



PUBLIC SERVICE ASSOCIATION OF NEW SOUTH WALES

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ALLAN GIBSON, GENERAL SECRETARY

IN REPLY PLEASE QUOTE

MG:LFG

All correspondence
is to be addressed to
the General Secretary.

13th May 1991
A90/928

John Corkill
C/- NSW Environment Centre
39 George Street
THE ROCKS NSW 2000

Dear Mr Corkill,

re: Liability of Public Service Association (PSA)
Members in Forestry Commission

The Association writes concerning a letter sent by yourself to PSA members in the Forestry Commission about their obligations under the Environmental Planning & Assessment Act, 1979.

The Association asserts that our members carry out their duties with the utmost diligence and care and are aware of their obligations under the relevant legislation.

The Association nevertheless sought legal advice from counsel on the question of individual liability under the Environmental Planning & Assessment Act, which has been forwarded to the members. This advice is contrary to the advice attached to your correspondence.

The Association also wishes to express concern at the implied suggestion in your correspondence that legal action may be initiated against PSA members for alleged breaches of the Act.

The Association will continue to advise its members on legal issues relevant to their work and take legal action where necessary.

Yours faithfully

MARIA GIRDLER
for ALLAN GIBSON
General Secretary

Temp\Liab.FC



BRUSH 801
Lechostemon confertus

N.E.F.A.

NORTH EAST FOREST ALLIANCE

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

Mr Bill Giloolly,
 Director,
 National Parks and Wildlife Service,
 43 Bridge Street,
 Hurstville. 2220.

9th July, 1991

< For the Director's Personal Attention >

Dear Sir,

Management problems evident in North Coast region NPWS

I refer to our conversation at the opening of the Dorrigo Rainforest Centre on 19th May, 1991 where I addressed briefly a number of north coast management problems evident in the NPWS.

Most of these management problems relate directly to the hostility and anti-pathetic actions of senior staff within the Region to members of the conservation and environment movement who have insisted on professional management to achieve statutory objectives. This open antagonism has developed because of a failure by previous Head Office staff to appreciate and investigate concerns about the management of the regions reserves made earlier.

After years of brooding disquiet, the situation is now very tense, following disclosure of the level of abuse of NCRP and region office's awareness of subsequent inquiries. There is now no trust or open communication with senior region NPWS staff and the environment movement who campaigned and succeeded in having north coast rainforest national parks created.

It is in this regrettable and volatile scenario that I write requesting your immediate and adroit action to restore confidence in the NPWS.

National Rainforest Conservation Program (NCRP)

As you will recall, one major concern has been the completely unsatisfactory performance of the North Coast Region in administering the National Rainforest Conservation Program (NCRP) and the considerable sums of money involved.

You will recall that I advised that the North East Forest Alliance, among other groups, has been concerned at the lack of Management Plans for many of the parks or reserves under active management and

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development by the Service, thus creating a plethora of 'ad hoc' and opportunistic works.

I expressed NEFA's concern at the complete failure of the Service to comply with the requirements of the federal/state Ministerial agreement on funding, reporting and operation of the NCRP.

I advised of our dissatisfaction with the Service's failure to adequately define Program objectives, select projects which complied with the Programs aims, and consult with the NSW environment movement as requested by both federal and state ministers at various times.

I also advised that many of the projects funded by NCRP seemed to be 'pet projects' for development by senior staff administering the program rather than well thought out projects which accorded with the Program's aims.

[Indeed, several of the projects funded, such as walking trails in World Heritage Area National Parks, have actually compromised conservation principles -

e.g. the construction of walking trails through populations of rare and endangered plant species, viz:

- Bar Mountain track through a stand of antarctic beech, and

- the Sheepstation Ck trail through a population of a rare climbing lily *clematis* sp,

both within the WH Border Ranges NP.

Another example of a compromise is the Dorrigo rainforest centre itself. In the headwaters of the catchment of the Park this development should have only proceeded with the greatest caution once a full assessment of potential risks to the adjacent WHA had been considered.]

Further, I expressed our great concern at the failure of the Service to seek approval or advice from District Advisory Committees on proposed projects e.g. the two walking trails in Border Ranges NP were never referred to the Lismore District AC.

These matters among others, have been raised by the North Coast Environment Council Inc, the Nature Conservation Council of NSW and the North East Forest Alliance, in correspondence and discussions with the federal department DASETT, federal Ministers, and with the NSW Minister, the Hon. Tim Moore over the last 3 years.

Following discussions between the Ministers, Mr Moore advised me of an audit report prepared by the Treasury Office, which did not show the Service in a favourable light in the execution of the Program.

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All these matters have been recently referred to in discussions between Messrs Howard and Papps, Assistant Directors of NPWS, and myself and other representatives of north coast environment groups at a meeting held in Port Macquarie on 12 June, 1991.

I await formal advice from Mr Papps as to the actions the Service intends to take to fully appraise itself of the extent and nature of funds spent under NRCP.

I understand that an internal evaluation of NRCP is considered necessary by Head Office since there are no records or information of a precise nature within the region to reliably inform the Service's head office on the administration of the NRCP.

May I advise that Mr Papps gave us to understand that two environment representatives may be invited to join such an evaluation committee to review the previous projects and consider future expenditure of the small sum of federal money still available.

- * When might we be formally advised as to the commencement of such an evaluation committee?

Any participation in such a committee would be assisted by answers to the following questions. Will you please provide answers to these?

- * What progress has been made on reconciling the accounts of NRCP funds with the commonwealth?
- * with the NSW Treasury?
- * Have all funds due to NSW been paid by the commonwealth?
- * Have all funds due to NPWS been paid by the state treasury?
- * Has the missing \$739,000 been accounted for?
- * If so, how has it been accounted for?

Finally, I wish to highlight the issue of the NPWS's role as 'lead agency', in 'managing' the NRCP for the commonwealth in NSW.

It is my understanding the NPWS had a responsibility to approve, supervise and co-ordinate projects applied for by the Forestry Commission of NSW and funded by the federal government.

- * Is this understanding correct?

It is also my understanding that Mr Martin, as the responsible Service officer, never exercised this role with the result that there was no co-ordination, checking of project compliance with program objectives or justification of funded projects against priorities for state wide rainforest conservation.

Thus, since there was no co-ordination between these two agencies,

...4/.

not only was considerable funding wasted by NPWS under the Program, it is highly likely that other money (\$??) was subsequently poorly spent by the FCNSW as a direct result of the Services failure to discharge its duty.

- * What evaluation of FCNSW projects is contemplated by the NPWS as part of its review?

Mr Giloolly, I have expressed NEFA's grave dissatisfaction with the senior staff within the Region who have had responsibility for the Program, particularly the Regional Manager.

I wish to now formally complain of Mr Martin's failure to exercise his duty in many aspects of this matter.

I believe that there is a strong case for an action, at the very least a 'breach of discipline', being brought against him under the Public Sector Management Act, 1988 for his conduct in this program.

Certainly, his management of the program has been well below the standard required for any senior professional national parks manager, particularly within a service with international obligations for world standard management of World Heritage Areas.

I therefore request that you conduct an inquiry under the above Act into Mr Martin's professional performance of his statutory obligations.

Further, I request that you advise me of what steps are being taken, or are proposed to be taken, to address the concerns expressed above regarding the operation of the NRCP.

Thank you for your attention to this important matter.

Yours sincerely,

John R. Corkill
NEFA Sydney Co-ordinator.

Encl. Questions re Dorrigo NP Rainforest Centre

Questions re:
Dorrigo National Park
Rainforest Centre

The following questions are posed, drawing on the Dorriggo RC as an example, to seek information and policy advice as to development within World Heritage National Parks.
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 Was the Dorriggo RC constructed as per the architectural drawings submitted for approval? Who approved the drawings? What changes were made to the plans as drafted? Why were these changes thought to be necessary? Who approved amendments to the plans?

Is it intended to further develop the Dorriggo NP facility to include a further building extension to permit the operation of a restaurant or coffee shop? Why?

Was an organochloride, (Dieldrin or Aldrin or other o/c) used to treat the centre's concrete slabs for termites?
 [The centre's architectural drawings indicate the usual termite treatment is to be carried out.]
 How much o/c was used? Who approved the use of chemicals for termite treatment?
 Are the slabs within the catchment of the WHA Dorriggo NP?
 Is there any monitoring of the movement of the o/c from under the slabs?

Are the effluent absorption trenches, for the Centre's toilets and sinks, within the catchment of the WHA Dorriggo NP?
 Is there any monitoring of the movement of nutrients from the trenches into the adjacent rainforest?

Why was no EIS prepared for the construction of the Dorriggo RC?
 Who decided that there would be no significant impact on the environment to warrant an EIS?

Does the Centre duplicate district offices and facilities which existed at the Glade? Why was it seen as necessary to spend money to duplicate these facilities in a new building?
 What use is being made of the old facilities at the Glade? How did the construction of new offices at Dorriggo fit within the regional, or other statewide, NPWS schedule of capital works?

When will a draft Plan of Management for the Dorriggo NP be prepared and exhibited? Will all future development and use of the Dorriggo WH NP be limited to and constrained by publicly agreed decision making through a Plan of Management? If not, why not?



N.E.F.A.

NORTH EAST FOREST ALLIANCE

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

Mr Bill Giloolly,
 Director,
 National Parks and Wildlife Service,
 43 Bridge Street,
 Hurstville, 2220.

11th July, 1991

< For the Director's Personal Attention >

Dear Sir,

Re: Management problems evident in North Coast region NPWS

I refer to our conversation at the opening of the Dorriggo Rainforest Centre on 19th May, 1991 where I addressed briefly a number of north coast management problems evident in the NPWS.

Road construction in Bundjalung National Park

You will recall that during our conversation at the Centre, I expressed our deep concern at the construction of a gravel road through the remote natural area of the Bundjalung NP, in Lismore District, approved and supervised by the District Superintendent, Mr Guy Holloway.

This road crosses a natural area which the draft Plan of Management had identified as meeting the criteria for Wild and Scenic river designation and which had been mapped as SEPP 14 wetland.
 [I acknowledge that the NPWS is exempt from SEPP 14, presumably because it ought to know how to manage natural areas appropriately and ought not be bound by the same obligations affecting private landholders who may be hostile to environmental protection.]

You advised me that Ms Janine Williams (then NPWS delegate to Coastal Committee of NSW) was conducting an investigation into the complaint made by 'The Big Scrub' Environment Centre Inc, a member of NEFA, and that her report would shortly be provided to you. You also agreed to forward a copy of this report to me to demonstrate that action had been taken and to disclose whether our concerns had been proven.

I now formally request the release of that report as promised.

Will you also advise me as to what action has been taken by the Service to address any wrongdoing which may have been discovered,

and what action is proposed to be taken to remedy the environmental degradation caused by this 'ad hoc' and unplanned development?

- * Why did Mr Holloway claim the road was for fire protection when there is no Fire Plan for the Park?
- * Why does the REF for the camping area refer to the possibility of hauling gravel from Serendipity quarry along the road when the REF for the road does not mention use as a haulage route?
- * Is the road to remain in its present condition?
- * Will the road be completed? Why?
- * Is Black Rocks camping area to be substantially developed? How?
- * Will the road be de-gravelled and the culverts removed?
- * Is it intended to restore the disturbed area to remote and natural condition?

Further, you will recall that I advised you that this contraversial and unnecessary act had pre-empted the draft Plan of Management for the Bundjalung NP.

- * When will the Bundjalung NP Plan of Management be made?

Attacks of federal government for lack of funds for WHA

I have been more recently made aware that Mr Holloway has gone on the public record criticising the federal government for its lack of funding to World Heritage Areas (WHA's).

I attach a transcript, prepared from a tape recording of an interview with Mr Holloway, recorded from ABC Radio 2NR Lismore, on 14/6/1991, and a copy of a press release on NPWS letterhead.

As you will see, from his interview and the press release (prepared with Mr Dutton) it appears that Mr Holloway is attempting to create a climate of crisis in WHA management, viz:

"essential research, management and maintenance tasks are not being done, resulting in degradation of the (WHA) areas",

although he disagrees that the parks are being degraded when questioned on air. So what does he believe? Is management of WHA's up to international standards or not?

Mr Holloway goes on to say, when asked how much money should have been spent:

"Well that is a difficult figure to determine. What we would need to do is to sit down and work out the sorts of programs that we would like to occur, but in fact any money would have been useful last year, this year or next year. We have got some ideas for some good programs that should have been funded."
...3/.

Clearly, he has no idea... Maybe this is the process he and Geoff Martin employed in allocating previous NCRP funds?

Given the controversy about the processes for allocation of funding under NCRP and the criticisms made of a number of the projects and the conduct of projects (not programs) operated in the Lismore District, Mr Holloways comments seem to indicate a 'more of the same' approach, i.e. 'give me the money I've got big plans'.

Given that the last commonwealth funded program to allocate significant sums of money to World Heritage Areas was the ill-operated NCRP, and given that the Lismore District recieved a handsome percentage of total funds, we interpret Mr Holloway's outburst as an attempt to win further favours for his District.

