

PRESS RELEASE  
28/11/88



## NO NATURE RESERVE

### BLACKBUTT PLATEAU UNDER THREAT

The Blackbutt Plateau near Mullumbimby, the scene of a Forestry Commission dispute five years ago, seems likely to emerge into controversy following statements by the Minister for Natural Resources, Mr Causley. Mr Causley has written to the Wilsons Creek Action Group (WAG) rejecting their Nature Reserve Proposal for the Plateau and has advised of Forestry Commission plans to rebuild Neversae Rd.

WAG has vigorously campaigned to have the Blackbutt Plateau (which is within the Byron Shire water catchment) declared as a Nature Reserve under the control of the National Parks and Wildlife Service.

The Plateau contains sections of subtropical rainforest, a 40 hectare rock covered with a very rare form of Snow Lichen and significant stands of unlogged Blackbutt (some trees over 800 years old).

In 1984 the Forestry Commission illegally roaded a cliff face to gain access to the previously inaccessible Plateau. Within weeks the high rainfall of the Wilsons Creek catchment washed the Commissions Neversae Road and thousands of tons of rhyolite rock into Wilsons Creek.

This \$200,000 worth of vandalism - subsequently called a roading operation - was found by the Ombudsman to be illegal.

Now the Forestry Commission is preparing to reroad the cliff face, spend more money to obtain less in royalties than the total cost of road works.

Besides polluting the Byron Shire water supply the Forestry Commission is destroying the forest and its inhabitants and leaving the local residents with the hazards of dodging logging trucks on the narrow and winding Wilsons Creek Road.

The Shire Engineer has complained that the Wilsons Creek Road is unsuitable for logging trucks, and the Byron Shire Council has called for a Nature Reserve to protect the ratepayers water supply and the scientific values of the area.

The significance of the Blackbutt Plateau is also born out by its nomination for inclusion on the Commonwealth National Estate Register.

WAG has actively campaigned to have the Blackbutt Plateau permanently protected and has gone to a great deal of time and expense to prepare a Nature Reserve Proposal. Professionally written, it is acknowledged by experts as a thoroughly worthwhile proposal (so much so that the Forestry Commission itself intends to use the data).

WAG delegates went to Sydney to present the Proposal to the new National Party Ministers for Natural Resources (Mr Causley) and for the Environment (Mr Moore).

Their indifference was of concern but Mr Causley and his National Party leader Mr Wal Murray have since shown their disdain for the environment and are perfecting the art of environmental vandalism. No matter what the cost to the community or planet they are winding back environmental protection.

Their deeds are becoming more notorious by the day and the Blackbutt Plateau decision exemplifies the low priority they place on natural resource management.

WAG is adamant it will continue its campaign to save the Blackbutt Plateau from further roading and logging and promises to highlight the environmental plunder of the present State government.

**WAG DEMANDS THAT THE BLACKBUTT PLATEAU BE GAZETTED A  
NATURE RESERVE AND THAT NEVERSAE ROAD BE CLOSED AND  
REHABILITATED.**

The Forestry Commissions position is clear and uncompromising and the residents will apply absolute pressure and stand solid to save the Blackbutt Plateau.

WAG appeals to all citizens to make their concerns known by writing to:-

The Premier, Mr Greiner,  
c/- Parliament House,  
Sydney.2000.

Mr. I C Causley, MP,  
Minister for Natural Resources,  
23-33 Bridge St, Sydney 2000.

Mr. T Moore, MP,  
Minister for the Environment,  
Level 7, Legal and General Building,  
8/18 Spencer St, Sydney 2000.

The local member Mr Don Page,  
PO Box 100,  
Bangalow. 2479.

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**STANDARD SAWMILLS** is owned by the giant **ADELAIDE STEAMSHIP COMPANY**, who monopolize the local timber industry, squeezing out the small independent mill operators. Their concern for either the forest, residents or the small miller is not apparent. They are the only mill with the technology to efficiently, laminate small logs into large beams (stable beam) yet they unmercifully plunder this last area of primeval wilderness.

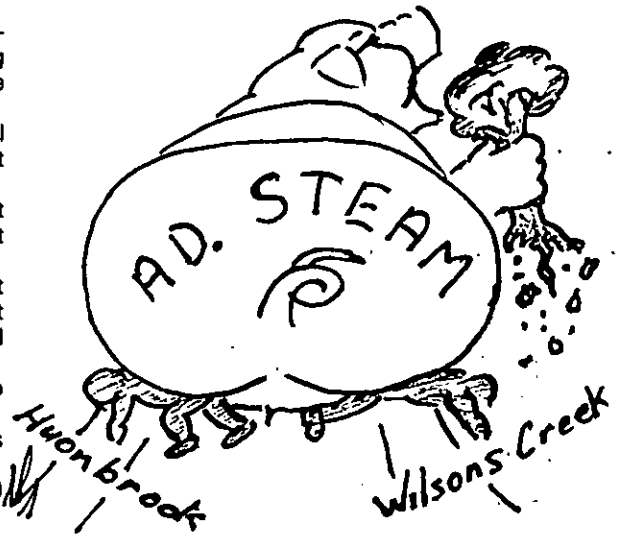
The proposed quota of 12,600 cubic metres gross is now estimated to net 8,000 cubic metres of logs. This is a doubtful figure as these old forest giants are replete with hollows (wildlife habitats).

The Forestry Commission continually assert that the moist Black Butt forest is 300 years old, over mature, and will soon fall down. Independent Botanists estimate that the forest is already 600 to 800 years old and still growing.

If the cost of roading is in excess of \$90,000 and the royalties are up to \$200,000 the cost / benefit seems unjustifiable.

The 200 cubic metres of rainforest timber would provide only three days employment at Standards.

If one timber home uses 20 cubic metres the total operation will build 100 homes. Most of this timber is designated for the Brisbane market.



**AIMS**

We are not willing to stand by and see this unique forest severely damaged just to provide logs to an irresponsible and wasteful industry. We therefore demand that an Environmental Impact Study be commissioned and the area declared a **NATURE RESERVE**.

If ever the Forestry Commission intends to assess the ecological effects of the intensive forestry practices used in moist hardwood stands on the North Coast, what will it use as a standard of control against which to judge the effects of its Black Butt plantations.

Upon receiving results of a small independent fauna study of only six hours observation, our concern for the habitat requirements and welfare of the birdlife has greatly increased. Already contact has been made with two endangered species and forty other species of the Avian community have been positively recorded.

An investigation into the monopolization of the timber industry in this area should be carried out in conjunction with addressing the plight of the small sawmill operator. Outrageous workers compensation payments have contributed to the demise of our local mills and needs redress.

We sympathize with timber workers who have such an ineffective union, hazardous working conditions, low wages, high turnover of jobs and no guarantee of permanent employment. The government should address these problems. However, we cannot be responsible for past planning mistakes and by increased mechanization of the timber industry.

The Forestry Commission don't like to call things like a 45° slope carved into a sheer cliff face a road. As a "road" implies that certain standards have been met. As it is very hard for road builders to achieve any degree of excellence when dealing with a sheer cliff the Department uses the tag "**NEVASAE ROAD**". Hence the road into the "Black Butt Plateau" is officially, at present, "**Nevasae Road**".

We'd like to point out to the Commission and Sawmill conglomerates some other good uses for this tag, for instance:-

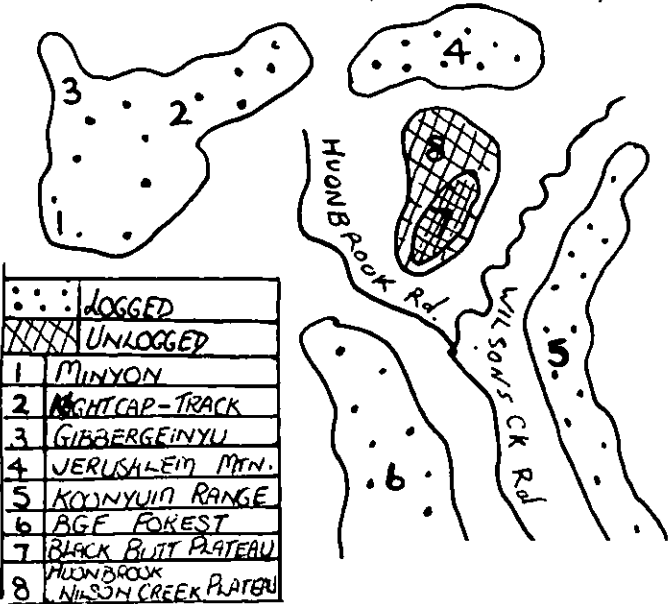
- \* *Nevasae* rainforest when you can say mixed brushwood
- \* *Nevasae* snow lichen when you can say fungal growth.
- \* *Nevasae* concerned residents when you can say protestors.
- \* *Nevasae* clearfell devastation when you can say selective logging, harvesting, management of resources etc. etc.

**YOU CAN HELP US SAVE BLACK BUTT PLATEAU BY:-**

- \*Writing letters to relevant Ministers, newspapers, etc.
- \*Lending us a typewriter/typist.
- \*Offering skills or information or fighting funds.
- \*Band's or promotional help.
- \*Keep us informed of anything you hear about this issue.
- \*Even if you can just help keep us on our feet with cups of tea and moral support.
- \*Donations of Food, Fruit, and anything saleable for Sat 16th, Ideas, Able bodies, Motor Bikes, 4 W.D.Vehicles, Horses, light trucks or utes are urgently needed

**"THE BIG SCRUB FESTIVAL"** The Repentance Creek Hall on Sunday 17th June from 1 p.m. will be jammed with displays from the early days by National Parks & Wildlife Service, Forestry Comm., Rich. Riv. Historical Soc., Aborig. Displays. View the Breathtaking Beauty of the Black Butt Plateau from the Helicopter which will be available most of the day

**CHEAP HELICOPTER RIDES \$15 per SEAT:-** Will be a feature of the Picnic Day at Wilsons Creek this Sat June 16th. There will be Crafts, Stalls etc, Children & Adults entertainment, Music as well as Scenic Joy flights over the beautiful "**BLACK BUTT PLATEAU**" The picnic site is down by the creek, where campfires will be available



Wilsons Creek Action Group (W.A.G.)  
P.O. Box 325, MULLUMBIMBY, 2482  
Phone 840174 or 840152

# NEVASAE NEWSLETTER

This is a quick letter to inform the residents of Byron Shire that the last significant unlogged forest in the shire is about to be devastated.

Some three weeks ago local residents were notified of the impending logging operations by the sound of blasting and falling rocks. Enquiries revealed that an extensive, heavy, near clear fell operation was planned for the previously unlogged inaccessible forest which we now call "**BLACKBUTT PLATEAU**." The fact that this operation means three return trips by logging trucks each day for up to two years raised immediate concern amongst many residents. The inherent dangers of the winding narrow Wilsons Creek Road (one of the worst in the shire) are only too well known.

An action group of local residents met and called a meeting at the local hall. Millers, residents and a Forestry Commission spokesperson overflowed the local hall and discussed the impending operation.

A "fact finding" bushwalk with resident, industry and forestry representatives visited "Black Butt Plateau" last Sunday. It was then some of us realized the precious nature of the forest stand to be destroyed.

Standing on the roof of the Shire, from a 40 hectare rock cap, you take in the vista of a horizon which encompasses Tweed, Byron and Ballina coastline. Gazing down upon the stand of giant Black Butt the joyfull sound of Lyrebird calls is ringing all around. You are surrounded by mountain ranges **ALL OF THEM HEAVILY LOGGED** except for the one on which you stand, which is still intact because of its inaccessability. Alarm and outrage fills you that this last intact stand of forest veterans and its wealth of wildlife (a nursery in fact to repopulate the surrounding scarred ridges) is to be wiped out!!!

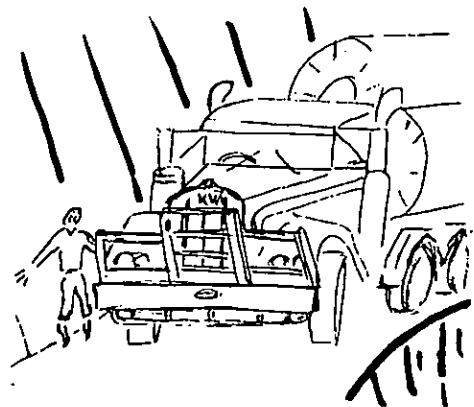
*It became apparent there were two distinct issues - ROAD AND FOREST.*

## FOREST FACTS.

- \* Black Butt Plateau is unique in that it is the largest unlogged stand of moist Black Butt from Coffs Harbour to the Qld. border.
- \* The Black Butt logging operation is, according to Forestry Commission policy, a heavy(Close to clearfell) operation designed only to maximise economic return. The Forestry Commission maintains that Black Butt requires a massive amount of disturbance and consequent burning of logging residue to allow for 'adequate' regeneration.
- \* Age - 600 to 800 years
- \* There is less virgin Moist Black Butt stands in N.S.W. than Rainforest.
- \* We found the operation included the roading of some particularly steep slopes and subsequent heavy damage to the vegetation adjacent to the Rhyolite cliffs is already highly visible.
- \* The Plateau forming part of the Byron Shire catchment area which provides fresh water to Mullumbimby township and surrounding residents.
- \* Logging the extremely shallow soil, combined with high rainfall in this steep water catchment will have a devastating effect on the environment.
- \* The effects of the removal of large number's of veteran trees and the consequent destruction of their habitat will lead to a percentage loss of wildlife overall and will effect the ability of these species to maintain a viable community after logging.
- \* The Forestry Commission have denied us access to their Environmental Review. They have admitted there is no species lists of flora or fauna available for the area in question. Little detail to drainage, soils, fire and erosion have been forthcoming and this suggests to us the information is not even available and that if it exists at all it is **embarrassingly incomplete and inadequate.**

## ROAD and SOCIAL FACTS

- \* Once again it seems that the might of big business outweighs the rights of the people.
- \* A logging truck is up to 2.5 metres wide our road is mostly 3 metres wide
- \* Both the logging trucks and the residents have to traverse up to **twelve** wet creek crossings, and the subsequent loss of brakes compounds the peril!
- \* To our amazement our independant road and traffic survey showed 260 vehicles used our road each day.
- \* Since the last logging operation the population explosion in the valley is indicated by the 100% increase in telephone connections in the past two years. From Council records there are over 400 ratepayers in this area, this indicates a population in excess of 1,000 residents.
- \* For many years the local Progress Association has unsuccessfully lobbied to improve our hazardous road. There have been numerous accidents and recently a precedence was set when legal action was taken against Byron Shire Council over the inadequacy of their roads.
- \* There have been studies which indicate that logging trucks severely damage roads proportionally far more than the increase in weight would indicate.
- \* Improvements to roads and bridges have been **HARD WON** by local residents. The bitumen surface was paid for by a voluntary levy on valley ratepayers and the Pioneer Bridge was partly financed by fund raising activities by the Progress Association over many, **many years.** (Lots of lamingtons went into Pioneer Bridgel)
- \* Residents are incensed that logging trucks are using our road without so much as consultation, let alone financial contribution to the upkeep of the road.





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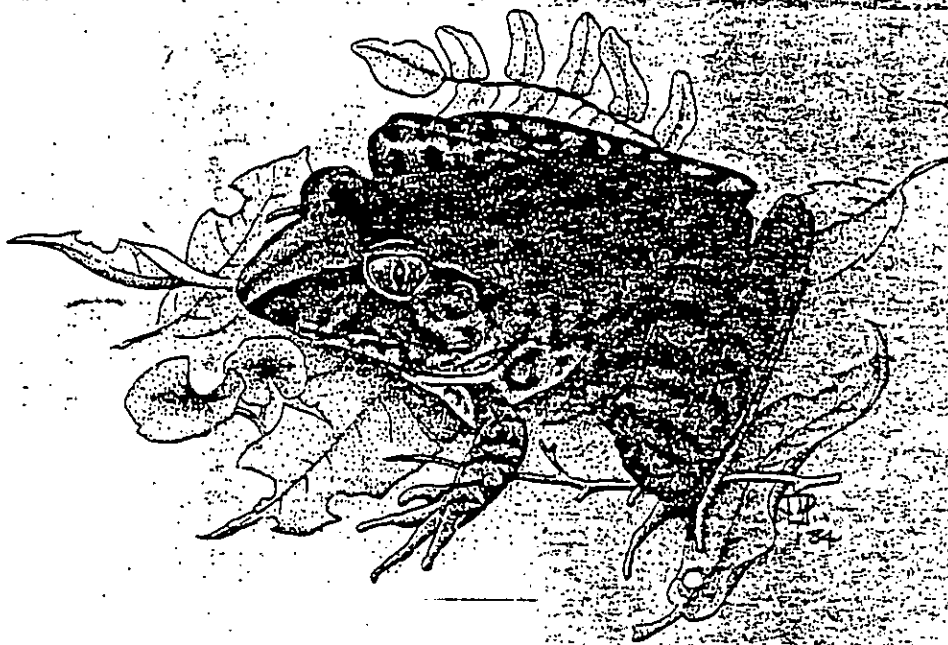
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NATIONAL PARKS ASSOCIATION OF NSW

Far North Coast Branch - Newsletter

No. 84/7

July 1984

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ANNUAL GENERAL MEETING

The Branch A.G.M. will be held in the North Coast Environment Centre, 123 Keen Street (upstairs from the Discount Clothing Market) on Thursday, 26 July at 8.00 p.m. Details of this meeting were given in the last Newsletter as far as election of Office Bearers are concerned. The other matter that will need to be discussed is the revision of the Constitution.

Members will, by now, have received both the State Council approved revision of the Constitution, and the modified version out forward by the Mid-North Coast Branch. This may be confusing to some people, but the MNC amendments have been developed since the State Council meeting which adopted the revisions, here in Lismore in June. At the last meeting of the Executive on 7 July, a resolution was passed unanimously, supporting the State Council revision, but recognising that the MNC amendments had considerable merit in principle. However, there are problems with the MNC amendments regarding technical deficiencies (resulting mainly from the short time available for the development of the amendments) and potential difficulty in their implementation under current staffing and financial constraints.

## ANNUAL GENERAL MEETING (cont.)

It is imperative that a revised constitution be adopted by the Association to meet with revised administrative procedures and to allow incorporation, thus eliminating the liability of Office Bearers and Members that currently exists. The amendments proposed by MNC Branch would not be implemented until the 1985-86 financial year, so do not require urgent consideration. Further discussion, and perhaps refinement, can take place before then, and consideration of these amendments has already been planned for the September meeting of State Council.

If you have views concerning the Constitutional revision proposed, come to the A.G.M., and if you have any suggestions concerning the MNC Branch amendments, contact me and I will include them in discussions at the next State Council meeting (also its A.G.M.).

Hope to see you at the A.G.M.!

## CURRENT ISSUES

In addition to the on-going issues reported in previous Newsletters, there are two major new ones; namely Blackbutt Plateau, and present and proposed operations there by the Forestry Commission, and a proposal by Coral Investors to develop a golf course at Byron Bay on Crown Land north of Globetrotters. It is too late for general action on the second issue, but the background and NPA's involvement is nevertheless of interest to members. The Blackbutt Plateau issue is still developing. Both are now dealt with in more detail.

### 1. BLACKBUTT PLATEAU

(details provided by Wilsons Creek Action Group)

#### Location and Size

The Blackbutt Plateau, on the edge of Nullum State Forest, is 12km west of Mullumbimby and 30 km north - north-east of Lismore. Its area is approximately 320 ha, comprising Forestry Compartments 27, 97 and part 23 of Nullum State Forest.

#### Physical Features

The Plateau, a southern 'peninsula' of the Koonyum Range, is a precisely defined block made up of rhyolite rock, elevated above the surrounding land. Aligned north-south along its main axis, it is connected to the main body of the Range by a narrow ridge. Together with the Nightcap Range, to which it is linked by the Doon Doon Saddle, the Koonyum Range an island of high altitude forested country, isolated from the remainder of the Mt Warning caldera rim by low-lying valleys and plains.

The Plateau has been isolated by the erosion of the valleys of Coopers and Wilsons Creeks, and rises steeply on all sides from 200-300 m., levelling out between 500 and 600 m. with a maximum elevation of 694 m. Sheer cliffs fringe the northern and eastern sides and the western side is also very steeply sloping. Extensive rock outcrops occur and soil cover varies from thin to moderately deep. The grey and brown rhyolite-derived soils are of generally low fertility. The most fertile soils are around the base of the Plateau and in small eastern gullies where they have been eroded by creeks that then tumble over the escarpment into Wilsons Creek.

Despite the steep gradients, ascent onto the Plateau may be gained from either the eastern or western sides, where impressive views are obtained of the Nightcap Range to the west and Mt. Jerusalem (800 m.) to the north. To the east, the spurs of Koonyum Range lead onto the coastal plains of the Tweed, Brunswick and Richmond Valleys. A panoramic vista unfolds from Tweed Heads south to Ballina. In the central background lies Cape Byron, Australia's most easterly point.

#### Flora

The vegetation, according to the Forestry Commission's type map, comprises mainly wet sclerophyll types, dominated by Moist Blackbutt with some Inland Brushbox and Turpentine. Dry sclerophyll types of New England Blackbutt and Scribbly Gum - Bloodwood, together with scattered areas of rainforest types make up the remainder. Rainforest types of Booyong and Myrtle would perhaps have been better classified as 'warm temperate' types since species such as Coachwood, Crabapple, Sassafras and Corkwood are among the dominant tree species although sub-tropical elements are also present.

No comprehensive plant species list exists for the area although a preliminary list of over 130 species has so far been compiled. The noteworthy abundance of Small-leaved Hazel, regarded as scarce in NSW, indicates the soil type would support Corokia whiteana and Peach Myrtle (Uromyrtus sp.). The presence of

## Flora (cont.)

either would be significant as they are endemic to the Nightcap Range.

The vegetation of the Blackbutt Plateau can be summarised as being dominated by tall open forest with a mixed warm temperate - subtropical mesophyll rain-forest understorey. The most important canopy trees are Blackbutt, Turpentine, Brush Box and Flooded Gum. In exposed areas or where soil cover is thin, tall open or lower open forest occurs with a sclerophyll understorey. Here dominant canopy trees are New Englan Blackbutt and Scribbly Gum. A mixture of warm temperate and subtropical closed forest (rainforest) occupies gullies. Rock outcrops are covered in part by a layer of low shrubs dominated by Lemon-Scented Tea Tree.

Although some limited selective logging has occurred along the western edge of the Plateau, much of the area is undisturbed, being composed of impressive stands of veteran trees of considerable age.

Because of the high degree of endemism known to characterise the distinctive ecological unit represented by the Blackbutt-dominated tall moist open forest on the Blackbutt Plateau, together with its age and generally undisturbed condition, the area has special significance that warrants a detailed investigation.

## Fauna

The avifauna is the only animal group to have received any attention on the Blackbutt Plateau although two mammals, the Mountain Brushtail Possum (*Trichosurus caninus*) and Red-legged Pademelon (*Thylogale stigmatica*) have also been identified. A preliminary bird list has been compiled which contains 57 species, the most notable of which are five species listed under Schedule 12 (January 1984) of the National Parks and Wildlife Act (1974). These birds - the Wompoo Fruit-dove, Powerful Owl, Sooty Owl, Albert Lyrebird and White-eared Monarch, are representative of a relatively large group of endangered and protected vertebrates (under the Act) whose ranges include or are centred on the faunally rich moist forests of north-eastern NSW. It is also considered that another 23 such species are likely to or possibly may occur on the Blackbutt Plateau.

The bird species total can be expected to double with further investigation, particularly during spring and summer months when migrant birds will have returned. Equally diverse numbers of frogs, reptiles and mammals are also likely to be recorded with appropriate investigation.

A particularly important aspect of the vertebrate habitats available on the Blackbutt Plateau is the abundance of mature or veteran trees affording nest and den sites for hollow-dwelling species. With such a concentration of hollows, arboreal hole-using mammals, cockatoos, parrots and owls are likely to be present in high densities and with most of the area of Moist Blackbutt on the Nightcap and Koonyum Ranges converted to young plantations, the Plateau can be seen to have very high conservation significance.

The rock outcrop abutting the tall moist open and closed forests is prime breeding habitat for the endangered Albert Lyrebird, a bird endemic to a small area of north-eastern NSW and south-eastern Queensland. During field inspections the number of this species was noted to be high.

## Ecological and Scientific Values

It must be stressed that the Plateau represents the last chance for reservation of a reasonably viable undisturbed stand of Moist Blackbutt on the Nightcap and Koonyum Ranges. No other suitable areas exist to act as a standard or reference against which to gauge the ecological effects of the Forestry Commission's plantation forestry, widespread in the region.

The conservation status of Moist Blackbutt throughout NSW - together with Dry Blackbutt, considered to be the State's most important and valuable commercial forest type, is poor and the Blackbutt Plateau appears to be the most significant remaining unlogged stand between Coffs Harbour and the Queensland border.

## Proposed Logging and Treatment

The proposed logging of the Plateau can be seen essentially as a mining operation. Because of its relatively small size and even age of the veteran stand, economics dictate that cutting cannot be on a sustained yield basis. Clear-felling and burning after logging to promote Blackbutt regeneration, as is intended, will not only be ecologically disastrous and significantly affect catchment values, but it appears to have little to recommend it in terms of future forestry needs. A treatment of this type would depend on a suitable market later for small timber from thinnings to be economic, and seems unlikely particularly when the Commission's enormous resources in plantations else-



## Ecological and Scientific Values (cont.)

wherein Nullum and Whian Whian State Forests is taken into account.

### Summary

A STRONG CASE EXISTS FOR THE RESERVATION OF THE BLACKBUTT PLATEAU AS A STATE FLORA RESERVE. IT IS CONSIDERED THAT THE ECOLOGICAL, SCIENTIFIC, CATCHMENT AND EDUCATIONAL VALUES COLLECTIVELY FAR OUTWEIGH THE SHORT-TERM GAIN EXPECTED FROM THE PROPOSED LOGGING OPERATION. LOGGING WILL HAVE A SEVERE IMPACT ON THE ENVIRONMENT AND THE PROPOSED TREATMENT APPEARS TO PROVIDE LITTLE IN TERMS OF FUTURE ECONOMIC VALUE. IT IS SUGGESTED THAT THE FORESTRY COMMISSION COULD BENEFIT GREATLY IN TERMS OF POSITIVE PUBLIC RELATIONS IF IT WERE TO AFFORD PROTECTION TO THIS AREA.

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### NPA Involvement

We have not been directly involved in this issue until recently. In an attempt to obtain information independently, a letter had been sent to the Commissioner for Forests seeking details of the F.C. proposals for the area and any nature conservation data obtained or environmental studies undertaken. A reply from the Secretary of the Forestry Commission acknowledged receipt of our request, but declined to answer the questions asked on the grounds that a black ban imposed on NPA by the Forestry Clerical Officers Association and Field Officers Association was still in force. This ban had been imposed in late 1982, when these associations objected to part of an article written by our former director (Peter Prineas) on the October 1982 Rainforest Decision by the State Government, and published in our Journal. Peter has apologised to these associations, but they consider this apology inadequate, and wish our Association to apologise also.

In the absence of F.C. information we have had to rely on other sources. This has included information from people with considerable expertise in their fields, such as Barbara and David Stewart, David Milledge, and Jenny and Glen Holmes. Information has also been provided by local residents of the area, mainly members of the Wilsons Creek Action Group. In response to this information, a letter has been sent to the Minister for Natural Resources (Mrs. J. Crosio) supporting the call by the W.A.G. for an Environmental Impact Study under Section 112 of the Environmental Planning and Assessment Act (1979). A report of this action was made on the local media on 13 July and appeared on P.6 of the Northern Star on 14 July.

As this newsletter is being prepared, a deputation from the W.A.G. is travelling to Sydney to meet with Mrs. Crosio. At the same time, the Forestry Commission is proceeding with roading operations to provide access to Blackbutt Plateau, after serious erosion and rock slips on the Neversae Road during recent rain. As their costs escalate as a result, they are maintaining a stubborn stand, resisting local public opinion and their obligations under the E.P.A. Act. Maybe a resolution to this conflict will be arrived at only after legal action by local people through the Land and Environment Court. It seems that the Forestry Commission does not learn all that easily from its own experience - remember Nightcap?

## 2. GOLF COURSE PROPOSAL BY CORAL INVESTMENTS AND TYAGARAH N.R. PROPOSAL

The Dept. of Lands has received an application for a Special Lease over Crown Land for the purpose of "Recreation (Golf Course)" from Coral Investments Estate Pty. Limited. Coral Investments have prepared a Statement of Environmental Effects for the proposal, which covers an area of Crown Land currently under investigation by NPA as a Nature Reserve. We wrote to both the Minister for Lands (now Natural Resources) and the Minister for Planning and Environment last year advising them of our interest in the area, and have received favourable responses from both. The area is also under investigation by the National Parks and Wildlife Service for possible dedication as a Nature Reserve, so that our submission is awaited with some interest by the Minister.

It is unfortunate that the proposal was advertised after the last Newsletter had been prepared, as the closing date for comment on the Statement of Environmental Effects is 20 July. This leaves no time for advertising the development through the Newsletter.

### Description of Area (details provided by BEACON)

The area contains depositional substrates representing marine, estuarine and aeolian influences. The derived soils vary in nutrient and moisture availability. A variety of vegetation types, including sedgeland, various heathlands, and scrub types, to littoral rainforest and mangrove woodland, occur. Four nationally endangered plants have so far been found - White's Teatree, Strangea, Lemon-scented Baeckia and Swamp Orchid as many protected shrubs, ferns, orchids and palms.



The mild winter climate enables greater invertebrate production than other areas of south-eastern Australia. It is the only primary wintering area in New South Wales in which birds from Tasmania and other parts of N.S.W., as well as higher elevation National Parks and State Forests nearby, visit during the cooler seasons.

The area is of National significance for several wildlife species, including the Jabiru, Grass Owl and Pied Oystercatcher. Species of intercontinental migratory birds, such as Stints, Sandpipers, Curlew etc., are found on the tidal flats and the flowering Banksias are a very important nectar source for honeyeaters.

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Statement of Environmental Effects by Coastal Investments  
(comment by Sandy Gilmore)

Several important aspects of the environment were inadequately assessed or not assessed at all in the Statement of Environmental Effects for the proposed golf course. The significance of many rare and endangered species recorded or presumed to occur in the area was not highlighted in the Statement of Environmental Effects. The Statement does not mention Schedule 12 Rare and Endangered Species, and has excluded several species from its Tables.

The National Parks and Wildlife Act (1974), Schedule 12, Endangered Fauna, lists the following species which have been recorded from, or could potentially occur in the area:

<u>Pseudomys novaehollandiae</u>	New Holland Mouse
<u>Python spilotes</u>	Diamond Python
<u>Egretta alba</u>	Great Egret
<u>Haliaeetus leucogaster</u>	White-bellied Sea-Eagle
<u>Irediparra gallinacea</u>	Comb-crested Jacana
<u>Gallinago hardwickii</u>	Latham's Snipe
<u>Hirundapus candacutus</u>	White-throated Needletail
<u>Apus pacificus</u>	Fork-tailed Swift
<u>Merops ornatus</u>	Rainbow Bee-eater
<u>Planigale maculata</u>	Common Planigale
<u>Rattus sordidus</u>	Canefield Rat
<u>Melomys burtoni</u>	Grassland Melomys
<u>Egernia freurei</u>	Major Skink
<u>Cacophis kreftii</u>	Dwarf Crown Snake
<u>Xenorhynchus asiaticus</u>	Black-necked Stork
<u>Haliastur indus</u>	Brahminy Kite
<u>Gallinula olivacea</u>	Bush Hen
<u>Grus rubicundus</u>	Brolga
<u>Pezoporus wallicus</u>	Ground Parrot
<u>Tyto longimembris</u>	Eastern Grass Owl
<u>Potorous tridactylus</u>	Long-nosed Potoroo
<u>Pseudomys gracilicaudatus</u>	Eastern Chestnut Mouse

Included the list of Plants of Rare or Threatened Status in Australia (Leigh, Briggs and Hartley, 1981) is Strangea linearis, a species recorded in a relatively small area of dry heath, although the significance of this find is not discussed in the Statement. The Byron Shire Local Environmental Study (1983) rates heathland with Stragea linearis as protection essential. Thus, the proposal for a golf course is in conflict with investigations by Byron Shire Council (and the State Government) on the conservation status of particular areas of land, or land containing particular species.

The proposed development carries a distinct risk of introducing the root fungus Phytophthora cinnamomi to both the subject and adjacent land, and would likely upset the delicate nutrient balance within heathland shrubs due to relatively high nutrient input from fertilizers required to maintain grass swards on the sandy podzolic soils. Long term changes to the water table and to the fire regime are not quantitatively assessed.

The impact of the development proposal on the recreational and social values to the community and tourists, as outlined in the Statement, is in direct conflict with those same values as identified in the Byron Shire Local Environmental Study (Working Paper No.7, The Community). In this Study, 64.2% of those interviewed supported the statement "the Shire should encourage the passive use of its natural features as its major tourist attraction". Only 5.2% of respondents agreed that "more major tourist attractions should be constructed in the Shire". In view of the attitudes of the local community and tourists, the use of publicly owned land for a Golf Course as proposed indicates there would be significant detrimental impact on the present and

### Environmental Effects by Coral Investments (cont.)

recreational and social values of the residents of, and visitors to, Shire.

Of all the Crown Land between Belongil Creek and Brunswick Heads, this part covers an area of high nature conservation value because:

- a. it is not subject to high recreational pressure, as is much of the land outside the proposal;
- b. the shape of the land, in comparison with much of the Crown Land between Byron Bay and Brunswick Heads, is relatively narrow and susceptible to external influences;
- c. it has not been burnt as recently as most of nearby Broadwater and Bundjalung N.P.s and, consequently, the management options are greater;
- d. the pattern of plant species distribution and abundance on topographically similar sites in Broadwater and Bundjalung N.P.s differ, reflecting differences in other environmental factors; including climate and fire regime;
- e. introduced plants, including noxious weeds, are of very low abundance relative to most of the Crown Land to the north of the proposal and south of Brunswick Heads.

Despite the statement that "the (Golf) Course has been designed to exist, as far as possible, in harmony with the natural environment ....", it is clear that the proposal will have a significant adverse impact on the natural and social environment. Approval of the Golf Course development would be contrary to the recommendations of the Byron Bay Local Environmental Study (1981), the National Parks and Wildlife Service Internal Report NR 10-80, and touches on matters dealt with by the Environmental Planning and Assessment Act (1979).

The proposal, if it proceeds, will have a significant impact on the environment!

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### WHAT IS HAPPENING IN OUR RAINFOREST REMNANTS?

Visitors to the Boatharbour Reserve (Lions Park) may have noticed recently that some changes were being undertaken by the Lismore City Council. Since 1980, we have been corresponding with the Council concerning the rainforest remnants of the Big Scrub. Last year, Currie Park, and the proposal to establish a mini-motorbike track there, and grazing rights at Boatharbour (where there are 3 reserves!) and Currie Park were raised with Council.

In forthcoming issues, decisions concerning these and other rainforest remnants at Wilson Park and Rotary Park within the Lismore City Council area will be outlined, and recent and forthcoming action on these areas discussed.

Information on other Big Scrub remnants in private ownership or under Council control is not available, but if you have information on any of these areas, and would like it included in the Newsletter, please send it to me. The same goes for other remnants of rainforest in the Richmond, and remnants on the coast, and in other areas including the Tweed and Brunswick valleys.

It will also be possible to give some brief details of what is believed to be the southernmost remnant of lowland sub-tropical rainforest at Yatteyattah, just north of Milton on the south coast.

\*\*\*\*\*

### CALENDAR OF EVENTS

Unfortunately, there isn't one, as no outings, or evening activities are planned at this time. There is clearly a strong need for this Branch to conduct activities which are both social and educational. These would include walks, visits and picnics as day activities, and interesting talks, films and social get-togethers (other than meetings) during the evenings. Can anyone help in making this happen?

\*\*\*\*\*

Peter den Exter,  
Newsletter Editor.



THE UNIVERSITY OF NEW ENGLAND  
ARMIDALE, N.S.W.

Botany Department

26th May 1986

Dear Barbara,

Sorry for the delay in finishing the plant list for Blackbutt Plateau but here at last are two copies which I hope will still be of use to you.

Of the vegetation types the Heath and Sclerophyll Scrub Community was of particular interest, being a well-developed example, fairly rich in species, and differing markedly in floristics from the coastal sand-heath communities. It is the best example I have seen on rhyolite-derived soils N.S.W. and makes an interesting comparison with the Dave's Heath and Scrub community in Lamington N.P. (Qld) - also on rhyolite but at a higher altitude. The extensive patches of Coral Lichen (Cladonia ~~retusa~~) in the rock-outcrop are unique on the coastal side of the Dividing Range as far as I know. Some poorly-developed patches occur just west of Armidale on the central New England Tableland and on rocky hills to the west.

Considering the individual species, there are a number of special interest, especially those which have been included in the survey of Rare or Threatened Australian Plants.

Austrobuxus swainii, Pink Cherry. Rated 3RC

Known only from Dorrigo Plateau, Nightcap Range and McPherson Range, in Warm-temperate type rainforest.

by J. Leigh, J. Briggs and W. Hartley (Australian National Parks and Wildlife Service Special Publication No 7, (1981) pp. 178.).

One of these, (Gahnia insignis), Slender Saw Sedge, is locally common in the open forest on the Plateau. It is given a rating of 3RC by Leigh et al, i.e. rare, total range exceeding 100km, and represented in a conservation reserve. The remaining listed species are all from the rainforest and semi-rainforest group. Here are brief notes on them:

Uromyrtus australis, Peach Myrtle, is one of the rarest Australian rainforest plants and finding a small population on Blackbutt Plateau was a most interesting discovery. It is listed as 2RC by Leigh et al (the '2' indicates restricted range of less than 100 Km). In fact it appears to be restricted to the Nightcap Range and the only <sup>other</sup> population I know is on the Nightcap Track (within Nightcap N.P. now). Alex Floyd may have 1 or 2 other sites on the Nightcap for it. I believe the outlying population on Blackbutt Plateau to be the northern limit for this rare plant.

Corokia whiteana, Corokia, is listed as 2E by Briggs et al, indicating its status as restricted (<100km range) and endangered. Its other main occurrence is on rhyolitic soils in the Nightcap Range especially in the vicinity of the Nightcap Track. I believe that a small number (3 or 4) of additional locations have been found including one in the Tweed Valley. As the Nightcap Track population is now in Nightcap N.P. it would now get a C (conserved) in its rating. I believe it should now be rated as 2RC (or 3RC)

Helmholtzia glaberrima, Giant Creek Lily. Rated 2RC

Austrobuxus swainii, Pink Cherry. Rated 3RC

Known only from Dorrigo Plateau, Nightcap Range and M'Pherson Range, in Warm-temperate type rainforest.

Archidendron muellerianum (= Abareima muelleriana),  
Veiny Lace Flower. Rated 3V (V: vulnerable)

Three other rainforest species are of special interest, although not listed in the Leigh et al 1981 report:

Symplocos baeuerlenii, Small-leaved Hazelwood.

Found only in rainforest on rhyolitic soils, on Nightcap and McPherson Ranges (to Springbrook). Not common. Rating should be 2RC.

Euodia species (unnamed), Small-leaved Euodia. This is another relatively uncommon species occurring on the Dorrigo Plateau, Nightcap and McPherson Ranges & also in the Bellangry area, Hastings valley. May qualify for a 3RC rating.

Oval Fork Fern,

Tmesipteris ovata, Although not on the rare or threatened plant list this small epiphytic fern is very uncommon in northern NSW and south Queensland, where it is known from McPherson Range, Nightcap Range, Dorrigo area and Bellingen area. The population seen on Blackbutt Plateau is very well developed, in fact the best sample I have seen of this species, with many of the treefern trunks covered in the upper part with this small fern.

I had a very interesting and worthwhile walk on the plateau and I really appreciate your guiding me up there at such short notice.

Best wishes,

Yours sincerely,

John Williams  
John Williams

PLANT SPECIES RECORDED ON BLACKBUTT PLATEAU,  
NULLUM STATE FOREST, N.S.W.

J.B. Williams  
Botany Department  
University of New England  
Armidale NSW 2351

The following is an incomplete list of the plants recorded on a half-day inspection of the area on 18-xii-1985. Plant names are as given in Jacobs and Pickard, The Plants of New South Wales (1981). The greater part of the vegetation examined was on various soils derived from rhyolite. The list is arranged under three broad vegetation types: (i) Heath and Sclerophyll Scrub on skeletal soils and among rock outcrops, (ii) Open-forest (Eucalypt Forest) on rhyolitic soils of moderate depth, and (iii) Rainforest and Semi-rainforest on deeper soils of sheltered slopes and gullies.

**1. Heath and Sclerophyll Scrub**

On skeletal soil on rhyolite, with very extensive rock outcrops, at two or three levels. The rock is pale, with extensive parallel groovings and depressions. The vegetation is mainly scrub 2-4 m high, sometimes dense, but becoming open in the more rocky areas. Smaller local patches of heath 1-1.5 m high, were noted.

