

This summarises the highlights of my work as an environmentalist, along with some of my wins and losses. It tells events from my perspective, though I do not seek to take credit for all events and outcomes I describe, rather I seek to put what I was doing in the context of other events. Mostly I was one of many people contributing towards achieving our mutual goals, though some battles were very lonely.

My conservation work has been voluntary and generally unpaid. I have had a lot of help along the way, most particularly from my current partner whom I have been with since soon after NEFA started.

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1. In the Beginning there was Rainforest

A wilderness preservation movement grew out of the Sydney bushwalking conservation movement of the 1930's, inspired by the United States' system of 'wilderness areas'. They identified and targeted for protection large and rugged natural areas, primarily for recreation. In the 1970s the major Sydney Groups backed local attempts to stop logging of rainforest in the Border Ranges, adjoining the Lamington National Park in Queensland.

By the election of Neville Wran in 1976 the Border Ranges was a major issue. In early 1978 the NSW Government announced they were going to create a narrow park along the border encompassing the unlogged Grady's Creek Flora Reserve and Lever's Plateau. They were just going to log them first.

The Terania Native Forest Action Group was formed in 1975 in response to the Forestry Commission's proposals to log oldgrowth rainforest, Brush Box and Blackbutt in the Terania Creek basin. While it was only a few hundred hectares, it was the last remaining stand of unlogged forest in the then Murwillumbah Management Area. They forced the Forestry Commission to agree to not log rainforest as commercially defined (i.e. less than 10% canopy cover by Brush Box or eucalypts), though the intent was to continue to log rainforest as ecologically defined.

I moved up to north-east NSW in 1977 and lived up the Terania Creek valley for a while. It was an intimate introduction to the region's rainforests.

The Sydney Groups thought that Terania Creek was an insignificant area, a 'Not In My Backyard' issue. But those of us who knew the forest believed it was too important to log. The first recorded blockade over logging of native forests in Australia occurred at Terania Creek in 1979. By then I was living in and running the Cawongla General Store, though I was one of 43 people arrested.

The Terania Creek protests put the focus on rainforest protection rather than wilderness, and made it into a state and national issue. It galvanised people into protecting rainforest. We took on the Government and won. For those of us involved it was an inspiration.

It motivated me to join the broader campaign. We started a residents group to threatened action if the Forestry Commission proceeded with their proposal to log Horseshoe Creek in the Border Ranges. Myself and a friend wrote and self published a booklet 'A Guide to Rainforests of Far North East NSW'. I joined the local branch of the National Parks Association (NPA). We moved to protect the unlogged lowland Murray Scrub and invited the National Trust up here to give a demonstration at Rotary Park of non-chemical weed control they had pioneered at the Wingham Brush. Until that time rehabilitation works had focussed on plantings on cleared land.

John Seed started up the Rainforest Information Centre in Lismore and began trying to protect rainforests around the world. I contributed my rainforest drawings for their newsletter and merchandise. Other activists spread out to join protests in the Daintree and Franklin.

I became aware that Sydney conservation groups were suggesting the rainforests of the Urbenville Area (in the upper Clarence River valley) as a trade-off for protecting the Border Ranges.. So despite knowing little about rainforests, I researched the issues, spoke to experts, spent days going through Forestry files and logging history, explored the forests in my corolla, and wrote a report. In June 1982, with the NPA, I proposed the creation of 7 flora reserves in the Urbenville Area to protect the best bits of rainforest remaining. Other conservation groups wouldn't support us, they said it was because we were only proposing flora reserves and not national parks, though it probably had more to do with their advocating these rainforests as a trade-off.

In 1982 there was also a direct action campaign by the Nightcap Action Group to protect Grier's Scrub and Mount Nardi from logging. There were some violent confrontations between protestors and loggers. It was stopped by a legal case in 1982, under the newly introduced Environmental Planning and Assessment Act. The judge determined that an Environmental Impact Statement, an EIS, was required before logging continued.

In October 1982 the Wran Government made its historic 'Rainforest Decision' that identified a variety of controversial rainforest areas for protection in National Parks. The Nightcap and Border Ranges National Parks were created, and the Murray Scrub was made into a flora reserve. A variety of other significant rainforests were protected, notably parts of the large wet forest wilderness areas of Washpool, Werrikimbe, and Barrington Tops.



Our New Parks, Dailan Pugh 1984, celebrating new parks created as an outcome of the Rainforest Decision.

Half the rainforests were left under Forestry Commission control and logging continued. There was a claim that rainforest logging would be phased out in 10 years, though the Forestry Commission had no intent to honour that.

Sydney conservation groups had done a deal with the Government and so proclaimed that the rainforests had been saved even though rainforest logging continued and significant areas of wilderness remained unprotected.

It then became a hard and lonely battle to try to stop rainforest logging in the Urbenville Area. In 1983, with the support of the National Parks Association, I wrote a lengthy proposal for a 25,000 ha. Telli Telli (Rainforest) National Park, to be created in three sections.

In March 1983 the Munro and Lever veneer mill at Grevillea, the only rainforest mill left in the Urbenville area, aside from Big River Timbers at Grafton, announced it was going to close because it was losing money. By August 1983 two of my proposed flora reserves had been logged and a road was being pushed into a third proposal. I had enough money to hire a solicitor to write one

letter threatening legal action if they didn't first prepare an EIS. They stopped. The Government announced that due to the closure of Munro and Lever's rainforest veneer mill they would phase out general purpose rainforest logging in the area over the next 2 years, to be replaced with "speciality purpose" logging, and the Forestry Commission agreed to evaluate my flora reserve proposals.

In October 1983 a public controversy began to erupt over my proposed Telli Telli NP. The National Party and the Association for the Protection of Rural Australia got hold of the proposal, claimed that the Labor Government was about to establish it and scared landholders into believing that their properties, and even the town of Woodenbong, were included. False claims of bomb threats were made to garner attention for their meetings and violence was promoted. It culminated in a meeting of 700 people, bussed in from as far away as Queensland, in February 1984 in Casino. This was a political stunt leading up to the March 1984 State election, though had the effect of forcing the Government to reject the proposal "*in the form proposed*", though there was little chance they would have accepted it anyway.

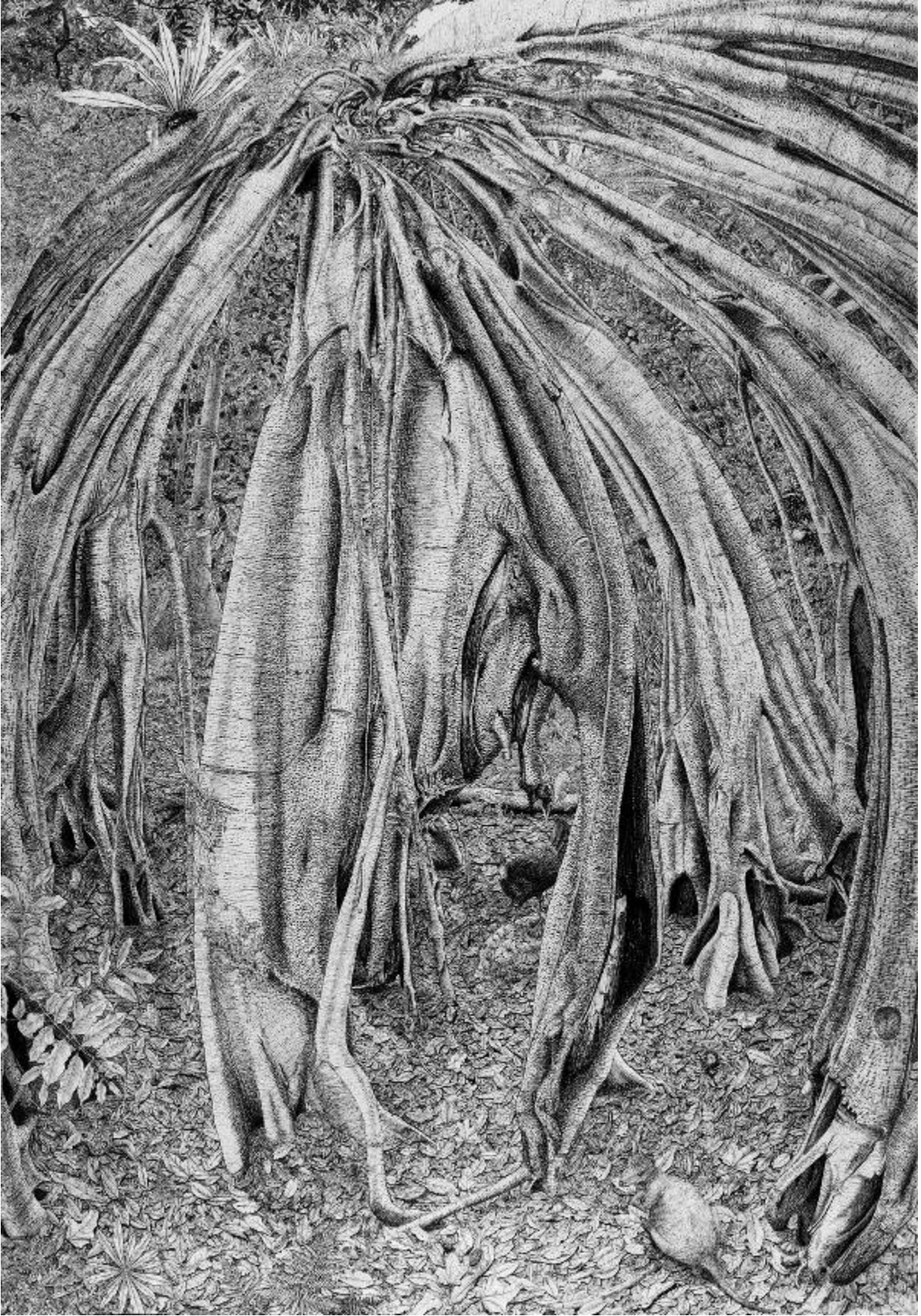
In 1986 the Forestry Commission announced that they were going to create 5 of my proposed flora reserves, covering 2,273ha. This win inspired me to do more. Subsequently, in December 1994, these flora reserves were considered so significant that they were incorporated into the World Heritage listed Central Eastern Rainforest Reserves of Australia.

In 1986 I redid my Telli Telli proposal as a proposal for the Toonumbar, Tooloom and Yabbra National Parks and a western extension to the Border Ranges National Park.

Living on the boundary of rainforest surrounded by grand old eucalypts made me increasingly aware of both their majesty and the utmost importance of their hollows for dening and nesting by a plethora of animals. While I continued with my rainforest drawings, I began to do gouache portraits of ancient eucalypt trees.

I had found that the largest area of oldgrowth eucalypt forest in the area was around Dome Mountain, in the proposed Toonumbar National Park, it was a few thousand hectares and they were logging into it. I tried to interest other groups in protecting it – to no avail. So in 1988 I commenced legal action against the Forestry Commission to stop them logging until they had prepared an EIS. I got a friend with no assets to put her name to the case, raised the money for a brief fauna survey, prepared my own affidavit, and found a solicitor to do it pro bono. They stopped and eventually agreed to prepare an EIS and to pay costs.