- * Do Mr Holloway's comments accord with NPWS policy & practice?
- * Do they agree with your views or the Minister's, Mr Moore?

A close examination of the statement of the Lismore District Advisory Committee Chairperson, Mr Dutton, in the press release (prepared with Mr Holloway) discloses what those 'big plans' and 'further favours' may be.

It is not the research and biological surveys which are the nominated as priority projects - its 'more Dorrigo rainforest centres' for more tourism!

Both Mr Holloway and Mr Dutton appear to view economic considerations as being of over-riding significance rather than the conservation and protection of world heritage rainforest and its dependent communities, as required by the NPW Act.
[You may not be aware that Mr Dutton is a lecturer in tourism studies at the UNE Northern Rivers campus.]

Mr Director, it is exactly this style of 'ad hoc' development posturing and 'economics first' which brought the NCRP undone and northern region NPWS into disrepute. As Mr Holloway says :

"The whole question of the resources of north eastern corner of NSW is very complex. It is one of the most biologically diverse areas in Australia and we don't have a full understanding of the natural history at all..."

So why, given this need for more research, understanding and careful planning, are Mr Holloway and Mr Dutton grandstanding and advocating additional tourism development?

The Dorrigo rainforest centre is one of the most contraversial of all the projects funded under the NCRP, not simply because of the duplication of facilities which existed at the Glade, but because of the secretive and irregular processes which were involved in the

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decision making which led to its construction. At no time was there any public exhibition of a proposal or a call for public comments.

Let there be any allegations of an anti-development policy by NEFA, allow me to make it plain that NEFA and I do not oppose in principle, facilities such as those at Dorriggo RC.

However, there are a great many controversial issues about where such facilities should be sited, how they are built and used, how the facilities fit with the prime objective - nature conservation - which need very careful examination before any decision is made.

The decision making process itself, in the case of Dorriggo RC and more broadly the NRCF, remains an area of controversy and tension. We believe that the management and use of these Parks are matters of public interest and any decisions should only be made after a full consideration of all the relevant concerns in the public domain following statutory processes of public participation.

Clearly, an EIS should have been prepared under Part V of the EPA Act for such a major development within the boundaries of an internationally significant rainforest park. This was never done in the Dorriggo RC case, nor was there any formal planning decision made within the framework of the Parks Plan of Management because there still is no Plan of Management!

And Mr Holloway has the gall to claim that the federal government is not meeting its obligations under the World Heritage convention!

There can be no repeats of the debacle of the planning and construction of the Dorriggo RC without a very public outcry. NSW NPWS would be well warned to get its own house in order before pointing the finger at breaches of obligations.

I bring these matters to your attention to illustrate the point I made, during our conversation at Dorriggo, of the difficulty north coast environment groups have in supporting the NPWS.

Its senior managers continue to conduct themselves and direct park administration in a manner which is hostile to the public interest of ensuring nature conservation, pre-emptory of public participation processes and downright provocative, given recent history of northern region's administration of commonwealth funds.

It is a public relations disaster to keep emphasising tourism as the top priority for park management, given the statutory obligations which apply. (these appear not to worry NC senior staff).

It's also political idiocy to attack the commonwealth government when they provide funding, (which has been abused in the past), and when the intention is to seek further funding in the future!

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In my analysis of the media comments of Mr Holloway and Mr Dutton, it looks very much as though Mr Holloway is trying to shift the burden of responsibility for poor park management away from the excessive indulgences of the northern region to the commonwealth as criticisms of NCRP are examined more carefully. Why?

Mr Gillooly, I am not writing this letter simply to vent my spleen. I am writing to underscore my already expressed concerns about the standard of management of WHA's in the northern region and the procedures and unwritten policies which senior staff in the region appear happy to employ in order to achieve their preferred park management outcomes.

I am also writing to seek action from you, as Director of NPWS.

I do not expect a detailed written response to these concerns, but I do desire a response which indicates that you have received and considered these concerns, and which indicates that you are prepared to take action to address these concerns as soon as possible.

I await a copy of the Bundjalung NP report, at your earliest convenience, and a response in the above terms in due course.

Thank you for attention to these serious matters.

Yours sincerely,

John R. Corkill.
NEFA Sydney Co-ordinator.

NEFA Activities as @ JULY '91

Woodchipping - e.i.a. needed for SEP/L + BFP P/L licences

Old Growth Forests - EIS's

drafting + implementation of Premier's Strategy
fl. + fa survey guidelines. → Seminar

Protected Lands

requesting 'c' conservation zone included

action to prosecute breaches

Tarrington Land Assessment

Commission overhaul: → input into DCAU

Industry restructuring:

Response to RAC → Co-ordinated w/ other groups.

Follow up PAC → to new Chair of PAE to ask for West's response.

National Forest Inventory

NRCP (Federal govt)

Pine Plantations: need for EIS's; locations;

Washpool Tenure + Regeneration:

Total Catchment Management Disc. Paper

Land Care policies

Dialogue w/ small sawmills (FPA?)

Way Way Yarrakoppin Court Action

McGarity (para 4(iv)) considers that "the speculative nature of the climatic data presented in the EIS gives little confidence as to the likely efficacy of the SEMC". Gilmore (para 9) is of the opinion that the EIS does not adequately review the consequences for amphibian or fish species.

The EIS (p. 121) notes that logging can leave the soil surface in a potentially erodible state and that while detailed investigations of the soils have not been made there is evidence that some soil types are highly erodible. Further "provided the standard erosion mitigation conditions are strictly enforced, erosion will be minimised in the logged area, even on steeper slopes". On page 122 it notes "the erodible nature of the area, together with the high rainfalls experienced and the steep terrain do indicate a possible soil erosion problem" which may lead to sedimentation, poorer domestic water quality and a generally degraded aquatic environment.

McGarity (para 4(ii) and (iv) and 8) considers there is insufficient evidence to determine the erodibility class of the soils and lacks confidence in the value of the SEMC for the region and their implementation. He states there is a "grave risk of erosion attached to logging in

	WED 15	THURS 16	FRIDAY 17	SAT 18	SUN 19	MON 20	TUES 21	WED 22	THURS 23	FRI 24	SAT 25
JAMES ON	<p>Advice on Tim Moore</p> <p>Tell Coffs about Tim Moore & Sunday</p> <p>Milo + Carsons</p>	<p>Environmental Forum</p>			<p>Sleeper?</p> <p>Tim Moore - endangered species</p> <p>- P.A.C. reform of service</p> <p>- Chaulundi IPO</p>						
WHY COBB	<p>A.L.P. story</p>	<p>A.L.P. story N. also Bathurst</p> <p>Environmental Forum R.</p>	<p>Chaulundi - F.R. E.A.</p> <p>Burjaling NP NS E R</p> <p>Protected Lands A.</p>	<p>Burjaling NP NS E R.</p> <p>Chaulundi F.R. E.A.</p> <p>Endangered sp.</p> <p>Environmental Forum E</p> <p>Dome Mtn DCARE with NEFA Ben Hall & Gaps and Mistake</p>		<p>Sleeper Is. E.A.N.S.</p> <p>Tim Moore PAC</p>	<p>West N</p>	<p>(Way Way)?</p> <p>Dept of Planning Gungahlin N.C. + Legal Aid story</p>	<p>Hunt for Guilty N</p> <p>Canslay, Whet's HAO & Driedma</p>	<p>NEFA endorses</p>	<p>Carson's Land</p>
				<p>N = National</p> <p>R = Radio</p> <p>E = Examiner</p> <p>A = Advocate</p> <p>NS = North Star</p>							
	<p>N.E. NS.</p>	<p>E.A.</p>				<p>N</p>					

- BURBIDGE, A.A. AND MCKENZIE, N.L. (1959)
Patterns in the Modern Decline of Western Australia's
Vertebrate Fauna, Causes and Conservation Implications.
Biol. Cons. 50
- CARRICK, F.N. (1983)
Platypus. pp.5-6 in Strahan, R. (Ed.) *The Australian
Museum Complete Book of Australian Mammals*. Angus and
Robertson, Sydney.
- CLANCY, G.P. (1985-87)
*Seasonal Ranger Reports - Gibraltar Range and Washpool
National Parks*. National Parks and Wildlife Service,
Northern Region, N.S.W.
- CLANCY, G.P. (1989)
*Report on the Fauna of the Desert and Malara Creeks
Billilimbra and Washpool State Forests*. Report for the
Armidale Branch of the Wilderness Society, September
1989.
- CLARK, L.R. (1964)
Predation by Birds in relation to the Population
Density of *Cardiaspina albitextura* (Psyllidae).
Aust. J. Zool. 12: 349-61.
- COVACEVICH, J. AND ARCHER, M. (1975)
The Distribution of the Cane Toad, *Bufo Marinus*, in
Australia and its effects on Indigenous Vertebrates.
Mem. Qd. Mus. 17(2): 305-10.
- CURTIN, R.A., SQUIRES, R.H. and MACKOWSKI, C.M. (1987)
Management of Native Hardwood Forests in State Forests
of North Coast New South Wales pp. 113-150 in *Proc.
10th Bienn. Conf. Institute of Foresters of Australia*.
Perth.
- EDGAR, R. (1983)
Spotted-tailed Quoll p.18 in STRAHAN, R. (Ed.)
*The Australian Museum Complete Book of Australian
Mammals*. Angus and Robertson, Sydney.
- FERRIER, Simon (1985)
Habitat Requirements of a Rare Species, The Rufous
Scrub-bird pp. 241-248, in Keast, A., Recher,
H.F., Ford, H., Saunders, D. (Eds.) *Birds of Eucalypt
Forests and Woodlands. Ecology, Conservation,
Management*. Surrey Bealty and Sons Pty Ltd and The
Royal Australian Ornithologists.
- FLOYD, A. (1977)
Regeneration pp. 50-52 in Goldstein, W (Ed.)
Rainforests. N.S.W. National Parks and Wildlife
Service, Sydney.

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JOHN R. CORKILL

ENVIRONMENTAL EDUCATOR, PLANNER, POLICY ADVISER

Sydney Co-ordinator: North East Forest Alliance (NEFA)
Vice President: North Coast Environment Council Inc.
Environment representative: Coastal Committee of NSW

NSW Environment Centre, 39 George St, The Rocks. 2000. Ph 02 2474 206; Fx 02 2475 945
'The Big Scrub' Environment Centre, 88a Keen Street, Lismore. 2480 Ph 066 21 3278; Fx 066 222 676

Tuesday, 30th April, 1991

Dear NEFA-er,

Here is the print out from my nifty little "chip and squirt" technology, following the Elands NEFA meeting.

I'm in Sydney until I head off to the North Coast Environment Council Inc's meeting at the Dorrigo NPWS Information Centre on Saturday, 4th May. I plan to go from there to the Blockade for 2 days then to Grafton to 'Pulp Causley' and prepare for the Coffs Harbour Public Meeting on OGF and Chaelundi on May 11.

After then I'm not so sure where I'll be!
All Blessings! 'VOTE FOR THE FORESTS!'

John
alias 'jrcork' on Pegasus

SUMMARY OF PAGES INCLUDED IN MAIL OUT AFTER ELANDS MEETING:

MINUTES/NOTES

FUNDAMENTAL POLICIES

ELECTION STRATEGY

ENDORSED FOREST SUMMIT RECOMMENDATIONS

CHAE LUNDI CAMPAIGN UPDATE and ORGANISATION INFO

BLOCKADE CAMP POLICIES

MEDIA BRIEFING PAPER

EQUIPMENT NEEDED

BUNDJALUNG NATIONAL PARKS COMPLAINTS

N.E.F.A.

NORTH EAST FOREST ALLIANCE

NOTES ON APRIL 27th MEETING - at Elands Community Health Centre
PRESENT: See separate list

AGENDA

APOLOGIES:

Dailan Pugh, John Munro, Terry Parkhouse, Sue Salmon ACF, Karen Batchelor, Graham Gibson, Phil Margolis, Bob Keane, Gabrielle Luft

WEST'S FAX

AND OUTSTANDING CORRESPONDENCE

Ministers invitation to NEFA meeting made as per last meeting. Requested statement or advice on the future of forestry management in NSW. West's office hadn't responded as late as Thursday 25 after prompting on Tuesday 23. Dominic Herschel finally sent a short fax with West's apologies, but no statement.

* 8 letters (issues) are still outstanding, i.e. haven't been answered by the Minister

Kangaroo Flat

North Washpool serious misconduct by FCNSW

state forests sustained yield

the Public Accounts Committee (PAC) Report

Sundry illegal logging complaints

Public participation?

The meeting agreed that West's performance had been unsatisfactory.

REPORTS

WINGHAM FOREST ACTION

new solicitors Woolf Associates - potential for injunction action
FCNSW doesn't want injunction wants to talk. WFA not experts - no
'old growth' forest logging.

shortfall of 20% (8,000m³) to fill quotas in Management Area It is likely that shortfall could only be made up from OGF within moratorium areas

who is to say where the logging should take place?

FCNSW proposes areas for interim harvesting

Duncans timber operations in bad economic position. Mills may close down in the near future - with 'greenies' to blame (Ha!)