Tall Shrubs 1.5-4 m high

Abundance

Leptospermum microcarpum	Small-fruited Tea-tree	vc
Leptospermum petersonii	Lemon-scented Tea-tree	c
Leptospermum attenuatum	Black Tea-tree	o
Leptospermum species (New England)	New England Tea-tree	c
Casuarina rigida	Shrubby She-oak	f
Acacia obtusifolia	Thick-leaf Wattle	f
Pomaderris argyrophylla	Silver Pomaderris	f
Callistemon species (not yet identified)	A Bottlebrush	o

Small to Medium Shrubs 0.2 - 1.5 m high

Baeckea linifolia	Swamp Baeckea	f
Zieria ?laevigata	Narrow-leaf Zieria (in rock crevices)	lf
Hibbertia ?stricta	Narrow-leaf Guinea Flower	f
Pimelea linifolia (a form)	Slender Riceflower	f
Pultenaea retusa	Blunt Bush Pea	o
Epacris obtusifolia	Blunt-leaved Heath	o
Leucopogon melaleucoides	Rock Beard Heath	o
Leucopogon neo-anglicus	New England Beard Heath (in rock crevices)	lf
Platysace linearifolia	Narrow-leaf Platysace	o
Prostanthera phyllcifolia	Spiked Mint Bush	lf
Tetradlea thymifolia	Black-eyed Susan	o-r

Climbers

Billardiera scandens	Dumpling Vine	o
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Symbols: vc - very common      lc - locally common  
c - common                      lf - locally frequent  
f - frequent                    etc  
o - occasional

## Herbs including Lithophytes

Lepidosperma urophorum  
Entolasia species  
Danthonia species  
Chiloglottis species  
Liparis coelogynoides  
Dendrobium kingianum

Rifle Sedge  
Panic Grass  
Wallaby Grass  
Bird Orchid  
(in rock crevices)  
Pink Rock Orchid  
(in rock crevices)

vc  
f  
f  
o  
o  
c

## 2. Open-Forest (Eucalypt Forest)

### Trees

Eucalyptus pilularis  
Eucalyptus gummifera  
Eucalyptus andrewsii subsp. campanulata  
Acacia orites

Coast Blackbutt  
Red Bloodwood  
New England Blackbutt  
Mountain Wattle

vc  
c  
vc  
f

### Small Trees and Tall Shrubs 2-9 m high

Pomaderris argyrophylla (to 9 m)  
Pomaderris ligustrina (to 3 m)  
Daviesia arborea  
Acacia orites  
Acrotriche aggregata  
Abrophyllum ornans  
Zieria arborescens  
Alyxia ruscifolia  
Bursaria spinosa  
Leptospermum petersonii

Silver Pomaderris  
Rusty Pomaderris  
Tree Daviesia  
Mountain Wattle  
Tall Acrotriche  
Abrophyllum  
Tall Zieria  
Prickly Alyxia  
Blackthorn  
Lemon-scented Tea-tree

lf  
o  
f  
f-c  
vc  
r  
o-f  
o  
o  
f

### Smaller Shrubs under 2 m high

Banksia spinulosa var. collina  
Lomatia silaifolia  
Hovea acutifolia  
Micrantheum hexandrum  
Maytenus silvestris  
Leucopogon lanceolatus  
Tetratheca thymifolia  
Rulingia salvifolia

Golden Candlesticks  
Crinkle Bush  
Forest Hovea  
Tall Micrantheum  
Narrow-leaved Orange Bark  
Common Beard Heath  
Blac-eyed Susan  
Velvet Kerrewang

lc  
o  
lf  
o-f  
c  
o  
r  
o

### Climbers

Billardiera scandens  
Stephania aculeata  
Geitonoplesium cymosum

Dumpling Vine  
Prickly Stephania  
Scrambling Lily

o  
o  
f

### Herbs

Gleichenia dicarpa  
Gleichenia rupestris  
Sticherus flabellatus  
Entolasia species  
Lepidosperma elatius  
Lepidosperma urophorum  
Kreysigia multiflora

Pouched Coral Fern  
White Coral Fern  
Shiny Fan Fern  
Panic Grass  
Tall Sword Sedge  
Rifle Sedge  
Kreysigia

o-f  
o  
o  
f  
o-f  
lc  
vc



## 2. Open-forest (Eucalypt forest) (cont.)

### Herbs

<i>Gahnia insignis</i>	Slender Saw-sedge	lc
<i>Patersonia glabrata</i>	Leafy Purple Flag	c
<i>Thysanotus tuberosus</i>	Fringed Lily	o
<i>Dampiera purpurea</i>	Mountain Dampiera	lc
<i>Plectranthus species</i>	Cockspur Flower	o

## 3. Rainforest and Semi-rainforest

### Trees

<i>Cinnamomum oliveri</i>	Olivers Sassafras	f
<i>Litsea reticulata</i>	Bolly Gum	o
<i>Flindersia bennettiana</i>	Bennett's Ash	f
<i>Quintinia sieberi</i>	Rough Possum Wood	c
<i>Quintinia verdonii</i>	Grey Possum Wood	f

### Shrubs and Small Trees

<i>Cyathea australis</i>	Rough Tree Fern	lc
<i>Tasmania insipida</i> (Narrow-leaf form)	Brush Pepper Bush	o
<i>Daphnandra tenuipes</i>	Red-flowered Socketwood	o-f
<i>Cryptocarya meisneriana</i>	Thick-leaved Laurel	o
<i>Synoum glandulosum</i>	Scentless Rosewood	c
<i>Euodia species</i> (unnamed)	Small-leaved Euodia	o
<i>Archidendron muellerianum</i>	Veiny Lace Flower	o
<i>Austrobuxus swainii</i>	Pink Cherry	o-f
<i>Abrophyllum ornans</i>	Abrophyllum	r
<i>Corokia whiteana</i>	Corokia	o
<i>Triunia youngiana</i>	Honeysuckle Bush	o
<i>Pomaderris argyrophylla</i>	Silver Pomaderris	o
<i>Uromyrtus australis</i>	Peach Myrtle	o
<i>Symplocos baeuerlenii</i>	Small-leaved Hazelwood	o
<i>Duboisia myoporoides</i>	Duboisia	lf
<i>Randia benthamiana</i>	Native Gardenia	o

### Climbers

<i>Cissampelos transversa</i>	Native Yam	f
<i>Geitonoplesium cymosum</i>	Scrambling Lily	o
<i>Palmeria scandens</i>	Anchor Vine	o
<i>Macropus lasiocarpus</i>	<del>Macropus</del>	o
<i>Macropus lasiocarpus</i>	<del>Macropus</del>	o
<i>Macropus lasiocarpus</i>	<del>Macropus</del>	o
<i>Macropus lasiocarpus</i>	<del>Macropus</del>	o

### Epiphytes

### Orchids

on trunks of *Cyathea australis*)

Jungle Bristle Fern

### Herbs

*Helmholtzia glaberrima*  
\**Duchesnea indica*

Giant Creek Lily  
Indian Strawberry

Wilsons Creek Action Group,  
C/O P.O. Box 325,  
MULLUMBIMBY,  
N.S.W., 2482.

3rd June, 1984.

Dear Sir/Madam,

As residents of the Huonbrook - Wilsons Creek area we have deemed it necessary to create an 'action' group to contest the environmental validity of the logging and roading operations currently underway and proposed for that part of Nullum State Forest, compartments 27 and 97, being between Mill Rd., Huonbrook and the Upper Wilsons Creek Rd, now known as 'Blackbutt Plateau'.

The proposed operation includes the roading of some particularly steep slopes and consequent heavy damage to the vegetation adjacent to the Rhyolite cliffs is already 'highly visible'.

The proposed logging area includes 7 ha of warm temperate rain-forest which we feel should be immediately removed from the logging proposal.

The Blackbutt logging operation is, according to Forestry Commission policy, a heavy (Close to clearfell) operation designed only to maximise economic return. The Forestry Commission maintains that Blackbutt requires a massive amount of disturbance and consequent burning of logging residue to allow for 'adequate' regeneration. This strategy is designed to subsidise an extravagant roading program for access to one of the last 'intact' areas of forest in this area. The economics of this operation must be borderline and designed only to benefit the sawmillers in the short term. Mismanagement and waste have lost the industry much of its resource in this district and operations of this sort will only hasten their demise.

We are not willing to stand by and see the last pockets of previously inaccessible and unlogged forest in the valley severely damaged just to provide logs to an irresponsible and wasteful industry. Standard Sawmills (owned by the giant Adelaide Steamship Co.) has a questionable record concerning the welfare of the forest and the local residents.

The Forestry Commissions policies toward Blackbutt in no way reflect the 'real needs' of the ecosystem in question nor do they make adequate use of current 'jiffy or quick pot' replanting methods which allow for more selective and environmentally sensitive logging operations.

As most of the Blackbutt trees are aged (the oldest being up to 600 years old) and replete with hollows (wildlife habitat) we feel that this area should remain unlogged and be declared a nature reserve so that these veterans of the forest may be saved from wholesale destruction.

As the Forestry Commission has so far refused our requests to inspect their Environmental Review we must deduce that this document, if it exists at all, is embarrassingly incomplete and inadequate.

Under Part 5, Section 12, Subsection 1 of the environmental assessment act any forestry commission 'activity' that is likely to significantly affect the environment must be investigated by an Environmental Impact Study (E.I.S.) The act says it is necessary in major operations and is particularly relevant since this is not only a major operation, but is the largest unlogged stand of moist Blackbutt from Coff's Harbour to the Queensland border.

The E.I.S. should investigate the soil and drainage aspects of this particular operation. Logging the extremely shallow soils combined with high rainfall in this steep water-catchment could have a devastating effect on the environment.

The effects of the removal of large numbers of veteran trees and the consequent destruction of their habitat needs to be investigated. The percentage loss of wildlife overall and the ability of these species to maintain a viable community after logging and habitat destruction also needs investigation. The Flora and Fauna (including avian community, mammalia, reptilia and insects) communities have been studied very little.

The social impact of the logging proposals upon the residents should also be investigated. The narrow, winding Wilsons Creek Road, already the scene of many accidents involving trucks, needs to be upgraded to accomodate the six (6) logging trips per day.

Failure to provide this information (or commission an E.I.S.) would suggest that it is not even available. This would of course lead us to the conclusion that the Forestry Commission manages these areas to fulfill economic strategies only, and is in a state of deliberate ignorance about even the rudimentary ecological requirements and inter-relationships of the Flora and Fauna in this area.

The Wilsons Creek Action Group has extensive local support and will oppose the current proposals energetically until the above conditions are met.

Yours sincerely,

*Robin Blayfield*

FOR WILSONS CREEK ACTION GROUP

Please also note restoration projects require that the item be either on or nominated for the Register of the National Estate. Applications not meeting these requirements will not be accepted. Nomination forms for the Register of the National Estate, are available from the Australian Heritage Commission, P.O. Box 1567, Canberra City, A.C.T., 2601. Completed nomination forms must be sent to the Australian Heritage Commission in Canberra and a copy attached to the application.

#### APPLICATIONS

6. All applications are to be made on the form attached and forwarded to the Secretary, National Estate Committee, C/o Heritage Council of New South Wales, P.O. Box A284, Sydney South 2000, by 30 June 1988 and clearly marked "National Estate Grant Application 1988/89" on the envelope.

7. It is most important that the application forms are complete and all necessary attachments supplied as there may not be a further opportunity for the Department to receive additional material.

#### OTHER AVENUES OF FINANCIAL ASSISTANCE FOR HERITAGE PROJECTS

Applications submitted under the National Estate Grants Program will also be considered for financial assistance under the New South Wales Heritage Conservation Fund which is administered through the Heritage Council, should the application meet the necessary guidelines to receive assistance in terms of that Fund.

#### ENQUIRIES

If you have any enquiries please contact either Mr. E. Smith on telephone (02) 266-7138 or Mr. D. McManus on (02) 266-7278.

#### ADVICE ON THE OUTCOME OF APPLICATIONS

It is expected that advice on the outcome of all applications will be conveyed towards the end of 1988 and that funds will not become available until late 1988 or early 1989.

Yours faithfully,

*S Haddad*

S. Haddad  
Head  
Environment Protection Division



# Department of Planning

The President,  
North Coast Environment Council,  
88A Keen Street,  
LISMORE. 2480 294

Remington Centre  
175 Liverpool Street, Sydney 2000  
Box 3927 G.P.O. Sydney 2001  
DX. 15 Sydney

Telephone: (02) 266 7111 Ext.  
Fax No: (02) 266 7599

Contact:

Our reference:

Your reference:

Dear Sir/Madam,

12 MAY 1988

Calling Applications:  
National Estate Grants Program 1988/89

Applications are invited for heritage work and study projects which may be selected to form the basis of the New South Wales component of the National Estate Grants Program for 1988/89.

2. Funds are made available for this program by the Commonwealth Government to the State Government, which in turn is responsible for the program's administration. The funds are then allocated for approved projects to State Government departments and authorities, local government authorities, academic institutions, professional and community organisations.

3. Explanatory notes about the National Estate Grants Program as prepared by the Commonwealth Department of Arts, Sport, The Environment, Tourism and Territories, are enclosed for your information. Your attention is drawn in particular to the conditions under which an application may be submitted.

4. Each application received will be considered on its merits, and in accordance with the competing priority of other applications for the funds appropriated by the Commonwealth for the program in the 1988/89 budget. It is important to note that funds are usually limited, for example, in 1987/88 grants totalling \$517,000 were made available for distribution between the various recipient organisations for works and studies relating to the built and natural environment and for Aboriginal projects.

MATTERS TO NOTE IN RESPECT TO WORK PROJECTS

5. If your organisation is making an application for a grant to carry out conservation work on an item where it is not the owner, a copy of the owner's written consent to the proposal must be attached to the application.

# APPLICATION FOR A GRANT UNDER THE NATIONAL ESTATE PROGRAM 1988/89

OFFICE USE ONLY

APPLICATION NO.

FILE NO. H.C.

STATUS

DATE R'd

## Note

1. All sections of this form should be accurately completed.
2. Any application lodged after 30 June 1988 will only be considered in exceptional circumstances.
3. Where questions do not apply write N/A.

Send to:

THE SECRETARY  
National Estate Committee  
c/- Heritage Council of NSW  
P.O. Box A284,  
Sydney South 2000

Name of Applicant Organisation

Notters (an association of 1100) with North Coast Env. Council

Address

176 Convent Rd, St. Ives, NSW

Post Code

2000

Contact Person

John Corbett, Vice President

Phone  
(incl. STD)

056 21373

AMOUNT OF ASSISTANCE SOUGHT

\$

FUNDS TO BE PROVIDED BY APPLICANT

\$

(The Committee may wish to consider \$ for \$ funding. Is this acceptable to your organisation).  
Yes/No

TOTAL COST OF PROJECT

\$

(Breakdown of costs estimate to be attached separately)

DETAILS OF PREVIOUS GRANTS PROVIDED THROUGH THE  
NATIONAL ESTATE FOR THIS PROJECT (Year(s))

\$

AMOUNT OF OTHER GRANTS ETC. held or applied for  
with respect to this or a similar project  
(Details of such grants to be provided separately)

\$

PROJECT TITLE

North Coast Values Development

PROJECT DESCRIPTION: Briefly indicate what the project is about.  
(Provide supporting details where available)

WHAT IS THE OBJECTIVE OF THE PROJECT?

HOW WILL THE PROJECT BENEFIT THE NATIONAL ESTATE?

HOW WILL THE PROJECT BE MANAGED BY THE APPLICANT ORGANISATION?

OFFICE USE ONLY

## DETAILS OF PROPOSED CONSERVATION PROJECT

Address of Project

Name of owner

Legal Site Description

Local Government Area

## WORKS PROGRAM

Please provide a program of the work to be carried out, including proposed staging, period of completion etc. and attach details of who will supervise the works program, who will prepare the plans.

## STUDY PROJECTS

Please attach separately the study brief which sets out:

- (a) heritage studies, conservation plans etc;
- (b) details of the study to be carried out;
- (c) what studies or work have previously been carried out in this field and how the present study relates;
- (d) details of the qualifications and experience of the staff who will carry out the study;
- (e) how the study is to be conducted and the time estimated to undertake the study.

## HERITAGE SIGNIFICANCE

(Describe the item and include photographs of the item and its setting)

## HERITAGE RECOGNITION (Tick appropriate box).

The item must be on or nominated for the Register of the National Estate.

- |                                     |  |                          |   |
|-------------------------------------|--|--------------------------|---|
| <input checked="" type="checkbox"/> | Register of the National Estate OR               | <input type="checkbox"/> | attach completed copy of nomination form. |
| <input type="checkbox"/>            | Classified/Listed by National Trust              |                          |   |
| <input type="checkbox"/>            | Subject to an Order under the Heritage Act, 1977 |                          |   |
| <input type="checkbox"/>            | Views of other bodies (attach)                   |                          |   |

## APPLICANT STATUS

1. Non-Government organisations must be a body corporate constituted for purposes other than the acquisition of gain by its members and must carry out activities within the State. (Cross out whichever does not apply):

BODY CORPORATE

Yes/No

2. If the applicant does not hold this status, it is necessary that the application be made through an existing body corporate, e.g. local government authorities, National Trust of Australia (N.S.W.), the Royal Australian Historical Society, and that the body accepts the responsibility of handling the accounts.

ORGANISATION  
NOMINATED

Signature of Applicant

Date



\* (From Draft N.R. Proposal -)

most interesting stage of development, but soil depth and nutrient status could also be limiting factors in these situations.

\* P ← There have been no systematic plant surveys of the area although several botanists have compiled lists during casual visits, mainly in the vicinity of the Blackbutt Plateau. A total of 194 native plant species have been identified (Appendix 1) of which nine are classed as rare or threatened, (Table 1).

← Three of these are of particular significance:

Corokia *Corokia whiteana* was formerly thought to be confined to the Nightcap and Koonyum Ranges but has recently been recorded in the Tweed area. Nevertheless it is still of very limited occurrence and although conserved in the Nightcap National Park and Big Scrub Flora Reserve is currently classed as vulnerable and inadequately conserved (Leigh et al 1981, updated). Floyd (1987) considers further survey work is warranted to accurately define its status. Within the proposed Nature Reserve, Corokia has been found to occur occasionally in rainforest communities on the Blackbutt Plateau (J.B. Williams in litt.).

Small-leaved Hazelwood *Symplocos baeuerlenii* occurs uncommonly, mainly on rhyolitic soils, from Springbrook on the McPherson Range to Alstonville (Floyd 1987). Although it is generally considered to be adequately conserved (Leigh et al 1981, updated) the very restricted range of the species warrants samples of all discrete populations being reserved. On the Blackbutt Plateau it occurs infrequently in the understorey of rainforest (J.B. Williams in litt.).

\* Peach Myrtle *Uromyrtus australis* is one of Australia's rarest rainforest plants and until its discovery on the Blackbutt Plateau (J.B. Williams in litt.) was known from only one <sup>population</sup> located on the Nightcap Range. Part of the Nightcap Range population is conserved in Nightcap National Park but most of this stand occurs in the adjacent Whian Whian State Forest. It is considered endangered and inadequately conserved (Leigh et al 1981, updated) and Floyd (1987) states "rescue" is required. As well as occurring on the Blackbutt Plateau within the area of the proposed Nature Reserve, Peach Myrtle has also been recorded on Mt Jerusalem (J. Holmes pers. comm.).

\* Two other plants are also worthy of mention. The extensive patches of Coral Lichen *Cladia retipora* <sup>found in cushion form</sup> in the area of rock outcropping on the Blackbutt Plateau are unique on the eastern side of the Great Dividing

Range (J.B. Williams, RA. Filson in litt.) and may be the most significant in Australia. The population of the Oval Fork Fern *Tmesipteris ovata* on the Blackbutt Plateau may be the most important in northern NSW-southern Queensland (J.B. Williams in litt.). The fern <sup>4</sup> is very uncommon

throughout its range and future survey work could show it worthy of classification as rare or threatened. Additionally, the occurrence of New England Blackbutt represents its most easterly distribution in NSW.

## FAUNA

As with the flora, there have been no systematic faunal surveys of the area proposed for the Nature Reserve. ~~Of the vertebrate groups,~~ However ornithologists have listed a total of 60 bird species during visits over a period of about a year and six mammal species have been recorded for the area, most during one nights spotlighting on the Blackbutt Plateau in December 1984 (Appendix 2). Again, as with plants, observations of fauna have centred on the area of the Blackbutt Plateau. There are no records of amphibians or reptiles although a number of significant species undoubtedly occur.

The vertebrates <sup>known from</sup> of the area represent a rich assemblage of mainly moist forest-dependent species typical of the NSW north coast. Of particular note is the high <sup>bird</sup> species richness for a relatively small area. The mosaic of rainforest and wet sclerophyll habitats is of special significance, resulting in increased diversity by providing requirements for species which utilise both habitats in close proximity. Examples of such species are the Sooty Owl Tyto tenebricosa which forages in rainforest and requires eucalypt hollows for roosting and nesting and Alberts Lyrebird Menura alberti which appears to have specific foraging requirements in wet sclerophyll forest and rainforest during different seasons.

Vertebrate diversity is also increased by the altitudinal range as exemplified by the presence of high altitude elements such as the Rufous Scrub-bird Atrichornis rufescens and Eastern Pygmy-possum Cercartetus nanus and the essentially lowland <sup>Varied Triller Halcyon leucomela, Little Shrike-thrush</sup> White-eared Monarch Monarcha leucotis.

Colluricincla  
megarrhynchos  
and

An important aspect of the vertebrate habitats present, notably in the vicinity of the Blackbutt Plateau, is the abundance of mature or veteran wet sclerophyll tree species affording nest and den sites for hollow-dwelling species. This enables hole-nesting cockatoos, parrots and owls and arboreal hole-using mammals to occur at relatively high densities.

Eleven species of birds and one mammal are listed as endangered fauna

## REPORT ON

### SNOW LICHEN AT BLACKBUTT PLATEAU

#### IDENTIFICATION

# CLADIA RETIPORA family Cladiaceae  
fairly common in low-growing form  
and known as Coral or Lace Lichen,  
very rare in cushion form,  
"sheep" formation known in grassed  
meadows,  
"snow" formation possibly unique  
to Blackbutt Plateau.

#### DISTRIBUTION

# south-eastern Australia, New  
Zealand and New Caledonia.

#### AUTHORITIES

Specimens were sent to the following  
persons who have responded with  
identification and information on  
the lichen Cladia retipora :

- \* Dr Rod Rogers, Head of Botany Department, University  
of Queensland
- \* Mr B.G. Briggs, Acting Director, Royal Botanic Gardens,  
Sydney
- \* Mr Rex Filson of National Herbarium of Victoria  
who was named by Dr Rogers and Mr Briggs as the  
Australian expert on lichens.

#### ASSESSMENT

Mr Filson by letter dated 10 August  
1984 confirmed the identification and has given an assessment of  
the Blackbutt Plateau occurrence which he rates as UNIQUE. He  
states that the cushion form in which it is growing is VERY RARE.  
He further states that lichens are very vulnerable and particularly  
susceptible to destruction by fire. He notes that extensive patches  
of the rare cushion form of Cladia retipora were destroyed recently  
in the Victorian Grampian Mountains by a "controlled burn" of the  
Victorian Forestry Department.

Mr Filson recommends that the growth  
of Cladia retipora be preserved and suggests that the rock cap  
area be reserved.

#### FURTHER ASSESSMENT

In view of the information above  
and knowledge gained from numerous visits to the site I consider  
that the proposed logging and burning of the terrace which lies  
immediately below the rock cap would seriously endanger the unique  
lichen colonies. Fire would pose a direct threat of destruction,  
while the change in the environment of the rock cap after logging  
would have more subtle effects. The latter need evaluation by  
specialists to determine the effect on the lichen of changes in  
atmospheric temperature and humidity, in changes in strength and  
pattern of winds, and of changes in other less obvious environmental  
relationships.

## AESTHETIC VALUES

- \* the visual impact of the rock cap is heightened by contrasts.
- \* open sky after climbing through enclosed forest.
- \* gleaming white Snow Lichen against dark rock.
- \* delicate lace-like fragility of the lichen against the hard harsh rock.
- \* the fascination of the spectacle at one's feet to the splendour of the panoramic view over mountain ranges to the coastline stretching north and south to hazy distance.
- \* the discovery that the Snow Lichen despite its delicate nature is growing profusely over the extensive rock cap of 60 hectares.
- \* the knowledge that the lichen thrives here only because its total environment is naturally clean. It is noted as a sensitive monitor of atmospheric pollution - it can't exist in polluted city air.
- \* the wonder that much of the Snow Lichen is older than the observer - 50 to 100 years and perhaps more - in spite of its fragility.
- \* the conviction that this unique rare beauty should be preserved for others to enjoy.
- \* the sobering thought that the beauty of this place could be destroyed so easily by thoughtless, or greedy, actions.
- \* and finally to contemplate what other wonders would be discovered by a sensitive scientific examination of this pristine place.

## A VISITOR'S COMMENTS

A resident of Lismore, Mrs Helen Tom, went recently on a guided walk up to the Blackbutt Plateau and has written impressions of her visit. With her permission a copy is attached hereto.

## RECOMMENDATION

That all logging operations including road and track construction be held in abeyance pending the production of a statutory environmental impact statement. It is considered that such an evaluation would indicate the reservation of the whole area of the Blackbutt Plateau as defined in the Flora Reserve Proposal submitted by the Wilson's Creek Action Group in June 1984.

Russell G. Corben  
Consulting Civil Engineer  
4 September 1984

APPENDIX TO  
REPORT ON  
SNOW LICHEN AT BLACKBUTT PLATEAU

CLADIA RETIPORA family Cladiaceae



This view shows the lichen in the unique "snow" formation which is characteristic of the growth of this lichen at Blackbutt Plateau. The rock cap on which it occurs more or less as shown above is some 60 hectares in area. The photograph shows a mixture of low-growing forms and cushions which have merged into numerous colonies.

R.G. Corben 4.9.84

APPENDUM TO

REPORT ON

SNOW LICHEN AT BLACKBUTT PLATEAU

CLADIA RETIPORA family Cladiaceae



This photograph shows the lichen in the very rare "cushion" form found growing profusely at Blackbutt Plateau. The cushion in the foreground is nearly 50cm in diameter and 20cm high. Many cushions are larger and tend to merge into colonies. Much of the lichen is aged 50 to 100 years, perhaps more!

R.G. Corben 4.9.84

①

## BRIEF LIST OF IMPORTANT W.A.G. DATES.

- 20<sup>th</sup> Nov '81 - FORESTRY COMMISSION (F.C.) LETTER OF INTENT RECEIVED BY ALAN.
- MID MAY '84 - F.C. ROADING OPERATION COMMENCE.
- LAST WEEK OF MAY - WILSONS CK ACTION GROUP FORMED.
- 28<sup>th</sup> MAY '84 - FIRST W.A.G. LETTER SENT TO RESIDENTS.
- 31<sup>st</sup> MAY '84 - PUBLIC MEETING WITH SAWMILL WORKERS ATTENDING AND FOREST RANGER.
- 1<sup>st</sup> JUNE '84 - RECEIVED LETTER FROM DISTRICT FORESTER, ROBERTSON THAT NO FLORA OR FAUNA STUDIES HAD BEEN DONE.
- JUNE '84 - FLORA RESERVE PROPOSAL RELEASED.
- 8<sup>th</sup> JUNE '84 - BYRON A.L.P. SUPPORTS CALLS FOR AN ENVIRONMENTAL IMPACT STATEMENT (E.I.S.).
- 8<sup>th</sup> JUNE '84 - PUBLICATION OF RARE FAUNA DISCOVERED ON PLATEAU.
- 12<sup>th</sup> JUNE '84 - THE 1<sup>st</sup> COMPLAINT TO THE OMBUDSMAN.
- 13<sup>th</sup> JUNE '84 - THE MULLUMBIMBY A.L.P. JOINS CALL FOR AN E.I.S.
- 16<sup>th</sup> JUNE - PICNIC / MARKET DAY.
- 20<sup>th</sup> JUNE '84 - B.E.A.C.O.N. PLEDGE SUPPORT TO CALL FOR AN E.I.S.
- 26<sup>th</sup> JUNE '84 - BYRON SHIRE COUNCIL SUPPORT CALLS FOR AN E.I.S.
- JUNE '84 - NEVSAE NEWSLETTER RELEASED.
- 6<sup>th</sup> JULY '84 - PRELIMINARY SUBMISSION TO MRS CROSBY (MINISTER FOR FORESTS) DELIVERED BY TARLAI.
- JULY '84 - RUSS CORBAN BEGINS LICHEN RESEARCH.
- 12<sup>th</sup> JULY '84 - NORTH COAST BRANCH OF NATIONAL



(2)

PARKS ASSOCIATION SUPPORTS E.I.S. CALL.

12<sup>TH</sup> JULY '84 — 'RAPE OF BLACKBUT' NEWSLETTER RELEASED.

18<sup>TH</sup> JULY '84 — W.A.G. DELEGATION MEETS CROSBY IN SYD.

8<sup>TH</sup> AUG '84 — THE COMPLAINT TO THE OMBUDSMAN ABOUT THE F.C. ACTIVITIES.

9<sup>TH</sup> AUG '84 — MR SHEAHAN (THEN MINISTER FOR ENVIRONMENT & PLANNING) IN LISMORE. W.A.G. ATTENDS.

13<sup>TH</sup> AUG '84 — DISTRICT FORESTER ROBERTSON RELINQUISHES ALL DUTIES TO WRITE TO US.

AUG. '84 — ATTENDED OUR FIRST NORTH COAST ENVIRONMENT COUNCIL MEETING.

18<sup>TH</sup> AUG '84 — MET MR WRAN (PREMIER) AT BAKKINA, HE GUARANTEED AN E.I.S. WOULD BE DONE.

22<sup>ND</sup> AUG '84 — OFFICE OPENED IN DALY ST. (HEALING CENTRE).

END OF AUG. — FIRST W.A.G. NEWS RELEASED.

AUG/SEPT. '84 — REPORT ON SNOW LICHEN RECEIVED FROM RUSS CORBEN.

27<sup>TH</sup> OCT '84 — MAD HATTERS SPRING PICNIC.

12<sup>TH</sup> NOV '84 — THE OMBUDSMAN VISITS WILSONS CREEK AND THE PLATEAU. IT RAINS LOTS.

1<sup>ST</sup> DEC '84 — FEDERAL ELECTION DAY. WE MEET MR WRAN AT MURWILLUMBAH. HE RESTATES E.I.S. PROMISE.

12<sup>TH</sup> DEC '84 — OMBUDSMAN SAYS HE WILL INVESTIGATE THE FORESTRY COMMISSION.

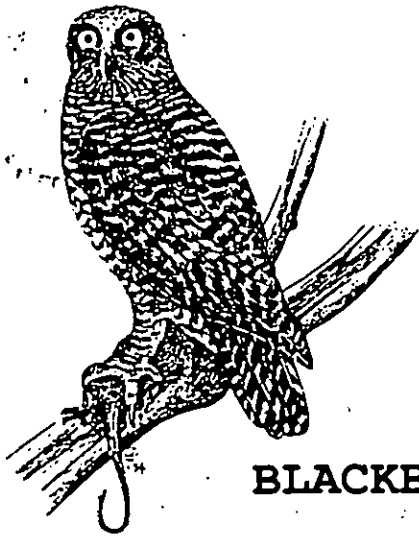
31<sup>ST</sup> JAN '85 — MR R. SMYTHE (DIRECTOR OF ENVIRONMENT AND PLANNING) VISITS THE PLATEAU.

FEB. '85 — THE PLATEAU IS NOMINATED FOR NATIONAL ESTATE LISTING BY NATURE CONSERVATION COUNCIL OF N.S.W.

- ③ MARCH '85 — M<sup>rs</sup> CROSBY STATES THAT NO LOGGING  
WILL COMMENCE FOR 4 TO 5 YEARS
- 9<sup>TH</sup> MAY — RECEIVED OMBUDSMAN'S REPORT TO N.S.W.  
PARLIAMENT. (INCLUDES F.C. ENVIRONMENTAL REVIEW. 5/7/85)
- 11<sup>TH</sup> JUNE '85 — LAST W.A.G. MEETING BEFORE 'RECESS'.  
END OF JUNE — CORE GROUP MEETING / CLEAN UP.
- JULY '85 — OFFICE IN TOWN CLOSES
- 30<sup>TH</sup> AUG '85 — F.C. ADVISES OF MAINTENANCE  
WORK TO BE DONE ON NEVADA RD. (NOT DONE THOUGH)
- 16<sup>TH</sup> SEPT '85 — CLARIFICATION LETTER FROM F.C.  
OF 30<sup>TH</sup> AUG. LETTER.
- 6<sup>TH</sup> DEC '85 — DAVID MILLAGE SENDS OFF PRELIMINARY  
NATURE RESERVE PROPOSAL.
- 8<sup>TH</sup> APRIL '86 — OMBUDSMAN SENDS PRELIMINARY FINDINGS.
- 26<sup>TH</sup> MAY '86 — REPORT BY JOHN WILLIAMS (NEW ENGLAND  
UNI.) ARRIVES VIA BARBARA STEWART.
- 8<sup>TH</sup> SEPT '86 — OMBUDSMAN'S DRAFT REPORT SENT.
- 30<sup>TH</sup> OCT '86 — NOTICE OF INTENTION TO LIST B.B.F.V.  
ON THE NATIONAL ESTATE REGISTER IS PUBLISHED  
IN THE GOV'T GAZETTE.
- 9<sup>TH</sup> DEC '86 — BYRON SHIRE COUNCIL HEARING OF  
DRAFT LOCAL ENVIRONMENT PLAN HEARS SUBMISS-  
IONS FROM RUSS CORBEN, ROBIN CLAYFIELD AND  
DAVID MILLAGE ON BEHALF OF W.A.G. B.E.A. CON-  
SUBMISSION ~~ALSO~~ RELATES IN PART TO B.B.P.
- 6<sup>TH</sup> FEB '87 — OMBUDSMAN'S REPORT SENT. WE CAN  
FINALLY SAY THAT THE F.C. ACTED CONTRY  
TO LAW. — MUCH PUBLICITY.

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- 2<sup>ND</sup> HALF '87 - M<sup>R</sup> HALLAM VISITS PLATEAU.
  - 17<sup>TH</sup> JULY '87 - LETTER FROM RICHARD MALLONEY INFORMING US OF THE ADOPTION OF THE DRAFT LOCAL ENVIRONMENT PLAN BY COUNCIL. TOP 200<sup>4</sup>. TO RECEIVE SCIENTIFIC ZONING, REST TO HAVE WATER CATCHMENT ZONE
  - 29<sup>TH</sup> JULY '87 - INFORMED DISTRICT FORESTER OF ROAD USE AND TERPENTINE FELLING.
  - OCT/NOV '87 - F.C. MAINTENANCE WORK ON NEVASAE RD. CROSS BANKS AND DRAINS PUT IN AND ROAD SEEDED WITH GRASS.
  - 4<sup>TH</sup> NOV '87 - WROTE TO M<sup>R</sup> HALLAM ABOUT F.C. MAINTENANCE WORK.
  - 5<sup>TH</sup> NOV '87 - WROTE TO OMBUDSMAN AS ABOVE.
  - 14<sup>TH</sup> JAN '88 - AGAIN WROTE TO M<sup>R</sup> HALLAM AND ALSO TO HERITAGE COMMISSION.
  - 4<sup>TH</sup> FEB '88. M<sup>R</sup> HALLAM SENDS CONFIRMATION OF MAINTENANCE WORK.
- NOTE ALSO THAT M<sup>R</sup> BOB CARR (NOW MINISTER FOR ENVIRONMENT AND PLANNING.) HAS VISITED THE PLATEAU. ALSO VISITING AT SOME STAGE WAS THE DIRECTOR OF NATIONAL PARKS AND WILDLIFE SERVICE.



## NO NATURE RESERVE

### BLACKBUTT PLATEAU UNDER THREAT

The Blackbutt Plateau near Mullumbimby, the scene of a Forestry Commission dispute five years ago, seems likely to emerge into controversy following statements by the Minister for Natural Resources, Mr Causley. Mr Causley has written to the Wilsons Creek Action Group (WAG) **rejecting** their Nature Reserve Proposal for the Plateau and has advised of Forestry Commission plans to rebuild Neversae Rd.

WAG has vigorously campaigned to have the Blackbutt Plateau (which is within the Byron Shire water catchment) declared as a Nature Reserve under the control of the National Parks and Wildlife Service.

The Plateau contains sections of subtropical rainforest, a 40 hectare rock covered with a very rare form of Snow Lichen and **significant stands of unlogged Blackbutt** (some trees over 800 years old).

In 1984 the Forestry Commission **illegally** roaded a cliff face to gain access to the previously inaccessible Plateau. Within weeks the high rainfall of the Wilsons Creek catchment washed the Commissions Neversae Road and thousands of tons of rhyolite rock into Wilsons Creek.

This \$200,000 worth of vandalism - subsequently called a roading operation - was found by the Ombudsman to be illegal.

Now the Forestry Commission is preparing to reroad the cliff face, spend more money to obtain less in royalties than the total cost of road works.

Besides **polluting** the Byron Shire water supply the Forestry Commission is **destroying** the forest and its inhabitants and leaving the local residents with the hazards of **dodging logging trucks** on the narrow and winding Wilsons Creek Road.

The Shire Engineer has complained that the Wilsons Creek Road is unsuitable for logging trucks, and the Byron Shire Council has called for a Nature Reserve to protect the ratepayers water supply and the scientific values of the area.

The significance of the Blackbutt Plateau is also born out by its nomination for inclusion on the Commonwealth National Estate Register.

WAG has actively campaigned to have the Blackbutt Plateau permanently protected and has gone to a great deal of time and expense to prepare a Nature Reserve Proposal. Professionally written, it is acknowledged by experts as a thoroughly worthwhile proposal (so much so that the Forestry Commission itself intends to use the data).

WAG delegates went to Sydney to present the Proposal to the new National Party Ministers for Natural Resources (Mr Causley) and for the Environment (Mr Moore).

Their indifference was of concern but Mr Causley and his National Party leader Mr Wal Murray have since shown their disdain for the environment and are perfecting the art of **environmental vandalism**. No matter what the cost to the community or planet they are winding back environmental protection.

Their deeds are becoming more notorious by the day and the Blackbutt Plateau decision exemplifies the low priority they place on natural resource management.

WAG is adamant it will continue its campaign to save the Blackbutt Plateau from further roading and logging and promises to highlight the **environmental plunder** of the present State government.

**WAG DEMANDS THAT THE BLACKBUTT PLATEAU BE GAZETTED A  
NATURE RESERVE AND THAT NEVERSAE ROAD BE CLOSED AND  
REHABILITATED.**

The Forestry Commissions position is clear and uncompromising and the residents will apply absolute pressure and stand solid to save the Blackbutt Plateau.

WAG appeals to all citizens to make their concerns known by writing to:-

The Premier, Mr Greiner,  
c/- Parliament House,  
Sydney.2000.

Mr. I C Causley, MP,  
Minister for Natural Resources,  
23-33 Bridge St, Sydney 2000.

Mr. T Moore, MP,  
Minister for the Environment,  
Level 7, Legal and General Building,  
8/18 Spencer St, Sydney 2000.

The local member Mr Don Page,  
PO Box 100,  
Bangalow 2479.

.....

COMPUTER - WAS.

JED

BLACKBUTT PLATEAU

Council zoned the Rock outcrop  
A surrounding area (where snow  
lichen cladia occurs) 7s (Scientific  
Zone) The ~~plan~~ Local Environmental  
Plan was then referred to the Minister  
for signing (Carr.)

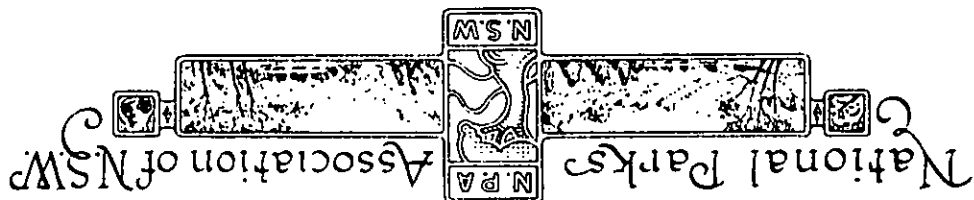
There was much public input into this  
plan via Public submissions, exhibition  
of the Draft Plan and a ~~Commission~~  
Public Hearing (chaired by Commissioner  
Simpson.)

However, the plan has now been made  
and arrived back in Byron Shire with the  
7s zoning alter to 1F (Forestry).

Seems to make a joke of the public  
input & conclusions & recommendations  
of Comm. Simpson which were all in  
favour of environmental protection for this  
area.

Our ~~hope~~ hope is that the E.I.S. which  
Forestry have to do prior to logging  
will rule out logging on an economic,  
environmental, cultural & social grounds.

Di



22 Terania St  
Lismore 2480  
FAR NORTH COAST  
BRANCH

16.11.81

Dear Sir or Madam

The Far North Coast Branch of the National Parks Association has proposed to the State Government that a National Park be declared on the Nightcap Range. It is suggested that the park extend from the Nightcap Flora Reserve in the East, through Terania Creek Basin and Goonimbah State Forest, to Blue Knob. All of these areas are presently State Forest or Crown Land. No private land is involved. We are getting in touch with all the neighbours of the proposed park to acquaint them with our proposal and to find out what their opinions are.

As the proposed park is too small to be ecologically viable in the long term (i.e. over thousands of years), we would like to encourage the preservation of forested areas and reforestation of degraded farmlands adjacent to the park. At present rising rates associated with the increase in the value of land in the area are tending to have the opposite effect. Increasing financial pressure will encourage people to clear or to subdivide rather than pay high rates on 'unproductive' regrowth.

