI-GREEN CARR?

State Opposition Leader, Bob Carr, has angered environmentalists and provided Mr Greiner with a unique opportunity to out-green the ALP say The Wilderness Society and the North East Forest Alliance.

The groups say Mr Carr's comment in the Grafton Daily Examiner that the ALP would stand by its 1982 decision on forest boundaries condones the loss of further wilderness in northern NSW.

The Wilderness Society (TWS) and the North East Forest Alliance (NEFA) say Mr Carr's comment has particular significance in the lead-up to a State Cabinet decision on the future of the Washpool Wilderness area, west of Grafton.

Ms Elise Newberry, spokesperson for The Wilderness Society's Armidale Branch says "Bob Carr is ignoring the growth in public concern about forest and wilderness protection over the past eight years.

"We urge Mr Greiner to recognise the international significance of the area as shown by the World Heritage listing of the rainforests of the Washpool National Park which continue into North Washpool", says Ms Newberry.

This listing was not in place at the time of the Forestry Commission's 1989 EIS. The NEFA and TWS have obtained legal advice that the proposed logging operations in the area are illegal due to the inadequacy and obsolescence of this EIS.

The groups say the NSW assessment of the area under the Wilderness Act is now complete and is expected to be presented to Cabinet on Tuesday. The North Washpool area was nominated by the Wilderness Society in December 1988.

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 Hayden Washington, TWS, (02) 969 9090 (h) 267 7929 (w)

~~MEDIA RELEASE 2ND SEPTEMBER 1990~~

~~SCIENTIST URGES GREINER TO PROTECT WASHPOOL WILDERNESSES~~



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Fax (02) 264-2673

The Hon. Nick Greiner
Premier
Parliament House
Sydney 2000

August 30th 1990

Dear Mr Greiner,

RE: FUTURE OF WASHPOOL WILDERNESS AREA, NORTHERN NSW

The Society understands that the National Parks and Wildlife Service (NPWS) has recently completed its assessment of the nomination of the Washpool wilderness area under the Wilderness Act. We also understand that NPWS wilderness assessments are referred to Cabinet for its consideration.

The future of the Washpool wilderness area is of great concern to the NSW conservation movement, particularly as 7000 ha in the north of the area is under imminent threat from logging.

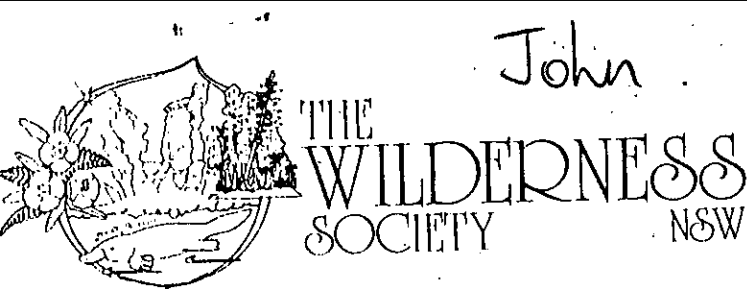
You may recall that an earlier wilderness assessment by the NPWS for the Coolangubra wilderness area in south east NSW, was found to meet the criteria under the Wilderness Act but protection for the area was rejected by Cabinet. In considering the Washpool wilderness assessment the Society urges you to fulfil the Coalition's commitment to the Wilderness Act.

The accompanying briefing paper on the Washpool issue is intended for your consideration in preparation for the Cabinet discussion. The Wilderness Society and the North East Forest Alliance would appreciate the opportunity to meet with you to discuss this issue before its presentation to Cabinet.

Yours sincerely,

Margaret Robertson
National Campaign Team

WILDERNESS – the original and best of planet earth



John



N.E.F.A.
NORTH EAST
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SYDNEY: NSW Environment Centre, 39 George St, The Rocks, 2000. Ph. 02 2474 206, Fx 02 2475 945
LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore, 2480. Ph 066 213 278, Fx 066 219 420

MEDIA RELEASE

PLEASE EMBARGO TO 6 A.M. MONDAY 3RD SEPTEMBER 1990

GREINER'S CHANCE TO OUT-GREEN CARR?

NSW Opposition Leader Bob Carr has confronted environmentalists, and provided the Greiner Government with a unique opportunity to out-green the ALP, according to The Wilderness Society and the North East Forest Alliance.

The green groups responded today to Mr Carr's recent remarks in the Grafton Daily Examiner, where he said that the ALP would stand by its 1982 decision on forest boundaries which condones logging in the Washpool wilderness area west of Grafton, northern NSW.

The groups said Mr Carr's comment is particularly significant in view of the State Cabinet decision expected this Tuesday, on protection of the Washpool wilderness area for nature conservation.

Ms Elise Newberry, spokesperson for The Wilderness Society's Armidale Branch said: "Bob Carr's comments ignore the growth in public and scientific concern about forest and wilderness protection over the past eight years.

"Mr Greiner now has an opportunity which, for the environment's sake, he must take up.

"We urge Mr Greiner to recognise the international significance of the area as shown by the World Heritage listing of the rainforests of the Washpool National Park which continue into North Washpool", said Ms Newberry.

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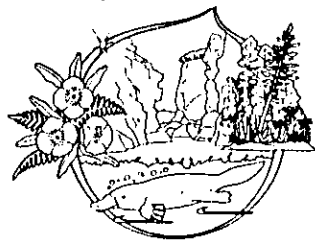
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"The future of North Washpool is a crucial test of both parties' professed support for wilderness protection", said Mr Corkill.

For further information:

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MEDIA RELEASE...

PLEASE EMBARGO TO 6 A.M. MONDAY 3RD SEPTEMBER 1990

GREINER'S CHANCE TO SAVE WORLD HERITAGE RAINFORESTS,
LEFT OUT BY WRAN

Tuesday's Cabinet decision on Washpool, a threatened wilderness area in north-east NSW, is an historic chance for Premier Nick Greiner to rectify a major mistake by the Wran Government in 1982. The Wilderness Society said today.

Mr Richard Ledger, Director of the Society said: "Startling new information shows that an internationally significant rainforest in Washpool, which should have been protected in a World Heritage zone declared in 1986, was in fact left out on the basis of Mr Wran's 1982 decision."

"Tuesday's Cabinet meeting is Mr Greiner's chance to show that his Government does care for our natural heritage - by protecting the entire North Washpool area as wilderness," Mr Ledger said.

"Washpool includes the 'Willowie Scrub' rainforest - the largest area of coachwood forest in the world - which was one of the major reasons for the region being placed on the World Heritage List in the first place."

"Four years later, parks and wildlife experts including prominent ecologist Associate Professor Harry Recher, have confirmed that almost one fifth of this precious forest was left out of the protected area."

The Cabinet decision will be based on a National Parks & Wildlife Service (NPWS) assessment of Washpool, conducted under the Wilderness Act following The Wilderness Society's nomination of the area in 1988.

Although the Liberal and National Parties supported the Wilderness Act before they came to power, they are yet to protect any new areas. The last assessment to go before NSW Cabinet, Coolangubra wilderness in the South East Forests, was rejected out of hand in February 1989.

"Washpool is a special opportunity for Mr Greiner to show that, despite his track record, there is some depth to his new-found green colours," Mr Ledger concluded.

FOR FURTHER INFORMATION:

Richard Ledger	(018) 380 393	(03) 329 6045 h
Haydn Washington	(02) 267 7929 w	(02) 969 9090 h
Elise Newberry	(02) 267 7929 w	(02) 713 7249 h
A.J. Brown	(02) 267 7929 w	(02) 389 8797 h



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MEDIA ALERT.... MEDIA ALERT....
TUESDAY, 4TH SEPTEMBER 1990

FOREST ANIMALS AND SUPPORTERS
SEEK PROTECTION FOR RAINFOREST HOME

WHAT: COLOURFUL DEMONSTRATION FOR PROTECTION OF
"NORTH WASHPOOL" FOREST, INCLUDING KOALA,
KOOKABURRA, POSSUMS AND TALL TREES

WHEN: TUESDAY, 4TH SEPTEMBER, 8.30 A.M.

WHERE: STATE CABINET MEETING, STATE OFFICE BLOCK, CITY
- PHILLIP ST ENTRANCE

WHY: STATE CABINET IS TO CONSIDER PROTECTION OF
"NORTH WASHPOOL" AS WILDERNESS, FOLLOWING ASSESSMENT OF
THE AREA BY THE NATIONAL PARKS AND WILDLIFE SERVICE UNDER
THE N.S.W. WILDERNESS ACT.
THIS VITAL AREA OF RAINFOREST AND NATIVE FOREST
WILDERNESS IN THE NORTH OF THE STATE, NOMINATED BY THE
WILDERNESS SOCIETY, IS NOW KNOWN TO BE OF WORLD HERITAGE
SIGNIFICANCE.
IT ALSO COMES AS THE FIRST MAJOR TEST OF PREMIER
GREINER'S "GREEN" COLOURS SINCE HIS CABINET RESHUFFLE, AS
THOUGHTS OF THE NEXT ELECTION START TO LOOM.

CONTACT: Elise Newberry (02) 267 7929 w (02) 713 7249 h
A. J. Brown (02) 267 7929 w (02) 389 8797 h.



THE
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The Hon. Nick Greiner
Premier
Parliament House
Sydney 2000

August 30th 1990

Dear Mr Greiner,

RE: FUTURE OF WASHPOOL WILDERNESS AREA, NORTHERN NSW

The Society understands that the National Parks and Wildlife Service (NPWS) has recently completed its assessment of the nomination of the Washpool wilderness area under the Wilderness Act. We also understand that NPWS wilderness assessments are referred to Cabinet for its consideration.

The future of the Washpool wilderness area is of great concern to the NSW conservation movement, particularly as 7000 ha in the north of the area is under imminent threat from logging.

You may recall that an earlier wilderness assessment by the NPWS for the Coolangubra wilderness area in south east NSW, was found to meet the criteria under the Wilderness Act but protection for the area was rejected by Cabinet. In considering the Washpool wilderness assessment the Society urges you to fulfil the Coalition's commitment to the Wilderness Act.

The accompanying briefing paper on the Washpool issue is intended for your consideration in preparation for the Cabinet discussion. The Wilderness Society and the North East Forest Alliance would appreciate the opportunity to meet with you to discuss this issue before its presentation to Cabinet.

Yours sincerely,

Margaret Robertson

Margaret Robertson
National Campaign Team

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THE
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SOCIETY
NSW



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MINISTERIAL BRIEFING PAPER - WASHPOOL WILDERNESS - AUG. 1990

The Wilderness Society (TWS) and North East Forest Alliance (NEFA) believe the following crucial points should be kept in mind when considering the Washpool Wilderness Assessment:

EXECUTIVE SUMMARY

1. The 1982 Wran Government's landmark Rainforest Decision was concerned with rainforest, not wilderness. Political compromises included drawing an arbitrary line through Washpool's Willowie Scrub, the largest continuous stand of Coachwood forest in Australia and the world.
2. A decision 8 years out of date does not pre-empt a decision on wilderness protection. The Wilderness Act 1987, which was supported by the Coalition Parties in Opposition, requires a decision on wilderness values identified by NPWS.
3. Despite unanimous support for the Act, the Coalition has been unconvincing in its commitment to the Wilderness Act. e.g Coolangubra Wilderness nomination.
4. Projected disastrous job losses and 'profit reductions' have not occurred following the 1982 decision. Economic consequences of North Washpool's protection projected by industry sources will reflect vested interests, are likely to be inflated and require independent review.
5. Forestry Commission (FCNSW) evaluations of available alternative resources have been pessimistic and unreliable. Recent 1990 re-evaluations of resource availability indicate greater alternative resources exist than have been previously disclosed. These re-evaluations need independent review and verification.
6. Legal counsel has provided written Advice on the validity of the 1980 Washpool EIS for proposed works in 1990. It indicates that the EIS fails all the tests for an adequate EIS. Action is being commenced in the Land and Environment Court to prevent pre-emptive works until the EPA Act is complied with. The proposed logging is not a legally available option at this time.
7. Community support for protection of forest wilderness continues to be high. Without decisive action to protect surviving wilderness, the Government cannot be recognised as adequately addressing the ecological imperative.

HISTORY OF WASHPOOL ISSUE

An Environmental Impact Statement (EIS) for the whole of the Washpool area covering approximately 42 000 ha was produced by the Forestry Commission (FCNSW) in 1980.

This EIS was very severely criticised by the NPWS in 1981, by Department of Environment and Planning in 1982 and again in 1983 by Dr Fox, from the National Herbarium, in a review prepared for the DEP. All concluded the EIS was inadequate and did not meet requirements of Part V of the EPA Act.

As part of the Wran Government's 1982 "Rainforest Decision" nearly 28 000 ha was protected as Washpool National Park whilst a further 7000 ha was made available to the timber industry in Washpool and Billilimbra State Forests. This area, arbitrarily omitted, is known as North Washpool.

In 1985, Washpool National Park was declared a wilderness area under the NPW Act 1974 and was nominated for World Heritage Listing. It was accepted and included in the World Heritage Listing of NSW rainforests in 1986 partly because of the importance of the Willowie Scrub, the largest coachwood forest in the world. At least 16 percent of the Willowie Scrub is in North Washpool, outside the Park.

The North Washpool area was nominated by the Wilderness Society under the Wilderness Act in 1988 to seek the secure protection of the whole of the Scrub and to maintain the wilderness values of the greater Washpool ecosystem.

When the Forestry Commission of NSW (FCNSW) was informed North Washpool's the wilderness nomination, it informed The Wilderness Society it was due to proceed immediately with roading operations into the nominated area.

Interim protection was requested in January 1989, and again in March 1990, but was twice refused by Minister Tim Moore.

Roading commenced into Desert Creek catchment (Washpool SF) and The Wilderness Society and NEFA, along with other north coast conservation groups, blockaded the roading operations in August 1989.

Roadwork was called to a halt and the blockade was lifted when FCNSW agreed to undertake an archaeological survey on the Aboriginal sites in the area. A brief anthropological survey was completed of part of the area proposed for logging.

An 1100 ha Aboriginal Place is proposed to be created in Washpool SF, yet no formal declaration or gazettal has occurred. Other areas of Aboriginal significance haven't been identified by FCNSW and will be threatened by proposed works.

Work was due to recommence in August 1990 but after representation to the new Minister for Forests, Gary West, and the Minister for the Environment, Tim Moore, it was determined that work would not proceed until the Wilderness Assessment by the NPWS had been considered by Cabinet.

Further contacts: Haydn Washington (TWS) 969 9090, Elise Newbury (TWS) 267 7929 or John Corkill (NEFA) 247 4206.

THE COLONG FOUNDATION FOR WILDERNESS LTD.

Saturday September 1, 1990

The Hon Nick Greiner
Premier of New South Wales
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Greiner,

Protection of the Washpool Wilderness

The Colong Foundation for Wilderness strongly supports the Washpool wilderness nomination of 34,700 hectares submitted by the Armidale Branch of The Wilderness Society. The Foundation requests that your Government immediately dedicate the Washpool wilderness under the Wilderness Act, 1987.

The Foundation's grounds for supporting dedication of the entire wilderness, including it's northern section are as follows:

1. It contains the largest mosaic of warm temperate rainforest dominated by Coachwood and its associates remaining in Australia and therefore the world;
2. Taking the entire area with its mosaic of rainforests and moist eucalypt forests, this is the largest remaining undisturbed moist forest wilderness in northern New South Wales;
3. The 1983 Department of Environment and Planning study identified 501 plant species in Washpool area, 70 of which were rare or restricted, or otherwise of botanical interest;
4. The Desert Creek and upper Malara Creek catchments should be included in the wilderness area to protect the catchment and wilderness integrity of the Willowie Scrub, a rainforest World Heritage

Area - it's intact nature excludes feral animals, such as the domestic cat and the fox; and

5. The wilderness is one of the last refuges for the Eastern Native Cat, Long-nosed Potoroo and Brush-tailed Wallaby.

1982 Government Rainforest Decision

The Colong Foundation calls to your attention two key elements of the rainforest decision of 1982 as it affects the Washpool area. The Washpool decision was for a limited transition period and it was to permit technology change.

The Labor Government's 1982 agreement with Big River Timbers was for a transitional period of about eight years. During that time, the company's rainforest log peeling technology was to be replaced with hardwood peeling technology.

The three forest areas of Washpool to be affected were 7(a), 7(b) and 8(b). These areas are in the top of the Washpool wilderness, around Washpool Creek and to the west. These areas were to be logged during the transitional period.

We understand that the transitional period has now expired.

The fact that logging has not occurred in this controversial area until recently indicates these areas were not needed by Big River Timbers for the agreed purpose.

Preservation of the Washpool wilderness should take priority over what appears to be unnecessary logging operations by a company unwilling to change it's technology within a reasonable period.

Your State Government should not support Big River Timbers' claim to scalp the northern end of the Washpool wilderness. The 7,000 or so hectares of pristine wilderness of Desert and upper Malara Creek, and the areas of sacred and historical significance to the local Bundajlung and Jakumbal aboriginal communities, should be protected as wilderness within the Washpool National Park.

Yours sincerely,



Keith Muir
Project Officer
Colong Foundation

HUR 23 20 21-18 14-11-11 ENV CENTRE 02 27118

THE COLONG FOUNDATION FOR WILDERNESS LTD.

Wednesday August 29, 1990

The Hon Bob Carr
Leader of the NSW Opposition
Parliament House
FAX NO 230 2604

Dear Mr Carr,

North Coast State Forests

The Colong Foundation requests clarification of your statement reported in the Grafton Examiner, that the Shadow Cabinet will not be alter North Coast state forest boundaries.

Under this policy, the forest wilderness areas of Mann, Barrington, New England, Washpool and Guy Fawkes would be severely damaged by logging. If such a policy were implemented on your election in 1992, your State Labor Government would come under very strong criticism from conservation organisations.

Preservation of wilderness should be a priority for a political party which has built up community support for it's conservation initiatives.

An overhaul of the Forestry Commission is sorely needed to enable adequate public review and assessment of all forest resources and forestry operations. All wilderness, wild and scenic rivers, recreation resources, catchment headwaters and biodiversity resources should be protected, especially those in state forest boundaries and other Government regulated lands.

Your reported announcement of a freeze on state forest boundaries will, if correct, immediately lose the State Labor Opposition it's support amongst the environment movement, including that from Colong Foundation. (It would be with great reluctance that I will compile an article on this matter for the next Colong Bulletin which is to be published by the second week of September)

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The Colong Foundation calls to your attention two key elements of the rainforest decision of 1982 as it affects the Washpool area. The Washpool decision was for a limited transition period and it was to permit technology change.

The Foundation understands that the Labor Government's

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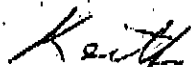
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Yours sincerely,



Keith Muir
Project Officer
Colong Foundation

HOW TO ASK the PREMIER NICK GREINER to SAVE the NORTH WASHPOOL
RAINFORESTS.

To: The Premier

Parliament House
Macquarie Street
Sydney, 2000

Print your name

Print your address

Suburb/ Postcode

Today's Date

Your letter can include any or all of the following points :

Dear Mr. Greiner

. The NORTH WASHPOOL forests have long been recognised as one of the State's most pristine wilderness areas.

. Your Government should honour its commitment to the Wilderness Act by supporting the National Park & Wildlife Service's assessment & recommendation for protection of North Washpool.

. You should ban logging, roading, burning off & mining from the area.

. Alternatives to proposed Forestry Commission logging of the North Washpool RAINFORESTS & Old Growth forests should be investigated as an urgent priority to defuse the current conflict situation.

. The North Washpool forests are continuous with and as significant as the adjacent WORLD HERITAGE Washpool National Park.

. At this time of growing concern for the environment, it is vital that rainforest logging in N.S.W. be terminated immediately, and the last remaining wilderness areas be safeguarded for all time.

. This is your Government's chance to improve on the Wran Government's 1982 decision to protect the State's rainforests, PLEASE ACT NOW.

Yours sincerely

(Your signature)

**THANK YOU FOR WRITING YOUR LETTER, AND FOR
A DONATION FOR A STAMP**

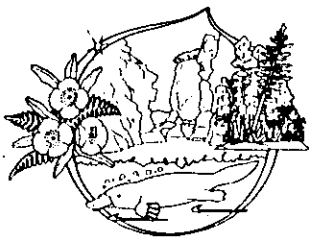
If you would like more information or to get more involved:

Australian Conservation Foundation

Forest Campaign Group

Meeting: Wednesday night, 6.30 p.m.
39 George St, The Rocks.





THE
WILDERNESS
SOCIETY NSW

57 Liverpool St.,
Sydney NSW 2000
Telephones:
Office (02) 267-7929
Shop (02) 267-7525
Fax (02) 264-2673

LOGGING THREAT TO WASHPOOL WILDERNESS!

In 1982, part of one of the largest areas of wilderness rainforest in NSW was protected in the Washpool National Park - 70km north west of Grafton. And in 1986 this area was placed on the World Heritage List in recognition of its outstanding natural significance.

However, the northern section of the area, 7000ha, was excluded from the national park as a concession to loggers, by an arbitrary line on a map.

Then, in January 1989, the Forestry Commission began building logging roads into a part of the North Washpool area, outside the National Park. Immediate action by us is vital to stop logging proceeding.

WHY LOGGING WILL AFFECT THE ENTIRE RAINFOREST AREA

- * North Washpool is a continuation of the wilderness area already declared in the Washpool National Park. If logging proceeds it will reduce the size, remoteness and most likely the naturalness of the whole wilderness area.

- * North Washpool acts as a "buffer zone" to the adjacent World Heritage Area, protecting it from intrusions such as fire, noxious weeds and feral animals.

In particular, it helps protect the Willowie Scrub Coachwood forest. This is the largest Coachwood forest in the world and is also reported to be the largest remaining stand of any rainforest in NSW. The majority of Willowie Scrub is in the adjacent National Park, but it does extend into the area scheduled to be logged.

NORTH WASHPOOL IS IMPORTANT IN ITS OWN RIGHT

- * It has a rich diversity of habitats for wildlife, which include the Superb and Albert Lyrebirds, and the rare Native Cat and Porma Wallaby.

- * It contains two largely undisturbed water catchments, of which at least one qualifies as a wild river - these are now scarce in NSW.

DO THE LOGGERS NEED NORTH WASHPOOL?

- * A study commissioned by the NSW Department of Environment & Planning (FORTECH 1982) showed that there was alternative hardwood timber resource for the loggers outside the North Washpool area



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NORTH WASHPOOL WILDERNESS

7000ha of unprotected wilderness to the north of Washpool National Park, between Grafton and Glen Innes in northern New South Wales, is currently under immediate threat from Forestry Commission operations. The area is the northern continuation of the 28 000ha Washpool National Park wilderness, separated by a border with no geographical or biological basis along Desert Spur fire trail. North Washpool comprises roughly the catchment of Desert Creek and the upper catchment of Malara Creek. It is notable for its total absence of human interference; logging, grazing, artificial fire regimes, chemical runoff, siltation, feral carnivores, noxious weeds, vehicular access, visual disturbance. It is perhaps the most pristine wilderness in New South Wales. The rainforests of Washpool National Park have been listed as part of the New South Wales Rainforest World Heritage area.

The Northern washpool forests cover part of the Washpool(SF355) and Billilimbra(SF815) State Forests, managed by the Forestry Commission in the Casino Forestry District and covered by the Casino West plan of management. According to the Forestry Commission they comprise 15% rainforest of both sub-tropical and warm-temperate types, and 85% hardwood eucalypt forest. (mainly wet sclerophyll forest). However, given the Forestry Commission's narrow definition of rainforest (mesophyllic forest having less than 4% eucalypt content), a much greater percentage is in fact rainforest. Much of the area shows a unique intergrading of different rainforest types, and of rainforest and wet sclerophyll forest. These intergradings are crucial to the representation and understanding of forest dynamics in relation to soil type, climate and fire pattern. Willowie Scrub, the largest rainforest in New South Wales and largest coachwood forest in the world extends into the unprotected area. North Washpool also acts as a buffer zone preventing fire and other incursions into Willowie. With the exception of one small area, all forests are in wilderness condition, and, having developed to their current status entirely through natural processes present unequalled opportunities for preservation and study.

The Eastern Native Cat, in immanent danger of extinction, has been reported in the area, though this is unconfirmed by trapping. The Long-nosed Potoroo, Brush Tailed Wallaby, Parma Wallaby, Common Planigale and Rufus Rat-kangaroo are found. All are either rare or have suffered a serious level of habitat reduction. The area forms the range limit for a number of bird species; the northern limit of the range of the Superb Lyrebird, southern limit of the range of the Albert Lyrebird and northwestern limit of the Powerful Owl. There is little knowledge of reptile, amphibian and invertebrate populations, but it seems that Malara creek contains significant communities. Faunal populations have survived intact due to the undisturbed nature of the entire wilderness.

WILDERNESS – the original and best of planet earth

HA ~~Kabbo~~

For you

THE FOLLOWING PARAGRAPHS ARE SUGGESTIONS FOR YOUR LETTERS TO GARY WEST AND TIM MOORE. REMEMBER THAT A HAND-WRITTEN LETTER IS SEEN BY POLITICIANS AS BEING WORTH 100 VOTES. PLEASE FEEL FREE TO USE THESE SUGGESTIONS OR CREATE YOUR OWN ORIGINAL LETTER.

"I am writing to ask you to use all the powers granted to you by your voters to save North Washpool wilderness for its own sake and for that of the many people who would then have the opportunity to benefit from its ancient beauty for many years into the future."

"When logging operations in the Ewinga Working Circle last year lost nearly \$100 000, how can it be justified to log and road North Washpool when only five years of timber supply is available?"

"If the Forestry Commission were made more accountable and the timber industry more efficient then employment and production could increase without the need to put our wilderness heritage in jeopardy. Please protect the North Washpool area under the Wilderness Act from inefficient timber operations."

"I believe that North Washpool should be protected as part of the Washpool Wilderness. Wilderness is a diminishing resource which will be an asset for future generations so we should be aiming to ensure the survival of all that now remains."

"In order that the timber industry in this area does not suffer as a consequence of wilderness protection for North Washpool, an independent study should be commissioned to identify sustainable alternatives to logging this area."

"As a rainforest wilderness of world standard, the North Washpool section of Washpool Wilderness deserves the full protection offered by the Wilderness Act. In an age where wilderness is under intense pressure all over the world from development and industry, NSW must set an example in wilderness protection."

"As the Wilderness Act was supported unanimously when presented to parliament, it is up to all parties to ensure its intended use."

"If North Washpool was saved from logging, it would provide a splendid inclusion to the total Washpool Wilderness area. But it should not be seen as a mere addition to an existing wilderness area. It should be recognised as having always been a part of that wilderness area. Its removal from the whole Washpool wilderness would therefore be a loss for the remainder. The Washpool National Park Wilderness Area would not then have as much protection from fire, feral plants and animals, and so its integrity may be diminished."

"North Washpools ecosystems are continuous with those of the Washpool National Park Wilderness Area. The renowned coachwood forest of the Willowie Scrub extend into the North Washpool region to combine with fern and palm fringed creeks, low wild scrub and giant sentinel Eucalypts to make up the natural beauty which deserves the respect of all who share its world."

LETTER WRITING SUGGESTIONS FOR THOSE CONCERNED FOR NORTH WASHPOOL WILDERNESS

Please write to: Nick Greiner, Premier of N.S.W.,
Tim Moore, N.S.W. Minister for the Environment,
or Ian Causley, N.S.W. Minister for Natural Resources,

c/. Parliament House,
Macquarie Street,
Sydney, N.S.W., 2000.

The Wilderness Society's nomination for North Washpool to be identified as a wilderness area and protected for its wilderness values prompted the Forestry Commission to notify the Wilderness Society of its intention to road the area in preparation for logging as soon as possible. The Wilderness Society sought an environment protection order from the Minister for the Environment, but this was denied despite the immediacy of the area's destruction.

If North Washpool was saved from logging, it would provide a splendid inclusion to the total Washpool wilderness area. But it should not be seen as a mere addition to an already existing wilderness area. It should be recognised as having always been a part of that wilderness area. Its removal from the whole Washpool wilderness would therefore be a loss for the remainder. The Washpool National Park Wilderness Area would not then have as much protection from fire, feral plants and animals, and so its integrity may be diminished.

North Washpool's ecosystems are continuous with those of the Washpool National Park Wilderness Area. The renowned coachwood forests of the Willowie Scrub extend into the North Washpool region to combine with fern and palm fringed creeks, low wild scrub and giant sentinel eucalypts to make up the natural beauty which deserves the respect of all those who share its world.

The Liberal Party voted unanimously for the Wilderness Act in 1987. Since it has come to govern the state, the Liberal Party should see it as a responsibility to act upon this vote for wilderness protection

I am writing to ask you to use all powers granted to you by your voters to save North Washpool wilderness for its own sake and for that of the many many people who would then have the opportunity to benefit from its ancient beauty for many years into the future.

The Wilderness Society ,
Armidale Branch ,
P O. Box 1155 ,
Armidale , 2350 .
11th August , 1989.

Dear Fellow Conservationists,

I am writing to you with an appeal to help us save the North Washpool Wilderness. This magnificent wilderness area is the "cap" on the Washpool National Park , which was unfortunately left out of the Park as a compromise to the timber industry in the 1982 Rainforest Decision . At the time of writing this wilderness is facing roading and logging for both rainforest and Eucalypt timber.

You will find an information kit with this letter which will tell you all about the wilderness and nature conservation values of North Washpool . The kit also contains some material to enable you to help us with this campaign with as little , or as much , effort as you can spare .

We realise that time is precious for all environment groups as we all do our bit to slow down the destruction of our planet so we , and North Washpool , will appreciate any assistance you can offer.

The kit contains a poster , pamphlets, photos (for media and public display), petitions, letter writing ideas, a copy of our Wilderness Act nomination of the area and summary of this and an initial alternative timber strategy. Should you require more of any particular item please contact us.

We would be pleased to receive information about the campaigns/issues that your group is currently working on and will do our best to assist you. If you would like to know more about the efforts being made to save North Washpool , you can write to us or ring The Wilderness Shop on (067) 711155.

For the Wilderness,

1979 5 EIS announced.

Wishpool, Hartings, Dampier, Plantation Bahurst
 (Plantation Nundle area)
not done

13,500 ha plantations already done

Margules: Hines, Norton, Reeder?

T.F.R.

has FCNSW done ground truthing of

Forest type nr 695

2/3 23/26.

retyping

Modally correct?

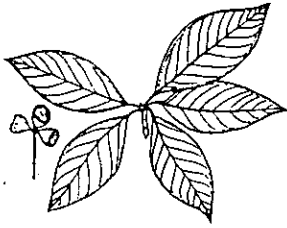
Can NEPA confirm these?

blue gum \rightarrow wet or dry.

Name of water course 695?

special found values.

filter strips locations



BRUSH BOX
Lophostemon confertus

file copy

N.E.F.A.

NORTH EAST FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks, 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore, 2480. Ph 066 213 278, Fx 066 219 420

20.8.1990

Mr Bruce Woolf,
Hillman and Woolf,
10th Floor,
82 Elizabeth Street,
Sydney. 2000.

Dear Bruce,

Retaining counsel - Mr T.F. Robertson

Following a recent further conference with Mr Robertson, I wish to formally retain Mr Robertson's services, as counsel to assist me and the North East Forest Alliance in providing advice and appearing on our behalf, in legal actions to protect the forests of the North East and to enforce NSW law as it applies to NSW forests.

I request that you to write to Mr Robertson, and advise him of my intention to retain him, generally, for the above purposes and to seek his formal agreement to such a retainer.

This letter formalises the verbal agreement which has been in place since January this year, when we commenced the Mount Royal State Forest case.

Should you have any questions or clarification on this matter please do not hesitate to contact me.
Thank you for your assistance.

Yours sincerely,

J.R. CORKILL
Sydney Co-ordinator

Milo Dunphy, Director,
Total Environment Centre Inc,
18 Argyle Street, The Rocks. 2000

16.8.90

Dear Milo,

Re: Washpool SF and Canopy Committee offer of support

Please find attached a briefing document which is a short summary of where we're at with the campaign and the foreshadowed legal action and a copy of Tim Robertson's rather lengthy Advice to the Legal Aid Commission.

I understand from Dailan Pugh that Canopy Committee of TEC has generously offered up to \$500 for NEFA towards the Washpool legal action. This offer is greatly appreciated, thank you.

I confirm my verbal advice to you that I am the Applicant for the legal action and am the Sydney NEFA Co-ordinator, responsible for liaison with Sydney based groups, politicians and the NEFA legal advisors, T.F. Robertson and Bruce Woolf of Hillman and Woolf.

It's also my role to handle the NEFA media through Sydney. Local co-ordinators also run local media throughout the north east, once they've checked with the NEFA network.

Washpool is the third case NEFA has run, and I've been the Applicant for all these because of my demonstrable poverty. Both the others, Mount Royal and Chaelundi SF's have been successfully resolved and discontinued because the FCNSW has agreed to give the required undertakings to complete EIS's and pay our costs. Hopefully, Washpool will go the same way!

At this stage NEFA does not need the Canopy funding urgently transferred to me, but who knows when this will be necessary. Perhaps TEC could continue to hold these funds until it becomes necessary to draw on them.

I would be happy to be advised of Canopy Committee's and TEC's requirements for expending or accounting for these funds, and the preferred method and timing for the transfer of these Washpool case funds to an account which I would operate on NEFA's behalf.

Thanks for your support and assistance,

For the Land,

Please find attached a copy of Counsel's Advice, Tim Robertson Barrister-at-Law, on proposed legal action challenging validity and adequacy of 1980 Washpool EIS. Please maintain this Advice securely within the NEFA network.

In summary, Tim advises that the EIS is quite inadequate and fails all the tests of an EIS established under 'Guthega Development Pty Ltd v. Minister' (1986). (See para 20.)

I have been granted Legal Aid to allow the preparation of this Advice. The Advice has now gone to the Legal Aid Commission to inform consideration of extending legal aid to cover my application to commence proceedings to declare the 1980 EIS invalid and order the preparation of an adequate EIS which complies with Part V of the EPA Act.

An interlocutory injunction will be also applied for, to stay any works while the case is heard, if the FCNSW attempts to pre-empt the hearing of the case.

I understand that the Legal Aid Commission is likely to continue legal aid to cover these proceedings.

I would greatly appreciate comments on the strategic release of this Advice. Do we go ahead and commence the court action then tell the political players? Do we release the Advice to the political players, Moore, West, Hay and Greiner and ask them to require a competent EIS, forestalling any need for court action?

By way of update on the situation:

* West and Moore have agreed to a 4 week moratorium on works from 10/8/90, to allow NPWS 2 weeks to complete Wilderness Assessment and a further 2 weeks for Moore, West and Cabinet to consider declaring the wilderness.

* Big River Timbers P/L have stirred things up locally and have called a major rally for Grafton, next Thurs 23/8/90, as a 'show of force' of outrage at the greenies etc. Claims have been made that Grafton will 'die' if Washpool isn't logged!

* Bruno Notaras (BRT) said on Radio 2LM that the 4 week delay will mean months longer delay because of likely wet weather.

* Ex-Minister and local MP Causley has apparently said publicly that he will push the acceptance of logging of Washpool through Cabinet. He will refer to the 'huge' (?) rally as a mandate for logging presumably.

CORKILL V. FORESTRY COMMISSION OF NEW SOUTH WALES

NORTH WASHPOOL.

Memorandum of Advice

1. The Forestry Commission of New South Wales threatens to road, log and burn within an area of State Forest on the northern border of the Washpool National Park. The area forms part of the Washpool and Billilimbra State Forests comprising 6,053 hectares. The topography rises steeply from the two main water courses, Malara Creek on the western border of the area and Desert Creek which falls from west to east until it joins Washpool Creek at the south eastern boundary of the area. It is steeply mountainous land, forming part of the Gibraltar Range. It is largely unroaded and with an exception to be noticed shortly, unlogged. Not only is it old growth forest in the sense explained in Jarassius v. Forestry Commission (1988, unreported, Hemmings J.), it is also predominately warm temperate and sub-tropical rainforest and wet sclerophyll eucalypt forest with well developed rainforest understoreys. The rainforest is a complex mixture of associations but it is outstanding for the prevalence of coachwood. Geographically and ecologically, it is a natural continuation of the Washpool National Park

discharged the second obligation.