Boral may want quota and attempt to buy out Duncans

Currently there is no tree marking going on in the forest harvesting. FCNSW simply inspects areas logged and says 'go back and log this tree'. Needs to be pre-harvest tree marking as for woodchipping.

2 meetings with FCNSW held to date:

Wingham Forest Action- Suggested provisions - draft prescriptions

no logging over 25 ? degrees
double no of cross banks as per SEMC
no snig over drainage lines: what constitutes a 'drainage line'?
no Brushbox logging
interconnecting wildlife corridors and filter strip linking gullies and ridges
FCNSW to complete adequate fauna surveys at their expense before any logging

Forest Foundation wants to add further draft prescriptions relating to commercial harvesting:

not harvest trees at a size which will split after harvesting

Minimum diameter bh 55 cms.

filter strips \geq 40 m for watercourse

no salvage operations

retain carefully selected seed trees

butt damage not necessarily to be then harvested

This requires further discussion. Wingham Forest Action to circulate their draft prescriptions after discussion with the Forest Foundation, for further discussion at next NEFA meeting.

BIG SCRUB ENVIRONMENT CENTRE

Need secretary to help in busy NEFA campaigns: RIC running blockade

Need discussion re Chaelundi blockade - causing disquiet

Big Scrub Management Committee has presented bills to \$620

for phone and fax and wants to know when it will be paid

Big Scrub has agreed to purchase Mac computer, modem and Pegasus access!

FOREST FOUNDATION

De tabled discussion paper on the objectives and management structures for Forest Foundation. De, John C and Helmut reported on their participation in a bus tour on Friday 26/4/91. Good Trip!

Need good feedback to Jim Slater local sawmiller with progressive ideas on forest management, Forest Foundation and draft prescriptions:

Many other small sawloggers have concerns about forest management practices and want to see harvesting prescriptions change.

Fridays trip was the Forest Foundations 4th and more are planned. Foundation offers to be a good forum for dialogue with the

industry, and to identify potential concerns.

Some concern was expressed about Forest Foundations suggestions for Harvesting Preccriptions for OGF and NEFA's (non-)policy of no OGF logging.

GREAT LAKES N.E.F.A.

Linda reported on progress on the HOO HOO club. Needs discussion. She is pursuing a meeting with Joyce Tuckwell from the Timber Workers Union in middle of May.
No further dialogue with FCNSW to report.

WAY WAY YARRAHAPPINI

Case has a timetable, with trial expected in July, 1991. Points of claim to be settled by Wednesday 1st May.
Mount Yarrahappini and adjacent Middle Head have high koori significance as a landing place in Australia, while Mount Y has significance to koalas.

Full survey of arboreal mammals has been never done by FCNSW, brief koala survey was undertaken by Dr Standing, which showed significance as koala habitat. Full koala/mammal survey needs to be done.

Compartment 76 is being harvested now. A cedar tree was illegally logged and stolen from the Compartment.
Compt 75 is wet weather logging area, possibly alos koala habitat.

Should an injunction be taken out? Need local information re the actual areas under threat and their values.

Case has had difficulty due to FCNSW not producing information requested. For injunction to succeed we must be able to prove significant effect will be likely without an injunction.

Local meeting held in Stuarts Point? had 50 people attend and express concern. \$500 was raised at the meeting.

NORTH WASHPOOL

The court action has been concluded because the Commission and Mr Corkill reached an unprecedented out of court agreement to achieve the goals the court action sought.

The Forestry Commission of NSW has agreed to:

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

John has written to the Minister for Forests and the Premier asking for an inquiry into allegations of serious misconduct, by senior FCNSW staff, which have been uncovered by the court action. Because the offences have been committed against provisions of the Commission's own Forestry Act, 1916, there is no opportunity for third party enforcement as there is under the EPA Act.

West was first written to in November 1990, but no action or reply has been made beyond Minister's staff inquiring as to who potential inquiry head could be.

Potentially, very senior staff within the Commission may be implicated. John has a writren an article on this for the soon to be released FOREST REPORTER.

Should the inquiry over North Washpool be instituted, it might be possible to open up inquiry into other breaches by the FCNSW.

A two (2) year respite from pressure on North Washpool has ben gained by the court action. FCNSW apparently still intends to log and will prepare an adequate EIS for North Washpool in the meantime.

FCNSW offered the dedication of a significant portion of the land in the Washpool SF as an 'aboriginal place' under the National Parks and Wildlife Act, 1974. No action seems to have taken place on this agreement with the local Baryulgil people. FCNSW has no power to declare an 'aboriginal place' only the NPWS and the Minister for the Environment can. Moore and NPWS say they have no formal proposal put to them.

NEFA should not give up on the wilderness dedication: while Moore doesn't have a statutory responsibility to re-introduce wilderness recommendation once its been dealt with (unsatisfactorily), he would continue to support North Washpool's protection.

Documents which show important natural values, and which testify to the areas evident World Heritage qualities, will be forwarded to the Cabinet Office for consideration by the new Cabinet of the new Government. Cabinet must undertand that on their first consideration of the wilderness assessment, they were misled by the FCNSW and that since then, new important information, generated by the court action, has been produced.

-6-

CHAE LUNDI STATE FOREST

Media Briefing and Action Alert have been released to advise of situation at the Blockade site within the Chaelundi State Forest.

NEFA has briefed Mr Tim Robertson, Barrister-at-Law, who consulted with NEFA's scientific advisers. After exhaustive discussions, Mr Robertson advises that there is insufficient evidence on which to proceed with legal action at the present time.

Many problems with EIS remain unsatisfactorily addressed by FCNSW, but the lack of much needed forest research, prevents us from now leading the scientific arguments which would expose the remaining inadequacies. Without this evidence we can't proceed with a costly court action.

In any event a reasonable chance of success is needed in order for legal aid to be granted. The Legal Aid Commission won't grant aid with-out a barrister's opinion of a good prospect for success.

When, and IF, further significant information comes to hand, court action may become possible, with a reasonable prospect for success.

It should be plainly understood that the situation is now in the 'political' domain since 'legal' tactics cannot assist us at the present time. Hence, the need for a strong blockade.

Chaelundi is now in a similar situation as the south east forests. FCNSW appears to have met the bare requirements of the law though not the spirit. Its made a decision which can't be accepted morally

Court action won't advance NEFA's main objective, the removal of the area from timber harvesting. We want to see a reallocation of the land to the NPWS for inclusion in the Guy Fawkes River National Park and Wilderness area. This landuse reallocation cannot be undertaken by the Land and Environment Court. Chaelundi may be a good example of an area, Dorrigo MA, in which a major landuse review is required a.s.a.p.

Chaelundi also highlights the flaws in the Forestry Act and Part V of the EPA Act. FCNSW gives itself approval for the EIS they prepared, for work they now propose to carry out. There is no separation of roles nor is there an external arbiter to whom to turn.

DORRIGO PUBLIC MEETING

600 people attended, including people for all over north coast and 80-100 greenies. Not as aggro as might have thought if would be.

FPA Manager Mr Col Dorber controlled meeting well, refusing to

allow questions to Harold Winkel. Mr Winkel is a local contractor who says NEFA is doing a good job and agrees that all logs from the Dorrigo plateau should be milled on the plateau before being sent elsewhere.

Dorrigo timber is being shipped out of the Dorrigo area by Boral and Duncans. Trevor Pike can't get information from FCNSW on the number and volume logs being taken by companies receiving timber from the Dorrigo MA.

Suggested approach to Dorrigo timber industry re

- * maintaining jobs local logging of local logs
- * phase out of quota system

Some discussion canvassed apparently contradictory lines on the Dorrigo meeting, one seemed to be saying 'meeting will be a farce' while the other said 'meeting a good opportunity to get together and talk'. Apparently selective quoting misrepresented John's comment out of context. This distortion is an inherent danger in using the media.

Agreed that we should not be running a media line like 'we're in the forest- come and get us'. This taunt not good PR and we don't want arrests unless unavoidable.

PUBLIC MEETING - COFFS, May 11.

A Public meeting will be held by Dailan for NEFA at the Coffs Harbour Catholic Club on west side, on road to Coramba, Saturday 11, May at 1pm, to discuss 'old growth' forests protection in general and the Chaelundi State Forest in particular.

Other strategies exist within the political domain to see the 3 Compartment area protected but all rely on the good intentions of the Minister for the Environment or the Minister for Planning. These avenues are being explored by NEFA with advice from Mr Robertson.

A Coffs Harbour conservation organisation, The Ulitarra Society has produced a great 35 minutes videotape on Chaelundi and the need to protect it. Copies available through John Turbill. Thanks heaps! Dean Jefferies has a video tape of Blockade footage on the way! Both these need to be put to good use and used to inform and educate the community and the politicians.

CHAE LUNDI BLOCKADE BROADMEADOWS RD

The meeting heard reports from a number of people who had visited the Blockade site in the last two weeks. NEFA was told that there was sickness in the camp, that the site was very cold, and that there was a potential vulnerability at the 'back gate' down near the Pine Creek crossing, through a track which had constructed there.

Apparently Rob and Tracey are worried that Blockade is unorganised, with no management or responsibility being undertaken by NEFA.

Communication between Blockade Camp and the phone at Bostobrick is a real problem. Lack of information about road construction a result of poor communication. Need vastly improved communications. A Radio base and mobile radios e.g. CB radios are hoped to be organised, though no-one has any special expertise in the installation of a radio network.

Good radio links are not all that's needed. Need to organise a list of Equipment Needed

Discussion focused on the health of the camp and its ramifications. Suggestions were made of possible re-locations of Blockade or creation of support camp by the Boyd River.

The following suggestions were made during discussion. A more complete list arising from a workshop on the Blockade is attached.

Contact:

Rainbow Power Company
Telecom: network phone radio
experienced radio operator
possible mobile phone \$1,000
water harvesting/supply
water heating and insulation
tents tarps gas cookers
kitchen cook and quarterboss

IDEAS FOR MAINTAINING BLOCKADE

Establish radio telephone connections

- investigate mobile telephone possibilities

- find an experienced radio technician who can set up radio network and train people in its use

Establish a Roster for the Blockade site and a Standby Roster

Establish a Base Camp away from the actual Blockade Site, suggestions include: at the back door, or by Boyd River

Re-new the Blockade Camp, review camp location

Need to develop Alert Plan that will come into effect if FCNSW attempts to move in before the state election. Phone tree needs to be worked up to include everyone on Standby Roster.

Need to develop whole range of Contingency Plans, as possible future tactics, for after the elections. These Contingency Plans should address a possible scenario 'If...'. Contingency Plans to be worked up by blockaders and submitted to NEFA for consideration at another NEFA meeting, likely to be held on the Blockade site soon after the election.

People who are rostered on at the Blockade Site and everyone in Base Camp should be aware of the Alert Plan in effect and know what to do in the event that FCNSW attempt to start work.

Lyn Orrego is interested in pursuing economic arguments to support the protection of the forest at Chaelundi but wants help. John reported that he had hired Judy Clark a resource economist, m to advise on the Chaelundi EIs and that she had already done quite a bit of work on the actual economic impacts of not doing the works on the local economy.

John and Lyn to liaise re: providing local information to Judy and providing Judy's reports to Lyn and others for inclusion in briefing and public information.

FREEDOM OF INFORMATION ACT REQUESTS

Andrew Steed reported that he had recently completed two (2) requests:

- a general multi name request for access to District files etc.
- a specific request for information held in the Dorrig District Office.

MEETING WITH MRS ROS KELLY, FEDERAL MINISTER FOR THE ENVIRONMENT

Steady and Jim Tedder to pursue meeting with Mrs Kelly: Steady on behalf of NEFA and Jim on behalf of NCEC Inc.

Suggested topics for discussions include:

- North Washpool World Heritage nomination,
- National Forest Inventory, FCNSW's co-operation in supplying OGF maps via logging history maps;
- resource security legislation and north coast impacts,
- pulp mills and woodchipping, progress of EIS

- failure of Government to invite other input in the Forest ESD committee when other groups, (ACF and?) withdrew from committees - no conservation representation.
- Federal government responsible to ensure that there is international standards of natural resource management being employed in World Heritage properties. Not the case in NSW!

ACCOUNTS

\$620 of Bills have been recieved at BSEC for phone, fax and photocopying bills. John C also raised a need for contributions to his homne phoine bill. Some money \$250? has been recieved at BSEC. We need to raise funds for ongoing NEFA work. NEFA to appeal for funds through NCEC to member groups, PLEASE ASK YOUR GROUP FORM SOME MONEY. List of equipment wanted and outstanding Bills to be put onto Pegasus with a reuquest for constributions.

ILLEGAL WOODCHIPPING MILLS

Linda Gill reported that Department of Planning (DoP) has been advised on problem of many illegal woodchippers, but is 'having trouble getting information' presumably from the FCNSW. Linda has a copy of list of mills which are probably illegally operating. Sue has a list of the conditions for operation imposed on the recently approved Copmanhurst Chip mill.

Discussion noted the difficulty of answering some plausible arguments being advanced to defend the operation of unapproved woodchippers:

- they may have an existing use right;
- the woodchippers may not exactly fit the description of plant which is 'designated development'.