We are considering including in our proposal some sort of rating relief for people who wish to plant or preserve forests adjacent to the park. This would broaden the gene pool of the flora and fauna in the park and increase its ecological viability. Under this plan, landholders who enter into such an agreement could still take a certain amount of timber while encouraging forest cover on their land.

We enclose our arguments for a national park, and would like you to let us know how you feel about these ideas. We would be grateful for any feedback on this proposal, especially your answers to the following questions:

1. I am not in favor of a National Park on the Nightcap Range
2. The campaign should/should not include rating relief for forested private land adjacent to the proposed National Park

Yours sincerely

John Seed (president)



616 Schob.  
WILSONS CREEK ACTION GROUP  
MEETING 24TH FEBRUARY, 1988

The Meeting was opened by Chairperson Richard Moloney. A Particular welcome was extended to visiting Politicians.

ATTENDANCE: 100 names recorded but around 120 counted.

APOLOGIES: Stan Sigley, Sue Hutton, Don Beck, Tom Mooney, M McCoy, Oliver Dunn, David Millage, Nan Nicholson, Ian Kingston, Ivor Brown, Shelley Gardiner.

REPORTS:

ALAN RIORAN

Correspondence in 1981, confirmed Forestry Commission Plans to log the Plateau.

Blasting commenced in 1984 and enquiries revealed that an extensive near clear fell and burn operation was planned.

A "fact finding" bushwalk with Forestry Commission and Timber Industry representatives made local residents aware how precious the Plateau is.

Wilson's Creek Action Group was formed and called on the Government to prepare an Environmental Impact Study (EIS). This was followed later with a proposal that the area be made a Flora Reserve.

Where residents had previously been concerned about the safety of logging trucks on Wilson's Creek Road the forest itself now became the central issue.

Byron Shire Council, joined by the Mullumbimby and Byron Bay branches of the Labor Party, BEACON, Community and Environmental groups called for an EIS.

Winter '84 saw residents and friends of the BBP lobbying, fundraising and working tirelessly until in August Premier Whan promised that an EIS would be carried out before logging began.

In December '84 the Ombudsman promised to investigate the Forestry Commission's activities to see if they contravened the Environmental Planning and Assessment Act.

In February '87 the Ombudsman's report to Parliament indicated that the Forestry Commission had indeed contravened the law by - firstly, not doing an EIS before constructing Nevasae Road and secondly, by failing to consider all the relevant matters before logging.

Unfortunately the Forestry Commission is very persistent. Only weeks ago they did some "rerouting" of Nevasae Road, again ignoring the ombudsman and acting contrary to the law. The Minister responsible has taken no action.

WAG has enticed both the Minister for Forests, Jack Hallam and Minister for the Environment, Bob Carr to the plateau to see first hand its awesome beauty.

The Nature Conservation Council has nominated the BBP for National Estate listing.

Byron Shire Council have Proposed a Scientific and Water Catchment Zoning for the area.

The Australian Conservation Foundation, the North Coast Environment Council and countless experts have all called for the BBP to be Permanently Protected.

WAG will continue to fight to have the BBP declared a Nature Reserve (or included in the adjacent Nightcap National Park).

While WAG is investigating legal action to protect the Plateau it is hoped that Political action based on Peaceful, rational and informed discussion will be all that is necessary to reach a successful conclusion.

In view of the forthcoming State Election we urge everyone to consider carefully their vote as the BBP's fate could well hang in the balance.

While local residents have an obligation to lead the campaign the Plateau's significance is now of National concern as typified by the Australian Conservation Foundation's high priority to list the BBP as a National Park. Vice President, Milo Dunphy, who is standing for the NSW Upper House, made this quite clear in Byron Bay last weekend.

Whether WAG follows a legal or Political option your support both moral and financial is needed.

### ROBYN CLAYFIELD

The initial concern after blasting was unsuitability of Wilsons Creek Road to carry logging trucks. We were also concerned that logging might commence without an Environmental Impact Study. It was impossible to get a copy of the Forestry Commission's Environmental Review.

In June '84 it was discovered from district Forester, Mr Ian Robertson that no Flora or Fauna studies had been done in the area.

Locals undertook to make observations, discovering rare and endangered species of birds and some unusual flora. WAG decided the area was worthy of reservation. A Flora Reserve Proposal was Presented to Mrs Crosio (Minister of Forests)

From July to August Russ Corban undertook studies of the snow lichen growing on the rock outcrop at the top of the Plateau. It was found to be quite Unique.

In August '84 WAG met with Premier Wran and an E.I.S. was Promised. In March '85 Mrs Crosio announced that no logging would commence for 4 to 5 years and not before an E.I.S had taken place.

In November '84 the NSW Ombudsman visited the Plateau and his report in Feb '87 criticised the Forestry Commission for acting without having first Prepared an EIS.

By the June '85 Meeting our objective had been reached. An E.I.S had been Promised and council had voiced their concern about the suitability of the local roads for logging trucks. A decision was taken to Pursue a Nature Reserve Proposal on the basis of the forests significance.

In February '85 the nature Conservation Council of NSW nominated the Plateau for listing on the Register of the Natural Estate. The Heritage Commission has given notice in the Government Gazette (Oct '86) of their intention to list the area.

In '86 Byron Shire received submissions from Rus Corban, David Millage and myself re the zoning of the Plateau in their Draft Local Environment Plan. When the Plan is gazetted a water catchment zoning will prevail over much of the area while 200ha will be given a special scientific zoning. However all this could be overruled by the recently gazetted Regional Environment Plan.

The Blackbutt Plateau has seen many prominent visitors including Mr Carr (Minister for D.E.P.), Mr Dick Smythe (Director of D.E.P.), Mr Hallam (current Minister for Forests) and Mr John Williams (Botanist, U.N.E.). Mr Hallam's visit has resulted in recent maintenance of the road, an act which seems to constitute a further breach of the act as there has still been no E.I.S. The only action that will satisfy WAG is to see the road and slip replanted to trees and be allowed to return to forest.

**IAN ROBERTSON (FORESTRY COMMISSION)**  
Blackbutt Plateau has been part of Nullum State Forest since 1917.

There has only been interest in the Plateau in the last few years.

Since the Minister's decision that an EIS take place only maintenance work has been carried out on the road. Problems are the high rainfall and vandalism.

The Forestry Commission hasn't changed its opinion on the Plateau. However it will only be logged after an EIS.

The Murwillumbah Management Plan includes the future of the Blackbutt Forest.

#### QUESTIONS:

Q: Does the Forestry Commission recognise that the BBP has a high tourist resource?

A: We recognise other values of the forest but you can't just build a road up there for the tourists.

Q: What is the cost of the road? Doesn't this cost make the exercise unprofitable?

A: The road cost is around \$60 000. The timber return is around \$150 000 to \$200 000.

Q: What is the Practice of Silviculture?

A: The Forestry selects suitable trees and marks them. Only these trees are logged.

Q: How can you selectively log?

A: (No clear answer given before next question was asked.)

Q: Does the Forestry realise that Regrowth Forest is not the same as Native Forest?

A: The Forestry's use of their forests is for timber. 8-900 ha of native forest have been left unlogged in this area.

Q: How did the Forestry get away with building the road without doing an EIS? Is it true that the area was looked at for logging some years ago and seen to be not cost effective?

A: The road was not seen to be significant. Logging of the Blackbutt has now become a necessity because of the loss of other forests to National Parks.

Q: Are you destroying the catchment area of Mullumbimby's water supply?

A: Water is being drained off the road onto undisturbed vegetation.

Q: Are you aware that a road cuts off sheet flow and the banks concentrate water flow?

A: The road is a short term measure only.

Q: The area was made state forest in 1917 when there were no National Parks or Nature Reserves. If it were still crown land today would it be made a National Park?

A: No Comment. As for the concern for the lichen. The Snow lichen grows on rocks. Rocks are not logged. Besides the lichen is at least 100m from the nearest millable timber.

Q: Is the forestry preparing an EIS and will it be available for public perusal?

A: Not yet.

Q: Is the Forestry short of timber?

A: We are only logging off each years growth. There is some problem with mills who don't like logging small trees. There is 18 000 ha of forest in the area.

Q: What area has been planted to hardwood in this area that was not previously forest?

A: There has been no land purchased.

Q: Why waste money on an EIS if it will not be honoured?

A: The Minister said he would honour it.

Q: How do you know the culverts on Nevasae Road were blocked by vandals?

A: It's happened.

Q: Will there be any burning after the logging?

A: That's a recognised method of regeneration.

Q: Are you aware that the lichen on BBP is the largest known area of Coral (Snow) Lichen in existence and that a previous large area in the Grampians in Victoria was destroyed by controlled burning? Is Forestry aware of its susceptibility to heat?

A: We're aware of it and will consider it. I wish to make you aware that the BBP has been previously logged by a mill in Huonbrook.

**GRAHAM WATSON**

The BBP is a particularly special area and any exploitation will have a serious environmental impact

The BEP comprises about 130 ha of blackbutt dominated forest, about 50 ha of mountain heath and the rest is made up of subtropical and warm temperate rainforest, with patches of turpentine, tallwood, brushbox, scribbly gum and bloodwood.

The Blackbutt forest is an outstanding example and there is no comparable forest in the National Parks System. For such a small area it supports a high proportion of rare and endangered plants and animals.

BEP contains at least 9 tree and understory species regarded as rare, some found only in the Nightcap Range. As well, a Bottlebrush on the Plateau may well turn out to be a new species.

The Mountain Heath is regarded as the best example known growing on rhyolite soil. Of particular importance are 4 species of tea tree and the coral lichen. The lichen is the most outstanding in the state and the only occurrence east of the Great Dividing Range. Whether the lichen would survive the inevitable microclimate changes due to logging is a matter of conjecture.

Also unique is the New England Blackbutt, completely different species to the local blackbutt and the eastern most extent of this species.

There is less information on animals because the Forestry Commission has prevented any research taking place on the Plateau. What has been noted is the occurrence of no fewer than 7 species of birds which are listed as rare and endangered. Uncommon or rare mammals include the Eastern Pygmy Possum and possibly the Parma Wallaby.

A further consideration is the Plateau's value for scientific research. It provides a reliable base-line in relation to the dynamic interrelationships among vegetation communities in undisturbed communities. It also provides a control for the assessment of the extent to which previously logged sites differ from natural conditions.

Forests with the characteristics of the BEP are rarer even than rainforests and should be declared nature reserves.

Q: What is involved in an Environmental Impact Study?

A: A team would work in the area for around 6 months. There need be no damage to the environment.

[Ian Robertson: Public access would be a problem for people involved in scientific study but the Forestry Commission would not oppose it.]

Q: Can an EIS be rigged?

A: Yes but in this situation it would be under such scrutiny that it would be unlikely.

# **ROB DOOLAN (SHIRE COUNCILLOR)**

Local Planning should be at a local level with Public input. This is exactly what Byron Shire has done with its Draft Shire Plan. One prime objective of the Plan is to see that water catchment areas are preserved.

For this reason the BEP has been zoned "water catchment" even though forestry land is usually zoned 1F.

An independent Public Hearing agreed that the area should be zoned "water catchment".

The Planning Administrator has O.K'd the Plan and also took into account that the area has value as a Scientific Zone.

The Plan is now in the hands of the minister awaiting gazettal.

Unfortunately a Regional Plan has also been published and on this all Forestry land is designated 1F. The fear is that the local Plan will now be changed to agree with the Regional Plan.

There is need for protest.

Q: Is the Scientific Zone mentioned the whole area or just the top section?

A: The snow lichen and the buffer area around it.

Q: Can't Local Plans be inconsistent with Regional Plans as long as they can be justified?

A: Yes as long as they can be justified.

Q: If the Local Environment Plan keeps the Scientific and Water Catchment classification would it be binding?

A: Forestry would need to get permission from Council.

[Ian Robertson: The Forestry Commission is opposed to any classification other than 1F on their land.]

#### DAMIAN WILKINSON (TOURIST INDUSTRY)

There is a concentration on tourist development in this area, examples being the complex south of Kingscliff and the upgrading of Ballina's Airport to jet standard. Further interest in the area can be seen from the fact that the Main Roads Board has asked the Tourist Commission its needs for roads in the region. At present a joint study on Tourism is taking place between Byron Shire and the Tourist Commission for a cost of around \$20 000.

If we are going to have tourism it should be on our terms. All unique areas should be preserved particularly the Mt Warring Caldera, Jerusalem Mountain and the Blackbutt Plateau are the last link in that chain. Logged areas detract from the natural resource and have a negative effect on tourists.

There is no need for a road all the way to an attraction. For some people just looking at the area from a distance and knowing that there is something unique about it e.g. the snow lichen, is enough. Tourist vehicles will not destroy roads to the extent that logging trucks will.

Q: Are you keeping a book of comments by tourists?

A: Yes.

Q: How do you think logging trucks will handle the roads you travel on?

A: There is concern. Wilsons Creek is not appropriate.

DON PAGE (NATIONAL PARTY)

There has been a radical reformation in the National Party on the environment and we support the Government on the Wilderness Act.

On logging "We will not log in National Parks and Nature Reserves."

I'm impressed with Your arguments on BBP and suggest You bring Pressure to bear on Politicians.

Whenever we do log it is important we replant elsewhere. I suggest a tax on imported timber to fund the growing of soft hardwood and hardwood forests.

When elected the National Party will review Planning and support Local Planning.

I will do everything in my Power to make sure the Blackbutt Plateau will be made a Nature Reserve.

STAN GIBBS (DEMOCRATS - LISMORE)

(Representing Snow Brown - Ballina Electorate.)

I'm impressed with Your action and am surprised at how impersonal Governments can be.

Unlike the major Parties the Democrats do not take donations from Woodchip Companies.

We're with you all the way and I'll contact Elizabeth Kirby on Your behalf.

Independents could hold the balance of Power with the Democrats after the elections and we'll "Keep the bastards honest".

LETTERS OF APOLOGY

DON BECK: Due to a Previous commitment I cannot be with You tonight.

TOM MOONEY: I'm well aware of the situation and when elected will immediately work towards having the BBP declared a nature reserve.

JOHN CORKILL (N. COAST ENV COUNCIL)

Because of the uniqueness of the area you have our support. The state body has taken action and will continue to do so. It is important to have environmental candidates in the upper house to keep all Parties, including the Democrats, honest.

ANUOHI WENTWORTH (B.E.A.C.O.N)

It's because of the efforts of individuals that we have conservation in this state. It's a shame that Governments don't do the same. I support you all and BEACON will continue this support. Don't give up, don't be fooled and don't be satisfied with an EIS. If needed "I will still stand in front of the bulldozers even if I cannot see them".

There followed some further questions of Ian Robertson mostly concerning the inaccuracy of some of the Forestry Commission's data on rainfall.

MOTIONS - Moved and carried.  
This Meeting:

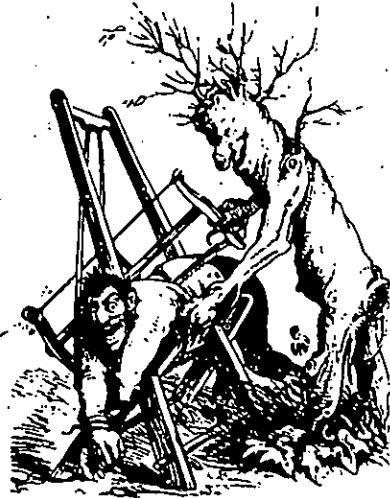
1. Condemns the Forestry Commission for ignoring the ombudsman's report.
2. Expresses serious concern that the Minister for Forests, Mr Hallam, has done nothing but protect the Forestry Commission's logging road rather than acting to protect the integrity of the Blackbutt Plateau.
3. Congratulates Byron Shire Council for recommending environmental protection zones over the Blackbutt Plateau and expresses its concern that these zones may be eroded by the North Coast Environmental Plan.
4. Requests the Minister for environment and Planning, as the minister responsible, act with urgency to create a Nature Reserve at Blackbutt Plateau as an extension of the Nightcap National Park.
5. Authorises the chairperson and the Wilsons Creek Action Group to issue media statements to report this meeting and the motions carried here tonight.
6. Authorise WAG to write to Mr Carr requesting that the Scientific Zone and Water Catchment Zones in the Draft Byron Environmental Plan, covering the BEP, remain unaltered when gazetted.
7. Write to Byron Shire Council urging the Council to justify to Mr Carr the inconsistency with the Regional Plan.
8. Request that the Forestry Commission and Byron Shire Council liaise on the future of the Blackbutt Plateau as soon as possible and that Byron Shire Council make the feelings of this meeting known.

The chairperson stressed the importance of putting pen to paper and writing to Mr Carr urging the adoption of the Local Plan rather than the Regional Plan.

In closing the meeting those present were thanked for their attendance and Mr Robertson was thanked for his bravery in attending the meeting.



# BLACKBUTT PLATEAU:



The State election is looming so its time to get the candidates on record regarding old growth forests. We mean on record. There is no purpose in having Don Page (our local incumbent National Party member for Ballina) again stand up before a packed meeting at Wilsons Creek Hall as he did a week before the last election and agrees to a Nature Reserve for the Blackbutt Plateau - then disappear into silence and inaction. Perhaps inaction is the wrong word. Let's have a look at what Mr Page and his coalition colleagues have been up to.

## 1. BLACKBUTT PLATEAU

The Plateau is the most significant old growth forest at risk in the Ballina electorate. Wilsons Creek Action Group (WAG) for ten years has lobbied for a Nature Reserve and presented submissions to a myriad of Government Departments and Public Inquiries.

Meanwhile the Forestry Commission has maintained its intent to log and the access road they illegally dynamited - Nevasae Road - continues to degrade the escarpment and wash into the Byron Shire water catchment. If the Greiner government policy towards old growth forests generally is to be our guide then the residents have good reason for concern.

## 2. BEYOND THE BLACKBUTT

Beyond the Blackbuttt Plateau there are a number of old growth forests at risk. The North East Forest Alliance (NEFA) is the main body for coordinating action to protect these last remnants. WAG is an active supporter of NEFA and thinks it imperative to bring to the attention of the Ballina electorate those areas under threat and what Mr Page's attitude has been. These areas include:-

# THE BATTLE TO SAVE AN OLD GROWTH FOREST

## i) CHAELUNDI STATE FOREST

At Chaelundi near Grafton, the Commission is about to destroy an area of outstanding tallow wood and blue gum old growth forest. Here the highest known density of gliders has been recorded, together with rare and endangered species of owls. While NEFA explores every possible legal avenue of preventing this exploitation, protesters are blockading access roads. As this newsletter is printed, people are urgently needed to participate in this non-violent action. Contact NEFA through the Big Scrub Environment Centre 213278 or the Byron Environment Centre 857066 for details of how to get there, or with other offers of assistance.

## ii) NORTH WASHPOOL

This is the largest unlogged rainforest in NSW - 7000 ha. In 1990 the Greiner government ignored advice from National Parks and Wildlife and decided to commence logging. Here as a result of NEFA action, the Commission has agreed to undertake rehabilitation work in an area which was illegally logged.

## iii) WOODCHIPPING IN NORTH COAST FORESTS

North Coast mills produce 240,000 tonnes of woodchip annually. The recent applications for retrospective approval of illegally constructed wood chip mills at Tea Gardens and Grafton have uncovered a secretive and ugly industry.

## iv) ILLEGAL LOGGING CONTINUES

A few recent examples NEFA is investigating. At Copmanhurst 1000 ha of Crown land has been illegally logged. The Forestry Commission is now following this up.

At Dorriggo, Antarctic Beech forest was illegally logged for pallet timber. National Parks and Wildlife Service is investigating this one. On the mid north coast, cabbage tree palms illegally felled for oyster racks - the contractors licence has been suspended.

## MR PAGES ENVIRONMENTAL RECORD.

Whilst Mr Page continues to support his National Party hacks in their systematic plunder of our old growth forests he has avoided the responsible option of major reforestation.

In his own electorate Mr Pages abysmal environmental record is characterised by insincerity and deafening silence. Thanks to ICAC we know about the National Partys belief in fast tracking development approvals. Mr Pages discredited record includes :-

### Sandmining:

He wrote to Ballina Council supporting mining.

### Evans Head:

Residents objected to residential and tourist development which threatened koala habitat, mangroves and woodlands. "Iron Gates" was approved despite environmental problems of relevance to the State government. Page remained silent.

### Lennox Head:

New residential development has desecrated a spectacular coastline. The approval of "Headlands Estate" conflicted with State directives. Page said nothing. The coastal policy released soon after declared that headlands should remain undeveloped.

### High Rise for Ballina:

Plans for 6 and 7 storey buildings breach height limits. Detailed consideration and special advertising are required, but State government controls have not been enforced. Silence from Mr Page.

### Ballinas North Creek Bridge

Again, no comment from Mr Page on a proposal which raises serious environmental concerns and affects Aboriginal sites.

In conclusion, rather than openly promoting massive development proposals, the National Party presides over a more subtle strategy. With the relevant Government Departments ordered into the sidelines and local councils riding roughshod over State government controls, the pillage of the coastline continues unhindered.

Real estates agents, financial institutions, engineers and earthmoving contractors are the backbone of the far north coast development industry. They are the National Partys most loyal supporters and the social and environmental costs are ignored while the red tape is slashed for their benefit.

### WHAT NEXT? THE ELECTION.....

There are so many environmental issues that need to be urgently addressed and residents will campaign to have forestry issues (particularly the future of our old growth forests) rightly placed on the political agenda for the coming election.

## WAG PRE - ELECTION MEETING

WILSONS CREEK HALL

Wednesday 1 May 7.30 pm

to organise campaign strategy and plan forest fundraiser. We appeal to all environmentally concerned persons to attend so we can send a clear message to government that their actions and inactions will have repercussions come polling day.

Wilsons Creek Action Group, PO Box 325, Mullumbimby 2482 Ph 066-840152, 840133

*Concert 18 May Wilsons Ck Hall*

## Road should be closed: Engineer

An independent engineer has recommended that the NSW Forestry Commission's access road to the Blackbutt Plateau, west of Mullumbimby, be closed and rehabilitated.

This follows massive landslides and rockfalls along Nevasae Road.

The engineer, Mr Russell Corben, was commissioned by the Wilsons Creek Action Group (WAG) to carry out an independent investigation into the forestry roading operation.

A spokesman from WAG said the road had been constructed in 1984 and had collapsed in the first wet season.

Mr Corben's report found that there had been inadequate expert engineering input into the road construction project.

He said that the grade of the road was significantly greater than the maximum stipulated in the Forestry Commission's own environmental review.

He said that attempts to reopen Nevasae Road could not be guaranteed, as further slips were inevitable and erosion would continue.

The WAG spokesman said the group had called on the commission to abandon its 'Daintree-type' roading operation in the light of Mr Corben's assessment, and to immediately move to rehabilitate the road.

● Right: One of the rockfalls blocking Nevasae Road.



# FORESTRY COMMISSION

Blackbutt

MURWILLUMBAH 16/3/90

- blasting operation will require the use of excavators to remove + relocate boulders: impact - nil!
- idea is to make "road" safe
- cost/benefit included in EIS which is due in 12 months
- blasting operation has nil impact
- original proposal did not need EIS as only small logging op.

## General

- definition of "significant" not the same as mine, but no answer.
- does not have the time to deal with every (i.e. any) community group
- typical answer .... you know... -
- contracts loggers, but no money to employ reforestation contractors

## BOOMERANG BINS

If you can lend a bin, preferably steel, ring 291385 or 221871.

# AUSTRALIAN DEMOCRATS

# Farty to wage war on waste... paper

The Australian Democrats' candidate for Richmond, Mr. Stan Gibbs, has moved the fight for the "crustal crustal" matter that could be created by low-income families in the next federal election. Mr Gibbs said that they would be achieved with special "boomerang" which would be set up by Democrats workers at polling stations. For the He said Richmond voters were urged to spend their low-income families in the green and gold "boomerang" policy, so that another voter could use the "boomerang" policy. The Democrats would show their

Porter, the House  
working Paper will  
circumventing decision.  
It is said that growth  
of all parties, rather  
and this paper that would  
The Democrats' policy  
national American leader  
to display one hundred  
and policy statement  
of every talking point  
But the policy is  
in the Congress  
to the House

# Bihco

## SOME REASONS FOR VOTING FOR THE AUSTRALIAN DEMOCRATS

- . Australia's established environment party with 600 parliamentary actions to save our environment over 12 years.
- . Have made the Senate a true House of Review. 25% of all Democrat amendments have been included in legislation during the Hawke terms. All other legislation influenced by the Democrats who hold the balance of power. Remember what happened in Queensland without an upper House of Review.
- . An independent party not compromised by seeking or receiving large donations from big unions, woodchip companies, fast-track developers, uranium and tobacco interests. Democrat bill to ban tobacco advertising in the print media has recently become law.
- . Not a single issue party. 'Power is about saving trees but also about saving homeless children.(Senator Janine Haines). Democrats have taken part in every debate over the last 12 years. Enquire about our policies on all issues.
- . Believe in a Non-nuclear future for Australia, in the promotion of renewable sources of energy, an economy that is environmentally sustainable and a just and fair society.
- . Are seeking stricter limits on foreign ownership of Australian resources. Did you know that both the major parties opposed our bill for the keeping of a register of all foreign ownership?
- . Are poised to enter the House of Representatives where no one has been on the cross benches for over 40 years.

If you decide to VOTE DEMOCRAT , also consider making a donation to the campaign or attending the barbecue or offering to help on election day. We need your support.

This newsletter has been printed ~~with~~ ~~on~~ on 100% re-cycled paper.

**You**  
have the  
**Power**

Label  
Nensik  
Hon Sec

- doesn't have a program for reforestation... only a policy
- plants 10,000 trees/year i.e.  
40 days at 250 trees/day
- no planting till summer next year
- management area is 18,500 ha

wellings smith and byrnes

## CURRICULUM VITAE

**Jennifer Ann DENNIS (nee THORNE)**

## ACADEMIC QUALIFICATIONS

1979            Bachelor of Town Planning (Hons)  
                 University of NSW.

## PROFESSIONAL EXPERIENCE

1976-77        Student Planner with Milton Keynes Development Corporation (UK). Part of a team of planners undertaking a household survey of newcomers to the "New Town", the results of which were compiled in the publication "Seven Years On".

1977-78        Student Planner with the Bathurst-Orange Development Corporation (3 months).

1978-80        Area Planning Assistant in the Town Planning Department of Woollahra Municipal Council. Mainly advised on proposed development, processed development applications and prepared submissions for the former Local Government Appeals Tribunal.

1980            Planner, Wellings Smith and Byrnes - prepares submissions for the Land and Environment Court and is involved with the preparation of statements of Environmental Effects and Environmental Impact Statements. Also involved with the preparation of development applications and rezoning submissions.

Information your Group has collected relating to the flora and fauna of the Blackbutt Plateau area will be valuable in forest management planning. I can assure you that your efforts will not be wasted and that your concerns are appreciated. The area of Snow Lichen you mention has been accorded special recognition and protection in the Forestry Commission's Preferred Management Priority Classification. Further consideration will be given to a Flora Reserve over the Snow Lichen sites, which I hardly need to remind you are, by their nature, not proposed for logging.

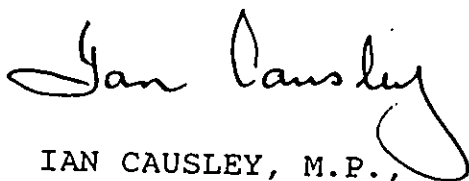
There will, of course, be no general purpose logging of rainforest, which will add assurance of the long-term conservation of the species to which your Group has made special mention.

I am confident that the natural environmental and associated values of Blackbutt Plateau area will continue to be maintained.

While there are no immediate plans for the harvesting of hardwood timber from the area, I understand that Nevasae Road, which gives access to the Blackbutt Plateau, requires urgent maintenance and I have asked the Forestry Commission to attend to this.

Thank you for your invitation to visit this part of Nullum State Forest. I am unable at the moment to program such a trip but will certainly keep it in mind for the future.

Yours sincerely,



IAN CAUSLEY, M.P.,  
MINISTER FOR NATURAL RESOURCES.





NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

23-33 BRIDGE STREET  
SYDNEY 2000

Mr. R. Moloney,  
Wilsons Creek Action Group,  
P.O. Box 325,  
MULLUMBUNBY. N.S.W. 2482 294.

11 NOV 1988

Dear Mr. Moloney,

I refer to your letter of 13th September, 1988, accompanied by the document outlining a proposal for a Nature Reserve covering parts of Nullum State Forest within Murwillumbah Management Area.

In accordance with the Government's attitude, which has been publicly aired on a number of occasions in recent times, I am not prepared to support further revocations of State Forest where significant timber resources are at stake.

The section of Nullum State Forest of interest to your Group forms part of the alternate hardwood resource specifically identified and guaranteed by the former Government as part of its 1982 Rainforest decision. It will continue to be managed for multiple purposes, including timber production and the maintenance of environmental and landscape values.

In relation to your proposal document, it is worth noting that scientific research, especially species occurrence surveys, is continually revealing the presence of so-called endangered species of plants and animals, particularly within State Forests. Many areas that are National Parks, largely as a consequence of such investigation, were once State Forests and therefore were subject to timber harvesting over many years. In itself this is clear evidence that forest management has not and does not place floral and faunal values at risk. Direct support of this contention can be found in the forests of Border Ranges and Nightcap National Parks. The latter contains blackbutt stands which are obviously geographically close to Blackbutt Plateau.

Wilson's Creek Action Group,  
PO Box 325,  
Mullumbimby. 2482.  
28 November, 1988.

Mr I C Causley, MP,  
Minister for Natural Resources,  
23-33 Bridge Street,  
Sydney. 2000.

Dear Mr Causley,

Thankyou for your letter of 11 November, 1988.

The Wilson's Creek Action Group cannot accept your decision to reject our proposal to have the Blackbutt Plateau declared a Nature Reserve, and is disturbed to hear of your plans to have maintenance works carried out on Nevasae Road.

Accordingly, we call on you to reconsider this request, and to close and rehabilitate Nevasae Rd.

We have established a scientific case for the reservation of the Blackbutt Plateau in our Nature Reserve Proposal document. In addition no economic case for the logging operation can be made when the costs of roading are weighed against the income derived from royalties, and the environmental effects of such a roading operation, already very considerable, must be added on the debit side. The unsuitability of the narrow and winding Wilson's Creek Road for heavy traffic, particularly, which suffered a major landslip in the last floods, is in itself sufficient reason to discount any possibility of a logging operation.

Our group has had no recent correspondence with government authorities on the subject of Nevasae Road, but since you now raise the subject we are impelled to state our position. The "road" (the construction of which you will recall was found by the Ombudsman to have been carried out illegally) traverses a cliff face in rhyolite country in a very high rain fall area and has been subject to numerous landslips since. Further damage is imminent and inevitable during the next wet season as unstable rock masses lie above the "road". Economic and environmental costs (this is a water catchment area) of working on the "road" will be enormous and stabilisation is almost certainly impossible. The fact that you have instructed that the "road" be maintained suggests that you have not been fully informed of the degree of the problem. (We know that the local forestry workers are very embarrassed about the "road".)

Further, since the initial "road" siting and construction works were carried out with such incompetence we must doubt the ability of the Commission and its contractors to carry out works which might be necessary in the future. The obvious course of action is to close the "road". It would be necessary to rehabilitate the road itself and stabilise the slips.

Your letter makes several comments on our Nature Reserve Proposal which demonstrate the narrow point of view taken by the Commission.

in relation to environmental values. We have set out some points below which illustrate 'inaccuracies and irrelevancies in some of your statements.

PARA 2&3 It is doubtful that the Blackbutt Plateau is a significant timber resource. No account of the ecological value and unique characteristics of the forest was taken into account when this area was guaranteed by the former government. The nature of the forest, its scientific importance as a largely undisturbed reference area and the diversity of habitats in a very small area had been largely unknown or unappreciated until our group initiated its investigations. In any case the 1982 Rainforest decision is neither here nor there when all arguments against logging the area are weighed against it.

"Environmental and landscape values", by anyone's definition, will obviously be severely compromised by the logging operation which is envisaged.

PARA 4 : Your reference to "so-called endangered species" could be regarded as denigrating the work carried out by the National Parks and Wildlife Service, under your government as well as previous ones, in drawing up the schedules on which the classifications are based. Of the nine species of plants so classified, only one is considered to be adequately conserved in existing reserves (Briggs, J. and Leigh, J. 1988. Rare or Threatened Australian Plants. A.G.P.S. Canberra.) The fact that further occurrences of such species are being revealed in State forests and National Parks makes it imperative that management properly identifies and conserves these species. Their presence is not evidence that "forest management does not place floral and faunal values at risk", as you suggest. Cumulative effects of forestry practices may take long periods to manifest and impacts due to technology are more extensive nowadays. Some of the species of concern are dependant on mature forest e g Powerful Owl. At least 200 years is required for Blackbutt to form large hollows suitable for wildlife, and removal of old forest trees will cause local displacement and possibly local extinction of species which depend on them.

PARA 4 also : Your reference to other Blackbutt stands is not of relevance as these are small areas which have mostly been heavily logged in the past. In no way can they be regarded as comparable to the Blackbutt Plateau.

PARA 5 : The Wilsons Creek Action Group is pleased to be of service in working towards sound environmental management, but must ask where the Government's responsibilities lie in this regard. A group of voluntary workers has put a great deal of time, effort and expertise into carrying out base-line scientific investigations which should have been carried out before the first attempt at logging the Plateau was made.

PARA 5 also : We have no comment on your assurance that the Commission will not log the snow lichen. Our concern in this regard is for the effect of adjacent logging and associated activities (including burning) on the microclimate of this fragile and special community.

PARA 6 : You give no assurance of complete protection for the

rainforest communities of the Plateau, having not ruled out the possibility of special purpose logging and inevitable damage when snigging trails etc are cut through the forest. Longterm and incremental damage to the rainforest is virtually inevitable if the hardwoods adjacent are logged.

PARA 7 : We unfortunately cannot share your confidence that the natural and environmental values of the Blackbutt Plateau can be maintained if logging or roading operations proceed.

We can best conclude by pointing out that the Blackbutt forest and its associated communities exist in their present undisturbed state as a result of their isolation and inaccessability, that this isolation makes it economically and environmentally not feasible to gain access and remove the small amount of usable timber, and that the best solution will be to leave the area isolated and undisturbed.

There is NO good reason NOT to declare the Blackbutt Plateau a Nature Reserve.

Yours sincerely,

  
Alan Riordan  
Wilsons Creek Action Group.

# BLASTING ON THE BLACKBUTT



Powerful Owl *Ninox strenua*

a WAG update with  
election info

## Recent WAG activities

Since the highly successful John Williamson concert in August, WAG has actively continued the campaign to have the Blackbutt Plateau declared a Nature Reserve, and to have Nevasae Road closed and rehabilitated.

Now the Forestry Commission has announced plans to resume blasting on Blackbutt Plateau.

We have continued to challenge the Blackbutt Plateau logging proposal on environmental and economic grounds, but are told that this will be investigated in the process of the EIS. Preliminary work on the EIS has begun and we will be closely monitoring its content and progress.

But without waiting for the EIS, Mr Causley is actually proposing to blast the cliff face overhanging Nevasae Road!!!

We have also made a submission to the Coastal Development Inquiry being conducted by the Standing Committee on State Development. This highlights Forestry Commission mismanagement of Blackbutt Plateau and its relevance to our coastal environment.

## WAG joins NEFA

Recently WAG joined the North East Forest Alliance (NEFA) in their effort to stop logging of old growth forests such as the Blackbutt Plateau. NEFA consists of many resident action groups from northern NSW. Together with the Rainforest Information Centre they are campaigning for:-

- i) immediate and full protection of rainforests, old growth forests and others of high conservation value.
- ii) suspension of all forestry activity in those areas while they are under investigation
- iii) restructuring of the forest industry
- iv) an end to export woodchipping, and no large scale kraft paper mills
- v) ban on import of rainforest timbers

NEFA is planning a series of actions on the North Coast in the immediate future to highlight forestry mismanagement.

In Murwillumbah, on Friday 16 March, there will be an action as part of a **National Day of Protest against Forestry Mismanagement**. This will be organised by NEFA to demonstrate against Forestry Commission plans for Blackbutt Plateau. So come to the Murwillumbah Forestry Commission office on Friday at 11 am. (Half an hour of your time would be invaluable for the forests..)

Any time you have ideas, time or feel committed to helping the forests, please ring NEFA on 218505 or 221649. Get behind NEFA and help us bring sanity to forest management before it's too late.

We need to push trivia off the agenda and make sure that we focus on these issues in the run up to the election.

### **"VOTE FOR THE FORESTS"**

Don't wait until polling day.

The Blackbutt Plateau is mainly a State government responsibility, and over the past six years we have dealt with both Labour and Liberal/National Party ministers. We are all dissatisfied with the environmental management practised by State government agencies and so must use the forthcoming elections to demand that the Federal government makes full use of its powers to act on environmental matters, and takes steps to extend those powers.

It is on this score that WAG recommends a "Vote for the Forests".

The Green Alliance candidate for the Senate Ian Cohen has shown over the years his total commitment to the environment and led the way when "green" issues were not on the media agenda.

In the House of Representatives, Helen Caldicott has the obvious credentials to give better representation for the forests than our National Party incumbent Charles Blunt.

After years of National Party neglect we have the opportunity to elect a green independent who can represent the community's wishes.

### **The local election**

The Byron Shire Council has long supported the initiatives of WAG to make the Blackbutt Plateau a Nature Reserve. Cr Ian Kingston has proved himself a friend of the Blackbutt Plateau and would certainly be of benefit to the forest in a presidential role.

**Beware** - there are a number of other candidates who have shown little interest in the environment and certainly no interest in forest issues. Be careful in making your decision.

### **Act now - for the forests**

Worldwide, the biological foundations of complex life are under severe attack. The problem is so grave that David Suzuki believes that less than ten years remains before damage to the life support systems of the Earth reaches the point of no return. These elections and the "Vote for the Forests" campaign are our opportunities to begin to solve these problems on a local and national scale.



NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

18 JUL 1988

23-33 BRIDGE STREET  
SYDNEY 2000

Mr. Don Page, M.P.,  
Member for Ballina,  
P.O. Box 526,  
BALLINA. N.S.W. 2478 294.

13 JUL 1988

Dear Mr. Page,

I refer again to your letter of 16th May, 1988, regarding Blackbutt Plateau in Nullum State Forest.

Byron Shire Council wrote, also in May, ~~seeking consideration of a proposal~~ for "the creation of a nature reserve at Blackbutt Plateau as an extension of the Nightcap National Park". A copy of my reply to that letter is herewith.

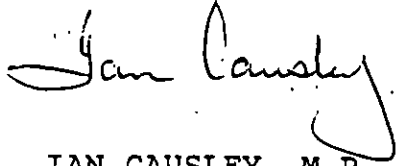
Your letter raises the question of national environmental significance of Blackbutt Plateau. From an ecological standpoint it is theoretically possible to establish that any point on the Earth's surface has unique natural characteristics. Blackbutt (*Eucalyptus pilularis*) is one of the most common tree species on the east coast of Australia, occurring from the Victorian border well north into Queensland. Stands are protected already in National Parks and State Forests in a variety of reserves. Even so, for Blackbutt Plateau, no doubt some form of scientific evidence could be dredged up which might be presented in support of uniqueness and even, ultimately, "national significance." At this stage, a comprehensive case has not been made and adequately tested in respect of Blackbutt Plateau and, in any event, the current status of management for the area is ensuring that environmental values are not under any threat.

It is worth noting that scientific research, especially species occurrence surveys, is continually revealing the presence of so-called endangered species of plants and animals, particularly within State Forests. Many areas that are National Parks, largely as a consequence of such investigation, were once State Forests (and subjected to timber harvesting over many years). In itself this is clear evidence that forest management has not and does not place floral and faunal values at risk. Direct support of this contention can be found in the forests of Border Ranges and Nightcap National Parks. The latter contains blackbutt stands which are obviously geographically quite close to Blackbutt Plateau.

11/10/88  
A  
LOOKING

Conservation requirements and community interests are being  
adequately catered for under the present State Forest  
management regime.

Yours sincerely,

A handwritten signature in cursive script, reading "Ian Causley". The signature is written in dark ink and is positioned above the typed name.

IAN CAUSLEY, M.P.,  
MINISTER FOR NATURAL RESOURCES.



BLACKBUTT

In reply please quote:  
11157/KB

Mr Andrew Steed,  
Acting Secretary,  
Beacon,  
Byron Environmental and  
Conservation Organisation,  
PO Box 445,  
BYRON BAY, N.S.W., 2481.



22 MAR 1989

Dear Mr Steed,

I refer to your letter of 7 march 1989, concerning the future of Blackbutt Plateau in Nullum State Forest.

In September last year, I met with the Wilsons Creek Action Group. During this meeting I was given a submission for a proposed nature reserve in the Blackbutt Plateau - Mt Jerusalem area. I indicated to the Action Group, that as the proposal was within State Forest it would not be appropriate for me, in the first instance, to seek to reference the matter to the Director of National Parks and Wildlife but that I would contact my colleague, the Hon Ian Causley, MP, Minister for Natural Resources, seeking his response to the Action Group's submission.

Mr Causley has now informed me that he will not consider further revocation of State Forest in the Murwillumbah Forest Management Area. Accordingly, I see no reason to formally refer the proposal to the Director of National Parks and Wildlife, although, I have forwarded him copies of the submission and relevant correspondence for his information and noting.