3. In 1980 it exhibited an EIS for a proposal to log part of an area of 43,283 hectares to supply both rainforest and hardwood timbers to six timber mills over 30 years. After its exhibition, the Department of the Environment and Planning decided to call in and assess the EIS pursuant to Section 113 (5) of the Act. In May 1982, it published an environmental impact assessment (Proposed Forest Operations in the Washpool Area) which recommended that "the Washpool area should not be logged as proposed in the EIS but that the majority of the area be managed for conservation purposes with the remainder managed for timber production" (p.134). In October 1982, the State Government decided to reserve the larger part of the area studied in the EIS as National Park. On 14 December 1982, the Forestry Commission issued a formal determination under the Act as follows :

"(a) Roading and logging operations for rainforest and hardwood timbers shall be carried out only in that part of the Washpool area as described in the Environmental Impact Statement, which is not to be reserved as National Park in accordance with the Government's decision;

(b) The boundaries shown by broken red lines on the map shall be accurately defined in consultation with the National Parks and Wildlife Service, and having regard to any other requirements of the Government.

implemented, presumably without alteration.

4. What is the present proposal? With some difficulty, I have undertaken a comparison of the maps annexed to the EIS with the later maps produced by the Forestry Commission indicating the compartments which are or may be logged. From this study, it appears that compartments 679, 686 and 687 were not within the EIS study area but will now be logged. These compartments comprise 862 hectares of forest. Of the compartments within the present proposal two have been partially logged. Compartment 679 was apparently logged in 1989 to extract 3,150 cubic metres of rainforest timber and compartment 694 was logged in 1989 and 1990 to extract 3,069 cubic metres of rainforest timbers. The former compartment was outside the EIS study area. About 20% of the area of the Malara Creek catchment (3,163 hectares) comprises rainforest and brushbox whereas about 46% of the Desert creek catchment (2,890 hectares) is rainforest or brushbox. As 90% of the rainforest area is on slopes less than 30 degrees it is reasonable to assume that most of the rainforest will be logged. The only measure (other than the usual management prescriptions) proposed by the Commission recently to reduce the impact of logging on the rainforest areas is the reservation of an area of archaeological significance in the Desert Creek

catchment comprising 1,130 hectares. The District Forester has proposed by letter of 23 April 1990 to a member of the Baryugil Aboriginal Community to reserve this area from logging. I have no instructions whether this has been endorsed by the Forestry Commission. Assuming that it is excluded from the logging proposal, the Commission therefore intends to log 4,923 hectares, of which at least 30% comprises rainforest/brushbox, and much of the remainder is associated with a closed canopy rainforest understorey.

5. No harvesting plans are available for the current proposal. It is therefore necessary to assume that roading, logging and burning will take place in the forest area in accordance with the 1982 determination of the Commission and the Casino West Management Plan published by the Forestry Commission in 1979 but amended in 1980, 1982, 1983 and 1987. Upon analysis, however, the determination and the management plan conflict with each other and the management plan contains ambiguous, inconsistent and conflicting prescriptions for the logging proposal. The Management Plan states that logging shall be excluded from a management "buffer area" along the eastern boundary of Billilimbra State Forest adjoining the proposed National Park (p. 52). In Appendix 13 (a), the Management Plan notes an agreement with the National

7
Parks and Wildlife service that :

"There would be general recognition of the need for sympathetic management of the forest adjoining the National Park, and specifically that there would be a significant buffer area of State Forest which would not be subject to any forest operations."

This buffer is suspiciously like the so called archaeological area proposed by the District Forester to be reserved from logging. Further enquiry may disclose that the two are identical. For present purposes, I observe that the area does not in fact buffer the National Park from the proposed forestry operations: it merely preserves a small catchment area which borders the National Park for about 1,000 metres. The southern boundary of the forest to the National Park stretches for over 14 kms and the Commission proposes to log all but one kilometre of it.

6. But the Management Plan is most obscure in its treatment of rainforest logging. Before setting out its provisions the Commission's definition of rainforest should be explored. The Commission does not include as rainforest areas of forest with tall eucalypts, even though there is an extensive understorey closed canopy of rainforest. It is not clear whether the Commission counts as rainforest myrtle, myrtle/viney scrub and viney scrub flora associations (forest types 23, 23/26 and 26). These

difficulties make the management prescriptions of uncertain application. In any event the Management Plan states that logging shall be excluded from :

"within rainforest stands in the area of Billilimba State Forest south-west of Main Creek and the area included in the Desert Creek catchment of Washpool State Forest, ie within the Washpool EIS area." (p 42)

The area described in this prescription is the area of the present proposal. At this point, it seems clear that there shall be no rainforest (to whatever forest types that description extends) logging permitted. On the following page, however, under the heading "Rainforest" the following further prescriptions are stated as applying "specifically to the Desert Creek catchment and south-west of Main Creek in the Forests :

"(10) Large-crowned trees of minimal log value, the felling of which would cause excessive damage to the residual stand to be retained after logging, shall not be harvested.

(11) Subject to retention of at least 50% canopy cover so as to maintain a viable rainforest structure of the pre-existing species range, harvesting otherwise shall be directed to maximum economic utilisation only of those logs included in the allocation to Big River Timbers (Veneer) Pty Ltd." (p 43)

Far from encouraging regeneration of rainforests, the Management Plan stipulates sylvicultural activities by planting eucalypt species such as silvertop stringybark in log loading areas, snig tracks and abandoned roads

as well as under canopy openings .1 hectare or more in extent "following rain-forest logging" in the proposal area (p. 44(a)).

7. In extent alone the 1980 proposal differs markedly from the 1990 proposal, but does the greater include the lesser such that it can be said that the study of the greater proposal has discharged the legal obligation to study the lesser? In my opinion, it has not for a very simple reason. An EIS is required to include certain matters which are set out in Regulation 57 (2) to the Act. The proposed activity must be described in full (R. 57(2)(a)) as must the existing environment likely to be affected by the proposed activity. The EIS does not describe the proposed activity. The volume of timber to be removed is different as is the intensity of logging. The area to be logged is dramatically reduced and the percentage of area which is capable of being logged has been increased. The sequence of logging, the percentage of forest types and the amount of particular forest types left undisturbed are different. So too is the justification for the proposal and the market demand. The impact on the socio-economic environment of the area will change. The profitability of the proposal, which forms part of any justification for environmental impacts from the use of public land, is radically reduced by the present

proposal. I have undertaken an analysis of the returns to the Forestry Commission from the activities described in the Casino West Management Reports issued annually by the District Forester. The Ewingar Working Circle, which includes Washpool and Billilimbra State Forests, recorded losses in 1986, 1987 and 1988 to such an extent that the District Forester stated in his 1988 Annual Report that :

"Under present accounting guidelines there appears to be little change in the foreseeable future of the commercial accounts for Ewingar getting back onto the right side of the ledger."

The proposed activity will include many kilometres of roading, the cost of which will further aggravate the existing losses from timber production. How can the justification for a proposal such as this be assessed without examining its profitability? Each of these matters demonstrates that the effluxion of time and the alteration of the proposal have removed any continuing efficacy of the 1980 EIS in fulfilling the obligation contained in section 112 of the Act.

UNFINISHED

1 Alexander Marshall Gilmore of Federal, N.S.W., do solemnly, sincerely and truly affirm and declare as follows.

1. I am a wildlife ecologist with extensive experience of forest inhabiting wildlife in south-eastern Australia including Northern New South Wales. I have worked in Victoria for the Museum of Victoria and Conservation Forests and Lands carrying out research on habitat requirements and population densities of vertebrates in various vegetation types, mainly forest associations for the period, late 1972 to late 1979, and September 1988 to July 1990. For seven years ^{commencing May 1980} I worked as a scientific officer for the Northern Region of the National Parks and Wildlife Service and as an environmental consultant. The majority of this work involved characterizing the fauna of various vegetation types, mainly forest associations. This included a report for the N.S.W. National Parks and Wildlife Service on the "Nature and Conservation of the Vertebrate Fauna in New South Wales Rainforests".
2. I am of the opinion the proposed roading and logging of the North Washpool Area will have a significant impact on the environment and in particular on various species of vertebrate fauna, including arboreal mammals, bats, owls, parrots and cockatoos, rat-kangaroos and bandicoots, reptiles and amphibians. Some of these impacts may take long periods of time to manifest themselves, due to the slow rate of change of some known or presumed critical habitat attributes, such as the equilibrium density of trees with large hollows as remnant old growth trees die, following logging during the approximately 200 or so years required to re-establish.
3. I am of the opinion that the Environmental Impact Statement "Proposed Forest Operations in the Washpool Area" is a grossly inadequate document for assessing the impact on the environment of the proposed logging in the north Washpool Area, in particular the impact on the vertebrate fauna. The above mentioned E.I.S. does not include any specific faunal information based on surveys and research within the area it was purporting to be describing and assessing.

4. I am of the opinion that research on forest dependent species and their critical habitat requirements in combination with surveys and quantitative projections of those habitat requirements, in the North Washpool area are a pre-requisite to rational planning for multiple use and an objectively based assessment of impact. The Washpool E.I.S. particularly focusses on short term impacts without quantifying impacts associated with changes in the age, size and density of comparatively long lived trees.

The Washpool E.I.S. should have provided a prediction of the regeneration and loss of habitat using a dynamic habitat simulation model, for periods of time up to the life span of the longest lived trees.

5. I am of the opinion, based on survey work carried out in the area encompassed by the Washpool E.I.S. by five different investigators, and my own observations, the following species of national and statewide significance listed on Schedule 12 (Endangered Fauna) of the National Parks and Wildlife Act 1974, have been recorded, and would be expected to occur in the area proposed for habitat manipulation (roading, logging and associated perturbations) :-

- (a) Fauna of Special Concern - Platypus, Spotted-tailed Quoll, Eastern Pygmy Possum, Feathertail Glider, Koala, Large-footed Myotis, Carpet Python, Rose-crowned Fruit-Dove, Emerald Dove, Glossy Black-Cockatoo, White-throated Needletail, Cicadabird, White's Thrush, Crested Shrike-tit, Rufous Faintail;
- (b) Vulnerable and Rare Fauna: Common Planigale, Parma Wallaby, Major Skink, Pacific Baza, Peregrine Falcon, Wompoo Fruit-Dove, Powerful Owl, Masked Owl, Sooty Owl, Rufous Scrub-bird;
- (c) Threatened Fauna: Long-nosed Potoroo, Brush-tailed Rock Wallaby, Stephen's Banded Snake.

Recent information on the comparatively high carrying capacity of some wet sclerophyll forests on the North Coast of N.S.W. and the importance of forest types 23/28 myrtle/viney scrub as habitat for Black-breasted Button Quail, Coxen's Fig Parrot, Black-striped Wallaby means that a significant effort needs to go into surveying the vertebrate fauna of this forest type.

7. I am of the opinion the Washpool E.I.S. does not adequately address problems of spatial pattern of habitat fragments induced by roading logging and associated perturbations. The consequences of reducing populations to smaller and more isolated fragments should have been specifically researched. A geographic information system should have been used to generate patterns of distribution of rare, threatened and forest dependent vertebrate species through space under different harvesting alternatives. The Washpool E.I.S. should have reviewed the information on the impacts of roading dense forests including: permanent canopy breaks have been postulated to lead to degradation of the seral status of rainforest, its influence on allowing colonization by non forest dependent species and the consequences for various prey species of facilitating ingress of predators including Dingo, Fox, Cat, Snakes, Goannas, Kookaburras and Tawny Frogmouths.

I am of the opinion that roading apart from harvesting, although it directly disturbs only a relatively small area, has the potential to cause drastic changes in community structure, through influencing different processes that affect various plant and animal populations.

8. I am of the opinion that although the Washpool E.I.S. makes mention of changes to hydrology and water quality attributes as a consequence of logging it does not adequately review the consequences for amphibian or fish species of the changes which are likely to occur in low order small catchments, which potentially could have a high proportion of their vegetation converted from old growth to regrowth forest with consequences including reduced dry season stream flows, changes to organic debris and detritus input and the filling of stream bed interstitial space with fine sediment washed from roads and tracks.

9. I am of the opinion the tabulation of vertebrate classes from separate areas on the North Coast (Appendices 12 and 13 of the Washpool E.I.S.) is of little value due to different sampling methods and effort, used in those areas.

These tabulations of species occurrence can only be used to make decisions if backed up with information on population densities and degree of isolation of populations and projected changes in populations. As an aid to assessment it is invalid because it ignores the fact that within any particular area and vegetation type habitat is dynamic, particularly in the case of forests subject to harvesting.

Critical habitat variables such as availability of hollow trees, density of prey species, rates of predation or colonization by competitors are in a state of continual change largely reflecting the potential carrying capacity of various combinations of cohorts of trees within a particular forest type. Thus habitat dynamics, planned or reasonably projected, in the areas for which species are tabulated, also need accounting for. This is of particular importance for plant and animal species dependent on old growth forest habitat attributes. Since this proposal is principally to harvest overmature hardwood stands for maximum economic utilization, and in view of the high productivity of forest types 47a Tallowood - Sydney Blue Gum site height over 40m and 62a Grey Gum - Grey Ironbark - White Mahogany site height over 30 m. for old growth dependent species whilst unlogged and particularly since these forest types have been subject to widespread harvesting, an assessment of this proposal would need to show the age class distribution of stands within these forest types, to fully assess the regional and national significance of this proposed impact.

10. I am of the opinion the Washpool E.I.S. does not show how the North Washpool area interacts with adjoining lands, other forest areas and other regions. It does not describe which of the vertebrate species are migratory and which land use categories, regions and vegetation types elsewhere could be influenced through an impact on the densities of migratory faunal species. Nor does it show how it will or could potentially influence dispersal or recolonization of species populations which extend beyond the boundaries of the

area under consideration, both now and in the future under various forest management scenarios.

It thus fails to address the issue of North Washpool as part of a more extensive impact which is cumulative for a long period of time.

11. I am of the opinion, in agreement with the Forestry Commission's own biologist, who following a study of birds recorded in similar wet sclerophyll forest types among others in the Upper Hastings Valley (Shields et.al. 1985) concluded "To develop detailed bird principles, it will be necessary to evaluate the functional strategy that birds employ to exploit forest resources in northern New South Wales." and "The extent and distribution of retained vegetation necessary for the conservation of birds depends on the intensity of logging, site characteristics and the reproductive and foraging requirements of the resident bird community."

Clearly in addition to birds the mammals reptiles and amphibians need to have their reproductive and foraging requirements studied before environmental impact can be assessed, before future populations can be predicted and thus planning for multiple use management founded on a rational procedure and an objective information base.

Shields, J.M., Kavanagh, R.P. and Rohan-Jones, W.G. (1985) Forest Avifauna of the Upper Hastings River pp. 55 - 64 In Keast, A., Recher, H.F., Ford, R. and Saunders, D. (Eds.) Birds of the Eucalypt Forests and Woodlands: Ecology, Conservation, Management. Surrey Beatty and Sons Pty. Ltd. and R.A.O.U. Sydney.

NAME: Alexander Marshall GILMORE

DATE OF BIRTH: 9.9.1952

ADDRESS: "Morinda", Mafeking Road, FEDERAL. 2480.

MARITAL STATUS: Married, one dependent

EDUCATION: 1972 B.Sc. Monash University

EMPLOYMENT EXPERIENCE:

1972 to 1973	Museum of Victoria, Scientific Officer. Survey of Victorian Mallee Fauna.
1974 to 1979	Conservation Forests and Lands Victoria. Fauna Surveys throughout Victoria and studies on populations of forest and woodland birds.
1980 to 1983	National Parks and Wildlife Service of N.S.W. Ranger Naturalist. Fauna and Flora Surveys and Assessments. Reforestation and preparation of Fire Plans.
1983 to 1985	Consultant Wildlife Ecologist
1985	Northern Rivers College of Advanced Education, Lecturer/Tutor (part-time) Resources Survey and Environmental Management.
1985 to 1987	Consultant Wildlife Ecologist
1987 to 1988	Agriculture and Fisheries N.S.W. Agricultural Enquiries Officer. Tropical Fruit Research Station, Alstonville.
1988 to 1990	Conservation Forests and Lands Victoria. Research Officer, Design and implement research on the effects of silvicultural manipulation on wildlife habitat and populations.

PUBLICATIONS: Thirteen scientific and technical publications in Australian books, journals and symposium proceedings.



JOHN CORKILL

DIPLOMA IN TEACHING

ENVIRONMENTAL EDUCATOR, PLANNER, POLICY ADVISOR

Executive Member, Nature Conservation Council of NSW; Member, Coastal Committee of NSW;
Vice President, North Coast Environment Council Inc; Sydney Co-ordinator, North East Forest Alliance.

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LJSMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

FAX COVER SHEET

TO: NEIL LIDDEL FNC ALC
FAX No. 066 221 931 PH No. 066 221 547
No. of Pages following 9 DATE SENT 10/8/96

MESSAGE:

Info as requested

IF TRANSMISSION FAILS OR IMPERFECT, PLEASE PHONE: 02 2474 206



JOHN CORKILL

DIPLOMA IN TEACHING

ENVIRONMENTAL EDUCATOR, PLANNER, POLICY ADVISOR

Executive Member, Nature Conservation Council of NSW; Member, Coastal Committee of NSW;
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SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

FAX COVER SHEET

TO:

FAX No. PH No

No. of Pages following DATE SENT/...../.....

MESSAGE:

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IF TRANSMISSION FAILS OR IMPERFECT, PLEASE PHONE:

HILLMAN & WOOLF SOLICITORS

OUR REF BSW 2489/0

YOUR REF

DATE 12 July 1990

10 FL 80 ELIZABETH STREET
SYDNEY NSW 2000
TELEPHONE (02) 221 8522
FACSIMILE (02) 223 3530
DX 1558 SYDNEY

BRUCE WOOLF
BA LLB Dip URF

BRIAN HILLMAN
LLB Dip B Admin
Dip S de F des AM
Accredited Migration
Consultant

Mr T.F. Robertson
Barrister
7th Floor
Frederick Jordan Chambers
233 Macquarie Street
SYDNEY NSW 2000

BY HAND

Dear Tim

PUGH & CORKILL - WASHPOOL E.I.S.

I understand that Dailan Pugh has discussed the above with you with a view to considering whether action might be taken to prevent the Forestry Commission from commencing logging operations in the above area. This is a matter where, I understand, solicitors have previously advised our client but that no action has been taken on behalf of our client to date.

I understand that you have indicated you would be able to consider this matter on the weekend of 14/15 July, 1990. I am therefore providing to you the originals of the documents which have been provided to me to date. Could you please note that some of these documents have been borrowed by Mr Griffiths from the Department of Planning library and some from the Total Environment Centre library. The documents are as follows:-

1. Notes and comments by D. Pugh dated September, 1989;
2. Bundle of maps accompanying Environmental Impact Statement in plastic folder;
3. Department of Environment and Planning Environmental Assessment of proposed forest operations in the Washpool area dated May, 1982;
4. Submission by the National Parks and Wildlife Service of New South Wales dated March, 1981 in relation to Environmental Impact Statement of Forestry Commission of NSW;
5. Vegetation survey of the Washpool area Northern New South Wales carried out by Marilyn Fox dated 1983;
6. Forestry Commission of NSW Environmental Impact Statement for proposed forests operations in the Washpool area dated December, 1980; and

7. Copy letter dated 11 July, 1990 from Ian McKenzie to Hillman & Woolf together with statement of David Carr.

I have asked Dailan Fugh to provide a copy of the current management plan and any other material current in issue from the Forestry Commission of NSW so as to enable an assessment of the current operations proposed.

I am not able to advise that I hold any funds on account of fees (solicitor or Counsel) in this matter and I indicate that our client intends to seek legal aid. Accordingly, at this point we can undertake no personal obligation in relation to any Counsel fees. If this is a problem for you, please immediately return the papers to me.

Yours sincerely

Bruce Stephen Woolf

Encl.

The Wilderness Resources of Washpool

Text and Photos
by Elizabeth McLean

Washpool National Park, an extensive and mountainous area in north-eastern NSW, constitutes a large, undisturbed natural system which is of high wilderness value. Following the long battle over continued logging in the region, which was then under State Forest tenure, Washpool was declared as National Park in 1983. It was not until May 1985 that 24 500 hectares of the Park were dedicated as wilderness by the State Government. Washpool is sufficiently untouched to make the rich assembly of plant and animal communities of high conservation value. Similarly, the naturalness and solitude of the area, combined with the diversity of natural features, provide excellent opportunities for wilderness recreation.

Washpool represents one of the few large areas of NSW left in its natural state. Much of the country consists of a number of peaks over 1000m, with ridges and plateaus separated by steep gorges. The area contains a complex mosaic of vegetation types, ranging from scrub to dry open grey gum and spotted gum through moister blackbutt, tallowwood and blue gum to closed warm temperate and sub-tropical rainforest of coachwood and carabeen.

The rainforest element has a discontinuous distribution but is generally restricted to the most protected, moist areas where deeper, fertile soils persist. The former Willowie Scrub Flora Reserve now within the Park supports the largest

area of continuous rainforest. It is best developed along Malara, Willowie and Oorooro Creeks. The warm temperate rainforest, dominated by coachwood (*Ceratopetalum apetalum*), is the largest stand of its type in Australia, a type which is not found anywhere else in the world. The Willowie Scrub coachwood stand is of particular interest because it includes a number of seres ranging from mid-seral stage to a late or post-climax stage.¹ Dry rainforest is also of significance due to its poor conservation status in Australia. It is limited in extent, occurring on the middle and lower reaches of Washpool Creek. It is made up of the Shatterwood Association and includes red cedar (*Toona australis*) and flame



Blue Gum *Eucalyptus saligna* Forest with an understorey of grass trees *Xanthorrhoea australis* and Ferns — Moogem Rd.

tree (*Brachychiton acerifolium*). The stands of red cedar along Washpool Creek probably represent the largest stands of this species left in NSW.¹

Wet sclerophyll forest is also well represented in Washpool. Members of the blue gum-tallowwood-brush box (*Eucalyptus saligna*-*E. microcorys*-*Lophostemon confertus*) association reach heights of up to 70m, making them some of the finest examples of such forest in NSW.

Dry sclerophyll forest occurs only on drier sites. It consists of the New England blackbutt (*E. andrewsii* spp. *campanulata*) association and the spotted gum (*E. maculata*) association. In the vicinity of Redbank Creek excellent stands of spotted gum with an understorey of burrawang palms (*Macrozamia lawcettii*) can be found. This association is very poorly represented in reserves on the north coast of NSW.

Shrubland or heath is generally restricted to steep, rocky outcrops at higher elevations. They are also of high conservation value. The presence of dwarf cypress pines (*Callitris monticola*) and Blue Mountains red mahogany (*E. notabilis*) represent intermediate locations of these species, which reach the eastern end of the McPherson Ranges.¹

A result of the diversity of vegetation in Washpool is the great degree of mixing of one association with another. Warm temperate rainforest plays a 'pivot' role in this integration.

Warm temperate rainforest merges to sub-tropical rainforest in the more protected, moister or richer sites, and to wet sclerophyll associations where poorer conditions such as fire or logging persist.

Over 500 plant species have been recorded from the Washpool area.² Many of these are of special botanical interest because they are considered to be primitive and therefore crucial to the study of evolution of the Australian flora. Of the 500 species recorded, 70 species are of high conservation value because they are rare or restricted or because this recording extends their known geographic range.

Washpool is also important as a wildlife habitat because of the extent and variety of undisturbed plant communities. The most notable species include the Native Cat (*Dasyurus viverrinus*) and the Parma Wallaby (*Macropus parma*) which have rare conservation status. The Potoroo (*Potorous tridactylus*) and Rulou Rat-kangaroo (*Aepyprymnus rufescens*) are well represented in the open forests of the area. The distribution of these species has significantly contracted since European settlement.

The area is also of value scientifically since it represents the geographic limits of several species. For example, it represents the southern limit of the Red-crowned Pigeon (*Patellinopus regina*) and the Albert Lyrebird (*Menura alberti*). It represents the

western limit of the Powerful and Sooty Owls (*Ninox strenua* and *Tyto tenebricosa*) and the Azure Kingfisher (*Ceyx azureus*). It is the northern limit of the Olive Whistler (*Pachycephala olivacea*), while the Superb Lyrebird (*Menura novaehollandiae*) is at the north-western edge of its range.³

Due to the undisturbed nature of the forests there have been no reports of feral cats, foxes or introduced rats and mice. This has enabled Washpool to remain one of the few strongholds of small wallabies, ground-nesting birds and marsupial predators.⁴

The natural habitat of Washpool is also of conservation significance in providing movement and dispersal routes for migrating animals, moving from and between the surrounding areas including Gibraltar Range National Park and Lungen State Forest. This should ensure that an adequate gene pool is maintained in the area. The forests may also be important for animals, particularly birds who may migrate over longer distances and rely on the forests for food, shelter or roosting sites.

The Washpool area provides excellent opportunities for primitive recreation. Because of its size and essentially natural state it can provide for a variety of recreational pursuits including bushwalking, canyoning, orienteering, rogain, swimming, survival training, photography and nature studies.⁵

Bushwalking is probably the most popular activity undertaken in the area. Persons planning to walk in the wilderness area must register with the National Parks and Wildlife Service before departure.

Most walking is done without the use of tracks. The creeks provide the easiest walking opportunities. The gentler reaches of the creeks provide easy access due to the open banks and pebbly beds. As the creek gradient increases, the steepness of the banks and the size of the rocks in the bed increase. This requires more rock-hopping and creek bed walking than in the gentler stretches. In some cases large boulders block the creek and it is necessary to either scramble over them or detour around them. The steeper sections of some creeks, including Oorooro, Willowie, Upper Desert and Lower Malara Creeks, cut through basement rocks, forming tight gullies and gorges with several water-falls. These require careful negotiation by abseiling, swimming or detouring.

Access to and between the creeks is provided by a number of ridges. The ridges are diverse enough to cater for a variety of bushwalking abilities. The three major ridges of the area divide the Malara and Washpool Creek catchments. They are all interconnected and rise between 800 and 1100 metres above sea level. From these main ridges, smaller steep ridges drop down to the creeks. Although they are steep there are no cliffs or rock outcrops and navigation is relatively easy due to the open nature of the vegetation. Undulating, gentle ridges are found on the plateaux areas such as Willowie Scrub. The sparsity of the canopy here allows easy, flat walking but navigation may be difficult due to the lack of visible landmarks.

A natural feature of interest to the bushwalker is the diversity and quality of vegetation. The dry hardwood forests, typical of the slopes, allow easy walking due to the open grass or shrub understorey. The moist hardwood forests may slow progress down due to the rainforest shrubs and denser understorey, while the rainforests allow relatively easy walking although the density of the canopy may prevent navigation by visible landmarks.

The most difficult walking conditions are in areas of myrtle and viney scrub where the shrubby understorey and dense network of vines makes progress slow and tedious. These patches are usually found on disturbed sites such as Haydens Trig where cyclone damage has resulted in impenetrable regrowth.

Canyoning is another popular recreational pursuit in Washpool. Suitable sites are found on the steeper sections of Oorooro, Willowie and Desert Creeks. Waterfalls range in height from 10-30m and commonly occur in groups (for example, Oorooro Creek drops 50m over 70m). Rocks are rounded and provide safe abseiling conditions. Some slopes end in deep pools necessitating swimming. The unpolluted and clear waters of Washpool Creek provide excellent conditions for swimming.

The steep terrain, varied vegetation and absence of tracks in Washpool provide good conditions for orienteering and rogain. The solitude of the area provides ample opportunity for wilderness training and survival. The density of the vegetation necessitates the use of advanced navigational and bushcraft skills.

The area is very attractive for nature studies such as bird watching and plant identification due to the variety of geological, floral and faunal features. The natural beauty of Washpool also provides plentiful subjects and inspiration for photographers, painters etc.

Recreational facilities are kept to a minimum. They are centred along Coombadjha Creek in the south of the area. The three major rest areas, Coombadjha, Coachwood and Bellbird, cater for both day picnickers and campers. They are supplied with tables, campsites, fire-places, pit toilets and water. The rest areas are linked by the all-weather Coombadjha Road and short, graded walking tracks. These excellent visitor facilities aim at

Wilderness as a resource has been greatly undervalued in Australia, and is only now becoming recognized as an important land use. The Washpool wilderness is fortunate to have been recognized and declared as a wilderness area by the State Government. This is the first step towards its preservation as wilderness. The retention of its wilderness values will depend, however, on careful and efficient management. Active management, as well as protecting the area from the incompatible land uses mentioned above, will need to protect the area from other potential threats such as overuse by recreationists, incompatible forms of recreation, weed and feral animal invasion and fire.



Umbrella Fern.



The Bearded Dragon *Amphibolurus barbatus*.

introducing visitors to a 'mini' Washpool - allowing them to experience many elements of the vast wilderness which stretches 22 km away to the north.

Although the area is largely undisturbed, there is some evidence of man, particularly in the south and east, due to forestry activity. Grazing along the western fringe of Washpool since the 1840s has also left its mark - largely in the form of clearing and burning. Tracks also penetrate the wilderness area. Although they are not extensive and are only accessible to 4WD vehicles, their presence has reduced the quality of the area.

References

1. National Trust of Australia (1982). Landscape Conservation Area Washpool. National Trust.
2. Fox, M. (1983). A Vegetation Survey of the Washpool Area. Northern NSW. Department of Environment and Planning, Sydney.
3. Forestry Commission of NSW (1980). Proposed Forest Operations in the Washpool Area : EIS. Forestry Commission of NSW, Sydney.
4. Falconer, R. (1981). Why worry about the Washpool? National Trust Magazine, 10: 5-6.
5. Northern Rivers Bushwalkers Club (1981). Bushwalking Resources of the Washpool Wilderness. Northern Rivers Bushwalkers Club, Lismore.

Nicola:

Brian Preston

Pam Allen

Dispute mediation environmental issues

Dr Hans Drietsma claiming 'new openness' = ere? PR training.
radio in Eden Region.

ABC Bega: (O&A) 921 900 Chris Welsh
923 163 fx

Monday 9 July 1990

NEEA Submission to Jo Morgan: Networker

() 21 326 +

1 Mac - H. next week

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Stamps in ...
Mill ... ? ...

... for ...

I ... back in August.

New South Wales Government



Forestry Commission of N.S.W.

Head Office: 6th Flr, 95-99 York St, Sydney, N.S.W. 2000
Postal Address: G.P.O. Box 2667, Sydney, N.S.W. 2001



1307.90

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10.00

10.00 Ca

*Maps of Campements +
Forest types Washpool and
Malarra Creeks.*

x2 @ = 4 @ \$4.50 into

13- 7 - 90

*Cassino West
management plan. \$10.00.*

Thanks.

E Jones. (selling here)

Camp 7 No

ALS As Site

Mr. Nym Fox

4/7 to 12

Washed S.F.

4/7 could be logged if M.F. is
approved.

Core area sec. id. sites

Peter Hitchcock.

231 81-18

Long Canyon

→ John Corkill
NCC.

3 pages to follow

PSI Aquatic water.

No following / pages / were
renewed

10 DoP Evaluation

4 Marilyn Fox Veg. Report

6 Rf Policies / Further Progress.

1 W.M. Hominaton

4 Wilderness WG Report 1986

7
→ 1000 1.00?

Notes on Phae Call to Darlan Pugh. 8.8.90

Casino West Forestry Office drawing up Washpool ~~Forest~~ Harvesting Plan
Steedy to go + get copy if it's been finished.

Ben Halls Gap, Dome Mth (Duck Ck), Mistake S.F., underway a
hearing completion! Has consultation with DoP been undertaken?

Margules to work out public input for EIS's: Chaelundo S.F.

(062) 95 2777 Con. (066) 847451 Byron. Need to phone them

+ request public consultation as per Premier's announcement + FCNSW Forest. Bliig

Boorook S.F. - Road construction - Darlan has photos of it
half finished. Will do another inspection + get more photos.

He wasn't shocked at condition of road 'finished'. → Ombudsman!

Letter from BSW with emphasis on Washpool. Should say do EIS
and put pressure on FCNSW to comply w/ EPA Act.

Phone Sid Walker re Forest Policy.

John Benson at NPWS.

S.E.P.P. 4? No EIS's for developments in National Parks.

Australian Zoologist: last + next issues.

RAC Hearings.

overcutting since 1940's.

15% 'off' sustained yield

Stewart: sustained when history of overcutting.

FCNSW developed a view as to "suitable forest structure"

John Benson did field survey w/ Floyd in Washpool.

3 options for Washpool boundary - fire a big deciding factor

Cabinet make decision. Supra or FOI files - okay!

Phil Reid's paper on Tree Clearing.

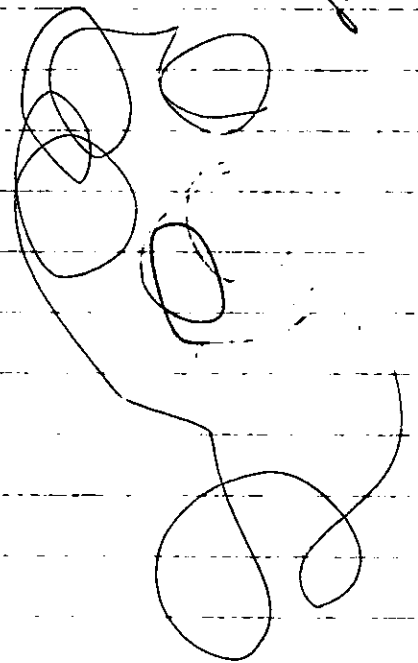
John Mills doing BH Gap EIS. for FCNBN

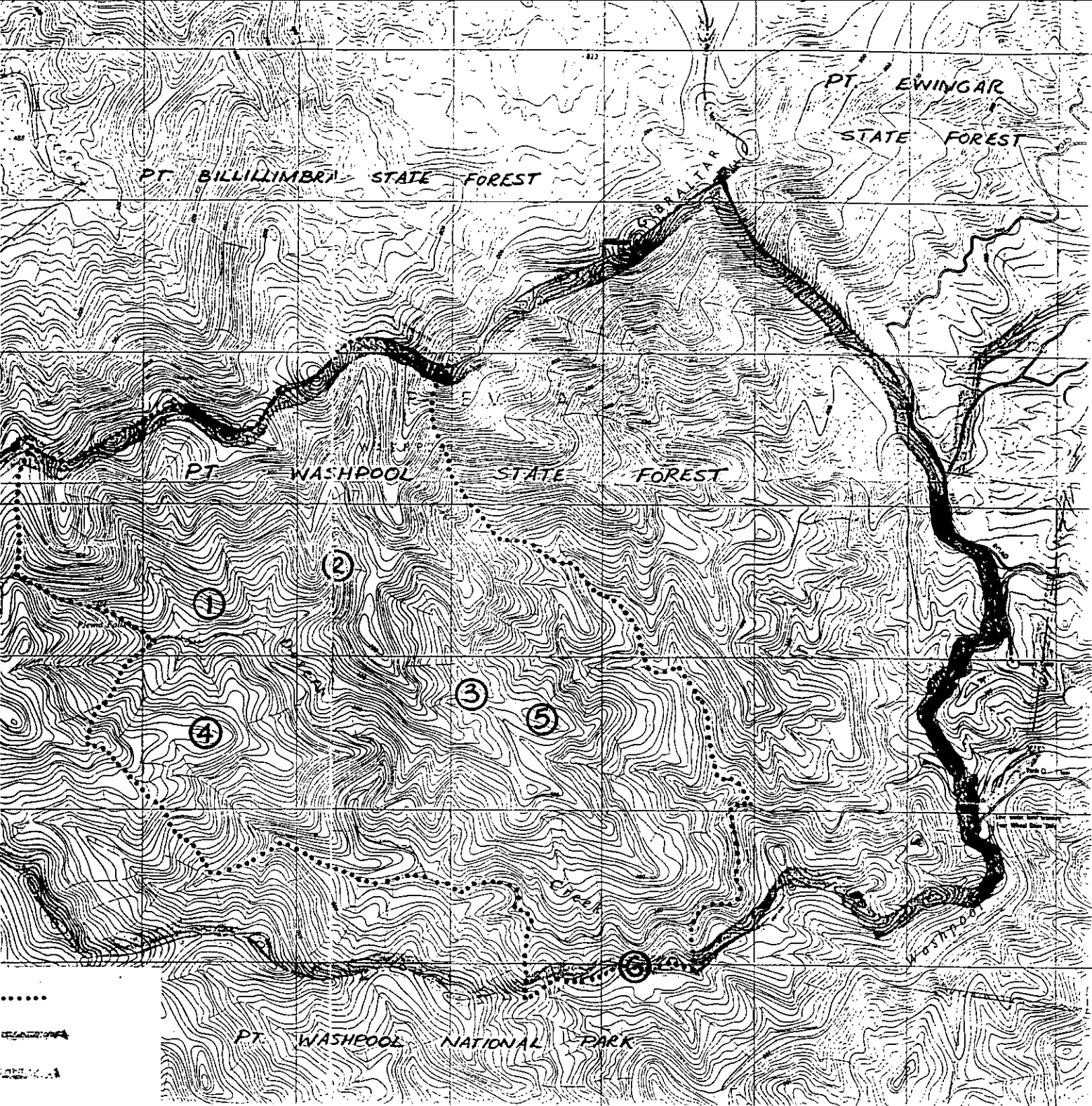
NPWS. is producing a BHG report (to assist groups in preparing submission on EIS) by John Benson + Debbie Andrew. Sept?