Some councils may be unwilling to act to enforce zoning requirements;

While not all chippers will be operating at a level high enough to 'qualify' Designated Development status and an EIS (4,000 m3pa), all mills would require the local councils approval before they can be installed or operated.

The issue of these chippers is also under discussion within the SEFA network. It was suggested that NEFA obtain a legal opinion about the milling company's need to obtain formal development approval for these chippers.

ILLEGAL LOGGING

Our letter setting out numerous examples of illegal logging has only been part answered and then inadequately. Examples of illegal work still need followup by Minister and FCNSW. More examples are being brought to our attention all the time. Suggested that NEFA continue to record examples of illegal logging in a 'History of the World according to NEFA' or 'Crimes against Nature'. Big Scrub EC has a list current at December 1990. Please advise Steedy of other examples for entry into the Roll of Dishonour!

WOODCHIPPING

Tariff is charged on Tea Gardens woodchip mill on the basis of .?c per tonne. This goes to Great Lakes Shire Council as Contribution under s.94 of EPA Act.

FORESTRY ACT, 1916 AMENDMENTS

With the prospect of a Greiner Government controlling both Houses of Parliament, thought has been given to possible amendments to existing legislation in order to again 'free up' forestry planning and approval processes.

Steady suggested that a copy of the 1988 Forestry (Environment Protection Amendment) Bill, introduced by Causley to exempt FCNSW from the need to do EIS's, be circulated with these Minutes.

John C reported that following the EDO seminar on 'Towards a new Forestry Act' there was a realisation that in seeking to rewrite the this Act, there were other consequent changes which should or ought to be made to existing laws: e.g. the Crown Lands Act, 1990, the National Parks and Wildlife Act, 1974, the Soil Conservation Act, 1935, the Total Catchment Management Act, the Water Act, the Bushfire Act, and others.

In addition, we need a new Forestry Act to be coherent with other suggested Acts such as the long overdue introduction of an Endangered / Threatened Species Act.

Discussion on amendments wtherefore had gotten broader, rather than more specific. Groups in Sydney were looking at the climate within the Greiner government for substantial change in natural resource policy and institutional arrangements.

Therefore, they were seeing Forestry Act discussions within a broad scheme of legislation that would need to be changed in order to

achieve the movements objectives for sustainable forest management and wildlife protection in both public (state) forests and private lands. Sustainable landuse to be coherent theme within proposed legislative changes.

Other people who were at the EDO Seminar also thought that the speakers and discussion did not much assist NEFA in deciding where to go from here. Overall indication seemed to be, 'go for major overhaul - not gradualism' 'take a grand strategy approach'. Best speaker was Kevin Smith for New Zealand Forest and Bird Preservation Society who reported on the NZ experience in transforming their Forestry Department into a new Corporation, while preserving very large areas of native forest.

Dorber and Drielsma gave predictably disappointing performances.

In discussing what changes we want to see, it may be useful to ask questions such as:

- * who would give approval for logging to go ahead?
- * who would study the forest and prepare environmental impact assessments or EIS's?
- * how would forest planning be done?
- * who would build roads and bridges?
- * who would enforce the laws, policies, prescriptions or plans which had been adopted for the management of a forest?
- * who would set the prices and charges for product royalties?
- * how?

Within discussion of changes to Forestry Act is the idea of achieving significant revisions of historical landuse allocations. i.e. putting some state forests (North Washpool, Chaelundi) into secure National Parks, having some Crown leasehold land being dedicated as National Park.

Greiner has twice floated the idea of a Natural Resources Council, (NRC) to make these allocations and arbitrate on landsue disputes, at least that's what we understand he was talking about!.

See speech Greiner made at the Environmental Dispute Mediation Conference held in Brisbane by Mr Fitzgearld QC as a part of the Fraser Island Inquiry.

He has also discussed the idea of an NRC with Sue Salmon and Phillip Toyne of the Australian Conservation Foundation (ACF) at a recent meeting. He invited our comments on the idea. Sue Salmon understands that the ideas under consideration include: the federal government's Resource Assessment Commission (RAC) model; and the Victorian Land Conservation Council model. ACF is preparing summary papers on the processes of these two models for distribution within the movement to facilitate responses to the Premier. The NZ experience has also been suggested for consideration following Kevin Smith's information.

Some people now believe that this NRC is Greiner's main game for after the state election - substantial changes to the natural resources sector of government, including a major shake up of FCNSW, followed by 'corporatization'.

Meanwhile, FCNSW has been converting leasehold Crown lands to State Forest, steadily increasing the area of dedicated SF.

PUBLIC ACCOUNTS COMMITTEE INQUIRIES

Forestry Commission

No answers or response to Forestry Report yet made by Minister or FCNSW. Commission appears to be ignoring it and hoping it will go away. One major recommendation - the reconsideration of their proposed move to West Pennant Hills - has been ignored and the move proceeded with! This move is being used to stall progress on many other issues - 'Can't find anything, its all in boxes'. Seems FCNSW unwilling to respond before the state elction, if at all.

National Parks & Wildlife Service

Dailan Pugh made a detailed submission on the the many failings of the NPWS, with many examples of unacceptable Service work. This Inquiry started very narrow and appears to have gotten MORE narrow rather than wider, as did the FCNSW Inquiry.

PAC is said to have completed its investigation on the Service within the very narrow parameters finally adopted, and are to report very shortly, probably before the elction. NEFA submission appears not have been taken up at all.

Mr Phil Smiles, presently MP for Mosman, and Chairman of the PAC is competing against Independent MP for North Shore, Ms Robyn Read, for the newly redrawn seat of North Shore. So, his electoral future looks very uncertain. If he is not re-elected to Parliament, a new Chairman of PAC will be elected from new Government MP's. The PAC's Report on FCNSW, which is to be reviewed in 12 months, may not be pursued by the new PAC Chair with the same interest as Smiles.

BUNDJALUNG NATIONAL PARK

John C and Steedy reported on a road being constructed to upgrade an old track through the Remote Natural Area of the Park.

The work is grossly unsatisfactory. See attached Brief for list of complaints. Legal advice is being obtained. Minister Moore's office has been made aware of our concerns and has referred it to the Director for action.

NEFA should run on this issue in the state election campaign, as proof of NEFA's fairness in enforcing the EPA Act. It will really confuse the FPA and timber lobby, while showing that we're 'anti-mismanagement'. If action under the EPA Act can be initiated John will commence, since this seems a clear cut case of breach of the law. The best way to defend the EPA Act and s.123 rights to third party enforcement may be to use the law.

N.S.W. FOREST SUMMIT

Held at Thornleigh near Hornsby on 20th April.

Linda Gill reported that like many other conferences this one tended to be a little academic - with many generalisations used.

Ultimately adopted a statement for consideration of other forest campaign groups possible endorsement. Discussion on this deferred until political strategy agenda item.

AJ Brown and some others from The Wilderness Society attended and reported on their campaign plans, including a renewal of the 'Great Escarpment National Park' prospectus. She expressed the view that TWS running with the GENP idea may make NEFA seem more credible.

Some discussion on the NSW Forest Policy was had with people agreeing to work on policy ideas on Pegasus for inclusion in NSW Forest Policy. A special Policy Conference is to be organised by John Corkill after the election to attempt to draw together the Policy.

A big stumbling block appears to be the statement 'end to native forest logging' as proposed by ACF and TWS. Confusion seems to focus on whether this statement is an immediate demand (probably unrealistic) OR a long term objective to work towards through a series of transition strategies.

Under the first, no transition strategy could involve native forest, under the second, some short term harvesting may be permitted albeit under strict harvesting prescriptions. This issue of clarifying objectives needs careful discussion.

Other policy issues which were then discussed by NEFA included:

- * need an ecologically sustainable timber industry on the NC which adds high value to timber products produced locally;
- * need to concentrate plantations on second and third grade agricultural land to generate timber products;
- * need to develop markets and products WITHIN Australia to replace imports on value added products;

PULP MILLS

General discussion about potential for small mills to operate locally to produce paper. Discussion continued informally after 5 pm.

Workshop on Blockade re-newal happened.

SUNDAY 28th APRIL, 1991

ELANDS COMMUNITY HEALTH CENTRE

ELECTION STRATEGY

Meeting ran through list of agreed immediate NEFA Policies worked up in Workshop on Saturday as a basis for what we want to say in the 'VOTE FOR THE FORESTS!' campaign.

Co-ordination of election strategy suggested by the Forest Summit would be reported in the FOREST REPORTER if SEFA also endorses it. FOREST REPORTER is planned to be launched in Sydney on Wednesday 1st May, 1991, same day as Ros Kelly in Grafton. This broadsheet will have lots of electoral comment and news items.

John C read out and circulated a copy of the 4 point Forest Summit election statement/strategy. After questions of clarification the statement/strategy was endorsed unanimously! A copy of this to be included in these minutes.

A short discussion was held on NEFA's and local groups relationship with the Democrats. Is there a policy of working with them?

This is it - its a policy of working with people who support forest protection, and the Democrats do. NEFA will not work exclusively with any one party.

NEFA is saying

'if you have a good forest policy and support NEFA's fundamanetal policies, no matter where you come from, NEFA or local forest groups will consider endorsing you, subject to you showing a proven commitment to forest protection'

The idea of a Questionnaire was discussed. The suggestion of face-to-face interviews was thought more likely to give a real indication of a candidates' position and avoid the 'tick the box' syndrome or a failure to answer.

Local groups should take the list of fundamental NEFA policies to local candidates and assess their response to the policies. Women's Electoral Lobby did this previously and was very successful. Groups should ask for a candidates' personal history or Curriculum Vitae to show a history of commitment to forest protection.

NEFA able to endorse key candidates as well as local group endorsement. NEFA to be advised by local groups. List of all candidates endorsed locally to be released by NEFA regionally as voter advice in the last stage of the campaign.

The process of making endorsements, if any, consists of:

- * organising face-to-face interviews with local candidates to test their support for NEFA's policies;
- * requesting Curriculum Vitae to show proven history of forest protection;
- * considering and making any local electorate endorsements;
- * publicising results on local media; and
- * advising NEFA network of local endorsements;

Need to recognise difference between Fundamental NEFA Policies, and 4 point election statement endorsed from NSW Forest Summit meeting.

Important that NSW Upper House, the Legislative Council, remain a 'House of Review' and not become a 'rubber stamp' for a government.

Is NEFA endorsement appropriate for Martin Frohlich, who is running against Causley in Clarence, for the Australian Democrats? YES!
If, when and how to state this NEFA endorsement to be the subject of discussion with Martin.

Do we target Ian Causley? Yes! as NEFA? Yes. When and how to be the subject of discussions with NEFA people in the Clarence electorate.
'VOTE FOR THE FORESTS!' : 'PULP CAUSLEY !'

See Campaign Outline on separate sheet.

DRAFT PRESCRIPTIONS

These to be written up by Wingham Forest Action (Helmut). Forest Foundation to draft additional suggestions for prescriptions they would like to see included. WFA to contact Dr Andrew Smith to produce draft harvesting prescriptions for Wingham MA particularly Enfield and Doyles River SF's.

It's expected that these would not be universal prescriptions though they may be able to be adapted for other localities. All these ideas to be then circulated by WFA through NEFA network for discussion and review and a future NEFA meeting.

ASIDE: Belligen area - 1st class logs go to Boral
- 2nd pallettes
- 3rd Boral for chipping!

Local company is using 2nd grade logs (because that's all they can get) to make value added door jambs and architraves. They dry the logs in a 'solar furnace'? like a hothouse to cure the timber. These logs are the 1st thinning cut, 25-30 yo plantation eucalypts.

FUNDING

Big Scrub organising a Dance in August

Lyn to ask Land Council

Raffle idea was discussed but no-one came forward to organise it.

Ask Armidale NEFA,

- 1) can they organise a weeks Blockade?
- 2) is a University gig possible in the fundraising department?
- 3) what contact is there between Environmental Youth Alliance and Uni studnets and NEFA?

Poster as a fundraiser was discussed. No agreement on style of quality. Rather leave this to artists?

Need URGENT re-run of the 'VOTE FOR THE FORESTS!' campaign poster NEFA used in federal election campaign. RIC to be asked for these.

Suggestion of a Art Exhibition at Elands? in Wingham? Taree? with sales profit going to NEFA.

HOO HOO CLUB

Information that Linda has collected very out-of date - 1980's.

Linda trying to arrange meeting with Australian Timber Worker Union (NSW Branch) in Sydney 15-16th May.

Suggestion of putting idea to investigative journalist to be pursued.

FOREST REPORTER

release planned for 1/5/1991

Need to know price wholesale and retail???

Distribution network needs co-ordination. John C to followup on return to Sydney

John needs information on how many to order for which areas...

LIAISON WITH LOCAL SAWMILLERS

Need to be able to counter criticisms made by sawmilers. Jim Tedder has drafted a paper for millers to consider first before meeting with environmentalists and tabled copies at the meeting. He wants comments on this draft as soon as possible, within a week. Jim intends to build up liaison with and between millers e.g. Jim Slater at Beechwood Timbers.