Should you wish to pursue the matter further I would suggest you contact Mr Don Page, MP, Member for Ballina who has expressed a strong interest in this proposal, or Mr Causley as the Minister is responsible for State Forests. I understand that they are to inspect the area in the near future with the Action Committee, however.

Yours sincerely,

TIM MOORE  
Minister for the Environment



PARLIAMENT OF NEW SOUTH WALES  
LEGISLATIVE ASSEMBLY

MEMBER FOR BALLINA

Electorate Office  
Suite 4, 1st Floor  
160 River Street  
Ballina 2478  
Tel. (066) 86 7522  
MAIL: P.O. Box 526  
Ballina 2478

DP:CS

9 March, 1989

Mr. A. Steed,  
Acting Secretary,  
BEACON,  
P.O. Box 445,  
BYRON BAY. 2481

Dear Mr. Steed,

Thank you for your letter of 1st March regarding the Nevasae Road and Blackbutt Plateau.

I can inform BEACON that the Minister for Natural Resources, Hon. Ian Causley, has agreed to visit the Blackbutt Plateau at a date to be determined, probably in late April or May. I will be accompanying the Minister as will two members of the Wilsons Creek Action Group and employees of the Forestry Commission.

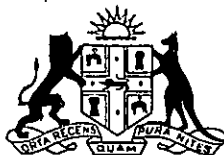
The purpose of the visit is to assess the validity of claims made by Wilsons Creek Action Group and others in relation to nomination of the Blackbutt Plateau as a nature reserve.

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'Don Page'.

Don Page, M.P.  
MEMBER FOR BALLINA

BLACKBUTT



NEW SOUTH WALES

MINISTER FOR NATURAL RESOURCES

23-33 BRIDGE STREET  
SYDNEY 2000

F.1036

10 MAR 1989

Mr. Andrew Steed,  
Acting Secretary,  
BEACON,  
P.O. Box 445,  
BYRON BAY 2481

Dear Mr. Steed,

**RE: THE BLACKBUTT PLATEAU NATURE RESERVE**

The Minister has asked me to acknowledge receipt of your recent letter regarding the above.

The comments have been noted and Mr. Causley will be in touch with you as soon as possible.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Noel Mercer'.

NOEL MERCER  
Executive Officer



## Soil Conservation Service



P.O. Box 376,  
CASINO. N.S.W. 2470

Telephone: (066) 624477

15th March, 1989

Contact: M. Stanton-Cook

Our reference: 245

Your reference: Letter of 1/3/89

Mr. Andrew Steed,  
Acting Secretary,  
BEACON,  
P.O. Box 445,  
BYRON BAY.

Dear Sir,

The two erosion problems mentioned in your letter, 'Nevasae Road' and Batson's Quarry, are not in my district but in the Murwillumbah District.

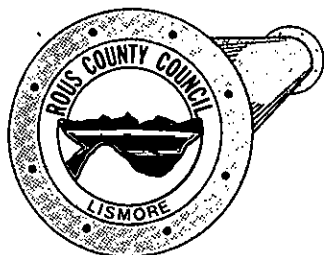
I believe that a similar letter was sent to Bruce Hungerford, District Soil Conservationist, Murwillumbah, who will be responsible for your letter.

Thanking you for your concern and interest in the above erosion matter.

Yours faithfully,

*M. Stanton-Cook*  
M. Stanton-Cook,  
District Soil Conservationist,  
CASINO.

BLACKBUTT



# ROUS COUNTY COUNCIL

ROCKY CREEK WATER SUPPLY

COUNCIL CHAMBERS, 56 CARRINGTON STREET, LISMORE, P.O. BOX 230, 2480, PHONE (066) 21 8055

YOUR REFERENCE:

FAX (066) 22 1181

OUR REFERENCE:

PGO'S/EW (27363/7681)

DX 7652 LISMORE

CONTACT:

Mr P. O'Sullivan

30th March 1989

The Secretary,  
Byron Environmental and  
Conservation Organisation,  
PO Box 445,  
BYRON BAY NSW 2481

Dear Sir,

Your letter of the 1st March 1989 was tabled at Council's last meeting, at which time a decision was made to refer the points made in your letter to the responsible authority, the Forestry Commission of New South Wales.

Water quality is an important issue for this Council, but it should be remembered that the proposed source of water at Federal will become a treated/filtered supply, and from a technical point of view the extent of turbidity is relative to the design of the treatment plant. This project is quite some years off and Council will itself investigate all factors affecting water quality in due course.

Accordingly, Council is not disposed to accede to your request for support prior to undertaking its own assessment of the situation.

Yours faithfully,

Paul G. O'Sullivan  
County Clerk

## Road should be closed: Engineer

An independent engineer has recommended that the NSW Forestry Commission's access road to the Blackbutt Plateau, west of Mullumbimby, be closed and rehabilitated.

This follows massive landslides and rockfalls along Nevasae Road.

The engineer, Mr Russell Corben, was commissioned by the Wilsons Creek Action Group (WAG) to carry out an independent investigation into the forestry roading operation.

A spokesman from WAG said the road had been constructed in 1984 and had collapsed in the first wet season.

Mr Corben's report found that there had been inadequate expert engineering input into the road construction project.

He said that the grade of the road was significantly greater than the maximum stipulated in the Forestry Commission's own environmental review.

He said that attempts to reopen Nevasae Road could not be guaranteed, as further slips were inevitable and erosion would continue.

The WAG spokesman said the group had called on the commission to abandon its 'Daintree-type' roading operation in the light of Mr Corben's assessment, and to immediately move to rehabilitate the road.

● Right: One of the rockfalls blocking Nevasae Road.



## Blackbutt Plateau row flares again

from previous page  
previously inaccessible plateau. The Wilsons Creek catchment then flows into Neversae Road and then into Wilsons Creek.

worth of vandalism, subsequently operation, was found by the ombudsman.

Forestry Commission is preparing to 'face' and spend more money to 'protect' the plateau than the total cost of the

ing the Byron Shire water supply, is destroying the forest and its saving the local residents with the logging trucks on the narrow Neversae Road.

neer has complained that the Wilsons Creek is unsuitable for logging trucks and the Council has called for a nature reserve to protect the water supply and the forest of the area.

of the Blackbutt Plateau is also a nomination for inclusion on the National Estate Register.

said that the group had actively opposed the Blackbutt Plateau permanent reserve proposal and had spent a great deal of time preparing a nature reserve proposal. The proposal was professionally written.

light the environmental plunder of the present State Government.

It demanded that the plateau be gazetted a nature reserve and that Neversae Road be closed and rehabilitated.

The Murwillumbah district forester, Mr Ian Robertson, said that repairing Neversae Road did not mean logging operations would start on the plateau.

There were no immediate plans for harvesting hardwood timber from the area. The road was the only access to the plateau and had been untrafficable since flood rains earlier this year. Access was required for protection work and research purposes.

[On March 2, just before the State election, the Advocate reported that at a public meeting on the subject, the National Party's candidate, now the Member for Ballina, Mr Page, had agreed to seek classification of the plateau as a National Park or nature reserve.

A three-point resolution at the meeting expressed concern that the then Minister for Forests, Mr Hallam 'had done nothing but protect the Forestry Commission's logging road, rather than act to protect the integrity of Blackbutt Plateau'; congratulated Byron council for recommending environmental protection zones to cover the plateau; and called for then Minister for Environment and Planning (now Opposition Leader), Mr Carr, to urgently create a nature reserve in the area.]

It's 1990, not 1909!

Dear Sir,  
Is the unsubstantiated smear of 'vandal environmentalists' and 'ecotage' (Echo 14/12) the cry of the guilty party, Mr Hurditch?

Has the Forestry Commission ever been accused of being 'environmental vandals', Mr Causley?

I celebrate the recent news that the forest industry failed in its attempts to pass legislation exempting it from preparing Environmental Impact Statements (EIS) for forestry operations.

Thankfully the Call to Australia party saw through the forest industry's attempt to shirk legal and ethical responsibility.

This is clearly a statement that the people of NSW are not satisfied with the forest industry's attitude to management of our public forest resource.

The unrelenting attack on our unlogged native forests is obviously both unethical and illegal.

The previous construction of Neversae Road in the proposed Blackbutt Plateau Nature Reserve clearly demonstrates the forest industry's ignorance of ethics and the law.

The high conservation value of the Blackbutt Plateau area is well documented, and so is the intention of the Forestry Commission. The two are definitely mutually exclusive.

It is time the archaic Forestry Act, 1909, was brought into harmony with the 1990's. The attitudes of the forestry industry must change to reflect the ethics of ecology and sustainable economic yield.

What will be the sustainable economic yield of erosion from the Blackbutt Plateau Mr Page?

Is it ethical Mr Blackbutt?

Andrew Steed,  
Byron Bay.

ECHO 4/1/89

## Blackbutt Plateau 'under threat'

THE STATE GOVERNMENT has rejected a proposal by the Wilsons Creek Action Group (WAG) for a nature reserve on the Blackbutt Plateau in the Nullum State Forest.

The NSW Minister for Natural Resources, Mr Ian Causley, said in a letter to WAG that 'I am not prepared to support further revocations of State Forest where significant timber resources are at stake'.

WAG now believes the Blackbutt Plateau is under threat of logging because the Minister also advised them that the Forestry Commission is to rebuild Neversae Road.

'While there are no immediate plans for the harvesting of hardwood timber from the area,' said Mr Causley in his letter, 'I understand that Neversae Road, which gives access to the Blackbutt Plateau, requires urgent maintenance and I have asked the Forestry Commission to attend to this'.

Mr Alan Riordan, spokesperson for WAG, said last Saturday they were dismayed by the Minister's decision and concerned by the likely environmental damage to be caused by work on Neversae Road.

'Wilsons Creek is a catchment area for the Byron Shire's water supply,' Mr Riordan said. 'Re-roading the cliff face above it will pollute that supply.'

'It seems bizarre that one government department is busy surveying a dam at Federal for further water supply while another department is intent on knocking down forest at the head waters of the existing supply'.

WAG delegates went to Sydney to present their nature reserve proposal to Mr Causley and to Mr Tim Moore, Minister for the Environment.

According to Mr Riordan the Minister's response to the proposal was indifferent and since the meeting 'Mr Causley and his National Party leader Mr Wal Murray

have shown their disdain for the environment and are perfecting the art of environmental vandalism'.

'Over the last five years we have handled the issue diplomatically and quietly, the way the politicians wanted it,' Mr Riordan said.

'But now we are taking a public stand.'

### People are adamant

'The people of Wilsons Creek Valley are adamant that logging on the Blackbutt Plateau will never go ahead,' he said.

WAG has received an offer of help from the Australian Conservation Foundation and expects a positive response from State Opposition Leader Bob Carr.

The action group also will be calling on local politicians and community figures who promised support and will 'remind them of their responsibilities'.

Mr Riordan said that one engineer's report suggests the repair of the Neversae Road will cost more than the royalties which can be obtained by logging the blackbutt plateau.

In a recent news release WAG said it had gone to a great deal of time and expense to prepare its nature reserve proposal.

'Professionally written, it is acknowledged by experts as a thoroughly worthwhile proposal (so much so that the Forestry Commission itself intends to use the date),' the release said.

The proposal recommends that 920 hectares of the southern section of Nullum State Forest incorporating the Blackbutt Plateau and Mt

Jerusalem areas be dedicated as a nature reserve under the control of the National Parks and Wildlife Service.

The Blackbutt Plateau also has been nominated for inclusion on the Commonwealth National Estate Register.

The 30-page WAG proposal states that the stands of Blackbutt forest serve as an important wildlife refuge and scientific reference area. The presence of a high proportion of endangered plants and vertebrate animals, most notably Peach Myrtle, Corokia and the Rufous Scrub-bird, together with the unique form of Coral Lichen, give the area regional, State and National conservation significance.

The Plateau contains sections of sub-tropical rainforest, a forty hectare rock covered with a very rare form of Snow Lichen and stands of unlogged Blackbutt which include trees over 800 years old.

### '\$200,000 vandalism'

In 1984, according to WAG, the Forestry Commission illegally roaded a cliff face to gain access to the previously inaccessible Plateau.

Within weeks the high rainfall of the Wilsons Creek catchment washed the Commission's Neversae Road and thousands of tonnes of rhyolite rock into Wilsons Creek.

'This \$200,000 worth of vandalism was found by the Ombudsman to be illegal,' said WAG.

Should logging go ahead, a major concern of the action group is the hazard to local residents of logging trucks on the narrow, winding

continued on page 2

ECHO 30-11-88

# Council report on Blackbutt access road due next month

19/4/89  
A Byron Shire Council engineer's report on Nevasae Road, the Forestry Commission's access route to the Blackbutt Plateau, near Mullumbimby, is expected to be tabled at the next council meeting in May.

The council's works and services manager, Mr Clive Dreis, yesterday confirmed that a council engineer had inspected the road last week.

Mr Dreis said the inspection had been ordered after the council had received a report on the state of the road from an independent engineer, Mr Russ Corben.

In his report, in which he provided an assessment of Nevasae Road, Mr Corben criticised the Forestry Commission's engineering.

He claimed that the road grades were well in excess of the commission's own engineering guidelines and he called for the immediate closure of the road.

Mr Dreis said yesterday he could not say if the council's report would verify Mr Corben's claims.

"I have had discussions with our engineer since his inspection, but I have not yet received his report," he said.

A spokesman for the Wilsons Creek Action Group, Mr Alan Riordan, said this week that the council's report was expected to convey the haz-

ardous state of Nevasae Road and its impact on water catchment.

Mr Riordan said the action group believed that the Forestry Commission continued to ignore the environmental concerns of Byron Shire residents.

He said this was despite recent massive rock slides, erosion of the road and the continuing wash into the Wilsons River catchment area.

Mr Riordan said the commission had degraded

a valuable shire asset and he called on the council to join residents in lobbying the Minister for Natural Resources, Mr Ian Causley, when he visited the Blackbutt Plateau later this month.

He said the action group believed that only the immediate closure of Nevasae Road and the gazettal of the Blackbutt Plateau as a nature reserve would minimise further degradation of this valuable resource.

## Blackbutt Plateau road slammed

# Council renews 8/5/89 appeal for nature reserve

The Byron Shire Council has once again called on the State Government to declare the Blackbutt Plateau, near Mullumbimby, a nature reserve.

It follows a report to the council by one of its engineers which criticises the state of a Forestry Commission access road to the plateau.

The commission has plans to carry out logging in the area.

The report said that the road, known as Nevasae Road, was impassable for vehicles for most of its length when inspected on April 13.

It said there were a number of landslips and significant soil erosion along the first 800 metres of the road.

A large rockfall completely blocked the road about 1200 metres from the start, it said.

The debris from the rockfall had spread well below the road, leaving a considerable scar on the landscape.

According to the report, it was not possible to safely traverse the slip debris to continue the inspection.

From Upper Wilsons Creek below the slip, it appeared that other slips had occurred further along the road.

The road would need considerable upgrading to meet the requirements of a public road, and has had a significant effect on the adjacent land in the form of landslips and erosion.

It would need considerable upgrading to meet either the council's requirements or the commission's own standards, the report said.

The council ordered the report to be prepared after receiving a submission on the road from the Wilsons Creek Action Group, which is opposed to the logging plans.

The group had also expressed concern about the likely effect of logging trucks on local roads.

In his report, the council's engineer said that the most significant effect would be on Upper Wilsons Creek Road and Wilsons Creek Road.

He said that mostly light vehicles used these roads.

A significant increase in the number of heavy vehicles using the roads would lead to a big reduction in the life of the road, he said.

The roads were unsuited to significant use by heavy vehicles and would need considerable upgrading, before they could be safely used.

A motion from Cr Stan Sigley that the council acknowledge the right of the commission to construct a legal access to the plateau was rejected.

The council also rejected a motion from Cr Sigley that urgent consideration be given to upgrading Wilsons Creek Road.

Cr Rob Doolan said the council recognised the Blackbutt Plateau as the most-outstanding natural asset in the shire.

Cr Doolan said that Cr Sigley was asking for 'the outright rape of our most important asset'.

"This council has a clear policy of making sure that this asset is maintained forever," he said.



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"I have had discussions with our engineer since his inspection, but I have not yet received his report," he said.

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ardous state of Nevasae Road and its impact on water catchment.

Mr Riordan said the action group believed that the Forestry Commission continued to ignore the environmental concerns of Byron Shire residents.

He said this was despite recent massive rock slides, erosion of the road and the continuing wash into the Wilsons River catchment area.

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a valuable shire asset and he called on the council to join residents in lobbying the Minister for Natural Resources, Mr Ian Causley, when he visited the Blackbutt Plateau later this month.

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*Advocate 16/8/89.*



Byron Shire President, Cr Oliver Dunne (centre right, with arms folded) waits to welcome the Premier, Mr Greiner, to the shire. Various other groups gave the Premier a noisy reception last Wednesday.

## Premier to investigate Blackbutt Plateau issue

"Nothing is going to happen to the Blackbutt Plateau," according to the Premier, Mr Greiner.

But he was no more definite than that about the future of the forest area west of Mullumbimby and so questions about his time frame — and was he inferring no logging or no nature reserve — went unanswered.

The future of the plateau was again raised by the Byron Shire Council when a submission in support of nature reserve proposals was presented to Mr Greiner at Byron Bay last week.

It also was foremost in the minds of many who provided the

Premier's 'reception committee' outside the council chambers.

Unhappy with the vague statement, Wilsons Creek Action Group spokesman Mr Alan Riordan told the Premier that his Minister for the Environment, Mr Moore, continued to ignore the issue while the Minister for Natural Resources, Mr Causley, seemed determined that some logging would go ahead.

Mr Riordan asked when the matter would be resolved as the

action group was not going to be 'fobbed off' for another five years.

Later, while giving a number of interest groups a brief chance to make their cases, Mr Greiner expressed a general concern for the future of the sawmilling industry.

With persistence from Mr Riordan and Cr Anudhi Wentworth, a guarantee was extracted from the Premier that he would 'look into' the Blackbutt Plateau issue but he 'could not guarantee the outcome'.

# 'Close Nevasae Road'

## — Engineer's Report

25 JAN 89

An independent engineer's report has recommended that Nevasae Road, the NSW Forestry Commission's access to the Blackbutt Plateau, be closed immediately and rehabilitated.

The road has suffered landslides and rockfalls.

The Wilsons Creek Action Group (WAG) commissioned Mr Russell Corben to provide an independent engineering assessment of Nevasae Road.

Mr Corben studied the construction and siting of Nevasae Road including associated drainage, erosion and siltation, and presented options for the future. He concluded that the evidence supported the assumption that there has been inadequate expert engineering input into the project.

The results suggest that the environmental risks inherent in road construction on such a site had not been properly identified.

According to WAG, Mr Corben also noted that the grade of Nevasae Road was significantly greater than the maximum specified in the Forestry Commission's own Environmental Review.

Mr Corben's assessment agreed with District Forester, Mr Ian Robertson, that attempts to re-open Nevasae Road could not be guaranteed, and that further slips are inevitable and erosion will continue.

WAG has expressed concern at statements by the District Forester that roading will recommence regardless of the probability of further landslips.

The action group has called on the Forestry Commission to abandon their 'Daintree' type roading operation in light of Mr Corben's assessment and immediately move to rehabilitate the Nevasae Road.

Nevasae Road was constructed in 1984 across a cliff face in a high rainfall area (4000 mm in 1988) to gain access to the previously inaccessible Blackbutt Plateau.

The road collapsed in the first wet season, causing landslides, which washed straight into Wilsons Creek,

part of the Byron Shire's water catchment.

In 1986 the State Ombudsman found that the Commission had acted contrary to law in roading the cliff face without an Environmental Impact Statement.

The Forestry Commission responded, firstly by trying unsuccessfully to change the EIS legislation in the New South Wales Parliament, then by proposing to reopen the road in early 1989 for 'research' purposes, according to District Forester Mr Robertson.

WAG claimed last Monday the research stance was a ploy by the Forestry Commission and described the Nevasae Road as an 'economic, environmental and engineering disaster'.

'How can the Forestry Commission justify, such massive expenditure and earthworks for research purposes?' a spokesperson for WAG said.



*Rockfall from the Forestry Commission's Nevasae Road on the Blackbutt Plateau. An independent engineer's report recommends that the road be closed and rehabilitated. The report (see full story, left) concludes that there is evidence that inadequate expert engineering had been input into the project.*

PHOTO: JOHN McCORMICK

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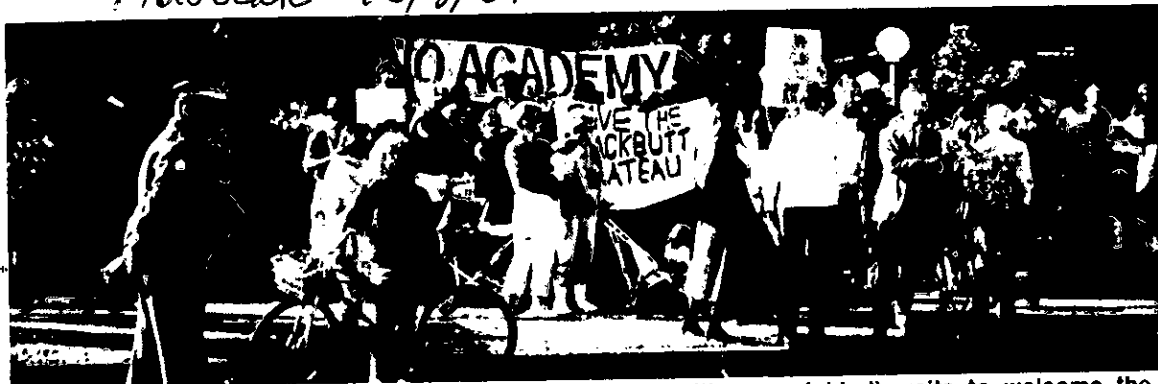
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215 25-5-89

# Logging protest over a 'cuppa'

## Minister inspects Blackbutt Plateau

By GARY CHIGWIDEN of our Byron Bay Bureau

Sitting on a rock perched several hundred metres above the Upper Wilsons Creek Valley, Alan Riordan had the odds stacked against him.

Mr Riordan was arguing that plans to log the Blackbutt Plateau, several hundred metres above where he was sitting, should be dropped and the whole area turned into a nature reserve.

But he had to convince some formidable opposition.

Lined up against him was the Minister for Natural Resources, Mr Ian Causley, the State Member for Ballina, Mr Don Page, and several Forestry Commission officers.

The debate, which was always amicable, took place more than a kilometre up a leech-infested, steep track known as Nevasae Road.

The reason it never took place on the Blackbutt Plateau was because of a large rock-slide across the road, which was thought too dangerous to cross.

Mr Causley earlier had flown into Ballina airport and had been driven in a four-wheel-drive vehicle to the be-

ginning of Nevasae Road near the end of the Upper Wilsons Creek Road.

To show just what a friendly exercise it was, the ministerial entourage earlier had stopped to pick up Mr Riordan, a member of the Wilsons Creek Action Group, and another member of the group, Ms Barbara Stewart.

The group is, of course, strongly opposed to logging on the plateau.

After some Forestry Commission sandwiches and tea at the bottom of the hill, the party, including Cr Cyril James and Cr Stan Sigley from the Byron Shire Council, set out along Nevasae Road.

The hike came to an end just over a kilometre along the road, which at times degenerated into a single-file swampy track — a 'track' incidentally, which was built several years ago at a cost of \$65,000.

After the party removed leeches and regained its breath, Mr Riordan sat down on a rock, and looking at the mountain of rocks blocking the road, suggested to Mr Causley that the logging plans be dropped and the plateau be turned



From left, Alan Riordan, Mr Page and Mr Causley on the Blackbutt Plateau yesterday. Picture: WARREN CROSER

ed into a nature reserve.

He said that whether the Forestry Commission liked it or not, the electorate was saying 'no' to logging.

Mr Causley, who had made the trip to the area at the invitation of Mr Page, assured Mr Riordan that he would not have made the journey 'if there was not anything up here for the people of New South Wales'.

He said there was a demand in Australia for timber which could not be supplied.

If timber was not obtained in Australia, it would have to be imported which would send the Australian economy 'down the spout', he said.

Mr Riordan countered by saying there was no need to 'scavenge for the last bit of timber'.

The debate went back and forward, with Mr Causley talking about achieving a 'balance', the Forestry Commission backing him up with technical details, and Mr Riordan maintaining his stance that the area be turned into a nature reserve.

Then it was back down the road and more leeches.

After a cold drink, Mr Causley admitted that a decision on logging in the area could be 'years down the track'.

He said he was going to weigh up all the circumstances.

"There are a multi-

tude of situations, not the least of which is the economic situation," he said.

"If the economics don't stack up, it won't be done."

Mr Causley said that an environmental impact study would be conducted before any decision to log was made.

He said that if any logging was carried out 'in the area, it would be selective.

Only 90 hectares out of a total area of 294 hectares would be involved, he said.

As for the trek up and down the hill, Mr Causley said he needed the exercise.

"There were times when I was found wanting," he said.

# Blackbutt: WAG challenges Page

The Wilson's Creek Action Group (WAG) has called on the Member for Ballina, Mr Don Page, to honour his promise to Wilson's Creek residents earlier this year.

At a public meeting just prior to the last State election, attended by representatives of all major parties, Mr Page promised the packed valley hall he would 'do everything in his power to make the Blackbutt Plateau a nature reserve.'

According to WAG, the safeguards of the Environmental Planning and Assessment Act have so far saved the Blackbutt Plateau and 'it is this legislation Mr Page, the Minister for Natural Resources, Mr Causley, and the National Party want amended to give the Forestry Commission power to assess themselves.'

## 'Environmental blunders'

'Environmental blunders (such as the Commission's plans for the Plateau) will become commonplace if the Forestry Commission is given a free hand to assess themselves instead of allowing community input into resource management,' a WAG spokesperson said.

'In the Ballina electorate, whilst one Government Dept. (Public Works) is busy planning a major dam on Wilson's Creek, another (Forestry Commission) is busy planning to log part of the the Wilson's Creek water catchment.'

WAG called on Mr Page to explain this conflict and his support for watered down environmental safeguards.

In response to WAG's challenge, Mr Page said he did not need to be reminded by Wilson's Creek Action Group of the sensitivity of sections of the Blackbutt Plateau.

Mr Page said he had already made representations to the Government months ago and Mr Causley had discussed the matter in some depth with him and also when he visited Byron Shire Council in June this year.

## No general purpose logging

'Mr Causley has indicated that sensitive areas of snow lichen would be protected and that there would be no general purpose logging of rainforests,' he said. 'The group's comments on the Government's Forestry Amendment Act are misguided.'

'To suggest the public will be locked out is not true. The only forestry operations not subject to an Environmental Impact Statement will be those of a routine nature, but these will still be subject to a Forest Environment Plan with public input,' Mr Page said.

## Blackbutt Plateau Under Threat

The Blackbutt Plateau near Mullumbimby, the scene of a Forestry Commission dispute five years ago, seems likely to emerge into controversy following statements by the Minister for Natural Resources, Mr Causley. Mr Causley has written to the Wilsons Creek Action Group (WAG) rejecting their Nature Reserve Proposal for the Plateau and has advised of Forestry Commission plans to rebuild Neversae Rd.

WAG has vigorously campaigned to have the Blackbutt Plateau (which is within the Byron Shire water catchment) declared as a Nature Reserve under the control of the National Parks and Wildlife Service.

The Plateau contains sections of subtropical rainforest, a 40 hectare rock covered with a very rare form of Snow Lichen and significant stands of unlogged Blackbutt (some trees over 800 years old).

In 1984 the Forestry Commission illegally roaded a cliff face to gain access to the previously inaccessible Plateau. Within weeks the high rainfall of the Wilsons Creek catchment washed the Commissions Neversae Road and thousands of tons of rhyolite rock into Wilsons Creek.

This \$200,000 worth of vandalism - subsequently called a roading operation - was found by the Ombudsman to be illegal.

Now the Forestry Commission is preparing to reroad the cliff face, spend more money to obtain less in royalties than the total cost of road works.

Besides polluting the Byron Shire water supply the Forestry Commission is destroying the forest and its inhabitants and leaving the local residents with the hazards of dodging logging trucks on the narrow and winding Wilsons Creek Road.

The Shire Engineer has complained that the Wilsons Creek Road is unsuitable for logging trucks, and the Byron Shire Council has called for a Nature Reserve to protect the ratepayers water supply and the scientific values of the area.

The significance of the Blackbutt Plateau is also born out by its nomination for inclusion on the

Commonwealth National Estate Register.

WAG has actively campaigned to have the Blackbutt Plateau permanently protected and has gone to a great deal of time and expense to prepare a Nature Reserve Proposal. Professionally written, it is acknowledged by experts as a thoroughly worthwhile proposal (so much so that the Forestry Commission itself plans to use the data).

WAG delegates went to Sydney to present the Proposal to the new National Party Ministers for Natural Resources (Mr Causley) and for the Environment (Mr Moore).

N.C 2-12-88

Stop Press:- The local Forestry Office has claimed logging is not imminent and the road will be used for research and protection.

## Save Blackbutt Plateau

Dear Sir,

It is amazing how a change in Government can devastatingly reverse a hard won decision. The previous Government indicated its support for Blackbutt Plateau to be declared a Nature Reserve. The Byron Shire Council also supports such a proposal.

At considerable time and effort on the part of a number of individuals the Wilsons Creek Action Group developed a Nature Reserve Proposal which demonstrated that considerable scientific data collected determined there was a very good case for Blackbutt Plateau to receive special attention. The present State Government has rejected this document and decided it is more important to ruin this forest by logging in favour of a short term dollar. It will not be very much longer in Australia when other than what has been preserved in our National Parks will see nothing remaining of our mature hardwood forests.

In the meantime what happens to the rare and endangered flora and fauna that we know from our field observations do presently exist on Blackbutt Plateau? For my part I am particularly interested in birds and I know that if the mature forest is knocked down there will be no hollows large enough for the Powerful Owl. This fact equally applies to some of our larger mammals which also require hollows.

If our numerous other State Forests are properly managed by the Forestry Commission which obviously has a very large timber resource why do they continually allow private entrepreneurs to have access to our mature hardwood forests. Obviously the environment is sacrificed by greed for the easy dollar.

Last weekend we saw a national television appeal which raised over \$4,000,000 towards the Life Education Centres with the theme we need to look after the future of our children. It is a pity the present State Government doesn't give a lot more thought about preserving our environment for the enjoyment of our children and their children.

D Stewart,  
Wilson's Creek.

ECHO 19/11

## Blackbutt logging not profitable

Blackbutt Plateau was this week described in a land-use study as an insignificant timber resource with far greater potential for furthering scientific study of endangered species of flora and fauna.

A study conducted over a period of four months says that Blackbutt Plateau represents only 2% of the region's 18,000 ha of State Forests, and the milled timber yield would amount to only 4000 m<sup>3</sup>.

Richard Whitting, a graduating science degree student at the Northern Rivers College of Advanced Education at Lismore, conducted the study during the later half of this year.

Mr Whitting said, 'Based on Forestry Commission figures, the gross return from logging Blackbutt Plateau would be \$330,000; however the royalties received total an estimated \$186,000. This figure will be further reduced by the cost of major maintenance work now required on the Commission's access road, which has subsided along with the skirting cliffs for the second time since construction.'

'In addition to this, it appears that the Commission has over-estimated their return from the timber available. They calculate a timber yield of 12,000m<sup>3</sup> gross and expect to gain between 6,000m<sup>3</sup> and 8,000m<sup>3</sup> in milled timber. Given that it takes about 3m<sup>3</sup> gross to produce 1m<sup>3</sup> of milled timber, and wood defects associated with trees greater than 250 years of age, the Commission will be fortunate to gain a third (or 4,000m<sup>3</sup>) of their gross figure in usable timber.'

Mr Whitting says that this being the case the Forestry Commission is looking at a loss on this operation which would have to be absorbed by the timber industry regionally.

The study covers a number of issues besides economic value, including the Plateau's potential value in terms of its ecology and its scientific importance, and recommends that the features of the site warrant the transfer of responsibility from the Forestry Commission to the National Parks and Wildlife Service.



Yes but madam, it does have 360° views

ECHO 7/12/88

# Blackbutt Plateau: Page responds to action group

The Member for Ballina, Mr Page, has been called on to honour a promise made to Wilsons Creek residents earlier this year.

A spokesman for the Wilsons Creek Action Group (WAG), Mr Alan Riordan, said that at a public meeting just before the last State election, attended by representatives of all major parties, Mr Page had promised a packed valley hall 'he would do everything in his power to make the Blackbutt Plateau a nature reserve'.

"The environmental safeguards of the Environmental Planning and Assessment Act have so far saved the Blackbutt Plateau and it is this legislation Mr Page, Mr Causley (Minister for Natural Resources) and the National Party want amended to give the Forestry Commission power to assess themselves," he said.

"WAG believes environmental blunders (such as the Forestry Commission plans for the plateau) will become common place if the commission is given a free hand to assess these instead of allowing community input into resource management.

"In the Ballina electorate, while one Government department, Public Works, is busy planning to build a major dam on Wilsons Creek to provide for increasing coastal needs, another Government department, Forestry, is busy planning to log part of the Wilsons Creek water catchment.

"WAG calls on Mr Page to explain this conflict; outline his environmental priorities in the light of obvious electorate concern; (particularly his support for watering down environmental protection) and honour his promise made to residents at the Wilsons Creek public meeting on February 24".

## Reminder not needed

In a statement, Mr Page said he did not need to be reminded by WAG of the sensitivity of sections of the Blackbutt Plateau.

He had already made representations to the Government months ago and Mr Causley had discussed the matter in some depth with him and also when he visited Byron Shire Council in June.

Mr Page said Mr Causley had indicated that sensitive areas of snow lichen would be protected and that there would be no general purpose logging of rainforests.

"The Minister has stated publicly that the natural environmental and associated value of Blackbutt Plateau will continue to be maintained," he said.

The work WAG had done on flora and fauna would assist in management planning of the area.

However, he said, WAG's comments on the Government's Forestry (Environmental Protection) Amendment Act were misguided, especially in relation to public participation.

All areas in the State would be covered by Forest Environment Plans and public submissions would

be invited. These Forest Management Plans would be public documents.

"In fact, this new legislation, actually, enhances public participation because it applies to all areas in the State. Currently, public input is only called for when a specific Environmental Impact Statement (EIS) is required," he said.

"In addition, all environmentally sensitive areas will be subject to an EIS with full public display and participation.

"To suggest the public will be locked out is not true.

"The only forestry operations not subject to an EIS will be those of a routine nature, but these will still be subject to a Forest Environment Plan with public input.

"Far from denying public participation, this legislation enhances it."

7 dec 88

# Blackbutt harvest a legal trade-off

THIS letter is written to address mis-statements of fact in your recent Editorial entitled 'Rocky Road to Blackbutt' and also to place in context the reason that the blackbutt log supplies in that area of State Forest are guaranteed for harvest.

Nevadae Road is constructed with permission across private land as access to State Forest.

(The Ombudsman's report you base your story on says, erroneously, 'in the Nullum State Forest'.)

The then owner of that land also used it for logging.

The road cost \$63,411, and not \$200,000, as your Editorial stated.

This alleged high expenditure was referred by your sources to the Auditor-General for investigation in 1985. Not a single irregularity was noted on audit.

In February, 1985, Wilson's Creek Action Group in their WAG News advertised with full details of the degree of requirement needed for someone who qualifies for State Legal Aid, to take action against the Forestry Commission.

Presumably that attracted no takers.

The Ombudsman was called in.

His finding was of 'wrong conduct' which the Commission challenged on the basis of his legal power to decide environmental matters under his legislation, rather than through the State's environmental statutes.

The Ombudsman sought legal advice to uphold his view, as did the Forestry Commission.

The Commission's QC advised to the effect that the Ombudsman's ruling (wrong conduct) contained 'fundamental fallacies' and the Ombudsman's conclusion 'verged in (his) opinion on being perverse'.

He also upheld the Commission's contention that relief was available by application to the Land and Environment Court for any person wishing to challenge the Commission's actions.

Nevertheless, the Ombudsman published his recommendation, which was that 'an application be made to the Land and Environment Court by the Commission'.

This was published, illegally, because it was not referred to the responsible Minister as required by the Ombudsman Act.

Naturally enough, nothing further eventuated.

So much for illegality.

I hope that next time you editorialise from your files, you read your report of February 20, 1987, which is titled (erroneously) 'Forestry move judged illegal', in which my brief comment says the Ombudsman would be challenged.

He was.

Nobody has judged anything, as yet.

Also for the record, the hardwood stands of Nullum State Forest were very specifically trade-offs for rainforest in the 'rainforest decision' of the then Government of 1982, as the same issue of WAG News would also inform you locally.

The present Government is upholding those decisions.

W GENTLE  
Commissioner for Forests

21-12-88

## A day in the forest

Last Saturday morning some of *The Echo* staff took a four-wheel drive into the Nullum State Forest to review the Forestry Commission's selective logging program.

by Michael McDonald

The roads were boggy after the recent rain and we barely made it into the logging areas around Camp Road, Sandy Ridge Road and Middle Ridge Road.

All the foresters had gone home for the weekend and a bulldozer stood alone in one of the cleared areas off Camp Road (photo left), which had been set up to assemble logs for loading onto trucks.

Many new logging trails ran into the forest from the roads. There were several areas burnt by small fires.

One of the fires had engulfed a rainforest tree (photo top left) and its attendant vines and palms.

Where the ground had been cleared near the burnt out tree a varied crop of weeds had sprung up, including thistles, inkweed, crofton, lantana and tobacco bush.

Even if rainforest trees are not burnt accidentally or indiscriminately, it seems a difficult task to selectively log hardwoods when they are surrounded by other trees and palms, especially on Camp Road and towards Hell's Hole, and when the method of extraction is by making tracks with a bulldozer.

Further up Camp Road a tanker trailer, presumably with fuel for the bulldozer, had been left by the side of the road. And in the bush off Middle Ridge Road we found an empty twenty litre fuel can (photo top right).

We spotted one concrete culvert allowing a natural water course to run under the road but many water courses were blocked with soil and tree branches.

At one of the log dump sites on Camp Road, water erosion had begun to move the soil further down the steep hillside (photo bottom left). When you consider that the road is above Hell's Hole, designated a recreation area by the Forestry Commission, it's also worth wondering at the effects of the washed-down soil and debris on the rainforest creeks and water holes and eventually on the water supply at the Doon Doon storage dam south of Uki.

In true bushwalking tradition, we left the area as we had found it. I wonder how the Forestry Commission, according to the dictates of its 'management plan', will leave the forest when (and if) it stops logging at Christmas, according to the advice of local Forestry Commissioner Ian Robertson last September (see *Echo* Vol III, No. 14).

## Time to say 'No'

IS IT not time all the people united and put a stop to the greedy men who want to loot our area, country, and world?

It seems they will not be satisfied until there is nothing left.

At the moment there is untouched forest in small pockets like Blackbutt Plateau and a North Washpool. There is still unmined sand. There are still undeveloped areas at South Ballina and Fingal Head.

There is even a beach in Yuragir National Park that doesn't have vehicle access.

But there are a few unscrupulous men who want to change this for their own gain.

If they were child molesters or rapists the whole community would do something about them. They are molesters and rapists of our environment, which we have in our keeping for our children.

We could wait for our publicly-elected peers to look after our interests. But they have turned out to be bedfellows of the people we want protecting from, or gutless wonders, or at best cogs in a corrupt political machine.

Let's make 1989 a strike-back year and say a 'No' to the Yes-men and evict the corrupt.

H A STEVENS,  
McLeans Ridges.

# BYRON SHIRE COUNCIL

ORDINARY MEETING

2ND MAY, 1989

(35)

## SHIRE CLERK/GENERAL MANAGER'S REPORT 89/16

### 1. JOHNSTON'S SCRUB

(60141 x 2520.G)

During 1972 the Johnston family of Eureka transferred a parcel of land to Council which contained an area of valuable rainforest. The land was given to Council on the basis that the rainforest would be conserved and that no amenities would be provided which would encourage visitation.

The land is described as Lot 1, D.P. 230291, having an area of 20.01 hectares with the title in Council's name. A caveat is registered on the title which refers to restrictions on future use. Council's management of the area has been minimal.

In 1984 the Johnston family and the National Parks and Wildlife Service requested Council to transfer the land to the Service as the Service considered the rainforest as the most valuable and viable area in the region. Council refused the request as it wishes to maintain control.

The Service has recently again requested transfer and in support of its request has advised that it has allocated 20 hectares of land surrounding the rainforest for a protective buffer area. The Johnstone family have agreed to the sale of this additional land which will enhance the viability of the rainforest. Terms of the agreement have been made including naming of the area, provisions for conservation and limiting public access.

A representative of the National Parks and Wildlife Service and a member of the Johnston family will be available at the meeting to answer questions relating to the proposal.

### DIRECTORS' RECOMMENDATION:

1. That Council approve of the transfer of title to the National Parks and Wildlife Service of Lot 1, D.P. 230291 for a nominal value.
2. That the Service be required to meet all legal expenses in relation to the property transfer.
3. That the Shire Clerk/General Manager negotiate with the Service for the registration of a suitable caveat on the title restricting the future use of the land. *on access to*
4. That the Common Seal of Council be attached to the relevant legal documents. *Public*

## WORKS AND SERVICES DIRECTOR'S REPORT 89/11

### 1. WILSONS CREEK ACTION GROUP - BLACKBUTT PLATEAU AND NEVASAE ROAD

(50558 x 50565 x 3744.00001.G)

The Works Engineer has inspected the site and advises as follows:-

At its meeting of 14th March, 1989, Council considered a submission from the Wilsons Creek Action Group regarding the Forestry Commission's access road to the Blackbutt Plateau, known as the Nevasae Road. Council resolved that a report be prepared on the Group's submission.