I was paid for my time spent preparing my affidavit, and reimbursed for the costs of the fauna survey. It was my first pay from the Forestry Commission for challenging them. I was later to get reimbursed for my work collating evidence for our Washpool and Chaelundi court cases. It was a major boost for a voluntary activist.



Rainforest Cathedral, Proposed Yabba Nature Reserve, Dailan Pugh 1986

2. Forming an Alliance

By 1989 public campaigns were underway by local groups specifically for the protection of oldgrowth forest throughout north-east NSW at Blackbutt Plateau, Dome Mountain, Mistake, Ben Halls Gap, Doyles River, Whispering Gully and Mount Royal. In mid 1989 the singer John Williamson held benefit concerts for Ben Halls Gap and Blackbutt Plateau.

Myself and Fiona Peak began working in the Big Scrub Environment Centre in Lismore on forests. Rather than waiting for an existing conservation group to come to our rescue, we thought the best way was to work together on our common themes. We contacted all the local groups campaigning at the time and formed the North East Forest Alliance on World Environment Day in June 1989 at the Big Scrub Environment Centre, covering the area north from the Hunter River. The first regional meeting was at Grafton in August. NEFA's aims were identified as the protection of oldgrowth forest, rainforest, wilderness and threatened species.

NEFA was a mutual-help alliance of groups and individuals from throughout north-east NSW. We were mostly people living in rural locations. Each region had their own co-ordinators, with the co-ordinators keeping in regular contact. We were volunteers helping each other to raise and promote our issues. It was an informal group decision making process, basically run on consensus, with occasional votes. As we evolved people would take on different roles according to their skills.

Soon after that we had our first blockade at North Washpool to stop logging of a 7,000 ha area of oldgrowth rainforest and eucalypt forest in the Washpool Wilderness. This had been left available in the Rainforest Decision. The blockade was successful in hindering roading, though operations were forced to stop when it was revealed that Aboriginal sacred sites had been damaged (including roads through bora rings) without pre-logging consultations and inspections required by the 1980 EIS.

It was abundantly clear by that time that the Forestry Commission should not be logging oldgrowth forest without doing EISs. There could be no doubt, it had been proven in court on numerous occasions. They had done an EIS for Washpool, but not for most other areas. In 1989 NEFA commenced the first systematic fauna surveys of oldgrowth forests throughout north-east NSW, collecting evidence for a proposed series of court cases to require the Forestry Commission to undertake EIS's before logging any more oldgrowth forest. John Corkill was to be our front man.

Our first court case over Mount Royal, part of the Barrington Tops Wilderness left out of the Rainforest Decision, was commenced in Christmas 1989 as a new road was being bulldozed into it. They were stopped by an injunction and later withdrew from the case. In March 1990 we blockaded a 7,000 ha area of Chaelundi, part of the Guy Fawkes River Wilderness, as they were constructing a new road into it, and followed this up with an injunction to stop the area being roaded and logged without an EIS. A judge stopped them again. We gave the Government a list of about a dozen similar areas of oldgrowth that we were proposing to blockade and take them to court over if they tried to log them without first preparing EISs.

In June 1990 NSW Government announced that they were establishing moratoria over some 180,000 ha of oldgrowth forest in north-east NSW until EISs were prepared. Though they left out significant areas to log in the interim. The then Minister for Natural Resources, Ian Causley, lost his portfolio and was demoted because of his poor handling of the issues.

In September 1990, with the Aboriginal issues resolved by the creation of a 1,000ha Aboriginal Place, and relying on their 1980 EIS, the Forestry Commission prepared to recommence roading and logging of North Washpool. We commenced a blockade and within a couple of days a court case to injunct the Forestry Commission from logging on the grounds that their 1980 EIS for the

area was inadequate and they were not complying with it. In granting the injunction, Justice Hemmings stated:

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

They were meant to limit their rainforest logging to 50% canopy retention and they had clearfelled areas. They were meant to leave 20m unlogged on each side of roads and they hadn't. Neither had they applied the standard erosion mitigation conditions, and had logged for years without first preparing harvesting plans. A lot of the rainforest they logged was also required by the 1980 EIS to be protected.

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COURT CONDEMNS ILLEGAL LOGGING

Logging of the North Washpool area had been banned because the Forestry Commission could not be trusted, the Land and Environment Court heard yesterday.

Justice Noel Hemmings said in granting an injunction against logging in Washpool and Billilimbra State forests that previous rainforest logging and roadwork by the Forestry Commission contained apparent serious breaches of the Environmental Planning and Assessment (EPA) Act.

Conservationists from the

North-East Forest Alliance sought the injunction until a full hearing next year into claims that rare and endangered flora and fauna species could be threatened by the logging.

The conservationists also claimed EPA regulations had been breached by the Forestry Commission in North Washpool, and that alternative log supplies to North Washpool were available for mills at Casino, Bonalbo and Grafton.

Conservationist Mr John

Corkill, who brought the action, said later at a Press conference at Parliament House that the State Cabinet, in approving the logging, had been deceived by the Forestry Commission.

Tragedy

While the commission described yesterday's decision as disappointing, it denied that the EPA Act had been intentionally breached.

Yet forest industry spokesman Mr Col Dorber described the proceedings as a tragedy for the workers and families on the North

Coast who depended on logging.

Justice Hemmings said in his decision the Forestry Commission had shown 'continual avoidance of the EPA Act'.

Commitments by the Forestry Commission that it would log hardwood only from a 300-ha area known as compartment 695 in the North Washpool area also could not be guaranteed.

He said that unless restrained by the injunction, the Forestry Commission could depart from this

agreement.

Outside the court, Mr Corkill, Sydney co-ordinator for the North-East Forest Alliance, condemned the Forestry Commission, saying Justice Hemmings' decision justified protests at North Washpool by conservationists.

Mr Corkill also supported Justice Hemmings' rejection of Forestry Commission claims that failure to allow North Washpool logging in the next six months could affect the commission's planning and

ability to supply logs to the industry.

"The commission argued complete cessation could cause some hardship to the commission and licensees. Such hardship arguments are unsatisfactory and unconvincing to say the least," Justice Hemmings said.

Mr Dorber, the head of the NSW Forest Products Association, said the Forestry Commission had deceived the industry about the annual availability of

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Instead of proceeding to full trial the Forestry Commission agreed to rehabilitate 200 ha of logged rainforest under the guidance of a Soils and a Regeneration Committee. The guilty were never punished, though at least we stopped the logging and made them do extensive rehabilitation works.

This was the case that finally brought logging of rainforest, as mapped by the Forestry Commission, to an end in NSW, 10 years after the rainforest decision. Though there was still the issue of how well it was mapped.

In 1990 we again threatened legal action over the need to prepare an EIS to force the Forestry Commission to stop clearing oldgrowth forests near Walcha for pine plantations. This was for "conifer plantation developments" that the Wran Government had announced in 1979 would be subject to an EIS. The Forestry Commission had since cleared 3,764 hectares of native forests for

pinus without the promised EIS having ever been prepared. They had the effrontery to ask us to hold off because they had almost completed their clearing. We made it clear that the District Forester was personally liable, so he reluctantly stopped.

One of the areas of oldgrowth left out of the moratorium areas were 3 compartments in Chaelundi. The Forestry Commission prepared a shoddy EIS. When they were due to start logging we established a blockade in April 1991 which we maintained for over 3 months as they wondered what to do. A snap election on 25 May 1991 produced a hung Parliament. By the time they had gathered the courage and the police to move in July we had established a series of blockades consisting of tripods, concrete pipes dug into the road, a monopod and various other defences. We held the road for 10 days before they finally broke through our last defence. Over 230 people were arrested.

In August we commenced a court case over Chaelundi alleging breaches of the *National Parks and Wildlife Act 1974*. The case was that the forestry operations would inevitably include the 'taking or killing' of 22 listed endangered fauna without a licence. Basically since 1974 the Forestry Commission had been required to obtain a licence from the National Parks and Wildlife Service before killing threatened species. In September Justice Stein found that roading and logging would take or kill 22 endangered species, commenting:

"The high species diversity of arboreal marsupials and the presence of numerous significant species listed in Schedule 12 of the NPW Act makes it a veritable forest dependent zoo, probably unparalleled in south-eastern Australia. Every species of forest dependent marsupial is present. It contains prime or critical habitat for numerous species of endangered fauna or "faunal hot spots". Special pleading for individual areas as exhibiting particular value relating to flora or fauna is not uncommon. However, the evidence before me is overwhelming that this portion of forest is significantly unique in Australia for its natural wildlife values."

Logging go-ahead despite advice

By PAUL BAILEY
Environment Writer

State Cabinet's decision to proceed with logging the Chaelundi forests was made despite National Parks and Wildlife Service advice that the area had "outstanding natural and scientific significance of regional and national importance" for some native animals.

The service recommended in the strongest terms on July 26 this year that the Minister for the Environment, Mr Moore, impose an interim protection order to stop the Forestry Commission opening up three areas of the North Coast forest for logging.

The recommendation was supported by a report on the area's values saying it was of "great significance", containing high species richness and diversity, fauna dependent on old growth forest for habitat, and wilderness qualities.

The service said the area had:

- The highest known population densities of greater gliders in Australia;
- High habitat value for three vulnerable and rare owl species;
- High species diversity of tree-dwelling marsupials;
- Thirteen species listed as endangered on Schedule 12 of the parks service act.

The area was part of the largest remaining tall old growth forest in the Dorrigo area, it said.

"The service's view is that enough information already exists to justify inclusion of the area in a national park or flora reserve," its report said.

"The service considers that the imminent roading and logging will have a detrimental impact threatening areas of natural and scientific significance, and therefore recommends the immediate imposition of an Interim Protection Order under the National Parks and Wildlife Act 1987 over the area in question as all previous consistent consultation has failed."

Forestry activities would specifically reduce the population of forest-dependent species in Chaelundi in the short term and possibly permanently for some species, the report said.

This would decrease the genetic diversity of fauna in the area, increasing the probability of species extinction.

The service's report was the basis of Mr Moore's submission to State Cabinet on August 6 recommending a six-month protection order.

However, Mr Greiner said the submission had been rejected because the Forestry Commission had "on any estimation" properly met all that was required of it prior to logging commencing.

All work has stopped in Chaelundi now as a consequence of court action being taken by conservationist, Mr John Corkill, a co-ordinator of the North-East Forest Alliance, against the Forestry Commission.

Mr Corkill is asking the Land and Environment Court to grant an order to restrain the commission for further activities on the basis that the parks service act states it is an offence to take, disturb or kill endangered or protected species.

Yesterday the commission's procedures for dealing with koalas during timber harvesting were examined. Evidence from its own files showed that its own scientists were admitting in 1987 that almost nothing was known by forest managers about the animals' habitat requirements.

Comments made in 1989 by the Walcha District Forester Mr P. Massey-Reed in 1989 were read to the court.