NETWORKING

- next meeting to be at Blockade on Saturday after the election, June 1st and 2nd, 1991.
- next full meeting the following weekend, ie second after election, June 8th and 9th, 1991.

MESSAGES

To Bostobrick and Blockade sites: Thanks for all your efforts!
To WFA and Kitchen crew: Thanks for organising and feeding us!

MEETING CLOSED - 1pm, 28/4/1991

DRAFT 2: Please do not remove: write comments on ✓
This submitted to 'Forest Reporter'

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FORESTRY LEGAL ACTIONS IN THE LAND AND ENVIRONMENT COURT

WHY? WHAT RESULTS? WHERE TO FROM HERE?

J.R.Corkill 19.4.'91

The North East Forest Alliance (NEFA) is pursuing legal action against the Forestry Commission of NSW (FCNSW). NEFA Sydney Co-ordinator and applicant in the Court actions, JOHN CORKILL, explains why, what the results have been and comments on where NEFA plans to go from here.

WHY GO TO COURT?

Since the election of the Greiner Murray government, no person or government agency has been prepared to challenge the lawfulness of the Forestry Commission's plans to log 'old growth' forests into extinction.

No NSW Minister or Department has been prepared to enforce the NSW law, the Environmental Planning and Assessment (EPA) Act, 1979, which applies, and for some time it appeared as though the Commission could act with impunity.

In early 1990, in response to questions in the NSW Parliament, the Premier, and the then Minister for Natural Resources, Mr Ian Causley, refused to require the Commission to comply with the Act and prepare environmental impact statements (EIS's) for forestry activities in the 'old growth' forests of the north east of NSW.

In reply to letters from NEFA's solicitors, the Minister for Planning, Mr David Hay, also refused, dejecting any responsibility for enforcing the Act which he administers and similarly exempting the Department of Planning from any enforcement role.

So, with a strong Act and weak ministers and departments it fell to me as private individual, albeit with the support of NEFA and other groups, to commence actions under section 123 of the EPA Act, which permits any person to commence proceeding to restrain or remedy an actual or threatened breach of the Act.

In each of these cases, - Mount Royal SF (near Barrington Tops), Chaelundi SF (near Dorrigo), North Washpool (near Grafton) and recently, the Way Way and Yarrahappini SF's (near Macksville) - a public authority, FCNSW, was seeking to harvest public resources, native forests, from public lands, without complying with NSW law.

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the North Washpool Area" and recommends that "no further logging be undertaken until a comprehensive and research orientated environmental impact study has been undertaken".

Fox (para 8) found that logging alters the soil chemistry of a rainforest stand. Gilmore (para 9) is concerned with the consequences of sediment washed from roads and tracks on the aquatic environment.

(THIS IS ALL MUCH TOO GENERAL - MCGARITY MUST GO INTO THE FOREST)

34. IMPACTS FROM FIRES

The EIS (p. 122) notes that "on the other side of the balance of course, roading will facilitate the suppression of wildlife". On page 105 it notes that 1968 was a bad fire season with four fires occurring in the southern Washpool, two of which were lit by graziers along the Washpool Jeep Trail. NPWS (1990 Heritage Conservation, p. 44) states "it is a well established fact that most fires are human ignited on the edge of or close to roadways".

NPWS (1990, Heritage Conservation, p. 44) considers that logging and roading in the Malara Creek valley will increase the vulnerability of the adjoining Park and Willowie Scrub area to human induced disturbance caused

In these unlawful activities, the Commission sought to deliver cheap and easy, large sections of the remaining 'old growth' forests to private enterprise at rock bottom prices, despite evident natural values and in direct contravention of the Commission's own policies, prescriptions and management plans!

In commencing each case I made application to the NSW Legal Aid Commission for legal aid and was subsequently granted aid subject to me making a contribution to the cost of the case in question.

In each case I have contributed a significant, though varying sum, from my limited finances and from donations made to me for the express purpose by generous individuals and groups (Thank you all!)

The cases were straightforward and built on the important judgement in the Juraisus vs FCNSW case, where Justice Hemmings said that logging 'old growth' forest would have a 'significant effect' on the forest environment, and consequently EIS's would be required.

GREAT RESULTS - FORESTRY COMMISSION'S CREDIBILITY IN TATTERS

In the cases of Mount Royal (Feb '90) and Chaelundi (Mar '90) SF's, the Commission had commenced works and urgent applications for injunctions to stay works had to be made, while arrests were underway in the forests. Once the Commission was summoned to the Court to defend its plans, FCNSW sought legal advice from barristers which, quite reasonably, confirmed our legal advice viz: an EIS was required.

Subsequently, the Commission 'caved in' and told the Court that it would prepare an EIS and pay my legal costs. The cases were discontinued since the Commission had been brought to heel and the law enforced.

Then in June 1990, the Premier announced that a 'swag' of EIS's would be produced by FCNSW for proposed works in the north easts 'old growth' forests. Unfortunately, this announcement did not include all 'old growth' forests and logging was to proceed apace while these EIS's were prepared. This so-called 'breakthrough' announcement trumpeted by the Premier did not even go as far as the legal requirements!

In the North Washpool case, involving the Washpool and Billilimbra SF's, a blockade by NEFA members stopped work. After NSW Cabinet rejected the NPWS recommendation for wilderness protection, I challenged the adequacy of the 1980 EIS, (prepared for different works, in different places) and its reliability in meeting the

No site specific surveys have been undertaken in the North Washpool area for the EIS (pp. 97-99, App. 14).

The EIS states (App. 14) that:

"No systematic survey for sites in the area has ever been carried out. The area of Washpool State Forest has never been the subject of any detailed anthropological investigations."

30. VISUAL AMENITY

This matter is discussed in some detail in the EIS (pp. 74-78) with a number of panorama photographs and several photos of examples of significant landscape elements - cascades, deep pools, a granite tor and typical vegetation - are included in the EIS.

The description of landscape and visual amenity is necessarily regional, encompassing the Washpool area generally. Little emphasis or information directly relating to the visual amenity of the North Washpool area is included. (JC - IS THERE ANY INFORMATION ON NORTH WASHPOOL? IF SO, WHAT IS IT? HOW COMPREHENSIVE IS IT?)

31. RECREATIONAL USE

The EIS (p. 106) briefly discusses the use of the Washpool area generally by "car based recreationists" and notes that the lookout and picnic area within the

requirements of the EPA Act for an adequate EIS.

After contesting the injunction in a week long trial, and losing, the Commission was forced, again because of late but sensible legal advice, to admit to the Court that it would now prepare an EIS for works which it proposed to undertake.

In his Interlocutory Judgement, Mr Justice Hemmings said:

" Regrettably, there is conceded to be history of departure by the Commission from not only its own approvals in the logging of this area, but apparently a continuous avoidance of the obligations imposed by the Environmental Planning and Assessment Act, 1979. ...it is difficult to have confidence that, unless restrained, the Commission will observe its statutory duties."

Subsequently I lodged an application in the Court for the forests to be rehabilitated and, after 4 weeks of negotiation, the FCNSW agreed to undertake soil conservation works to cure extant and prevent further soil erosion. It agreed to also rehabilitate, as far as is possible, the rainforest which was unlawfully logged in the ten years since 1980.

The basis of the rehabilitation works lies in an unprecedented agreement worked out between the FCNSW and myself, which sets up two expert scientific committees to design and oversee the rehabilitation and conservation works.

The case of the Way Way and Yarrahappini SF's is still to be heard but is essentially the same as the earlier two cases except that these forests are production forests. The evidence is clear that management has 'significantly affected' the forests, and that further harvesting and (mis)management will have far reaching effects which the Commission has no idea of or, apparent concern.

Each time it has been challenged the Commission has sought to avoid a judgement from the court by 'caving in' and agreeing to do what it would not agree to do when requested before legal proceedings were commenced.

These matters, and the sundry other cases which the Commission lost or withdrew from over the last 10 years, were reported to the Public Accounts Committee of the NSW Parliament who, in the Report of their Inquiry into the Forestry Commission, were scathing in their criticisms of the Commission's performance, attitude, structure and management methods.

generally. (JC - SO WHAT? SIGNIFICANCE OF TROPICAL WINDS ON ROADED RAINFOREST?)

28. ARCHAEOLOGY

No site specific surveys have been undertaken in the North Washpool area (pp. 97-98, Appendix 15).

The only archaeological research in the Washpool area was very limited and "about 10-20% of the proposed logging area" (p.***) was investigated. That research related to the area now within the Washpool National Park.

For the EIS the Forestry Commission employed a consultant archaeologist to carry out an Archaeological Survey (EIS Appendix 15) from 2 to 8 June 1980. Bowdler (para 1, 2, 3 and 7) is critical of that survey and notes that it did not include North Washpool. Bowdler (para 9) is of the opinion that the 1980 EIS does not purport to study the archaeology of the North Washpool area. Liddell (paras 3 and 6) notes the need for further consultation and cultural investigation of the Malara Creek catchment and considers that the EIS gave the area an "inadequate appraisal".

29. ANTHROPOLOGY

It is plain that the legal cases, and the PAC Inquiry, have shown the FCNSW as an archaic, incompetent public authority who has no regard for the law, and an antagonistic and confrontationist attitude to the public, particularly environment groups, while it maintains 'dirt cheap' royalties for the timber industry.

Any wonder that environment groups all over NSW are now calling for the complete transformation of the Commission into a modern, competent and accountable public authority, through the repeal of the archaic Forestry Act, 1916, and the introduction of a Forestry Act for the 1990's and beyond?

WHERE TO FROM HERE?

The legal actions to date have only sought to answer the second of these two crucial questions:

- 1 Given an unbiased assessment of the forests natural values, should this area be available for timber production?
- 2 IF the forest is to be logged (see 1 above), have the legal requirements been met before work commences?

Since the Court cannot rule on the land use allocation questions implicit in Question 1 - it only adjudicates on legal issues - there is a limited value to commencing 'more of the same' legal cases.

While legal challenges addressing Question 2 may keep the Commission honest and within the law, concentration on such a strategy, won't address the all important Question 1.

One significant diversion which is even now emerging appears to be an attack on the policies of the NSW Legal Aid Commission to restrict the granting of legal aid to applicants, such as myself, who seek to uphold the law when no-one else will.

Where we go from here could involve defending the public access to grants of money for public interest court actions, as a first step.

The real debate, and I suggest the future of our forest campaigns, centres on answering the first question and its logical extension: the ownership and management these 'old growth' forests.

NEFA, and our sibling organisation SEFA, contend that many areas scheduled for logging are the last fragments of wilderness, unmodified natural areas, which should be protected for all time within secure boundaries of National Parks or Nature Reserves.

provided in the EIS for North Washpool or indeed for the Washpool area generally. See p. 74. (JC - WHAT IS THE POINT OF THIS, IF CORRECT?)

26. CLIMATE (TEMPERATURE)

No site specific surveys of temperature have been undertaken in the North Washpool area or indeed in the Washpool area generally. The only data included in the EIS is from a weather station at a similar elevation, Dorriggo at 715m, approximately 160 kms to the south.

(JC - CHECK THIS ELEVATION FROM A TOPO OR RING UP)

The climatological information presented in the EIS (p. 70-74) has been criticized by the NPWS Submission (pp. 32, 36-37) as sparse, including statistically invalid assumptions and omitting important data, and by the DEP EIA (pp. 22-25). (JC - DID THE DEP MERELY REPEAT THE NPWS CRITICISMS - IF NOT, PLEASE SET OUT THE DEP'S VIEWS)

McGarity (para 4(iv)) notes:

"the speculative nature of the climatic data presented in the EIS."

27. WIND SPEED AND DIRECTION

No site specific surveys have been undertaken in the North Washpool area or indeed in the Washpool area

We say that all high conservation value forests (wildernesses, habitat for rare and endangered species, high quality scenic areas, and areas un- or under-represented within the NPWS reserve system) should be identified in scientific, unbiased investigations - not like the south east's Joint Scientific Committee's discredited survey - removed from timber production and allocated to the NPWS for management and conservation.

Such a process is of course utterly rejected by the Commission who has felt threatened by the NPWS ever since Premier Wran protected some of NSW's rainforest in 1982.

With the timber industry and the Commission working in mutual support, the fight for the forests is now bitterly engaged. There appears to be little hope of achieving a real solution unless a rational government makes some enlightened decisions, based on accepted, verifiable science, and rejects the political influence of vested interests and bullying captured politicians.

Part of what's required in this rational intervention, and certainly part of where we go from here in our forest campaigning, must be the complete overhauling of the Commission: from its pricing policies through to its wildlife protection policies and the professional conduct of its staff.

What is absolutely non-negotiable, and the most basic action to any sensible resolution, must be the opening of the Commission's process to real, meaningful, public participation procedures - particularly the release of any information regarding the condition and values of the states forests.

Where we go from here must include strategies which mobilise people at the NSW election around the ideas set out above, and the key question: should this area be logged?

In recent months, the Premier has floated the idea of a 'natural resources council' to arbitrate on resource questions; he has pointed to the lack of information available to decision makers in this field; and he has acknowledged the need for lasting solutions to be found. But, despite giving lip service to these innovative ideas, he has done nothing to move towards a defusing the highly charged debate.