# BYRON SHIRE COUNCIL

## ORDINARY MEETING

2ND MAY, 1989

(36)

The two (2) issues mainly addressed by the submission are:-

- (i) The environmental effects occurring as a result of the construction of Nevasae Road.
- (ii) The likely effects of the logging trucks on Council's existing roads.

The Group's submission was supported by a report on Nevasae Road prepared by R. Corben. Mr. Corben's report highlights the problems associated with the road in some detail.

- (i) An inspection of the road was carried out on 13th April, 1989. It is currently impassable for vehicles along the majority of its length. From the start of the road along approximately the first 800 metres there is a number of land slips and significant soil erosion. It is obvious that little attention was given to suitable batter slopes, adequate batter protection and adequate scour protection.

Cross drainage is only provided in the form of open drains.

Approximately 1200 metre from the start, the road is completely blocked by a very large rock fall.

The debris from the rock fall has spread well below the road leaving a considerable scar on the landscape. It was not possible to safely traverse the slip debris, consequently the inspection did not proceed beyond this point. However, from Upper Wilsons Creek Road, below the slip, it appears that other slips have occurred further along the road.

The road below the rock fall is through a vertical rock cutting and the rock formations above appear to be unstable.

Grades along much of the road are in the order of 15% to 25%.

If this road were to be considered as a public road the following conditions would be applied by Council based on current standards:-

- (i) Minimum design speed of 60 kph.
- (ii) Maximum permissible grades up to 16%
- (iii) Bitumen sealing of all grades in excess of 7.5%.
- (iv) Formation width of 8 metres with a minimum pavement width of 3.6 metres.
- (v) Suitable drainage in the form of culverts with a minimum design storm frequency of 1 in 5 years. (Minimum pipe diameter 375mm).
- (vi) Suitable cut batters in accordance with Department of Main Roads Form No. 70.
- (vii) Adequate Batter protection to prevent erosion.
- (viii) Concrete lining of table drains to prevent scouring.
- (ix) Adequate erosion protection measures and the construction of silt traps during the construction phase.



# BYRON SHIRE COUNCIL

ORDINARY MEETING

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(37)

The road as it exists, would need extensive upgrading to meet these requirements.

The District Forester at Murwillumbah has advised that the road was constructed to the Commission's standards for a Class 4 temporary access road. The relevant details from the Commission's Standard are:-

1. The person authorised by the Catchment Areas Protection Board shall ensure that all activities connected with the clearing and/or logging operations on the authorised area shall be conducted in such a manner that erosion is not aggravated and shall carry out any instructions given by the Catchment Areas Protection Board or its nominee with a view to minimising or preventing erosion.
2. Roads and minor roads shall be located where practicable on ridges. They shall not intrude into filter strips beside streams except where the road crosses the stream.
3. Roads shall be properly formed, and they shall be gravelled if the density or traffic so warrants and this is specified.
4. All batters shall be constructed to a stable slope. Consolidation may be necessary on fills to minimise subsequent slumping and erosion of fill batters. Revegetation of batters may be required on some roads, and this shall be carried out when specified.
5. Adequate pipe drainage shall be provided in roads consistent with sound engineering practice so that erosion of the road surface and table drains is minimised. Pipes should discharge water onto undisturbed vegetation.
6. The use of borrow pits for the provision of extra material during road construction should be kept to an absolute minimum. Where use of a borrow pit is unavoidable, topsoil shall be stockpiled and subsequently replaced to aid revegetation. The bottoms of pits should be graded and levelled, sides should be battered and shaped to conform to the surrounds and the replaced topsoil fertilized and seeded where necessary to establish a vegetative cover.
7. Maximum grades on roads shall be kept below 10 degrees (i.e. 17.6%).
8. Bridges and culverts on roads shall be designed to transmit peak discharge consistent with the standard of road. Bridge approaches shall be stabilised and revegetated where necessary following construction. Culvert outlets should be located or designed to minimise scour and erosion.
9. Immediately after operations have ceased on roads which have been damaged and on which use is to be permanently or temporarily discontinued, the damage shall be repaired by re-grading, or if conditions are too wet for this to occur, temporary cross banks shall be constructed. In this latter instance, regrading shall occur as soon as conditions allow.

# BYRON SHIRE COUNCIL

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## 10. Standard Classification

The separate criteria of road standards (element widths, design speed, weather-dependent trafficability) are drawn together in a general classification of standards as in the table below. The classification of any particular road in this system depends, of course, on the limiting criterion.

In general new roading will be specified to be constructed to conform to these classes. Departures however may be made in special cases, for example:-

- .. when topography may limit the economically justifiable design speed but traffic flows may warrant a specially widened formation;
- .. where a higher class road is required in the long term but a narrow pavement will serve immediate short term requirements.
- Class I Two lane all-weather road with a maximum pavement width of 5.5 metres, formation width 7.3 metres and meeting the requirements of at least 50 km/h design speed.
- Class II All-weather road with a maximum pavement width of 3.7 metres, formation width 5.5 metres and meeting the requirements of at least 30 km/h design speed.
- Class III Single lane, substantially all-weather road, with a minimum pavement width of 3 metres, formation width 4.2 metres, with passing places and meeting the requirements of at least 20 km/h design speed.
- Class IV A road which does not meet the criteria for a Class II road but is trafficable under normal conditions to a conventional 2-wheel drive vehicle.
- Track A "road" or way which is not normally trafficable to a conventional 2-wheel drive vehicle or, regardless of effective standard, is installed and required for short term service only.

## 11. Design Speed

The design speed concept is the standard method of defining the geometry of a road adopted by the National Association of Australian State Roads Authorities. Horizontal and vertical alignment, sight distances and other design characteristics are dependent upon the design speed. For design speeds of 50 km/h and above the Commission substantially follows the standards used by the N.S.W. Department of Main Roads.

The table below is an abridged summary of principle characteristics only and is given as a rough guide to design speed criteria. More detailed specifications are provided for road survey and design purposes (in "Data for Survey and setting out of Forest Roads"). This table does not give a reliable indication of actual speed of travel, particularly below 50 km/h.

# BYRON SHIRE COUNCIL

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Nominal Design Speed km/h	100	80	60	50	30	20
<u>Alignment:</u>						
Minimum curve radius	460m	200m	80m	60m	30m	15m
Absolute min. length of straights between nominal T.P's.	80m	60m	40m	30m	20m	10m
<u>Grade:</u>						
Sustained maximum	4%	6%	6%	7%	8%	10%
Permissible grade in excess of general for short length	6% (400m)	8% (500m)	8% (600m)	8% (300m)	10% (500m) 12.5% (150m)	12.5%

The existing road does not comply with these standards and would need considerable upgrading before it would comply.

In summary, the existing road has had a significant effect on the land over which it is built, in the form of landslips and erosion. It would need considerable upgrading to meet either Council's requirements or the Forestry Commission's own standards.

- (ii) The second matter raised by the Action Group concerns the likely effect of logging trucks on local roads.

The most significant effect will be on the roads closest to the site, i.e. Upper Wilsons Creek and Wilson Creek Roads.

Currently these roads are used substantially by light traffic, with very few heavy vehicles.

The most recent traffic count, taken in 1986, indicates an AADT of 733 vehicles immediately west of Coolamon Scenic Drive. This count would reduce sharply further up the valley.

As the design life of road pavements is determined by the number of heavy vehicles using that pavement, an increase in the number of those vehicles effectively reduces the life of the pavement. The number of heavy vehicles currently using these roads is very low, therefore a significant increase will result in a significant reduction in the road pavement life.

As an indication of the effect of vehicle loads on pavement life, the following extract from the Department of Main Roads "Pavement Thickness Design Manual" (MR For 76) has been included:-

# BYRON SHIRE COUNCIL

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(40)

"The equivalence of axle loads to the standard is based on the relative damaging effect on the pavement approximated by a "fourth power" relationship. This is, axle loads in the ratio 10 to 1 have damaging effects in the ratio 10,000 to 1. Thus, only commercial vehicles make a significant contribution to the traffic loading. A commercial vehicle is defined as having dual tyred wheels on at least one axle, or as having more than two axles."

Along most of Wilsons Creek Road, the existing pavement is showing signs of failure. When it is necessary for Council's trucks to operate over the road, a noticable increase in pavement failures occurs. In wet weather, even the school buses cause additional failures.

Further features of these roads are their poor horizontal alignments and narrow widths. There are a number of small radius curves and very narrow sections which would be hazardous should long, heavy vehicles use the roads.

Basically, these roads are unsuited to significant use by heavy vehicles and would need considerable upgrading before they could be safely used.

Many of the concerns raised by the Wilsons Creek Action Group are legitimate and should be addressed if logging of the Blackbutt Plateau is to proceed.

**DIRECTORS' RECOMMENDATION:** That the above information be noted and the Wilsons Creek Action Group be advised.

## PLANNING DIRECTOR'S REPORT 89/9

### 1. BYRON SHIRE RESIDENTIAL DEVELOPMENT STRATEGY: 1988 REVIEW

(51201 x 50616)

By letter received on the 11th April, 1989, the New South Wales Director of Planning pursuant to Clause 38(3)(a) of the North Coast Regional Environmental Plan has agreed to the population projections and residential land release programme outlined in the 1988 review of the Byron Shire Residential Development Strategy.

The Council requested the Director's agreement on the 10th November, 1988.

The Director in giving her agreement has requested 6 amendments. None of these amendments affects the findings, conclusions or recommendations contained in the Strategy. The Director has requested that the Strategy be amended to provide Council's:

1. Report of the need for additional land at Bangalow to compensate for the shortfall at Byron Bay and Suffolk Park in view of land available for residential development at Suffolk Park falling short of original expectation.
2. Explanation of the preferred residential population projection of 7.09% for 1989 and similar growth figures for future years;
3. Reasons for changes in percentage discounting and addition of new area;
4. Reassessment of development yield and housing choice assumptions;

## **BLACKBUTT PLATEAU - report for NCEC 17/6/89**

### **Minister's visit**

Mr Causley, together with Don Page, Member for Ballina, numerous Forestry Commission reps, and two Byron Shire councillors have recently made an inspection of Nevasae Road, the FC's access road to the Blackbutt Plateau. They did not proceed past the landslide which currently blocks the road so have not inspected the Plateau area itself.

Causley stated that logging may not proceed if the operation were found to be uneconomic, logging would not now be likely for two to three years if at all, and that an EIS would of course be prepared first.

On the other hand, a lot of money had been invested in the road and this should ideally be recouped from the operation. There was pressure to provide timber for the mills and that this forest was specified in a "tradeoff" which supposedly was part of the 1982 rainforest decision. (WAG has not been able to date to get documented details of this "agreement")

Causley appeared to be careful to leave open a track via which to back down gracefully if it was decided not to go ahead with the logging. At the same time it is certain that they would certainly go ahead if it was physically possible access wise, and his readiness to admit that an EIS was required suggests that steps are probably being taken to find a way around this.

### **Nevasae Road**

The FC's access road has been constructed across two private properties without permission from either owner. The FC blames the refusal of the owner of the lower part of the road to allow the FC access for maintenance for the present damage to the road. It is obvious, however, that poor siting and engineering are the cause of the damage.

The FC are attempting to negotiate access with the owners, both of whom are currently refusing.

Two engineers have independently measured grades in excess of 10 degrees (maximum stipulated in the Standard Erosion Mitigation Controls) and documented severe erosion and damage. FC denies the grade measurements.

### **Fighting fund**

A hugely successful fundraising concert last weekend raised about \$5000 which we have in case of necessity for legal action. Valuable publicity achieved at the same time.

### **Resubmission of Nature Reserve Proposal**

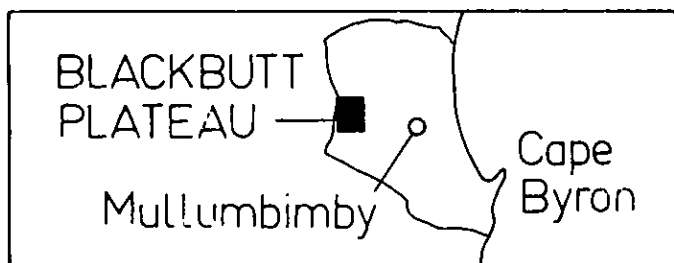
The Nature Reserve Proposal was originally submitted to Tim Moore in Sep 1988. He refused to refer the proposal to the National Parks and Wildlife Service for investigation on the grounds that Causley had refused to revoke any more State Forest in the Murwillumbah district, hence there was no point.

WAG, represented by Richard Jones MP, will this week present the proposal again to Moore, pointing out that this investigation is his responsibility and that verification of our claims of the environmental significance of the area is going to be essential in the resolution of this conflict.

### **NCEC assistance?**

A letter to Moore supporting the proposal and insisting that he investigate it would be appreciated.

Alan Riordan/Barbara Stewart  
Wilsons Creek Action Group  
PO Box 325  
Mullumbimby 2482  
Ph 066-840152



# RAPE OF THE BLACKBUTT

## THE LAST STAND

It's 4 weeks since the last Nevasae Newsletter which was released to inform Byron Shire of the current roading and proposed logging operations for the Blackbutt Plateau. This newsletter is a brief report of the past four weeks which we have devoted to investigating the validity of the Forestry's operation, the aim of which is to devastate the largest significant stand of unlogged moist Blackbutt in N.S.W. Further investigation has revealed it is probably the most significant forest of its type in the world.

### FORESTRY COMMISSION MISMANAGEMENT

The Forestry Commission of N.S.W. was created by an act of parliament in 1916 for the express purpose of providing "timber in perpetuity to the people of N.S.W.". The Commission has clearly failed its charter otherwise it would not have to exploit this last unlogged Moist Blackbutt Forest. After all the Forestry Commission's role is to prevent mismanagement of our forests and to discourage greedy opportunism.

Without notifying residents and ignoring the residential nature of Wilsons Creek, the Forestry Commission has unleashed a major roading and blasting operation to gain access to the Blackbutt Plateau. Under section 112 of the Environmental Planning and Assessment Act (E.P.A.) of 1979, the Forestry Commission must undertake an Environmental Impact Study (E.I.S.) for "any activity which affects the environment".

Roading the undisturbed Plateau and cliff face constitutes a significant effect on the environment and should have been investigated along with the plan to near clear fell and burn the moist Blackbutt Forest.

Besides this flagrant disregard of the law the Forestry Commission has contravened its own Management Objectives (see Table 1) and WAG will continue to insist that an E.I.S. be carried out before there is anymore **senseless** destruction.

Table 1

#### Quote from Section 8 Forestry Act 1916

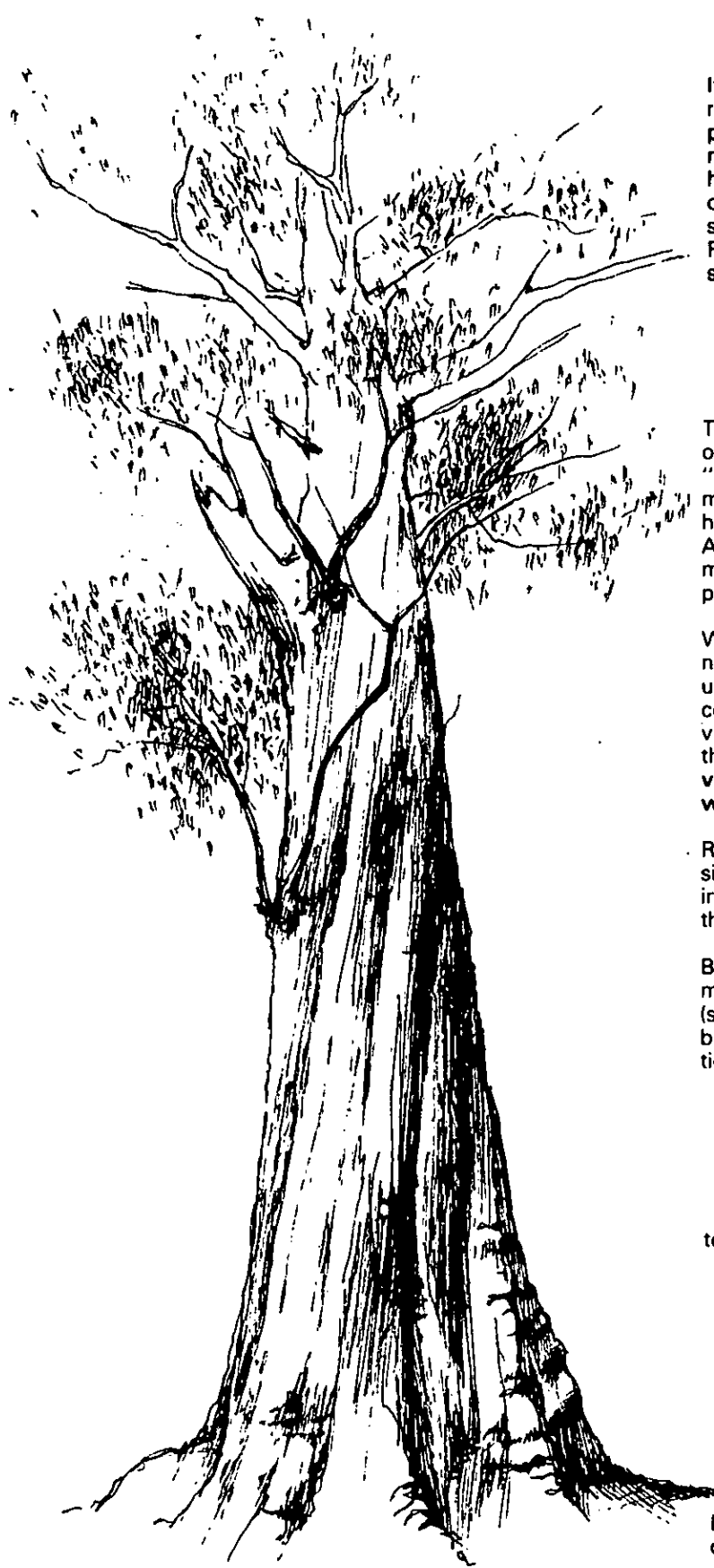
##### Management Objectives:

To maintain a natural forest vegetation cover, adequate to:

- (a) conserve the soil resources and water catchment capabilities
- (b) maintain a diversity of habitat and wildlife indigenous to the area
- (c) retain a forest environment aesthetically acceptable to the public generally.

To maintain any unique or rare archeological, historical, floral, faunal or other scientific values.

Note the Forestry Commission's contravention of their own objectives!



## ROAD COSTS ESCALATE

Nevasae Road, the Forestry Commission's access to the previously inaccessible Blackbutt Plateau is **no closer to being a road**. Built supposedly to last the duration of a 2 year logging operation the road collapsed within a fortnight, after only a few days of rain. The Rhyolite cliffs fractured and dumped hundreds of tons of rock, trees and forest soil onto Nevasae Road. Bulldozers are frantically trying to reopen it before any investigation begins.

In another section which traverses the steep cliff face, Nevasae Road partly collapsed and slid 200 metres towards Wilsons Creek.

After only a few weeks the mountain has purged itself and again proved the need for study. Almost 3 times more mountain has had to be moved than originally anticipated, the road is 2 months behind schedule and **roading costs continue to escalate**.

When will the Forestry Commission realise the futility of roading a cliff face in such a high rainfall area (approx. 150" of rainfall p.a. 4,000mm). **We challenge them to reveal to the public the true and entire roading costs.**

As we have stated earlier, the mature nature of this Moist Blackbutt forest makes the revenue from royalty payments very **questionable** because of the large hollows in these veteran trees and the possibility that an unknown number will shatter on impact when felled.

Together with spiralling roading costs, the economic viability of the operation is a sham. The Forestry Commission's roading costs will possibly be greater than the royalties from the timber and once again the taxpayers of N.S.W. will have to pay for Forestry Commission mismanagement. For what.....? Not only do we have to subsidise the coffers of Standard Sawmills but we are expected to accept a flattened forest and an unsafe road!!

## STANDARD SAWMILLS CAN'T LOSE

The multi-national Adelaide Steamship Co. purchased Standard Sawmills **not** because the Murwillumbah Mill was profitable or had any future but because it possessed the laminating technology which Adelaide Steamship could utilize in its extensive third world operations.

Who are the Adelaide Steamship Co.? At face value a respectable Company, but when it comes to flattening forests, they have no equal on the North Coast.

Increased mechanization and the planned company closure of Standard Sawmills "over mature Log Operation" will mean the retrenchment of most of the Murwillumbah workers. The once labour intensive industry will employ high technology and only a small group of computer operators.

This is likely within two years and we wonder if the workers have been informed. Whether they log or not Standard Sawmills are in a no loss situation.

We suspect Standard Sawmills would be pleased if it were told **NO LOGGING!** They could claim compensation from the State Government, i.e. taxpayers, and have an excuse to close their uneconomic section of the mill and blame all the industries woes on the conservationists. Once again big business does well and the taxpayer, mill worker and resident are squeezed. It would be interesting to find out how much Standard Sawmills have received in compensation over the past few years and how much of this was paid to workers as retrenchment pay?

## FLORA

The extensive stands of coastal Blackbutt (*Eucalyptus Pilularis*) after which the Plateau is named are the most important feature of this area. The huge trees (which are at least 300 and possibly 600 to 800 years old) are replete with extensive pipes and hollows. The undergrowth ranges from dense Rifle grass to a mixture of rainforest species in the gullies. Sheer Rhyolite cliffs fringe the Plateau, but once on top of the central rock outcrop impressive views are obtained of the nightcap range to the west and Mt. Jerusalem to the north. Towards the coast a panoramic vista unfolds from Tweed Heads, south to Ballina, with Cape Byron in the central background.

The Plateau includes a mosaic of vegetation ranging from the drier Bloodwood and Scribbly Gums with an undergrowth of Banksia & Grass Trees (Blackboys 1,000 years old) to the moist Blackbutt forest featuring Turpentine and rainforest in the gullies. The 40 h.a. rock outcrop is carpeted by snow lichen protected by mountain heath, dominated by Ti-Tree. We have compiled a list of over 150 flora species which included such Rainforest types as Rosewood, Crabapple, Coachwood, Pencil Cedar and the scarce small leafed Hazelwood.



### Powerful Owl

An example of the delicate balance between an unlogged forest and its inhabitants.

Distribution: S.E. Coast of Australia and now endangered as a result of the loss of its habitat.

Description: Australia's largest owl stands 60 cm tall with a wingspan of over a metre. Mate for life (up to 30 yrs), eats 80 - 100 possums and sugar gliders per year. Needs a large forest area with suitable hollows for prey and nest sites.

This forest is of even age indicating an absence of high intensity the protection afforded by the fringing rainforest and sheer cliffs.

If this pre-colonial stand were destroyed, the scientific community the forestry Commission would lose a reference area against v Forestry. A forest with these characteristics is poorly represented and is rarer than rainforest.

We proposed this area as a **Flora Reserve** so that it may remain a wide habitat for the many endangered species which depend upon it.



## FAUNA

The age and undisturbed nature of this Forest makes it particularly valuable in terms of providing the hollows required as den and nest sites for tree dwelling animals (aboreal) and birds.

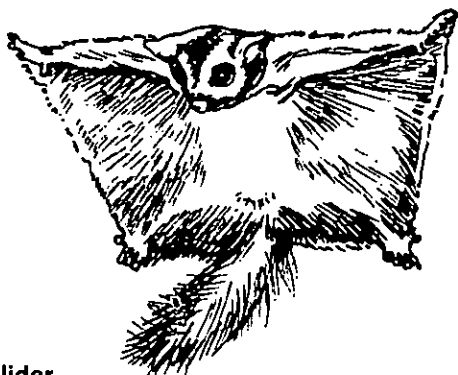
Cursory independent studies of the bird life of the Plateau recorded 57 species of which 5 are classified under the National Parks and Wildlife act as vulnerable and rare. These endangered species are the Albert's Lyrebird, the Wompoo Fruit Dove, the Powerful Owl, Sooty Owl and the White Eared Monarch. Many others are likely to be recorded in longer term studies and when spring and summer migrants are considered.



**Alberts Lyrebird**

Distribution: Rare, restricted to mountainous rainforest of S.E. QLD. and N.E. N.S.W.

Characteristics: Songster with remarkable powers of mimicry.



**Greater Glider**

About 1 metre long, exist's only in hollow trees, moves around in a set pattern using the same trees each night to make composit glides of up to 600 metres. Can be found in two colour types both of which may occur on the Blackbutt Plateau.

ires and this unusual situation is likely to continue because of

and the public would be deprived of a valuable resource and which to assess the ecological effects of Blackbutt Plantation d in National Parks and the states' Nature and Flora Reserves

as the last piece of wilderness of its kind in the world to pro- on it for their survival.

## DIRTY WATER

Recent heavy rain has confirmed that the steep slopes surrounding the Blackbutt Plateau are of a highly erosive nature when subjected to forest or top soil removal.

Muddy water conditions resulting from blasting and roading works already affect the timeless habits of several creek inhabitants. Our man at Taronga Zoo informs us the platypus is in for a hard time feeding off the bottom and dislikes the taste of powdered Rhyolite.

After contacting Public Works, Soil Conservation and Catchment Protection, we have so far had little response.

Are there any plans to guage silt deposits at the Mullumbimby Reservoir? Since erosion is the greatest environmental problem in our State, why is a Government Department aggravating this very problem in an area classified as a water catchment?

## BRAVING TOURIST ROUTE 12

The Wilsons Creek Road — the valley's lifeline to town is a narrow, winding, treacherous track, laced with wet creek crossings, loose gravel and blind corners.

A recent 6 day Road Survey by WAG revealed an average of 290.5 vehicles per day using our road. Considering that iog-ging trucks will be making 30 trips per week (doubling the present number of heavy trucks) then it would be an intrepid driver indeed who would dare brave Tourist Route 12 to Upper Wilsons Creek. WAG is aware of many near and minor accidents which have already resulted from vehicles involved in this operation and there is a recorded instance of a local accident with a logging truck in December last where the car involved was written off.

How many more accidents will occur?

To avoid logging trucks residents will have to adhere to a timetable, creating great inconvenience.

The New Zealand Ministry of Works reported that of 10,000 heavy commercial vehicles surveyed, log carrying vehicles caused more damage to roads than any other haulages. Years ago residents dipped into their own pockets to finance a bridge and the bitumen surface which has since deteriorated to its present poor condition.

The Shire Engineer advises us that "Wilsons Creek Road used by logging trucks is obviously inadequate for the task on road design, maintenance and traffic safety grounds and Council could not afford to maintain or reconstruct the road". (Shire Council meeting 26.6.84).

## AIMS & ACHIEVEMENTS

WAG calls for an independent Environmental Impact Study and an immediate halt to all roading and logging. There seems two options open to the residents to call halt — No More Destruction.

Firstly a LEGAL and secondly a POLITICAL option.

A legal challenge is possible but in the meantime WAG has concerned itself with debate and discovering facts. Each avenue we follow in this search exposes a Pandora's Box of twists, vested interests, mismanagement, etc., etc. We have endeavoured to increase public awareness of the carnage on the Plateau and seek the support of community groups. Within a fortnight both the Mullumbimby and Byron branches of the Labor Party joined us in a call for a study. They moved promptly with responsible concern to

demand Mrs. Crosio, Minister for Natural Resources, to intervene. Support from environmentally aware groups such as BEACON, Association for a United Shire etc., followed and then on 26th June Byron Shire Councillors showed concern for their Shire when they voted 6-3 to request the Forestry Commission to prepare an E.I.S.

The Shire Engineer advised of the "inadequacy of Wilsons Creek road" and the lack of local job opportunities in this operation. All councillors supported, except Crs. Watterson, who made owl "noises", Bourne, who said Wilsons Creek road was built for logging trucks and Cyril James who doesn't know any better. Stan Robinson, although chairperson and not required to vote requested that it be recorded that he voted against the motion.

Media coverage has been plentiful and generally favourable but beware of inaccurate statements by uninformed persons who have already attempted to discredit WAG by throwing doubt on our credibility, including the inaptly named North Coast Branch of the Association for the Protection of Rural Australia. We suggest these people contact us to establish their facts before they appear in print as evidence of their ignorance.

WAG is about consensus and a resolve to discover the FACTS in a responsible manner — we do hope the Forestry Commission is aware of this public consensus and that Mr. Wran remain honest to his environmental responsibilities and avoid pending ecological disaster.

## **YOU REAP WHAT YOU SOW**

Instead of financing stop gap employment schemes (such as painting toilet blocks) the government should plan a **major Reafforestation Scheme of long term economic and social benefit** — (Just as was very effectively done in New Zealand in the 1930's). Our native forests have been

exploited almost to the point of extinction on the North Coast. There are many unemployed who would benefit from such a scheme.

More trees in N.S.W. die each day than are established. In 1979 Mr. Wran formed a "Task Force to Assist in Reafforestation" aimed at encouraging private forestry. The government "Task Force" findings were submitted in 1981 but 3 years later have still not been released. Why? Is this indicative of Mr. Wran's assistance to reafforestation?

The Wran government gives only minimal assistance to the local volunteer schemes who work hard to reafforest the countryside. The Forestry Commission Projects Officer who once liaised with local property owners has been transferred south and the Forestry Commission is left with a skeleton staff of 15, including typists, to manage the district's forests.

The Forestry Commission is gradually relocating its operations from the North Coast native forests to the monoculture (Radiata Pine) of southern N.S.W. where land prices are cheaper.

However it has failed in its task of replanting the North Coast forests after degrading this resource for the past 70 years.

Whilst southern N.S.W. gets new mills, plantations, jobs, etc., the North Coast is left with ravaged forests, a timber industry on the brink of closure, **yet another Forestry Commission confrontation and the absence of anything like a responsible reafforestation policy.**

Instead of fighting this issue forest by forest we should be attacking the State government in order to get a coherent policy that is not just public relations waffle, and which is translated into action for the benefit of Millers, Timber workers, conservationists and the public.

Thank you to our many supporters who have contributed time and effort to this campaign. We look forward to your continued support and anyone who has a spare moment, a dollar, or an idea, please don't hesitate to come forward, as we will only save the Blackbutt Plateau with community support.

# **PICNIC MARKET DAY**

Visit the Blackbutt Plateau

Guided Forest Walks — Be Early

Music, Stalls, Children's Entertainment

**SATURDAY 28TH JULY**

10.00 a.m. start

Helicopter Rides (weather permitting)

**HELP SAVE YOUR BLACKBUTT PLATEAU**

Donations of saleable items would be appreciated. Please contact us at 84 0174 or 84 0152

WILSONS CREEK ACTION GROUP (W.A.G.) P.O. Box 325, Mullumbimby 2482.

Phone 84 0174 or 84 0152.

27/3/90

file  
~~letter~~ - Steady  
Display board?

## BLACKBUTT PLATEAU

Location - west of Mullumbimby in NE NSW

History - residents were first made aware of the issue when roadworks began in 1984. Action by the Wilsons Creek Action Group, together with continuing access problems, eventually resulted in the calling of a 3-4 year moratorium on logging of the Plateau by the then Minister for Natural Resources Mrs Crosio.

The Resource - The Plateau includes about 115 ha of Blackbutt (*E. pilularis*) which has been largely unlogged, fired or otherwise disturbed. As such it constitutes a valuable scientific reference area, and is believed to be the largest unlogged Blackbutt forest between Coffs Harbour and the Queensland border. It provides valuable habitat for wildlife which depend on the hollows of the mature trees. Rare and vulnerable species such as the Powerful and Sooty Owls, and numerous rare and endangered plant species have been recorded in the area. Associated with the Blackbutt forest are warm temperate and subtropical rainforests, other Eucalypt communities, teatree scrub and heath. The Plateau is capped by a rock outcrop covered in a rare form of snow lichen.

Nevasae Road - The Plateau has not been logged in the past because of its inaccessibility. The FC's access road was located across a cliff face in a very high rainfall area, and promptly collapsed. Currently it is blocked by a huge landslide. In Feb 1986, the Ombudsman found that the road was constructed illegally, in that an EIS should have been prepared. Two engineers have independently measured grades in excess of the FC's own specifications, and commented on the incompetent engineering.

Local community concerns - Residents are unanimous in their opposition to the use of the narrow winding road by logging trucks on the grounds of physical danger and cost to ratepayers. Wilsons Creek is part of the Byron Shires Water Catchment.

Economics - Analyses have shown that royalties derived from the operation will not cover the costs of roading etc. WAG maintains that the FC should not be wasting further public money on an expensive EIS for an uneconomic project and that the logging should be abandoned.

Nature Reserve Proposal - WAG has twice presented a Nature Reserve Proposal to Environment Minister Moore who has refused to investigate it (over ridden by FC interests).

Flora Reserve - The FC has announced plans to declare a Flora Reserve over a small area of the Plateau. This includes the snow lichen and a small area of forest, but does not protect the major part of the Blackbutt Forest. It is regarded as totally inadequate to protect the values of the Plateau.

Causley's visit - Early in 1989 Causley visited the area and walked up Nevasae Rd as far as the landslide (thus failing to gain access to the Plateau itself.) He said that economic factors may result in abandonment of the project, but that since so much money has already been spent on the road, it made sense to try to recover it. He fell back on the 1982 Rainforest Decision commitments to the timber industry as a reason for the continuation of the project. He accepted that an EIS would be necessary before work could begin.

National Estate listing - The Plateau was nominated for the National Estate in 1985 and received interim listing. Lack of funds have prevented investigation of the nomination though we are assured that this will take place this year.

Related issues - The BBP is obviously a key campaign in any overall consideration of the conservation of old growth forests. WAG has consistently argued for more plantations, and restructuring of the FC and forest industries.

Currently - an EIS has been commissioned and we believe that work has begun on this. We have just put in a submission to the Coastal Development Inquiry.

Wilsons Creek Action Group  
PO Box 325  
Mullumbimby 2482

Alan Riordan 066 840152  
Barbara Stewart 066 840127  
Graham Watson 066 840169

**APPLICATION FOR A GRANT**  
**UNDER THE NATIONAL ESTATE PROGRAM 1988/89**

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**BLACKBUTT PLATEAU**  
**NATURAL HERITAGE STUDY**

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**DOCUMENTATION OF**  
**NATURAL VALUES AND**  
**RECOMMENDATIONS FOR**  
**MANAGEMENT**

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**NAME OF APPLICANT ORGANISATIONS**

The Nature Conservation Council of N.S.W.  
in Association with  
The North Coast Environment Council Inc.

**ADDRESS**

176 Cumberland Street, The Rocks, Sydney. 2000.

**CONTACT PERSON**

Mr John Corkill, Vice Chairperson: (066) 21-3278 (w)  
(066) 21-8687 (h)

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**AMOUNT OF ASSISTANCE SOUGHT** \$21,500.00

**FUNDS TO BE PROVIDED BY THE APPLICANT**

Cost of publishing a summary report for the public  
"The Future of the Blackbutt Plateau" \$400.00

**TOTAL COST OF PROJECT** \$21,900.00

**DETAILS OF PREVIOUS GRANTS PROVIDED THROUGH THE**  
**NATIONAL ESTATE FOR THIS PROJECT**

nil

**AMOUNT OF OTHER GRANTS ETC**

nil

\* Full costing schedule attached

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**PROJECT TITLE**

Blackbutt Plateau Natural Heritage Study

**PROJECT DESCRIPTION**

The project will-

- \* review and extend existing studies of the Blackbutt Plateau;
- \* determine the presence and relative abundance of vertebrate wildlife in the area with special reference to rare and endangered species;
- \* provide a detailed survey of the flora of the area;
- \* investigate the dynamics of the major eco-systems, including nutrient status, the effects of fire, and the effects of macropod grazing;
- \* compile a resource inventory on the Plateau,
- \* recommend management strategies.

#### **WHAT IS THE OBJECTIVE OF THE PROJECT?**

The general objective of the project is to research, document and promote the site's wide range of natural values to support a proposal for the Plateau's gazettal as a Nature Reserve under the N.P.W.Act.

This is considered essential since the area has been under threat from roading activities for logging access by the Forestry Commission intermittently since 1981.

Recently, the new Minister for Natural Resources, Mr Causley, (National Party M.P. for Clarence) indicated to Byron Shire Councillors that he does not support any protection of the Plateau's forests, (24/6/88).

It is abundantly clear that he and the local Forestry Commission staff have no understanding of the natural values of the Blackbutt Plateau. It also appears that they have no intention to carry out an Environmental Impact Study to assess these values prior to the proposed logging.

Recommended management strategies will indicate if, and how tourists might visit the Plateau to enjoy the sites' special features without degrading the resources natural values.

#### **HOW WILL THE PROJECT BENEFIT THE NATIONAL ESTATE?**

Additional information on the sites natural values will be produced and published locally to support the Nature Reserve proposal for the Plateau, which if accepted by the N.S.W. Government, will provide permanent protection from logging.

Investigation into and preparation of management strategies will contribute to long term security of the resource, while allowing a yet to be determined appropriate level and standard of visitation in the National Estate area.

#### **HOW WILL THE PROJECT BE MANAGED BY THE APPLICANT ORGANISATION?**

The Nature Conservation Council of N.S.W., based in Sydney, will manage the project in association with The North Coast Environment Council Inc.

The Nature Conservation Council of N.S.W. will administer the grant money through its National Estate Grants Committee, while The North Coast Environment Council Inc. will oversee the project work through the formation of a Project Steering Committee.

The Steering Committee will be comprised of members of local environment groups:

- \* The Wilsons Creek Action Group;
- \* Byron Environmental and Conservation Organisation (B.E.A.C.O.N.)
- \* 'The Big Scrub' Environment Centre Inc. and
- \* The North Coast Environment Council Inc.

The Wilsons Creek Action Group, (W.A.G.), Byron Environmental and Conservation Organisation (B.E.A.C.O.N.) and 'The Big Scrub' Environment Centre Inc. are all members of the regional umbrella organisation, The North Coast Environment Council Inc.

The North Coast Environment Council Inc. is a member of the peak state body, the Nature Conservation Council of N.S.W.

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**DETAILS OF PROPOSED CONSERVATION PROJECT**

**Address:**

Nullum State Forest, Upper Wilsons Creek Road, Huonbrook.

**Name of Owner:**

N.S.W. Government via Forestry Commission

**Legal Site Description:**

Part Compartments 97<sup>23</sup> and 27 Nullum S.F.

**Local Government Area:** Byron Shire  
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**STUDY PROJECTS**

**(a) Heritage studies;**

No previous Heritage Studies have been undertaken in this area.

**(b) Details of the study to be carried out;**

- \* investigation of probable impacts of fire on the snow lichen communities;
- \* compile detailed species lists of flora and investigate the dynamics of ecological units in the area;
- \* field survey of avi-fauna across four seasons;
- \* survey of previously unsurveyed frogs, reptiles and mammals;
- \* importance of mature blackbutt trees as hollow nesting sites for fauna;
- \* importance of site as refugia for flora and fauna from adjacent logged and cleared lands.

**(c) What studies or work have been carried out in this field and how the present study relates;**

- |              |  |
|--------------|--|
| June 84      | District Forester Robertson, advises in letter 1/6/84 that no flora or fauna studies have been undertaken by the Forestry Commission.  |
| June 84      | Rare avi-fauna discovered on the Plateau following preliminary survey by G.Holmes, D.Millege and D.Stewart.  |
| July-Sept.84 | Russ Corben conducts research into Snow Lichen and compiles report on lichen status following correspondence with Botany Dept. University of Queensland, Royal Botanic Gardens and National Herbarium of Victoria. |
| Dec 85       | David Millege prepares preliminary proposal for a nature reserve.  |
| May 86       | A preliminary Vegetation Study Report was prepared by John Williams from The University of New England.  |

The survey work proposed will:

- investigate the compatibility of the protection of the snow lichen and blackbutt dependent species with logging and/or the use of fire as recommended in Report on Lichen
- provide a more comprehensive and detailed resource data base in addition to the data collected in earlier preliminary flora and fauna studies;
- evaluate the site's significance for seasonal faunal migration and regional refugia status following brief winter survey conducted in preliminary avi-fauna survey;
- study fauna not surveyed or described in earlier preliminary studies (amphibians, reptiles and mammals) but suggested to be of a diverse range;
- investigate and document the importance of the blackbutt hollows as habitat for endemic species,

(d) Details of the qualifications and experience of the the staff who will carry out the study;

It is anticipated that a consultant field ecologist experienced in conducting fauna surveys and in evaluating management issues and recommending appropriate strategies will be engaged to undertake the project.

It is expected that this person would be hold a Bachelor of Science degree, or equivalent work experience and have been employed in Australia recently in similar field survey research by a professional resource management agency.

(e) How the study is to be conducted and the time estimated to undertake the study;

Consultant staff will review existing published and unpublished studies focussed on the site and conduct interviews with the authors of these studies as a starting point for further field research.

Fauna Survey

All vertebrate classes will be sampled and a variety of methods will be used including:

- a) small mammal trapping;
- b) spotlighting for large mammals and nocturnal birds;
- c) censusing diurnal birds using points and transects;
- d) mist netting for microchiropterans;
- e) pitfall trapping for ectotherms and small mammals;
- f) hand collecting of reptiles and amphibians from sheltering sites beneath rocks, logs etc;
- g) playback of recorded sounds to determine the presence of sparsely distributed species such the Marbled Frogmouth, Sooty Owl.