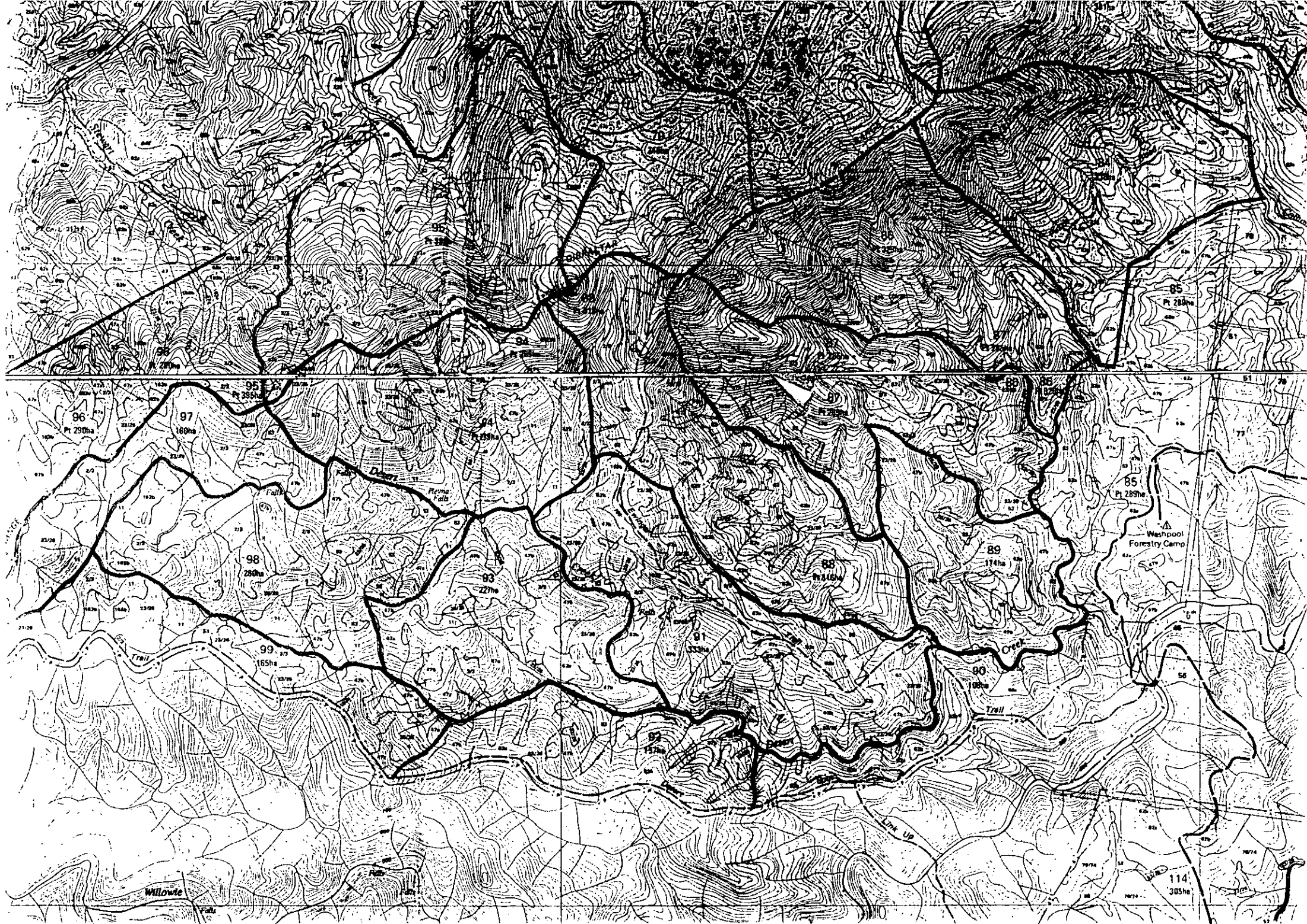
Pulp + Paper Task Force Report: NPWS Submission: Pancee Campbell

Moore, Baird, Greiner, Methrell, Collins, David,

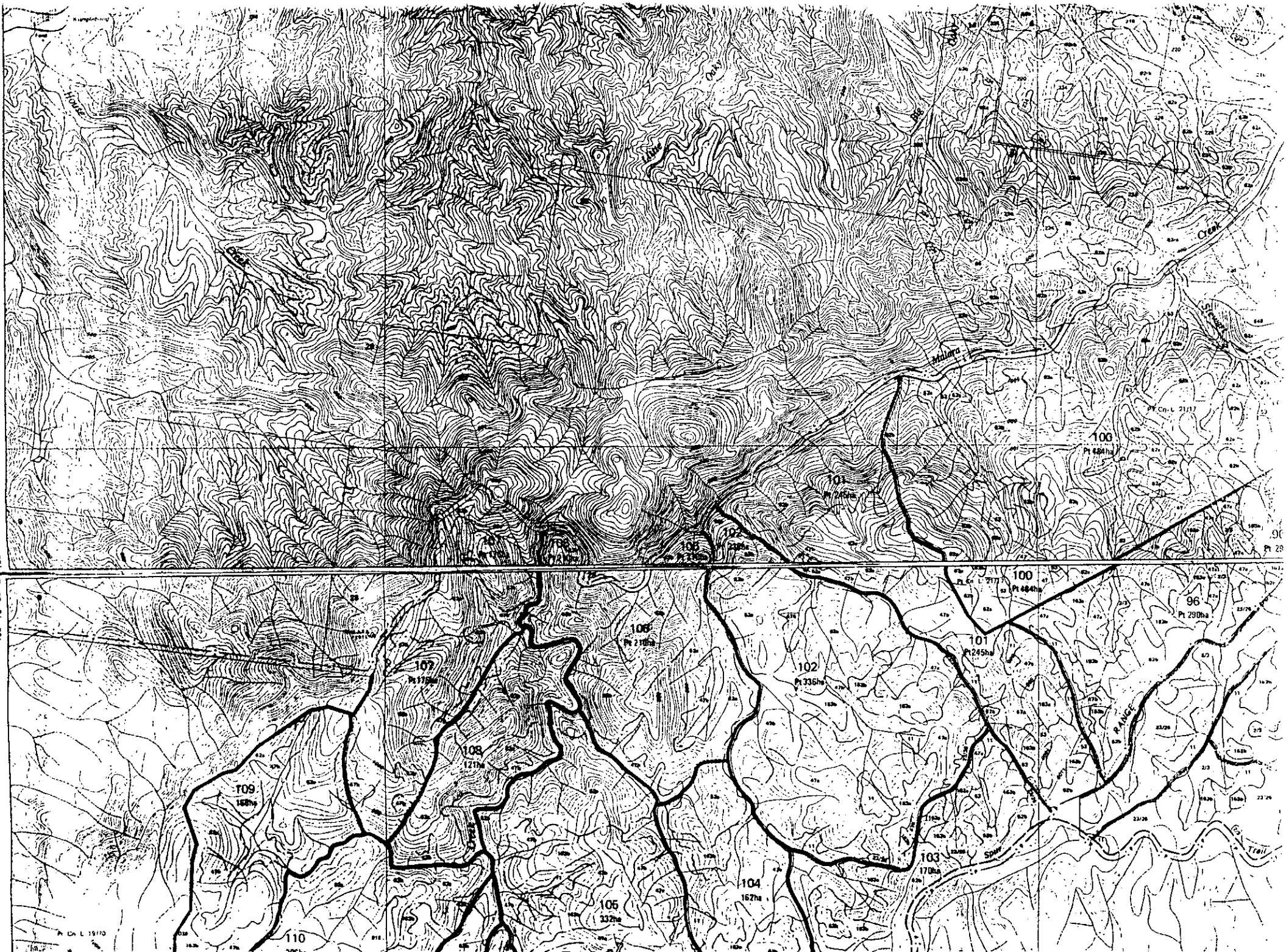
Neil Sheppard → Director Min. Env. → preparing EPA position paper.







152° 15' 00" E 52° 15' 00" E 8785 000 mN



~~Letter~~ to Manning from BSN
applicant agent for W SF inspection
DRAFT AFFIDAVIT
8.9.90.

1. I am the solicitor for the applicant.
2. Washpool and Billilimbra State Forests lie north of Washpool National Park, south west of Casino and directly west of the village of Baryugil. Annexed hereto and marked "A" is the Forestry Commission Tenterfield State Forests Map on which I have marked in black felt pen approximately the area comprising Compartments 687-693 and 697-699 inclusive of the Washpool State Forest No. 355 and Compartments 695, 696 and 700-713 inclusive of the Billilimbra State Forest No. 815 ("North Washpool").

I have taped together the detailed Forestry Commission maps of the said forests and marked North Washpool in yellow highlighter. Annexed hereto and marked "B" are the said maps.

4. I am informed by Dailan Pugh of the North East Forests Alliance and believe that the Respondent proposes to conduct or permit forestry activities in North Washpool. Annexed hereto and marked "C" is a true copy of a press release dated 30 July 1990 issued by the Respondent announcing the resumption of forestry activities in North Washpool.

5. I am informed by Dailan Pugh and believe that on or about 10 August the Minister for Natural Resources, the Hon. Garry West M.P. announced that forestry activities would not resume in North Washpool until Cabinet had decided the nomination of, inter alia, North Washpool for listing as a wilderness area under the Wilderness Act 1987. Annexed hereto and marked ["D"] is a true copy of the press release dated 4 September 1990 issued by / the Hon. Nick Greiner, M.P., the Premier of New South Wales announcing Cabinet's decision that forestry activities resume in North Washpool.

6. In 1979 the Respondent proposed to conduct forestry activities in the area now comprised in the Washpool National Park and part of North Washpool ("the Washpool area"). In 1980 the Respondent prepared and exhibited a purported Environmental Impact Statement concerning forestry operations in the Washpool area. Exhibited to me now and marked ["1"] is the said Statement. So far as I am aware the said Statement is the only Environmental Impact Statement for the Washpool area prepared or obtained by the Respondent purportedly in pursuance of its obligations under Part V of the Environmental Planning and Assessment Act 1979 ("the Act").

7. I have compared the map entitled "Washpool Area Proposed Logging Operations", annexed to the said Statement with annexure B to this affidavit for the purpose of ascertaining the degree of agreement between the area purportedly studied in the said Statement and North Washpool and I say that Compartments 679, 686 and 687 of North Washpool were not studied in the said Statement.
8. The said Statement was examined in the Department of Environmental ~~and~~ Planning in accordance with section 113(5) of the Act. Exhibited to me now and marked "2" is the Environmental Impact Assessment of the Department dated May 1982.
9. In 1981 and 1982 Dr Marilyn Fox and colleagues of the National Herbarium of New South Wales prepared a report to the said Department to assist it in assessing the said Statement. Exhibited to me now and marked "3" is the published report entitled "A Vegetation Survey of the Washpool Area, Northern New South Wales".
10. On or about 26 October 1982 State Cabinet decided to reserve an area of land for a National Park in the Washpool area and to phase out rainforest logging throughout New South Wales by 1990.

11. On 14 December 1982 the Commissioner for Forests issued a purported Environmental Impact Assessment Report entitled "Proposed Forest Operations in the Washpool Area", a true copy of which is exhibited to me now and marked "4".

12. In or about 1979 a Management Plan for the Casino West / Management Area was prepared. It has been amended in 1980, 1982, 1983 and 1987. So far as I am presently aware, it is the current Management Plan for forestry operations in, inter alia, North Washpool. Exhibited to me now and marked "5" is a true copy of the said Management Plan.

13. In 1988 the Wilderness Society nominated North Washpool for declaration as a wilderness area under the Wilderness Act 1987. Exhibited to me now and marked "6(a)" is the Assessment Report on the nomination signed by W. Gillooly, Director, National Parks and Wildlife Service dated 28 August 1990. The Service also prepared a report, being an inventory and evaluation of natural and cultural heritage values for North Washpool; Exhibited to me now and marked "6(b)" is a true copy of the said Report dated August 1990.

to provide
to BSW

also
AMC

- ✓ 14. Annexed to this affidavit and marked ["E"] is a true copy of the harvesting plan for Compartment 695 in North Washpool dated 7 August 1990.
- ✓ 15. Annexed to this affidavit and marked ["F"] is a true copy of a news report in the Northern Star, a newspaper circulating in north-east New South Wales dated 6 September 1990.
- ✓ 16. On 19 March 1990 I requested an undertaking from the Respondent on my client's behalf to refrain from forestry activities in North Washpool. Annexed hereto and marked ["G"] is a true copy of my letter. Annexed hereto and marked ["H"] is a true copy of the Respondent's reply dated _____. Annexed hereto and marked ["I"] a true copy of my response dated _____.
17. On 5 September 1990 I sent by facsimile a letter requesting an undertaking in similar terms. Annexed hereto and marked ["J"] is a true copy of the original of the said letter.
18. I fear that unless restrained by this Honourable Court, the Respondent will by its servant, agents, licensees and contractors road, log and otherwise degrade North Washpool without first complying with the provisions of Part V of the Act.

IN THE LAND AND ENVIRONMENT COURT
OF NEW SOUTH WALES

No. of 1990

JOHN ROBERT CORKILL

Applicant

FORESTRY COMMISSION OF
NEW SOUTH WALES

Respondent

AFFIDAVIT

Deponent: JOHN WILLIAM MCGARITY

HILLMAN AND WOOLF
Solicitors
10th Floor
82 Elizabeth Street
SYDNEY 2000

DX: 1558 SYDNEY
FAX: (02) 223 3530
TEL: (02) 221 8522
REF: BSW

I, JOHN WILLIAM MCGARITY of 'Karu', Bundarra Road, Armidale in the State of New South Wales, Soil Scientist, say on oath as follows:

1. I am qualified as a Bachelor of Science in Agriculture (Hons), Master of Science in Agriculture and Doctor of Philosophy attained from the Faculty of Agriculture of the University of Sydney.

I am a qualified soil scientist and expert in land development of 40 years standing. I have been principally employed by Universities, and have taught courses in soils and soil conservation over many years, to rural science and resource management students.

I have published papers and reports on soil conservation and soils under forests and have had practical experience in the planning of, and assessment of the need for, erosions control measures for land development (Thailand, Malaysia, Kenya). I am a corporate member of the Australian Association of Agricultural Consultants.

2. I have been requested by the Applicant in these proceedings to examine and report on the intention of the Forestry Commission of New South Wales (FCNSW) to resume logging in the area known as the North Washpool Forest, with particular reference to the Harvesting Plan for Compartment 695 of the Billilimbra State Forests, No. 815.

3. I have visited the North Washpool area on two occasions, (August and December 1989) to ascertain the general physical nature of the area, the soils and the potential for erosion. I have examined a number of other logged areas of State Forests controlled by Forestry Commission of NSW over the last two years. Opinions expressed in this affidavit are thus supported by supplementary knowledge of the soils and management practices extant in eastern NSW.

4. I have examined the Harvesting Plan for Compartment 695 of the Billilimbra State Forest. Although I have not visited this area, it is obvious that this plan is inadequate in many respects in relation to the information required to assess the impact of roading and logging on soil erosion and degradation and consequent effects on water quality in this catchment.

In my view the following considerations indicate that logging should not be undertaken in the Compartment until a valid environmental impact study shows that permanent damage to the catchment will not result.

i) GEOLOGY The rock parent material for the soils is described as a Biotite Adamellite. This lithological classification is derived from the Stanthorpe Adamellite map unit of the 1:250,000 Geological Map. Given the scale and detail of the geological map there can be no certainty that this particular rock type is the only or dominant kind present in the Compartment 695.

The mineralogy (size, species, chemistry and degree of weathering) of granite parent materials greatly influences the kinds of soils developed in this environment.

ii) SOILS The statement that soils in the Compartment are Biotite Adamellite has no scientific meaning in the context used. Soils vary considerably in their properties from ridges to valley bottoms for reasons such as drainage and natural erosion.

Additionally, the nature of weathering of the granite rocks to give different saprolites will also determine the kind of soil developed on granite landscapes. While it appears that the soils in the Compartment have been classed as having high erodibility on the basis of perceived geology of the area, such soils could be extremely erodible or even moderately erodible.

There is thus insufficient evidence to determine the erodibility class of the soils of this area either from the Harvesting Plan or from the EIS prepared in 1980 (EIS p.68-Proposed Forest Operations in the Washpool Area-Environmental Impact Statement, Forestry Commission of NSW December, 1980).

iii) SLOPE An examination of the Harvesting Plan for Compartment 695 (Page 7) reveals, from the contours, that the area is rugged to steep, with many slopes exceeding 25 degrees over distances of 100 metres or more. The eastern and southern boundaries of the watershed fall away in slopes that are, or exceed 30 degrees. Approximately 20 per cent of the area has slopes of this order.

It is generally recognised that logging operations should not be undertaken on slopes exceeding 30 degrees according to the

Standard Soil Erosion Mitigation Conditions of the Forestry Commission of NSW (SEMC).

It is also required that snigging should not be carried out on slopes above 25 degrees. The Harvesting Plan shows the location of 5 dump sites along the southern ridge road above slopes exceeding 25 degrees and 6 dump sites above similar slopes on the eastern side. It can be inferred that the intention of the plan is to snig logs upslope to these dumps. It is apparent that in the preparation of this plan that considerations of the effect on soil erosion and sediment transport has been neglected, irrespective of the erodibility classification of the soil. That the areas to be logged should be clearly marked on the plan, would seem to be a mandatory requirement of any plan. One can only conclude that logging is to proceed in the area without consideration of the perceived fragile nature of this particular landscape.

iv) EROSION This is a climatically derived term the parameters of which are used to evaluate the effect of intensity and duration of rainfall on soil movement. Storms of high intensity and long duration are responsible for detachment, dispersion and suspension of soil aggregates and for associated run-off to transport and deposit the suspended material. Data on the interaction of rainfall with soil, slope and vegetative cover is thus essential for any valid evaluation of the effect of forest removal on soil erosion of any specific site.

The SEMC, which were prepared for the Bombala-Eden area and which have been adopted by the Forestry Commission for use throughout NSW, are not considered suitable for areas where there is a high probability of more intensive storms of long duration. Thus, data for Bowraville (North Coast NSW) with annual precipitation of 1541 mm per annum, can be shown to have an expectation of storms about twice the intensity of those expected for the same duration at Bombala (McGarity 1988).

Rainfall at Ewingar has been estimated at 1440 mm per annum in the EIS. The EIS however suggests that higher rainfall exists over the Washpool area for much of the proposed logging area (Page 74) and higher rainfalls (exceeding 2000 mm per annum) may be experienced close to the Gibraltar Range (Department of Environment and Planning, Forest Operations Washpool 1982).

It is likely therefore that even more intensive rainfall events could occur at higher elevations such as in Compartment 695, of Billilimbra State Forest. The speculative nature of the climatic data presented in the EIS (see DEP 1982), give little confidence as to the likely efficacy of the SEMC for this (DEP 1982), and other coastal areas, e.g. Mistake State Forests (McGarity, 1988).

From consideration of the inadequacies of the information supplied in the Harvesting Plan, it is apparent that basic information on the erodibility of the soils on steep and long slopes when vegetation cover is removed has not been considered in relation to rainfall intensities which are very likely to greatly exceed those on which the SEMC was originally based. Until research has been carried out to obtain the relevant data, and to show that damage will not result, no logging should be permitted.

5. The discussion and recommendation made above, for Compartment 693 would appear applicable to further logging operations in other parts of the North Washpool area. The 1980 EIS is of little or no value in helping to evaluate Harvesting Plans because it is not site specific in relation to soils and some of the factors that control erosion. Neither useful data on erodibility or erosivity are provided in the EIS and the paucity of soils information does not enable judgements to be made about the potential erosion of the area as a whole.

6. Until efforts are made to describe the existing physical environment in the catchments where logging is proposed, it will not be possible to evaluate the need for further research on the likely impact of logging in the North Washpool area.

Such information should form the basis for experimentation and monitoring that would enable the efficacy of the SEMC to be tested for the region.

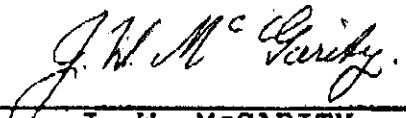
7. An inspection of logging operations in the region indicates that frequently, at the conclusion of the operation, the current SEMC guidelines are not carried out in relation to measures designed to rehabilitate log dumps satisfactorily and prevent sediment movement to drainage lines.

8. In view of the grave risk of erosion attached to logging in the North Washpool area and my lack of confidence in the value of the SEMC for the region, as well as in the follow up procedures undertaken to ensure contractors adhere to the conditions of operation, I would recommend that no further logging be undertaken until a comprehensive and research oriented environmental impact study has been undertaken.


Affirmed and declared

Before me at Armidale

this 8 th day of September 1990

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J. W. MCGARITY
M.Sc.Agr., Ph.D., MAAAC.

 J.P.

~~Notary~~ Justice of the Peace



JOHN CORKILL

DIPLOMA IN TEACHING

ENVIRONMENTAL EDUCATOR, PLANNER, POLICY ADVISOR

Executive Member, Nature Conservation Council of NSW; Member, Coastal Committee of NSW;
Vice President, North Coast Environment Council Inc; Sydney Co-ordinator, North East Forest Alliance.

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

FAX COVER SHEET

TO: SUE WALKER -

FAX No. 066 420 619 PH No. 066 420 591

No. of Pages following 4 + 1 = 5 DATE SENT 9/9/90

MESSAGE:

This is correct format - McGawaty signed it and
it was witnessed - Affidants need JPs' + signators' initials
or signature on every page as well as on last page.
ANNEXURES should have clearly written: "This is Annexure 1 (Map) [or 2
Photos] to the Affidavit of --- affirmed + decl'd etc" as per last page format
IF TRANSMISSION FAILS OR IMPERFECT, PLEASE PHONE: 02 2474 206
+ should also be signed: each page: by both (Isn't law simple?)



JOHN CORKILL

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ENVIRONMENTAL EDUCATOR, PLANNER, POLICY ADVISOR

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FAX COVER SHEET

TO:

FAX No. PH No

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IF TRANSMISSION FAILS OR IMPERFECT, PLEASE PHONE:

IN THE LAND AND ENVIRONMENT COURT
OF NEW SOUTH WALES

No. of 1990

JOHN ROBERT CORKILL

Applicant

FORESTRY COMMISSION OF
NEW SOUTH WALES

Respondent

AFFIDAVIT

Deponent: JOHN WILLIAM MCGARITY

HILLMAN AND WOOLF
Solicitors
10th Floor
82 Elizabeth Street
SYDNEY 2000

DX: 1558 SYDNEY
FAX: (02) 223 3530
TEL: (02) 221 8522
REF: BSW

I, JOHN WILLIAM MCGARITY
of 'Karu', Bundarra Road,
Armidale in the State of
New South Wales, Soil
Scientist, say on oath as
follows:

1. I am qualified as a
Bachelor of Science in
Agriculture (Hons), Master
of Science in Agriculture
and Doctor of Philosophy
attained from the Faculty
of Agriculture of the
University of Sydney.
I am a qualified soil
scientist and expert in
land development of 40
years standing. I have
been principally employed
by Universities, and have
taught courses in soils
and soil conservation over
many years, to rural
science and resource
management students.
I have published papers
and reports on soil
conservation and soils
under forests and have had
practical experience in
the planning of, and
assessment of the need
for, erosions control
measures for land
development (Thailand,
Malaysia, Kenya). I am a
corporate member of the
Australian Association of
Agricultural Consultants.

2. I have been requested
by the Applicant in these
proceedings to examine and
report on the intention of
the Forestry Commission of
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particular reference to
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Compartment 695 of the
Billilimbra State Forests,
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3. I have visited the North Washpool area on two occasions, (August and December 1989) to ascertain the general physical nature of the area, the soils and the potential for erosion. I have examined a number of other logged areas of State Forests controlled by Forestry Commission of NSW over the last two years. Opinions expressed in this affidavit are thus supported by supplementary knowledge of the soils and management practices extant in eastern NSW.

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It is also required that snigging should not be carried out on slopes above 25 degrees. The Harvesting Plan shows the location of 5 dump sites along the southern ridge road above slopes exceeding 25 degrees and 6 dump sites above similar slopes on the eastern side. It can be inferred that the intention of the plan is to snig logs upslope to these dumps. It is apparent that in the preparation of this plan that considerations of the effect on soil erosion and sediment transport has been neglected, irrespective of the erodibility classification of the soil. That the areas to be logged should be clearly marked on the plan, would seem to be a mandatory requirement of any plan. One can only conclude that logging is to proceed in the area without consideration of the perceived fragile nature of this particular landscape.

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The SEMC, which were prepared for the Bombala-Eden area and which have been adopted by the Forestry Commission for use throughout NSW, are not considered suitable for areas where there is a high probability of more intensive storms of long duration. Thus, data for Bowraville (North Coast NSW) with annual precipitation of 1541 mm per annum, can be shown to have an expectation of storms about twice the intensity of those expected for the same duration at Bombala (McGarity 1988).

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7. An inspection of logging operations in the region indicates that frequently, at the conclusion of the operation, the current SEMC guidelines are not carried out in relation to measures designed to rehabilitate log dumps satisfactorily and prevent sediment movement to drainage lines.

8. In view of the grave risk of erosion attached to logging in the North Washpool area and my lack of confidence in the value of the SEMC for the region, as well as in the follow up procedures undertaken to ensure contractors adhere to the conditions of operation, I would recommend that no further logging be undertaken until a comprehensive and research oriented environmental impact study has been undertaken.

Affirmed and declared)
Before me at Armidale)
this th day of September 1990)

J. W. McGARRITY
M.Sc.Agr., Ph.D., MAAAC.

Solicitor/Justice of the Peace

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From consideration of the inadequacies of the information supplied in the Management Plan, it is apparent that basic information on the erodibility of the soils on steep and long slopes when vegetation cover is removed has not been considered in relation to rainfall intensities which are very likely to greatly exceed those on which the SEMC was originally based. Until research has been carried out to obtain the relevant data, and to show that damage will not result, no logging should be permitted.

Harvesting

Blockade plan for Washpool

Conservationists are preparing to set up blockades to stop the Forestry Commission going ahead with the logging of north Washpool and will seek a court injunction to stop all work in the area.

The Wilderness Society and the North East Forest Alliance (NEFA) are challenging the validity of the environmental impact statement (EIS) prepared in 1980 for the logging of the area.

Mr John Corkill, of the NEFA, said conservationists would be arguing for an entirely new EIS because they felt the 1980 statement was concerned not with the area now proposed for logging.

Cabinet decided on Tuesday to stick by a 1982 Labor Government agreement whereby 7,000 hectares of north Washpool would remain available for the timber industry.

In his first public statement on the decision, the Minister for the Environment, Mr Moore, who supported saving the north Washpool area as a national park, said that contrary to rumours he had never considered resigning over the issue.

But Mr Moore said the area deserved to be saved from logging and he was disappointed.

Minister blames Opposition for defeat

By environment writer BRIAN WOODLEY

FACING defeat in the NSW Cabinet today over his proposal to give wilderness protection to part of a State forest, the Minister for the Environment, Mr Moore, yesterday blamed the Leader of the Opposition, Mr Carr.

Mr Moore, who is in conflict with the Minister for Resources, Mr West, on the issue, told *The Australian* he had hoped to use a "bipartisan" argument to persuade his fellow ministers that a 15,600ha

catchment on the edge of the Washpool National Park set aside for logging eight years ago was worth preserving.

Instead, he said, his Cabinet opponents would be able to use the argument against him, following ill-timed remarks by Mr Carr that the Opposition did not favour expanding those areas already protected in the State's northern forests.

Mr Carr immediately struck out at the minister's "flatu-

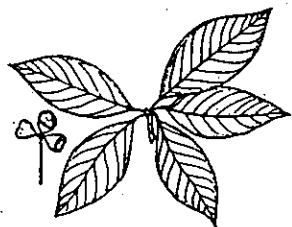
lent weakness in Cabinet — either he can get a position through or he can't, but he can't blame the Opposition for it."

Setting the ground for his own debate within the shadow Cabinet today on the issue, he claimed Mr Moore had relied on incomplete reporting of his comments.

Today's Cabinet meeting is said by political sources to be likely to adopt Mr West's pro-logging stand.

The Aust. P. 4

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Lophosolenon confertus

file copy

N.E.F.A.

NORTH EAST FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

5th September, 1990

Mr Tim Moore,
Minister for the Environment,
Level 20,
Westfield Tower,
100 William Street,
East Sydney. 2011.

Dear Tim,

Re: Cabinet decision on North Washpool Wilderness assessment

Though we are deeply disappointed at Cabinets' decision to refuse to protect the North Washpool wilderness area, I write to personally thank you for your presentation recommending the recognition of the wilderness values of the area and the incorporation of the area into the Washpool National Park.

Tim, I am sure that you are as unhappy about the outcome of your colleagues' deliberations as we, though I know that you are unable to publicly confirm or give vent to these feelings.

The North East Forest Alliance and other environmental groups are not similarly constrained in this matter and will be vocal in criticising the decision and the Cabinet as a whole.

Please do not interpret these criticisms as a failure on our behalf to recognise the effort made by you, or those of your colleagues who supported you in yesterday's Cabinet debate and ballot.

Since Cabinet confidentiality prevents us from identifying these supporters of wilderness, perhaps you could thank your colleagues on our behalf and tell them that their efforts are appreciated, notwithstanding that they were unsuccessful.

Two matters remain to be clarified regarding yesterday's Cabinet decision:

1. Will the NPWS Wilderness Assessment Report be released publicly? If so, when? May we, NEFA, be issued a copy as soon as possible please?
2. The Aboriginal Place to protect the significant cultural values within Washpool SF, recently promised by then Minister Causley, was not a part of the 'status quo' of 1982. Will this Place still be declared by you as the Minister administering the NPW Act?

NEFA understands that there are other areas within the North Washpool area of similar significance, as areas of secret/sacred traditional value, which have not been disclosed yet to FCNSW or their consultants.

I am not entitled or qualified to comment on these values but have been told that they exist, and cannot be revealed casually or inappropriately, possibly not even until they are actually threatened.

Will the NPWS pursue further investigations of the cultural significance of the North Washpool area, beyond the already identified area as a matter of priority?

NEFA would be pleased to be advised of the situation regarding both these matters at your earliest convenience.

Thank you for your assistance in these important matters.

Yours sincerely,
For the Land...

J.R. CORKILL
Sydney Area Co-ordinator, NEFA.



THE
WILDERNESS
SOCIETY NSW

53 Liverpool St.,
Sydney NSW 2000
Telephones:
Office (02) 267-7929
Shop (02) 267-7525
Fax (02) 264-2673

MEDIA RELEASE...

GREINER'S CHANCE TO SAVE WORLD HERITAGE RAINFORESTS,
LEFT OUT BY WRAN

Tuesday's Cabinet decision on Washpool, a threatened wilderness area in north-east NSW, is an historic chance for Premier Nick Greiner to rectify a major mistake by the Wran Government in 1982, The Wilderness Society said today.

Mr Richard Ledger, Director of the Society said: "Startling new information shows that an internationally significant rainforest in Washpool, which should have been protected in a World Heritage zone declared in 1986, was in fact left out on the basis of Mr Wran's 1982 decision."

"Tuesday's Cabinet meeting is Mr Greiner's chance to show that his Government does care for our natural heritage - by protecting the entire North Washpool area as wilderness," Mr Ledger said.

"Washpool includes the 'Willowie Scrub' rainforest - the largest area of coachwood forest in the world - which was one of the major reasons for the region being placed on the World Heritage List in the first place."

"Four years later, parks and wildlife experts including prominent ecologist Associate Professor Harry Recher, have confirmed that almost one fifth of this precious forest was left out of the protected area."

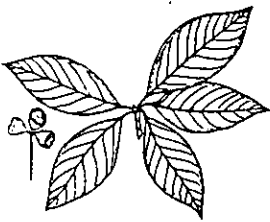
The Cabinet decision will be based on a National Parks & Wildlife Service (NPWS) assessment of Washpool, conducted under the Wilderness Act following The Wilderness Society's nomination of the area in 1988.

Although the Liberal and National Parties supported the Wilderness Act before they came to power, they are yet to protect any new areas. The last assessment to go before NSW Cabinet, Coolangubra wilderness in the South East Forests, was rejected out of hand in February 1989.

"Washpool is a special opportunity for Mr Greiner to show that, despite his track record, there is some depth to his new-found green colours," Mr Ledger concluded.

FOR FURTHER INFORMATION:

Richard Ledger	(018) 380 393	(03) 329 6045 h
Haydn Washington	(02) 267 7929 w	(02) 969 9090 h
Elise Newberry	(02) 267 7929 w	(02) 713 7249 h
A.J. Brown	(02) 267 7929 w	(02) 389 8797 h



NORTH EAST FOREST ALLIANCE

NEWS RELEASE - FOR IMMEDIATE DESPATCH - 6.9.1990

BRUSH BOX

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GOALPOSTS HAVEN'T MOVED -GREINER DISORIENTED ON FIELD OF PLAY

Claims that environmentalists had 'moved the goalposts', made by Premier Greiner in announcing Cabinet's decisions to refuse wilderness protection for North Washpool and permit logging, were today rejected by North East Forest Alliance.

"Our goals are the same now as they were ten years ago - an end to rainforest logging, now!; protection of the remaining wilderness areas; protection of representative samples of all native flora and fauna in secure Reserves; and a timber industry based on sustained yield", said NEFA spokesman, Mr John Corkill.

"Cabinets decision fails to met any of these goals. If Mr Greiner thinks the goalposts have moved its because he's disoriented on the field of play, he's playing way out of position", he said. "Maybe he thinks he's on our team!"

Mr Corkill said it was Mr Greiner who had attempted to "move the goalposts" with his 'New Environmentalism' statement released earlier this year.

"Mr Greiner has reneged on his 'social contract' with future generations of NSW citizens, made when the Wilderness Act passed into law with the support of both Coalition parties in 1987", he said. "Not once has he honoured this contract".

Mr Greiner had claimed in a media conference following the Cabinet decision that the government was bound to honour a 'social contract' entered into by the then Wran government to permit logging in the Washpool and Billilimbra State Forests.

"Why is Cabinet bound by a decision made by a Cabinet, three governments previous, of a different political persuasion?"