"If a koala is observed in trees, the tree is not pushed over that day," he said. "The tree is inspected the next day or so. The koala has normally vacated the tree. The tree is then pushed over."

The main timber type to be extracted from Chaelundi is tallowwood - a tree species preferred by koalas, the court was told.

Koalas 'endangered' by Chaelundi logging

By environment writer BRIAN WOODLEY

KOALA populations are "collapsing" in NSW, according to statements in an extraordinary series of internal reports by Forestry Commission officers, tendered under subpoena to the State's Land and Environment Court yesterday.

Officers identified as Mr D. Hamilton and Mr J. Mills reported after a mid-1980 meeting with the National Parks and Wildlife Service that only on the State's heavily forested north coast were the animals still vigorous.

The koala comments of these and other commission officers dominated yesterday's hearing of an application seeking to restrain permanently the commission from logging in the Chaelundi

State Forest in north-east NSW.

Mr Tim Robertson, counsel for the applicant, Mr John Corkill, produced the documents after claiming that koalas were known not only to inhabit Chaelundi, but to prefer living in tallow wood trees above all others - the very trees the commission intended to log.

Mr Robertson was seeking to prove that logging would breach provisions of the National Parks and Wildlife Act, which made it a criminal offence to take or kill protected or endangered wildlife, including koalas.

The Land and Environment Court hearing, before Justice Stein, will continue next week.

SYDNEY MORNING HERALD 24/8/1991

THE AUSTRALIAN 24/8/1991

The decision made the NSW Government over-react - running around like a lot of headless chooks claiming the sky was falling. Not only would logging be stopped, but also mining, backburning, recreation, and even *the construction of public housing and schools*. It was a shameless scare campaign.

In October the State Government unsuccessfully appealed the decision and made a Regulation under the NP&W Act exempting all public authorities and persons from the endangered and

protected fauna provisions of *the National Parks and Wildlife Act*, except for in the three compartments in Chaelundi.

Around this time Terry Metherell resigned from the Liberal party and became an independent MP, citing the Government's actions on Chaelundi as one of his reasons.

In December the *Endangered Fauna (Interim Protection) Act*, which was largely written by our barrister Tim Robertson, and introduced into NSW Parliament by then Shadow Minister for the Environment Ms Pam Allan, was passed and the regulation disallowed. This was the first endangered species law in NSW. It clarified that the Forestry Commission were meant to obtain a licence from the National Parks and Wildlife Service after having undergone an assessment process that identified impacts and mitigation actions.

Before the Act came into effect, the NPWS issued temporary licences to the Forestry Commission to give them time to prepare the required Fauna Impact Statements. These temporary licences were extended year after year. Time and again we battled with the NPWS to require surveys for threatened species and apply prescriptions to mitigate impacts, including resorting to blockades. It wasn't until 1997 that the NPWS issued comprehensive licences requiring surveys and with prescriptions intended to reduce logging impacts on threatened species.

To stop us continuing our legal cases in relation to the need for EIS's the Government and industry contrived a crisis about the Endangered Fauna (IP) Act, firstly by claiming it was causing hundreds of job losses in the timber industry. In February 1992 the Forest Products Association claimed that 94 jobs had already been lost as a result of the Endangered Fauna (Interim Protection) Act, with a further 302 jobs to be lost within 2 months. A week later this had increased to 6,000 jobs. I rang all the relevant Forestry offices to check the claims of job losses and found none that could be attributed to the EF(IP) Act. They had just made them up.

The National Party Ministers colluded with their departments to help develop a crisis. The Forestry Commission telling anybody who wanted to do anything on State Forests that they needed a licence from the NPWS, including for activities such as hunting feral goats, weed removal, spraying weeds, camping, orienteering, car rallies, horse riding and picking greenery

Using this as a smokescreen the Government, with Terry Metherell's support, passed the *Timber Industry (Interim Protection) Act* in March 1991, which basically committed the Forestry Commission to preparing EIS's for whole management areas before they could log the 1990 moratorium areas, while allowing them to log outside the moratorium areas without EISs. The Act also established the Department of Planning as the determining authority rather than the Forestry Commission determining their own EISs.

The Timber Industry (IP) Act had nothing to do with the *Endangered Fauna (IP) Act*, it was all about enabling the Forestry Commission to avoid their EIS obligations. Despite nothing being done to fix the EF(IP) Act, miraculously the claimed crisis was over,

Though Premier Greiner paid a high price to get Metherell to change his vote to support this Act. Basically it was alleged that Metherell was offered a Directorship at the new Environmental Protection Authority, in return for his vote and a commitment to subsequently resign from parliament so the Liberals could regain his seat in a by-election. ICAC conducted its inquiry in mid to late May 1992, and release their report in late June, finding that Greiner and Moore's conduct amounted to a deal which 'involved exchanging a Government job for a parliamentary seat', was found to corrupt under the particular requirements of the ICAC Act (ICAC, 1992, pv).

The four Independent MPs whom Greiner relied upon to form a government made it clear that they would no longer support the government if he continued in office. Accordingly, Greiner resigned, and was succeeded by John Fahey. Greiner and Moore appealed ICAC's findings to the NSW

Supreme Court, which found in a 2:1 majority that ICAC's commissioner had not applied objective, legally recognised standards when reaching his conclusions but rather his own 'personal and subjective opinion'. By then Premier Greiner and the Minister for the Environment, Tim Moore, had already resigned. Metherell never took up the offered job.

In 1992 we blockaded a logging operation at Killekrankie in the New England Wilderness to halt horrendous logging and roadworks that were causing massive erosion (at least 88,140 tones of soil was estimated to have been lost from roads alone). We commenced preparation for a court case, but didn't proceed on the basis that the new Environmental Protection Authority would take action. The EPA prosecuted the Forestry Commission for polluting waters contrary to s 16 of the *Clean Waters Act 1970*. The offence was proven but no conviction was recorded. The guilty were never punished. This led to the implementation of Pollution Control Licences for the Forestry Commission's operations. Though they were again strongly opposed by the Forestry Commission and a watered down version was not introduced comprehensively until 1997.

We continued our forest blockades for unprotected oldgrowth forests. In 1992 we had a three month blockade, through winter, over the major area of oldgrowth left out of the 1990 moratorium, at Mummel Gulf. We also had blockades at Carrai Plateau, Styx River, and a couple at Wild Cattle Creek.

All quiet on Carrai Plateau

Macleay Argus 17/10/92

The atmosphere has calmed at the blockade in the Carrai State Forest.

Protesters remain on the plateau, but there have been no arrests since Wednesday. To date a total of 22 people have been arrested and police are keeping a 24 hour watch on the situation. The protesters have vowed to continue the protest.

About 30 protesters are camped in the area and a spokesman for the North East Forest Alliance (NEFA) in Lismore, Mr Aiden Ricketts said they were blocking at various avenues to stop the destruction of the forest.

"We are waiting for a decision from the Director of National Parks involving a variance in the conditions that were set out," Mr Ricketts said.

"We are also looking at legal action to

stop what we believe is illegal logging. We are awaiting advice from our legal representatives in Sydney."

Meanwhile District Forester, Steve Bishop, said all was quiet at Carrai with no problems.

"The trucks are going in and out of the forest with no trouble and work is going to plan," Mr Bishop said.

"I have been impressed with the way the police have handled the situation. They have done a great job and we are making them as comfortable as possible.

"These type of situations cost a lot of money not only to police who have had to place extra staff at Carrai, but the Forestry Commission and the logging contractors," Mr Bishop said.

Carrai dispute 'bogged down'

MACLEAY ARGUS 27/10/1992

A week after being stood down on the Carrai, Kempsey loggers are no closer to returning to work.

Yesterday a solution was reported to be still "bogged down" at ministerial level.

Logging stopped on Friday of last week after threats of legal action by the North East Forest Alliance (NEFA).

Within minutes of the "deadline" set by the activists the National Parks and Wildlife Service (NPWS) ordered a new fauna survey. Its officials yesterday refused to comment on the progress being made towards this.

Felled logs were still lying in the forest. About 30 NEFA protesters were still encamped nearby.

A Forestry Commission spokesman in Sydney said the surveys had not begun. Starting them would mean the commission was agreeing to the NPWS changing logging licence conditions after their approval and acceptance.

Negotiations to find a "better way" of preventing future problems were continuing.

A spokesman for CaLM minister, Mr Garry West, said the Carrai "situation" remained uncertain.

"But we are confident something can be achieved fairly quickly so logging can resume."

NEFA spokesman, Mr Dailan Pugh, said the association was surprised the fauna

survey it had requested had not been already completed and logging resumed.

"There hasn't even been an attempt to start it. We originally offered to assist the Forestry Commission to undertake the work. They refused our offer. Had they undertaken it at the beginning it could have all been done. NEFA also offered to jointly fund it."

Mr Pugh said a letter from NEFA's solicitors to Forestry, suggesting the survey could be completed in three nights and that logging would not be unduly delayed had not been misleading.

"We thought the survey could be undertaken on the weekend. We had someone

lined up to do the work and thought it could start straight away on Saturday night [of last weekend] so logging could recommence under any new constraints."

"We do believe this was feasible."

Mr Pugh said reports circulating in Kempsey that NEFA blockaders at Carrai were being paid were "malicious gossip".

"There is no such thing as a paid protestor in northern NSW. NEFA does not pay its protestors. It's a rumour being put about by logging interests."

NEFA was not seeking "a blanket ban" on logging. It wanted to protect only areas of outstanding value, such as old growth stands on the Carrai.

NEFA also took its case to Sydney, where it undertook a variety of actions. The most notorious being NEFA's occupation of the Forestry Commission's head office at Pennant Hills in October 1992 when it was claimed that NEFA were holding forestry staff hostages.

In 1992 the Forestry Commission were beginning to release their EIS's. We put in lengthy submissions identifying their flaws and were successful in getting the first one for Mount Royal

refused by the Department of Planning. The next 2 for Wingham and Glen Innes were approved with numerous conditions.

The Wingham Fauna Impact Statement (FIS) was the first approved in north-east NSW. The local group, Wingham Forest Action, commenced a legal challenge. By the second day in court half their case had been lost by their legal team and it appeared it would be all over in a day or two. So with my help, they sacked the legal team and we ran the case ourselves. The case ran for 6 weeks, and while we lost we did get additional restrictions on their operations.

In 1993 we also had blockades at Barrington Tops, Bulga, Doyles River, Mistake, and Richmond Range SFs.

In May 1993 we commenced legal proceedings over the Dorrigo EIS to prove that it was inadequate. This forced the Department of Planning's hand, the Director of the Department of Planning advised the Minister for Planning on the 29 of July 1993 that the Dorrigo EIS should be refused on the grounds that the Director, Ms Kibble, "*is unable to properly assess the impacts of the proposal from the documentation she has received and that the exhibited environmental impact statement (EIS) does not meet the necessary requirements*" (news release prepared for Mr. Webster but not released due to the Forestry Commission hastily withdrawing the EIS). The Director's report to the Minister detailed that the Dorrigo EIS failed to meet most of the Director of the Department of Planning's requirements and that the EIS was deficient in describing and assessing impacts on flora, rare plants, rainforest, wilderness, archaeology, hydrology, water quality, soils, socio economics, timber yields and conservation reserves (fauna is only briefly mentioned).