Field survey - 2 x 2 weeks	4 weeks
Data tabulation and analysis - 2 x 1 week	2 weeks
Report preparation - 2 x 2 weeks	4 weeks
	-----
	10 weeks
	-----

### Flora Survey

A thorough investigation of the floral attributes of the Plateau will be undertaken using the following procedures:

- a) mapping from aerial photographs, followed by ground 'truthing' to produce vegetation maps of greater botanical accuracy than the present Forestry Commission typing which are based on economic types;
- b) transect sampling of the major ecological units to determine species abundance and floristic composition;
- c) detailed mapping of the location of rare and/or endangered species and other species of botanical and ecological interest e.g. (coral lichen, *Tmesipteris* sp.)
- d) obtain broad overview of the distribution of species endemic to the Nightcap Range area.

Field survey	- 2 weeks
Data tabulation and analysis	- 1 week
Report preparation	- 1 week
	-----
	4 weeks
	-----

### Ecosystems Dynamics Study

Investigations into the dynamics of the major eco-systems present on the Plateau will include assessments of:

- a) characteristics of major systems present in terms of: biomass; productivity; nutrient and water status; foliage projective cover; stem densities etc.;
- b) regeneration under the standing blackbutt including fencing of plot to exclude macropod grazing, sampling of understorey, seed bank investigation etc.;
- c) local fire history, including carbon dating of charcoal;
- d) processes operating in areas bordering the blackbutt community, e.g. rainforest/wet sclerophyll interface, rainforest/heath interface;
- e) wildlife habitat value.

Field survey - 48 days in a 12 month period	- 10 weeks
Data tabulation and analysis	- 2 weeks
Report preparation	- 4 weeks
	-----
	16 weeks
	-----

### Public summary report

The publication of a brief Summary Report for distribution to the public would require one to two weeks and would be prepared by members of the Steering Committee.

The North Coast Environment Council and its members will undertake to meet the costs of this publication and distribution.



## HERITAGE SIGNIFICANCE

The Blackbutt Plateau has great significance to the Natural Heritage of N.S.W. and Australia since it is habitat to populations of rare and endangered species of both plants and animals.

### Floristic significance

Most prominently, the Plateau has been recognised for the number of forms of the Coral or Lace Lichen, Cladia retipora growing in a very large area of the rock cap.

These formations have been described by Mr Rex Filson of the National Herbarium of Victoria, the Australian expert on lichens, as unique and he describes the "cushion form" as very rare.

The Plateau has a "high degree of endemism" in its flora, "its age and generally undisturbed condition, the area has special significance".

While there has been no systematic plant surveys of the area, botanists visiting the area have identified 194 plant species, of which another nine (9) species are classed as rare or threatened by Dr John Williams of the Department of Botany, U.N.E.

Corokia- <u>Corokia whiteana</u> ,	RARE + ENDANGERED
Small-leaved Hazelwood- <u>Symplocos baeuerlenii</u> ,	RARE
Peach Myrtle- <u>Uromyrtus australis</u> ,	RARE + ENDANGERED
Pink Cherry- <u>Austrobuxus swainii</u> ,	RARE
Slender Saw Sedge- <u>Gahnia insignis</u> ,	RARE
Giant Creek lily- <u>Helmholtzia glaberrima</u> ,	RARE
Veiny Lace Flower- <u>Archidendron muellerianum</u> ,	VULNERABLE
Small-leaved Euodia- <u>Euodia sp.</u> ,	RARE
Oval Fork fern- <u>Imesipteris ovata</u>	RARE

### Faunal significance

"Further, a preliminary survey of bird species identified 57 species, including five (5) species listed under Schedule 12 (January '84) of the National Parks and Wildlife Act, 1974.

"These birds - the Wompoo Friut-dove, Powerful Owl, Sooty Owl, Albert's Lyrebird and the White-eared Monarch, are representative of a relatively large group of endangered and protect (under the Act) vertebrates whose ranges include or are centres on the faunally rich moist forests of north-eastern NSW.

"It is considered that another 23 such species are likely to or possibly may occur on the Blackbutt Plateau." (Holmes, Millege and Stewart, 1984)

### Ecotype reference significance

The area is also recognised as the largest remaining area of unlogged Blackbutt forest type between Coffs Harbour and the NSW Queensland Border. Due to its isolation, this area of forest appears to have been unaffected by fire for some considerable time, probably for the life of the mature trees.

As such the Balckbutt Plateau is a rare and extremely important example of the natural heritage of the district prior to colonisation and settlement.

## HERITAGE RECOGNITION

The Blackbutt Plateau was nominated to the National Estate Register in February 1985 by the Nature Conservation Council of N.S.W. and an Intention to list the Plateau on the Register was advertised in the Government Gazette of 30th October, 1986.

An Objection to this Listing was made, presumably by the Forestry Commission, and the Plateau now still waits on the N.S.W. Interim Register.

## COST ESTIMATES

### Fauna Survey

Labour - 10 weeks @ \$800.00	\$8,000.00
Travel - 2,500 kms @ \$0.20 per/km	500.00
Non capital expenses - consumables*	1,000.00
	-----
	\$9,500.00
	-----

### Flora Survey

Labour - 4 weeks @ \$800.00	\$3,200.00
Travel - 1,000 kms @ \$0.20 per/km	200.00
Non capital expenses - consumables*	600.00
	-----
	\$4,000.00
	-----

### Ecosystems Dynamics Study

Labour - 2 field trips/month for 1 year @ \$200.00	\$4,800.00
- data analysis, report production	
4 weeks @ \$300.00	1,200.00
Travel - 5,000 kms @ \$0.20 per/km	1,000.00
Non capital expenses - consumables*	1,000.00
	-----
	\$8,000.00
	-----

<u>AMOUNT OF ASSISTANCE SOUGHT</u>	\$21,500.00
	-----

### FUNDS TO BE PROVIDED BY THE APPLICANT

Cost of publishing a summary report for the public	
"The Future of the Blackbutt Plateau"	\$400.00
	-----

<u>PROJECT TOTAL</u>	\$21,900.00
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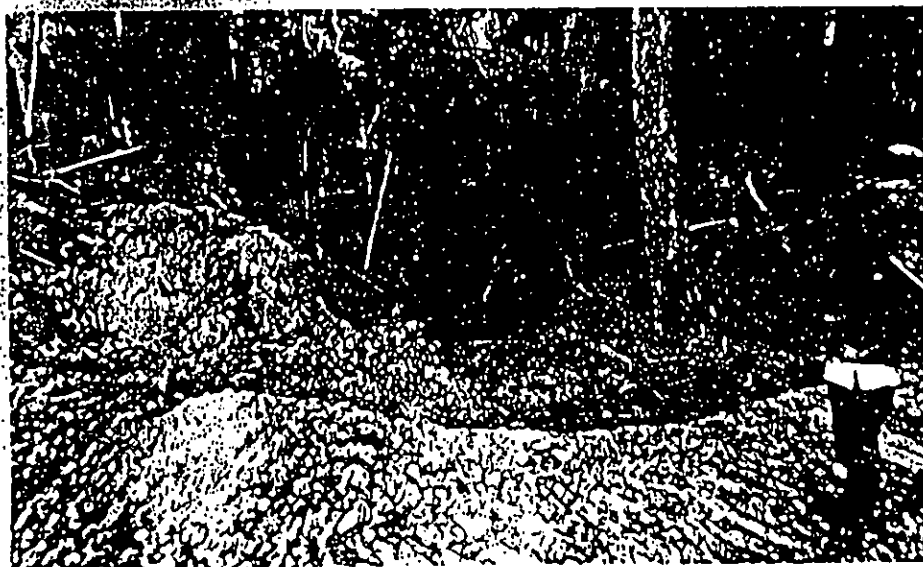
#### \* NOTE:

Consumable items to include:

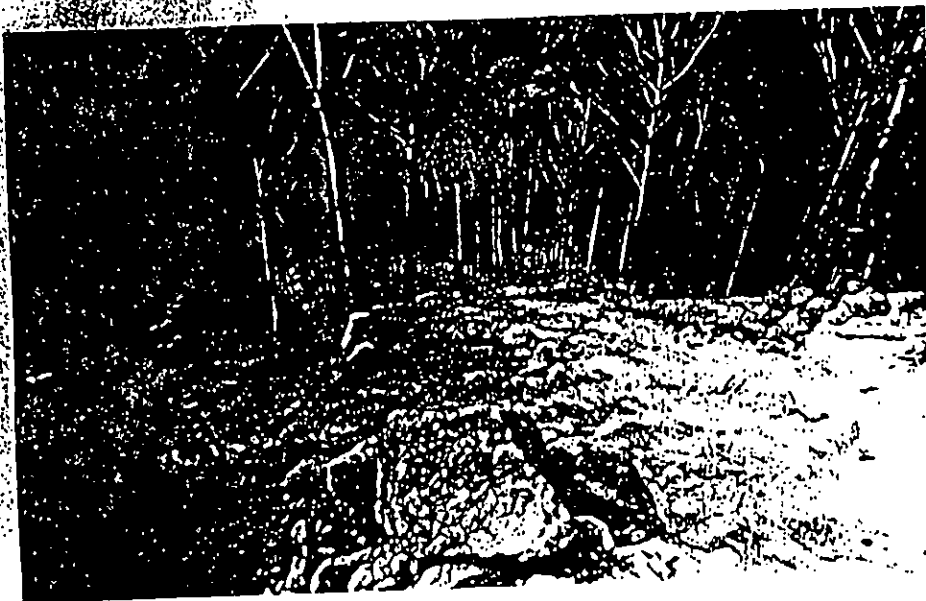
batteries, film and photographic development, sample bags, marking tape, pitfall lines, trap bait, insect repellent, etc



The Nevada Road  
Subsided after rain



Bridge across permanent  
creek

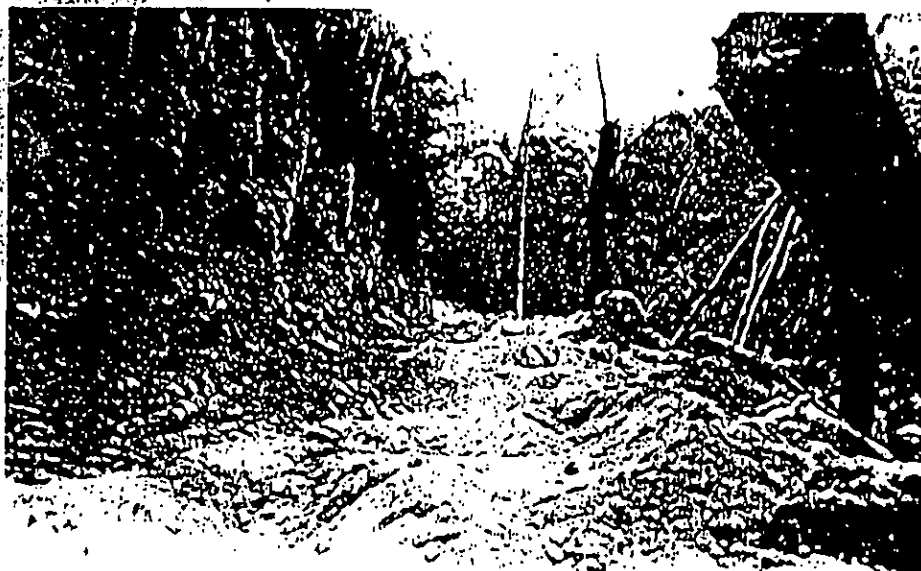


A landslide over a cliff  
heading toward Wilsons  
Creek created by blasting  
for the road

Photographs supplied by  
the complainant.



Figure 10. Landslide on Highway 101, after a landslide on Nevadas Road



5-7-89

**THE BLACKBUTT PLATEAU**  
Wilson's Creek Action Group

The Blackbutt Plateau was unknown as little as five years ago when the name was coined to describe an isolated forested landmass between the Wilson's Creek and Huonbrook valleys west of Mullumbimby. Today, as result of publicity surrounding the activities of the Forestry Commission in the area, people of the North Coast and even further afield are aware that the Plateau possesses those features which add up to a recipe for confrontation:- sought-after timber, combined with environmental and scientific values. Yet the Plateau is still seldom visited and little studied.

Although habitation is close by, it is the isolation of the Plateau which has saved the forest from ravage by the timber industry in the past. To the south, gentler slopes have allowed some selective logging to be carried out during the 1960's, to supply a small mill on the Huonbrook side.

But other aspects are protected by steep rhyolite cliffs, providing a barrier for both fire and the chainsaw. Cool fires appear to have licked away at the edges of the forest, but protection from high intensity devastation has left a most unusual forest. Undisturbed, the tall Blackbutts have aged, developed hollows and pipes, their crowns twisted and distorted with the effects of wind and lightning. Such a large expanse of Blackbutt forest with its valuable wildlife hollows is not otherwise found between Coffs Harbour and the Queensland border. The enormous importance of conserving such mature forests as we have left has been dealt with in a previous article in this series (Northern Star 15/4/89.)

Here inside the trees live the possums and gliders which are the prey of the rare and endangered Powerful and Sooty Owls, both of which have been recorded on the Plateau. Such birds need enormous areas of forest to sustain them.

The diversity of the plant communities which constitute the Blackbutt Plateau are best appreciated from a vantage point on a rhyolite rock outcrop poised above the Blackbutt forest. From an altitude of about 700m, on a clear day, the views up and down the coast are spectacular. But it's usually raining, and mist swirls around the

valleys as water pours down the gullies and trickles across the rock faces, dripping with ferns and orchids.

It seems but a stones throw away to the heavily logged forests of the Koonyum Range to the north.

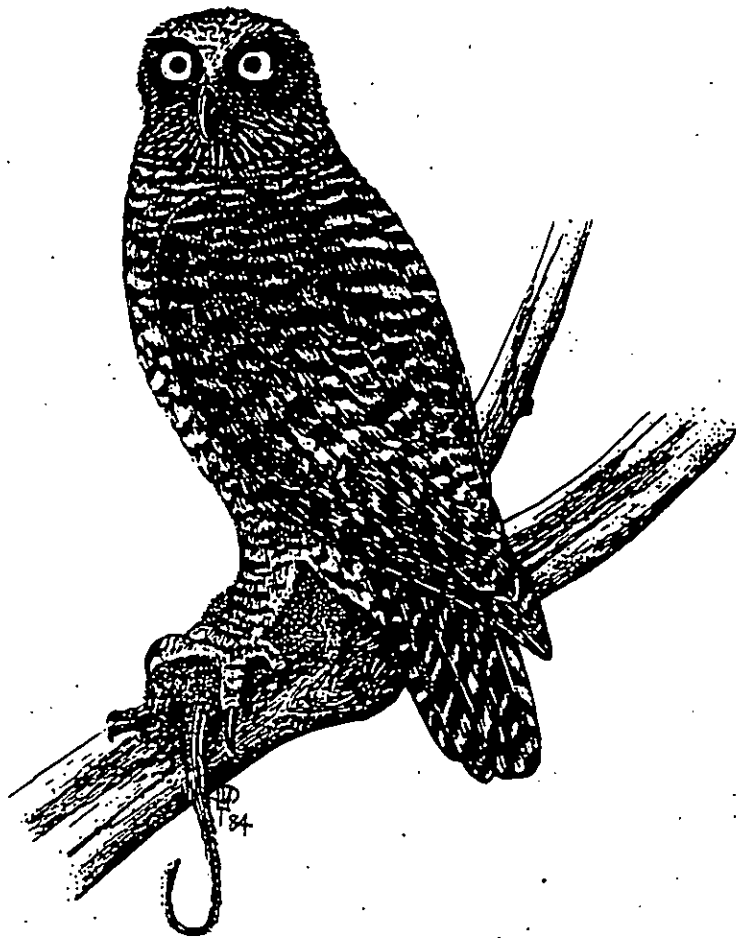
Subtropical and warm temperate rainforests complement the hardwood stands, the rainforest understorey including rare and endangered Peach Myrtle, Small leaved Hazelwood and Corokia. Dense teatree scrub fringes the summit, where pockets of heath are dotted between the rocks. They include a strange variety of bottle brush, which defies attempts to classify it into any known species. But most fascinating and spectacular is the snow lichen.

Like cushions, like pillows, like snowdrifts, these lacy white piles are strewn between the rocks and mixed with clumps of heath plants. Half fungus, half plant, the lichen has achieved an extraordinary growth form, unique in its development on mainland Australia. It springs back softly from the touch when damp, as has been its permanent state of late, but breaks brittly when the bleak dry conditions of the North Coast winter prevail. Lichen experts advise that such formations of lichen may have taken forty to fifty years to develop, but could be destroyed in minutes by the kind of wild fire which might easily escape from adjacent logging operations.

"Nevasae Road" is a Forestry Commission joke (one must never say "road" which implies that certain specifications have been adhered to in its construction - in this case they certainly have not). The Forestry Commission's access road to the Plateau, which has collapsed in a deluge of boulders and legal problems, is in practice the only thing protecting the integrity of the systems of the Plateau from destruction. The Wilsons Creek Action Group has presented a Nature Reserve proposal to the Minister for the Environment Mr Moore in the hope that in the long term the preservation and proper management of the Blackbutt Plateau will be seen to be of greater importance than the short term needs of the timber industry.

# THE BLACKBUTT PLATEAU NATURE RESERVE PROPOSAL

Original  
drawing could be  
supplied



Powerful Owl Ninox strenua

A SUBMISSION TO THE MINISTER  
FOR THE ENVIRONMENT

THE WILSONS CREEK ACTION GROUP

# Logging protest over a 'cuppa'

## Minister inspects Blackbutt Plateau

By GARY CHIGWIDEN of our Byron Bay Bureau

Sitting on a rock perched several hundred metres above the Upper Wilsons Creek Valley, Alan Riordan had the odds stacked against him.

Mr Riordan was arguing that plans to log the Blackbutt Plateau, several hundred metres above where he was sitting, should be dropped and the whole area turned into a nature reserve.

But he had to convince some formidable opposition.

Lined up against him was the Minister for Natural Resources, Mr Ian Causley, the State Member for Ballina, Mr Don Page, and several Forestry Commission officers.

The debate, which was always amicable, took place more than a kilometre up a leech-infested, steep track known as Nevasac Road.

The reason it never took place on the Blackbutt Plateau was because of a large rock-slide across the road, which was thought too dangerous to cross.

Mr Causley earlier had flown into Ballina airport and had been driven in a four-wheel-drive vehicle to the be-

ginning of Nevasac Road near the end of the Upper Wilsons Creek Road.

To show just what a friendly exercise it was, the ministerial entourage earlier had stopped to pick up Mr Riordan, a member of the Wilsons Creek Action Group, and another member of the group, Ms Barbara Stewart.

The group is, of course, strongly opposed to logging on the plateau.

After some Forestry Commission sandwiches and tea at the bottom of the hill, the party, including Cr Cyril James and Cr Stan Sigley from the Byron Shire Council, set out along Nevasac Road.

The hike came to an end just over a kilometre along the road, which at times degenerated into a single-file swampy track — a 'track' incidentally, which was built several years ago at a cost of \$65,000.

After the party removed leeches and regained its breath, Mr Riordan sat down on a rock, and looking at the mountain of rocks blocking the road, suggested to Mr Causley that the logging plans be dropped and the plateau be turned



From left, Alan Riordan, Mr Page and Mr Causley on the Blackbutt Plateau yesterday. Picture: WARREN CROSER

ed into a nature reserve.

He said that whether the Forestry Commission liked it or not, the electorate was saying 'no' to logging.

Mr Causley, who had made the trip to the area at the invitation of Mr Page, assured Mr Riordan that he would not have made the journey 'if there was not anything up here for the people of New South Wales'.

He said there was a demand in Australia for timber which could not be supplied.

If timber was not obtained in Australia, it would have to be imported which would send the Australian economy 'down the spout', he said.

Mr Riordan countered by saying there was no need to 'scavenge for the last bit of timber'.

The debate went back and forward, with Mr Causley talking about achieving a 'balance', the Forestry Commission backing him up with technical details, and Mr Riordan maintaining his stance that the area be turned into a nature reserve.

Then it was back down the road and more leeches.

After a cold drink, Mr Causley admitted that a decision on logging in the area could be 'years down the track'.

He said he was going to weigh up all the circumstances.

"There are a multi-

tude of situations, not the least of which is the economic situation," he said.

"If the economics don't stack up, it won't be done."

Mr Causley said that an environmental impact study would be conducted before any decision to log was made.

He said that if any logging was carried out in the area, it would be selective.

Only 90 hectares out of a total area of 294 hectares would be involved, he said.

As for the trek up and down the hill, Mr Causley said he needed the exercise.

"There were times when I was found wanting," he said.



# NEVASAE NEWSLETTER

This is a quick letter to inform the residents of Byron Shire that the last significant unlogged forest in the shire is about to be devastated.

Some three weeks ago local residents were notified of the impending logging operations by the sound of blasting and falling rocks. Enquiries revealed that an extensive, heavy, near clear fell operation was planned for the previously unlogged inaccessible forest which we now call "BLACKBUTT PLATEAU." The fact that this operation means three return trips by logging trucks each day for up to two years raised immediate concern amongst many residents. The inherent dangers of the winding narrow Wilsons Creek Road (one of the worst in the shire) are only too well known.

An action group of local residents met and called a meeting at the local hall. Millers, residents and a Forestry Commission spokesperson overflowed the local hall and discussed the impending operation.

A "fact finding" bushwalk with resident, industry and forestry representatives visited "Black Butt Plateau" last Sunday. It was then some of us realized the precious nature of the forest stand to be destroyed.

Standing on the roof of the Shire, from a 40 hectare rock cap, you take in the vista of a horizon which encompasses Tweed, Byron and Ballina coastline. Gazing down upon the stand of giant Black Butt the joyfull sound of Lyrebird calls is ringing all around. You are surrounded by mountain ranges **ALL OF THEM HEAVILY LOGGED** except for the one on which you stand, which is still intact because of its inaccessibility. Alarm and outrage fills you that this last intact stand of forest veterans and its wealth of wildlife (a nursery in fact to repopulate the surrounding scarred ridges) is to be wiped out!!

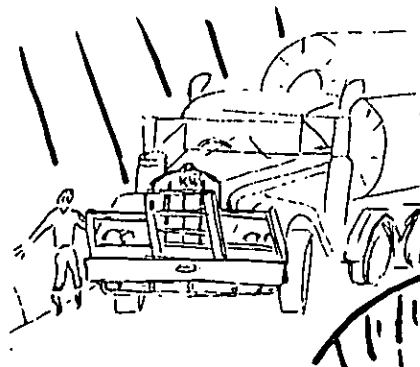
*It became apparent there were two distinct issues - ROAD AND FOREST.*

## FOREST FACTS.

- Black Butt Plateau is unique in that it is the largest unlogged stand of moist Black Butt from Coffs Harbour to the Qld. border.
- The Black Butt logging operation is, according to Forestry Commission policy, a heavy(Close to clearfell) operation designed only to maximise economic return. The Forestry Commission maintains that Black Butt requires a massive amount of disturbance and consequent burning of logging residue to allow for 'adequate' regeneration.
- Age - 600 to 800 years
- There is less virgin Moist Black Butt stands in N.S.W. than Rainforest.
- We found the operation included the roading of some particularly steep slopes and subsequent heavy damage to the vegetation adjacent to the Rhyolite cliffs is already highly visible.
- The Plateau forming part of the Byron Shire catchment area which provides fresh water to Mullumbimby township and surrounding residents.
- Logging the extremely shallow soil, combined with high rainfall in this steep water catchment will have a devastating effect on the environment.
- The effects of the removal of large number's of veteran trees and the consequent destruction of their habitat will lead to a percentage loss of wildlife overall and will effect the ability of these species to maintain a viable community after logging.
- The Forestry Commission have denied us access to their Environmental Review. They have admitted there is no species lists of flora or fauna available for the area in question. Little detail to drainage, soils, fire and erosion have been forthcoming and this suggests to us the information is not even available and that if it exists at all it is embarrassingly incomplete and inadequate.

## ROAD and SOCIAL FACTS

- Once again it seems that the might of big business outweighs the rights of the people.
- A logging truck is up to 2.5 metres wide our road is mostly 3 metres wide
- Both the logging trucks and the residents have to traverse up to twelve wet creek crossings, and the subsequent loss of brakes compounds the peril
- To our amazement our independant road and traffic survey showed 260 vehicles used our road each day.
- Since the last logging operation the population explosion in the valley is indicated by the 100% increase in telephone connections in the past two years. From Council records there are over 400 ratepayers in this area, this indicates a population in excess of 1,000 residents.
- For many years the local Progress Association has unsuccessfully lobbied to improve our hazardous road. There have been numerous accidents and recently a precedence was set when legal action was taken against Byron Shire Council over the inadequacy of their roads.
- There have been studies which indicate that logging trucks severely damage roads proportionally far more than the increase in weight would indicate.
- Improvements to roads and bridges have been **HARD WON** by local residents. The bitumen surface was paid for by a voluntary levy on valley ratepayers and the Pioneer Bridge was partly financed by fund raising activities by the Progress Association over many, many years. (Lots of lamingtons went into Pioneer Bridge!)
- Residents are incensed that logging trucks are using our road without so much as consultation, let alone financial contribution to the upkeep of the road.



**STANDARD SAWMILLS** is owned by the giant **ADELAIDE STEAM-SHIP COMPANY**, who monopolize the local timber industry, squeezing out the small independent mill operators. Their concern for either the forest, residents or the small miller is not apparent.

They are the only mill with the technology to efficiently, laminate small logs into large beams (stable beam) yet they unmercifully plunder this last area of primeval wilderness.

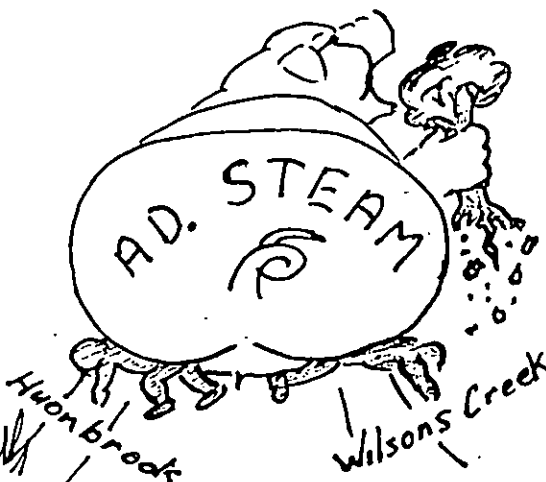
The proposed quota of 12,600 cubic metres gross is now estimated to net 8,000 cubic metres of logs. This is a doubtful figure as these old forest giants are replete with hollows (wildlife habitats).

The Forestry Commission continually assert that the moist Black Butt forest is 300 years old, over mature, and will soon fall down. Independent Botanists estimate that the forest is already 600 to 800 years old and still growing.

If the cost of roading is in excess of \$90,000 and the royalties are up to \$200,000 the cost / benefit seems unjustifiable.

The 200 cubic metres of rainforest timber would provide only three days employment at Standards.

If one timber home uses 20 cubic metres the total operation will build 100 homes. Most of this timber is designated for the Brisbane market.



### AIMS

We are not willing to stand by and see this unique forest severely damaged just to provide logs to an irresponsible and wasteful industry. We therefore demand that an Environmental Impact Study be commissioned and the area declared a **NATURE RESERVE**.

If ever the Forestry Commission intends to assess the ecological effects of the intensive forestry practices used in moist hardwood stands on the North Coast, what will it use as a standard of control against which to judge the effects of its Black Butt plantations.

Upon receiving results of a small independent fauna study of only six hours observation, our concern for the habitat requirements and welfare of the birdlife has greatly increased. Already contact has been made with two endangered species and forty other species of the Avian community have been positively recorded.

An investigation into the monopolization of the timber industry in this area should be carried out in conjunction with addressing the plight of the small sawmill operator. Outrageous workers compensation payments have contributed to the demise of our local mills and needs redress.

We sympathize with timber workers who have such an ineffective union, hazardous working conditions, low wages, high turnover of jobs and no guarantee of permanent employment. The government should address these problems. However, we cannot be responsible for past planning mistakes and by increased mechanization of the timber industry.

The Forestry Commission don't like to call things like a 45° slope carved into a sheer cliff face a road. As a "road" implies that certain standards have been met. As it is very hard for road builders to achieve any degree of excellence when dealing with a sheer cliff the Department uses the tag "**NEVASAE ROAD**". Hence the road into the "Black Butt Plateau" is officially, at present, "**Nevasae Road**".

We'd like to point out to the Commission and Sawmill conglomerates some other good uses for this tag, for instance:-

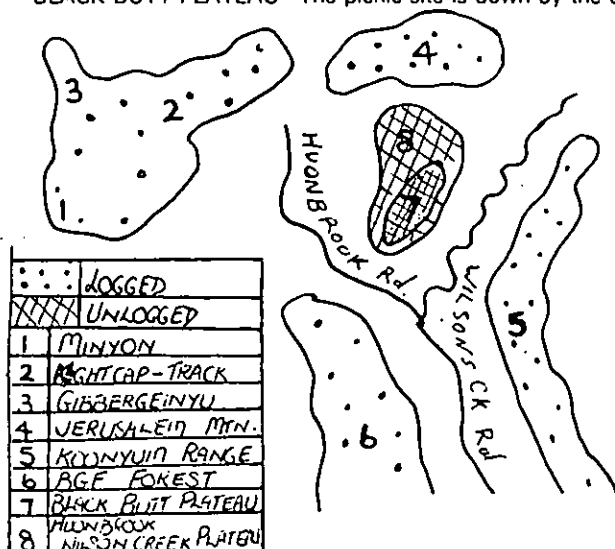
- *Nevasae* rainforest when you can say mixed brushwood
- *Nevasae* snow lichen when you can say fungal growth.
- *Nevasae* concerned residents when you can say protestors.
- *Nevasae* clearfell devastation when you can say selective logging, harvesting, management of resources etc. etc.

### YOU CAN HELP US SAVE BLACK BUTT PLATEAU BY:-

- \*Writing letters to relevant Ministers, newspapers, etc.
- \*Lending us a typewriter/typist.
- \*Offering skills or information or fighting funds.
- \*Band's or promotional help.
- \*Keep us informed of anything you hear about this issue.
- \*Even if you can just help keep us on our feet with cups of tea and moral support.
- \*Donations of Food, Fruit, and anything saleable for Sat 16th, Ideas, Able bodies, Motor Bikes, 4 W.D.Vehicles, Horses, light trucks or utes are urgently needed

**"THE BIG SCRUB FESTIVAL"** The Repentance Creek Hall on Sunday 17th June from 1 p.m. will be jammed with displays from the early days by National Parks & Wildlife Service, Forestry Comm., Rich. Riv. Historical Soc., Aborig. Displays. View the Breathtaking Beauty of the Black Butt Plateau from the Helicopter which will be available most of the day

**CHEAP HELICOPTER RIDES \$15 per SEAT:-** Will be a feature of the Picnic Day at Wilsons Creek this Sat June 16th. There will be Crafts, Stalls etc, Children & Adults entertainment, Music as well as Scenic Joy flights over the beautiful "**BLACK BUTT PLATEAU**" The picnic site is down by the creek, where campfires will be available



Wilsons Creek Action Group (W.A.G.)

P.O. Box 325, MULLUMBIMBY, 2482

Phone 840174 or 840152

This meeting:

1. Condemns the Forestry Commission for ignoring the ombudsman's report
2. Expresses serious concern that the Minister for forests, Mr Hallam, has done nothing but protect the forestry commissions logging road rather than acting to protect the integrity of Blackbutt Plateau
3. Congratulates Byron Shire Council for recommending environmental protection zones over the Blackbutt Plateau and expresses its concerns that these zonings may be eroded by the North Coast Environmental Plan.
4. Requests the Minister for Environment & Planning, as the Minister responsible to act with urgency to create a nature reserve at Blackbutt Plateau, as an extension of the Highcop National Park.
5. Authorises the chairperson and the Wilsons Creek Action Group to issue media statements to report this meeting and the motions carried here tonight.
6. Authorise WAG to write to Mr Carr requesting that the Scientific Zone & Water Catchment Zones in the Draft Byron Environmental Plan, ~~for~~ covering the Blackbutt Plateau, remain unaltered when gazetted.
7. ~~That the meeting~~ write to Byron Shire Council urging the Council to justify to Mr Carr the inconsistency with the Regional Environment Plan.
8. Requests that the Forestry Commission and Byron Shire Council cease on the future of Blackbutt plateau and as soon as possible and that Byron Shire Council make the feelings of this meeting known.

25th February, 1988.

Wilson's Creek Hall was overflowing last night (Wednesday) as local residents, Byron Shire Councillors, Politicians, Conservationists and the Forestry Commission met to consider the future of the Blackbutt Plateau, near Mullumbimby.

National Party candidate Mr. Don Page and Democrat Mr. Stan Gibbs both addressed the meeting and gave statements of support for Wilson's Creek Action Group's moves to have the area declared a Nature Reserve.

Mr Page said, "There was strong argument for reservation" and he agreed to do everything in his power to make sure the Blackbutt Plateau is classified a National Park or Nature Reserve." He suggested a tariff on imported timber, with the funds directed towards planting indigenous species. "Too much emphasis has been placed on softwood Pine Plantations instead of regenerating hardwood forests."

Mr Stan Gibbs said on behalf of Ballina Candidate Mr Ivor Brown, that the Democrats supported W.A.G. entirely.

Mr Don Beck, the member for Byron and Mr Tom Mooney the Labour candidate for Ballina, both sent their apologies. Mr Beck wished W.A.G. a successful meeting while Mr Mooney said, "It would seem both logical and appropriate that the Blackbutt Plateau be protected as a Nature reserve and be incorporated into the existing Nightcap National Park. It would then be managed and administered by the National Parks and Wildlife Service." He gave this undertaking despite the fact that the Plateau is outside his electorate, for he felt so strongly about the issue that it transcends electoral boundaries.

The meeting unanimously passed the following resolution:

- 1) Expresses serious concern that the minister for forests, Mr Hallam, has done nothing but protect the forestry Commissions logging road rather than act to protect the integrity of the Blackbutt Plateau.
- 2) It congratulates the Byron Shire Council for recommending environmental protection zones over the Blackbutt Plateau and expresses its concern that these zonings may be eroded by the North Coast Environment Plan.
- 3) It requests the minister for environment and planning, as the minister responsible, to act with urgency to create a Nature Reserve at Blackbutt Plateau, as an extension of the Nightcap National Park.

A further highlight of the evening was an agreement between the Forestry Commission and Byron Shire Councillors to liaise on the future of the Blackbutt Plateau.

## ROAD COSTS ESCALATE

Nevasae Road, the Forestry Commission's access to the previously inaccessible Blackbutt Plateau is no closer to being a road. Built supposedly to last the duration of a 2 year logging operation the road collapsed within a fortnight, after only a few days of rain. The Rhyolite cliffs fractured and dumped hundreds of tons of rock, trees and forest soil onto Nevassae Road. Bulldozers are frantically trying to reopen it before any investigation begins.

In another section which traverses the steep cliff face, Nevassae Road partly collapsed and slid 200 metres towards Wilsons Creek.

After only a few weeks the mountain has purged itself and again proved the need for study. Almost 3 times more mountain has had to be moved than originally anticipated, the road is 2 months behind schedule and roading costs continue to escalate.

When will the Forestry Commission realise the futility of roading a cliff face in such a high rainfall area (approx. 150" of rainfall p.a. 4,000mm). We challenge them to reveal to the public the true and entire roading costs.

As we have stated earlier, the mature nature of this Moist Blackbutt forest makes the revenue from royalty payments very questionable because of the large hollows in these veteran trees and the possibility that an unknown number will shatter on impact when felled.

Together with spiralling roading costs, the economic viability of the operation is a sham. The Forestry Commission's roading costs will possibly be greater than the royalties from the timber and once again the taxpayers of N.S.W. will have to pay for Forestry Commission mismanagement. For what.....? Not only do we have to subsidise the coffers of Standard Sawmills but we are expected to accept a flattened forest and an unsafe road!!

## STANDARD SAWMILLS CAN'T LOSE

The multi-national Adelaide Steamship Co. purchased Standard Sawmills not because the Murwillumbah Mill was profitable or had any future but because it possessed the laminating technology which Adelaide Steamship could utilize in its extensive third world operations.

Who are the Adelaide Steamship Co.? At face value a respectable Company, but when it comes to flattening forests, they have no equal on the North Coast.

Increased mechanization and the planned company closure of Standard Sawmills "over mature Log Operation" will mean the retrenchment of most of the Murwillumbah workers. The once labour intensive industry will employ high technology and only a small group of computer operators.

This is likely within two years and we wonder if the workers have been informed. Whether they log or not Standard Sawmills are in a no loss situation.

We suspect Standard Sawmills would be pleased if it were told NO LOGGING! They could claim compensation from the State Government, i.e. taxpayers, and have an excuse to close their uneconomic section of the mill and blame all the industries woes on the conservationists. Once again big business does well and the taxpayer, mill worker and resident are squeezed. It would be interesting to find out how much Standard Sawmills have received in compensation over the past few years and how much of this was paid to workers as retrenchment pay?

## FLORA

The extensive stands of coastal Blackbutt (*Eucalyptus Pitularia*) after which the Plateau is named are the most important feature of this area. The huge trees (which are at least 300 and possibly 600 to 800 years old) are replete with extensive pipes and hollows. The undergrowth ranges from dense Riffle grass to a mixture of rainforest species in the gullies. Sheer Rhyolite cliffs fringe the Plateau, but once on top of the central rock outcrop impressive views are obtained of the nightcap range to the west and Mt. Jerusalem to the north. Towards the coast a panoramic vista unfolds from Tweed Heads, south to Ballina, with Cape Byron in the central background.

The Plateau includes a mosaic of vegetation ranging from the drier Bloodwood and Scribbly Gums with an undergrowth of Banksia & Grass Trees (Blackboys 1,000 years old) to the moist Blackbutt forest featuring Turpentine and rainforest in the gullies. The 40 h.a. rock outcrop is carpeted by snow lichen protected by mountain heath, dominated by Ti-Trees. We have compiled a list of over 150 flora species which included such Rainforest types as Rosewood, Crabapple, Coachwood, Pencil Cedar and the scarce small leaved Hazelwood.



**Powerful Owl**

An example of the delicate balance between an unlogged forest and its inhabitants.

Distribution: S.E. Coast of Australia and now endangered as a result of the loss of its habitat.

Description: Australia's largest owl stands 60 cm tall with a wingspan of over a metre. Mate for life (up to 30 yrs), eats 80 - 100 possums and sugar gliders per year. Needs a large forest area with suitable hollows for prey and nest sites.

This forest is of even age indicating an absence of high intensity fires and this unusual situation is likely to continue because of the protection afforded by the fringing rainforest and sheer cliffs.

If this pre-colonial stand were destroyed, the scientific community and the public would be deprived of a valuable resource and the forestry Commission would lose a reference area against which to assess the ecological effects of Blackbutt Plantation Forestry. A forest with these characteristics is poorly represented in National Parks and the states' Nature and Flora Reserves and is rarer than rainforest.

We proposed this area as a Flora Reserve so that it may remain as the last piece of wilderness of its kind in the world to provide habitat for the many endangered species which depend upon it for their survival.

## FAUNA

The age and undisturbed nature of this Forest makes it particularly valuable in terms of providing the hollows required as den and nest sites for tree dwelling animals (albeit) and birds.

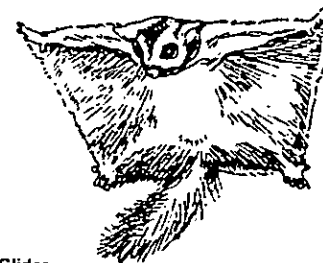
Cursory independent studies of the bird life of the Plateau recorded 57 species of which 5 are classified under the National Parks and Wildlife act as vulnerable and rare. These endangered species are the Albert's Lyrebird, the Wompoo Fruit Dove, the Powerful Owl, Sooty Owl and the White Eared Monarch. Many others are likely to be recorded in longer term studies and when spring and summer migrants are considered.



**Alberts Lyrebird**

Distribution: Rare, restricted to mountainous rainforest of S.E. QLD. and N.E. N.S.W.

Characteristics: Songster with remarkable powers of mimicry.



**Greater Glider**

About 1 metre long, exist's only in hollow trees, moves around in a set pattern using the same trees each night to make composit glides of up to 600 metres. Can be found in two colour types both of which may occur on the Blackbutt Plateau.

## DIRTY WATER

Recent heavy rain has confirmed that the steep slopes surrounding the Blackbutt Plateau are of a highly erosive nature when subjected to forest or top soil removal.

Muddy water conditions resulting from blasting and roading works already affect the timeless habits of several creek inhabitants. Our man at Taronga Zoo informs us the platypus is in for a hard time feeding off the bottom and dislikes the taste of powdered Rhyolite.

After contacting Public Works; Soil Conservation and Catchment Protection, we have so far had little response.

Are there any plans to gauge silt deposits at the Mullumbimby Reservoir? Since erosion is the greatest environmental problem in our State, why is a Government Department aggravating this very problem in an area classified as a water catchment?

## BRAVING TOURIST ROUTE 12

The Wilsons Creek Road — the valley's lifeline to town is a narrow, winding, treacherous track, laced with wet creek crossings, loose gravel and blind corners.