Will he wait until temper flare out of control again and blood is spilled before he acts on what will be portrayed as a 'law and order' issue rather than a forest protection issue? Or is he calmly waiting for the election to pass before amending the Environmental Planning and Assessment Act, 1979 to remove the need for the FCNSW

No data is presented for the major watercourses of Malara, Desert, Stewart or Main Creeks which drain the North Washpool area.

(JC - THIS WAS CRITICISED BY DEP EIA PLEASE CHECK)

25. RAINFALL (PRECIPITATION)

No site specific surveys have been undertaken in the North Washpool area.

The data within the EIS is derived from measurements made at Ewingar some 12 kms from the North Washpool area supplemented by data from the Meteorological Bureau rainfall stations at Drake at 490m elevation, approximately 50 kms from the North Washpool area, and Tabulam at 49m and approximately 70 kms distant. Much of North Washpool is at 600m elevation with many ridges and peaks exceeding 900m. For example, Compartment 695 rises from below 500m to above 900m. (DAILAN TO CHECK PRECISE CONTOURS)

Dr John McGarity discusses (para 4(iv)) the likelihood of higher rainfall and the consequences for erosivity.

Snow is reported to have fallen regularly over the Washpool subject area, but no data or quantification is

to do environmental impact statements?

Time will tell what Mr Greiner plans, but the 'old growth' forests - for so long barely affected by time - do not have much time left to them if they are to survive. We must defend them with our last breath lest they be destroyed and gone forever...

been made, there is evidence that some soil types are highly erodible."

No indication is given as to what evidence is relied upon to support this statement.

Dr John McGarity (para 4(ii)) says:

"While it appears that the soils in the Compartment 695 have been classed as having high erodibility on the basis of perceived geology of the area, such soils could be extremely erodible or even moderately erodible. There is thus insufficient evidence to determine the erodibility class of the soils of this area either from the Harvesting Plan or from the EIS prepared in 1980."

23. WATER QUALITY

\/ (jc - page ?)

No site specific surveys have been undertaken in the North Washpool area. The EIS only refers to the Washpool Creek which does not drain the North Washpool area. (JC - CHECK THIS - DOESN'T WASHPOOL CREEK DRAIN DESERT CREEK? WHERE WERE THE READINGS TAKEN?)

24. HYDROLOGY

The EIS discusses (p. 70, Table 4, Appendix 9) the drainage patterns and hydrology of the Washpool area. The information presented does not refer to North Washpool. All the data presented refers to the Washpool Creek, the upper catchment of which is entirely within the National Park.

SUBMISSION TO INDEPENDENT M.P.'s

FOREST AND ENVIRONMENT PROTECTION POLICIES

URGENT PRIORITIES

by

NORTH EAST FOREST ALLIANCE

SUMMARY

NEFA requests the following urgent priorities be considered by Independent MP's as components of any discussions concerning possible agreement with the Australian Labor Party (ALP) in reaching an Accord to form a new ALP-Independent Coalition Government:

Endangered Species Act

The introduction of legislation aimed at ensuring the survival of all remaining species of wildlife native to N.S.W., throughout their range, has been promised by both the Labor and Liberal parties. The Liberal-National Party was ready to introduce the legislation last August, and the National Parks and Wildlife Service have prepared the draft Bill and all the promotional material. The Labor Party has no impediment to introducing the draft Bill in the first session of Parliament, and thus could be required to do so.

State Ecological Survey Unit

The Labor Party has promised to establish a State Ecological Survey unit to provide on-going scientific inventory of the plant and animal communities in N.S.W.

While Victoria has a long history of conducting wildlife surveys throughout the state, N.S.W. has an abysmal record of its wildlife. It is important that this proposal be acted on as soon as possible, so as to identify the distribution and habitat requirements of wildlife. This is an essential requirement to identify threatened species and habitats, threatening processes and to make rational land use decisions.

Data generated by the State Ecological Unit should be added to a Geographic Information System (GIS), which should be used to define an adequate system of nature conservation reserves.

Prob

Solutions

Financial cost.

Wilderness

The Labor Party has given a commitment to declare, under the Wilderness Act, 1987 wilderness areas at Kanangra, Wollemi Macdonald, Deua, Barrington, Hastings, Guy Fawkes, Mann and Ettrema.

A guarantee to stop any activities that may compromise wilderness values of other nominated wilderness areas, before they have been fully assessed by the N.P.W.S., is required to ensure that those wilderness areas not included in the Labor Party's list are not unduly lost.

Woodchipping

All export woodchipping of native forests to stop within 24 hours.*

New National Parks

The Labor Party has promised to introduce 20 specified parks in its first year and increase by 50% the area of parks over ten years. There needs to be a commitment to follow through these promises.

Labor should be required to define a process for identifying National Parks to be protected in Labor's 2nd and subsequent years National Parks.

Resource Security Legislation

The Labor Party rejected the concept of resource security legislation for the timber industry following the federal Governments announcement of its intention to grant resource security to timber industry projects over \$100m.

NSW Labor Party should be required to honour this commitment and oppose any projects proposed for resource security legislation at the federal level.

Chaelundi State Forest in Guy Fawkes River Wilderness

The tall old growth forests of the Chaelundi State Forest, near Dorrigo on the NSW north coast, should be withdrawn from logging immediately while they are assessed for wilderness qualities by the NPWS under the Wilderness Act, 1987.

The area was predicted by computer modelling and proven by subsequent surveys to support the highest density of arboreal (tree living) mammals in Australia.

These magnificent forests have also been noted to support a diverse array of wildlife, including many endangered species.

One major stand of high quality tall old growth forest, totaling less than 7,000 ha., has been identified as being the most important stand for old growth dependent animals left in Australia. The three compartments that the Forestry Commission now intends to log have the highest conservation values of the entire stand and are of national significance.

When the NPWS brings forward its recommendation for wilderness protection in March 1992, Labor should protect the Chaelundi tall old growth forests via declaration of the Guy Fawkes River Wilderness, and their incorporation into the the Guy Fawkes River National Park.

Land-use Allocation Council

More landuse disputes between NSW government agencies, such as NPWS, Forestry Commission and Department of Lands, and members of the community will continue unless a process to review 'historical accident' landuse allocations is devised.

A Landuse Allocation Council, modelled on the Victorian Government's Land Conservation Council (LCC) is suggested. Such a Council would rely on data brought forward by a range of state, federal, academic and community sources and make recommendations to Government for the re-allocation of land for particular land-uses.

An adequate nature conservation reserve system would be a priority for such a council.

The membership and composition of such a Council should include expert scientists and landuse managers. Government agencies, public interest community groups, and industry lobby groups should not be represented on the Council but rather make submissions to the LAC.]?

Environmental Impact Statements (EIS)

EIS's, a major innovation under the Wran government, have not been conducted well under the Greiner Murray Government, and should be renewed as a crucial component of public participation in decision making about development proposals which are "likely to significantly affect the environment"

The enforcement of the proper standards of EIS preparation should be required by the Labor Government.

A re-invigorated Department of Environment and Planning should

play a central and supervisory role in enforcing this and other components of the Environmental Planning and Assessment Act, 1979.

An urgent priority in the conduct of EIS's must include the definition and enforcement of minimum standards for EIS's prepared for the Forestry Commission of NSW.

A review of the appropriateness of government agencies granting themselves approval for major works likely to have a significant affect on the environment, under Part V of the EPA Act without an opportunity for appeal, is urgently needed.

FCNSW, RTA and MSB's approvals all need to be brought back into the public domain and subject to review or appeal to the ~~Land and Environment Court~~. *EPA Authority.*

A review of the Schedule of Designated Developments which require EIS's should also be undertaken.

Transformation of Forestry Commission

Labor proposes a 'complete overhaul' of the Forestry Commission of NSW to restructure it 'along efficient and environmentally responsible principles'. It has also proposed to make the Commission publicly accountable and greatly increase the ability of the public to participate in the management of native forests.

These commitments are applauded and should be pursued as urgent priorities.

Such restructuring must aim for a fundamental transformation of the Commission rather than tokenistic reform.

The structure and role of the new forestry agency should be worked out in consultation with public interest community groups and industry groups in the public domain, not be imposed by the Labor government.

Labor's suggested 4 person Board of Directors is seen as a step in the right direction of Forestry Commission transformation, but is only one possibility for a new forestry management agency.

Crown lands

The Carr Labor government should amend the Greiner Murray government's policy, which favours the disposal of Crown land with heritage conservation value, and restore the previous Labor Crown lands Conservation Policy which required the retention of reservations from sale over leasehold land with conservation values. Retention of these lands in Crown

There is a need for an independent body, such as the E.P. Authority to select consultants - rather than the developer - and to determine the EIS's

ownership, rather than their disposal, is the best means of protecting our heritage areas.

Disposal of Crown lands should only occur after full and adequate assessment of the lands conservation values and public needs. The State Ecological Survey unit should be involved in the assessment and make recommendations to a newly formed Land Use Allocation Council similar to the Victorians Land Conservation Council.

The NSW Council will include public consultation and representatives from the NPWS, Dept Lands, Forestry Commission, Scientific Ecologist, State Aboriginal Land Council, Conservation groups and Industry. Proper consultation must be ensured with all local community groups.

Until a proper assessment process exists the current moratorium on the conversion of leasehold lands should be maintained and extended to include Vacant Crown Land.

World Heritage

The Labor Government will continue the support of for World Heritage listing for two new areas, the Australian Alps and the Blue Mountains. The existing rainforest World Heritage areas are currently under review and evaluation by the NSW and Federal governments, which proposes to add south east Queensland rainforests. The Labor government must ensure that NSW rainforests are adequately evaluated and qualifying areas added. The Federal National Rainforest Conservation Programs remaining funding allocation and a commitment from the Labor government will assist in this important inventory and evaluation of NSW's rainforests.

Rainforests

Labor should complete the protection of NSW rainforests commenced by the Wran government, and protect all remaining rainforest within NSW, irrespective of land tenure. Permanent Conservation Orders (PCO's) under the Heritage Act, 1977 ought to be used by a Labor Government to achieve conservation and protection of rainforests where it is not desirable or practical to acquire rainforest areas. ✕

Management plans for all rainforest reserves ought to be prepared, particularly threatened littoral rainforest areas.

Old growth forests Chaelundi

Within Chaelundi State Forest, in north east N.S.W., part of a large stand of old growth forest, which has been identified as having wildlife values of national significance and is part of the proposed Guy Fawkes River Wilderness currently being assessed by the N.P.W.S., is scheduled for imminent logging. Three compartments, 561 hectares, has been blockaded by the North East Forest Alliance since 2/4/1991. These compartments have been recorded as having the highest densities of arboreal (tree-living) mammals known in Australia. The endangered predatory owls (Sooty, Powerful and Masked) and Tiger Quoll have been recorded and are believed to exist at correspondingly high numbers. The area of tall old growth forest has an exceptional diversity of arboreal mammals and endangered animals. ➔

An E.I.S. has been prepared which N.E.F.A. maintains it can prove is biased, unscientific, erroneous and misleading, aside from which it had the stated objective to allow logging to proceed as soon as possible. The proposed mitigation prescriptions have no scientific credibility and the proposals for their implementation are a farce. There must be an immediate halt to the proposed roading and logging. Such activities should not even be contemplated until after the

Wilderness Assessment by the N.P.W.S. and regional E.I.S.
being prepared by the Forestry Commission.

Environmental Act change stirs anger

EXEMPTION of forestry from the Environmental and Planning Assessment Act (EPA) would cause confrontation between conservationists and the Forestry Commission, a North East Forest Alliance (NEFA) spokesman said yesterday.

Mr Dailan Pugh said he believed the State Government might change the Environmental Assessment and Planning Act after the next election, closing the avenue for challenging Environmental Impact Statements (EIS) in court.

"I anticipate the Government will attempt some modifications to exempt forestry from the Act," Mr Pugh said.

The Upper House resisted a Government move to have forestry excluded from the EPA some time ago. Mr Pugh believed the Government would hope for a balance of power in the Upper House after the next election so changes to the EPA could go ahead.

He said the avenue for courtroom challenge was valuable and prevented clashes with the commission. "It is a release-valve to avoid protesters' blockades. If they close off this avenue we will go back to open

By SALLYANNE FRASER

confrontation."

The Government should make the Forestry Commission obey the rules rather than change legislation, he said.

The NEFA is expecting to gain an injunction against logging in Chaelundi State Forest through the Land and Environment Court this week. The decision last month to allow resumption of logging in three compartments of the forest was based on an Environmental Impact Statement done for the commission by consultants Margules and Partners.

The NEFA plans to try and obtain an injunction tomorrow or Thursday. If successful, the NEFA intends to challenge the adequacy of the EIS in the court.

The NEFA is organising a camp in Chaelundi to ensure logging does not begin before the court proceedings. Mr Pugh said the Forestry Commission gave an assurance last week logging would not start in Chaelundi today.