Before the Minister could refuse the EIS the Forestry Commission found out and hastily withdrew it, laying the blame on the Endangered Fauna (IP) Act instead of the manifest deficiencies identified by the Department of Planning. At least NEFA's legal action over the Dorrigo EIS had brought home to the NSW Government the need to do something about the Forestry Commission.

The Hon. George Souris Minister for Forests announced on 30 July 1993 that the Government would not allow any further Forestry Commission EISs to proceed for assessment until there had been a review process which included conservation movement and industry representatives. The intent was to establish a Forest Policy Unit and Forest Policy Advisory Committee. In early 1994 I was appointed as one of four conservation representatives on the NSW Government's Forest Policy Advisory Committee, though it was a sham process.

In August 1993 the Forestry Commission adopted State Forests of NSW as its trading name, though it was business as usual.

At the time of the withdrawal of the Dorrigo EIS, the Kempsey-Wauchope EIS was on public exhibition, and while it was determined by the Department of Planning with numerous conditions, this was the last one. By then, of the 15 Timber Industry (IP) Act's EISs, only three had been determined, 2 EISs were 18 months overdue, 3 were over six months late and three were over 1 month late. The \$13.5+ million EIS process was in disarray and an expensive failure. While State Forests persisted with completing their EISs, at public expense, no more were determined.

After the Wingham Fauna Impact Statement, no FISs were approved in north-east NSW. Political interference prevailed to force the NPWS to determine an FIS they considered "*inadequate in almost every respect*" (Stein 1993) in south-east NSW and there is every indication that the failure of the NPWS to either reject or determine FISs in north-east NSW was also due to political interference.

3. A National Interlude

Proposals to begin exporting woodchips from north-east NSW were first put forward in 1974. An inquiry by the State Pollution Control Commission reviewed the woodchip proposals in 1975 and they were assessed by the State Development Co-ordinating Committee in 1976. In 1977 Sawmillers Exports Pty Ltd (80% owned by Boral and 20% by Japanese interests) was formed and put forward a proposal to export 350,000 tonnes of 'sawmill residues' as woodchips annually through Newcastle, for which an EIS was subsequently prepared. The EIS only considered the use of sawmill residues and was predicated upon the use of rail transport for woodchip movement.

Approval for the export of 350,000 tonnes of sawmill and logging residues was granted to SEPL for 15 years from April 1981. In 1983 Sawmillers Exports created a pile of chips derived from trees felled specifically for woodchips (silvicultural residues) and requested the federal Resource Minister to grant export approval. They complained that otherwise they would have to sell them at a loss to a local hardboard plant. The promised 3 years of research before silvicultural residues were used had not been attempted.

On the 26 April 1983 the Minister for the Environment, B. Cohen, wrote to the Minister for Primary Industry, J. Kerrin, agreeing for Sawmillers Exports (SEPL) to utilize 85,000 tonnes of silvicultural residues for export woodchips for a period of one year. Following Kerrin's complaint that the approval should be for 15 years (subject to the 350,000 tonne cap), on 16 June 1983 Cohen, responded:

"However, I note that in the 1977 EIS, prepared under the Environment Protection (Impact of Proposals) Act on the current operation by Sawmillers Exports, the consequences of using silvicultural residues was not considered. I understand that, in conveying his advice on the environmental aspects of this proposal to the then Minister for Primary Industry, the former Minister for Environment, Housing and Community Development recommended that a further assessment should be undertaken if any proposal to utilize silvicultural residues were brought forward.

"In these circumstances, I believe that an EIS should be prepared and assessed on the proposal outlined in your letter of 26 April 1983 before any decisions are taken to vary Sawmillers Exports' current export licence."

The Federal Minister for resources approved the inclusion of silvicultural residues for 5 years despite the absence of any attempt to undertake the required environmental assessment. In doing so the Minister ignored the recommendations of the 1977 EIS, the conditions of approval imposed by the Federal Department of Environment, the opposition of the NSW Department of Environment and the request by the Federal Minister for the Environment to first prepare an EIS.

Contrary to the recommendations of the 1977 State Pollution Control Commission inquiry and a 1977 Senate Standing Committee inquiry, in 1984 the approval was again expanded to include woodchips obtained by clearing private property. In 1988 the volumes were increased to 500,000 tonnes. None of the additional sources or volumes had been assessed.

In 1989 a licence to export 180,000 tonnes of woodchips per annum, largely obtained from north-east NSW, was granted to Brisbane Forest Products without the required environmental assessment or an EIS.

In March 1990 the Federal Minister for Arts, Sports, the Environment, Tourism, and Territories, Senator Richardson, gave a public promise to NEFA that EISs would be prepared for both Sawmillers Exports and Brisbane Forest Products before their licences were renewed. In 1990 Senator Richardson wrote (letter 2.1.1990):

"It is Commonwealth Government policy not to issue any licences for the export of forest products unless the forests concerned are managed on a sustained yield basis, the forest types are adequately conserved and the project has been subjected to environmental impact analysis."

In 1989 the Commonwealth Government established the Resource Assessment Commission to conduct an inquiry into options for the use of Australia's forest and timber. Basically the Commonwealth was approving the export of millions of tonnes of woodchips while ignoring its own laws, its international obligations for national and world heritage, as well as its own rhetoric about biodiversity and sustainability. As our first engagement with the Commonwealth, NEFA made submissions and gave evidence to that inquiry.

In response to insistence from the major loggers that investments in large projects, such as pulp mills, was being stopped due to lack of resource security, on 12 March 1991 Prime Minister Hawke released his "Building a Competitive Australia". This was targeted at providing Resource Security for major new industrial wood processing projects by undertaking joint State-Commonwealth assessments which dealt with the requirements of the Environment Protection (Impact of Proposals) Act 1974 (wood exports), Export Control Act 1982, Australian Heritage Commission Act 1975 (national estate), World Heritage Properties Conservation Act 1983 (world heritage), Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and a variety of other responsibilities.

At the same time the Prime Minister announced that it would be the Commonwealth Government's objective *"to phase out export woodchip industry by the year 2000 or soon after, and replace them with value-added products"*. The States agreed with the Commonwealth by identifying a similar objective at the July 1991 Special Premiers Conference.

In 1992 the Resource Assessment Commission released their final findings, and based on them the National Forest Policy was signed by all mainland states. In signing the National Forest Policy Statement (NFPS) the States committed themselves to establishing a comprehensive, adequate and representative (CAR) reserve system by the end of 1995 for public lands, with the inclusion of necessary forest from private land by 1998. The targets were wilderness, oldgrowth and biodiversity.

In accordance with the National Forest Policy Statement, a working group of Commonwealth and State bureaucrats, called the Joint National Forest Policy Statement Implementation Sub-committee (known as JANIS), was established in 1993 to identify national reserve criteria for forests. NSW's representative was a Forestry Commission employee. The reserve criteria languished.

In 1993 NEFA reported a number of properties from which timber was being exported as woodchips without the required approval from the Federal Minister. An inspection by the Department of Primary Industries and Energy identified that 2,064 tonnes of timber were taken from one property for processing into export woodchips. Though they refused to investigate the other properties or take any action.

Finally in October 1993 SEPL's 'Draft Environmental Impact Statement' was released for public comment. NEFA submitted a lengthy and detailed critique, claiming an apparent deliberate intention within the EIS to misrepresent the proposal and mislead the reader. The EIS was assessed by the Commonwealth Environment Protection Agency and the Australian Nature Conservation Agency. As a result of this assessment the Environment Minister recommended to the Resource Minister that numerous constraints needed to be put upon SEPL's operations to minimise environmental damage (and overcome the deficiencies in the EIS). Unfortunately most of the recommended conditions weren't imposed when the licence was re-issued in September 1994 for 15 months.

The environment movement had a concerted attempt, leading up to the December 1993 annual licence renewals, to get the federal government to at least include conditions on the licences which

ensured that woodchips are not obtained from high conservation value oldgrowth forests, wildernesses, habitats of endangered species and forests not being managed on an ecologically sustainable basis.

In 1994, with support from the then Federal Environment Minister John Faulkner, conservation groups around Australia assessed the conservation values of forests that forestry agencies were intending to log over the next year. I undertook an assessment of a wide range of attributes, including oldgrowth forest, proximity of federal threatened species, biodiversity, wilderness, national estate, reserve adequacy etc., in 1024 compartments (with an average area of 290ha) that the Forestry Commission claimed they intended to log in north-east NSW in 1995, conservatively identifying 328 compartments as *"having high conservation values which need to be protected"*. Based on his Department's consideration of the values identified by us and their own assessment the Federal Environment Minister, John Faulkner, identified 495 compartments in north east NSW amongst the 1309 areas (coupes and compartments) of forest Australia wide that had high conservation values that he recommended to the Federal Resource Minister, D. Beddall, should be excluded from export woodchip licences.

Without any further assessment the political decision was made by the Resource Minister, David Beddall, on the 19 December to only exclude 85 areas Australia-wide from export woodchipping, while granting 10 Commonwealth export licences to seven woodchip companies for 6.024 million tonnes of hardwood woodchips in 1995 (up from 4.65 million tonnes in 1993-94). The 85 areas included 41 compartments in NSW, 12 of which were not even proposed for logging in 1995.

NEFA joined other groups for a demonstration in Canberra, establishing an anti-woodchipping tent embassy on the lawns of Parliament House, at one time holding hands to encircle parliament house. In the new year 80,000 people marched in rallies in the capital cities.

The Government was thrown into further confusion when, on 10 January 1995, the Federal Court of Australia, Justice Sackville (*Tasmanian Conservation Trust Inc v Minister of Resources and Gunns Ltd*), set aside a decision by Minister for Resources, D. Beddall, to grant a licence to Gunns for export woodchips from north-west Tasmania because he failed to comply with the requirements of the *Environment Protection (Impact of Proposals) Act 1974*, noting:

.. the Minister erred in law. He did so by failing to take into account a relevant issue, namely whether the proposed action affected the environment to a significant extent.

This implied that at least over the period 1983 to 1993 much of the woodchips exported from north-east NSW were done so illegally. Though it was the judgement's implications for the licences issued by Beddall in December that caused panic in the ALP. The Sydney Morning Herald reported on 23 January 1995 that leaked advice from the Attorney- General's Department maintained that for that eight of the licences Mr Beddall's departmental advice that environmental assessment was unnecessary was wrong and an "error of law" as in the Gunns case, and that three other licences were open to challenge because of administrative failings relating to environmental impacts of woodchipping.