"We believe Cabinet has ignored 8 years of new, relevant and compelling information about the natural values of the area:

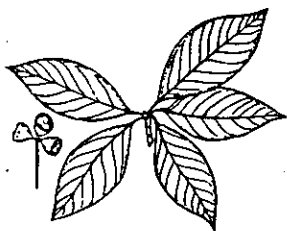
- * the World Heritage values of the adjacent National Park and rainforest which extends into the North Washpool, (1986);
- * the significance of 70 species of rare, restricted or otherwise notable plants, (1983);
- * the important Aboriginal cultural values (1990);
- * the critical habitat provided by North Washpool for endangered mammal species, e.g. Eastern Native Cat, (1990);
- * the areas importance as pristine Wilderness (1990)" he said

"None of these facts were known 8 years ago, despite Mr Greiner's misleading claim that all the areas' values were known in 1982," said Mr Corkill.

Mr Corkill said NEFA rejected the notion that the timber industry's long term security was now guaranteed by access to North Washpool's rainforests and old growth forests.

"When these are cut out, where will they cut then?" ...ENDS.

For more info: Ph John Corkill (02) 2447 206w, (02) 660 3496h



NORTH EAST FOREST ALLIANCE

NEWS RELEASE - FOR IMMEDIATE DESPATCH - 6.9.1990

BRUSH BOX

Lophospermum confertus

GOALPOSTS HAVEN'T MOVED -GREINER DISORIENTED ON FIELD OF PLAY

Claims that environmentalists had 'moved the goalposts', made by Premier Greiner in announcing Cabinet's decisions to refuse wilderness protection for North Washpool and permit logging, were today rejected by North East Forest Alliance.

"Our goals are the same now as they were ten years ago - an end to rainforest logging, now!; protection of the remaining wilderness areas; protection of representative samples of all native flora and fauna in secure Reserves; and a timber industry based on sustained yield", said NEFA spokesman, Mr John Corkill.

"Cabinet's decision fails to meet any of these goals. If Mr Greiner thinks the goalposts have moved it's because he's disoriented on the field of play, he's playing way out of position", he said. "Maybe he thinks he's on our team!"

Mr Corkill said it was Mr Greiner who had attempted to "move the goalposts" with his 'New Environmentalism' statement released earlier this year.

"Mr Greiner has reneged on his 'social contract' with future generations of NSW citizens, made when the Wilderness Act passed into law with the support of both Coalition parties in 1987", he said. "Not once has he honoured this contract".

Mr Greiner had claimed in a media conference following the Cabinet decision that the government was bound to honour a 'social contract' entered into by the then Wran government to permit logging in the Washpool and Billilimbra State Forests.

"Why is Cabinet bound by a decision made by a Cabinet, three governments previous, of a different political persuasion?"

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- * the World Heritage values of the adjacent National Park and rainforest which extends into the North Washpool, (1986);
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For more info: Ph John Corkill (02) 2447 206w, (02) 660 3496h

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

NORTH WASHPOOL FORESTS - FACT SHEET - SEPTEMBER 1990

Time is running out for the unprotected rainforests & old-growth forests of North Washpool, 70 km north-west of Grafton.

State Cabinet HAS DECIDED to permit logging of this pristine wilderness - one of the few remaining large areas of undisturbed native forest in North-east N.S.W.

The Washpool forests contain the renowned Coachwood (*Ceratopetalum apetalum*) rainforests of the Willowie scrub, the largest forest of this type in the world. A richness of vegetation communities from warm temperate to sub-tropical rainforests & eucalypt dominated wet sclerophyll forests combine with fern & palm fringed creeks to form a wilderness almost totally devoid of human interference, feral predators & noxious weeds.

In 1982, 28,000 hectares of these forests were declared National Park by the then Wran government. However, in a cynical decision to appease local timber & political interests, the Park boundaries were arbitrarily drawn to exclude approximately 7,000 hectares of the Northern Washpool forests into which the Coachwood rainforests extend. In 1986 in recognition of its international biological significance, the existing Washpool National Park was listed as part of N.S.W.'s World Heritage Rainforest Area.

Due to the pristine nature of the larger Washpool wilderness, a rich diversity of flora & fauna has remained intact. Rare & threatened species of fauna include the Powerful Owl, the Albert Lyrebird, Eastern Native Cat, Parma & Brush-tailed Wallabies, Long-nosed Potoroo & Rufous Rat-kangaroo. Very little is known about the area's reptile, amphibian & invertebrate populations. Over 500 different plant species have been recorded, 70 of which are regarded as either rare, restricted or geographically significant.

In addition North Washpool contains the two undisturbed water catchments of Desert & upper Malara Creeks, and areas of sacred & historical significance to the local Bundjalung & Jakumbal aboriginal communities.

The N.S.W. Wilderness Act was passed in 1987 with the unanimous support of the Liberal & National parties, however to date it has not been used to implement any new reserves.

In January 1989, soon after a nomination from the Wilderness Society to protect North Washpool, the Forestry Commission began pushing new logging roads into the area, despite the availability of alternative hardwood & rainforest understory resources outside the forests under nomination.

Only blockades & legal actions by local conservationists highlighting the inadequate & out of date Environmental Impact Statements & logging practices being used by the Forestry Commission have prevented further incursions.

Last month, the new State Minister for Resources, Mr. West, declared a 4 week moratorium on logging activity in North Washpool to permit National Parks & Wildlife Service assessment of the wilderness values of the area. This arrangement expires on Friday 7th September, so only concerted action from environment & political groups and the general public will convince the Greiner government to satisfactorily protect these important forests.

WHAT YOU CAN DO

Write or Fax letters to -

The Premier, Mr. Nick Greiner (02) 231 1110

The Minister for Resources, Mr. Garry West (02) 251 1442

All c/- Parliament House, Macquarie Street, Sydney, 2000

Produced by the Forest Campaign Group of the Australian Conservation Foundation (ACF), (02) 247 4285

For MORE INFORMATION please contact -

The Nature Conservation Council (02) 247 2228

The Wilderness Society (02) 267 7929

GOALPOSTS HAVEN'T MOVED -GREINER DISORIENTED ON FIELD OF PLAY

Claims that environmentalists had 'moved the goalposts', made by Premier Greiner in announcing Cabinet's decisions to refuse wilderness protection for North Washpool and permit logging, were today rejected by North East Forest Alliance.

"If Mr Greiner thinks the goalposts have moved its because he's disoriented on the field of play, he's playing way out of position", he said. "Maybe he thinks he's on our team!"

"Our goals are the same now as they were ten years ago - an end to rainforest logging, now!; protection of the remaining wilderness areas; protection of representative samples of all native flora and fauna in secure Reserves; and a timber industry based on sustained yield", said NEFA spokesman, Mr John Corkill. "Cabinet has failed to meet any of these goals"

Mr Corkill said it was Mr Greiner who had attempted to "move the goalposts" with his 'New Environmentalism' statement released earlier this year.

"Mr Greiner has reneged on his 'social contract' with future generations of NSW citizens, made when the Wilderness Act passed into law with the support of both Coalition parties in 1987", he said. "Not once has he honoured this contract".

Mr Greiner had claimed in a media conference following the Cabinet decision that the government was bound to honour a 'social contract' entered into by the then Wran government to permit logging in the Washpool and Billilimbra State Forests.

"Why is Cabinet bound by a decision made by a Cabinet, three governments previous, of a different political persuasion?"

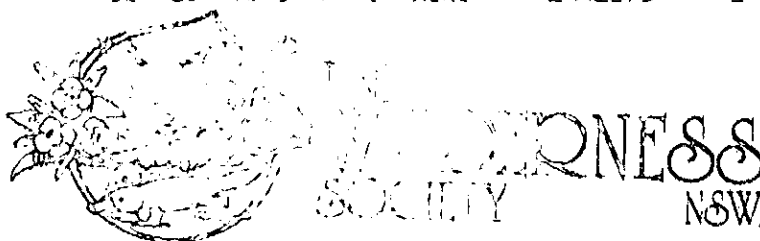
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"When these are cut out, where will they cut then?" ...ENDS.

For more info: Ph John Corkill (02) 2447 206w, (02) 660 3496h



58 Liverpool St.,
Sydney NSW 2000
Telephones:
Office (02) 267-7929
Shop (02) 267-7525
Fax (02) 264-2673

Mr Nick Greiner MLA
Premier of New South Wales
Parliament House
SYDNEY NSW 2000

5 September 1990

Dear Premier,

Washpool Wilderness

The Wilderness Society wishes to record its extreme disappointment and dismay with the failure of NSW Cabinet to protect Washpool wilderness yesterday.

As the only national community organisation in Australia solely concerned with the protection of wild and natural places, we regard the decision as a disaster for the environment at a state, national and international level.

We are deeply concerned that your government's treatment of all National Parks & Wildlife Service wilderness assessments to date (Coolangubra, Goolah and Washpool) has undermined all confidence in your government's commitment to the Wilderness Act, which you supported in 1937.

We are disturbed that your explanation of the decision was couched in terms of a 'social contract', when its effect is to ensure the failure of the region's timber industries to fulfil the agreement reached in 1982. The Wran Government decision provided for an eight-year industry transition program, to ensure the industry responded to public concern by moving out of those forests. That period will expire next month, without any action on the industry's part.

This decision vindicates our level of caution when, on Sunday 24th May 1990, you attempted to placate public concern by appearing to place a moratorium over some native forests in northern NSW.

The effect of yesterday's decision is to put the clock back on environmental protection across Australia. Australia's ability to seek protection of native forests internationally, such as those of Malaysia and the Amazon, is now further compromised by your government's endorsement of the logging of rainforest wilderness within our own borders.

The Wilderness Society seeks to meet with you urgently in the hope that these concerns can be addressed.

Yours sincerely,

Richard Ledger
Director

cc Mr Garry West MLA
Mr Tim Moore MLA



5 September 1990

National Parks Association of NSW Inc.

State Council
P.O. Box A96
Sydney South 2000
Telephone: (02) 264 7994
Facsimile: (02) 264 7160

P R E S S R E L E A S E

National Parks body rejects logging of Washpool State Forests

The National Parks Association of NSW stands firmly behind the NSW Minister for the Environment, Mr Tim Moore, on his proposal to protect the outstanding Coachwood rainforests of North Washpool, to the west of Grafton. The Greiner Government's rejection of its own Environment Minister's proposal to add the North Washpool and Billilimbra State Forests to the World Heritage Washpool National Park, in favour of logging has appalled the Association.

Mr Peter Morgan, from NPA's Grafton-based Clarence Valley Branch, and NPA immediate past President, has condemned the State Government's decision.

"It is quite clear from this rejection that no real consideration has been given to the assessment and recommendations for the North Washpool Wilderness from the National Parks and Wildlife Service, the only government authority in the state skilled in the protection of nature conservation values", Mr Morgan said today.

"The credibility of the Greiner Government as environmental managers has been completely shattered with the decision to log the North Washpool Wilderness."

"This is the first time the Minister for the Environment, Tim Moore has taken a strong stand on a significant issue outside Sydney and he has been deserted by his Liberal Party colleagues."

"The Premier's moratorium on the sell-off of Crown lands last month was a welcome decision, but it appears that some factions in the coalition Government are determined to destroy every national park proposal in a desperate and futile effort to prop up our declining forestry industry. With this latest decision, the Nationals have restored their ascendancy over the Liberal Party in the management of the State's diminishing natural areas and the future of the natural environment looks as bleak as ever", he said.

"It is time for Mr Greiner put an end to his Government's environmental thuggery and reform it into a government with vision by making the proper decisions to conserve our natural resources for future generations."

Contact: John Clarke, Acting Director (02) 264 7994 (w), (02) 744 1916 (h)
Peter Morgan (066) 42 4579



NATIONAL ASSOCIATION OF FOREST INDUSTRIES LTD.

Facsimile: (06) 273 3883 September 1990

Telephone: (06) 273 2483

FOREST INDUSTRY TO SHOW NATIONAL UNITY AND SOLIDARITY

The Executive Director of the National Association of Forest Industries, Dr Robert Bain, today announced the industry's support for the Inaugural National Timber Solidarity Day on September 7.

"Government's around Australia are faced, right now, with six decisions which affect our futures. We want to make sure they get them right, for the sake of both our forests and our country," he said. The decisions pending in the next few weeks are:

- * the future of the South East forests of NSW;
- * Fraser Island in Queensland;
- * national estate logging in East Gippsland;
- * logging in northern NSW;
- * Tasmania's timber industry strategy;
- * tropical timber imports;

Dr Bain said the industry had already been squeezed down to less than 30 per cent of Australia's publicly-owned native forests. We can't afford to lose any more. "Our forests are being sustainably managed to both produce timber and to maintain the ecological values of the forest," he said.

"But little by little, the area we harvest has been drastically reduced. The community deserves a proper balance of preserved and disturbed forests. This means that, at some stage, we must decide that enough is enough. We believe that stage has now been reached, but we are still being pressured to lock up forests on all fronts."

National Timber Solidarity Day would demonstrate that the forest industry was united on this issue in cities and towns around Australia.

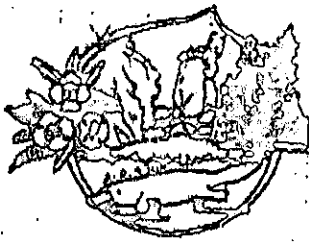
"For two hours - from 9am to 11am - the entire industry will unite in support of those who are under threat right now, and those who maybe under threat in the future," he said.

This would include close-downs, blockades of highways, rallies and stands in timber towns, banner displays, forest tours, and public information programs.

"This will be the first time in the industry's history that such a sense of solidarity has been demonstrated."

"Our message is that our forests are well managed and neither the community nor the economy can afford to allow a campaign of misinformation to squeeze our industry any further."

For further information: Peter Perkins (06) 273 2483, AH (06) 251 5540 or Teresa Mannix (06) 273 2483, AH (06) 297 7935.



THE
WILDERNESS
SOCIETY NSW

57 Liverpool St.,
Sydney NSW 2000
Tel-phones:
Office (02) 267-7929
Shop (02) 267-7828
Fax (02) 264-2678

MEDIA RELEASE... MEDIA RELEASE...
TUESDAY 4 SEPTEMBER 1990

NATIONAL PARTY GIVEN THE OKAY TO LOG WASHPOOL WILDERNESS -
A BLACK DAY FOR NEW SOUTH WALES

The Wildornoon Society today condemned the NSW Cabinet decision to open up to logging one of the State's last wildornoon areas, a rainforest of World Heritage significance, in the State's north-east.

Spokesperson A. J. Brown said: "Today's decision not to protect the Washpool wilderness flies in the face of all scientific knowledge and community concern about the environment."

"The Oregon Government has ignored a two year assessment by the National Parks & Wildlife Service, the historic recommendation of Environment Minister Tim Moore, and universal community concern over the loss of our wild native forest heritage."

"This shocking decision proves that the 'sleash and burn' mentality of the National Party continues to drive the Groiner Government's agenda," Mr Brown said.

The Wildorness Society, which is Australia's only national community organisation working solely for the protection of wild and natural places, promised to continue the Washpool campaign in the courts, the community, and through non-violent direct action in the forests.

"For Mr Groiner to hide behind Premier Wran's 1982 decision on the northern rainforests, is to put back the environmental clock and ignore all the scientific and political events that have happened since, including the World Heritage listing of the area, and the Government's own support of the NSW Wilderness Act."

"While a historic step, the 1-82 decision was a political compromise to create an eight-year plan to get the timber industry out of rainforests like Washpool - a decision that no longer bears any weight."

"Today is a black day for the environment in New South Wales - the day of a disastrous decision that the community can neither accept nor ignore," Mr. Brown concluded.

FURTHER INFORMATION:

A. J. Brown. (02) 237 7929 w (02) 389 8797 h.
Margaret Robertson (018) 300 303.

EDIA RELEASE



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- * the future of the South East forests of NSW;
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FURTHER INFORMATION:

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Margaret Robertson

(02) 389 8797 h.
(018) 380 393.



5 September 1990

P R E S S R E L E A S E

National Parks Association of NSW Inc.

State Council
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Sydney South 2000
Telephone: (02) 264 7994
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THE
WILDERNESS
SOCIETY
NSW

Mr Nick Greiner MLA
Premier of New South Wales
Parliament House
SYDNEY NSW 2000

5 September 1990

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We are disturbed that your explanation of the decision was couched in terms of a 'social contract', when its effect is to endorse the failure of the region's timber industries to fulfil the 'agreement' reached in 1982. The Wran Government decision provided for an eight-year industry transition program, to ensure the industry responded to public concern by moving out of these forests. That period will expire next month, without any action on the industry's part.

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The Wilderness Society seeks to meet with you urgently in the hope that these concerns can be addressed.

Yours sincerely,

Richard Ledgar
Richard Ledgar
Director

cc Mr Garry West MLA
Mr Tim Moore MLA

53 Liverpool St.,
Sydney NSW 2000
Telephones:
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Shop (02) 267-7525
Fax (02) 264-2673

THE SOUTH EAST FOREST ALLIANCE

C/- Total Environment Centre
18 Argyle Street
Sydney 2000

Telephone: (02) 27 4714

Secretary,
NSW Parliamentary Public Accounts Committee,
Parliament House, Sydney



INQUIRY INTO FORESTRY COMMISSION 1990

We submit the following to the Committee, with apologies for lateness.

The South East Forest Alliance is an ad hoc affiliation of non-government environment groups concerned about the forests of south eastern Australia. Our members include major national organisations, the peak conservation groups of New South Wales, and also organisations based in the ACT as well as in the South East of New South Wales.

The South East Forest Alliance maintains:

- ** that restructuring of the Forestry Commission and Forest Industry is necessary;
- ** retention of remaining high conservation value old growth and wilderness including National Estate areas listed for native forest is vital;
- ** the timber industry should be restructured to provide reliance on plantations;
- ** and export woodchipping makes no long-term economic or environmental sense

These points have been put forward in a number of our papers and in discussions on many occasions, as well as in audio-visual material and pamphlets.

Your Committee has heard evidence from two people associated with constituent member groups of the Alliance - Mr John Cameron, Resource Economist and Consultant to the Australian Conservation Foundation and

The South East Forest Alliance also draws the attention of the Committee to the recent presentation to the Resources Assessment Commission Inquiry into Australia's Forest and Timber Resources by Mr. Jim Somerville. He identified in some detail the very high profitability of the Harris-Daishowa woodchip export operation (see copy attached). The continuation of such profitability accruing to private offshore interests suggests that the Forestry Commission has failed to exercise its responsibility to ensure an adequate financial benefit to New South Wales when conducting the regular price reviews of pulpwood which are part of the accepted contractual process.

Further, in evidence presented to the Resources Assessment Commission hearings, the Forestry Commission revealed in answer to persistent questioning that the Commission has not yet achieved a sustainable yield situation from the indigenous forests of New South Wales, substantiating claims by the Alliance that our old growth forests are being 'mined'. The South East Forest Alliance maintained this failure to safeguard our 'capital' is contrary to the public interest.

The Alliance has also found the NSW Forestry Commission to have little real commitment to genuine public involvement. The Commission appears to have seen the Alliance and local people who have questioned aspects of Commission operations as the 'enemy'. This frame of mind has contributed to the confrontation in the south east, rather than the development of innovative options to resolve the issue. The very expensive Operation Redgum police response to the peaceful protests of many hundreds of concerned people was one outcome of this approach.



Anne Reeves

Consultant

31 August 1990

HARRIS DAISHOWA'S PROFITABILITY

BY ANALYSING THE DATA FILED WITH CORPORATE AFFAIRS IT IS POSSIBLE TO QUANTIFY THE IMMENSE PROFITABILITY OF HARRIS DAISHOWA (AUST) PTY LTD

DIVIDENDS PAID TO THE JAPANESE OWNERS (DAISHOWA PAPER CO AND C. ITOH) HAVE BEEN EXTRAORDINARILY HIGH — 100% IN 1987 AND 93% IN BOTH 1988 AND 1989. THE ACTUAL AMOUNT SENT TO JAPAN WAS \$7.5 MILLION IN 1987 AND \$7.0 MILLION IN EACH OF THE LAST TWO YEARS.

PROFITS HAVE BEEN SO GOOD IN RECENT YEARS THAT THE COMPANY NOW HAS \$20 MILLION IN BANK FIXED DEPOSITS, \$6.3 MILLION IN UNDISTRIBUTED PROFITS AND HAS BEEN ABLE TO WRITE DOWN LAND AND BUILDINGS TO \$1.6 MILLION ALTHOUGH THE CURRENT MARKET VALUE IS \$21 MILLION

THE SELLING PRICE OF THE 998,000 TONNES OF WOODCHIPS TO C. ITOH (AUST) FOR RESALE TO C ITOH (JAPAN) FOR RESALE TO DAISHOWA PAPER CO (JAPAN), WAS \$83 PER GREEN TONNE SO THE OPERATING PROFIT OF \$17.4 MILLION WAS AN EXCELLENT 21% ON SALES.

THE FORESTRY COMMISSION RECEIVE A ROYALTY OF ONLY \$16 PER TONNE OUT OF THIS \$83 AND AS A RESULT THEIR EDEN MANAGEMENT AREA IS ONLY MARGINALLY PROFITABLE. IF THEY INCREASED THE ROYALTY TO \$26 PER TONNE, FORESTRY WOULD EARN AN EXTRA \$5 MILLION PER ANNUM AND HARRIS DAISHOWA'S DIVIDEND WOULD BE REDUCED TO A MORE REASONABLE 50%

AS WITH MOST JAPANESE INVESTMENTS IN THIS COUNTRY MASSIVE PROFITS GO BACK HOME AND THE GULLIBLE HOST IS LEFT POORER FINANCIALY, AND IN THIS CASE ENVIRONMENTALLY.

HARRIS-DAISHOWA (AUSTRALIA) PTY LIMITED

5.

PROFIT AND LOSS ACCOUNT
FOR THE YEAR ENDED 31 DECEMBER 1989

	Note	1989 \$	1988 \$	1987 \$ Mill
OPERATING PROFIT BEFORE INCOME TAX	2	17,390,379	15,715,546	15.9
INCOME TAX EXPENSE ATTRIBUTABLE TO OPERATING PROFIT	3	8,041,775	7,661,883	8.4
OPERATING PROFIT AFTER INCOME TAX		9,348,604	8,053,663	7.5
RETAINED PROFITS AT THE BEGINNING OF THE FINANCIAL YEAR		2,969,680	2,916,017	2.9
		12,318,284	10,969,680	10.4
FUTURE INCOME TAX BENEFIT AT THE BEGINNING OF THE FINANCIAL YEAR	1(c)	1,972,057	-	-
TOTAL AVAILABLE FOR APPROPRIATION		14,290,341	10,969,680	10.4
DIVIDENDS PROVIDED FOR OR PAID	②	7,000,000	7,000,000	7.0
		7,290,341	3,969,680	2.9
AMOUNTS TRANSFERRED TO RESERVES	14	1,000,000	1,000,000	-
RETAINED PROFITS AT THE END OF THE FINANCIAL YEAR		6,290,341	2,969,680	2.9

Share Capital (CF P.6) \$m

7.5

7.5 7.5

Dividend Amount \$m

7.0

7.0 7.5

Dividend Percent %

93%

93% 100%

Woodchip Sales Revenue (CF P.9) (\$m)

82.5

74.4 61.2

Operating Profit to Sales %

21.1

21.1 26.0

HARRIS-DAISHOWA (AUSTRALIA) PTY LIMITED

BALANCE SHEET AS AT 31 DECEMBER 1989

6.

	Note	1989 \$	1988 \$	1987 \$ mill
CURRENT ASSETS				
Cash				
Receivables	5	19,985,021	16,882,918	
Inventories	6	6,836,615	2,587,936	
	7	6,454,443	7,028,740	
TOTAL CURRENT ASSETS		33,276,079	26,499,594	28.5
NON-CURRENT ASSETS				
Property, plant and equipment	8	6,135,263	6,419,644	
Investment	9	400	-	
Other	10	3,258,079	129,085	
TOTAL NON-CURRENT ASSETS		9,393,742	6,548,729	6.7
TOTAL ASSETS		42,669,821	33,048,323	35.2
CURRENT LIABILITIES				
Creditors and borrowings	11	3,109,621	3,406,234	
Provisions	12	22,669,859	16,933,832	
TOTAL CURRENT LIABILITIES		25,779,480	20,340,066	24.5
NON-CURRENT LIABILITIES				
Creditors and borrowings	11	-	9,492	
Other		-	129,085	
TOTAL NON-CURRENT LIABILITIES		-	138,577	.1
TOTAL LIABILITIES		25,779,480	20,478,643	24.6
NET ASSETS		16,890,341	12,569,680	10.5
SHAREHOLDERS' EQUITY				
Share Capital	13	7,500,000	7,500,000	7.5
Reserves	14	3,100,000	2,100,000	.1
Retained Profits		6,290,341	2,969,680	2.9
TOTAL SHAREHOLDERS' EQUITY		16,890,341	12,569,680	10.5
Capital and leasing commitments	15	5,000,000	122,000	
Contingent liabilities	16	1,500,000	1,500,000	

The accompanying notes form part of these accounts.

HARRIS-DAISHOWA (AUSTRALIA) PTY LIMITED

8.

NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 31 DECEMBER 1989 (cont/d)

NOTE 1 STATEMENT OF ACCOUNTING POLICIES (cont/d)

d) Employee Benefits

Provision has been made in these accounts in respect of the Company's liability for annual leave and long service leave at balance date. Long service leave is accrued in respect of all employees with more than five years' service.

NOTE 2 OPERATING PROFIT BEFORE TAX

	1989 \$	1988 \$	1987 \$ MILL
The operating profit before income tax is arrived at after:			
CREDITING AS REVENUE			
Interest - other	3,533,842	2,394,631	3.0
Profit on sale non-current assets	43,851	136,235	.24
	-----	-----	
CHARGING AS EXPENSE			
Interest - other	147,972	131,045	.13
Loss on sale of non-current assets	11,818	-	
Depreciation			
- buildings	81,098	78,432	.10
- plant and equipment	881,318	859,317	.52
Transfers to provisions			
- employee benefits	85,752	92,910	.09
- major maintenance	450,000	(11,000)	(.3)
- road maintenance	3,900,000	2,400,000	.5
- workers compensation	9,272	(125,953)	.06
- bad debts	395,000	(15,000)	
Auditors' remuneration			
- auditing	42,000	36,000	.03
- other services	29,300	11,886	.07
	=====	=====	\$m
OPERATING REVENUE			
Sales Revenue	82,515,170	74,462,039	61.2
Other operating revenue			
- interest received	3,533,842	2,394,631	3.0
- proceeds of disposal of fixed assets	229,991	293,508	.4
	-----	-----	
	86,279,003	77,150,178	64.6
	=====	=====	

GREEN TONNES (000)

998

964

859

SELLING PRICE PER TONNE FOR WOODCHIPS

\$82.7

\$77.2

\$71.3



NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

23-33 BRIDGE STREET
SYDNEY 2000

Mr. J. Angel,
Assistant Director,
Total Environment Centre,
18 Argyle Street,
SYDNEY. N.S.W. 2000 00.

15 FEB 1985

Dear Mr. Angel,

I refer to your letter of 28th November, 1984 enquiring about rainforest timber supplies to Big River Timbers.

Answers to your specific questions are provided in the numbered order presented by you as follows:-

1. 2 407 cubic metres net log volume, obtained from Billilimba State Forest during 1982/83.
2. 2 400 cubic metres and 448 metres net log volume from Billilimba and Ewingar State Forests respectively for 1983/84.
3. Approximately 1 000 cubic metres net log volume.
4. 6 260 cubic metres net log volume per annum.
5. The Company has already commenced to cut hardwood species and utilise them in its plywood manufacturing at Grafton. It is understood that Big River Timbers expect the transition period to extend over a number of years, however, the Forestry Commission has not agreed to any specific timetable for completion, to date.

Yours sincerely,


JANICE CROSIO,
Minister for Natural Resources.

28th November, 1984.

The Hon. J. Crosio
Minister for Natural Resources
Parliament House
SYDNEY 2000.

Dear Minister,

Big River Timbers

I am writing to enquire about the rainforest timber supplies available to Big River Timbers and would be grateful for information on the following:

1. Their source of timber in the 1982/83 quota year and quantity.
2. Their source of timber in the 1983/84 quota year and quantity.
3. Timber supplies, at present outside areas 7b, 6b, 7a (North Washpool) and available to Big River Timbers.
4. Big River Timber's quota and copy of their licence.
5. Proposals by Big River Timbers to switch to non-rainforest timbers and any agreement agreed to by the Forestry Commission.

Yours faithfully,

Joey Angel
Assistant Director
Total Environment Centre.

NEW SOUTH WALES
MINISTER FOR LOCAL GOVERNMENT
AND LANDS

Mr. A.K. Jordan,
Executive Director,
N.S.W. Forest Products Association Ltd.,
P.O. Box 9145,
Queen Victoria Building,
SYDNEY. N.S.W. 2001.

	Circuit	Action
DIR	<i>[initials]</i>	10001/82
ADM		
PR	<i>[initials]</i>	
ENV	<i>[initials]</i>	
File	<i>P4</i>	

Dear Mr. Jordan,

I refer again to your letter of 2nd December, 1982, concerning the meeting of members of your Association with the Minister for Planning and Environment and myself on 28th October, 1982, regarding Cabinet's decision on rainforests.

With respect to alternative timber sources to those within proposed National Parks, I can confirm that Cabinet has agreed that all necessary action, including the possible use of a state environmental planning policy or, if necessary, special legislation, be taken to ensure that such alternatives are made available for logging. The logging of these areas and in all State Forests and other Crown-timber lands will continue to be under the control of the Forestry Commission.

I agree that assurances are necessary to permit industry to confidently continue with those investments necessary to maintain its viability, and you may care to also approach my colleague, the Minister for Planning and Environment, with whose portfolio certain of these matters overlap.

With respect to alternative rainforest volumes, specifically in the Washpool and Hastings areas, it was agreed that these are to be regarded as available to industry on a volume rather than time control basis, provided that an increase in the period over which the volumes are utilised does not result in job losses.

I will be happy to receive submissions from the industry on both the Hastings and Barrington Tops areas and have been pleased to receive several such submissions to date.

With respect to future resource investigations, the Forestry Commission will continue to seek industry views and provide reasonable opportunities for input. Again, you may care to approach my colleague, the Minister for Planning and Environment, on this matter.

Yours faithfully,

[Signature]

(A.R.L. GORDON),
Minister for Local Government
and Lands.

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SYDNEY 2000.

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Jeff Angel
Assistant Director
Total Environment Centre.

SEP 03 '90 14:57 TOTAL ENV CENTRE 02 277118

P.3/4



NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

23-33 BRIDGE STREET
SYDNEY 2000

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Assistant Director,
Total Environment Centre,
18 Argyle Street,
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Minister for Natural Resources.

NEW SOUTH WALES
MINISTER FOR LOCAL GOVERNMENT
AND LANDS

Mr. A.K. Jordan,
Executive Director,
N.S.W. Forest Products Association Ltd.,
P.O. Box Q145,
Queen Victoria Building,
SYDNEY. N.S.W. 2001.

	Circuit	Action
DIR	<i>[initials]</i>	100011980
ADM		
PR	<i>N</i>	
ENV	<i>WJH</i>	
File		<i>P4</i>

Dear Mr. Jordan,

I refer again to your letter of 2nd December, 1982, concerning the meeting of members of your Association with the Minister for Planning and Environment and myself on 28th October, 1982, regarding Cabinet's decision on rainforests.

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I agree that assurances are necessary to permit industry to confidently continue with those investments necessary to maintain its viability, and you may care to also approach my colleague, the Minister for Planning and Environment, with whose portfolio certain of these matters overlap.

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and Lands.

NEW SOUTH WALES
MINISTER FOR LOCAL GOVERNMENT
AND LANDS

Mr. A.K. Jordan,
Executive Director,
N.S.W. Forest Products Association Ltd.,
P.O. Box Q145,
Queen Victoria Building,
SYDNEY. N.S.W. 2001.

	Circuit	Action
DIR	<i>[initials]</i>	10 Dec 1982
ADM		
PR	<i>NO</i>	
ENV	<i>[initials]</i>	
File	<i>P4</i>	

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Yours faithfully,

[Signature]

(A.R.L. GORDON),
Minister for Local Government
and Lands.



The Honourable Richard Jones, M.L.C.
Legislative Council,
Parliament House,
SYDNEY, N.S.W. 2000.
Telephone: (02) 230 2858

PRESS RELEASE

4 September 1990

WASHOUT ON WASHPOOL

"Today's Cabinet cave-in to logging interests led by Garry West, shows the Government's total insensitivity to environment issues whenever these conflict with dollars," said Democrat Richard Jones, MLC.

"The fact that the scientific report on Washpool State Forest from the National Parks and Wildlife Service, which offered four different options on preservation of this unique area, was overruled by National Party pressure, repudiates the Greiner Government's attempts to project a green image for the next election.

"The Labor Opposition is no improvement. Already Bob Carr has promised to allow the logging to go ahead in the Washpool area, only to be contradicted by Shadow Environment Minister, Pam Allan, in the wake of public pressure. The track record of both Liberal and Labor parties is the same: Much environmental rhetoric, followed by cave-ins to vested interests at the slightest pressure. What the people of New South Wales need is a party with some backbone.

"Environment is not an issue that will go away. It is the most important issue ever faced by the human race. There is no room in modern politics for parties which are prepared to sell out the environment to vested interests, and the very survival of our children and ourselves depends on taking these issues seriously. From the performance of the obsolete traditional political parties at Federal, State and Local levels, it is clear that they will never protect the environment so long as someone can make money from destroying it.

"The Australian Democrats have always stood up for protection of wilderness areas, based on rational scientific studies. The Australian Democrats reject the voodoo economics which destroys our future for the sake of today's profits. Only when these issues are recognised and addressed in realistic terms will there be any hope for the future survival of our society and civilisation," concluded Mr Jones.

* * * * *

Protect our Environment -- Use Recycled Paper.



Pam Allan, M.P.
Member for Wentworthville
Shadow Minister for Environment
and Women's Affairs

September 4, 1990.

GOVERNMENT BACKDOWN ON NORTH WASHPOOL

"The government's decision to log North Washpool is another backdown on the environment," Shadow Minister for Environment, Pam Allan, said today.

"The Nationals clearly set the government's policy on conservation."

"Mr. Moore hasn't delivered on penalties against industrial polluters and hasn't delivered on forests.

"No wonder he's known today as Old Huff and Puff: the Minister for Hot Air.

"Mr. Greiner has not even indicated the Forestry Commission will have to do an environmental assessment before logging.

"The government should release the National Parks and Wildlife Service's wilderness assessment of North Washpool so the public can see the basis for their decision.

"Labor will consider its position on the 1982 boundaries in the light of scientific data about the conservation values of North Washpool.

"In the meantime there must be no logging in North Washpool.

"A scientific assessment in 1983 found that the whole Washpool area including North Washpool contained 'the largest warm temperate rainforest dominated by Coachwood in Australia'.

"As the party which introduced Australia's first Wilderness Act, we are committed to conservation of remaining wilderness.

"We also recognise the need to conserve significant Aboriginal sites.

"In the light of such data the Opposition will consult with conservationists and the industry to determine if revision of boundaries is justified."

PAM ALLAN, M.P.

SHADOW MINISTER FOR ENVIRONMENT

PH.: 230 2315

(H) 636 2806

THE COLONG FOUNDATION FOR WILDERNESS LTD. Wednesday August 29, 1990

The Hon Bob Carr
 Leader of the NSW Opposition
 Parliament House
 FAX NO 230 2604

Dear Mr Carr,

North Coast State Forests

The Colong Foundation requests clarification of your statement reported in the Grafton Examiner, that the Shadow Cabinet will not be alter North Coast state forest boundaries.

Under this policy, the forest wilderness areas of Mann, Barrington, New England, Washpool and Guy Fawkes would be severely damaged by logging. If such a policy were implemented on your election in 1992, your State Labor Government would come under very strong criticism from conservation organisations.