But the commission gave no firm commitment for the rest of the week, Mr Pugh said. He hoped the

camp would result in a blockade, which has occurred on previous occasions. The NEFA believes the Chaelundi EIS is inadequate and a higher level of research is required.

Mr Pugh believed the EIS was presented in a biased manner which guaranteed logging. The NEFA maintains the three compartments in Chaelundi have unique wildlife and are an example of old growth forest.

Mr Pugh said NEFA research showed the compartments had the highest density of arboreal mammals in Australia. These include a variety of possums, gliders and the koala. He said the high density of arboreal mammals indicated the presence of large numbers of other fauna, such as the endangered Sooty Owl, Powerful Owl and Tiger Quoll. These animals prey upon arboreal mammals.

Other rare or endangered animals known or expected in the area include Hastings River Mouse, Long-nosed Potoroo, Rufous Bettong, Koala, Squirrel Glider, Glossy Black Cockatoo and Beech Skink, he said. "These animals are something the EIS should have taken into account. We regard these areas as ones which should be left alone."

Grafton Daily Examiner p.1 2.4.91

D.E. 2.4.91 p.1.



NRB

THE CABINET OFFICE
NEW SOUTH WALES

- 8 APR 1991

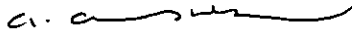
Dear Mr. Steed,

The Premier has asked me to let you know that he has received your recent letter on behalf of the North East Forest Alliance, concerning investigations of illegal logging in the North Coast area.

Mr. Greiner has noted all that you have written. However, as the matter falls within the administrations of the Minister for the Environment and the Minister for Lands and Forests, he has arranged for Mr. Moore and Mr. West to reply to you direct.

You may be assured that the matter will receive the Ministers' close consideration.

Yours sincerely,


for
Gary L. Sturgess,
Director-General,
The Cabinet Office.

Mr. A. Steed,
Co-ordinator,
North East Forest Alliance,
New South Wales Environment Centre,
39 George Street,
THE ROCKS. 2000



NATIONAL PARKS AND WILDLIFE SERVICE

CONSERVATION AGREEMENTS

One of the recent changes to the National Parks and Wildlife Act provides for the government to assist private property owners to conserve sites of natural or cultural importance on their land through a Conservation Agreement.

It is the Government's intention that this initiative will complement the traditional method of land acquisition as a means of implementing its policies on heritage conservation. However, it must be stressed that the provisions of the Act will be applied very selectively to appropriate high priority conservation issues.

What are Conservation Agreements?

They are voluntary, contractual agreements between the Minister administering the National Parks and Wildlife Act and a landholder which aim to conserve all or part of the nominated lands, determined to have specific value to the conservation of natural and cultural heritage of New South Wales. It must be emphasised that they are voluntary as far as the landholder is concerned, but once entered into are legally enforceable, will run with the title of the land and will be registered with the Registrar-General.

How are sites for Conservation Agreements selected?

As part of its research, assessment and inventory work, the NPWS is able to identify specific species, wildlife habitats, ecosystems and sites of cultural significance, which are important to the conservation of the natural and cultural heritage of N.S.W. Where it would be inappropriate to ensure their conservation through acquisition, the owner of the land in question might be approached by

Service officers with the aim of negotiating a conservation agreement(s) over the significant part of the property.

What sort of areas and sites are of interest to the Service?

(i) lands that contain viable habitats of endangered or threatened species as scheduled in the National Parks and Wildlife Act such as the mallee fowl, Regent and superb parrots, the plains wanderer and koalas.

(ii) lands containing important and threatened ecosystems such as wetlands, significant rainforest remnants or areas of special scientific interest.

(iii) lands on which there are important Aboriginal and cultural relics or sites.

How long will a Conservation Agreement last?

A central feature of the legislation is that Conservation Agreements will provide permanent protection, as far as possible, for the feature or area that was the subject of the agreement. Each agreement will be registered by the Registrar-General and will bind the owner and successors in title until such time as it may be terminated by both the Minister and the owner or in such circumstances as may be specified in the agreement. An agreement may be varied or terminated by the Minister, without the consent of the owner if the Minister is of the opinion that the area is no longer needed for, or is no longer capable of being used to achieve its purpose.

What terms might the Service negotiate in a Conservation Agreement?

The willing agreement of the landholder would be sought for the relevant area of his or her land to be permanently managed to achieve the conservation of some special feature or value represented on that land. In order to achieve this, the Service might require certain restrictions on use of the specified area, such as limitations to grazing, clearing, use of pesticides etc. It might also require from the owner positive obligations such as control of noxious and feral species, maintenance of fences, provision of water etc. The Service would also negotiate access rights to the area, to permit its officers and researchers to periodically monitor the status of the area or site. However, it should be stressed that there will be considerable flexibility in establishing the terms of individual agreements, determined by their specific objectives and the wishes of the landholder.

How will a landholder benefit from a Conservation Agreement?

The terms of a Conservation Agreement may be taken into account in valuing lands for rating purposes. The Minister may be authorised under the terms of the agreement to provide technical advice, to provide financial assistance to carry out works on the subject area and to render such other assistance as may be required aimed at fulfilling its purpose. However, one of the main products of such an agreement will be the opportunity for landholders to be assured that sites significant to the natural and cultural heritage of Australia are conserved in perpetuity, while it remains under their tenure or the tenure of a subsequent owner.

How are Conservation Agreements negotiated?

Initially, the Service will identify a preliminary selection of areas and sites for negotiating Conservation Agreements. Arrangements will then be made to approach the relevant landholders on a personal basis to explain the provisions of the legislation, assess their depth of interest in following through with such an agreement, discuss any concerns the landholder may foresee in negotiating an agreement, inspect the area/site to evaluate its status and identify to what extent the Service may have to commit resources to the agreement. A search of the title of the subject area will be made before

the form of agreement is drafted and discussed with the owner(s). Following approval by the Director, the agreement will be submitted for signature by the owner(s) and the Minister. A Plan of Management may be prepared by Service officers in consultation with the landholder as part of the agreement.

What if the lands proposed for agreement are leasehold?

In the case of leased Government lands the approval of the relevant Minister will be necessary. In principle, the intent of Conservation Agreements are acceptable to the Crown Lands Office and the Western Lands Commission. In relation to privately owned leased lands, an agreement would need to be negotiated with the owner of the freehold but a lessee's concurrence to any agreement may be necessary if the agreement interfered with the lessee's use of the lands.

Will Agreements be made public?

A register containing copies of all Conservation Agreements in force will be kept by the Director of National Parks and Wildlife and will be available for public inspection.

How will Conservation Agreements affect proposed works by Statutory Authorities?

With the exception of works proposed by the Soil Conservation Service, statutory authorities may not carry out developments in areas subject to Conservation Agreements except with the consent of the Minister. Consent shall be given only if the Minister is of the opinion that the proposed development will not adversely affect the area, there is no practical alternative or the area is required for an essential public service of special significance to the State.

What provisions are there to enforce Conservation Agreements?

As with any contractual agreement, normal civil measures will be available to either party to ensure compliance. Additional provision is made for award of damages against an owner who intentionally or recklessly damages the land or feature, the subject of the Conservation Agreement.

(6) FORESTS AND FORESTRY

THE WORLD

In 1985 the Food and Agriculture Organization (FAO) stated that there were 2.8 billion Ha. of closed canopy forest, and 1.3 billion Ha. of open forests, giving a total of 4.1 billion Ha. of forests (or 32% of the worlds land area). In addition, natural shrubland and degraded forests covered 675 million Ha. and 'forest regrowth' covered 406 million Ha.. Adding these gives a non-grassland vegetated area of 5.2 billion Ha. However, if an area had a tree cover of 10-20%, then it was considered 'forested' (1), and the estimate is thus extremely optimistic. Norman Myers states that it is generally agreed that remaining primary tropical forests cover less than 0.9 billion Ha. out of the 1.5 billion that may have once existed (2). Of the worlds forests, management plans of some sort cover only 527 million Ha. or 12% of the forest area (1).

In tropical regions one conservative estimate puts deforestation at a rate 10-20 times reforestation (1). In 1987 it was estimated that since 1976, 6-8 million Ha. of open forests have been cleared for agriculture each year, and that 4-5 million Ha. of commercially productive closed forests are logged, of which 90% becomes cropland (1). The nature of exponential growth is graphically demonstrated by the fact that in 1987, only two years later, the FAO estimated, just in regard to tropical forest that 11.3 million Ha. were cleared through the combined action of land clearing for crop production, fuelwood gathering and cattle ranching (3). It seems likely that another 10 million Ha. of tropical forests are grossly disrupted (if not actually cleared) each year (2). More recent satellite data in 1989 indicated that in the Brazilian Amazon alone, 8 million Ha. were cleared. Given that clearing rates in South East Asia have been running at similar rates to the Amazon, it is likely that the FAO estimate is far too low. Real annual clearance (apart from disruption) of tropical forests is more likely to be 16 million Ha. each year. The tragedy is that we do not really know how fast it is disappearing, or at what exponential rate. Recently, one Brazilian official offered to give free chain saws away to aid in clearing the forest (4). Using the figure of 16 million Ha. (an area bigger than Great Britain), this works out at over 30 Ha./minute, or 0.5 Ha. (a football field) a second.

An estimated 12% of the Amazonian rainforest in Brazil has been cleared. In the Brazilian state of Rondonia the area cleared is growing at an exponential rate that will clear all forests by the early nineties, with 1.7 million Ha. being cleared during 1985 (2,5). Between 1950 and 1983 the area of forests in Central America declined 38%, while that in Africa declined 23 % (1), and those in South East Asia declined by 38% (6).

Tropical forests now cover only 7% of the Earths land area, although they contain a half to three quarters of the worlds species (2,7). It is clear that without immediate action, most tropical forests will be destroyed in the next 25 years, and by 2010 the only large blocks of undamaged

forest will be in the western and northern Brazilian Amazon, the Guyanas, and Central Zaire in Africa (7).

There are now 0.9 billion Ha. of primary tropical rainforests (2). If most of it will disappear within 25 years (7), one can estimate that if 40% is left at that time then it would have decreased at an exponential rate of 3.7%. If the far more likely figure of only 20% is left, then we are looking at an exponential decrease of 6.4% each year, one of the highest exponential rates of the environmental crisis.

So far I have concentrated on the clearance of tropical forests, because of their species richness and ecological importance. This does not consider the huge clearing that has occurred for centuries in Europe, and more recently in other areas such as the USA, Canada, USSR, and Australia. Only 30-40% of the north temperate zone remains forested (8). The US has 33% of its land forested, the USSR has 35%. West Germany 29%, France 26%, India 26% and Japan has the highest at 66% (10) (they prefer to use other countries forests). In addition, 14% of Europe's forests are damaged from acid rain (9), and over 80% of some forests in Canada (11).

Why then should humanity be concerned about deforestation and devegetation of their lands? Forests and vegetation are essential for the following reasons:-

- * They protect soil from land degradation
- * They cycle essential nutrients
- * Tropical forests contain a half to two thirds of all the worlds species, although they are only 7% of the land area (see the Biodiversity Crisis).
- * They store water in a catchment and release it slowly, avoiding floods
- * They regulate the climate of whole regions, and may be responsible for up to half the rainfall in an area such as the Amazon (12)
- * Actively growing forests take up and store carbon dioxide, thus helping solve the greenhouse effect. The clearing and burning of forests worldwide is now adding huge amounts of carbon dioxide to the atmosphere (perhaps adding as much as industry (13))

In many ways we take forests for granted. If we don't act, however, deforestation will have left us with an eroding desert, and a crippled biosphere.

AUSTRALIA

Australia had some 40.9 million Ha. of forest and 65 million Ha. of woodland in 1984 (14). Thus, at that time forest made up 5.3% of Australia, and woodland 8.3%. 22% of the 40.9 million Ha. of forest is privately owned or leased (14). Fig. shows the original forest and woodland areas of Australia, and forests today. Fig. shows forests 200 years ago in NSW, and old growth forests today. Differences in the original forest between the two figures are due to varying definitions of 'forest'. As the figures show, at

least half of Australia's forest has been cleared (15). In addition, three quarters of our rainforest has been cleared (15). In NSW, the first State settled, the situation is even worse, with 2/3 of our forest cleared (16), and 80% of our rainforest gone. The situation is even worse in regard to the original 'old growth' forests. In NSW only 33% of our original forest remain, and only about 10% of this is undisturbed old growth forest. Thus, only 3% of the original NSW forest is still undisturbed old growth (see Fig.).

It is difficult to get figures on the current clearing of forests in Australia. Perhaps such figures will be provided by the new Resources Assessment Commission set up by the Federal government. Clearing is still going on for a variety of purposes, although tax incentives for it have lessened(?). In 1988 there were 830,000 Ha. of plantations in Australia, growing at a rate of 30,000 Ha. annually. Almost all of it is pine, and mostly Pinus radiata (17). In most cases, native forest was cleared and burnt for pine to be planted. There is now substantial concern at the effect of pine plantations in terms of soil fertility (18). Other deforestation has led to a substantial area (9.7 million Ha.) of dryland salinity in Australia such as in Western Australia, the Eyre Peninsula, and Northern Victoria (19).