On the 27 January 1995 Prime Minister Paul Keating issued a statement that the Federal Government had identified 509 of the areas identified by Faulkner (165 in north-east NSW) as *"areas of high conservation value which should be included in a comprehensive reserve system"*, stating:

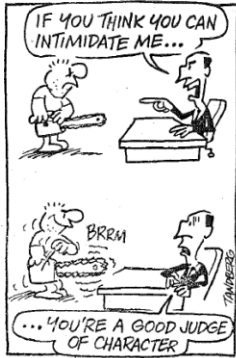
Government policy is to protect these areas until their values are properly assessed as part of a national reserve system through the Regional Forest Agreement process.

There was no justification for dropping so many areas, though even this political compromise was still too much for the CFMEU, on January 28 a pro-woodchipping rally of 3000 timber industry and union members was held in Hobart. When Parliament opened on 30 January 1995 2,500 timber

workers set up a tent city and 300 logging trucks were used to establish a blockade of Parliament House, as they attempted to storm it.

The Government then began a systematic slash and burn of those compartments remaining on the list.

PM's logging ban: it's



By **JAMES WOODFORD**
Environment Writer

Eighty-eight of the 509 forest areas that the Prime Minister promised to protect are already being logged by the States, a confidential document has revealed.

And at least 21 of them are being logged despite having Australia's premier conservation status — a listing on the register of the National Estate.

This revelation is certain to outrage the environmental lobby, which already has vowed political retribution against the Federal Government because of what it claims was its backdown last week to timber workers who blockaded Parliament House.

And in the third major Government backflip since the export woodchip crisis began in December, Mr Keating this week will formally allow 66 of the 88 forest areas to be handed over to industry, according to senior government sources.

On January 27, Mr Keating said Government policy was to protect the 509 areas until their values could be properly assessed, but according to documents obtained by the *Herald*, no further environmental assessment of the 66 areas will be done before they are logged. In some of the areas, harvesting is already completed.

NSW has the majority of the compartments that will be given to the timber industry, according to the preliminary documents — pre-

pared by all State governments that have forests being woodchipped.

In NSW, 42 of the compartments scheduled for protection by Mr Keating have already been partly or completely logged and of these 38 are expected to be handed over by the Federal Government. Tasmania has five compartments that will be handed over, Western Australia has seven and Victoria 16.

Yesterday, the NSW Environment Protection Authority issued a legal notice to NSW State Forests because of alleged breaches of erosion mitigation procedures in one of Mr Keating's compartments — Nulla-5 Day State Forest, in the north-east.

NSW State Forests did not have a fauna licence to log the forest — which is in an area that

has been identified by the NSW National Parks and Wildlife Service as a wilderness. The service is investigating the incident.

A spokesman for the State Minister for Land and Water Conservation, Mr Souris, said that NSW State Forests had logged the two compartments in Nulla-5 Day "inadvertently".

Conservationists have accused the timber industry of targeting the forests with high conservation values so that their values are destroyed.

Mr Keating's move to protect the 509 areas followed a month of controversy after the Federal Minister for Resources, Mr Beddall, had issued 11 export woodchip licences, ignoring advice from the Federal Environment

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too late

Department that 1,300 areas were worthy of protection.

The States immediately rejected the Prime Minister's compromise and said that logging would continue.

In Federal Parliament yesterday, Mr Keating reaffirmed his stance that the Government was not to blame, saying the States had primary responsibility for forests.

The co-director of the Total Environment Centre, Mr Jeff Angel, said: "We started off with 1,300 high conservation value forests that were to be protected. Then we lost 791, and now we have lost 879."

"Neither the Federal nor the State governments have got the guts to use their undoubted powers to protect these areas."

The executive director of the NSW Forest Products Association, Mr Col Dorber, said the whole process had been botched by the Federal Government and that the situation had been worsened by Mr Keating.

"He's done nothing to resolve the forest debate other than to underscore the truth of our claim that the original assessment process was grossly deficient."

A spokeswoman for Senator Faulkner last night denied Mr Dorber's claims that the process was deficient.

"Despite the barrage of misinformation coming from some sectors we do not concede that this process was in any way improper or inconsistent with the minister's responsibilities."

As a result of the Federal controversy, one of the principal campaign pledges made by Bob Carr in the lead up to the 1995 State election was to protect oldgrowth forests, this gained him the support of the conservation movement and was a significant factor in the election of a Labor Government in NSW. The Greens refused to give the ALP preferences in key marginal seats such as Bathurst until the ALP did a significant re-draft of their forest policy. At the same election, Ian Cohen became the first member of The Greens to be elected to NSW parliament, having added to his public profile at blockades to protect oldgrowth forests.

In the lead up to the 1995 election NEFA had blockades of compartments at Forestland, Wild Cattle Creek, Killungoondie, Ingalba, Styx River, Nulla Five Day and Barrington Tops SFs to protest logging of compartments initially identified as HCV by the Commonwealth. After the election, when we found State Forests logging in a compartment set aside by the agreement with the Federal Government we had a blockade in Richmond Range SF.

By the time the new NSW Government of Premier Carr was elected in late March 1995, 330 of the original 495 compartments identified by Faulkner in north-east NSW had been deleted by Keating. A further 30 were then dropped on the grounds that State Forests had already started or completed

logging them. Six more compartments were then dropped because it couldn't be proven that export woodchips were being obtained from them. Finally, 3 were dropped on the grounds that they had been logged, 7 on the condition that the State protects their values by management prescription, and 29 on the grounds that woodchips were not to be exported from them. This left 90 compartments in north-east NSW still identified as HCV forests intended for protection. Meanwhile State Forests were adding new compartments to the logging lists without any assessment.

In 1995 I was appointed one of two conservation representatives on the Federal National Forest Policy Advisory Forum. Our main task was overseeing the development of the national reserve criteria. When they failed to get agreement from the States, the Commonwealth released their own *National Forest Conservation Reserves, Commonwealth Proposed Criteria* in 1995. In 1997 these were replaced by John Howard with a watered down, *Nationally Agreed Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia* (JANIS 1997) which were agreed to by the States,.

The Commonwealth criteria for the first time established quantitative targets for forest ecosystems, oldgrowth and wilderness. Perhaps the most significant, and certainly the most controversial, of these for NSW was the requirement to reserve 15% of the pre-1750 distribution of each forest ecosystem. Up until that time the NSW NPWS had been operating on the benchmark of 5% of the remaining extent of forest ecosystems as a basis for assessing the adequacy of the NSW reserve system. The Criteria included reservation baselines of 60% for the remaining extent of oldgrowth and 90% of only the highest quality wilderness.

4. A Fresh Start in NSW

In the lead up to the March 1995 election the NSW ALP released its "Labor's Nature Conservation Strategy", promising that within 12 months of gaining office 24 new national parks would be established, including the Richmond Range national parks, specifically mentioning Tooloom, Murray Scrub, Dome Mountain, Cambridge Plateau, Yabbra (miss-spelt wyabbra), Mount Nothofagus and Mount Clunie. These were obviously based on my 1986 national park proposals. After winning the election, as partial fulfilment of the ALP pre-election promise, 14,107 hectares were reserved in 1995. The ALP let Forests NSW chose the boundaries of a reduced Tooloom NP and greatly reduced Toonumbar NP. At that time Cambridge Plateau, Yabbra, Mount Nothofagus and Mount Clunie totally missed out, though it was great to see some concrete outcomes from my work in the 1980's.

After the election of the NSW Carr Government, in 1995 I was appointed as the conservation representative on the NSW Resource and Conservation Assessment Council, tasked with overseeing the forest assessment process in NSW. This was based on a process involving balanced representation of stakeholders initially put forward by NEFA and championed by The Greens in their pre-election negotiations with the ALP. The goals of which was to implement the requirements of the National Forest Policy to identify a comprehensive, adequate and representative reserve system and ecologically sustainable forest management.

Meanwhile NEFA, as part of the Whian Whian Heritage and Environment Network, continued its ongoing campaign for the protection of threatened species in the Mount Warning caldera in far north-east NSW. After over a year of negotiations with State Forests over logging in Whian Whian State Forest, talks collapsed in September 1995 when State Forests commenced logging in compartment 79 (adjacent to the dam). Before they got far we commenced a blockade and botanists found a new population of the endangered tree Minyon Quandong in the logging area, which was previously only known from one individual near the dam wall. The NSW Government agreed to place a moratorium on logging in Whian Whian State Forest pending further assessment.

State Forests then moved their logging operation to compartment 61 of Nullum State Forest, and were blockaded by a different group of local people in November 1995. I undertook a subsequent site inspection with botanists and found that 6 rare or threatened plant species, including 57 individuals of the endangered Minyon Quandong, had been "*destroyed or damaged*" by having trees dropped on them, with some even chain sawed down. They had blindly stumbled from one population of Minyon Quandong straight into another.

Forests NSW had not only trashed a population of a nationally endangered species, they illegally cut down trees on creek banks, deliberately felled trees into creeks, bulldozed tonnes of soil into creeks, roaded and logged rainforest, ignored fauna prescriptions and clearfelled large areas. Forests NSW were subsequently convicted and fined \$25,000 for their breaches of the *Pollution Control Act 1970*, Though because they still had those temporary NPWS licences no action could be taken for threatened species.

As a result of this "*wanton vandalism*" NEFA resolved to close down all logging operations in the Murwillumbah Management Area "*until such time as the Carr Government takes action to fix up State Forests*". Blockades followed in Mebbin and Wollumbin State Forests and all logging operations in the Murwillumbah MA were stopped.

The CFMEU threatened to take violent action against the protestors. In December 1995 negotiations with the Minister for Forests, Kim Yeadon, instigated a process to resolve concerns over logging in Wollumbin, and reached agreement that pre-logging flora and fauna surveys would be undertaken throughout the Murwillumbah Management Area and that a Harvest Planning Advisory Panel would be established.

5. An Interim Assessment

Between 1995 and 1998 most of NEFA's attention and effort was focussed on the forest assessment process being overseen by RACAC. I represented NEFA on RACAC, the Steering Committee and the Environment and Heritage Technical Working group. NEFA, along with SEFA, were also represented on working groups for Socio-economics, Ecologically Sustainable Forest Management and resource assessments.

The basic principles were for balanced representation of agencies (National Parks and Wildlife Service and State Forests) and stakeholders (Construction, Forestry, Mining and Energy Union, Forest Products Association, South East Forest Alliance and NEFA), with the Department of Planning acting as the honest broker, and stakeholders participating at every level of the assessment.

The first task of RACAC was to undertake an Interim Assessment Process to identify areas to be placed under moratorium while a more detailed assessment was undertaken. As far as possible all the data were incorporated into mapped layers in a Geographic Information System, along with targets. For environmental data, spatial GIS layers were developed for forest types, wilderness, oldgrowth (and other growth stages) and the highest priority fauna species (for which modelled distributions could be identified in the time available), with point locality data used for other priority threatened plants and animals. This was not achievable for much of the socio-economic data which was presented in reports, with standing timber volumes the principle GIS layer used along with a yield scheduler to account for socio-economics.

The Commonwealth's *"National Forest Conservation Reserves, Commonwealth Proposed Criteria"* (CoA 1995) were used as the basis for determining reservation targets. Negotiations for each identified region were undertaken between the principal agencies and stakeholders at a compartment level using a GIS and computer decision-support software.