Preservation of wilderness should be a priority for a political party which has built up community support for it's conservation initiatives.

An overhaul of the Forestry Commission is sorely needed to enable adequate public review and assessment of all forest resources and forestry operations. All wilderness, wild and scenic rivers, recreation resources, catchment headwaters and biodiversity resources should be protected, especially those in state forest boundaries and other Government regulated lands.

Your reported announcement of a freeze on state forest boundaries will, if correct, immediately lose the State Labor Opposition it's support amongst the environment movement, including that from Colong Foundation. (It would be with great reluctance that I will compile an article on this matter for the next Colong Bulletin which is to be published by the second week of September)

1982 Government Rainforest Decision

The Colong Foundation calls to your attention two key elements of the rainforest decision of 1982 as it affects the Washpool area. The Washpool decision was for a limited transition period and it was to permit technology change.

The Foundation understands that the Labor Government's

19/11/90

Dear Sir,

after reading the 'Conservation news' concerning the North Washpool forests, I became deeply interested in our own local areas and the fact that logging was not being made known and obviously action against the destruction not enforced successfully. I'm doing an assignment on the forests 'organising a protest' against this logging close to home. I realize this sounds fairly useless and not very important considering that it probably won't influence the situation in any way. But I think maybe everything counts Ah!

LOVE

Virginia Burnham

Use **FPA** criticism s → logging & sales
economic mismanagement → royalty drop
electoral impact of forestry issues.

<< DRAFT ONLY >>

31 October, 1991

X

The Hon. Nick Greiner MP,
Premier and Treasurer,
Parliament House,
Macquarie Street,
Sydney. 2000.

Dear Mr Greiner,

Re: Conduct of the Forestry Commission of NSW (FCNSW)

I am an Applicant before the Land and Environment Court in proceedings to restrain the FCNSW from further roading logging and associated activities in the North Washpool forests being Washpool SF No 335 and Billilimba SF No.815.

In the course of proceedings in the court a number of alarming disclosures have been made which reflect very seriously on the conduct of the FCNSW.

Not least of these is a finding from His Honour Mr Justice Hemming that there has been a history of unlawful rainforest logging in the North Washpool forests. He says:

"However, it is obvious that since 1982 the Commission has approved logging of rainforest areas in North Washpool in breach of the E.P. & A. Act. It was ultimately conceded by Counsel for the Commission that all rainforest areas were expressly excluded from areas to be logged in the 1980 environmental impact statement."

"Notwithstanding such express exclusion, the Commission authorised rainforest logging within North Washpool. I am satisfied that, until the institution of these proceedings, it was the intention of the Commission to authorise such logging in rainforest areas to resume."

Information was exposed in the court hearing which causes me to believe that the FCNSW misled the Cabinet, when you and your colleagues considered the North Washpool wilderness nomination at Cabinet's meeting of 4.9.1990.

...2/.

Crucial and relevant documents were withheld from Cabinet by FCNSW which, I contend, had Cabinet ~~had~~ considered them would have had an important bearing on the outcome of Cabinet's consideration and its ultimate decision. X

Cabinet was not told that 33,000 m3 of alternative quota quality sawlog timber resource was available and uncommitted.

• This information was contained in two reports:

* 10.1.1989 from Peter Paunovic, District Forester, Casino to John Bruce Regional Forester, Coffs Harbour - titled 'Casino West Management Area, Richmond Range Working Circle, 1986 Assessment' which indicated 12,253 m3 of uncommitted sawlogs were available.

* 29.5.1990 from John Bruce, Regional Forester, Coffs Harbour to the FCNSW Secretary - titled 'Casino Management Area, 1988 Assessment, Determination of Yields' which indicated 21,000 m3 of uncommitted sawlogs were available.

Cabinet was not told that the only company logging rainforest, Big River Timbers P/L, would be prepared to trade in its rainforest quota for plantation pine timber.

This information was contained in a memo, dated the day before Cabinet met, 3.9.1990, from John Bruce, Regional Forester, Coffs Harbour to the FCNSW Secretary - titled 'Rainforest Logging - Big River Timbers P/L'. .

These are most serious omissions on the behalf of the FCNSW.

Mr Greiner, I request Cabinet to reconsider the wilderness dedication of North Washpool in the light of this new and relevant information.

The rainforest timber is not required and there is plenty of alternative hardwood quota quality sawlogs available.

Why must the North Washpool wilderness be destroyed?
Why would you continue to refuse to operate the Wilderness Act, 1987, which your coalition helped enact, when there is no need to log this area?

I believe that the FCNSW had a sinister hidden agenda of wanting to destroy wilderness areas in NSW as quickly as possible so that they would be 'put beyond doubt', and be unable to be dedicated in the future.

The FCNSW are opposed to ^eceding another hectare to National Parks because they are ^estill smarting about the 1982 ...3/. X

rainforest park dedications.

Yet according to FCNSW Annual Reports, approximately 360,000 ha.s of native forests have been dedicated since the 1982 park decision, twice the 180,000 ha area lost by that landmark Wran government initiative.

This is fact which FCNSW rarely quotes since it proves the lie of shrinking forest resources.

Apart from their actions in misleading Cabinet I believe that senior staff of FCNSW tried to misinform the Land and Environment Court in an attempt to improperly influence the understanding of the Court and hence affect its judgement.

Senior officers of the Commission appear to have made a decision not to refer the relevant and important documents, identified above, to the Land and Environment Court for the hearing of the North Washpool injunction.

It was my legal team and I who discovered these documents in FCNSW files gained under subpoena and it was my counsel who tendered them to the Court, not the Commission.

Certain senior officers of the Commission did not advise a consultant economist, Ms Diana Gibbs, of the availability of alternative hardwood sawlogs or of the non-necessity of rainforest logging when they briefed her prior to the preparation of her sworn evidence.

The failure to refer these relevant documents to Ms Gibbs resulted in her giving unreliable evidence to the Court of dire consequences for the north coast timber industry if the North Washpool area was not to be logged. That evidence could not have been arrived at if she were in full possession of the facts.

Under cross-examination by my counsel, Ms Gibbs admitted that she relied on documents provided by FCNSW and on information supplied to her by north coast timber companies. She was not aware of documents relevant to her evidence until my counsel drew them to her attention.

Her opinion of consequences was therefore shaped by the information provided, or not provided, by FCNSW.

There appears to have been a deliberate intention by certain senior FCNSW officers to direct her evidence by withholding documents which did not support the Commission's preferred view: that North Washpool must be logged.

Because of these circumstances, His Honour Mr Justice Hemming said in his judgement:

"However, the extent to which financial hardship will be suffered by licensees in the relatively short time to final hearing was, to say the least, unsatisfactory and unpersuasive."

A serious question arises as to whether these senior FCNSW officers entered into a conspiracy to withhold these documents from Cabinet and the Court.

This is a matter which requires proper examination to determine whether there has been a very serious breach of the duties and requirements of these senior public servants.

Finally, evidence in the form of Harvesting Plans for Compartments 679, 688, 694 and 695 and the Logging History Maps for the Washpool and Billilimbra State Forests was tendered to the Court which indicated that logging had been underway in these compartments years before a Harvesting Plan had been brought into being.

When prepared, several of these Harvesting Plans, falsely described the compartments as being 'unlogged' (Compartment 679) or there being 'no evidence of recent logging' (694).

I allege that these Plans and Maps are 'prima facie' evidence that FCNSW staff have falsely recorded information which they know to be incorrect, in an attempt to conceal earlier unlawful logging.

Aside from the issue of unlawful logging, the issue of making false entries arises. Such an activity, making false entries, is an offence under Section 45 of the Forestry Act and carries a penalty of not exceeding \$500.

I formally request that you commence proceedings under the Forestry Act, against the authors of the said Harvesting Plans, where false entries were made.

Further, I would draw to your attention the fact that this penalty \$500 is a paltry fine, quite incongruous with the seriousness of the offence, and is unlikely to be an effective deterrent. It is a classic case in point why a Forestry Act for the 1990's is required.

Mr Greiner, in 1982 the Wran Cabinet refused to trust FCNSW and engaged FORTECH as forestry consultants to report on available timber resources. In 1990, it has been shown that the FCNSW has attempted to mislead the Government and the Land and Environment Court.

...5/.

NSWFC
prescription
to leave
20m each
side of
logging
roads

You will continue to have your trust betrayed if you continue to place confidence in the FCNSW when the community and the Land and Environment Court do not.

His Honour said, in concluding his judgement:

"Regrettably, there is conceded to be a history of departure by the Commission from not only its own approvals in the logging of this area, but apparently a continuous avoidance of the obligations imposed by the E.P. & A. Act. In such circumstances it is difficult to have confidence that, unless restrained, the Commission will observe its statutory functions."

As I understand it, His Honour is saying what individuals and groups have been saying for years, viz: 'the FCNSW cannot be trusted'.

It is instructive to note the reaction of the FCNSW to the judgement of Mr Justice Hemming made under the authority of the Land and Environment Court.

The Forestry Commissioner, Dr Drielsma, has continued to deny any wrong-doing and does not accept that the findings and judgement of His Honour on the matters quoted above are relevant, given that a full hearing to examine a broad range of matters is scheduled for early 1991.

This refusal to accept the rule of law cannot be tolerated.

You should not make a similar error, and ignore the circumstances currently pertaining. The serious case to be tried in 1991 is focussed on the adequacy of the 1980 EIS and the need for a new EIS if logging is to proceed in North Washpool forests.

The court will not examine the alleged misconduct of FCNSW staff in failing to accurately brief Ms Gibbs, the improper conduct of senior staff in withholding crucial documents from Cabinet, or numerous examples of mal-administration such as false entries, breaches of harvesting prescriptions and the like.

Sir, I believe that you must now act decisively to regain the proper management of our public forests through a total transformation of the FCNSW, lest our public forests continue to be mis-managed and unlawfully logged.

This should be done without the pomp and media circus which accompanied the release of the purported 'forest strategy' at Bellangry SF. You should not again attempt to portray legal imperative as virtuous initiative. ...5/.

The steps in regaining the proper administration of NSW public forests must be:

- * a reconsideration of the North Washpool wilderness nomination and a renewal of the commitment to operate the Wilderness Act, 1987 impartially;

- * an immediate full public inquiry into the operations of the FCNSW generally and, in particular, its attempts to mislead the Cabinet and the Land and Environment Court;

- * the repeal of the 1916 Forestry Act; and

- * the introduction a new Forestry Act for the 1990's and beyond, drafted through public consultation procedures.

It is my belief that if these steps are not taken, the credibility of your government will be identified with the credibility of the FCNSW, to your lasting disadvantage.

The community at large is very well informed of, and significantly alarmed about, the ongoing crisis in forest management and will readily support realistic and tangible changes in the administration and management of NSW forests.

If you 'do a Water Board' on the FCNSW, as I believe is necessary, the public will applaud you for a sensible and long overdue initiative.

I am most anxious to have these very alarming matters appropriately addressed. I therefore seek an interview with you and your senior staff to be advised as to the action you propose to take in response to my requests.

Thank you very much for your assistance in this matter.

Yours sincerely,
For the Land...

J.R. Corkill
Sydney Area Co-ordinator

cc.
The Hon. Garry West,
The Hon. Tim Moore,
The Chairman, Public Accounts Committee,
The Chairman, Backbench Environment Policy Committee,
The Chairman, Backbench Natural Resources Policy Committee.

DEAR JOHN,

THE EXPECTED LOVE LETTER FROM KERRY PIDCOCK.

HAVE BEEN ASKED TO RESPOND IN SIMILAR POINT BY POINT FORM
AS SOON AS POSSIBLE. HAVE ENCLOSED AN EXAMPLE OF HOW
I WILL WORD IT.

SUDDENLY THOUGHT THAT I SHOULD CHECK WHAT POINTS YOU
FEEL SHOULD BE INCLUDED..... HAVE ALSO ENCLOSED A COPY FOR
DIALAN PUGH INCASE YOU THOUGHT HE MIGHT HELP.

HOPE YOU DON'T MIND ADDING YOUR BIT

GREG HOY.

Ja

PS

*wld appreciate it if you could
flash Dialan a copy and not heads*

*Shrek
Greg*



Big River Timbers Pty. Ltd.

PLYWOOD MANUFACTURERS
and SAWMILLERS

10 OCT 1990

TELEPHONE:

GRAFTON (066) 44 7211

FAX: (066) 44 7690

ADDRESS ALL MAIL
P.O. BOX 281
GRAFTON, N.S.W. 2460

Registered Office & Factory

TRENAYR ROAD

JUNCTION HILL

GRAFTON, N.S.W. 2460

5th October, 1990

DTel

✓CNNews&CAff(TV) for
comments to AGM(CorpRels)
by 23/10/90

PCAO

To be considered as a
Section 82 Complaint

Mr. David Hill,
Managing Director,
A.B.C.,
150 William Street,
KINGS CROSS. N.S.W. 2011



Dear Sir,

I refer to the 7.30 Report on Thursday, 27th September, and wish to register my utter dismay with the appalling standard and bias of the program, as reported by your Mr. Greg Hoy.

Let me detail some of the reasons why I am so upset.

1. I told Mr. Hoy, that under no circumstances was he to film any part of our factory. This instruction was given because a previous experience with the ABC-TV was portrayed in a biased fashion. He totally disregarded this instruction.
2. Mr. Hoy promoted the idea that the North Washpool is all rainforest and that our Company was to be the sole recipient of logs. This is blatantly incorrect. Our Company is licensed to receive only a small quantity of Rainforest logs - approximately 12,000 - 15,000 M³ compared to an estimated 140,000 M³ of quota hardwood sawlogs (based on the first cutting cycle) for the Grafton and Casino district sawmills. I told Mr. Hoy this on several occasions. The Forestry Commission Management Plan would also verify this point. Mr. Hoy cunningly ignored these facts to support his biased view. He then spoke of Tallowood and Brushbox. Our Company has never processed these species into plywood and holds no licence to harvest these species from the Washpool State Forest. They are sawlog species.
3. Mr. Hoy stated that the silo flooring was made from rainforest timbers. Despite the fact that I distinctly told him it was made entirely from logs from regrowth Eucalypt forests, he again chose not to report the truth. (DIPNR) 066 425706
4. Mr. Hoy claimed that the formply being manufactured (painted yellow) was also all rainforest timber. This again is incorrect. The truth is that that formply is in fact 90% (by volume) Australian grown plantation pine. He also inferred that our plywood was manufactured from all rainforest timbers. This is untrue. In fact we ceased taking rainforest logs almost two years ago. From late 1982 we have progressively restructured our old-rainforest veneer business to a

Certain still taking Rainforest

5th October, 1990

4. (Continued)

modern plywood factory producing all Eucalypt structural grade plywood and Eucalypt and Pine cored formply, from local regrowth Eucalypt State Forests and Pine Plantations, also from State Forests. We do in fact import suitable face grade veneers from overseas to meet market requirements. Alternative face veneers are simply not available to us in Australia. (Dialan)

5. Mr. Hoy inferred that we were partly responsible for the destruction of rainforests in Asia. An inference that was totally unsupported by fact. Attached are some figures from U.N.'s F.A.O. which clearly show that poverty related slash and burn subsistence agriculture is the major reason for reduction of rainforest, particularly in South America.

6. Mr. Hoy claimed 75% of the rainforest had vanished, and half of the balance had been logged. To remove bias he should firstly have supported his claim with facts and further stated that Agriculture and land clearing e.g., for urban development has been the main reason for the loss of forests in Australia. (Dialan)

7. Mr. Hoy failed to mention that any rainforest logging in North Washpool would be carried out on a 50% canopy retention and under strict environmental controls. (Dialan)

8. Mr. Hoy failed to state that the logs stored in our log yard were regrowth Eucalypts or plantation pines. (Dialan)

9. The program claimed that the "Cabinet sealed the fate of North Washpool.....". In 1982 the then N.S.W. Labor Government set aside 7,000 h.a. out of a total Washpool E.I.S. area of 43,000 h.a. for part of the sustainable yield resource base of the local timber industry. The now Labor opposition still supports that position and as Bob Carr said recently "we are as one with the Government on this issue". (Dialan)

10. Mr. Hoy claimed that he had "secret Cabinet documents" stating that we should have ceased rainforest logging by 1990 and inferred that because we were still in business we were operating illegally. What utter rubbish! However, given the lack of veracity with the rest of the program I cannot but doubt him again, especially when you read the two attached letters from the Forestry Commission which clearly record that we will not be restricted to an 8 year transition period from 1982 (i.e. to 1990!). (Dialan)

11. Mr. Hoy, while talking about imported rainforest veneers, was filming a pack of veneers bearing the No. 3573. For your information that was actually a pack of Radiata Pine Plantation veneers from C.S.R.'s mill at Wagga, N.S.W.

MR. DAVID HILL - A.B.C. (Continued)

5th October, 1990

12. Mr. Hoy claimed that we are only using rainforest veneers and making disposable formply. Again I told him that we have, after great technical and marketing difficulties, changed our rainforest veneer operation to a plywood factory using regrowth Eucalypt and various Pine species, as core veneers. He failed to mention this, thus by omission, condemning us as some avaricious destroyer of the environment. Face veneers are generally sourced overseas.

I did not mention to Mr. Hoy, and probably just as well, because he would likely have twisted the information, but we have for sometime been talking to the Forestry Commission about "trading in" our rainforest allocation for an increase in Pine and Eucalypt regrowth species. Provided certain conditions were met including maintaining the sawlog commitments from the North Washpool State Forest to the local sawmilling industry.

On reflection, the very introduction of the program, showing me moving away from the camera, set the very tone of the program where your reporter and production staff purposely set out to criticise, denigrate and belittle my Company, my family and myself. In fact I have had commiserations from people from all over Australia who saw the program, thoroughly condemning the bias displayed and asking why the ABC-TV stooped to such low standards. Additionally, many local people who are familiar with the facts on Washpool rang me to register their horror at your un-Australian methods of reporting.

In summing up, Mr. Hoy has rejected the Code of Ethics of the Australian Journalists Association especially Clause 1, which states - They shall report and interpret the news with scrupulous honesty by striving to disclose all essential facts and by not suppressing relevant, available facts or distorting by wrong or improper emphasis.

Clause 4 is equally appropriate and states. "...They shall not allow personal interests to influence them in their professional duties".

I am deeply saddened by your 7.30 Report of the 27th September and refer you to the attached press clipping from the Daily Examiner, that the A.B.C. won't be allowed on our premises again, because they simply cannot be trusted.

I trust this situation thoroughly disturbs you and I request you to write to me explaining what action you will undertake to correct this shameful report and to apologise for the wrongful condemnation you have placed on our Company.

I await your early reply.

Yours faithfully,
BIG RIVER TIMBERS PTY. LIMITED

K.T. Pidcock

K.T. PIDCOCK
Managing Director

cc. Australian Journalists Association.

P.S. It would be appreciated if a copy of this letter could be passed on to Chairman - Bob Sommerville, Deputy Chairman - Wendy McCarthy, Members of Board of Directors - Neville Boni, Lin Amadio, John Spiller, John Cleary, Prof. Richard Harding and Dianne Foggo.



Forestry Commission of N.S.W.



The Managing Director,
Big River Timbers (Veneer) Pty. Ltd.,
Trenayr Road,
Junction Hill,
GRAFTON. N.S.W. 2460

Forestry House
95-99 York Street
Sydney N.S.W.
Box 2687 G.P.O. Sydney
N.S.W. 2001

Telegrams: Newforests Sydney
Telex: Forcom 21657

Our reference: 37750 (MD)

Your reference:

Telephone: 234 1687
Extension: 609

L. Mora:DJ

1st July, 1983

Dear Sir,

Reference is made to your letter of 11th May, 1983 outlining certain aspects of your future operations as they have been affected by the Government's recently announced Policy on Rainforests. Before consideration can be given to the details of future supply it is necessary to establish a clear understanding of the Government's decision as it affects your company and, in consequence, the manner in which your company proposes to plan its future operations.

Relevant sections from the public document released by the Government were:

- "1. That the remaining allocation of rainforest timbers to Big River Timbers Pty. Ltd. from the 1982/83 quota year be halved to a maximum volume of 25 300m³. The Government will assist Big River Timbers in obtaining alternative non-rainforest timbers during an eight year transition from rainforest timbers.
2. That the proposed 25 300m³ allocation of rainforest timbers to Big River Timbers Pty. Ltd. be obtained from Area 6^b and Area 7^b of Washpool or other possible alternate areas."

These decisions were subsequently modified through Ministerial action to the extent that:

- (i) Areas available from Washpool were extended to include Area 7^a
- (ii) Any volumes of rainforest timber obtained from Areas 6^b, 7^a and 7^b in addition to the 25 300m³ may be allocated to your Company, provided such additional timbers are obtained having regard to the environmental safeguards proposed by the Forestry Commission in its E.I.S. for the Washpool area.
- (iii) Your company will not be restricted to the eight year transition period from rainforest to non-rainforest species provided such extension does not result in job losses.

My letter of 10th January, 1983 conveyed this information to you.

Provision of Government assistance to your company was specific to development of new technology and access to alternative sources of supply currently in private ownership in order to make up the shortfall between the yield from Areas 6^b, 7^a and 7^b and the untaken part of the Commission's long term supply arrangement with your Company. This quantity was 57 021m³ in total at the beginning of 1982/83. The "Rainforest Fund" was established for these purposes.

- 2 -

In implementing these policies the Commission is prepared to enter into a wood supply agreement with your company to make available timber resources to complete its commitment of about 55 000m³ at the beginning of the 1983/84 quota year. The period of such an Agreement would be 9 years if the supply was taken at the rate of 7 000m³ per annum, however the Commission would be prepared to settle for a period of 10 years, if your company chose to spread its rate of cut over that time.

Any extension of the Agreement beyond this period would be subject to re-negotiation of its terms particularly in regard to resources then available from Crown sources and the acceptability of such arrangements to the Commission.

In providing assistance in the transition from the use of rainforest to non-rainforest timbers the Commission would need to have more information on the timbers you propose to use to carry on your industry after the Crown log allocation is exhausted. You will appreciate that since there is no commitment to continue supply of Crown timber beyond that time, any transition into the use of non rainforest species would need to be attuned to those resources expected to be available to you from private property sources and, therefore, the Commission would see its obligation as supplying you with species in the interim that would meet this longer term plan.

Further consideration of detail in supply arrangements and agreements will now await consideration of the matters raised herein.

Naturally the Commission's local officers, and those in its Marketing Division at this office would be available to discuss any aspects arising in these regards.

Yours faithfully,

G. S. LUGTON,
Secretary

per 



Forestry Commission of N.S.W.



The Managing Director,
Big River Timbers Pty. Ltd.,
Tremayr Road,
Carra Creek Junction,
GRAFTON, N.S.W. 2460

Forestry House
95-99 York Street
Sydney N.S.W.
Box 2687 G.P.O. Sydney
N.S.W. 2001

Telegrams: Newforests Sydney
Telex: Forcom 21657

Our reference: 37750 (MD)

Your reference:

Telephone: 234 1567
Extension: 610 -
Mr. O'Neill

Dear Sir,

10th January, 1983

Re: Government Decisions on Rainforests

Reference is made to the Government decision in relation to Washpool which states in part:

"WASHPOOL

1. That the remaining allocation of rainforest timbers to Big River Timbers Pty. Ltd. from the 1982/83 quota year be halved to a maximum volume of 25 300m³.

The Government will assist Big River Timbers in obtaining alternative non-rainforest timbers during an eight year transition from rainforest timbers.

2. That the proposed 25 300m³ allocation of rainforest timber to Big River Timbers Pty. Ltd. be obtained from Area 6^B and Area 7^B of Washpool or other possible alternative areas."

At the discussions with affected industries at Grafton on 10th November, 1982 you sought clarification of your brushwood entitlement particularly in regard to the inferred limitation of the available resources from Areas 6^B and 7^B of Washpool to 25 300m³.

Clarification of this question had been sought by the Minister for Local Government and Lands and, in confirmation of the discussions with Forestry Commission officers in Sydney on 15th December, 1982, it is advised that:

- (i) the volume guaranteed to Big River Timbers Pty. Ltd. is 25 300m³ including the current quota year, and,
- (ii) any volumes of rainforest timbers obtained from Areas 6^B, 7^A and 7^B in addition to the 25 300m³ may be allocated to you, provided such additional timbers are obtained having regard to the environmental safeguards proposed by the Forestry Commission in its E.I.S. for the Washpool area.

It is advised also that Big River Timbers Pty. Ltd. will not be restricted to the eight year transition period from rainforest to non-rainforest species, provided that extension of the transition period does not result in job losses.

Yours faithfully,

G. S. LUGTON,
Secretary.
per: *[Signature]*

MAIN CAUSES OF RAINFOREST DEGRADATION

(Data from Myers, 1983 & FAO, 1987)

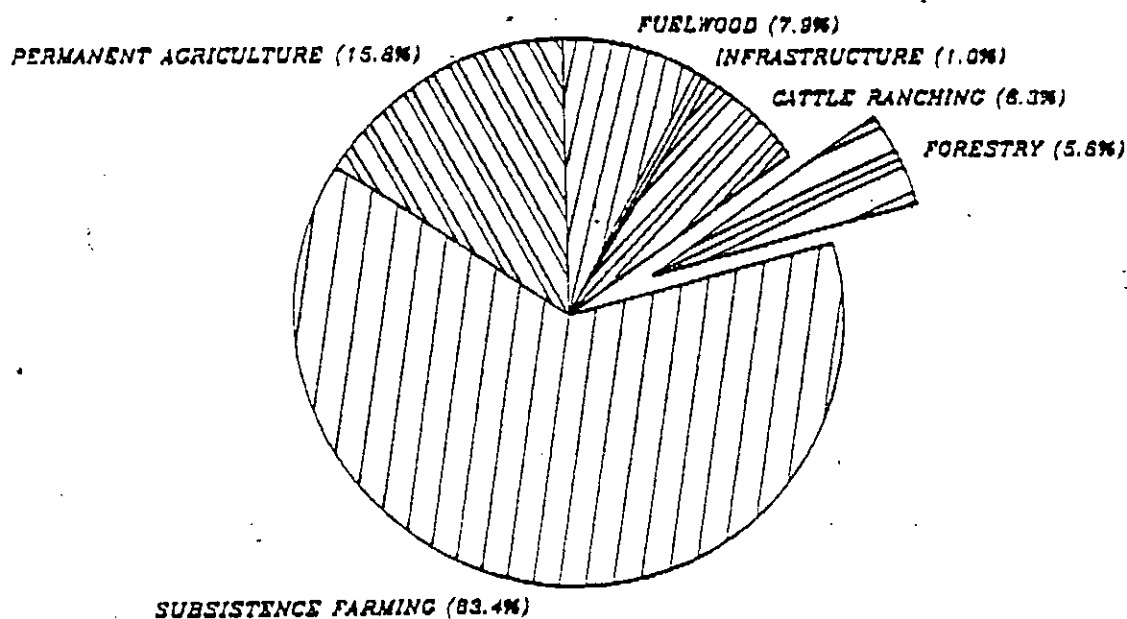


Table 1
Rates of deforestation (1981-1985) for selected tropical countries

	%	'000 ha
Indonesia	0.75	900
Malaysia	1.25	255
Philippines	0.70	91

Source: Repetto, 1988, pp. 7-8; World Bank.

Attention: John Corkill

Fax: 2475945

6 Pages Follow

WASHPOOL MEETING AGENDA

Thurs
Date: ~~18-10-98~~ 18-10-98
Time: 7.30pm to 8.30pm (finish)
Venue: 100 Office 53 Liverpool St

- 1) Intro of the group and to the issue. Ross (5 min).
- 2) Play 7.30 Report video on North Washpool. (10 min).
- 3) Court Case background and update. John (15 min).
- 4) Slides show of North Washpool & commentary. Ross (20 min).
- 5) Questions. (15 min).
- 6) ACTION items.
Lindy (20 min).
 - (a) Add to existing spreadsheet.
 - (b) Add to coordinators & group members).
 - (c) Priorities and time lines.
7. Split into groups to discuss and divide tasks. (30 min).
Arrange telephone contact with co-ordinator.
- 8) Recap and next meeting date. (5 min).

* Any Comments / Alterations / Additions
for the Leaflet would be great.

Regards,

Ross

Fax: 441873

late 89.

correspondence from BRT to FCNSU

[re:] RF used as face for plywood

Goodwood Society wrote

7.30 Report → FOI request

inspect no. of files pertinent to complaint

Giver flat the matter before the court - the
issue between BRT + 7.30 and may be a
matter → wait for outcome

In order to determine complaint → 7.30
appropriate relevant correspondence

release form → FOI request for BRT if
refers to 'commercial information'

SPREADSHEET

ITEM	TASK	PRIORITY	COORDINATOR	GROUP MEMBERS
------	------	----------	-------------	---------------

Media

Lobbying

Public Meeting

Letterwriting

Editor 1

Politiitions 1

Demonstrations

Stalls

Resources

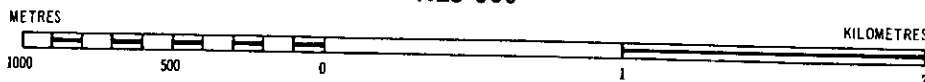
Add Agencies
Photographers
Artists
famous people

Article Writing

COUNTIES OF CLIVE AND DRAKE

COFFS HARBOUR AND GLEN INNES FORESTRY REGIONS

1:25 000



State Forest boundary	— : — : —	Road Underpass ... Overpass ... Level crossing	
Timber Reserve boundary	— — — — —	Fence ... Fence on boundary	
Flora Reserve ... Forest Preserve boundary	— F — F —	Gate ... Stock grid	
National Park boundary	— P — P —	Transmission line ... Telephone line	
Compartment boundary	— — — — —	Fire tower ... Forestry camp ... Sawmill	
Forest type boundary	— — — — —	Camping area ... Picnic area	
sealed surface — first class	—————	Building ... Church ... Post Office	
All weather sealed surface — second class	—————	Quarry ... Gravel pit	
roads loose surface — first class	—————	Dam ... Waterhole ... Overhead tank	
loose surface — second class	—————	Stream ... Swamp	
Dry weather roads — loose surface	—————	Sand ... Mud	
Four wheel drive track	—————	Landmark boulder ... Cave	
Road excluded from State Forest	— > —	Vineyard ... Orchard ... Plantation	
Railway — multiple track ... Siding ... Station ...	— + + + —	Contours ... High cliff	
Railway — single track ... Tunnel	— + — + —	Contours approximate ... Low cliff	
		Horizontal control point ... Spot height	

COMPILATION NOTE

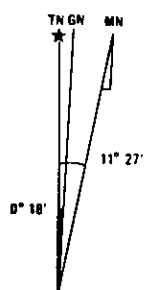
Compiled by Mapping Branch Forestry Commission of New South Wales from the standard topographic map dated 1976 and large scale forest maps, supplemented by field revision in March 1985. Place names are approved under the provisions of the Geographical Names Act, 1966, with the exception of Gorooro Falls.

Roads and tracks on private property should not be used without the owner's permission. Gates and grids across the road, or absence of fencing on one or both sides, indicate that the road may be on private property.

MAP PRODUCED DECEMBER 1986

TRANSVERSE MERCATOR PROJECTION AUSTRALIAN MAP GRID ZONE 56

Heights are in metres
Contour interval 10 metres



Values at centre of sheet
for 1980
Magnetic change + 03° E ann.

FOREST TYPES

Yellow Carabeen — Crabapple — Sassafras — Corkwood — Silver Sycamore	2/3	Forest Red Gum — Grey Gum/Grey Ironbark — Roughbarked Apple	70/74
Palm	11	Spotted Gum — Grey Ironbark/Grey Gum	74a
Coachwood — Crabapple	23	Spotted Gum — Grey Ironbark/Grey Gum Site height generally > 30m	
Myrtle	23/26	Spotted Gum — Grey Ironbark/Grey Gum Site height generally < 30m	
Myrtle — Viney Scrub	26	Spotted Gum — Grey Ironbark/Grey Gum Regeneration Site height generally > 30m	
Viney Scrub		Spotted Gum — Grey Ironbark/Grey Gum Regeneration Site height generally < 30m	
Dry Blackbutt Site height generally > 30m		Forest Red Gum	
Dry Blackbutt Site height generally < 30m	47	New England Stringybark Site height generally > 25m	
Tallowwood — Sydney Blue Gum	47a	New England Stringybark Site height generally < 25m	
Tallowwood — Sydney Blue Gum Site height generally > 40m	47b	New England Blackbutt Site height generally > 25m	163a
Tallowwood — Sydney Blue Gum Site height generally < 40m	53	New England Blackbutt Site height generally < 25m	163b
Inland Brush Box	60	Silverleaved Ironbark	
Narrowleaved White Mahogany — Red Mahogany — Grey Ironbark — Grey Gum	62a	Agricultural Pasture and Cropland	
Grey Gum — Grey Ironbark — White Mahogany Site height generally > 25m	62b	Semi-cleared	
Grey Gum — Grey Ironbark — White Mahogany Site height generally < 25m		Rock	
Grey Gum — Grey Ironbark — White Mahogany Regeneration Site height generally > 25m			
Grey Gum — Grey Ironbark — White Mahogany Regeneration Site height generally < 25m			

General forest type descriptions are given in Research Note 17.

Forest types occurring on this sheet are shown thus

11

Full forest type descriptions are given in Resources Report No 153 and H.O. File No 15279

State of Play :

Meetings :

- ① Greiner office - NO to mtg.
- ② West - NO to mtg
- ③ All other Ministers contacted said they wanted briefing paper - no offer of meeting, i.e.
Pickering, Pickard, Baird, Collins.
- ④ Collins has been sent letter + briefing paper. Said he would get back to us next week.
- ⑤ Briefing paper + letters also sent to:
 - Greiner - Armstrong
 - West
 - Pickering
 - Pickard
 - Baird
 - Collins
- ⑥ Carr's office has also been rung for a mtg time.
- ⑦ Photios ~~ring~~ ^{contacted} ~~ring~~ - left message on his machine
- ⑧ MEETING WITH ROBYN KRUK 10:00AM MONDAY

LEVEL 6, Tower Building, State Office Block.
Joanne Coverdale will also be present.
Robyn is in the Natural Resources Section of Premier's Dept.

Copy of briefing paper sent to Robyn on Friday 3:40pm

Things to do :

2822822

1. Letter + briefing paper to

{ - Carr

{ - Pam Allan

✓ - Photios

✓ - Armstrong

✓ - Robin Kruck, Premier's Dept

2. Chase meetings with :

✓ - Robin Kruck

- find out where Cabinet meeting is + organise stunt

② - prime Paul Baidley for a story in SMH on Monday.

3. Organise stunt for Tues Cabinet mtg

4. Copy of briefing paper to Pickard - Allen:

✓ Carol Fleming. Fax N° 286 7828.



MINISTER FOR TOURISM
MINISTER FOR LANDS AND FORESTS

Ms M Robertson
The Wilderness Society NSW
53 Liverpool Street
SYDNEY 2000

Dear Margaret,

During his absence from Sydney today the Minister asked me to acknowledge your letter this morning about the wilderness nomination for the North Washpool area.

Mr West has read your correspondence and he said he will give it close attention for the discussion of this issue by Cabinet.

Unfortunately, Mr West's commitments preclude a meeting with Society representatives before the Cabinet meeting on 4 September.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'D. Herschel'.

(D. HERSCHEL)
Executive Officer 30/8/90

CARR

Abide To 1982 Rf decision

distance from Pam Allan (Sat Examiner!)
Shadow Cabinet will back him up!

Pam Allan (5-6 pm)

Alternative resource in Casino + Casino West MA.
Casino District

increase cut possible - how much is available?
'a lot more' small sawlogs.