A recent 6 day Road Survey by WAG revealed an average of 290.5 vehicles per day using our road. Considering that logging trucks will be making 30 trips per week (doubling the present number of heavy trucks) then it would be an intrepid driver indeed who would dare brave Tourist Route 12 to Upper Wilsons Creek. WAG is aware of many near and minor accidents which have already resulted from vehicles involved in this operation and there is a recorded instance of a local accident with a logging truck in December last where the car involved was written off.

How many more accidents will occur?

To avoid logging trucks residents will have to adhere to a timetable, creating great inconvenience.

The New Zealand Ministry of Works reported that of 10,000 heavy commercial vehicles surveyed, log carrying vehicles caused more damage to roads than any other haulages. Years ago residents dipped into their own pockets to finance a bridge and the bitumen surface which has since deteriorated to its present poor condition.

The Shire Engineer advises us that "Wilsons Creek Road used by logging trucks is obviously inadequate for the task on road design, maintenance and traffic safety grounds and Council could not afford to maintain or reconstruct the road". (Shire Council meeting 26.6.84).

## AIMS & ACHIEVEMENTS

WAG calls for an independent Environmental Impact Study and an immediate halt to all roading and logging. There seems two options open to the residents to call halt — No More Destruction.

Firstly a LEGAL and secondly a POLITICAL option.

A legal challenge is possible but in the meantime WAG has concerned itself with debate and discovering facts. Each avenue we follow in this search exposes a Pandora's Box of twists, vested interests, mismanagement, etc., etc. We have endeavoured to increase public awareness of the carnage on the Plateau and seek the support of community groups. Within a fortnight both the Mullumbimby and Byron branches of the Labor Party joined us in a call for a study. They moved promptly with responsible concern to

latest proposal is for Nature R. as extension to Nightcap N.P.

demand Mrs. Crosio, Minister for Natural Resources, to intervene. Support from environmentally aware groups such as BEACON, Association for a United Shire etc., followed and then on 26th June Byron Shire Councillors showed concern for their Shire when they voted 6-3 to request the Forestry Commission to prepare an E.I.S.

The Shire Engineer advised of the "inadequacy of Wilsons Creek road" and the lack of local job opportunities in this operation. All councillors supported, except Crs. Watterson, who made owl "noises", Bourne, who said Wilsons Creek road was built for logging trucks and Cyril James who doesn't know any better. Stan Robinson, although chairperson and not required to vote requested that it be recorded that he voted against the motion.

Media coverage has been plentiful and generally favourable but beware of inaccurate statements by uninformed persons who have already attempted to discredit WAG by throwing doubt on our credibility, including the inaptly named North Coast Branch of the Association for the Protection of Rural Australia. We suggest these people contact us to establish their facts before they appear in print as evidence of their ignorance.

WAG is about consensus and a resolve to discover the FACTS in a responsible manner — we do hope the Forestry Commission is aware of this public consensus and that Mr. Wran remain honest to his environmental responsibilities and avoid pending ecological disaster.

### YOU REAP : WHAT YOU SOW

Instead of financing stop gap employment schemes (such as painting toilet blocks) the government should plan a major Reafforestation Scheme of long term economic and social benefit — (Just as was very effectively done in New Zealand in the 1930's). Our native forests have been

Thank you to our many supporters who have contributed time and effort to this campaign. We look forward to your continued support and anyone who has a spare moment, a dollar, or an idea, please don't hesitate to come forward, as we will only save the Blackbutt Plateau with community support.

## PICNIC MARKET DAY

Visit the Blackbutt Plateau  
Guided Forest Walks — Be Early  
Music, Stalls, Children's Entertainment  
**SATURDAY 28TH JULY**  
10.00 a.m. start  
Helicopter Rides (weather permitting)

### HELP SAVE YOUR BLACKBUTT PLATEAU

Donations of saleable items would be appreciated. Please contact us at 84 0174 or 84 0152

exploited almost to the point of extinction on the North Coast. There are many unemployed who would benefit from such a scheme.

More trees in N.S.W. die each day than are established. In 1979 Mr. Wran formed a "Task Force to Assist in Reafforestation" aimed at encouraging private forestry. The government "Task Force" findings were submitted in 1981 but 3 years later have still not been released. Why? Is this indicative of Mr. Wran's assistance to reafforestation?

The Wran government gives only minimal assistance to the local volunteer schemes who work hard to reafforest the countryside. The Forestry Commission Projects Officer who once liaised with local property owners has been transferred south and the Forestry Commission is left with a skeleton staff of 15, including typists, to manage the district's forests.

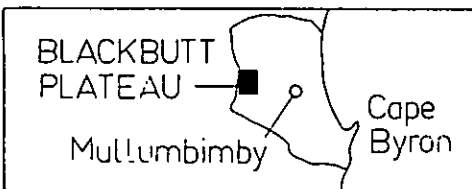
The Forestry Commission is gradually relocating its operations from the North Coast native forests to the monoculture (Radiata Pine) of southern N.S.W. where land prices are cheaper.

However it has failed in its task of replanting the North Coast forests after degrading this resource for the past 70 years.

Whilst southern N.S.W. gets new mills, plantations, jobs, etc., the North Coast is left with ravaged forests, a timber industry on the brink of closure, yet another Forestry Commission confrontation and the absence of anything like a responsible reafforestation policy.

Instead of fighting this issue forest by forest we should be attacking the State government in order to get a coherent policy that is not just public relations waffle, and which is translated into action for the benefit of Millers, Timber workers, conservationists and the public.

Postage Paid Australia



# RAPE OF THE BLACKBUTT THE LAST STAND

It's 4 weeks since the last Nevasae Newsletter which was released to inform Byron Shire of the current roading and proposed logging operations for the Blackbutt Plateau. This newsletter is a brief report of the past four weeks which we have devoted to investigating the validity of the Forestry's operation, the aim of which is to devastate the largest significant stand of unlogged moist Blackbutt in N.S.W. Further investigation has revealed it is probably the most significant forest of its type in the world.

## FORESTRY COMMISSION MISMANAGEMENT

The Forestry Commission of N.S.W. was created by an act of parliament in 1916 for the express purpose of providing "timber in perpetuity to the people of N.S.W.". The Commission has clearly failed its charter otherwise it would not have to exploit this last unlogged Moist Blackbutt Forest. After all the Forestry Commission's role is to prevent mismanagement of our forests and to discourage greedy opportunism.

Without notifying residents and ignoring the residential nature of Wilsons Creek, the Forestry Commission has unleashed a major roading and blasting operation to gain access to the Blackbutt Plateau. Under section 112 of the Environmental Planning and Assessment Act (E.P.A.) of 1979, the Forestry Commission must undertake an Environmental Impact Study (E.I.S.) for "any activity which affects the environment".

Roading the undisturbed Plateau and cliff face constitutes a significant effect on the environment and should have been investigated along with the plan to near clear fall and burn the moist Blackbutt Forest.

Besides this flagrant disregard of the law the Forestry Commission has contravened its own Management Objectives (see Table 1) and WAG will continue to insist that an E.I.S. be carried out before there is anymore senseless destruction.

Table 1

Quote from Section 8 Forestry Act 1916

Management Objectives:

To maintain a natural forest vegetation cover, adequate to:

- (a) conserve the soil resources and water catchment capabilities
- (b) maintain a diversity of habitat and wildlife indigenous to the area
- (c) retain a forest environment aesthetically acceptable to the public generally.

To maintain any unique or rare archeological, historical, floral, faunal or other scientific values.

Note the Forestry Commission's contravention of their own objectives!



WILSONS CREEK ACTION GROUP (W.A.G.) P.O. Box 325, Mullumbimby 2482.  
Phone 84 0174 or 84 0152.

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REPORT UNDER SECTION 26

OF THE OMBUDSMAN ACT

THE FORESTRY COMMISSION

The conduct of the Commission in deciding to  
construct the Nevašae Road and the formulation of a  
proposal to log Nullum State Forest.

DATE REPORT ISSUED: -6 FEB 1987

FINAL REPORT

1. THE COMPLAINANT

Ms. R. Clayfield on behalf of the Wilsons Creek Action Group.

2. THE AUTHORITY

The Forestry Commission of New South Wales (the Commission).

3. THE COMPLAINT

Ms. Clayfield complained to this Office about the unsuitability of roads in the Nullum State Forest for logging operations and the manner in which a road had been constructed to service proposed logging in the area.

4. THE INVESTIGATION

As a consequence of Ms. Clayfield's complaint, an investigation was initiated into:

1. the failure of the Commission to properly consider all relevant matters prior to its decision to log Nullum State Forest; and
2. the failure of the Commission to properly implement its decision to log so as to minimise any damage and destruction to the affected area.

Following an inspection of the area by the Ombudsman, the conduct the subject of investigation was re-defined by him as:



The alleged failure of the Commission to comply with the provisions of section 112 of the Environmental Planning and Assessment Act prior to the construction in or about May 1984 of the Nevasae Road which road has, as its primary purpose, the facilitation of logging in an area of some 100 hectares of forest forming part of the Nullum State Forest and called by the complainants the Blackbutt Plateau.

Later, during the course of the investigation, the Ombudsman added a second matter to the conduct to be investigated:

The alleged failure of the Commission to properly consider all relevant matters in order to establish whether an environmental impact statement was required in terms of Section 112 of the Environmental Planning and Assessment Act prior to the construction of Nevasae Road and the formulation of a proposal to log Nullum State Forest.

In the course of the investigation, all relevant files and documents of the Commission were examined. Enquiries were made of a number of the staff of the Forestry Commission. In addition, the Ombudsman and his investigation officer inspected the area and the construction work carried out by the Commission.

## 5. RELEVANT MATTERS

- 5.1 The Forestry Commission is constituted under the Forestry Act, 1916, as amended. This Act gives the Commission the responsibility for the control and management of state forests and a variety of powers and responsibilities relating to timber and its products in New South Wales.
- 5.2 In August 1983 the Forestry Commission completed an environmental review relating to the construction of logging roads and tracks and logging from the Wilsons Creek section of Nullum State Forest. The author of the review, Mr. I.G. Robertson, District Forester, concluded that:

- (a) The impact to the overall environment through road construction and logging is not sufficient to warrant abstaining from the proposed operation.
- (b) There is no unusual fauna or flora, or sites of significance known which should preclude going ahead with the operation nor should the operation be postponed pending investigation for such rareities or sites.
- (c) Sufficient environmental safeguards are proposed to minimise the level of impact on the environment.

In view of these conclusions it is recommended that an EIS not be prepared for the construction of Nevasae Road or for the logging of part compartments 97 and 27 Nullum State Forest.

Mr. Robertson's review states, under the heading "Decision", "the environmental effect of this proposal is not likely to be significant. An environmental impact statement will not be prepared".

The review was approved by the then Acting Regional Forester, Mr. G.J. Gray and forwarded to the Secretary of the Commission.

- 5.3 Section 11(1)(e) of the Forestry Act, 1916 enables the Commission to construct, among other things, roads for the taking or the moving of timber from any state Forest. Section 11(4) of that Act enables the Commission to enter into any agreement with the holder of a licence, for the construction of a road which is necessary to enable timber, products or forest materials to be taken from the land.
- 5.4 On 21 November 1983 the Commission submitted a proposal for the construction of Nevasae Road to the Minister for Forests. The expenditure was approved by the Minister on 29 November 1983.
- 5.5 On 26 April 1984 the Commission commenced construction of the Nevasae Road, the purpose for which was to enable the taking of timber from the areas of the Nullum State Forest to be logged.

- 5.6 On 17 May 1984, a Timber Licence was issued to Standard Saw Milling Co Pty Limited. The licence, signed by Mr. I.G. Robertson, District Forester, permitted the taking of hardwood and brushwood sawlogs from the Murwillumbah Forestry Management Area, under direction by the District Forester or his Deputy.
- 5.7 At the time of the decisions referred to above it was envisaged that logging would not commence until the spring of 1985.
- 5.8 The Nevasae Road, which has now been completed, is a short life road, leading off Upper Wilsons Creek Road, which is a Shire road. The Nevasae Road was built for the purpose of access to and from the proposed area of logging in the Nullum State Forest and would be used by heavy trucks transporting sawn timber logs. In its environmental survey, the Commission estimated that trucks would travel along the road six times a day for six months of the year for a period of two years. Much of the road is constructed on the edge of a steep slope and through a plateau (known as the Blackbutt Plateau). Since the completion of construction, following a period of rain, part of the Nevasae Road collapsed, and the debris slid towards Wilsons Creek. Furthermore, it has reported that the rhyolite cliffs, which skirt the road in some places have subsided, depositing rocks, trees and soil on the Nevasae Road. Action was taken to clear away this debris. Annexed are photographs of the road, during and after construction.
- 5.9 The area concerned is subject to high annual rainfall. The town of Mullumbimby receives its water supply from Wilsons Creek, above which the Nevasae Road is located. The Commission has stated that during construction there may be some discolouration of the water, but this is only transient. The complainants expressed concern that siltation of the creek would occur as a result of the construction of Nevasae Road. However, the Commission considered that rock spoil from the construction of the road

would not contribute significant amounts of sediment to Wilson's Creek.

5.10 On 11 March 1985 the Director of the Department of Environment and Planning, Mr. R.B. Smyth wrote to the Ombudsman, informing him that he had visited the Nullum State Forest and inspected the area where the proposed logging is to take place. He enclosed with his letter a copy of a letter dated 26 February 1985 sent by the Minister for Planning and Environment, the Hon. R. Carr to the then Minister for Natural Resources, the Hon. J.A. Crosio. Mr. Carr's letter states, in part:-

...the Director of Environment and Planning was briefed by District Officers of the Forestry Commission during an inspection of the work so far undertaken in the preparation for the logging of Blackbutt Plateau. The Director has advised me that the extensive road works that have been undertaken have had and still have a significant effect on the environment. The Director considers that the extensive logging operation which the Forestry Commission has advised the Ombudsman will commence in September of this year, will also have a significant effect on the environment.

The Forestry operations proposed for the Blackbutt Plateau are extensive and it is the Director's view that an environmental impact statement should have been completed before work commenced, and certainly should be completed before the logging operation commences. The Director's view is based on his assessment of the operation and the precedent established in the Court's decision on the logging of rainforest remnants in the Gooninbar State Forest. The accessing of Blackbutt Plateau and the logging operation proposed in the Nullum State Forest is more extensive than the work proposed in Gooninbar, which the court found warranted an environmental impact statement.

The Director has also advised me that the Department has previously offered to assist the Forestry Commission in steering the preparation of the environmental impact statement that would properly address the issues, but not involve the Commission in the extensive costs which they suggest would be incurred. I am pleased to confirm the Director's offer of having the Department join with the Commission in a Steering Committee to supervise the preparation of an appropriate environmental impact statement for the proposed forestry operations. If you are prepared to accept this offer, I suggest the Commissioner of Forests contact the Department of Environment and Planning to establish the necessary Steering Committee.

In view of the representations which have been made to the Premier on this matter I have forwarded a copy of this letter to him.

- 5.11 In response to the statement of provisional findings and recommendations prepared in relation to this investigation, the Commissioner for Forests said:

Roading operations and proposed logging operations are not "extensive" by any relative or objective test. Perhaps greater familiarity with forestry operations would materially alter the view of the Director.

His opinion of "significant" effect is irrelevant. S. 112 is interpreted by Courts.

The Commissioner also told the Ombudsman that Forestry and Department of Environment and Planning staff investigated the cost of taking up the Director's offer "to assist the Forestry Commission in steering the preparation of the environmental impact statement". However, the offer was rejected by the Commission because of the cost and the fact that the Director would not guarantee that legal proceedings would not be taken by him for the failure of the Commission to comply with clause 57 of the Environmental Planning and Assessment Regulation, 1980. This clause specifies that an environmental impact statement should be in writing and signed by the person preparing it. It also sets out the matters that must be covered by the Statement.

Clause 58 of the Regulation provides that the person preparing the Statement shall consult with the Director, and have regard to any requirements of the Director about the form and content of the Statement which have been notified in writing by the Director. According to the Commissioner, the Commission "requested Mr. Smyth to amend Cl. 58 to provide that his requirements override the Cl. 57 requirements, but he was not prepared to do this".

- 5.12 On 26 April 1985 the Secretary of the Premier's Department, Mr. G. Gleeson, informed the Ombudsman that, following consultation with the Premier, the Minister for Natural

Resources had decided that no logging of the Nullum State Forest would occur within the next 4 to 5 years. Furthermore, it was decided that the Ministers approval and an environmental impact statement would be necessary before logging commenced.

## 6. RELEVANT CONSIDERATIONS

6.1 At the time when the proposal to construct the Nevasae Road was before the Forestry Commission for approval, the provisions of section 112 of the Environmental Planning and Assessment Act, 1979 stated, in part:-

- (1) the determining authority shall not make a final decision to undertake, or to approve of the undertaking of, an activity that is either a prescribed activity, an activity of prescribed kind or an activity that is likely to significantly affect the environment unless -
  - (a) the determining authority has obtained, examined and considered an environmental impact statement in respect of that activity ...

At that time, "activity" was defined in section 110 of the Environmental Planning and Assessment Act as:

- (a) the formulation of a proposal, or the making of a recommendation or decision, for the carrying out of a development, work or project by a determining authority or a development, work or project for which the approval of an determining authority is required;
- (b) the incurring of expenditure by or on behalf of the determining authority in respect of the carrying out of a development, work or project by the determining authority or the incurring of expenditure by or on behalf of any other person in respect of the development, work or project for which the approval of an determining authority is required; or
- (c) the carrying out of a development, work or project by determining authority or a development, work or project for which the approval of a determining authority is required,

but does not include the preparation or making of an environmental planning instrument under Part III or an activity as defined in paragraph (a), (b) or (c) that requires a consent under Part IV.

- 6.2 According to the Forestry Commission, when a proposal is made to construct a road to service logging operations, an environmental review is prepared, and on the basis of this review, the decision is made whether or not an environmental impact statement is necessary. The Commissioner for Forests advised this Office as follows:

The proposal to construct a road is submitted by the District Forester to his supervising Regional Forester. This submission will include information on the cost of the road and the amount of revenue which will be generated by use of the road. It must be shown that environmental safeguards have been properly considered. This submission is considered by the Regional Forester, who will forward it to Head Office for consideration. In Head Office it is considered by the Marketing Division to check the revenue aspects, by the Engineering Branch to check the estimated cost of construction and by the Environment Branch to check that provision has been made for adequate environmental safeguards. If all aspects are satisfactory, the proposal is then submitted by Works Branch through the Chief, Forest Operations Division, to the Commission for approval or, if necessary, for its endorsement and submission to the Minister.

- 6.3 The environmental review prepared by the District Forester states, in part,

Road construction and logging are routine operations. In this case particular care is required in the construction of Nevasae Road because of the steep side slopes, but the road can be built to the required standard within the guidelines imposed. ...

Environmental safeguards proposed insure that logging will have the minimum impact on ecosystems of the environment and the water quality is maintained. Unlogged areas are proposed for visual safeguards and the ecosystem retention. Some transformation will occur, but this is necessary to ensure adequate regeneration after logging.

- 6.4 Under the heading of "Description of Existing Environment" the review states "no detailed vegetation list has been prepared". Further it says "No detailed faunal list has

been prepared for the area. It is not considered that the proposed activity will have any lasting adverse affects on wildlife in the area. Unlogged areas totalling 177ha will be retained to maintain existing wildlife resources".

6.5 In a discussion on the "Specific Features" of the area proposed to be logged, the following information is provided:-

(a) Unusual forest types or other plant communities

Although partly logged in the past this represents the largest area of mature Blackbutt remaining on State Forest within the district. However, smaller areas of unlogged Blackbutt are represented in Boogarem Falls and Boomerang Falls Flora Reserves, Lost Valley Preserved Area, and Nightcap National Park.

(b) Rare or Endangered Plants

None known.

(c) Unusual Plant Occurrences

None known.

(d) Rare and Significant Faunal Occurrences

None known.

(e) Aquatic Life

None known.

(f) Caves or other Geological Formations

A large section of rock in the centre of the area covers some 15 ha, but it cannot be seen from surrounding farmland or roads below the cliff line. The rock is of no known cultural significance.

(j) Aboriginal Sites

A recent check of the National Parks and Wildlife Service sites record revealed no sites existed in the subject area.

(h) Sites of Historical Significance

None known.



(1) Sites of Local Significance

None known.

- 6.6 The Management Plan for the Murwillumbah Management Area provides a check list of fauna which has been recorded in the forests of the management area. Some of these are rare and endangered species and others require mature forest in a relatively unlogged condition to survive. The Commissioner has pointed out that the "fact that rare and endangered species exist in the management area does not mean that they exist or are endangered necessarily in the logging area".

In the Environmental Review it is stated that "the impact on fauna in logging areas will be unavoidable and some will suffer as a result. There is no likelihood of any species of flora or fauna becoming endangered as a result of the proposed operation".

In a submission to the Minister for Natural Resources of June 1984, the Wilson's Creek Action Group, in proposing a floral reserve on the Blackbutt Plateau, lists flora and fauna known to exist on the plateau. Again, it is claimed that some of the species are rare or endangered.

- 6.7 Over the last few years, a number of cases have come before the Land and Environment Court in New South Wales which raise questions about whether or not, in a particular case, an environmental impact statement should have been prepared prior to the commencement or continuation of an activity or whether or not the environmental impact statement was adequate. These cases provide a useful guide to a judicial view of the purpose and effect of carrying out an environmental impact statement. One case, Kivi v. Forestry Commission of New South Wales and Standard Sawmilling Company Pty. Ltd. (Cripps J. 22 October 1982), was concerned with the construction of roads, built for the purposes of serving a logging operation in the Goonimbar State Forest.

In the case of Newton v. The Council of the Shire of Wyong and the Minister for Public Works and Ports, McClelland J.

stated that "One of the purposes of an E.I.S. is to discover whether the effect of an undertaking on the environment will be significant". Further, his Honour said, "I agree with respect with the statement of Cripps J. in the Prineas case .... to the effect that an environmental impact statement is designed to serve the ultimate decision-making process, not to replace it".

In the case of Kivi, the Forestry Commission had based the decision not to prepare an environmental impact statement on the fact that the environmental review carried out concluded that the environmental effect of the proposal was not significant. In his judgment, His Honour, Cripps J., noted that the "Environmental Review described the existing environment in fairly general terms. It says 'There are no known unusual forest types or other plant communities.' Under the heading 'Unusual Plant Occurrences' and 'Rare or Significant Faunal Occurrences' was written 'None known'. Under 'Aquatic Life' was written 'There is no known unusual aquatic life.'".

He went on to say: "It is important to remember that although this document is entitled 'An Environmental Review', it was not intended, nor did it purport, to be an environmental impact statement. To the contrary, it was intended as an explanation why no environmental impact statement would be prepared. It did not purport to assess the impact of this activity on the environment."

Further, he says that the environmental review "expressed [a] lack of knowledge of what was likely to be encountered in the locality" and "expressed [a] hope that the effect on whatever was encountered would be protected by general conditions and the implementation of the Commission's policies ...". His Honour found that the conclusions reached by the author of that survey that the environmental effect of the proposal was not significant and that an environmental impact statement should not be prepared were not sustainable.

## 7. CONCLUSIONS

- 7.1 I am satisfied that the Forestry Commission of New South Wales is bound to comply with Part V of the Environmental Planning and Assessment Act, when making a decision to construct a road, the purpose for which is to facilitate logging operations in State forests.
- 7.2 I am satisfied that the Commission was prohibited by section 112 of the Environmental Planning and Assessment Act from making the decision to construct the Nevasae Road in the Nullum State Forest and to conduct logging operations in that Forest, being separately and together activities that were likely to significantly affect the environment, without first obtaining, examining and considering an environmental impact statement concerning that activity, and otherwise complying fully with the provisions of section 112.
- 7.3 I am satisfied that the environmental review, upon which the Commission based its decision not to prepare an environmental impact statement, highlights deficiencies in the knowledge of species or other environmentally significant matters in the Nullum State Forest. For example, the District Forester states, in his review, that detailed lists of vegetation and wildlife had not been prepared. In this regard, the review is an inadequate and unsatisfactory basis upon which to determine whether the impact on the environment would be significant or not. Therefore, I am satisfied that in making a decision to construct, and in carrying out the construction of the Nevasae Road, the Commission failed to comply with the provisions of section 112.

In response to this conclusion, the Commissioner said that "(t)he E.P.A. Act does not require a determining authority to prepare an E.I.S. where there is a possibility that an activity will significantly affect the environment - S. 112 only requires an E.I.S. where there is a probability that an activity will significantly affect the environment". He goes on to say the

... conclusion that certain fauna and flora were not the subject of listing in the E.R. lead to unsound decisions, totally ignores the fact that all the executives concerned with the decision are literate in biological sciences, and have many years of experience with impacts generated by forest operations.

The implication of the conclusion, he says, "is that without a list they are helpless!".

Furthermore he says:

It is reasonable to assume that if the existence of rare and endangered fauna or flora or other "environmental significant matters" are not known in the area, an activity proposed to be carried out with appropriate environmental safeguards is not an activity that is likely to significantly affect the environment.

However, this ignores the fact that the Management Plan alerts the Commission to the fact that some rare and endangered flora and fauna exist in the area of which the Nullum State Forest is a part.

## 8. FINDING

8.1 I find that the decision of the Forestry Commission of New South Wales to construct the Nevasae Road in the Nullum State Forest and to conduct logging operations in that Forest without having first prepared an Environmental Impact Statement was contrary to section 112 of the Environmental Planning and Assessment Act and this constitutes wrong conduct under the Ombudsman Act.

The Commissioner for Forests has challenged the Ombudsman's power to make a finding that the Commission's conduct in this case was "wrong" in terms of the Ombudsman Act, because it is contrary to law.

The advice of R D Giles QC of counsel was sought on this question. He advised that it is open to the Ombudsman to

make the finding that the Commission's conduct in this case was contrary to law and his written advice is appended to this report (Annexure "B").

9. RECOMMENDATIONS

- 9.1 I recommend that an application to the Land and Environment Court be made by the Commission seeking a declaration as to the status of the now completed Nevasae Road, given that an environmental impact statement has not been carried out and what action should be taken in relation to that road.
- 9.2 In accordance with section 26(5) of the Ombudsman Act, I require the Commission to notify me within six (6) weeks of the date of this report of action taken in consequence of it.

A handwritten signature in dark ink, appearing to read 'G.G. Masterman', is written over the printed name.

G.G. Masterman,  
Ombudsman.

## BLACKBUTT PLATEAU

**Location** - west of Mullumbimby in NE NSW

**History** - residents were first made aware of the issue when roadworks began in 1984. Action by the Wilsons Creek Action Group, together with continuing access problems, eventually resulted in the calling of a 3-4 year moratorium on logging of the Plateau by the then Minister for Natural Resources Mrs Crosio.

**The Resource** - The Plateau includes about 115 ha of overmature Blackbutt (*E. pilularis*) which has been largely unlogged, fired or otherwise disturbed. As such it constitutes a valuable scientific reference area, and is believed to be the largest unlogged Blackbutt forest between Coffs Harbour and the Queensland border. It provides valuable habitat for wildlife which depend on the hollows of the mature trees. Rare and vulnerable species such as the Powerful and Sooty Owls, and numerous rare and endangered plant species have been recorded in the area.

Associated with the Blackbutt forest are warm temperate and subtropical rainforests, other Eucalypt communities, teatree scrub and heath. The Plateau is capped by a rock outcrop covered in a rare form of snow lichen.

**Nevasae Road** - The Plateau has not been logged in the past because of its inaccessability. The FC's access road was located across a cliff face in a very high rainfall area, and promptly collapsed. Currently it is blocked by a huge landslide. The road is located mainly on private land, part of which was accidentally traversed by the FC without the permission of the owner. This owner now refuses access, as does the new owner of the remainder of the road.

In Feb 1986, the Ombudsman found that the road was constructed illegally, in that an EIS should have been prepared. Two engineers have independently measured grades in excess of the FC's own specifications, and commented on the incompetent engineering of the road. We presume that the FC are taking steps behind the scenes to try to resume this land.

**Wilsons Creek Road** - Residents are unanimous in their opposition to the use of this narrow winding road by logging trucks on the grounds of physical danger and cost to ratepayers.

**Water Catchment** - Wilsons Creek is part of the Byron Shires water Catchment.

**Economics** - Analyses have shown that royalties derived from the operation will not cover the costs of roading etc.

**Nature Reserve Proposal** - WAG have presented a Nature Reserve Proposal to Moore who has refused to investigate it (over ridden by FC interests). We have recently repeated this request but no reply yet.

**Flora Reserve** - The FC has announced plans to declare a Flora Reserve over a small area of the Plateau. This includes the snow lichen and a small area of forest, but does not protect the major part of the Blackbutt Forest. It is regarded as totally inadequate to protect the values of the Plateau.

**ESTABLISHMENT OF THE**

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**NEW ENGLAND**

**NETWORK:**

**U.N.E. ARMIDALE**

**U.N.E. NORTHERN RIVERS**

**Causley's recent visit** - Early this year Causley visited the area and walked up Nevasae Rd as far as the landslide (thus failing to gain access to the Plateau itself.) He said that economic factors may result in abandonment of the project, but that since so much money has already been spent on the road, it made sense to try to recover it. He fell back on the 1982 Rainforest Decision commitments to the timber industry as a reason for the continuation of the project. He accepted that an EIS would be necessary before work could begin.

Currently - an EIS has been commissioned and we believe that work has begun on this.

**Related issues** - The BBP is obviously a key campaign in any overall consideration of the conservation of old growth forests.

WAG has consistently argued for more plantations, and restructuring of the FC and forest industries to avoid such conflicts in the future.

Wilsons Creek Action Group  
PO Box 325  
Mullumbimby 2482

Alan Riordan 066 840152  
Barbara Stewart 066 840127



## Proposed Course structure:

### Bachelor of Applied Science (Scientific Computing)

#### Year 1

<i>Semester One</i>		<i>Semester Two</i>	
✓ Chemistry	Core	Hydrology & Climatology ✓	Core
✓ Geology	Core	Statistics ✓	Core
✓ Biology	Core	Ecology ✓	Core
Resource Assessment Techniques I (Surveying & Mapping) ✓	Core	Resource Assessment Techniques II (Surveying & Mapping) ✓	Core

#### Year 2

<i>Semester One</i>		<i>Semester Two</i>	
Computing in Applied Science	Core ✓	Information Systems I ✓	Core
Advanced Statistics & Packages	Core ✓	Programming I	Core ✓
Choice of two of the following:		Choice of one of the following:	
Marine Biology	Elective ✓	Computer System Architecture	Elective ✓
Oceanography & Meteorology	" ✓	Computing Methods	Elective ✓
Aquatic Ecosystems	" ✓	Choice one of the following:	
Inshore Pollution & Monitoring	Elective ✓	Coastal Plant & Animal Communities	Elective ✓
		Coastal Geomorphology	Elective ✓

#### Year 3

<i>Semester One</i>		<i>Semester Two</i>	
Computer Maintenance	Core ✓	Choice of one of the following:	
Programming II	Core ✓	Electronics	Elective ✓
Communication software/hardware		Advanced Programming	Elective ✓
(Automated Data Gathering)	Core ✓	Unit from School of Business	Elective ✓
Information Systems II ✓	Core	Remote Sensing & <del>Satellite Imagery Analysis</del>	
		Project (Equivalent of two units)	Core ✓

BEACON

20062

BYRON SHIRE COUNCIL		
REC'D - 2 FEB 1989		
FILE NO. 60299...		
60296...		
FILM REF 40-2137		
REFER TO	CAA	Records

Wilsons Creek Action Group,  
PO Box 325,  
Mullumbimby. 2482.  
23 January, 1989.

Mr Oliver Dunne,  
Byron Shire Council,  
Byron Bay 2481.

Dear Oliver,

Attached please find copies of recent correspondence with the Minister for Natural Resources Mr Causley and a copy of an engineering assessment of Nevasae Road. The assessment raises matters of concern to Council, in particular that of the effect of the roading operation on the water catchment.

Accordingly, the Wilsons Creek Action Group requests your support in their call for the closing and rehabilitation of the road. We would be pleased if the Council would consider making representations to the Minister.

Yours sincerely,

*Alan Riordan*  
(for) Alan Riordan,  
Wilsons Creek Action Group.

( COPY )

Wilsons Creek Action Group,  
PO Box 325,  
Mullumbimby. 2482.  
23 January, 1989.

Mr I C Causley, MP,  
Minister for Natural Resources,  
23-33 Bridge Street,  
Sydney. 2000.

Dear Mr Causley,

Attached for your information is a copy of an engineering assessment of Nevasae Road, Upper Wilsons Creek. The study was carried out for the Wilsons Creeek Action Group by consulting civil engineer, Mr R G Corben.

On the basis of the information contained in the report, the Wilsons Crrek Action Group requests that you take immediate action to have the road closed and rehabilitated.

Yours sincerely,

Alan Riordan  
Wilsons Creek Action Group  
Ph 066 840152

cc District Forester  
Murwillumbah.

**RUSSELL G. CORBEN** BE (Syd) LGE (NSW & Q)

CONSULTING CIVIL ENGINEER (retired)

*Land use planning, project management*

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Wilsons Creek,  
Mullumbimby,  
N.S.W. 2482.  
Ph. 066 840156

**NEVASAE ROAD, Upper Wilsons Creek.**

**AN ENGINEERING ASSESSMENT**

Nevasae Road was constructed for 1.5 km mostly over lands outside the Nullum State Forest to provide access from Upper Wilsons Creek Road to the Blackbutt Plateau for the purpose of logging. The NSW Forestry Commission was responsible for planning and supervision of the work.

This report is provided for the Wilsons Creeek Action Group which has strongly protested the proposed logging for the past six years.

**INSPECTION**

An on-site survey was made 11 Dec 1988 using 100 metre tape, compass and clinometer. The surveyed alignment of the road was confirmed as the unmarked road shown Topographic Map HUONBROOK 9540-1-N Scale 1:25,000 of 1986.

**LANDS INVOLVED**

The route commences at the Upper Wilsons Creek Road just upstream of Fern Dip.

- \* the first 30 or 40 m of the road appears to be on LOT 1 of D.P.259954 of former PORTION 26, PARISH OF TOOLOND, COUNTY OF ROUS.
- \* it then crosses an unmade reserved road to a padlocked gate which is the point of origin for this measured length of Nevasae Road.
- \* 00 to 320 m is over PORTION 55.
- \* 320 to 560 m and 780 to 1170 m is over PORTION 66.
- \* 560 to 780 m is over PORTION 57.
- \* these measurements were scaled from Topographic Map since the Portion boundaries were not observed on the ground.

- \* Portions 55,66 and 57 were held as Settlement Purchase Lease 44/1 Lismore and access to make the road was gained by the Forestry Commission with completion by the lease-holder of a Permit to Enter. Conditions attaching to the agreement are not known.

#### **RESIDENTS INVOLVED**

The Wilsons River downstream from the Nevasae Road is the source of water for the town of Mullumbimby and for a large number of residents who live in the valley of the Wilsons River above the dam at Laverty's Gap. Water is drawn from the stream for domestic use and is legally protected from siltation, turbidity and other contamination.

These lands were proclaimed 11 March 1955 as part of the Mullumbimby Water Supply Catchment District, and have 7(c) Zoning - Water Catchment in the Byron Shire Local Environment Plan of 1988.

The residents are also gravely concerned about the disturbance to their normal peaceful use of the mountain valley's narrow winding roads by logging trucks.

## EARTH SLIPS AND SOIL EROSION.

From the Upper Wilsons Creek Road to the measured distance of 900 m the Nevasae Road was formed by cutting into side slopes of 35 to 45° in brown podsollic soils with rhyolite rock showing occasionally as a substrate. This section shows many land slips due to slope instability and active erosion by water scour. These are caused by the roadworks which have undercut the uphill slopes and diverted and concentrated the natural flow of surface water run-off.

In this section 00 to 900 m there were recorded:-

- a) NINE places with gully erosion caused by water scour. Of these, FIVE places discharged directly into Wilsons River. Eroded soil would be washed into Wilsons River when there was rainwater run-off.
- b) NINE landslips were observed where the ground above the road had slumped towards and/or on to the road - toppled trees and palms were noted 20 m above the road.

A major land slip 70 m long and 15 to 20 m high in brown soil at 800 m probably occurred at the time of construction.

- c) Active soil erosion was noted in the table drain of the road in the first 50 m from the locked gate. The erosion gully measured 1.5 X 0.7 m in width and depth - seepage water was flowing. This is at the point where the run-off from a major side catchment would cross the road as shown on the topographic map. No provision for the control of this water was

observed and it is more than likely that heavy pollution of Wilsons River would occur from this large catchment.

#### ROCKFALL

Between measured distance 900 and 1200 m the Nevasae Road was made by cutting into rhyolite rock formation with a natural side slope of  $45^{\circ}$  to  $50^{\circ}$ . This section has suffered a slope failure, due to undercutting, with a massive rockfall starting some 30 -40 m above the road, and covering the road completely over a length of some 90 m. The fall of rocks, rubble and soil has spread below the road for a slope distance of about 200 m spilling finally on to what was most likely former cultivation land. This is close to a stream bed which is a major tributary of the Wilsons River and flows into it 250 m further on.

The raw rock face and spill have a slope area of about 1.8 ha which is highly visible from the Upper Wilsons Creek Road as a scar in the green mountain side.

#### GRADE OF NEVASAE ROAD.

- a) Clinometer readings of gradients on the road were taken at measured distance 500 m which indicated  $12^{\circ}$  uphill/ $12^{\circ}$  downhill and at 700 m the uphill reading was  $12^{\circ}$  to  $15^{\circ}$  uphill.
- b) Measurements made on photographs of the rockfall show the gradient as  $15^{\circ}$  to  $16^{\circ}$  between 950 and 1150 m.
- c) These gradients indicate that the road was built to a grade significantly steeper than the maximum of  $10^{\circ}$  stipulated in the Forestry Commission's own Environmental Review of 1983.



## OPTIONS FOR THE FUTURE

### OPTION I. LEAVE AS IS.

- a) The route is not accessible for motor vehicles due to the diversion banks, soil slips and the large rockfall.
- b) Pollution of Wilsons River will continue due to soil erosion.
- c) Further earth slips will occur.
- d) Further rockfalls can be expected and are a hidden danger to users of the road, particularly in the major rockfall area.
- e) There will be continuing degradation of the properties.

### OPTION II. OPEN FOR MOTOR TRAFFIC

- a) Diversion banks will have to be removed. It is not expected that each diversion bank will be replaced with a culvert, so the present flow of surface run-off will be concentrated again with much increased erosion of scoured gullies. All of these lead to Wilsons River, some discharge directly into it and silt traps should be provided.
- b) Increased pollution of Wilsons River can be expected.
- c) At the existing rockfall the unstable ground above has to be removed and the roadway cleared of fallen rock and rubble.

- d) Adjoining the rockfall and above the cut rock faces there is unstable ground. These areas should be investigated and all doubtful ground removed.
- e) There will be continuing degradation of the properties.

### **OPTION III. CLOSE PERMANENTLY**

It is not possible to unmake the road as most of it was constructed by cutting into the mountain side, blasting solid rock, and pushing the excavated material over the edge where it was "lost" down the natural slope.

The land cannot be returned to original condition. The best that can be done is to stabilise the mountain side above and below the existing road formation.

Stabilisation should include the following factors:-

- a) Remove all ground and loose material found to be unstable after thorough investigation.
- b) Construct more drainage diversion banks to minimise concentration of rainwater run-off and so reduce erosion potential.
- c) Provide traps to prevent silt from entering the Wilsons River.
- d) Stabilise and reduce erosion of earth slip areas by trimming, draining, revegetating etc.
- e) Turbidity pollution will continue until vegetation cover is complete.
- f) Further degradation of the properties will then be minimised.

## CONCLUSION

Nevasae Road has been built in country where there was a fragile balance held between a steep mountain side, vegetation and a particularly heavy rainfall.

Competent investigation in the location of the route and design of the road would have disclosed the environmental risks inherent in constructing a road in this place.

The risks were:-

- a) Excavation in side-cut weakens the slopes and gives rise to landslides.
- b) Road formation across the slopes intercepts the natural flow of drainage, concentrates the flows to just a few places with consequent erosion and pollution of the waters of Wilsons River.
- c) The road doubles back on itself and this fact compounds the problems. Drainage water is concentrated at the upper levels from where it erodes down the slopes and mixes with landslides onto the road below.
- d) Where rock was blasted with explosives expert knowledge was required to avoid shaking the hillside and increasing the hazard from loosened ground above.

A reasonable assumption is that there was a lack of sufficient involvement of professional engineers in this project.

The recommended option is permanent closure as being the only way to minimise the continuing damage to the lands and to the pollution of the Wilsons River.

R.G. Corben

11-1-89

## APPENDIX A

## NEVASAE ROAD - ENGINEERING ASSESSMENT

## SURVEY FIELD NOTES (EDITED)

Recorders: Leath Stewart, Russell Corben.