The outcome of the IAP negotiation process was up to four options for each region: full application of the reserve criteria (Conservation Criteria Outcome), maintenance of 70% of 1995 quota sawlog supplies to industry, 50% of the quota sawlog supply and 30% of the quota sawlog supply. The process was amicable, in part because we considered that the Government had no choice but to implement the Conservation Criteria Outcome while the industry believed they would get the 50% of quota sawlog supply option adopted.

For north east NSW the 1996 political outcome was inclusion of 172,012ha in reserves, placing the balance of the Conservation Criteria Outcome, approximately 600,000ha of State Forest, in a moratorium from logging in Interim Deferred Forest Areas (IDFA) until the Comprehensive Regional Assessment was complete, placing mapped oldgrowth under a moratorium, and adoption of Conservation Protocols to regulate logging. The industry received Wood Supply Agreements set at 50% of their 1995 quota for 5 years, with an optional 5 year extension.

The biggest problem with the Interim Deferred Forest Areas was the far north coast. Timber supplies couldn't be maintained outside the moratorium areas, so NEFA volunteered to go on the North East State Forests Harvesting Advisory Board to oversee State Forests's logging in the region and maintain supplies until the assessment was complete. The NESF HAB was constituted with representatives from State Forests, NPWS, hardwood sawmillers, forestry unions, Aboriginies, and conservationists. Myself and two colleagues represented NEFA, and we had to take responsibility for State Forests' logging.

State Forests' CEO, Bob Smith, hoped it could be a new model for State Forests' management, though his staff were not enthusiastic.

When it became apparent that there was little left to log outside the moratorium areas, the HAB agreed that logging could proceed in compartment 68 of Whian Whian State Forest, provided the logging operation was a model operation and that the community could judge State Forests on the outcome. There was considerable debate about appropriate prescriptions to apply, though finally we reached consensus on acceptable exclusion areas and management requirements.

NEFA called a public meeting and sought community acceptance of the proposal. While there was understandably considerable distrust of State Forests, it was sold to the community on the basis that State Forests would be on their best behaviour and could be judged on the outcome. In a similar process logging of compartment 77 in Whian Whian (within the Rocky Creek Dam catchment) was also approved by the HAB subject to water issues being resolved.

Before completing logging in compartment 68, State Forests started logging in compartment 77 without having addressed the water concerns identified by the community. The simmering discontent from some locals boiled over when it became evident that State Forests were intent on logging three other compartments in Whian Whian and a flyer distributed by the Construction, Forestry, Mining and Energy Union in local towns inflamed people with headings of *“Green grab in Whian Whian”*, *“Green tactics threaten jobs”* and *“An attack on all timber workers”*. So in August 1997 the Whian Whian Environment Centre was formed and blockaded operations.

The protestors subsequently identified a variety of breaches of logging prescriptions in compartment 68. An inspection of compartment 68 by the HAB in November found that there had been numerous breaches of habitat tree retention, stream buffer and rainforest buffer prescriptions. State Forests' Northern Regional Manager, Jacqui Parry, wrote:

“It was very frustrating and disappointing to host a field inspection by the HAB at Cpt 68 Whian Whian where it was demonstrated that we had failed to comply with Harvesting Plan conditions, and failed to meet special requirements agreed to with the HAB. The main problems related to defects in the Harvesting Plan, where we did not include all requirements agreed to, marking of Habitat trees and buffers around Rainforest and other reserved Forest types. ... We simply must improve our performance in planning and supervision.”

The HAB unanimously (including State Forests) resolved at its meeting of the 26 November 1997:

“That the HAB censure SF for failing to comply with harvest plan conditions and HAB agreements. Request NPWS to complete an audit for 120 licence compliance of compartment 68 and 77 Whian Whian SF.

“SF issue a detailed apology for breaching the harvest plan protocols and HAB agreements for compartment 68.”

Bob Smith, the CEO of State Forests, was forced to attend a public meeting and apologise for State Forests mismanagement. State Forests were prosecuted by NPWS for two of the breaches of legal requirements in compartment 68; were found guilty and fined over \$6,000. This was only the second prosecution of State Forests ever undertaken by the NPWS.

State Forests admits to breaches

STATE Forests has admitted to timber harvesting breaches in compartment 68 of the Whian Whian State Forest, near Lismore.

It has been censured by the North-East Harvesting Advisory Board (HAB) for failing to comply with the area's special logging conditions.

Newly appointed State Forests Northern Rivers regional manager Jacqui Parry said some habitat trees, including scribbly gums and blackbutt mixes,

had not been correctly marked as reserved from harvesting.

Ms Parry also said some forest patches had not been correctly mapped as reserve areas and buffer zones around some reserved trees had not met protection requirements.

The breaches, identified during a joint HAB and State Forests inspection late last month, had not caused any environmental damage although minor remedial works were needed.

HAB members would help prepare new supervision and monitoring systems, and the National Parks and Wildlife Service had offered to help develop better harvesting plans, Ms Parry said.

But North-East Forest Alliance spokeswoman Georgia Beyer said the review came too late.

Ms Beyer said the community had been repeatedly reassured logging in compartment 68 would be 'best practice'.

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Subsequent to State Forests' illegal logging in compartment 68, the NPWS identified a number of breaches in compartment 77 of Whian Whian State Forest; *"failure to remove debris from around habitat trees, failure to mark habitat trees and, failure to mark habitat recruitment trees"* (NESFHAB 1998).

Meanwhile, despite only being able to audit a small sample of State Forest's operations, NEFA continued to reveal significant breaches of legal requirements in logging operations throughout the region. Time and again we caught them out.

When State Forests wanted to log a third moratorium area, this time compartment 286 of Yabbra State Forest, they ignored NEFAs objections that the required surveys hadn't been done and procedures hadn't been improved, and rammed the proposal through the HAB. State Forests began logging in the compartment on the 8 April 1998. After two days, having cut some 20-30 m³ of quota sawlogs out of a predicted volume of 550 m³, the logging contractors pulled out in disgust at the fact that the timber wasn't there. Many of the trees that were felled were left on the ground as being too defective for sawlogs. State Forests insisted that the contractors return and cut more sawlogs. When they were forced to go back and fell more trees, 70-80% of them were left where they fell, all for a few extra cubic metres of sawlogs.

A NEFA post-logging inspection identified numerous breaches, I commented *"State Forests failed to apply the explicit harvesting plan and legal requirement to identify, and mark for retention, 10 Koala food trees per hectare in the logging operation. Many of the trees felled and left were covered in Koala scratches, proving their importance for Koalas. State Forests'... 'rigorous' self-auditing yet again failed to notice that they had done anything wrong"*.

Following a site inspection by Bob Smith, the CEO of State Forests, where a number of breaches and the appalling waste was self evident, State Forests were forced to undertake a second audit. The audit (Bugno 1998) revealed 6 breaches of harvesting plan conditions, most significantly relating to marking and retention of Koala food trees and habitat trees.

We had proven that even under close supervision by NEFA and the community, and a promise to be on their best behaviour, State Forests were unable to comply with their own harvesting plan and could not be trusted to audit themselves. They had failed their test and never resumed logging in Whian Whian or anywhere else in the Murwillumbah MA. We were relieved when the HAB was disbanded.

6. Finalising the Forest Assessment

In my role on the Environment and Heritage Technical Working group I played a major role in setting the criteria for mapping rainforest and oldgrowth forest as well as working out the methodology for assessing fauna. I was particularly pleased to get rainforest remapped on ecological criteria across all tenures, effectively allowing rainforest with 30-35% canopy cover by emergent Brush Box and eucalypts to be mapped as rainforest, compared to the cut-off of 5-10% used by the old Forestry Commission in their mapping - this had been a goal since Terania Creek.

Mapping of oldgrowth forest using reasonable decision rules based on the proportion of senescent trees and regrowth visible from aerial photographs (as pioneered in East Gippsland, though without the generous disturbance criteria) was another major win after years of struggle. I was also particularly pleased that my recommendations led to the adoption of a methodology for identifying and applying fauna targets based on the available distribution models and the concept of protecting viable populations and accounting for dispersal barriers.

The other major battles revolved around the identification of forest ecosystems for application of the national target of 15% of pre-European extent, and the application of other targets. In the end, for north-east NSW data on environmental entities including 240 forest ecosystems, populations of 152 fauna species, location of 444 plant species, oldgrowth forest, Centres of Endemicism and wilderness were applied in the north-east NSW CRA process. The national reserve criteria were applied to identify hectare targets for all these entities.

In 1998, as a 'reference point' the Government agencies applied these targets, under some limitations, and identified that over 1 million hectares of public land in north east NSW was required to be added to the reserve system to reasonably satisfy the national reserve criteria. This was on top of existing reserves and hundreds of thousands of hectares that State Forests said was unloggable for various reasons.

Unfortunately by then the NSW Government had decided to side with the industry and unions. Mark Greenhill, who had been the CFMEU representative on the Environment and Heritage Technical Working Group, was put in charge of the whole process in Premier Carr's office. The Steering Committee was increasingly stacked with industry representatives, until stakeholders were excluded from it. Then as negotiations were due to start, the Commonwealth withdrew and the industry refused to participate until they achieved an assurance of a specified timber volume for 20 years. Then Government agencies were excluded from stakeholder negotiations.

In November 1998 we still tried to negotiate in a now heavily stacked process but it quickly became clear that the industry and unions had done their deal with the Government and had no intent of compromising with us.

As the stakeholder negotiations descended into farce, NSW Government agencies undertook their own negotiations based on having to supply the specified timber volume, identifying 554,000 hectares of land for reservation. While the outcome was limited by the timber commitments it was based on good data and partial fulfilment of national targets. State Forests and the industry then tried to overturn this position and replace it with their own versions.

On the 12 November 1998, Premier Carr announced the protection of 411,000 hectares of new NPWS reserves in north-east NSW. While less than what the agencies identified, it was still based on the agencies' negotiated position. We did not agree with this outcome, and immediately instigated a token blockade at Bald Knob.

The decision also promised to protect a subset of oldgrowth forests designated as 'high conservation value', all mapped rainforest (as ecologically defined), wilderness, stream buffers and

steep and non-commercial areas in a management zoning system on State Forests. Forestry tried to go on logging these areas, so we had to battle on to get 370,000 hectares in protected Forest Management Zones in late 1999, though most stream buffers were not included. The outcome also included a revised set of threatened species and erosion mitigation licence conditions for off-reserve management of State forests



Great gliders · quarrelsome quolls · otherwise owls

Your forests too precious to plunder

North East Forest Alliance

This poster was used to publicise our campaign leading up to the final decision.

I officially retired as a NEFA co-ordinator on World Environment Day 1999, having served my ten years. I still continued to work on issues for NEFA, though stopped lobbying, blockading and doing media. I particularly focussed on getting Wollumbin and the rest of Whian Whian State Forest protected.