Even in forest areas that are not cleared, Australia faces a major problem (as do other countries) in reaching a sustainable forest industry. For many years we have been overcutting our forests, in essence 'mining' the timber, by logging old growth forests. Old growth forests are now a rare forest commodity (e.g. 3% in NSW), and most of the forest conservation battles in Australia are to do with protecting these last old growth remnants. The problem often lies in interpretation of the word 'sustainable yield'. Many scientists, and most ecologists and conservationists, understand the word to mean 'ecologically sustainable yield', where the carrying capacity of the forest is not exceeded. However, some Forestry Commissions view the word to mean that the same amount of wood comes out from an area each year, even if the trees get smaller each year. Of course, taking smaller and smaller trees is a form of overcutting, and eventually the forest ceases to be productive. In fact, the NSW Commissioner for Forests has admitted that some forests are being overcut by up to 100% beyond a sustainable level (20).

Another major problem is what might be termed the 'pioneer mentality' of logging old growth forest, rather than moving to major reafforestation and plantations of eucalypts. Eucalypts are being planted all around the world because of their strength, quick growth and hardiness. Indeed it is likely that there are now more eucalypts outside Australia than inside. Brazil alone has a major eucalypt plantation industry, with 2.2 million Ha. planted (21). Australia however, has only moved to eucalypt plantations in the last few years, with between 8,000 to 10,500 Ha. being planted annually in Tasmania, Victoria, Western Australia (17). Some States, such as NSW are still resisting the process.

Logging of forests can, of course, have a major impact on the environment. Up to 56% of a logged area may be affected

by soil erosion, and compaction can occur to a depth of 40 cm. (22). Sediment loads in logged catchments have increased by up to a thousandfold (14). Roads are the main problem. Nutrient loss is also a problem. Clearfelling removed about 200 kg/Ha. of Potassium, and 12 kg/Ha. of Phosphorus, in one area studied. Dieback fungus (*Phytophthora cinnamomi*) can also be carried through a forest by roadgrubs, and flourish because of the changed soil conditions, and thus attack and kill unlogged trees (23).

Australia does not have the pressure of overpopulation as an excuse for overclearing, or overcutting its forests, yet half our forests and three quarters of our rainforest have gone. Destruction of our rainforests is not a thing of the past. In 1982 in NSW, conservationists gained the important rainforest decision that stopped logging in about 80% of the States rainforest, yet only 28% is controlled by the NPWS (24). Rainforests in northern Washpool and Focal Peak are still being logged. The Wet Tropics World Heritage Area was only nominated by the Federal government after a massive national and international campaign on their scientific importance and beauty, centred around the Daintree rainforest, the largest remaining rainforest area in Australia (which had a pointless road bulldozed through it). Rainforest destruction is still occurring in Queensland. Despite being a wealthy and affluent nation, Australia is still treating its forests as if they are limitless. It is time to plan for the future.

THE SOLUTION.

THE WORLD

It is essential that the world move to reafforestation, and that deforestation cease. Apart from the essential work forests and vegetation do in holding the soil and nutrients, storing water and providing a habitat to over half the worlds species, actively growing forests trap carbon dioxide and slow the greenhouse effect (see Atmospheric Changes). The answer to deforestation can be found in the following solutions:-

- 1) Removing all economic and tax incentives to clearing land. Rather, all governments should give economic benefits, subsidies and tax incentives to reafforestation. They must also help provide seed or seedlings (of local native species). If land must be cleared, it should be cleared in a mosaic pattern, with wildlife corridors to minimize extinction.

- 2) Population must be brought under control (as discussed earlier), or there can be little hope for the worlds most diverse ecosystem, tropical forests. More equality of income and land must be achieved as well, if the pressure is to be eased in the tropics.

- 3) Plantations of native species must be set up in all areas, for firewood where needed, and for commercial

agro-forestry. Funding to start these plantations must be provided by all governments. A 'share farm' system (where the owner retains ownership and is paid a yearly rent, the government plants and services trees, and a percentage of the profit goes to the owner at harvest) would lower cost markedly. Using plantations, it can be a case of jobs and forests.

4) Education about the real value of forests, apart from their wood value, is essential. People need to know of the benefits of shade, water and soil retention, and the longterm value of biodiversity.

5) Tropical rainforests need to be protected urgently, both as National Parks and, where appropriate, as Indigenous Peoples Reservations, or even as areas for the sustainable extraction of forest resources (e.g. fruit, nuts, selective timber). 4% of forests are protected in Africa, 6% in Asia and only 2% in Latin America (3). The situation is particularly critical for lowland rainforest, and dry tropical forests. Columbia has led the way recently with the dedication of 6 million Ha. as National Park, and 18 million Ha. as Indian Land (25). Bolivia is interested in following suit. One project that may have merit is for the exchange of tropical forests in place of the international debt to developed countries, to be held in trust. Such a scheme occurred in Ecuador and Bolivia in 1987 (26,27), and Costa Rica and the Philippines are interested.

6) When World Bank or International Monetary Fund money is given to developing countries, where projects affect forests, funds should only be made available for projects that reafforest, not deforest. Thus no funds should be made available for huge dams, or exotic plantations that involve the clearing of tropical forest.

7) All forestry operations must be managed in an ecologically sustainable manner. Quotas should be estimated by an independent body such as a Department of the Environment, and Forestry Departments must abide strictly by this quota. Conservation of forests, and alternatives to wood production alone, must be put on a par with timber production. New legislation and Forestry Departments will be needed to do this. Indeed, other products such as fruit, nuts, and medicinal drugs may soon be worth more than the timber from tropical forests (28). Other signs of hope can be seen in Thailand, where, after flooding and landslides killed more than 450 people, it banned all logging and revoked forestry concessions (29). New Guinea has recently put a moratorium on logging in some areas, and nominated others for the World Heritage list. There are no such signs elsewhere in South East Asia, where the Philippines continue to deforest islands such as Palawan (their largest forested island with wilderness), and Malaysia continues to destroy the forest homes of the Penan people in Sarawak (30).

The International Tropical Timber Organization (ITTO) contains 43 countries, representing 90% of the international trade in tropical timber. Only about one million Ha. of all

tropical rainforest is managed on a sustainable yield basis (31). ITTO promotes conservation and sustainable management to some degree, but needs the support of governments. ITTO needs to set up demonstration projects, monitor sustainable use, and establish targets for member nations that are not beyond the ecologically sustainable carrying capacity of the forests.

AUSTRALIA

It is still all too easy to deforest and clear areas in Australia. If one owns freehold land, or has a crown lease, it is all too easy to clear. On Crown land in NSW all timber is owned by the Crown, who must be asked for permission to clear. The NSW government works on the principle of 'profit a prendre' (literally profit to take) in regard to Crown land, and thus supports clearing and sale of Crown land timber. There are very few clearing constraints apart from some imposed in some areas by the soil conservation authorities.

Most of the solutions for the world apply to Australia, the exception being that population is not an excuse in our case. There is a critical need for economic penalties for clearing, and incentives for tree planting. Australia has been slow to move to plantations of native species. Tasmania plants Ha./Yr, Victoria plants Ha./Yr, and Western Australia plants Ha./Yr (17). The other States, such as NSW are dithering.

Education is still a critical issue on forests in Australia. The problems of deforestation and land degradation are starting to reach people, the issue of ecologically sustainable land management is not. Too often, attempts to protect old growth forests, or National Estate forests have degenerated into a 'jobs vs. trees' argument. The timber industry has failed to push for plantations in any major way, despite the fact that it must be their long term future. The same industry continues to blame the conservation movement for loss of jobs, without considering overcutting, poor management, and the impacts of new technology. Of the jobs lost in the industry in Australia between and , only 24% can be attributed to National Park creation (32). This 'them or us' mentality must cease, as it is clear that the only long term future for the industry is in plantations of native species on already cleared land, and in ecologically sustainable low intensity logging of our native forests, excluding old growth forests, all of which should be protected. The timber industry should push for old growth forests and National Estate forests to be protected, while at the same time pushing for major eucalypt plantations. This has been thoroughly demonstrated in 'The wood and the trees' by the Australian Conservation Foundation (17).

As mentioned earlier, even heads of Forest, Commissions admit there is overcutting. The only way to have this corrected is by quotas to be set by the Government Departments in the States, to ensure ecologically sustainable yield. No Forestry Act in Australia puts conservation, or alternative uses, on a par with timber

extraction. All such Acts need to be rewritten and all Forestry Departments or Commissions need to be reorganized to bring this change into effect. The US Forest Service actually designates and protects its own wilderness areas. This does not occur, and is virtually unthinkable with the present system, in any Australian State. Technologies such as scrubber, glue lamination and flitch mills should be used to produce timber from areas not considered adequate for a sawmill. This would take pressure off the remaining old growth forests.

Despite being an affluent nation, and the fact that rainforests make up less than 0.3% of Australia, they are still being logged. All rainforest, whether it be tropical, subtropical or temperate, must be placed in National Parks as our rainforests are living treasure troves. Indeed, it is now believed that north Queensland's rainforests may have been one of the centres of evolution of flowering plants. Such protection should extend to the smaller areas of rainforest, and gallery rainforest, of Western Australia and the Northern Territory. At the same time, Australia must ban all importation of rainforest timber, rather than just shift the problem to South East Asia. Quite simply, we do not need rainforest timbers, unless they can be grown in a mixed species plantation.

RELATES TO: POPULATION, EXPONENTIAL GROWTH, ECOSYSTEM SIMPLIFICATION, LAND DEGRADATION, THE BIODIVERSITY CRISIS, AGRICULTURE IN CRISIS, ENERGY, ATMOSPHERIC CHANGES, POLLUTION, WILDERNESS, WORLD AND NATURAL HERITAGE.

REFERENCES

- 1) International Institute for Environment and World Development (1987) World Resources 1987. pp. 57-58, 284
- 2) Myers N (1988) Tropical forests and their species: going going...? In Wilson E (Ed.) Biodiversity. National Academy Press. p.28-29
- 3) Brown L (1989) State of the world, 1989. Worldwatch Institute/S&W. p.26
- 4) ? chain saws
- 5) Brown L (1989) State of the world, 1989. Worldwatch Institute/S&W. p.31
- 6) Bellamy D and Quayle B (1986) Turning the tide. Collins. p. 25
- 7) Raven P (1988) Our diminishing tropical forests. In Wilson E (Ed.) Biodiversity. National Academy Press. p.119-120
- 8) Ehrlich P and Ehrlich A (1981) Extinctions: The causes and consequences of the disappearance of species. Random House. N.Y. p.158
- 9) Goldsmith E and Hildyard N (1988) Battle for the Earth. Child & assoc. p.129
- 10) Forestier K (1989) The degreening of China. New Scientist 1671:24-26 (July 1)
- 11) Suzuki D (1989) Its a matter of survival. Canadian Broadcasting Corporation.

- 12) Brown L (1989) State of the world, 1989. Worldwatch Institute/S&W. p.31
- 13) Woodwell G (1989) In Suzuki D. Its a matter of survival. Canadian Broadcasting Corporation.
- 14) Woods L.E. (1984) Land degradation in Australia. Aust. Govt. Publ. Service. p.23
- 15) Hawke R (1989) Our country, our future. Aust. Govt. Publ. Service. p.46
- 16) Bell F (1978) Forest ecosystems, their future in NSW. Total Environment Centre. p.9
- 17) Cameron J and Penna I (1988) The wood and the trees. Aust. Cons. Found.
- 18) Jones J.M. and Richards B.N. (1977) Effect of reforestation on turnover of ¹⁵N labelled nitrate and ammonium in relation to changes in soil microflora. Soil Biol. Biochem. 9:383-392
- 19) Woods L.E. (1984) Land degradation in Australia. Aust. Govt. Publ. Service. p.89
- 20) Gentle W (1981) Opening address to senior officers conference, 5th June 1981. p. 5
- 21) Lamb B (1986) In Russell and Isbell (Eds) Australian Soils: the human impact. Uni. of Qld Press. p.428
- 22) Lamb B (1986) In Russell and Isbell (Eds) Australian Soils: the human impact. Uni. of Qld Press. p.422
- 23) Lamb B (1986) In Russell and Isbell (Eds) Australian Soils: the human impact. Uni. of Qld Press. p.436
- 24) Pugh D (1986) Rainforests out my back door. Habitat 14(4):35
- 25) Bunyard P (1989) Guardians of the Amazon. New Scientist 1695:32-35 (Dec. 16).
- 26) Goldsmith E and Hildyard N (1988) Battle for the Earth. Child & assoc. p.226
- 27) McNeely J (1988) Economics and biodiversity. Int. Union Conserv. Nature. pp. 187-188
- 28) France G (1990) Fruits of the rainforest. New Scientist 1699:20-23 (Jan 13)
- 29) Ewins P and Hazely D (1989) Jungle law in Thailand's forests. New Scientist 1691:26 (Nov.18)
- 30) Rubeli L (1989) Pride and protest in Malaysia. New Scientist 1687:27-30 (Oct. 21)
- 31) World Wildlife Fund (1989) Tropical forest conservation. WWF position paper no. 3
- 32) job loss