Grattan M.A. may reveal some flexibility

Ring Martin Frohlich
Tim Robertson
Janette Saffin

} re Cam's Statement

ES 1. Sample ...
11.11.11

LEGISLATIVE ASSEMBLY

WILDERNESS BILL 1987

MISCELLANEOUS ACTS (WILDERNESS) AMENDMENT BILL 1987

SECOND READING SPEECH

MR SPEAKER:

I MOVE THAT THESE BILLS BE NOW READ A SECOND TIME.

TODAY I OFFER THIS PARLIAMENT, THIS COMMUNITY, A HISTORIC CHOICE.

DO WE AS A NATION ON THE EVE OF THE 200TH YEAR OF EUROPEAN SETTLEMENT CONTINUE TO DESTROY, PIECE BY PIECE, THE GREAT NATURAL AREAS OF OUR COUNTRY?

WILL WE CONTINUE TO BE UNMOVED BY THE FACT THAT MANY OF THIS NATION'S PLANTS AND ANIMALS ARE THREATENED WITH OBLIVION?

OR DO WE RESOLVE THAT THE VERY FIBRE OF THIS CONTINENT SHOULD BE TREATED WITH GREATER RESPECT, THAT OUR MUCH DIMINISHED WILDERNESS SHOULD BE PROTECTED AND THAT OUR COUNTRY SHOULD EARN A REPUTATION FOR ITS EXCELLENCE IN ITS APPROACH TO CONSERVATION?

IN JUST TWO CENTURIES BETWEEN 50 AND 60 PERCENT OF THE FOREST WHICH EXISTED IN AUSTRALIA PRIOR TO EUROPEAN

SETTLEMENT HAS BEEN CLEARED OR SEVERELY MODIFIED. IN NEW SOUTH WALES THE SITUATION IS WORSE; BETWEEN 60 AND 80 PER CENT OF NATIVE FOREST HAS GONE. MOST OF NEW SOUTH WALES HAS EITHER BEEN MODERATELY OR HIGHLY MODIFIED BY EUROPEANS. SOME AREAS HAVE SUFFERED GREATLY. ONLY ABOUT 25 PER CENT OF THIS STATE'S ORIGINAL RAINFOREST REMAINS.

AS AT 1984, 76 PLANT SPECIES WERE CONSIDERED EXTINCT AND 203 ENDANGERED THROUGHOUT AUSTRALIA. IN N.S.W. 275 SPECIES OF PLANTS ARE PRESUMED EITHER EXTINCT OR THREATENED.

MORE THAN HALF OF THE LAND USED FOR AGRICULTURE IS NOW IN NEED OF TREATMENT FOR EROSION.

IN THIS STATE 20 SPECIES OF MAMMALS ARE EXTINCT, AND ANOTHER FIVE ARE FACING EXTINCTION.

I DO NOT WISH THE RECITAL OF THIS TRAGIC LITANY TO BE INTERPRETED AS A CRITICISM OF OUR PIONEERS OR THE RURAL COMMUNITY; WHAT WAS DONE WAS DONE FOR THE MOST PART IN UNDERSTANDABLE IGNORANCE AND TO SERVE THE VITAL TASKS OF SUPPLYING FOOD AND FIBRE TO A GROWING NATION.

HOWEVER, IF WE FAIL IN THE TASK NOW BEFORE US; IF WE DO NOT ACCEPT THE RESPONSIBILITY TO PROTECT SOME OF WHAT REMAINS, THEN WE MUST SURELY AND RIGHTLY EXPECT THE CONDEMNATION OF THIS AND FUTURE GENERATIONS.

THE MATTER OF WILDERNESS PROTECTION STRIKES AT THE HEART OF THIS CONUNDRUM BECAUSE WILDERNESS IS THE TOTAL AND ABSOLUTE EMBODIMENT OF THE AUSTRALIAN ENVIRONMENT. STILL IN A LARGELY NATURAL STATE IT OFFERS NO CONCESSIONS; NO COMPROMISES. UNLIKE MANY OF OUR FINE NATIONAL PARKS WITH THEIR BITUMEN ROADS, CAMPING GROUNDS, AMENITIES, WALKING TRACKS, RECREATIONAL FACILITIES AND THE LIKE, WILDERNESS STANDS AS A STARK REMINDER OF WHAT ONCE WAS. IT REMINDS US OF THE ANCIENT LIFE OF THIS CONTINENT.

THE GREAT AMERICAN NATURALIST AND PHILOSOPHER, HENRY DAVID THOREAU, ONCE SAID THAT IN WILDERNESS IS THE PRESERVATION OF THE WORLD. IN AUSTRALIA, WILDERNESS IS ALSO SURELY A SOURCE OF OUR PATRIOTISM. AUSTRALIAN HISTORY IS A STORY OF THE INTERACTION BETWEEN IMMIGRANT PEOPLES AND A CONTINENT WITH UNIQUE LANDSCAPES, PLANTS AND ANIMALS. IF WE LOSE OUR FEEL FOR THIS GRAND OLD CONTINENT IN ITS NATURAL CONDITION, THEN WE LOSE SOMETHING OF OUR CHARACTER AS A PEOPLE. THE CASE FOR CONSERVATION IS FOUNDED THEREFORE ON PATRIOTISM. OUR COMMITMENT TO PROTECTING OUR WILDERNESS IS A MEASURE OF OUR MATURITY AS A NATION AND PRIDE IN OUR IDENTITY.

WHAT OF WILDERNESS IN NEW SOUTH WALES?

3:

ON THE BEST AVAILABLE ESTIMATE IT IS CONTAINED IN 36 AREAS WHICH TOGETHER COVER BARELY FOUR PERCENT OF THE STATE.

LESS THAN HALF IS ALREADY PROTECTED WITHIN OUR PARK SYSTEM AND MOST OF WHAT IS NOT PROTECTED FACES THREATS TO ITS EXISTENCE FROM A RANGE OF ACTIVITIES.

THIS GOVERNMENT IS COMMITTED TO THE PROTECTION OF WILDERNESS WHEREVER POSSIBLE.

THAT IS A CONCERN AND COMMITMENT SHARED BY ALL REASONABLE PEOPLE.

THE LEGISLATIVE SCHEME NOW PROPOSED ENVISAGES THAT WILDERNESS AREAS MAY BE IDENTIFIED AND DECLARED OVER THREE DIFFERENT CATEGORIES OF LAND.

FIRST, WILDERNESS AREAS MAY BE IDENTIFIED AND DECLARED OVER LANDS RESERVED OR DEDICATED UNDER THE NATIONAL PARKS AND WILDLIFE ACT, 1974.

SECOND, WILDERNESS AREAS MAY BE IDENTIFIED AND DECLARED OVER PRIVATE OR CROWN LEASEHOLD LAND WHICH IS THE SUBJECT OF A CONSERVATION AGREEMENT VOLUNTARILY ENTERED INTO BY THE OWNER OF LAND WITH THE MINISTER ADMINISTERING THE NATIONAL PARKS AND WILDLIFE ACT, 1974. NO WILDERNESS DECLARATION WILL BE MADE IN RELATION TO SUCH LANDS UNLESS AND UNTIL A CONSERVATION AGREEMENT HAS BEEN NEGOTIATED.

THIRD, WILDERNESS AREAS MAY BE IDENTIFIED AND DECLARED OVER PUBLIC LAND WHICH IS OWNED BY OR UNDER THE CONTROL OF A GOVERNMENT DEPARTMENT OR STATUTORY BODY AND WHICH IS THE SUBJECT OF A WILDERNESS PROTECTION AGREEMENT ENTERED INTO BY

THE MINISTER ADMINISTERING THE WILDERNESS BILL WITH THE RESPONSIBLE MINISTER OR STATUTORY BODY, AS THE CASE MAY BE. AGAIN, NO WILDERNESS DECLARATION WILL BE MADE UNTIL A WILDERNESS PROTECTION AGREEMENT HAS BEEN FINALISED.

THE OBJECTS OF THE WILDERNESS BILL ARE TO PROVIDE FOR THE PERMANENT PROTECTION AND PROPER MANAGEMENT OF WILDERNESS AREAS WITHIN THIS STATE AND TO EDUCATE THE PUBLIC IN THE APPRECIATION, PROTECTION AND MANAGEMENT OF WILDERNESS.

THE WILDERNESS BILL PROVIDES THAT AN AREA OF LAND SHALL NOT BE IDENTIFIED AS WILDERNESS BY THE DIRECTOR OF NATIONAL PARKS AND WILDLIFE UNLESS IT POSSESSES CERTAIN CHARACTERISTICS. THESE ARE THAT THE AREA IS, TOGETHER WITH ITS PLANT AND ANIMAL COMMUNITIES, IN A STATE THAT HAS NOT BEEN SUBSTANTIALLY MODIFIED BY HUMANS AND THEIR WORKS OR IS CAPABLE OF BEING RESTORED TO SUCH A STATE, IS OF SUFFICIENT SIZE TO MAKE ITS MAINTENANCE IN SUCH A STATE FEASIBLE, AND IS CAPABLE OF PROVIDING OPPORTUNITIES FOR SOLITUDE AND APPROPRIATE SELF-RELIANT RECREATION. IN FORMING AN OPINION AS TO THESE MATTERS, THE DIRECTOR MAY CONSIDER, AMONGST OTHER RELEVANT CIRCUMSTANCES, THE PERIOD OF TIME WITHIN WHICH THE AREA COULD REASONABLY BE RESTORED TO A SUBSTANTIALLY UNMODIFIED STATE AND WHETHER, DESPITE DEVELOPMENT WHICH WOULD OTHERWISE RENDER IT UNSUITABLE, THE AREA IS NEEDED FOR THE MANAGEMENT OF AN EXISTING OR PROPOSED WILDERNESS AREA. THE DIRECTOR MAY ALSO CONSIDER ANY WRITTEN REPRESENTATIONS RECEIVED FROM ANY PERSON IN RELATION TO WHETHER THE AREA SHOULD BE IDENTIFIED AS WILDERNESS.

UNDER THE WILDERNESS BILL, ANY PERSON, BODY OR ORGANISATION MAY SUBMIT A WRITTEN PROPOSAL TO THE DIRECTOR OF NATIONAL PARKS AND WILDLIFE THAT AN AREA OF LAND BE IDENTIFIED AS WILDERNESS. THE NOMINATING PERSON, BODY OR ORGANISATION NEED NOT BE THE OWNER OF THE LAND CONCERNED BUT, IF THE NOMINEE IS NOT THE OWNER, THE DIRECTOR SHALL NOTIFY THE OWNER ON RECEIVING THE PROPOSAL. WITHIN TWO YEARS AFTER RECEIVING ANY SUCH PROPOSAL, THE DIRECTOR IS REQUIRED TO CONSIDER THE PROPOSAL AND MAKE A RECOMMENDATION TO THE MINISTER AS TO WHETHER OR NOT THE AREA SHOULD BE PROTECTED AS A WILDERNESS AREA.

WHEN AN AREA OF LAND OUTSIDE THE PARK SYSTEM HAS BEEN IDENTIFIED AS WILDERNESS AFTER INVESTIGATION BY THE DIRECTOR, THE MINISTER MAY ENTER INTO EITHER A WILDERNESS PROTECTION AGREEMENT IF THE LAND IS PUBLICLY OWNED OR CONTROLLED OR A CONSERVATION AGREEMENT IF THE LAND IS FREEHOLD OR THE SUBJECT OF A CROWN LEASE OR OTHER TENURE.

A PROCEDURE INVOLVING PARTICIPATION BY THE PUBLIC AND THE NATIONAL PARKS AND WILDLIFE ADVISORY COUNCIL WILL PRECEDE FINALISATION OF ANY WILDERNESS PROTECTION AGREEMENT.

THE WILDERNESS BILL ENUMERATES THE TYPES OF TERMS WHICH WILDERNESS PROTECTION AGREEMENTS MAY CONTAIN. THE BILL ALSO REQUIRES THAT THE DIRECTOR SHALL KEEP A REGISTER CONTAINING COPIES OF CURRENT WILDERNESS PROTECTION AGREEMENTS WHICH WILL BE OPEN FOR PUBLIC INSPECTION.

NEITHER WILDERNESS PROTECTION AGREEMENTS NOR CONSERVATION

AGREEMENTS IN RESPECT OF WILDERNESS SHALL BE INCONSISTENT WITH THE PRINCIPLES FOR MANAGEMENT OF WILDERNESS WHICH ARE SET OUT IN THE WILDERNESS BILL. THESE PRINCIPLES ARE THAT A WILDERNESS AREA SHALL BE MANAGED SO AS TO RESTORE, IF APPLICABLE, AND TO PROTECT THE UNMODIFIED STATE OF THE AREA AND ITS PLANT AND ANIMAL COMMUNITIES, TO PRESERVE THE CAPACITY OF THE AREA TO EVOLVE IN THE ABSENCE OF SIGNIFICANT HUMAN INTERFERENCE, AND TO PERMIT OPPORTUNITIES FOR SOLITUDE AND APPROPRIATE SELF-RELIANT RECREATION.

THE DECLARATION OF LAND RESERVED OR DEDICATED UNDER THE NATIONAL PARKS AND WILDLIFE ACT OR UNDER A WILDERNESS PROTECTION AGREEMENT AS A WILDERNESS AREA MAY BE VARIED BY NOTIFICATION PUBLISHED IN THE GAZETTE BUT SHALL NOT BE REVOKED EXCEPT BY ACT OF PARLIAMENT. A WILDERNESS DECLARATION RELATING TO A CONSERVATION AREA MAY BE VARIED OR REVOKED BY GAZETTE NOTIFICATION BUT A COPY OF ANY NOTIFICATION REVOKING A DECLARATION MUST BE TABLED BEFORE BOTH HOUSES OF PARLIAMENT.

A DECLARATION OF LAND AS A WILDERNESS AREA UNDER EITHER THE WILDERNESS BILL OR THE NATIONAL PARKS AND WILDLIFE ACT WILL NOT, EXCEPT AS OTHERWISE PROVIDED BY ANY AGREEMENT UNDER EITHER PIECE OF LEGISLATION, AFFECT ANY EXISTING INTEREST IN THE LAND INVOLVED.

IT IS PROPOSED THAT THE WILDERNESS BILL SHALL BIND THE CROWN. PROVISION IS MADE THAT A STATUTORY AUTHORITY, AS THAT TERM IS BROADLY DEFINED, SHALL NOT CARRY OUT DEVELOPMENT IN A

DECLARED WILDERNESS AREA COVERED BY A WILDERNESS PROTECTION AGREEMENT OR A CONSERVATION AGREEMENT UNLESS IT HAS GIVEN WRITTEN NOTICE TO THE MINISTER AND OTHER AFFECTED PARTIES AND IT HAS RECEIVED WRITTEN NOTICE FROM THE MINISTER CONSENTING TO THE DEVELOPMENT. THE MINISTER MAY CONSENT TO THE DEVELOPMENT ONLY IF THE MINISTER IS OF THE OPINION THAT THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE AREA AND, WHERE A WILDERNESS PROTECTION AGREEMENT IS INVOLVED, THE MINISTER RESPONSIBLE FOR THE STATUTORY AUTHORITY CONCERNED HAS CONSENTED TO THE DEVELOPMENT.

WHERE LAND LEASED UNDER THE CROWN LANDS CONSOLIDATION ACT 1913, THE CLOSER SETTLEMENT ACTS OR THE WESTERN LANDS ACT 1901 OR ANY ACT REPLACING THEM HAS BEEN IDENTIFIED AS WILDERNESS BY THE DIRECTOR AND THE DIRECTOR HAS GIVEN NOTICE OF THIS IDENTIFICATION TO THE MINISTER ADMINISTERING THE ACT UNDER WHICH THE LAND IS LEASED, THE WILDERNESS BILL REQUIRES THAT THAT MINISTER WILL CONSULT WITH THE MINISTER ADMINISTERING THE WILDERNESS ACT BEFORE APPROVING ANY CHANGE IN USE OR THE CONVERSION, SALE OR DISPOSAL OF THE SUBJECT LAND.

THE COGNATE MISCELLANEOUS ACTS (WILDERNESS) AMENDMENT BILL PROPOSES THAT THE ENVIRONMENT PLANNING AND ASSESSMENT ACT 1979 WILL BE AMENDED TO REQUIRE THAT DUE CONSIDERATION BE ACCORDED TO THE EFFECT OF ANY DEVELOPMENT OR ACTIVITY ON ANY DECLARED WILDERNESS AREA. ~~Also~~, DEVELOPMENT CONSENTS SHALL

NOT BE GRANTED UNDER THAT ACT TO DEVELOPMENTS OR ACTIVITIES UNLESS ANY CONSENTS TO THE DEVELOPMENT OR ACTIVITY REQUIRED UNDER THE WILDERNESS ACT HAVE BEEN OBTAINED. I AM PRESENTLY CONSIDERING A PROPOSAL TO ENSURE FURTHER PROTECTION OF WILDERNESS AREAS BY MAKING DEVELOPMENT LIKELY TO EFFECT WILDERNESS "DESIGNATED DEVELOPMENT" UNDER PART IV OR "PRESCRIBED ACTIVITY" UNDER PART V OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT.

PROVISION IS ALSO MADE FOR THE PREPARATION OF PLANS OF MANAGEMENT OF LAND WHICH IS THE SUBJECT OF A WILDERNESS PROTECTION AGREEMENT. AGAIN, THESE PLANS, AND PLANS OF MANAGEMENT FOR WILDERNESS AREAS IN PARKS THAT ARE PREPARED UNDER THE NATIONAL PARKS AND WILDLIFE ACT, MUST BE CONSISTENT WITH THE PRINCIPLES FOR MANAGEMENT OF WILDERNESS TO WHICH I HAVE REFERRED ABOVE.

A PROCEDURE IS LAID DOWN FOR PREPARATION AND ADOPTION BY THE MINISTER OF PLANS OF MANAGEMENT FOR LAND COVERED BY WILDERNESS PROTECTION AGREEMENTS. THIS PROCEDURE INVOLVES THE PARTICIPATION OF THE NATIONAL PARKS AND WILDLIFE COUNCIL. THE WILDERNESS BILL REQUIRES THAT WHERE A PLAN OF MANAGEMENT HAS BEEN ADOPTED, IT SHALL BE CARRIED OUT AND GIVEN EFFECT TO BY THE DIRECTOR AND THE OTHER PARTY TO THE AGREEMENT AND, IF APPLICABLE, THE STATUTORY AUTHORITY ON WHOSE BEHALF THE AGREEMENT WAS ENTERED INTO.

THE WILDERNESS BILL LAYS DOWN A PROCEDURE FOR RESOLUTION OF ANY DISPUTES WHICH MAY ARISE BETWEEN THE MINISTER ADMINISTERING THE LEGISLATION AND A STATUTORY AUTHORITY OR MINISTER RESPONSIBLE FOR A STATUTORY AUTHORITY IN RELATION TO MATTERS ARISING THEREUNDER.

PROVISION IS MADE FOR THE ESTABLISHMENT OF A WILDERNESS FUND FOR THE PURPOSES OF ADMINISTRATION OF THE WILDERNESS ACT. A REQUIREMENT HAS ALSO BEEN INSERTED THAT, IN PREPARING THE ANNUAL REPORT FOR THE NATIONAL PARKS AND WILDLIFE SERVICE, THE DIRECTOR SHALL REPORT ON THE STATE OF AREAS IDENTIFIED AS WILDERNESS AND ON MATTERS RELATING TO WILDERNESS AREAS.

PROVISION IS TO BE MADE IN BOTH THE WILDERNESS ACT AND NATIONAL PARKS AND WILDLIFE ACT FOR ANY PERSON, INDIVIDUALLY OR ON BEHALF OF OTHERS, TO BRING PROCEEDINGS IN THE LAND AND ENVIRONMENT COURT FOR AN ORDER TO REMEDY OR RESTRAIN A BREACH OF THESE PIECES OF LEGISLATION, WHETHER OR NOT ANY RIGHT OF THAT PERSON HAS OR MAY BE INFRINGED BY OR AS A CONSEQUENCE OF THAT BREACH. THE LAND AND ENVIRONMENT COURT ACT IS ALSO BEING AMENDED TO ENABLE THAT COURT TO DEAL WITH PROCEEDINGS ARISING AS A RESULT OF INSERTION OF THE LOCUS STANDI PROVISIONS.

THIS GOVERNMENT, WHICH HAS PIONEERED ABORIGINAL LAND RIGHTS, BELIEVES THAT WHERE ABORIGINAL LAND CLAIMS ARE SUBSTANTIATED, BOTH THEY AND THE GOAL OF NATURE CONSERVATION PROTECTION CAN BE MET. THIS SHOULD BE ACHIEVED BY AMENDING THE NATIONAL PARKS AND WILDLIFE ACT TO PROVIDE THAT IMPORTANT NATURAL LAND, INCLUDING WILDERNESS AREAS, GRANTED TO ABORIGINES UNDER THE LAND RIGHTS LEGISLATION CAN BE LEASED BACK BY PERPETUAL LEASE AND MANAGED BY THE NATIONAL PARKS AND WILDLIFE SERVICE. THE WILDERNESS BILL, OF COURSE, ALREADY PROVIDES THAT VOLUNTARY PROTECTION AGREEMENTS MAY BE ENTERED INTO WITH ABORIGINAL LAND COUNCILS.

THE COGNATE MISCELLANEOUS ACTS (WILDERNESS) AMENDMENT BILL PROPOSED VARIOUS AMENDMENTS TO THE NATIONAL PARKS AND WILDLIFE ACT, 1974, AND CERTAIN OTHER ACTS AS A CONSEQUENCE OF THE PROPOSED ENACTMENT OF THE WILDERNESS ACT.

IN ADDITION TO THE MATTERS TO WHICH I HAVE ALREADY REFERRED, THE COGNATE BILL CONTAINS AMENDMENTS TO THE NATIONAL PARKS AND WILDLIFE ACT MAKING PROVISION FOR THE RECOGNITION AND PROTECTION OF WILD AND SCENIC RIVERS AND ENABLING INTERIM PROTECTION ORDERS TO BE IMPOSED.

IT IS PROPOSED THAT THE NATIONAL PARKS AND WILDLIFE ACT WILL PROVIDE THAT THE DIRECTOR MAY, BY NOTIFICATION IN THE GAZETTE, DECLARE ANY RIVER OR PART OF A RIVER WITHIN LANDS RESERVED OR DEDICATED UNDER THE ACT TO BE A WILD AND SCENIC RIVER. ANY SUCH DECLARATION MAY BE VARIED OR REVOKED BY THE DIRECTOR BY FURTHER GAZETTE NOTIFICATION.

IT IS ALSO PROPOSED THAT A STATUTORY AUTHORITY SHALL NOT CARRY OUT DEVELOPMENT IN RELATION TO A WILD AND SCENIC RIVER UNTIL IT HAS CONSULTED WITH, AND CONSIDERED ANY ADVICE GIVEN BY THE MINISTER ADMINISTERING THE NATIONAL PARKS AND WILDLIFE ACT IN RELATION TO THE DEVELOPMENT.

A NEW PART IS TO BE INSERTED INTO THE NATIONAL PARKS AND WILDLIFE ACT DEALING WITH INTERIM PROTECTION ORDERS.

THIS PART PROVIDES THAT THE DIRECTOR MAY RECOMMEND TO THE MINISTER THE MAKING OF AN INTERIM PROTECTION ORDER IN RESPECT OF LAND HAVING NATURAL, SCIENTIFIC OR CULTURAL SIGNIFICANCE OR IN RESPECT OF LAND FOR THE PURPOSE OF CARRYING OUT ANY OF THE DIRECTOR'S POWERS, AUTHORITIES, DUTIES OR FUNCTIONS RELATING TO FAUNA OR NATIVE PLANTS. ORDERS MAY BE MADE IN RESPECT OF BOTH PUBLIC AND PRIVATE LANDS.

THE MINISTER IS EMPOWERED, AFTER CONSIDERATION OF THE DIRECTOR'S RECOMMENDATION, TO MAKE AN INTERIM PROTECTION ORDER IN RESPECT OF THE LAND COVERED BY THE RECOMMENDATION. THE ORDER TAKES EFFECT ON THE DATE OF ITS PUBLICATION IN THE GAZETTE OR ON SUCH LATER DATE AS THE ORDER SPECIFIES. THE

TERMS WHICH ORDERS MAY CONTAIN, BEING TERMS RELATING TO THE PRESERVATION, PROTECTION AND MAINTENANCE OF LAND, ITS FAUNA AND PLANTS AND ANY RELIC OR PLACE SUBJECT TO THE ORDER, ARE TO BE SET OUT IN REGULATIONS.

THE MINISTER IS NOT REQUIRED TO NOTIFY ANY PERSON BEFORE MAKING AN ORDER. HOWEVER, AFTER THE ORDER HAS BEEN PUBLISHED IN THE GAZETTE, THE MINISTER IS REQUIRED TO CAUSE NOTICE TO BE GIVEN TO ANY PERSON WHO APPEARS TO BE AN OWNER OR OCCUPIER OF THE AFFECTED LAND, THE NATIONAL PARKS AND WILDLIFE ADVISORY COUNCIL, THE COUNCIL OF THE LOCAL GOVERNMENT AREA IN WHICH THE LAND IS SITUATED AND ANY OTHER PERSON WHO THE MINISTER CONSIDERS SHOULD BE NOTIFIED. THE MINISTER IS ALSO REQUIRED TO CONSIDER ANY ADVICE GIVEN TO HIM BY THE NATIONAL PARKS AND WILDLIFE ADVISORY COUNCIL RELATING TO THE ORDER.

ORDERS SURVIVE FOR A MAXIMUM PERIOD OF 12 MONTHS. THEY CEASE TO HAVE EFFECT IF THE SUBJECT LAND IS RESERVED OR DEDICATED UNDER THE NATIONAL PARKS AND WILDLIFE ACT OR IF THE ORDER IS REVOKED BY THE MINISTER. ONLY ONE INTERIM PROTECTION ORDER MAY BE IMPOSED IN RESPECT OF AN AREA OF LAND WHILE IT IS OWNED BY THE SAME PERSON.

AN OWNER OR OCCUPIER FAILING TO COMPLY WITH THE REQUIREMENTS OF AN INTERIM PROTECTION ORDER WILL BE LIABLE TO A PENALTY OF \$10,000 OR 6 MONTHS IMPRISONMENT OR BOTH.

OWNERS OR OCCUPIERS OF THE WHOLE OR ANY PART OF THE LAND SUBJECT TO AN ORDER MAY APPEAL TO THE LAND AND ENVIRONMENT COURT AGAINST THE IMPOSITION OF AN ORDER OR ITS TERMS. IN DECIDING THE APPEAL, THE COURT MAY HAVE REGARD TO ANY HARDSHIP CAUSED TO THE OWNER OR OCCUPIER BY THE ORDER AND TO THE PURPOSES OF THE ORDER. ALL OF THE FUNCTIONS AND DISCRETIONS OF THE MINISTER ARE CONFERRED ON THE COURT IN DECIDING SUCH APPEALS AND THE DECISION OF THE COURT IS FINAL. PROVISION IS MADE FOR AMENDMENT OF THE LAND AND ENVIRONMENT COURT ACT TO ENABLE THAT COURT TO HEAR THESE APPEALS.

FINALLY, PROVISION IS MADE FOR THE DIRECTOR TO KEEP A REGISTER OF COPIES OF CURRENT INTERIM PROTECTION ORDERS WHICH WILL BE OPEN TO PUBLIC INSPECTION.

THESE BILLS REPRESENT ONLY PART OF THE GOVERNMENT'S WILDERNESS PROTECTION PACKAGE. WE SHALL ACCELERATE THE PROCESS OF S59 WILDERNESS DECLARATIONS UNDER THE NATIONAL PARKS AND WILDLIFE ACT; WE SHALL INVESTIGATE AT LEAST TWO POTENTIAL WILDERNESS AREAS OUTSIDE OF THE PARK SYSTEM PER ANNUM FOR AS LONG AS SUCH AREAS EXIST AND THE NATIONAL PARKS AND WILDLIFE SERVICE WILL REVISE ITS WILDERNESS POLICY, INCLUDING AN UPDATED CODE OF MANAGEMENT.

BUT MORE THAN THIS WE SHALL BRING A COMMITMENT TO PROTECTING WILDERNESS WHEREVER AND WHENEVER POSSIBLE. WITHOUT SUCH A COMMITMENT, LEGISLATION OF ANY KIND IS OF LIMITED VALUE. THAT IS THE SHARPEST DISTINCTION THAT CAN BE DRAWN BETWEEN THE GOVERNMENT AND THE COALITION; WE BELIEVE, AND WE WILL ACT.

THOSE OPPOSITE WILL FIDDLE AND TALK ABOUT "SCIENTIFIC" DEFINITIONS OF WILDERNESS, IN A WAY REMINISCENT OF THE RAINFOREST DEBATE, BUT WHEN THE CRUNCH COMES THEY WILL NOT ACT.

I DO NOT INTEND TODAY TO AGAIN TREAD THE HISTORY OF THE DEVELOPMENT OF THIS LEGISLATION. SUFFICE TO SAY IT AROSE OUT OF THE REPORT OF THE WILDERNESS WORKING GROUP. I ONLY WISH TO EXPRESS HERE MY DISAPPOINTMENT THAT THE DEBATE WHICH THAT REPORT ENGENDERED WAS SO BEDEVILLED BY MISINTERPRETATIONS - A GREAT DEAL OF IT THE RESULT OF DELIBERATE MISCHIEF MAKING BY THOSE OPPOSITE, AIDED AND ABETTED BY AN UNPROFESSIONAL RURAL MEDIA.

BY WAY OF EXAMPLE I WILL JUST RECALL ONE ITEM TYPICAL OF THE NONSENSE AND HYPERBOLE BEING PEDDLED AT THE TIME. THERE CAN BE NO BETTER PROPONENT IN THAT FIELD THAN THE HON. MEMBER FOR BARWON.

ON AUGUST 27, 1986, THE LEADER OF THE NATIONAL PARTY LAUNCHED HIMSELF INTO THE DEBATE WITH ALL HIS CUSTOMARY GUSTO AND ATTENTION TO THE FACTS. OF THE 11 PARAGRAPHS IN MR MURRAY'S PRESS STATEMENT OF THAT DATE ONLY ONE IS ACCURATE - THAT I HAD APPOINTED THE WORKING GROUP. THE REST ARE NONSENSE.

SOME EXAMPLES, MR MURRAY CLAIMED THE WORKING GROUP HAD RECOMMENDED THE ESTABLISHMENT OF 48 WILDERNESS AREAS. WRONG. IT IDENTIFIED JUST 36 AREAS, SAID SO A NUMBER OF TIMES AND ITS REPORT CONTAINED ONLY 36 AREA DESCRIPTIONS AND 36 PLACES MARKED ON THE MAP.

MR MURRAY ALSO CLAIMED THAT FREEHOLD LAND WOULD BE ARBITRARILY RESUMED, HUGE TRACTS OF LEASEHOLD LAND WOULD BE LOCKED UP AND SO ON. IN FACT THE REPORT ITSELF RECOMMENDED VOLUNTARY ACQUISITION OF PRIVATE LAND WHERE NECESSARY AND THIS POLICY WAS ENDORSED AND STATED BY THE GOVERNMENT INNUMERABLE TIMES.

A FUNDAMENTAL PART OF THIS LEGISLATION IS THAT IT CONFIRMS THAT THE GOVERNMENT MAKES THE FINAL DECISION ON WILDERNESS PROTECTION. I KNOW THIS WILL BE A POINT OF CRITICISM BY WILDERNESS ACTIVISTS. HOWEVER, THE GOVERNMENT HAS TO ACCEPT THE HEAVY RESPONSIBILITY OF WEIGHING UP COMPETING INTERESTS OVER LAND. THIS IS ALREADY THE CASE FOR SOME WILDERNESS AREAS ON THE NORTH COAST WHICH CONTAIN ALTERNATIVE SOURCES OF TIMBER ALLOCATED BY THE GOVERNMENT AFTER ITS HISTORIC RAINFOREST CONSERVATION DECISION OF 1982.

HOWEVER, THESE DECISIONS WILL BE MADE ALWAYS IN THE CONTEXT OF WHY AN AREA SHOULD NOT BE PRESERVED AS WILDERNESS RATHER THAN WHY IT SHOULD BE. UNDER THIS GOVERNMENT WILDERNESS HAS A RIGHT TO EXIST. WILDERNESS UNDER OUR PROTECTION IS A LEGITIMATE LAND USE.

THERE WILL BE AN ENTIRELY PREDICTABLE RESPONSE FROM THE MINING INDUSTRY; FROM THE TIMBER INDUSTRY; FROM THE AGRICULTURAL SECTOR. THIS WILL BE BOTH UNFORTUNATE AND UNNECESSARY. THEIR LEGITIMATE INTERESTS WILL BE TAKEN INTO ACCOUNT BEFORE ANY DECISION IS MADE. LESTER C. THUROW, THE U.S. ECONOMIST HAS WRITTEN:

"POTENTIAL WILDERNESS AREAS MAY INCLUDE AS YET UNDISCOVERED RAW MATERIALS, BUT THIS DOES NOT AFFECT THE ANALYSIS. OPPONENTS OF WILDERNESS OFTEN ACT AS IF THESE RESOURCES WERE BEING THROWN AWAY. THIS IS SIMPLY SILLY. THE NATURAL RESOURCES IN WILDERNESS AREAS DO NOT DISAPPEAR. ANY FUTURE GENERATION THAT DECIDES THAT NATURAL RESOURCES ARE MORE IMPORTANT THAN WILDERNESS AREAS IS FREE TO CHANGE THE LAW".

IN THIS CASE THE PARLIAMENT CAN MAKE THAT DECISION.

DURING THE LONG DEBATE ON WILDERNESS BOTH THE PREMIER AND I GAVE CERTAIN UNDERTAKINGS:

1. NO FORCED RESUMPTION OF LAND.
2. PRIVATE LAND TO BE PURCHASED AT MARKET PRICES.
3. LEASEHOLD LAND (CROWN) WOULD BE CONSIDERED AS PRIVATE PROPERTY.

4. NO CONTROLS WOULD BE PLACED OVER LAND - LEASEHOLD OR FREEHOLD.
5. NO BUFFER ZONES.
6. ALL AGREEMENTS BETWEEN NATIONAL PARKS AND WILDLIFE SERVICE AND LANDHOLDERS WOULD BE VOLUNTARY.

THE LEGISLATION MEETS THOSE UNDERTAKINGS.

I WOULD LIKE TO THINK THE NEW SOUTH WALES FARMERS ASSOCIATION WILL SUPPORT THE GOVERNMENT'S WILDERNESS ACT. THE ASSOCIATION HAS SAID IT SEES SOME MERIT IN A WILDERNESS AREA PROTECTION SYSTEM PROVIDED NINE CONDITIONS WERE MET. THIS LEGISLATION MEETS SEVEN OF THOSE CONDITIONS.

THIS LEGISLATION SIGNIFIES YET ANOTHER LANDMARK IN THE ENVIRONMENTAL RECORD OF LABOR GOVERNMENTS. IT IS A PROUD RECORD:

- ° AN INCREASE OF 100 PERCENT IN AREA PROTECTED IN THE PARK SYSTEM.
- ° ONE THIRD OF THE COASTLINE SAVED IN THE PARK SYSTEM.
- ° THE CREATION OF ONE OF THE FIVE BEST PARK SERVICES IN THE WORLD.

THIS IS AN APPROPRIATE TIME TO PAY TRIBUTE TO ALL THOSE WHO HAVE WORKED FOR DECADES TO SEE WILDERNESS PROTECTED IN NEW SOUTH WALES - INDIVIDUALS SUCH AS MARIE BYLES AND MYLES DUNPHY - ORGANISATIONS SUCH AS THE NATIONAL PARKS ASSOCIATION, THE NATIONAL PARKS AND PRIMITIVE AREAS COUNCIL, THE COLONG COMMITTEE, THE TOTAL ENVIRONMENT CENTRE, THE NATURE CONSERVATION COUNCIL AND THE WILDERNESS SOCIETY. I HAVE BUSHWALKED IN WILDERNESS WITH CONSERVATIONISTS FROM THESE ORGANISATIONS. I BELIEVE THEY ARE AMONG THE FINEST AUSTRALIANS. THEIR THOUGHTS ARE WITH FUTURE GENERATIONS AND THE FUTURE OF THIS LAND. THEIR EFFORTS WILL FIGURE LARGE IN FUTURE HISTORIES OF AUSTRALIA, AS WILL THIS LEGISLATION THAT WE NOW DEBATE.