As part of the unresolved issues from the assessment process another 122,000 hectares was added to the reserve system by 2002. In 2003, as part of a deal for Green preferences, we managed to get the Government to agree to protect 14 Forest Icon areas representing 42,500 hectares, including Wollumbin, and the rest of Whian Whian State Forest. We also managed to get the remaining 22,000 hectares of mapped and unprotected oldgrowth on public lands protected.

Northern Star 3/3/03

Labor promises parks

WHIAN WHIAN and Wollumbin State Forests on the Far North Coast will be declared National Parks if Labor is re-elected on March 22, Premier Bob Carr has promised.

However, it will not mean an end to logging, as Mr Carr also plans to legislate to permit logging in 'buffer on buffer' zones, where it was determined water quality or threatened species would not be affected.

The forests will be two of 15 new National Parks and State Conservation Areas declared on the first sitting day of Parlia-

ment, according to Mr Carr.

The new declared areas would add about 65,000 additional hectares of native forests to the 1.8 million hectares already declared since the Carr Government's election in 1995.

The 1832ha Bungalwalbin State Forest near Coraki and the controversial Chaelundi State Forest near Grafton will be declared State Conservation Areas.

Whian Whian's 2414ha would become part of Nightcap National Park, and Wollumbin's 2092ha would be part of Mount

Warning National Park.

Whian Whian is home to the Nightcap Oak, which is found nowhere else.

"Under this decision, pristine rainforests and high conservation old growth forests would be protected forever," Mr Carr said.

The plan will cost \$25 million over four years.

"For industry new sources of timber will also become available through sound environmental changes to logging rules," Mr Carr said.

Access to the 'buffer on buff

er' zones would provide up to 50,000 cubic metres of additional timber a year, he said.

However, the National Party says Labor has sold out the timber industry.

NSW National Party Leader George Souris described the announcement as a 'blatant grab for Green preferences'.

He predicted it would lead to mill closures and job losses across north-east NSW.

Other forests to be included include Pine Creek near Bellingen and Sherwood Forest near Coffs Harbour.

Overall, over the 15 years from 1989 to 2004 NEFA was primarily responsible for 881,849 hectares being added to the reserve system in north-east NSW, as well as 310,000 hectares of State forests being included in Special Management Zones which are protected from logging under the *Forestry Act 1916*. That is 218 hectares a day, 7 days a week, 365 days a year. Most of those days only a few people would have been working on forests, and on some days there were hundreds. It is a pretty good return for time invested.

Though it is important to recognise that despite all our efforts we still ended up with the worst reserve system of all the RFA regions in Australia. There is still a major shortfall in the national reserve targets for forest ecosystems and we still do not have viable populations of most priority animal species included in the reserve system. The NSW and Commonwealth Governments call it a Comprehensive, Adequate and Representative reserve system despite the fact that it does not satisfy their own criteria and targets.

This said, most of the areas we blockaded over the years ended up in the reserve system. We had rainforest remapped and protected. We had most remaining oldgrowth forest and wilderness on public lands protected. We had forced the Government to instigate a suite of prescriptions aimed at mitigating some of the worst impacts of logging on soils, streams and threatened species. We ended up with more forests in reserves than any of us dreamed possible when we started, including most of the forests that variously spurred us into action in the first place.

All my original reserve proposals in the Urbenville Area were basically protected, with some exclusions and large additions. In 2009 the NSW and Commonwealth Governments assessed these reserves as qualifying for addition to the World Heritage property Gondwana Rainforests of Australia, though I am still waiting for the Governments to proceed with their listing. .

7. Thwarted Attempts to Address Private Forests

NEFA primarily focused on public native forests. While the National Forest Policy was meant to include private forests, they were largely excluded from the forest assessment process because of the complexities involved. After my retirement as a NEFA coordinator I decided to focus on conservation of private forests.

From 1999 until 2001 I was a conservation representative on the Richmond Regional Vegetation Management Committee. Our task was to identify and establish appropriate management for high conservation value native vegetation across Kyogle, Lismore, Ballina and Richmond Valley Council areas. This process was run by the Department of Land and Water Conservation, though they had no plan of how to do it and no resources to generate required data,.

I devoted the better part of 2 years to working out criteria for mapping and managing high conservation value vegetation, largely based on data from the forest assessment, and negotiating the criteria with the farmers and other stakeholders. Our criteria were adopted by other Regional Vegetation Management Committees and applied across the region, and ended up as the basis for Byron Shire's biodiversity conservation strategy.

We spent years developing a zoning system with the intent of allocating allowable exemptions and activities according to the relative significance of the vegetation across the Richmond. From mid 2000 the process began to stall, the Department kept changing the rules and stalling for months on end. In frustration at the lack of progress I threatened to resign if there was no progress. With still no progress, I resigned from the Committee in late 2001. The other Nature Conservation Council and Ecological Society of Australia representatives resigned in early 2002. A watered-down plan was exhibited in 2002 though never finalised because the Government decided that even the watered down version was too much and abandoned the whole process.

It was clear that the NSW Government never intended the process to achieve anything. At that time I was fed up with lobbying and media, so I just focused on the process. I came away feeling that I had wasted 2 years of my life, as I had not even raised public awareness.

After the failure of the Richmond Regional Vegetation Management Committee I joined the Byron Environment and Conservation Organisation (BEACON) and focused for some years on the Byron Shire. Byron was exempted from the Regional Vegetation Management Committees on the basis that it was preparing its own Byron Biodiversity Conservation Strategy, which it adopted in 2004. Its method for identifying the 'Relative Ecological Value' of native vegetation was adapted from the methodology developed by the Richmond Regional Vegetation Management Committee.

It identified as high conservation value; oldgrowth forest, rainforest, nationally rare and endangered ecosystems, NSW Endangered Ecological Communities, rare ecosystems in Byron Shire, very poorly reserved ecosystems (ie >60% of remaining extent needs to be reserved to meet national targets), heavily cleared ecosystems (ie >70%), locally endemic ecosystems, vegetation on floodplains, vegetated fauna corridors, 20m buffers on rivers, shorebird nest and roost sites, core Koala habitat, flying fox maternity sites, highest quality habitat for key threatened species, significant flora habitats, locations of nationally threatened plants, and other areas with combinations of significant values,

I complained that there were significant problems with the vegetation mapping being used and specifically identified needed improvements. While Council patched up their mapping they did not rectify the fundamental problems.

BEACON lobbied hard for a biodiversity levy that was adopted in April 2004. It increased Byron Shire's rates by 2% specifically to fund works identified in the Biodiversity Conservation Strategy.

Its stated intent was to assist landholders by establishing an extension service to help them prepare management plans and obtain funding, providing them with management guidelines for threatened species and weeds, establishing bush regeneration teams to help them control weeds, and by improving vegetation and wildlife corridor mapping.

It was downhill from there. In 2008 Councillors renamed it as an Environmental Levy so they could use it to fund other things, such as their agricultural strategy. It ended up being used to build rock sea-walls in contravention of 'planned retreat'.

Since 2004 the High Conservation Value vegetation and wildlife corridors identified in the Byron Biodiversity Conservation Strategy have had to be considered when assessing development applications.

The Biodiversity Conservation Strategy's criteria were applied to revised 2007 vegetation mapping to identify High Conservation Value (HCV) vegetation for inclusion in Environmental Zones for a new Local Environment Plan (LEP) as E2 Environmental Conservation and E3 Environmental Management. Regrettably numerous errors in the mapping had not been rectified, and Council's method of creating the E2 zones created more problems. This frustrated our ability to campaign for their protection.

The E2 zone was to provide the highest protection, allowing environmental protection works without consent and new dwellings with consent, but prohibiting new mining, logging and large residential and commercial developments. The E3 zone was to allow a range of uses including extensive agriculture (i.e. crops, livestock, dairying) without consent, and a wide range of new developments (ie logging, recreation areas, camping grounds, tourist facilities, housing, sheds, flood mitigation works, horticulture, churches) with consent, though new mining was still prohibited.

There followed years of controversy on Byron Shire Council as some landowners, Councillors and staff sought to get most E2 and E3 zones removed. While for most opponents it was opposition to having any constraints on what activities they could do on their land, their cause was aided by obvious flaws and errors with the vegetation mapping. At one stage in 2010 Council staff went as far as recommending that for private land the Biodiversity Conservation Strategy be ignored and E2 zoning be limited to existing (1988) environmental zones, mapped 20m buffers on rivers, mapped old growth forest, long established flying fox colony camp sites and shorebird areas. In the end this was narrowly defeated and HCV vegetation reinstated to E2.

The Local Government areas of Tweed, Byron, Ballina, Lismore and Kyogle encompass the spectacular volcanic remnants of the Tweed Shield Volcano, centred on Mount Warning, and the Focal Peak Shield Volcano, centred near Mount Barney. The remnant forests have been identified as being of outstanding international, national and state value for threatened biodiversity. They encompass the heart of the Gondwana Rainforests of Australia World Heritage property. They are part of one of the world's 35 biodiversity hotspots because of their exceptional species endemism and the threat of habitat loss. They include the NSW section of one of Australia's 15 recognised biodiversity hotspots, the 'Border Ranges North and South (Queensland and New South Wales)'. They also contain the most plants and animals, including those threatened with extinction, in New South Wales. The vegetation remaining on private lands are undoubtedly of exceptional conservation value.

In 2011 Ballina Shire Council exhibited its draft LEP, followed by Kyogle, Lismore, Byron and Tweed Shire Council's draft LEPs in 2012. Byron proposed increasing the area of Environmental Zones from 13.7% of the shire to 27% in E2, Ballina from 11% to 16.6% in E2, Lismore from 0.5% to 0.56% in E2, Tweed proposed the same areas and Kyogle only proposed two tiny areas as E2.

This stirred up the controversy, with a vocal campaign against EZones.

In September 2012 Ballina MP Don Page and Lismore MP Thomas George prevailed upon the NSW Planning Minister Brad Hazzard to have environmental zones (E2, E3, and later E4) excised from new Local Environmental Plans (LEPs) being prepared for Ballina, Byron, Lismore, Kyogle and Tweed council areas *"while the Department of Planning and Infrastructure reviews the use of these controls in consultation with other government agencies and stakeholders"*.

The Minister for Planning then removed all environmental zones (E2 Environmental Conservation, E3 Environmental Management and E4 Environmental Living zones) from far north coast LEPs after they were exhibited. These proposed EZones are now in limbo in the gazetted LEP's as "deferred matters". Within these deferred areas the old LEP zoning and requirements apply, meaning that Councils now have two different LEPs in operation and that vegetation now assessed as being of high conservation value often has no protection.

They also removed a variety of clauses aimed at protecting values such as streams, steep slopes, endangered ecological communities and wildlife corridors, for example removing from Byron's LEP clauses 6.12 Riparian land and watercourses, 6.13 Development near the E2 or E1 zone, and 6.14 Biodiversity (which applied to wildlife corridors and EECs).

The 'Northern Councils EZone Review Interim Report' was completed in September 2013, though was not released for public comment until May 2014. The review supported the inclusion of environmental zones and overlays in far north coast Local Environmental Plans provided they were based on clear criteria and accurate mapping, noting that *"where high conservation value features or other 'special' features occur in each council, they should be mapped and zoned appropriately as an EZone"*.