## Chainage

00 metres	gate
00-46	gully erosion in table drain on high side.
46	diversion bank
69	d/b interval 23 m.
95	d/b interval 26 m.
100	active scour from road towards Wilsons Creek.
120	d/b interval 25 m.
150	d/b interval 30 m. M/traffic block; U/H eroded side creek water flowing
170	d/b interval 20 m.
195	d/b interval 25m. outlet active scour (to Wilsons Creek?)
220	d/b interval 25 m. large scour downslope above road, landslip on to road, scour below road to Wilsons Creek.
244	d/b interval 24 m. dge line crosses road severe scour down to Wilsons Creek.
255	uphill major scour, many slips, toppled trees, downhill active scour right to Wilsons Creek.
280	uphill landslide onto road, toppled palms extends 20 m above the road.
283-300	water along topside of road in a little gully (L.S.)
300-400	three (3) d/b - less erosion rock substrate (L.S.)
420	d/b
-	d/b
464	d/b uphill landslide onto road
484	d/b uphill landslide onto road
500	uphill landslide onto road bearing 270° grade 12°
515	d/b new bearing 310° road grade 12°
-	d/b
615	d/b
-	d/b
-	d/b
-	d/b
700	new bearing approx 115° sighting difficult - grade 12-15°
400-700	road doubles back on itself
700	d/b d/b d/b
820	d/b
845	active scour from road
860	d/b major landslide onto road begins
883	d/b
900	major scour with landslips from road right down to road at lower level probably about chainage 300 m.
910	RC Pipe Culvert 450 mm diameter (?)
928	major landslide onto road ends
	d/b d/b
1000	d/b
	d/b

1065 massive rockfall blocks road completely. estimated length of road covered 80-90 m. estimated height of landslide above road 30-40 m. hillside slope 50° uphill, 45 to 50° downhill. This landslide comprised highly unstable large boulders with mostly unconsolidated rubble etc between boulders. The risk of crossing this section was judged an unnecessary exposure for the present purposes. The survey was terminated at this point.

Note: a few diversion banks may not be recorded. Average interval between banks 25 - 30 m.





PHOTOGRAPH 1 (left)

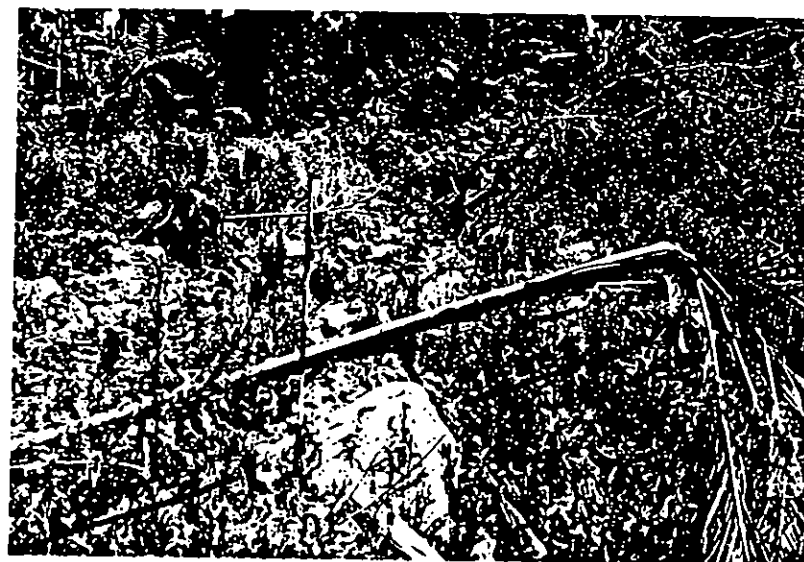
At 00 m, gate on boundary of reserved road and PORTION 55  
Note table drain erosion on high side of Nevassee Road.

PHOTOGRAPH 2 (right)

At about 500 m, shows typical diversion bank constructed to reduce damage by concentrated rainfall run off. Person with 2 m ranging poles gives idea of size. In background is Koonyum Range (eastern part).







PHOTOGRAPHS 3 (above left), 4 (above) and 5 (left).

Between 400 and 500 m. Three places where concentration of drainage from upper level of road has caused scouring and land slumps down the hill side onto the road at the lower level.

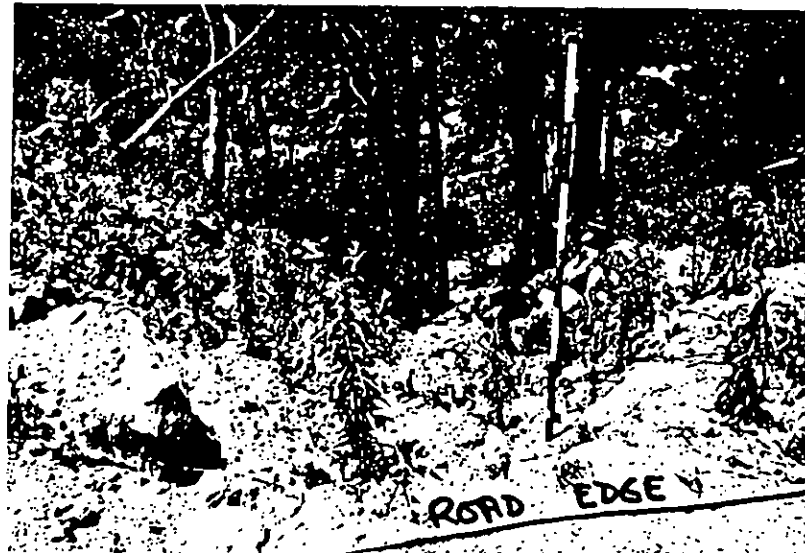


PHOTOGRAPH 7 (left)

At 900 m (photograph taken from the edge of Nevasae Road).  
Drainage scour with landslips from road down hillside  
spreading out some 80 m below.

PHOTOGRAPH 6 (right)

At 244 m (photograph taken from the edge of Nevasae Road).  
Drainage scour with landslips from the road right down to Wilsons  
Creek where water is showing in photograph. In background is the  
Upper Wilsons Creek Road.



At 900 m mountainside of slope 40 - 45° rendered unstable by construction of road.



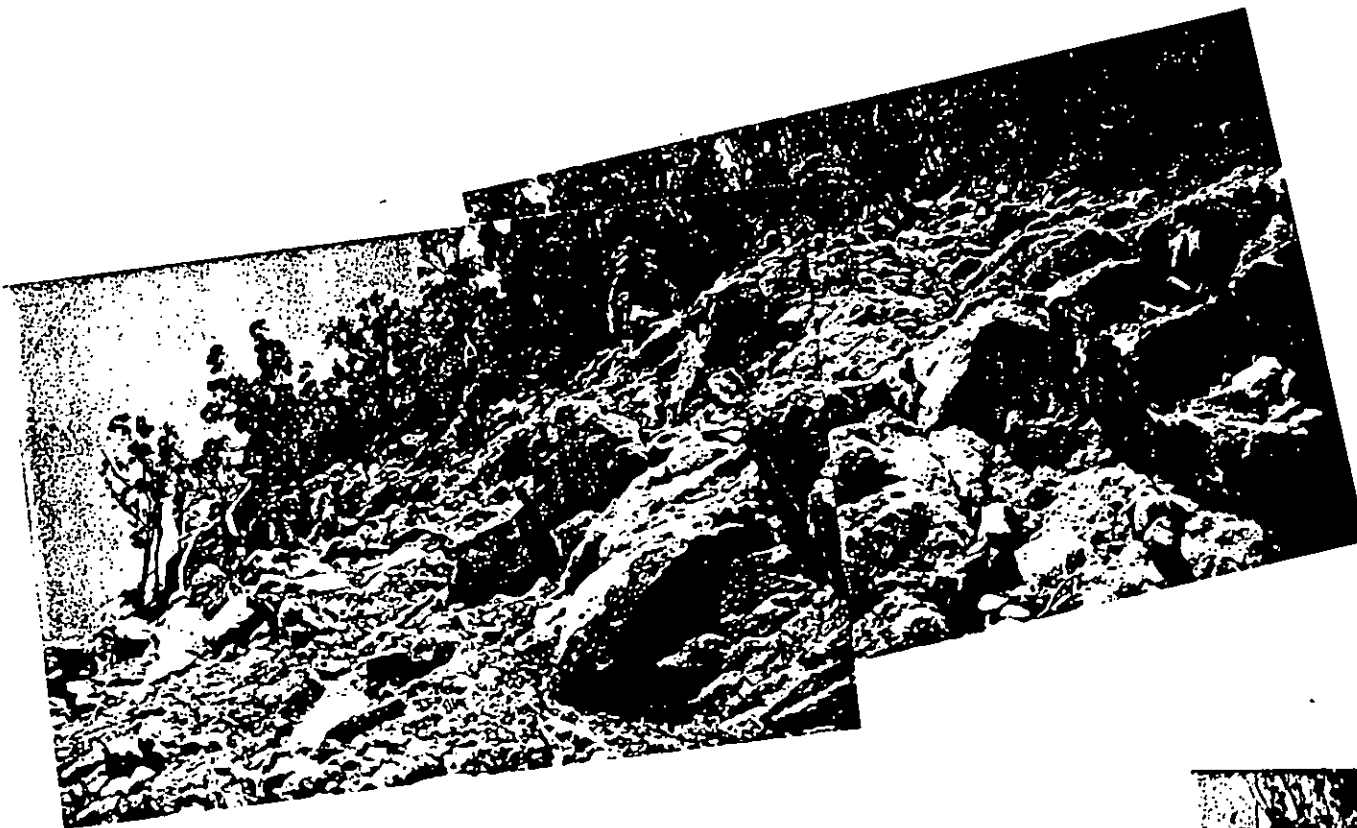
PHOTOGRAPH 8 (above)

View down road looking NW with Koonyum Range (western part) in the background. Note person on the road.



PHOTOGRAPH 9 (above)

View up road.



PHOTOGRAPH 10 (below)

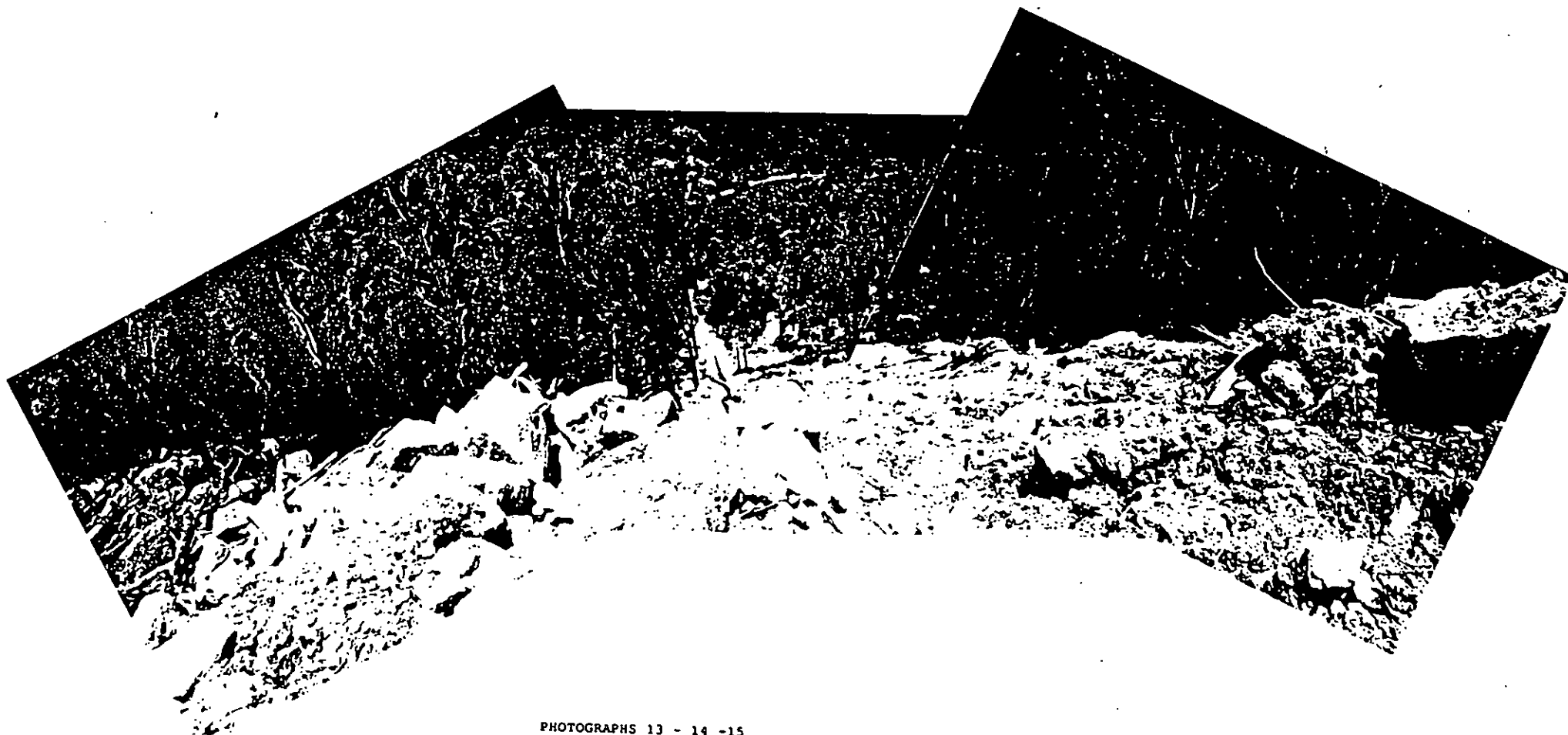
At 1065 m Nevasae Road completely blocked over nearly 100 m by massive rockfall. Our party did not venture across this unstable ground. Spilled slope is 35 - 40°.

PHOTOGRAPHS 11 - 12 (above)

At 1100 m, "panorama" with two over-lapping photographs of rockfall area above Nevasae Road. Note unstable nature of loose rocks and over hang along top edge with rocks and trees.



EDGE



PHOTOGRAPHS 13 - 14 -15

At 1100 m "panorama" using three photographs to show rock fall below Nevasae Road. Note the Upper Wilsons Creek Road in the background.

The lower level of Nevasae Road and the Wilsons Creek are just beyond the end of the rock fall debris.

On the extreme left is part of Nevasae Road.



EDGE

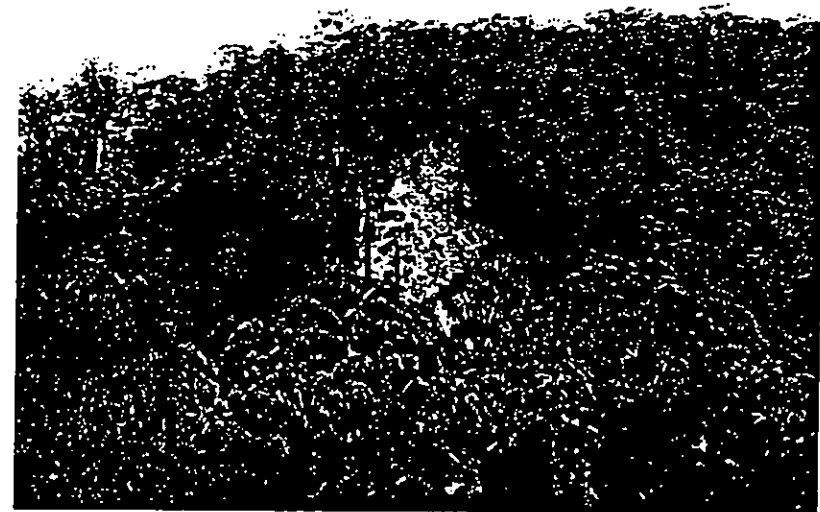


ROAD

PHOTOGRAPHS 16 (above) and 17 (right)

Unstable ground above Nevasae Road.

Both photographs show cut rock faces rising above the road between 900 and 1200 m. Note cracked rock face, loose rocks, poised soil and trees typical of this section.



Two views from the Upper Wilsons Creek Road.

PHOTOGRAPH 19 (above)

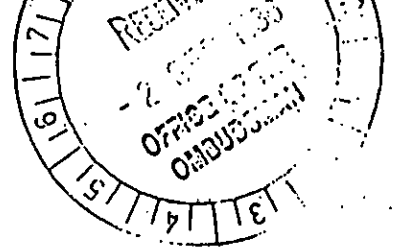
The massive rockfall is highly visible. The grade line of Nevasae Road can be seen leading to the rockfall.

PHOTOGRAPH 18 (left)

This heavily scoured hillside leads directly from Nevasae Road to Wilsons Creek.

The lower part of another scoured section from the road is seen on the right of the picture. This also discharges directly into Wilsons Creek.

OMBUDSMAN



re

FORESTRY COMMISSION OF NEW SOUTH WALES

A D V I C E

In August 1983 the Forestry Commission of New South Wales ("the Commission") completed an environmental review relating to the construction of logging roads and tracks for the purpose of, and logging from, the Wilson's Creek section of Nullum State Forest. The author of that review recommended that an environmental impact statement not be prepared for the construction of the major such road, the Nevasae road, or for the logging of certain sections of the forest, on the ground that the environmental effect of the proposal was not likely to be significant. On 26 April 1984 the Commission commenced construction of the Nevasae road, and on 17 May 1984 it issued a Timber Licence permitting the taking of timber from the said sections.

In consequence of a complaint from Ms. Clayfield, the Ombudsman decided to make the subject of an investigation conduct defined as -

"The alleged failure of the Commission to comply with the provisions of section 112 of the Environmental Planning and Assessment Act prior to the construction in or about May 1984 of the Nevasae road which road has, as its primary purpose, the



facilitation of logging in an area of some 100 hectares of forest forming part of the Nullum State Forest and called by the complainants the Blackbutt Plateau."

"The alleged failure of the Commission to properly consider all relevant matters in order to establish whether an environmental impact statement was required in terms of section 112 of the Environmental Planning and Assessment Act prior to the construction of Nevasae road and the formulation of a proposal to log Nullum State Forest."

The authority the conduct of which was the subject of the investigation was the Commission. A draft report has been prepared by the Ombudsman in which the finding is expressed that the decision of the Commission to construct the Nevasae road in the Nullum State Forest and to conduct logging operations in that forest without having first prepared an environmental impact statement was contrary to s.112 of the Environmental Planning and Assessment Act, and that this constitutes wrong conduct under the Ombudsman Act ("the Act").

The Commission has contended that the Ombudsman does not have power under the Act to make such a finding. The basis for its contention is best expressed in para.8.1 of the letter from the Commissioner for Forests to the Ombudsman of 2 May 1986 -

"The Ombudsman's functions are limited to 'matters of administration' - see section 5(2) of the Ombudsman Act and the definition of 'conduct' in section 5(1) of the Act. Also see Clause 6 of Schedule 1 of the Act and note that 'public authority' is defined in section 5(1) as including any officer of the Public Service. Section 12(1)(a) excludes a person from complaining to the Ombudsman about the conduct of a public authority where acting as a legal advisor. This clearly suggests that the legislature did not intend that the Ombudsman be empowered to investigate a matter simply because he has a different view of the application of the law to a particular fact situation as compared with the view held by a public authority, particularly in the circumstances of this matter where the whole question depends upon a subjective opinion as to whether an activity is 'an activity that is likely to significantly affect the environment'.

The Commission maintains that it properly considered the environmental impact of the proposed activity according to law and properly concluded that it was not an activity that was likely to significantly affect the environment.

...

In your letter of 14th March, 1985, you argue that because section 5(1)(a) of the Ombudsman Act provides that for the purpose of the Act, conduct of a public authority is wrong if it is contrary to law, you are therefore empowered to investigate whether conduct of the Commission is contrary to law.

However, with respect, it is submitted that you are not entitled to find that the Commission's conduct was contrary to law simply because you have a different view of the application of the law to a particular fact situation compared with the view of the Commission, unless you can show that the Commission has taken irrelevant factors into account. ...

You are entitled to find as a matter of fact that the Commission has not complied with section 112 (and there has never been any dispute about this), but you are not entitled in the Commission's view to find as a matter of law that the Commission was legally obliged to comply with that section in the facts of this particular case. This is a matter for a court to decide."

I have been asked to advise whether or not it is open to the Ombudsman under the Act to make the finding expressed in the draft report.

The Ombudsman may investigate, and report upon, the conduct of a public authority. "Conduct" is defined in s.5(1) of the Act to mean -

- "(a) any action or inaction relating to a matter of administration; and
- (b) any alleged action or inaction relating to a matter of administration."

"Administration" is defined to include administration of an estate or a trust whether involving the exercise of executive functions of government or the exercise of other functions, a definition which is obviously not exhaustive. In Glenister v. Dillon (No. 1) (1976) V.R. 550 it was held, in relation to the equivalent Victorian act, that

administration denoted the performance of the executive function of government, as distinct from performance of the judicial or legislative functions of government, that distinction being adopted and applied in Booth v. Dillon (No. 3) (1977) V.R. 143 and Glenister v. Dillon (No. 2) (1977) V.R. 153. While there are some differences between the Act and the equivalent Victorian act, I do not think that the differences make the distinction inapplicable to the Act, and it can be seen to be reflected in the reference to executive functions of government in the definition of administration to which I have referred.

It may not follow that, if the action or inaction does not relate to the performance of the judicial or legislative functions of government, it must relate to a matter of administration: to be in the area of performance of the executive function of government may not be a sufficient condition to result in relationship to a matter of administration. Booth v. Dillon (No. 3), supra, did appear to reason that it was a sufficient condition. But it is enough to ask whether or not the conduct of the Commission the subject of the Ombudsman's investigation is properly described as relating to a matter of administration, with the guidance which the distinction to which I have referred provides.

One of the functions of the Commission is to control and manage State Forests, including the construction or permitting the construction of logging roads (Forestry Act, 1916, s.11). What the Commission was doing was considering whether or not logging should proceed in the Nullum State Forest and, as part thereof, whether or not the Nevasae road should be constructed, having regard in particular to the environmental effects thereof. In so considering, the Commission was quite clearly performing an executive function of government, as distinct from a judicial or legislative function. If some further refinement be needed in order to decide whether or not it was engaged in a matter of administration, it was in my view so engaged because it was

doing that which it was required to do in controlling and managing the Nullum State Forest. In controlling and managing the Nullum State Forest, it was required to consider whether logging should proceed and whether the Nevasae road should be completed, that being part of administering the Forestry Act. The environmental review was prepared as a step in the consideration to which I have referred, and the decision to which it was addressed of whether or not an environmental impact statement should be prepared was a step to be taken in the course of controlling and managing the Nullum State Forest and was itself an administrative step.

It follows, in my opinion, that what was done or not done by the Commission in deciding whether or not an environmental impact statement should be prepared was action or inaction relating to a matter of administration. It did not lose that character because part of the decision involved reference to s.112 of the Environmental Planning and Assessment Act and a consideration of whether or not, within the meaning of that section, the activity of logging and road construction was likely to significantly affect the environment. Action or inaction of a public authority relating to a matter of administration often involves reference to and the application of legal criteria, and that such action or inaction may so require is recognised by the Act, which includes as a respect in which conduct of a public authority is wrong that it is contrary to law (s.5(2)(a)). The conduct of a public authority is not excluded from investigation simply because it involves the application of a legal criterion, but on the contrary may call for investigation because of a wrong application of a legal criterion.

In my opinion, therefore, it was open to the Ombudsman to investigate the conduct the subject of his investigation. If the Ombudsman adheres to the finding expressed by him in his draft report, namely that the decision of the Commission to construct the Nevasae road

and to conduct logging operations without having first prepared an environmental impact statement was contrary to s.112 of the Environmental Planning and Assessment Act, it is open to him to so find, because he is thereby finding that the conduct of the Commission was contrary to law, one of the available grounds on which it might be found to be wrong.

It is appropriate that I address the matters to which the Commission refers (as set out above) in support of its contention that the Ombudsman does not have power to make the proposed finding. In so far as the Commission contends that the Ombudsman is not entitled to find as a matter of law that it was legally obliged to comply with s.112 on the facts of this particular case, it seems to me that s.5(2)(a) is a complete answer: the Ombudsman can and sometimes must make such a finding. With respect to the more refined contention that the Ombudsman is not entitled to find that the Commission's conduct was contrary to law simply because he had a view of the application of the law to the facts of this particular case different to that of the Commission, whether or not that be correct it is not the present situation. In para.7.3 of the draft Report, the Ombudsman states -

"I am satisfied that the environmental review, upon which the Commission based its decision not to prepare an environmental impact statement, highlights deficiencies in the knowledge of species or other environmentally significant matters in the Nullum State Forest. For example, the District Forester states, in his review, that detailed lists of vegetation and wildlife had not been prepared. In this regard, the review is an inadequate and unsatisfactory basis upon which to determine whether the impact on the environment would be significant or not."

This is given as the reason for the Ombudsman's satisfaction that the Commission failed to comply with s.112 of the Environmental Planning and Assessment Act. The reason is not that the Ombudsman takes a different view to that of the Commission in assessing the matters set out in the environmental review. Rather, the reason is that the

environmental review is itself deficient, and by implication that the conduct of the Commission in the preparation of the environmental review was defective, so that the assessment lacked the foundation which it should have had.

CHAMBERS

29 August, 1986



R.D. GILES

# Council calls for reserve

A move by Crs Stan Sigley and Warren Simmons last week for Council to 'acknowledge the right of the Forestry Commission to build the Nevasae Road' turned into a Council call for the State Government to declare the area a nature reserve.

The move by Crs Sigley and Simmons was attacked by Cr Doolan who called it 'delinquent'. Cr Doolan stated 'the Council recognises the Blackbutt Plateau as the most outstanding natural asset in the Shire.

'This motion suggests nothing less than the outright rape of this most important asset' Cr Doolan said.

The Minister for Natural Resources, Mr Ian Causley, said his promised visit to the Blackbutt Plateau would not take place this month as he was too busy with other more important things. Speaking to 2NCR North Coast Radio, he refused to say when his visit would take place.

Mr Causley stated he is 'willing to abandon plans to use Nevasae Road to log the Blackbutt Plateau near Mullumbimby if it proves uneconomic. If maintenance and further construction on the road proves too expensive, then it wouldn't make economic sense to use it'.

He also added, with regard to the Shire Engineer's report tabled at Council last week, 'It seems to me rather strange that the Byron Shire has got plenty of time on their hands to go and inspect that. I would've thought they had plenty of work to do in their own Shire'.

The Nevasae Road is in the Byron Shire.

Mr Causley went on 'I have to get engineering studies done on the road and if it was unsound for roadmaking then certainly we would not be able to use that road'.

The Wilsons Creek Action Group has issued a statement complimenting the Shire Engineer and independent engineer Mr Russell Corbin, for their thorough assessment of Nevasae Road.

WAG commented 'These two engineering reports vindicate our claim that the Forestry Commission not only violated their own guidelines but had caused an engineering and environmental disaster.

'Whether you look at the project from an economic, engineering, or environmental perspective, WAG believes the operation to be completely unjustified'.



John Williamson

## Big boost for Blackbutt

The residents of Wilsons Creek who are campaigning to have the Blackbutt Plateau declared a Nature Reserve have gained the valuable support of top Australian singer/

songwriter John Williamson. John has agreed to a concert in support of the Blackbutt Plateau at Lismore Workers Club on Sunday August 13th.

A long time environmentalist and singer of Australian songs, he reflects much on the flora and fauna of this country. John 'feels we are rapidly losing the very things that makes me fortunate to live in Australia'.

So, when John heard about the significance of the Blackbutt Plateau, and Forestry Commission plans to log this veteran forest, and of residents' frustration after five years of dealing with forestry bureaucrats and uncaring politicians, he agreed to assist.

John recently released a single 'Rip Rip Woodchip' after his experiences of seeing mature native forest logged for woodchip. He believes 'every load of woodchip from our ancient forests is stained with the blood of our unique fauna'.

The royalties from this song have been donated to the Australian Conservation Foundation. He has also collected over \$160,000 for a Koala Hospital at Port Macquarie.

WAG has organised a 'Blackbutt Weekend' for the 12th and 13th August to highlight the need to have the Plateau immediately declared a Nature Reserve by the Greiner Government. Walks onto the Plateau have been organised and John Williamson will conclude the weekend with a late Sunday Afternoon Concert — a rare opportunity for the family to see a great Aussie performer.

FCHO  
vol 4, No 8, July 26th



### JOHN WILLIAMSON

IN CONCERT

### LISMORE WORKERS CLUB

### SUNDAY 13 AUGUST

### 4 P.M.

TICKETS ADULTS \$16.00 CHILDREN \$8.00

TO HELP RAISE FUNDS FOR THE WILSONS  
CREEK ACTION GROUP'S CAMPAIGN TO SAVE  
THE BLACKBUTT PLATEAU FROM LOGGING

TICKETS AVAILABLE FROM:

LISMORE WORKERS CLUB  
CINEMA VIDEO,  
MULLUMBIMBY  
ENVIRONMENTAL CENTRE,  
BYRON BAY  
BALLINA

INFORMATION FOR MEMBERS & GUESTS



10/5/89

10/5/89

# Council roundup

With Cr Jack Allardice back on board after his overseas trip there was once again a full complement of ten Councillors at last week's meeting. The agenda was one of those which at first glance seemed pretty unexciting but in actual fact, as so often happens when you think you are going to get bored, it turned out to be full of interest.

The President kicked things off by congratulating our victorious dragon boat crew and promising them a civic reception on their return; lots of murmurs of assent and licking of lips.

Then it was into confirmation of various decisions taken at the previous meeting of the General Purposes Committee — except Councillors had second thoughts on half the decisions they took last time; some were shelved or deferred whilst others were changed. In particular the Shire signage strategy copped an earfull; led by Cr Kingston (who seems to be coming into his own as an effective Councillor these days) over half the Councillors declared they were not in favour of blowing \$30,000 on they-weren't-quite-sure-what. After muddled debate Cr Dunne finally explained some of the advantages of the idea and Council decided to allow \$15,000 if it was used to actually put up some comprehensive signs for tourists.

The new Chincogan trail idea (a torturous sounding route from Main Arm road) was put on hold, discussion of the release of 46 lots of industrial land in Byron was deferred and then it was into the meeting proper.

First off Mrs Barbara Braines, the Chief Librarian, gave a short report and introduced the hard working members of her staff. She said that they were both excited and pleased with the new computer system but a little concerned that Council had balked at spending the money to include Brunswick Heads and Mullumbimby.

It was not long after this that the fun began, what with Cr Doolan calling Crs Sigley and Simmons "delinquents". The engineer had tabled a report concerning the Wilson's Creek and Nevasae roads and the Blackbutt plateau. Cr Sigley said 'I would be the first to throw up my hands in joy if this area can be declared a national park'. He then said that we must play fair with the Forestry Commission and 'keep their co-operation by not presenting a report that is offensive to them'. He then moved a resolution (seconded by Cr Simmons) saying Council should acknowledge that the Forestry have control of the area and acknowledge their right to build the Nevasae road; also that Council should do a major upgrading of the Wilson's Creek road.

Cr Sigley also suggested in his speech that consideration be given to putting a tourist road right through the area.

The significance of Cr Sigley's suggestion was that it could be considered that Council was giving its permission for the Nevasae road to be built.

At first Councillors simply did not grasp the real meaning of such a motion; Cr Boniface eventually brought some sense to the matter by saying 'We must not lose sight of the main point which is to bring all pressure to bear on the Minister to create a Reserve'. Cr Doolan then made his speech saying 'They (Crs Sigley and Simmons) are asking for the outright rape of our finest asset. This Council already has a policy on the Blackbutt plateau. They are also showing a delinquent disregard for our Shire road policy for which there is a four year plan.'

Cr Simmons declined to reply to this speech when offered the chance by the President. Cr Dunne then tactfully suggested a rewording of the motion to simply acknowledge the Forestry Commission status but remind them of their responsibilities under the Environment and Planning Act; Cr Dunne's suggestion was not so much a rewording as a complete castration of the original motion. In the event only Cr Sigley voted for his motion.



# 'No nature reserve for Blackbutt' — Causley \*

The Minister for Natural Resources, Mr Ian Causley, has advised Byron Shire Council that he does not support the proposal for a Nature Reserve over Blackbutt Plateau.

Mr Causley said in the letter to Council that he has requested the Forestry Commission to expedite the designation of a Flora Reserve over the central part of the Plateau.

Mr Causley said the Flora Reserve, together with the exclusion of logging from rainforest and other environmentally sensitive areas, will ensure conservation values are maintained.

The Flora Reserve would cover approximately 50 hectares.

Timber harvesting will not be undertaken until a full and formal study of the likely impact of the operations has been completed, Mr Causley said.

He also expressed his concern at the current state of Nevasae Road, which leads to the Plateau, and that the Forestry Commission has been denied free access across private land to carry out maintenance and repair work.

Wilson's Creek Action Group (WAG) is still waiting on the Minister for the Environment, Mr Tim Moore, to respond to its proposal to declare the Blackbutt Plateau a nature reserve. WAG is also contacting the Federal Environ-

ment Minister, Mr Graham Richardson, to ask for Commonwealth protection of the Plateau.

Australian singer/songwriter, John Williamson, is to participate in a WAG fundraising concert at the Lismore Workers Club on 13th August (see story page 37).

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JULY 26 1989

## Minister to inspect Blackbutt Plateau

### Action group threatens legal moves



MR CAUSLEY

Weather permitting, the Minister for Natural Resources, Mr Causley, is due to make his long-awaited inspection of the Blackbutt Plateau, west of Mullumbimby, today.

The Member for Ballina, Mr Page, who will accompany the Minister on the inspection, said that several previous arrangements for an inspection had had to be abandoned because of the persistent wet weather.

"The visit will be a fact-finding mission to look at the road, to look at the economics of the proposed logging operation and also the environmental aspects," Mr Page said.

Representatives of the Forestry Commission, two members of the Wilson's Creek Action Group (WAG) and Byron Shire councillors Cyril James and Stan Sigley were to join the Minister's party.

Only days before the visit was announced, a spokesman for WAG, Mr Alan Riordan, said that the group would pursue legal initiatives to prevent roading and logging on the plateau as it was frustrated by the continuing political rhetoric and inaction.

"For the past five years WAG has diligently sought the facts, prepared submissions and lobbied to find a political solution," he said.

"However Mr Page and Minister Causley have avoided their responsibilities and failed to resolve this long-running dispute."

"While the politicians procrastinate, WAG will initiate a legal action in the Land and Environment Court if there is any further roading on Nevasae Road or logging on the plateau."

Mr Riordan said that to finance this legal option, Wilson's Creek residents had organised two concerts.

On June 10 a 'Variety Concert for Blackbutt Plateau' would feature 14 different acts of comedy, jazz, blues theatre and rock at the Byron Bay Arts Factory.

On August 12, nationally acclaimed singer-songwriter John Williamson will perform a special concert for the Blackbutt Plateau.

Mr Riordan said that should the Minister reconsider his attitude and declare the Blackbutt Plateau a nature reserve (thus avoiding the legal action) the concert proceeds would be used to finance a major tree-planting program in Byron Shire.

24/5/89



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REGIONAL CONVENOR NORTH COAST: Dr. Klaas Woldring,  
296 Richmond Hill Road, LISMORE, 2480 - Ph. 23 0851/24 2211.

12th January 1989.

## MEDIA RELEASE

### GREEN LABOR SUPPORT FOR BLACKBUTT PLATEAU.

The North Coast Convenor of Green Labor, Dr. Klaas Woldring, said that the protection of the Blackbutt Plateau was strongly favoured by Green Labor.

"It is hard to believe that the Greiner Government and the NSW Forestry Commission don't see the folly of the proposal to log these precious last original stands of blackbutt", he said. "The role of the Greiner Government and the Forestry Commission apparently is to promote the private interests of the Adelaide Steamship Company (who owns Standard Milling) rather than defending the long-term public interests". Dr. Woldring said that "the former Labor Government had correctly called for a proper Environmental Impact Study and said the area would not be logged, if at all, unless and until a full EIS had identified the value of the area and the environmental hazards of roads construction and logging".

"Five years ago a pioneering environmentalist, the late Dr. Peter den Exter, called for an EIS complaining about the lack of Forestry Commission information about its plans for the area. "

"The Ombudsman has subsequently roundly condemned the Forestry Commission for its own superficial review of and for its conduct in relation to the area, describing their actions as illegal, in particular the construction of the logging road."

"Their plans to now rebuild the partly subsidised Nevaesa Road court an environmental disaster and new confrontation with the public for extremely little gain to millers. The recent research by NRCAE graduate Richard Whitting has shown that the usable timber yield would be minimal, especially in relation to the outlay required, and that the ecological, scientific and other economic benefits of not logging are clearly the more important considerations in this instance."

"On behalf of Green Labor I am making representations to the Leader of the Opposition, Bob Carr, to support the Wilson Creek Action Group and to press for the area to be declared a Nature Reserve, ". Dr. Woldring said. "We cannot allow an uneconomic blackbutt harvest to proceed simply because in 1982 it was agreed as a legal trade-off in the rainforest decision (a claim made by the Commissioner for Forests). The Forestry Commission should concentrate on establishing new plantations rather than destroy precious original forest areas. They should protect the public from the National Party winding the clock back instead of supporting them," Dr. Woldring concluded.

# BLACKBUTT PLATEAU

## STILL UNDER THREAT

(There are no butts about it...)

**A BRIEF HISTORY** In 1984 the Blackbutt Plateau near Mullumbimby erupted into controversy when the Forestry Commission began roading a cliff face to gain access to the previously unlogged, inaccessible Blackbutt Plateau.

Residents formed the Wilsons Creek Action Group (WAG) and upon discovering the facts called for an independent Environmental Impact Study (E.I.S.) and an immediate Halt to all roading.

They were concerned that logging on the Plateau would:-

- 1) destroy a veteran unlogged hardwood forest (trees over 600 years old) and the associated Rainforest.
- 11) jepodise the water quality of Byron Shire.
- 111) create traffic hazards on windy narrow Wilsons Creek Road.

Experts volunteered their time and amassed data to supplement the meagre information the Forestry Commission had considered, to be an adequate basis, for planning a major logging operation.

The significance of the area became apparent and WAG prepared and presented a Nature Reserve Proposal to the Minister for Natural Resources, Mr Causley.

He rejected a Nature Reserve for the Plateau and →



suggested roading and logging proceed.

**ROAD COLLAPSE** Meanwhile Nevasae Road (the Commission's access to the Plateau) collapsed (within 2 weeks of completion) causing massive rock-falls, landslides and erosion, which has washed thousands of tons of Rhyolite Rock into the Byron Shire water catchment.

**EVIDENCE MOUNTS** In late 1984 the N.S.W. Ombudsman found the Commission had acted "contrary to Law" for not preparing proper studies before roading or logging began.

Recently WAG commissioned an independent Engineer to assess Nevasae Road. He called for the immediate closure and rehabilitation of the road.

Then last week the Byron Shire Council Engineer tabled an Engineers Report concluding that "Nevasae Road did not conform to either Forestry Commission or Council engineering standards". "The road has had a significant effect on the land in the form of landslips and erosion and has left a considerable scar", he said.

The Shire Engineer believed the concerns of WAG are legitimate and should be addressed. The Council then unanimously voted to support WAG's call for a Nature Reserve on the Blackbutt Plateau. "The most outstanding natural asset in the Shire", said one councillor.

The significance of the Plateau is born out by its nomination for inclusion on the National Estate Register.

**MINISTERS INACTION** Mr Causley has failed to act despite steadily mounting evidence suggesting Forestry Commission mismanagement. Calls for urgent road closure have been ignored. Irrefutable evidence detailing the scientific value of the area has been presented to, and rejected by Mr Causley.

Whether you look at the project from an economic, engineering or environmental perspective the operation is completely unjustified.

**LEGAL INITIATIVE** For the past 5 years WAG has diligently sought the facts, prepared submissions and lobbied to find a political solution. However, local MP Mr Page and Minister Causley have avoided their responsibilities and failed to resolve this long running dispute. Neither has so far visited the Plateau despite promises to do so.

Frustrated by political rhetoric and procrastination WAG will initiate a legal action in the Land And Environment Court the moment the Forestry Commission resume operations on Nevasae Road.

To finance this legal option residents have organised 2 concerts over the next few months. On Saturday, June 10 a "Variety Concert for the Blackbutt Plateau" will feature 14 different acts of comedy, jazz, blues, theatre and rock. (A true "Variety" Concert. Long weekend in June - Byron Bay Arts Factory.) Then on August 12th top national singer/songwriter John Williamson will do a Special Concert in support.

Should the Minister reconsider and declare the Blackbutt Plateau a Nature Reserve (thus avoiding legal action by residents) the proceeds will be used to finance a major tree planting programme throughout the Shire.

## FLORA AND FAUNA

### OF THE BLACKBUTT PLATEAU

This is the home to 9 species of rare or threatened flora and 11 species of endangered fauna.

This forest is of even age indicating an absence of high intensity fires and this unusual situation is likely to continue because of the protection afforded by the fringing rainforest and sheer cliffs.

The extensive stands of coastal Blackbutt after which the Plateau is named remain in a pristine and undisturbed condition as a result of the isolation and inaccessibility of the area. The huge old trees are replete with hollows and extensive pipes which provide habitat for tree living mammals and nesting sites for birds such as the endangered Powerful Owl. Habitat for such animals is not provided in the uniform regenerating forests produced by Forestry operations.

Associated with the blackbutt Forest is sub tropical rainforest and mountain heath. On top of the Plateau is a 40 h.a. rock outcrop covered with a rare form of Snow Licken. This vantage provides spectacular coastal views and mountain panoramas.

### A FINAL THANKYOU

WAG would like to extend many thanks to all our supporters, volunteers and friends who have worked tirelessly over the past 5 years highlighting the environmental concerns of the electorate.

As more people place the environment at the top of their Agenda the chances of securing a Blackbutt Plateau Nature Reserve have never looked so promising.