I COMMEND THE BILLS TO THE HOUSE.

1st September, 1990

Mr Bob Carr,
Leader of the Opposition,
NSW Parliament House,
Macquarie Street,
Sydney. 2000.

<< URGENT >>
<< PRIVATE AND CONFIDENTIAL >>

Dear Bob,

Environmental credibility of Carr Alternate Government

I write this letter to sound a clear warning regarding the environmental credibility of your Opposition team as an alternative government, and your personal credibility as an alternative Premier. Its a warning I've now sounded twice.

If the language and criticisms used here seem harsh or tough, you must understand that they indicate a deliberate choice, reflecting the seriousness with which I view the situation. That this letter goes to several pages indicates that there is much to say on this matter - much that you ought to seriously consider.

In part these comments are provoked by your remarks reported in the Grafton Daily Examiner of 25.8.1990, and in part they are based on keen observations, made at close quarters, of the Opposition's performance in the last 18 months.

Bob, when I first read your comments in the Examiner, I felt certain that you had been misquoted. I have since had confirmed to me by Bruce Hawker and Pam Allan that you believe the quotes attributed to you were accurate, viz:

"he (you) stood by the ALP's 1982 policy on forest boundaries and would not depart from that position. He (you) said ALP spokeswoman, Ms Pam Allan had 'perhaps been sympathetic to environmentalists' but Shadow Cabinet was firm in its stance that boundaries around North Coast State forests would not extend (sic) under a Labor Government".

My reaction was disbelief, then anger that you could demonstrate such dangerous backsliding, such ignorance of the dynamics and key importance of the north coast electorates.

I, on behalf of the North East Forest Alliance, and The Wilderness Society people have been seeking a meeting with

you since Monday 27.8'90 to discuss the North Washpool wilderness assessment and the relevance of your comments to the Opposition's position on the wilderness dedication for this area.

We were informed late on Friday afternoon that you were not available for such a meeting, and were also told that you needed to be convinced why the ALP should vary its position.

Wrong, Bob. You need to convince us why we should have any faith in or vote for you or your alternative government. Why should we spend time attempting to convince you of a position you yourself have espoused so articulately on many occasions?

I believe that the energy we expend in 'convincing' you is inversely proportional to our faith in your commitment to the environment. The more effort needed, the less faith we have in you and your Opposition. I don't like 'playing hard to get games'. You're either on side or you're not, no half measures

You need to convince us what possible excuse there is for reneging on the brilliant speech you gave when you were the Minister introducing the Wilderness Act in 1987.

You said in part then:

"Do we as a nation on the eve of the 200th year of European settlement continue to destroy, piece by piece, the great natural areas of our country? Will we continue to be unmoved by the fact that many of this nation's plants and animals are threatened with oblivion? Or do we resolve that the very fibre of this continent should be treated with greater respect, that our much diminished wilderness should be protected (my emphasis) and that our country should should earn a reputation for its excellence in its approach to conservation?"

You also said later in the same speech:

"...But more than this we shall bring a commitment to protecting wilderness wherever and whenever possible. Without such a commitment, legislation of any kind is of limited value. That is the sharpest distinction that can be drawn between the Government and the Coalition; We believe and we will act. (my emphasis again)."

These were fine words Bob, and you were respected for having said them because we believed you meant them. Were they just Bi-Centennial hyberbole? Are they now just so much Hansard?

You need to convince us why you are ignoring the World Heritage status of the Washpool National Park adjacent to and continuous with the North Washpool Wilderness nomination area

In 1982 when Cabinet drew an arbitrary line across the Washpool region in attempt to appease the timber industry, what was being carved up was known to be rainforest, but it was not known to be of international value as World Heritage Rainforest.

We suspected all along that the area had outstanding values above and beyond timber supplies. That suspicion was the basis for the World Heritage nomination you made as Minister in 1985, which was ultimately vindicated by World Heritage Listing by IUCN in 1986.

It was this Listing which Neville Wran nominated as a highlight of his political career, and which you have frequently described as a fundamental plank of your environmental credibility.

Why has this new information not influenced the ALP's 1982 understanding of the importance of North Washpool in 1990?

You need to convince us why a political deal made 8 years ago to prop up a then senior Minister, Don Day, has any relevance to the ecological imperative facing NSW and the planet in the 1990's.

Approximately 17% of the Willowie Scrub, the largest Coachwood rainforest in Australia, and therefore the world, was sacrificed to the timber industry in what Milo Dunphy described as the 'scalping of Washpool' in an attempt to guarantee the viability of the timber industry, and drag a few more votes to Don Day.

That political deal carved up an ecological system, now seen as of international significance, for short term political gain. It is irrelevant in 1990, when the survival of natural systems is now clearly understood by ordinary people and even conservative governments: witness Greiner's 'New Environmentalism'.

They have learnt a few lessons, but you Bob, as an earlier exemplar, appear to have forgotten the basics. We demand ecological decisions, informed by clear understandings of scientific facts, e.g. likelihood of extinctions, the Greenhouse Effect, etc., not more political opportunism.

What I cannot understand is how you can personally feel bound by a decision made 3 governments ago - a government in which you were not even a Minister, let alone commit a fourth government to honour.

You need to convince us how the bleatings of the vested interest of Big River Timbers, and others who are pulling Causley's strings, are credible, when their dire projections of massive job losses in the timber industry following the 1982 decision have not manifested.

The industry has significant profits to protect and will not hesitate to take whatever steps are necessary to protect them, even telling a few 'untruths' - to choose a polite term.

The truth is that more jobs have been lost in the timber industry through big business swallowing up smaller sawmillers, through the advent of new technology and through economic rationalisations by remote boards of management, e.g. Adsteam and the Urbenville mill, than by the actions of environmentalists seeking the secure protection of the last

remnants of the ancient forests of Gondwana.

We know this Bob, and we thought you did too. Why are you falling for the same discredited rhetoric from the industry? Why aren't you asking where is the industry investment in plantation creation on degraded ex-pasture land?

Why aren't you asking for some accountability of the \$1 million 'Rainforest fund' which was created to provide funding for alternate technology to assist transition out of rainforest logging? Is there another ALP skeleton in this closet?

You need to convince us why these people who will never vote Labor, have such an influence on the evolution of ALP environment policy.

Bruno Notaras will never vote Labor. Yet Grafton people and the people of NSW are heartily sick of politics being played with the environment. Just look at the Saulwick poll of February '90 and see how people feel about protecting jobs or forests. These people are your future mandate. Seize it!

Bob, this brawl over North Washpool comes at a time when the environment movement has made a crucial assessment, at the North Coast Environment Council's 'Politics and the Environment Conference', of the policies of the major parties and found them all wanting. We are the people who can offer something to the ALP - not the intellectual midgets of the timber industry.

Following that Conference, I approached Pam Allan and later Bruce Hawker, offering to provide professional advice to the ALP on policy development across a range of portfolios: planning; lands; forestry; parks and environment. I also offered to provide a key liaison role for the ALP with north coast environmental and community organisations.

Those offers were made because your Shadow Cabinet has been remarkable for their lack of credibility or action on environmental matters with the exceptions of Pam Allan and Pat Rogan. Needless to say, I'm reconsidering that offer.

Tony Doyle, the mystery man on planning policy, hasn't been even remotely convincing as a skilled opponent to David Hay. It should be a cinch to outshine Hay, yet given the range of planning issues which have generated environmental controversy, his utter lack of attack has earned him the contempt of many local groups along the coast and throughout the Sydney metropolitan area. What is the ALP planning policy? When will a draft be released for comment by community groups?

Jack Hallam, as the failed ex-Minister for Forests, has a long and bitter history with the environmental movement. He is regarded cynically as a hopeless performer who has not coped with the transition to Opposition. He is openly antagonistic to environmentalists.

He was so totally 'yes ministered' as the Minister for

Forests that he did not, and still doesn't, realise it. He still does not recognise the Forestry Commission as an inept, incompetent and probably corrupt rogue agency and he continues to parrot the FCNSW line. His draft Forest policy, despite the best efforts of Virginia Knox, still has a long way to go before it has any credibility.

Richard Amery may be well intentioned but clearly is not on top of the crucial Crown lands portfolio. What is the ALP's policy on Crown land administration? the new Act? When will a draft policy be released?

Bob, your sideswipe at Pam Allan for being "sympathetic to environmentalists" is greatly disturbing, since you have publicly undermined one of the only people in the Shadow Cabinet who have invested significant time and effort in the North Coast electorates to build up electoral credibility for the alternative Carr Government. Her speech at the Coffs anti-pulp mill rally is still remarked upon.

Pam's media profile and personal credibility, particularly in opposing the Causley pulp mill fiasco, easily outshines any of the lacklustre performers named above, particularly Hallam whose been cruising the North Coast for years.

Why throw away that investment with such a publicly patronising criticism?

What's wrong with being sympathetic to environmentalists anyway? We thought that sympathy to environmentalism was going to be a characteristic of the Carr government? If it's not going to be, perhaps we need to understand that right now and make our decisions accordingly.

Pam and others have attempted to stitch up this widening tear in your credibility with the claim that your lack of interest in the North Washpool wilderness is a ploy which offers Greiner the opportunity to go one up, thus achieving our ends

Do you seriously expect me or the movement to accept that as a credible justification? Are you sincerely happy to go down in history as the man who Greiner bettered? It's a nice damage control line but I won't wear it.

We've tried to work out why you've gone cold on the environment and haven't come up with any rational explanation. If you've got one - let's hear it, and the sooner the better.

Perhaps your pre-occupied with the federal ALP brawl over privatisation? Okay, play ALP factional games, but we want a Premier who has his eyes on the NSW game, who can recognise the stakes on his own patch when they are writ large.

Perhaps there's some one else in the NSW ALP who is dictating the line, opposed to the environmental point of view. An ex-Minister still angry at his non-election? So who is running the Opposition? And how are you going to assert your control as Premier if you don't it now.

Bob, here's the bottom line.

Either you commit your future government to being environmentally friendly and going a long way, if not the whole way, towards achieving a ecologically sustainable future for NSW or we'll find or invent a political option that will deliver, even if it takes another 4 years.

I won't work for a wimp who blows hot and cold and the movement won't vote for a Premier who doesn't know where he and his government are going. The North Coast holds the key, environmentalism, which can unlock the whole of NSW, you can turn it and open a door to new future. Will you?

I expect a reply to this letter. Not some trite throw away waste of paper, a real grappling with the issues I've raised. If I don't receive one, either in writing or in person, and very soon we'll both have to live with the consequences.

Yours sincerely,
For the Land...

J.R. CORKILL
857 324 Kevin child's at work
853 440 h

proposal

FAX TRANSMISSION



WOOD TECHNOLOGY & FOREST RESEARCH DIVISION
FORESTRY COMMISSION OF NEW SOUTH WALES

27 Oratava Avenue, West Pennant Hills. 2120
☐ (02)872 0111 ☐ Fax: (02)871 6941

P.O. Box 100, Bosworth. 2111

☐ NOT URGENT

☒ URGENT (PLEASE HAND DELIVER)

TO: BRUCE WOLF

FAX NO: 223 3530

FROM: MARIEA LAMBERT

DATE: 3/10/90

Deputy Chief

No. pages including this sheet: 3

MESSAGE: Application form for Research Permit as directed

To: JOHN CORKHILL Mm 24th

Dear John,

Having just dug thru all the files on Washpool hunting for correspondence, I only found one letter which may be useful. No doubt you have asked other green organisations if they have any? Or ring us here and we can get someone onto it. Also John Seed will be back in 9 days & he knows lots about the agreement over rainforests and may surely have correspondence of use to you.

If you have any more needs, specifics etc please call and we ~~can~~^{will} see what we can do.

Enclosed is the copy of a booklet (we have original) of Scientists writing to Wran which John Lee said you need.

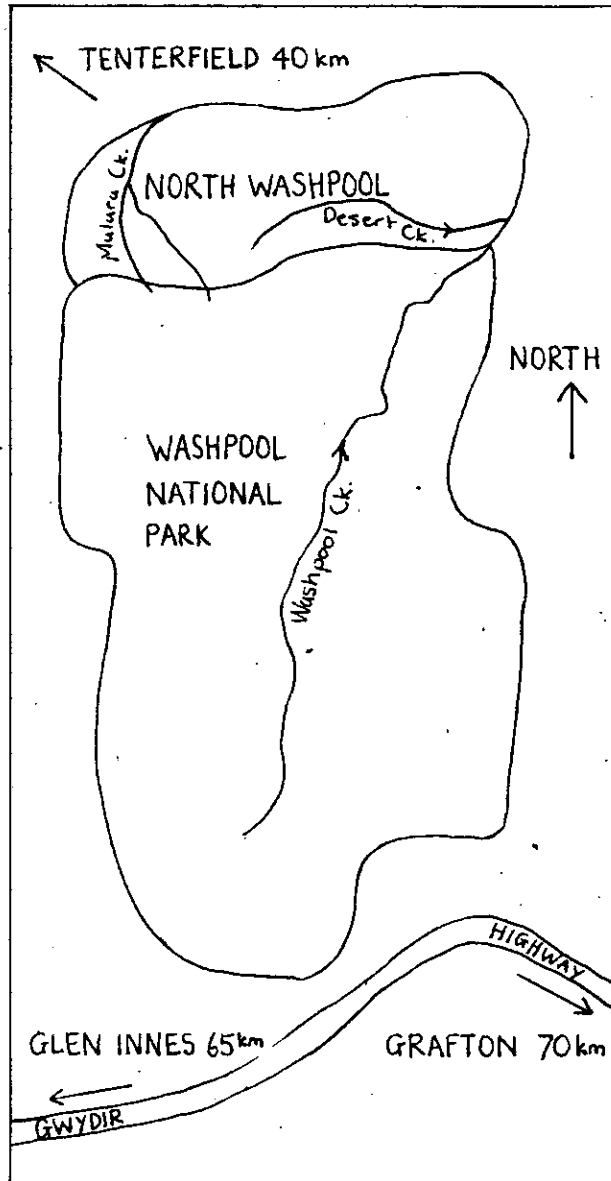
I hope all is going well with the case down there and with yourself? I've just returned from QLD where Fraser has taken much of my time. Washpool is well known even up there! See ya round. **Roxo**

P.S. If you need originals please specify & we'll comply

NORTH WASHPOOL

WHERE IS IT?

North Washpool is 6738 ha of land lying on the northern border of Washpool National Park with the Gibraltar Ranges running continuously through the whole wilderness area.



EFFECT

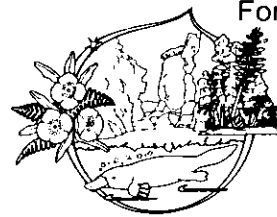
If the Director of the National Parks and Wildlife Service and the N.S.W. Government accept the proposal to protect North Washpool as wilderness, it will more strongly than anything yet done, prove the Government's already stated conviction to commitment to wilderness preservation and the social importance of such acts.

The means of protection we are proposing involves continued management of North Washpool as wilderness through a Wilderness Protection Agreement negotiated with the Forestry Commission.

If protected, North Washpool will continue to provide recreation opportunities for now and in the future.

WHAT CAN I DO?

- 1.) Write to the Premier, Mr. Nick Greiner, c/- Parliament House, Macquarie St., Sydney, urging him to protect the North Washpool Wilderness and fulfill his government's commitment to wilderness protection in N.S.W.
- 2.) Write to your local member of the N.S.W. Parliament.
- 3.) Join the Wilderness Society or make a donation.
- 4.) Be aware of the situation and tell your friends about it.



For more information contact
The Wilderness Society
Shop 2
93 Faulkner St
Armidale
ph (067) 711155
Sydney ph (02) 2677929

WASHPOOL



THERE'S MORE THAN
YOU FIRST THOUGHT

WILDERNESS AREAS - WHAT ARE THEY?

In 1987 the N.S.W. Government passed the Wilderness Act. This allows the Director of the National Parks and Wildlife Service to recognise an area of the natural environment which is of outstanding importance as unspoiled nature and declare it to be a wilderness area to be specially preserved in its wild state.

A wilderness area is much more than a national park. While national parks are also important, a wilderness area is designated to be preserved in its natural state, as near as this can be done. It does not mean closing it off from the rest of the world. To preserve its wilderness qualities, some restrictions are placed upon its use by people. These restrictions do not stop, and in fact enhance the quality of bush walking, sight seeing and other activities compatible with the wild state of the area.

The Wilderness Society actively supports the National Parks and Wildlife Service and the State Government in helping the Wilderness Act to operate and protect areas of special interest for the future.

WASHPOOL WILDERNESS

In 1986 Washpool National Park was declared a wilderness area. Washpool is the largest area of wild rainforest in N.S.W. The rainforests of the Washpool region are of such importance that those within the national park have been placed upon the World Heritage List.

The Washpool wilderness area is an important asset for the people of N.S.W. and Australia, but an important area of land was left out in 1986. This area is North Washpool.

WHAT IS IT?

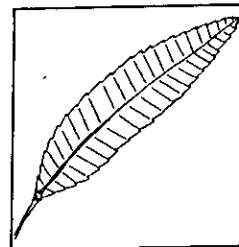
North Washpool's diverse natural ecosystems are continuous with those of Washpool National Park which has already been recognised as having highly valuable rainforests and coachwood stands.

Within North Washpool are Desert and Malara Creeks catching water from both sides of the Gibraltar Range. In places, the slopes of these two creeks are the steepest in the Washpool area, running into narrow gullies and waterfalls. In other places, the creeks are slow clear streams with river gravel bottoms and large still pools.

The area contains large open forests, low wild scrub, towering rainforest, panoramas of blue-green ridges and gullies, still water courses fringed with ferns and palms, and giant sentinel eucalypts.

With such a rich diversity of vegetative habitat, the area contains a wide variety of animal life. The Superb Lyrebird is found in North Washpool as are the Long-nosed Poteroo, the Brush-tailed Wallaby, the Spotted Tailed Quoll and the Parma Wallaby. North Washpool is so untouched that the existence or size of some animal populations is unknown. This adds to the magic and vitality of the area. Preservation of the area will permit careful, non-intrusive study of the wildlife and habitats.

With increasing loss of forest habitat due to agricultural and forestry practices, the larger the area of wilderness preserved, the greater the chance of survival for plant and animal populations.



WHY ISN'T NORTH WASHPOOL RECOGNISED AS WILDERNESS?

Since 1982, North Washpool has been part of the Billimimbra and Washpool State Forests. When the National Park was established, North Washpool was excluded as a concession to forestry interests by the State Government. An arbitrary line was drawn across the map of the Washpool wilderness. To the north of this line is North Washpool which has flora and fauna communities identical to those south of the line.

WHY NOW?

In December 1988 North Washpool was nominated as a Wilderness area under the Wilderness Act, 1987, which requires assessment by the Director of the National Parks and Wildlife Service within two years. Within days of the nomination being submitted the Forestry Commission made clear its intentions to proceed with road building and logging operations.

The largest remaining tract of rainforest in N.S.W. the Willowie Scrub, extends from Washpool National Park into the North Washpool area. Logging would therefore reduce the size of this, the world's largest coachwood forest.

If logged, the wilderness value of North Washpool will be lost forever, and logging would reach the boundary of Washpool National Park, taking from it a major protection against fire and noxious weeds.

If it is kept as a wilderness area, it will provide substantial protection for the Washpool area already recognised as wilderness and show respect for the wilderness qualities of North Washpool which also need formal recognition.

- Washpool Wilderness Assessment Lobbying 31.8.90

✓ Copies of Carr's speech on Wilderness Act.
More's (other Coalition people).

WAGAS Banner = "Washpool Wilderness Now!" → where is Cabinet mtg.?

Meeting with Wran? ✓ pursuing this.

Elise

✓ [special ^{ALP} briefing paper to Carr / Hallahan / Allen.

Media liaison | Steven Skinner - Sun Herald. Hagarth 7.30 Report
Paul Bailey: SMH; Andrew Ole: 2BH; Peter Hunt

More copies of [Wild Nan?]

✓ Good maps + display materials → Rodney F's mum?
Poster: regional map:

Briefing paper to other [Ministers - names:

Letters from groups. F.E.G. Cdo, NCC, NCEC, ACF?, TEC,

Newspaper clippings 76-81 → Big R. Timbers bulldozer.

ALP Branches rev up → Armidale: Lismae: Byron: Grafton:

Notes on meeting in Penn Allen re North West

while sticking by '82 decision will consider Wilderness Assessment
will accept new scientific

Michael Eason ? Editor Council
Gavin Miller }

but has said EIS process needs to be met.
scientific values taken on board.

NPWS - HGW.
EIS WCC

Harvesting Plans - extra to 695

Press Release for recurrence ?

30.7.90

had up screen + clipping

Martin Debel
Charles 8788
930 4771

round during meeting

social contract →

absolutely no reason
move the goalposts

Knowledge changed → impossible env.

values known in 1982:

legitimate argues →

values exist in NP.

"on merits"

RF

Notes on Phone call to Celia Smith 27.8.90

Causley v. subdued greenies liars
Ray Chappell - particularly bad.
leaves dole budgets got funded
v. emotional - antedotal
more thick ears for greenies.

plantations disregarded

Tim wants More Timber Ind goes West
T.M. had made 1 mistake - he made it.

Gart has good env. reputation - not happy about that
I.C. lost job because strong supporter of

Regional meeting 1500 - 2000 people from Old
Glen Innes Barrigo

(1000 people at Pulp Mill meeting - local)
Sawmills paid expenses.

Celia to fax letters to Moore + Greiner

Timber Ind. rhetoric hasn't changed since 80-81
Press

Sel 02 585 6517

927 2706 h)

* 16% of Willow Scrub in Nth Wa forest

Have submission to Coff d LEP.

TPO, rejected by Coff HSC. Logging in Nth Forest
hit in Warral Rd IPO.

To: John Corkill

From: Hayden

Hail the saviour of Nth Washpool!
Congratulations on a hard and difficult job
well done! I hope you are going to have a
well earned break. The wilderness thanks you!

Hayden

PENELOPE J. FIGGIS
Environmental Consultant

4 Woolcott Street
Waverton 2060
Phone: (02) 957 6815
Fax: (02) 957 6815 (manual)

To: John Corkhill
From: Penay Figgis

Dear John,

We may not always agree but I
have nothing but praise and admiration
for your efforts over Washpool. Congratulations
on the gains thus far. No doubt like
most conservation battles it is far from
over so I shall make a donation
of \$50 via N.C.C. as a small contribution
to the effort.

All the best in the future
Cheers,

Penay

TIM ROBERTSON,
BARRISTER-AT-LAW,
FREDERICK JORDAN CHAMBERS,
233 MACQUARIE STREET,
SYDNEY. 2000

3.30pm 30.10.1990

DEAR TIM,

PLEASE FIND ATTACHED TWO DRAFTS OF NEWS RELEASE I WISH TO BROADCAST A.S.A.P.

I HAVE SPOKEN TO BRUCE WOOLF AND HE SUGGESTED A FEW CHANGES WHICH ARE INCORPORATED IN THE SECOND DRAFT.

BRUCE RECOMMENDED THAT I CHECK THIS WITH YOU BEFORE I RELEASE IT, WHICH I AM HAPPY TO DO.

I REALISE THAT THESE STATEMENTS ARE DEFAMATORY, EVEN THOUGH NO PERSON IS NAMED.

CAN YOU ADVISE ME OF AMENDMENTS YOU RECOMMEND, AND WHICH KEEP THE PUNCH IN THE STATEMENT, AND THE DEFENCES AVAILABLE: i.e. TRUTH, PUBLIC INTEREST etc WHICH I MAY RELY UPON.

BRUCE'S MAJOR PROBLEM IS MY ALLEGING THAT THERE HAS BEEN A CRIMINAL CONSPIRACY.

ARE THERE GROUNDS FOR SUCH AN ASSERTION? e.g. THAT WHAT WAS ATTEMPTED WAS A CONTINUATION OF ILLEGAL LOGGING IN BREACH OF THE E.P.A. ACT AND THUS A CRIMINAL OFFENCE...

IS IT NECESSARY TO MENTION THE WORD 'CRIMINAL' IN ORDER TO HAVE A PUNCHY STATEMENT?

I MUST ANSWER BAIL IN WAUCHOPE ON THURSDAY FOR MY ARREST IN THE FOREST AT BELLANGRY AND SO I WILL NEED TO BE TRAVELLING ON WEDNESDAY (TOMORROW) AFTERNOON. CONSEQUENTLY I WILL NEED TO GET THIS NEWS RELEASE OUT EARLY IN THE MORNING.

PLEASE PHONE ME AT HOME THIS EVENING 02 660 3496 OR EARLY TOMORROW, AFTER 6.30 am AND LET ME KNOW WHAT YOU THINK. ALTERNATELY YOU MAY CARE TO MARK AMENDMENTS ON THE DRAFT AND FAX THEM BACK TO ME ON 02 247 5945.

I'M MEETING WEST'S STAFFER AT 5pm TODAY TUESDAY AND HAVE ASKED FOR AN APOINTMENT WITH THE CABINET OFFICE- NO ANSWER FROM THEM AS YET.

PAM ALLAN HAS BEEN VERY GOOD ON RADIO TODAY - BUT THERE'S BEEN NOTHING FROM CARR AS YET.

THANKS VERY MUCH FOR ALL YOUR HELP AND YOUR SKILLFUL ADVOCACY
YOURS SINCERELY,
FOR THE LAND...

John

Draft No 1

FIRST DRAFT

NEWS RELEASE - 30.10.1990

CRIMINAL CONSPIRACY IN FORESTRY COMMISSION ALLEGED

A criminal conspiracy had been entered into by senior officers of the Forestry Commission of NSW (FCNSW) in an attempt to pervert the course of justice according to allegations made by NEFA spokesman Mr John Corkill.

Mr Corkill said that it was clear that senior officers of the Commission had made a decision not to refer relevant and important documents to the Land and Environment Court for the hearing of the North Washpool injunction.

"Those senior officers of the Commission did not advise a consultant economist, Ms Diana Gibbs, of the availability of 33,000 m3 of alternative hardwood sawlogs or of the non-necessity of rainforest logging given the willingness of the Big River Timber company to substitute plantation pine for its rainforest quota," he said.

"The failure to refer these relevant documents to Ms Gibbs resulted in her giving unreliable evidence to the Court of dire consequences for the north coast timber industry if the North Washpool area was not to be logged. That evidence could not have been arrived at if she were in full possession of the facts," Mr Corkill said.

"Her opinion of consequences was therefore shaped by the information provided, or not provided, by FCNSW. There appears to have been a deliberate intention by certain senior FCNSW officers to direct her evidence by withholding documents which did not support the Commission's preferred view: that North Washpool must be logged," Mr Corkill said.

Mr Corkill demanded that the Premier institute an immediate inquiry into the operations of the FCNSW and its attempts to mislead the Cabinet and the Land and Environment Court.

Mr Corkill called on the Minister for Forests to stand down all FCNSW staff involved in the conspiracy not to provide relevant information pending the report of such an inquiry.

"That inquiry must hear evidence that Commission staff had falsely recorded information about the history of logging in the North Washpool area and had permitted unlawful rainforest logging. It is not good enough for the Commissioner for Forests, Dr Drielsma, to allege that they had not 'knowingly' breached the law. The FCNSW has acted recklessly and without due regard for processes under the Forestry Act, 1916 or the Environmental Planning and Assessment Act, 1979.

Draft No 1

-2-

"It is intolerable to think that these senior staff will continue to make decisions about the management of our public forests, such as the Chaelundi State Forest, in the face of these very serious allegations about their propriety." Mr Corkill said.

"If the public is to have any confidence in the proper administration of public law these people must be immediately removed from the positions of trust which they have abused," said Mr Corkill.

...ends.

For more info phone John Corkill 02 2474 206 w 02 660 3496 h

PROPOSED 1991 MANAGEMENT STRUCTURE

CASINO Man Plan

CASINO :
Working Circles

EWINGAR

BILLILIMBRA GENERAL
Harvesting Series

1979 to CURRENT MANAGEMENT STRUCTURE

Forestry
Districts {

CASINO

GRAFTON

Management
Areas {

CASINO WEST

CASINO

GRAFTON

Working
Circles {

RICHMOND
RANGE

SAWLOG POLE

EWINGAR

BILLIMBRA

GENERAL

HEWETSON

Harvesting
Series

Penny/Anne



seen this?

N.S.W. FOREST PRODUCTS ASSOCIATION LTD.

Statement issued by Mr Colin Dorber, Manager, NSW Forest Products Association, 28/9/90.

7.30 REPORT MISLEADS COMMUNITY ON FOREST ISSUE

On Thursday, 27th September, 1990 the 7.30 Report on ABC Television aired a report concerning the North Washpool forests on the North coast of NSW.

Unfortunately the A.B.C. is not subject to the same controls and review processes that apply in commercial television, however I feel it is important to for this Association to express its disappointment at the failure of the "7.30 Report" to even attempt to provide a balanced and rational argument.

Surely it is the responsibility of the A.B.C. to bring before the community in an impartial and factual manner; sensitive political and environmental questions. When brought before the community in this way, the A.B.C. can feel comfortable in the knowledge that the consequent decisions made by viewers are based on truth.

There were many emotive and deliberately misleading statements in the segment including the introductory remarks by Quentin Dempster where he alluded to the State Government having "sealed the fate" of the North Washpool State forests.

Not only is that statement wrong, but it is deliberately designed to arouse emotional and irrational feelings, and is a reflection, yet again, of the deliberate deterioration of the once proud reporting standards of the A.B.C.

The Association stands ready at any time to provide factual, provable data on this issue to the media and the public and we urge them not to accept the A.B.C.'s reporting of the Forest issues in NSW as being factual and/or impartial. We can prove to the vast majority of the community that, on a scientifically sustainable basis, Forestry truly is a plus for the environment.

ends....28/9/90

For further information please contact Colin Dorber (02) 264 1633 or AH (02) 981 4596 or Anna Farr, Media Liaison Officer on (02) 264 1633 or AH (02) 9055507.



Forestry Commission of N.S.W.



Mr Ken Gordon
Malabugilmah
c/- Post Office
BARYULGIL NSW 2460

Forestry Office

PO Box J19
COFFS HARBOUR JETTY 2450
Our reference: RO 1504 Mr Bruce

Your reference:

Telephone: 066 528172
Fax: 066 528468

23.04.1990

Dear Mr Gordon

The purpose of this letter is to record the outcome of discussions on Thursday, April 19 at Malabugilmah involving yourself and other representatives of the Bundjalung Community, Andrew Chalk of the Aboriginal Legal Service, Klim Gollan of the National Parks & Wildlife Service, and Peter Paunovic and myself representing the Forestry Commission.

According to my interpretation, the main points to emerge are as follows :-

- 1) Subject to some amendments that were organised on April 19, the Community accepts Trevor Donnelly's report.
- 2) The Community wishes to be involved in the management of the Desert Creek catchment. They believe that the best way to achieve this would be to have the whole of the catchment declared an Aboriginal place under Section 84 of the National Parks & Wildlife Act 1974.
- 3) The area covered by the Aboriginal place would be managed according to a management plan to be prepared by the Forestry Commission in consultation with the Bundjalung Community and the National Parks & Wildlife Service.
- 4) An essential part of the Aboriginal place will be a core area, generally as shown on the attached sketch but with the understanding that some minor boundary changes might be necessary to permit road construction to log areas outside the core area.

No new roading would be permitted within the core area, but there would be no objection to use of the existing road.

No logging would be permitted within the core area.

The core area encompasses about 1132 hectares or 2797 acres.

- 5) The Forestry Commission agrees to shift the existing road, if possible, to avoid Site 6, and to carry out any restoration work to that site that the Community might request.

- 6) The Community agrees with the statement in Trevor Donnelly's report that there are no known sites on Billilimbra State Forest.

There would therefore be no objection to the Forestry Commission carrying out road survey in this area, commencing from about the end of Berry Road, on the firm understanding that the Commission would engage one or two members of the Community to check the survey line for sites before commencing any road construction. If any significant sites were detected, there would be no construction until adequate measures for protection had been agreed upon by the Community, the National Parks & Wildlife Service, and the Commission.

- 7) The Community has no objection to the public release of Trevor Donnelly's report, provided that the map showing the specific sites is removed.

As discussed, I shall send a copy of this letter to my Head Office for consideration. I would be grateful if you would distribute the attached copies among the Community, and let me know if there is any basic disagreement with the above statements.

I would like to thank Community representatives for the courteous and honest manner in which they have conducted negotiations. I believe that we have developed a good working relationship, and I trust that we can work together to safeguard those areas most precious to you, yet log less sensitive areas in order to supply timber to the public and maintain employment in the timber industry.

Yours sincerely

John Bruce

JOHN BRUCE
Regional Forester

Relevant pp. EIS.

Advice

DOP + NPWS comments

950 4925

Dr John Briggs Nat Botanic Gardens

Mike Calkavits → ph. Aldis for PL. No.

re: Endangered Sp.

Go to forest → or Technical Assistant

Research Permits for A.M. Gilmore + Associates

+ 6 Field Assistants

(David Stewart Phillip Page Dailan Pugh +)

for North Washpool for 12 months at least.

Review of Env. Factors = being done? done

Contractors licences?

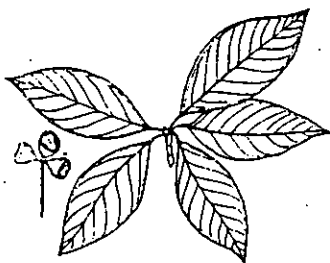
Hugh Ford

+ Rector UNE Endg. Sp. funding via

Sooty Owl. (only)

Copies of Chaelundi^{EIS} to Norton

DOP Library EIS(1980) Call No. Q 634.9 NEW



BRUSH BOX

Lophostemon confertus

N.E.F.A.

NORTH EAST FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks. 2000. Ph. 02 2474 206, Fx 02 2475 945

LISMORE: The Big Scrub Environment Centre Inc, 88A Keen St, Lismore. 2480. Ph 066 213 278, Fx 066 219 420

ATTENTION: CHIEF OF STAFF

29.10.1990

NRN 11/8 TV,
PETERSON ROAD,
COFFS HARBOUR.
per Fax No. 066 521 542

<< EXCLUSIVE MEDIA ACCESS >>

CORKILL vs. FORESTRY COMMISSION OF NSW - NORTH WASHPOOL

An inspection of the North Washpool forests will take place on Monday 1.10.1990 by the applicant in court proceedings, MR JOHN CORKILL, who will comment on legal and political actions

Also in attendance will be MR DAILAN PUGH, Far North Coast N.E.F.A. spokesperson and DR PAUL ADAM, Senior Lecturer in Botany at University of N.S.W and author of NEW SOUTH WALES RAINFORESTS - THE NOMINATION FOR THE WORLD HERITAGE LIST.

Both will be available for comment.

An exclusive invitation is extended to 11/8 TV to join this party for an excursion into the North Washpool forest, to film interviews and file footage of the area under contention in the Land and Environment Court.

The Forest has been opened by the FCNSW and there are no difficulties with access to the forest. 4WD transport into the forest will be provided. TV crew should bring their lunch

It is planned to fly into Grafton Airport at 8.45 - 9.00am Monday 1.10.1990. TV crew should meet us then and travel in convoy to the forest.

We plan to return to Grafton airport approx. 5.30pm.

[There is an outside chance we may be able to land much closer to the forest at Yugalbah Station airport - We are awaiting clearance to land from Melbourne.]

If this is the case we will phone 11/8 TV and advise.

For more information: Ph. John Corkill 02 660 3496 h.

Misleading claims

THE recent article 'Desert Creek in Danger' by the Big Scrub Environment Centre is misleading to say the least.

This area adjoins what was Washpool State Forest but is now Washpool National Park.

It was covered by the Washpool EIS, and was guaranteed to the timber industry by the government of the day when they decided that the bulk of the Washpool area should become National Park.

The National Park, incidentally, contains the Willowie Scrub which is the often-mentioned biggest area of coachwood-dominated rainforest in the world.

It is not surprising that NSW should have the biggest area of coachwood, because the species occurs only in NSW and southern Queensland.

The rainforest on State Forest will not be 'logged, burnt out and converted to open eucalypt forest' as is claimed.

To meet the commitment made by the previous Government, appropriate areas of rainforest will be logged, but they will be logged selectively.

Rainforest logged in this manner recovers quite well and quite quickly.

Very considerable areas that had been logged in a similar fashion, or in cases more heavily, were included in Washpool, Border Ranges, Nightcap and Dorrigo National Park, and were accepted without hesitation for World Heritage listing.

Finally, the main logging in the Desert Creek area will not be of coachwood species but of hardwoods.

Their ability to regenerate and recover is well known.

JOHN THE BEAUT.

JOHN BRUCE

Northam Star

10/8/89



FPA Information Bulletin

Ref: DB.16

1 September, 1989

What's Happening in Washpool?

In recent weeks there have been media reports about environmental opposition to logging in parts of Washpool State Forest on the State's far North Coast. In order to put the issue in the correct perspective, FPA has prepared this brief account of why, how and when these forests will be logged.

History

The forests involved are part of the Casino West Management Area and were dedicated for timber production purposes in 1917 and 1927. Both rainforest and hardwood timbers were obtained from the forests in varying quantities over the period 1920 to 1983. These supplied sawmills in Casino, Bonalbo and Grafton, and Big River Timbers' veneer mill at Junction Hill.

The Rainforest Decision

In 1982, following three years of heated debate, most of the Washpool State Forest was converted to National Park, and all logging and roading was halted. This was despite the preparation of a detailed Environmental Impact Statement by the Forestry Commission, explaining the reasons for proposed logging and the measures to be implemented to avoid environmental damage.

In creating the new National Park the then State Government, under Premier Neville Wran, pledged that an area of forest on the northern edge of Washpool (known as Areas 6a, 7a and 7b) would be retained as State Forest for timber supply. This was to soften the blow of timber quota reductions as a result of the loss of the bulk of the Washpool resource.

With respect to rainforest timbers, the Government's decision, published on 26th October, 1982, states:

"Big River Timbers is to make a transition from rainforest timbers to non-rainforest timbers. From the 1982/83 quota year it will be allocated a reduced volume of rainforest timbers from Areas 6a, 6b and 7b of Washpool".

.../2

The decision to log these areas of Washpool State Forest - known in the Casino West Management Plan as the Desert Creek area - results from direct State Government decisions to prohibit logging in the greater part of the Washpool area.

The areas do not, as has been claimed, include the Willowie Scrub, a large coachwood rainforest. This is located entirely within the new Washpool National Park.

Current Timber Resources

The Washpool forests currently supply brushwood logs to Big River Timbers at a rate of about 500 m3 per annum. However the area also supplies a much larger volume of hardwood sawlogs, at a rate of some 10,000 cubic metres per annum, to sawmills in Casino, Sandilands and Grafton.

The total number of person-years of employment based on these resources is around 600, up until the year 2010. After that date the forests will be left to re-grow for a second cutting cycle in approximately 40 years.

Why not Leave the Forests Untouched?

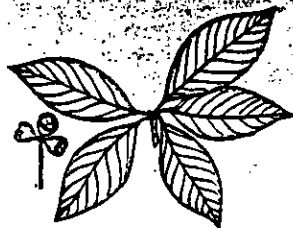
The North Washpool forests form an essential part of the hardwood and brushwood resources of the Grafton and Casino West Forest Management Areas.

Without these resources local mills would shut down and the community would have to rely more heavily on imports of forest products from other countries (currently running at about \$1.6 billion per annum).

Both the Grafton and Casino West Management Areas are managed on a strict policy of sustained yield. This means that the forests, while providing timber for local industry, the economy and for export, are being protected for long-term productivity.

The timber industry believes that the 1982 Rainforest Decision should have seen an end to disputation regarding these forests. That decision provided for the large Washpool National Park to be created, but also provided for the continued operation of the local timber industry from these North Washpool forests.

The industry believes the environment movement should honour the 1982 Decision, and end the confrontation regarding harvesting in these forests.



BRUSH BOX

Lophosomus confertus

NEFA NORTH EAST FOREST ALLIANCE

C/- The Big Scrub Environment Centre Inc. 88A Keen St. Lismore 2480. 066 213278.

Mr Bruce Woolf,
Hillman and Woolf,
10th Floor, 82 Elizabeth Street,
Sydney NSW 2000

16th July 1990

Dear Mr Woolf,

Dailan Pugh has asked me to inform you of the details of a meeting on Thursday 12th July 1990 at the Casino District Office of the NSW Forestry Commission between Forestry Commission officers and North East Forest Alliance representatives including myself. I took hand written notes throughout the meeting.

With regard to the proposed forestry operations at North Washpool, the officers of the Forestry Commission said, to the best of my knowledge, word to the effect that:-

- harvesting will commence along Berry Road in a month;
- a road survey gang will start at the same time to determine the location of the proposed road into Billimbra State Forest;
- construction of the road will commence when the survey is completed;
- no archaeological survey will be conducted in the North Washpool area prior to the construction of the proposed road as it is too difficult to gain access with the necessary equipment;
- the Forestry Commission will not be conducting any other surveys (eg, flora & fauna) for the same reasons, and because they feel adequate research has been done in other areas of the state.
- an archaeological survey may be undertaken after the road has been constructed.

Should you require any clarification of the information obtained from the meeting please do not hesitate to contact me at the above address. I am willing to make an affidavit if necessary,

for our forests,

Andrew Steed.

Conference 'c' Bruce Wolff 26.9.90 re Washpool

Statement of Disbursement

Phil Gilmour : Bill for Chaelund: SF.

Harry Recher : " " "

Tel: (02) 229 7337
Fax: (02) 221 6036
DX 450 SYDNEY

TIM ROBERTSON
Frederick Jordan Chambers
233 Macquarie Street
Sydney N.S.W. 2000

26 September 1990,

Mr Bob Carr,
Leader of the Opposition,
Parliament House,
Macquarie Street,
SYDNEY NSW 2000.

Dear Bob,

RE: NORTH WASHPOOL

I refer to our oval table conference on 10 September 1990 concerning this matter.

As you know, a problem has arisen about the precise terms of the 1982 Rainforest Policy decision. Since our conference I have had the opportunity of discussions with some participants including John Whitehouse and Neville Wran and I have read the Cabinet papers. In relation to Washpool, the 1982 Rainforest Policy decision was as follows:

1. The remaining allocation of rainforest timbers to Big River Timbers Pty Ltd ("BRT") from the 1982/3 year be halved to a maximum volume of 25,300 cubic metres. This was a total terminating quota not a yearly quota and it constituted a reduction in total quota from 67,862 cubic metres (as at 31 May 1980).

Source: The reduction in quota was proposed in the DEP's Environmental Impact Assessment entitled "Proposed Forest Operations in the Washpool Area" (May 1982) at pages 136-137. The proposal was crystallized in the Paper presented by the Minister for Planning and Environment to Cabinet on 25 October 1982 entitled "Rainforest", being recommendation 1 (p. 51). Cabinet's decision was recorded in notes prepared by

the Secretary to Cabinet, the Hon. Terry Sheahan, MP. The decision was announced in an annexure to the Premier's press statement of 26 October 1982 entitled "Government Policy on Rainforests", Washpool, para 1.

2. The Government will assist BRT in obtaining alternative non-rainforest timbers during an eight year transition from rainforest timbers.

Source: The DEP EIA Report nominated 8 quota years for BRT to exhaust the 25,300 cubic metres of timber in Table 23 (p. 137). The "Rainforest" paper circulated to Cabinet by the Minister for Planning and Environment did not suggest an 8 year phase out period although its recommendations relating to general policy suggested that "rainforest logging be rapidly phased out". The Sheahan notes approved the recommendations in the "Rainforest" document with immaterial qualifications and no reference to an 8 year phase out period. The published "Government Policy on Rainforests" states the policy I have outlined in this paragraph (para 1). The published document was approved by the then Premier before its release to the media. Indeed, Mr Whitehouse recalls that it was jointly authored by him and the then Assistant Commissioner of Forests.

3. The 25,300 cubic metres total quota of rainforest timbers should be obtained from the areas identified on page 266 of the DEP EIA Report (Attachment 2) or area 6B (Desert Creek, North Washpool) and area 7B (Malara Creek, North Washpool). Areas 6B and 7B were not to be logged unless supplies from the alternative rainforest sources identified in the Report were exhausted before the fulfilment of the total quota.

Source: Recommendation 2, "Rainforest" as adopted and altered (to add the balance of area 7B) as recorded in Sheahan's notes. The published "Government Policy on Rainforest" does not disclose Cabinet's decision as recorded by Sheahan to require the exhaustion of alternative areas before rainforest in North Washpool is logged.

4. Hardwood mills in the Casino West Management area will be maintained for their current projected life and they will be required to utilize as large as practicable volume of ex-quota logs with additional supplies from North Washpool. The "current projected life" of hardwood mills is a reference to the 30 year life predicted in the 1980 EIS from 1962.

Source: "Rainforest", recommendation 3, Sheahan's notes and "Government Policy on Rainforest" (para 3).

5. Those parts of areas 6B and 7B at North Washpool which are not required to meet the remainder of the BRT rainforest timber quota or the remainder of the hardwood supplies to the hardwood mills in the Casino West Management area will be reserved as National Park. By inference, this would not occur before 1990 by which time the BRT quota was expected to be satisfied.

Source: "Rainforest" (recommendation 5), Sheahan's notes. The published "Government Policy on Rainforest" makes no reference to the Cabinet decision to add those parts of North Washpool not used for quota purposes to the Washpool National Park.

6. The Government will assist BRT in regard to technology and access to alternative sources of timber currently in private ownership, including the possible use of a State Environmental Planning Policy or special legislation. A "rainforest fund" will be established with an initial sum of \$1 m to promote and encourage the development of new technologies and assist affected industries during the transition period in which the change of policy will be implemented. The FORTECH report on alternative timber supplies to Washpool (DEP EIA report, pp. 222-325) to be taken into account by the Forestry Commission in identifying alternative timber supplies.

Source: "Rainforest" recommendations 5 and 6, Sheahan's notes, and "Government Policy on Rainforests".

With great respect to those whose recollections differ, the documentary evidence is compelling. Cabinet decided in 1982 to phase out rainforest logging. It specified with great precision the places from which the timber was to be taken during the transitional period, the amount of timber to be taken, the company which was entitled to take that timber and the period during which the timber could be taken. John Whitehouse believes that the quota has been exhausted. We are endeavouring to confirm this.

By now permitting logging of rainforests and wet sclerophyll hardwood with rainforest emergents in the mesic understorey, the Government is rejecting the 1982 decision. It is obvious that Greiner's press release, which cleverly asserts that by permitting the logging of North Washpool he is

merely following Labor policy, was issued in ignorance of the terms of that policy.

I understand that the Forestry Commission asserts that the 1982 Policy was amended in 1983 to remove the eight year phasing out period (and, it seems, the quota). All the evidence suggests that any such decision was not taken by Cabinet and, indeed, would have been contrary to both the spirit and the letter of the 1982 decision. It appears that the decision (if it existed) was a private initiative of the then Minister for Forests, Mr Gordon.

I have asked Mr Wran to write to you setting out his recollection of the matter once it was refreshed by reference to documents and discussions with colleagues. I am copying this letter to him.

Best regards.

Yours sincerely,

TIM ROBERTSON.

Attach.

CC: Mr N Wran



THE
WILDERNESS
SOCIETY
NSW



N.E.F.A.
NORTH EAST
FOREST ALLIANCE

SYDNEY: NSW Environment Centre, 39 George St, The Rocks, 2000. Ph. 02 2474 206. Fx 02 2475 945
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MINISTERIAL BRIEFING PAPER - WASHPOOL WILDERNESS - AUG. 1990

The Wilderness Society (TWS) and North East Forest Alliance (NEFA) believe the following crucial points should be kept in mind when considering the Washpool Wilderness Assessment:

EXECUTIVE SUMMARY

1. The 1982 Wran Government's landmark Rainforest Decision was concerned with rainforest, not wilderness. Political compromises included drawing an arbitrary line through Washpool's Willowie Scrub, the largest continuous stand of Coachwood forest in Australia and the world.
2. A decision 8 years out of date does not pre-empt a decision on wilderness protection. The Wilderness Act 1987, which was supported by the Coalition Parties in Opposition, requires a decision on wilderness values identified by NPWS.
3. Despite unanimous support for the Act, the Coalition has been unconvincing in its commitment to the Wilderness Act: e.g Coolangubra Wilderness nomination.
4. Projected disastrous job losses and 'profit reductions' have not occurred following the 1982 decision. Economic consequences of North Washpool's protection projected by industry sources will reflect vested interests, are likely to be inflated and require independent review.
5. Forestry Commission (FCNSW) evaluations of available alternative resources have been pessimistic and unreliable. Recent 1990 re-evaluations of resource availability indicate greater alternative resources exist than have been previously disclosed. These re-evaluations need independent review and verification.
6. Legal counsel has provided written Advice on the validity of the 1980 Washpool EIS for proposed works in 1990. It indicates that the EIS fails all the tests for an adequate EIS. Action is being commenced in the Land and Environment Court to prevent pre-emptive works until the EPA Act is complied with. The proposed logging is not a legally available option at this time.
7. Community support for protection of forest wilderness continues to be high. Without decisive action to protect surviving wilderness, the Government cannot be recognised as adequately addressing the ecological imperative.

HISTORY OF WASHPOOL ISSUE

An Environmental Impact Statement (EIS) for the whole of the Washpool area covering approximately 42 000 ha was produced by the Forestry Commission (FCNSW) in 1980.

This EIS was very severely criticised by the NPWS in 1981, by Department of Environment and Planning in 1982 and again in 1983 by Dr Fox, from the National Herbarium, in a review prepared for the DEP. All concluded the EIS was inadequate and did not meet requirements of Part V of the EPA Act.

As part of the Wran Government's 1982 "Rainforest Decision" nearly 28 000 ha was protected as Washpool National Park whilst a further 7000 ha was made available to the timber industry in Washpool and Billilimbra State Forests. This area, arbitrarily omitted, is known as North Washpool.

In 1985, Washpool National Park was declared a wilderness area under the NPW Act 1974 and was nominated for World Heritage Listing. It was accepted and included in the World Heritage Listing of NSW rainforests in 1986 partly because of the importance of the Willowie Scrub, the largest coachwood forest in the world. At least 16 percent of the Willowie Scrub is in North Washpool, outside the Park.

The North Washpool area was nominated by the Wilderness Society under the Wilderness Act in 1988 to seek the secure protection of the whole of the Scrub and to maintain the wilderness values of the greater Washpool ecosystem.

When the Forestry Commission of NSW (FCNSW) was informed North Washpool's the wilderness nomination, it informed The Wilderness Society it was due to proceed immediately with roading operations into the nominated area.

Interim protection was requested in January 1989, and again in March 1990, but was twice refused by Minister Tim Moore.

Roading commenced into Desert Creek catchment (Washpool SF) and The Wilderness Society and NEFA, along with other north coast conservation groups, blockaded the roading operations in August 1989.

Roadwork was called to a halt and the blockade was lifted when FCNSW agreed to undertake an archaeological survey on the Aboriginal sites in the area. A brief anthropological survey was completed of part of the area proposed for logging.

An 1100 ha Aboriginal Place is proposed to be created in Washpool SF, yet no formal declaration or gazettal has occurred. Other areas of Aboriginal significance haven't been identified by FCNSW and will be threatened by proposed works.

Work was due to recommence in August 1990 but after representation to the new Minister for Forests, Gary West, and the Minister for the Environment, Tim Moore, it was determined that work would not proceed until the Wilderness Assessment by the NPWS had been considered by Cabinet.

Further contacts: Haydn Washington (TWS) 969 9090, Elise Newbury (TWS) 267 7929 or John Corkill (NEFA) 247 4206.

length of roads
costs of roads
& total royalties?

30 yr deal Piddock's
N.P. connections.

Get: copy of
AM Gilmore's All.

Sematha
Trenawtheth

"SIMPLY LIVING"

* Erosion control → SENC

Maintenance of RdS

* Ab. Pl. → Cansley Moore "

"C usurp powers"

"aware of other areas."

"WATSPON WEEKLY"

Copy of Wild Assess to Ral Jones → Moore's Office

erosivity

old growth forests dependant sp

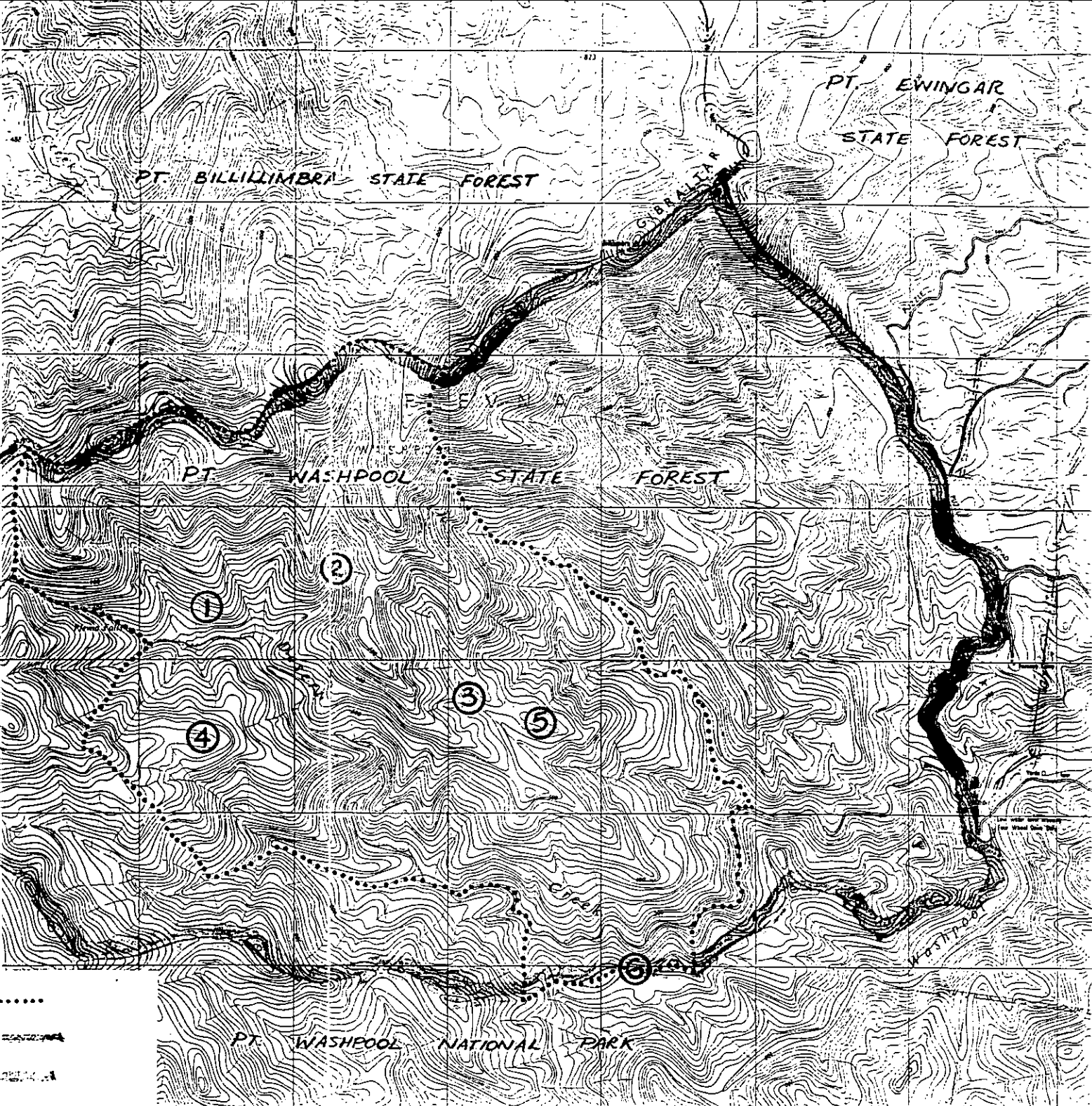
Did individual Ministers read Wilderness Assessment Report
before Cabinet decision?

→ see Ian MacDonald

B&W drawings of End. Sp.

Woodf.
Gilmae
Recher
Osbourne
Liddell

Bowdler
Fox
Adam
Whitehouse



1982 agreement with Big River Timbers was for a transitional period of about eight years. During that time the company's rainforest log peeling technology was to be replaced with hardwood peeling technology.

The three forest areas of Washpool to be affected were 7(a), 7(b) and 8(b). These areas are in the top of the Washpool wilderness, around Washpool Creek and to the west. These areas were to be logged during the transitional period.

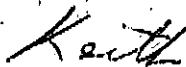
We understand that the transitional period has now expired.

The fact that logging has not occurred in this controversial area until recently indicates these areas were not needed by Big River Timbers for the agreed purpose.

Preservation of the Washpool wilderness should take priority over what appears to be unnecessary logging operations by a company unwilling to change it's technology within a reasonable period.

Your State Opposition should not support Big River Timbers' claim to scalp the northern end of the Washpool wilderness.

Yours sincerely,



Keith Muir
Project Officer
Colong Foundation

THE COLONG FOUNDATION FOR WILDERNESS LTD.

Saturday September 1, 1990

The Hon Nick Greiner
Premier of New South Wales
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Greiner,

Protection of the Washpool Wilderness

The Colong Foundation for Wilderness strongly supports the Washpool wilderness nomination of 34,700 hectares submitted by the Armidale Branch of The Wilderness Society. The Foundation requests that your Government immediately dedicate the Washpool wilderness under the Wilderness Act, 1987.

The Foundation's grounds for supporting dedication of the entire wilderness, including it's northern section are as follows:

1. It contains the largest mosaic of warm temperate rainforest dominated by Coachwood and its associates remaining in Australia and therefore the world;
2. Taking the entire area with its mosaic of rainforests and moist eucalypt forests, this is the largest remaining undisturbed moist forest wilderness in northern New South Wales;
3. The 1983 Department of Environment and Planning study identified 501 plant species in Washpool area, 70 of which were rare or restricted, or otherwise of botanical interest;
4. The Desert Creek and upper Malara Creek catchments should be included in the wilderness area to protect the catchment and wilderness integrity of the Willowie Scrub, a rainforest World Heritage

Area - it's intact nature excludes feral animals, such as the domestic cat and the fox; and

5. The wilderness is one of the last refuges for the Eastern Native Cat, Long-nosed Potoroo and Brush-tailed Wallaby.

1982 Government Rainforest Decision

The Colong Foundation calls to your attention two key elements of the rainforest decision of 1982 as it affects the Washpool area. The Washpool decision was for a limited transition period and it was to permit technology change."

The Labor Government's 1982 agreement with Big River Timbers was for a transitional period of about eight years. During that time, the company's rainforest log peeling technology was to be replaced with hardwood peeling technology.

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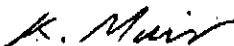
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Preservation of the Washpool wilderness should take priority over what appears to be unnecessary logging operations by a company unwilling to change it's technology within a reasonable period.

Your State Government should not support Big River Timbers' claim to scalp the northern end of the Washpool wilderness. The 7,000 or so hectares of pristine wilderness of Desert and upper Malara Creek, and the areas of sacred and historical significance to the local Bundajlung and Jakumbal aboriginal communities, should be protected as wilderness within the Washpool National Park.

Yours sincerely,



Keith Muir
Project Officer
Colong Foundation

This is an important box with
lots of material suitable/priority
for digitising BUT

- ▶ hasn't been given a no. on Film's list
- ▶ needs serious edit (not all docs
worth scanning)

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under subpoena.

Tim Robertson
Tim Robertson

Frederick Jordan Chambers

15 August 1990.



N. E. F. A.

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<< CONFIDENTIAL >>

MEMO TO N E F A NETWORK re: WASHPOOL & F LEGAL ACTION
From: John Corbett, Sydney NEFA Co-ordinator 15/8/1990

Please find attached a copy of Counsel's Advice. Tim Robertson Barrister-at Law, on proposed legal action challenging validity and adequacy of 1980 Washpool EIS. Please maintain this Advice securely within the NEFA network

In summary, Tim advises that the EIS is quite inadequate and fails all the tests of an EIS established under 'Guthega Development Pty Ltd v. Minister' (1986). (See para 20)

I have been granted Legal Aid to allow the preparation of this Advice. The Advice has now gone to the Legal Aid Commission to inform consideration of extending legal aid to cover my application to commence proceedings to declare the 1980 EIS invalid and order the preparation of an adequate EIS which complies with Part 7 of the EPA Act.

An interlocutory injunction will be also applied for, to stay any works while the case is heard, if the PCNSW attempts to pre-empt the hearing of the case.

I understand that the Legal Aid Commission is likely to continue legal aid to cover these proceedings

I would greatly appreciate comments on the strategic release of this Advice. Do we go ahead and commence the court action then tell the political players? Do we release the Advice to the political players, Moore, West, Hay and Greiner and ask them to require a competent EIS, forestalling any need for court action?

By way of update on the situation:


* West and Moore have agreed to a 4 week moratorium on works from 10/8/90, to allow EPWS 2 weeks to complete Wilderness Assessment and a further 2 weeks for Moore, West and Cabinet to consider declaring the wilderness.

* Big River Timbers P/L have stirred things up locally and have called a major rally for Grafton, next Thurs 21/8/90, as a 'show of force' of outrage at the 'greenies etc. Claims have been made that Grafton will 'die' if Washpool isn't logged!

* Bruno Notares (BRT) said on Radio 2LM that the 4 week delay will mean months longer delay because of likely wet weather.

* Ex-Minister and local MP Causley has apparently said publicly that he will push the acceptance of logging of Washpool through Cabinet. He will refer to the 'huge' (?) rally as a mandate for logging presumably

under subpoena


Tim Robertson

Frederick Jordan Chambers

15 August 1990.



N. E. F. A.

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<< CONFIDENTIAL >>

MEMO TO N.E.F.A. NETWORK Re: WASHPOOL S.F. LEGAL ACTION
From: John Corkill, Sydney NEFA Co-ordinator. 16/8/1990

Please find attached a copy of Counsel's Advice, Tim Robertson Barrister-at-Law, on proposed legal action challenging validity and adequacy of 1980 Washpool EIS. Please maintain this Advice securely within the NEFA network.

In summary, Tim advises that the EIS is quite inadequate and fails all the tests of an EIS established under 'Guthaga Development Pty Ltd v. Minister' (1986). (See para 20.)

I have been granted Legal Aid to allow the preparation of this Advice. The Advice has now gone to the Legal Aid Commission to inform consideration of extending legal aid to cover my application to commence proceedings to declare the 1980 EIS invalid and order the preparation of an adequate EIS which complies with Part V of the EPA Act.

An interlocutory injunction will be also applied for, to stay any works while the case is heard, if the FCNSW attempts to pre-empt the hearing of the case.

I understand that the Legal Aid Commission is likely to continue legal aid to cover these proceedings.

I would greatly appreciate comments on the strategic release of this Advice. Do we go ahead and commence the court action then tell the political players? Do we release the Advice to the political players, Moore, West, Hay and Greiner and ask them to require a competent EIS, forestalling any need for court action?

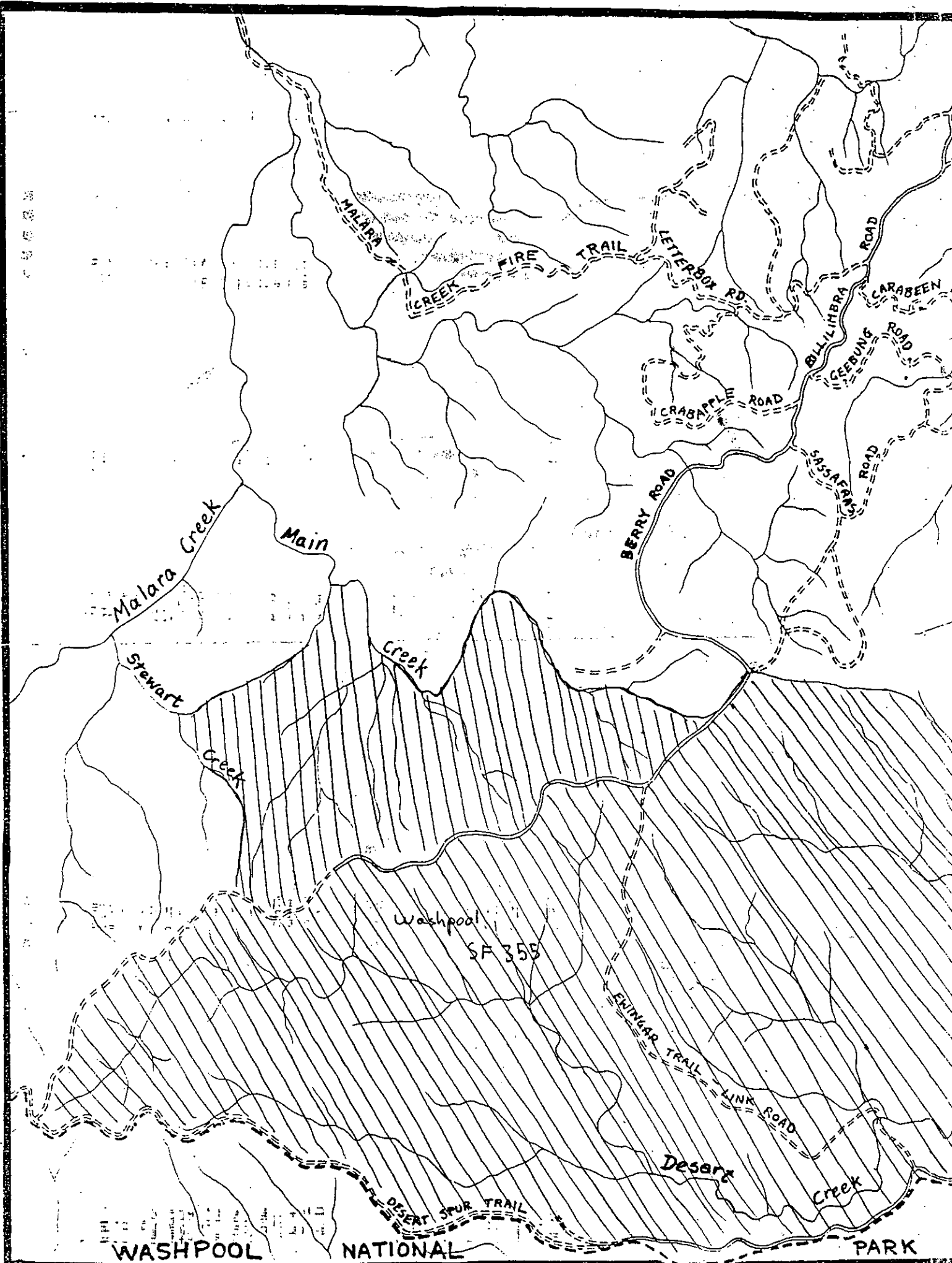
By way of update on the situation:

* West and Moore have agreed to a 4 week moratorium on works from 10/8/90, to allow NPWS 2 weeks to complete Wilderness Assessment and a further 2 weeks for Moore, West and Cabinet to consider declaring the wilderness.

* Big River Timbers P/L have stirred things up locally and have called a major rally for Grafton, next Thurs 23/8/90, as a 'show of force' of outrage at the greenies etc. Claims have been made that Grafton will 'die' if Washpool isn't logged!

* Bruno Notaras (BRT) said on Radio 2LM that the 4 week delay will mean months longer delay because of likely wet weather.

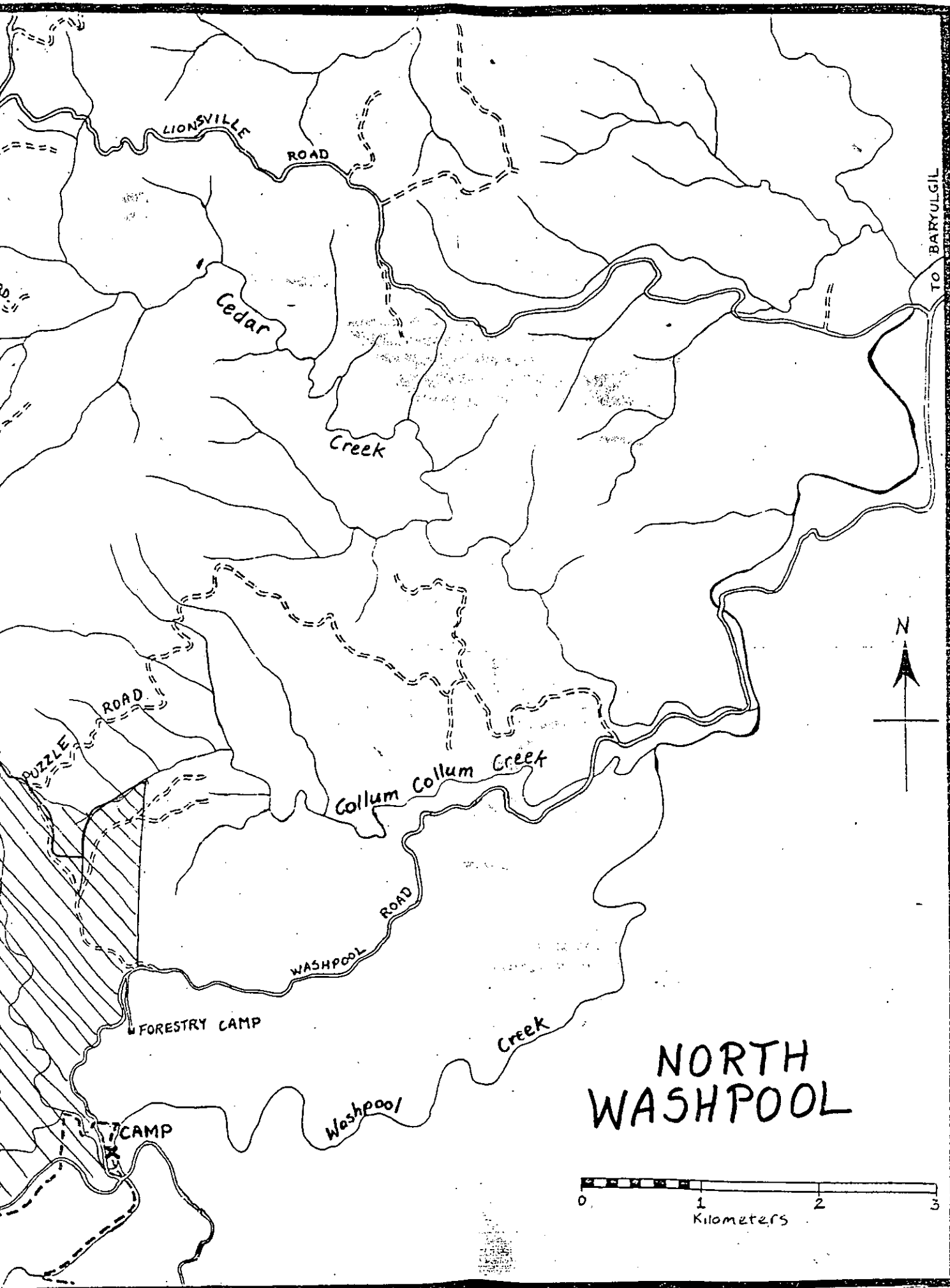
* Ex-Minister and local MP Causley has apparently said publicly that he will push the acceptance of logging of Washpool through Cabinet. He will refer to the 'huge' (?) rally as a mandate for logging presumably.



WASHPOOL

NATIONAL

PARK



NORTH WASHPOOL