The EZone Review identified *"The main concern was the accuracy of mapping used to develop EZones within the LEPs"*. The EZone review proposed to allocate specific zones to specific environmental values, that can be summarised as

E2 :SEPP 26 Littoral Rainforests, SEPP 14 Wetlands, areas of habitat for threatened species, EECs, over-cleared (>70%) vegetation communities, over-cleared (>70%) Mitchell Landscapes, culturally significant Aboriginal sites

E3: rainforest, oldgrowth forest, wetlands, riparian vegetation, mangroves, saltmarsh, rare, endangered and vulnerable forest ecosystems, vegetation on coastal foreshores and land subject to coastal hazards, native vegetation on land at risk of severe erosion and landslides, vegetation that is critical to watershed protection

Environmental Overlays: Drinking water catchments, scenic escarpments, coastal risk lands, areas of terrestrial biodiversity, camphor laurels, Koala habitat (identified in a PoM), buffers to streams, wetlands, rainforests, and estuaries

It is considered that the EZone review failed to appropriately allocate numerous values, as well as omitting others. For example the E2 zone should have included all rainforests, oldgrowth forest, identified wilderness, all wetlands, Koala habitat (identified in a PoM), riparian vegetation, mangroves, saltmarsh, rare, endangered and vulnerable forest ecosystems, heathlands, shorebird roosting & nesting sites, sand dunes & beaches, vegetated Wildlife Corridors, vegetated Drinking Water Catchments, and poorly reserved ecosystems.

In October 2015 the NSW Planning Minister Rob Stokes announced the new rules that would be applied only to north-east NSW. While Council's elsewhere in NSW would be allowed to go on implementing EZones, the use of EZones by the 5 Council's covering one of the world's biodiversity hotspots was to be severely curtailed.

The 'Northern Councils EZone Review, Final Recommendations Report' notes

E2 and E3 zones will only be applied if the primary use of the land is considered to be environmental conservation (E2) or environmental management (E3) and the land has attributes which have been verified to meet the criteria for an E2 or E3 zone

The "primary use" has become the pre-eminent consideration. Even the highest value vegetation (ie the Federally Critically Endangered Lowland Rainforest of Subtropical Australia occurs on private land in the Tweed, Byron, Ballina and Lismore LGAs), can only be zoned for E2 if either the landowner agrees or Councils can first prove that it is already primarily managed for conservation. This establishes a threshold that requires Councils to have evidence of a landowner's management intent, such as a conservation agreement or signed statement.

These criteria are now specified and represent a significantly reduced set than have been applied by some Councils:

E2 Criteria

SEPP 26 Littoral Rainforests. SEPP 14 Coastal Wetlands. Endangered Ecological Communities, Key Threatened Species Habitat (including oldgrowth, key fauna habitat, critical habitat), >70% cleared ecosystems and Mitchell Landscapes, and Aboriginal culturally significant lands.

E3 Criteria

Riparian and estuarine vegetation and wetlands, . Rare, Endangered and Vulnerable Forest Ecosystems. Native vegetation on coastal foreshores.

Even with restricted criteria, Councils now have to verify that vegetation satisfies the criteria in a process effectively requiring property level assessments, unless a landowner volunteers part of their land for an EZone. The thresholds now proposed make it unrealistic for Council's to be able to zone land for E2 or E3, or even use vegetation as an overlay, unless it is already zoned or a landholder agrees.

Extensive agriculture (grazing, cropping, dairying) is to be allowed with consent in E2 zones and without consent in E3 zones. For completeness Councils on the Far North Coast will not be permitted to use scenic or aesthetic values as an attribute for the application of an E2 or E3 zone or mapped planning controls, so scenic zones in place since 1988 have to be removed.

At the time of writing Kyogle Council has remade their LEP without any EZones, and the other Council's are still wondering what to do. The State is also proposing redoing the biodiversity laws to weaken protection for native vegetation, relying on EZones for protection, where they are allowed.

Private Native Forestry

Outside the Council LEP process, the preparation of Property Vegetation Management Plans (PVPs) is the Government's process for regulating the clearing and logging of native vegetation on private lands. This process is now overseen by the Environment Protection Agency (EPA). It is a secretive process as the PVPs are considered private. There is a Code of Practice for Private Native Forestry.

As a delayed outcome of the forest assessment process, rainforest and oldgrowth mapped on private land was identified for protection, subject to review by the Department of Environment, Climate Change and Water (DECCW).

A 2010 internal review of DECCW (now OEH) Old Growth and Rainforest Private Native Forestry assessment protocols found that *"the protocol implementation is working very well for rainforest"*, but that implementation for *"old-growth is highly variable and problematic and has apparently resulted in some areas of old-growth being potentially available for harvest"*. Transect assessments resulted in PNF old-growth classification in 4 out of 5 areas that were not identified by DECCW assessments as being old-growth. 80% of the time OEH were getting it wrong. Thousands of

hectares of oldgrowth forest on private land had been wrongly remapped and had its protection removed.

NEFA uncovered one example in 2013 at Whian Whian where the Federally Critically Endangered Lowland Rainforest of Subtropical Australia was wrongly remapped as non-rainforest and its protection removed. We provided detailed evidence on this to the EPA but they refused to investigate. Whian Whian also revealed the total contempt by NSW Government agencies for the protection of threatened species on private property.

In 2013 the communities of Terania Creek and Whian Whian were galvanised into action when the Forestry Corporation began logging a private property located on the ridge between them, next to the Nightcap National Park. They knew it was an important area for Koalas and other threatened species and yet nothing was being done to protect them.

What started as an effort to negotiate with the landowners and the Forestry Corporation to get them to apply the required protections for threatened species, resulted in a month of community angst and blockades, with intimidation, assaults and arrests of forest protectors.

NEFA initially attended the property at the request of neighbours for a scheduled meeting with the Forestry Corporation in September 2013. The EPA had told the Forestry Corporation I was coming, so they refused myself and a botanist entry to the property. While waiting for the neighbours to return from their inspection, we found 5 Koala high use trees on the boundary of the property, proving that the area is important for Koalas.

A few days later, with a zoologist we undertook a night-time survey using call-playback along a boundary of the property, recording 3 Marbled Frogmouths, a Masked Owl, a Sooty Owl and numerous Pouched Frogs calling from areas on the property that were currently being logged. None of these had been previously recognised by the Forestry Corporation. Despite the Code of Practice for Private Native Forestry requiring that prescriptions be adopted for increased protection along streams and increased tree retention, the Forestry Corporation refused to do so.

Confrontation then escalated as locals blockaded the access through an adjacent property, with the permission of the owner, in an attempt to force the Forestry Corporation to apply the required prescriptions.

When NEFA found out that the Forestry Corporation were planning a new road we assessed the proposed route and found it was marked through 8 Koala high use trees, 3 endangered Slender Marsdenia plants and over 60 vulnerable Red Bopple Nuts, all of which legally required 20m exclusion zones around them.

That afternoon a meeting of over 70 residents in Whian Whian Hall called for the logging to cease due to poor environmental stewardship. NEFA wrote to the Chief Executive Officer of the EPA, Barry Buffier, asking him to immediately impose a Stop Work Order to stop the road being constructed through the threatened species.

The EPA scoffed at the suggestion they would stop work and spent the next two days wandering around the area with the Forestry Corporation and two botanists identifying an alternative route.

NSW Environment Minister, Robyn Parker, told ABC radio on the 24 September that she was confident no rules were being broken, stating:

"Well this plan is being undertaken with a native vegetation plan, a property vegetation plan,"

"The EPA has been out to visit the site and they're going out again today to make sure that everything is done according to that plan.

"To make sure that koala habitat is maintained and that threatened species are looked after."

As the community protested, under police guard the Forestry Corporation constructed a new road on the afternoon of 25th September. They knew that threatened species were in the way and that what they were doing was illegal. And the EPA knew too, and did nothing to stop them. The Minister was complicit.

Logging continued for two weeks, with further community surveys and delays due to forest protests. At one stage 2 forest protectors were grabbed by the loggers and pinned to the ground for 45 minutes until police arrived and arrested them.

Tragically on Wednesday 9 October 2013 a Forestry Corporation worker was injured by a falling branch where logging was occurring. When the rescue helicopter landed nearby, there was no other transport so one of the forest protectors drove the paramedics to the accident site. Despite this, the police publicly, and falsely, accused the forest protectors of hindering the ambulance.

That night two forest protectors were attacked and bashed by loggers while asleep in their tents. The forester died the next day. Logging continued until Friday, but out of respect for the forester, protests were stopped.

In the end, where the Forestry Corporation had only recognised the presence of Koalas at a couple of locations, NEFA and the community had identified 31 Koala high use trees, as well as a multitude of locations for another 5 vulnerable animal species, 2 endangered plants, 3 vulnerable plants and the Federally Critically Endangered Lowland Rainforest of Subtropical Australia. While the PNF Code of Practice required protection for these, it does not require anyone to look. Both the Forestry Corporation and the EPA must have turned a blind eye not to see these for themselves. We eventually managed to have over half the proposed logging area excluded for threatened species.

After logging finished NEFA assessed the new road and found it had been bulldozed through what should have been 20m exclusion zones for 2 Koala high use trees and 24 threatened plants (4 Slender Marsdenia, 12 Arrow-head Vines, and 8 Red Bopple Nuts). Their habitat had been significantly degraded. Two Slender Marsdenia and one Arrow-head vine had been killed. Most of these had been identified and tagged with tape prior to road construction, so the Forestry Corporation knew they were breaking the law when they bulldozed through their exclusion zones.

Given NEFA's evidence, the EPA could not totally ignore it. There was a 2 year window of opportunity for the EPA to legally pursue this matter, and they used most of this time up before they issued the Forestry Corporation with two Penalty Notices (each with a fine of \$5,500) on the 11 September 2015 for constructing their track through what should have been 20m exclusion zones for a Koala High Use Tree and the Endangered vine Slender Marsdenia. They were issued an Official Caution for violating buffers of 4 Red Bopple Nuts, with violations of 6 Arrow-head Vine buffers noted. This is half the intentional breaches documented by NEFA.

The Forestry Corporation stated they intended to vigorously dispute the fines on the grounds that their intent *"was discussed with EPA staff on site during the operation"*. In other words, the EPA knew they were going to construct the illegal road and, at best, did nothing to stop them.

Given that the EPA had almost used up their 2 years for legal action, the Forestry Corporation simply bided their time before telling the EPA that they would not pay the fines and would rather dispute them in court. By then, the EPA claim, it was too late to defend the fines in court. The Forestry Corporation got away scot-free because the EPA delayed action for as long as they could.

NEFA and the community were successful in partially revealing the gross mismanagement of private forests in New South Wales, though nothing has changed and its business as usual under their veil of secrecy. If only Lismore Council had protected such important vegetation in an E2 zone.

8. Getting Involved with Byron Shire

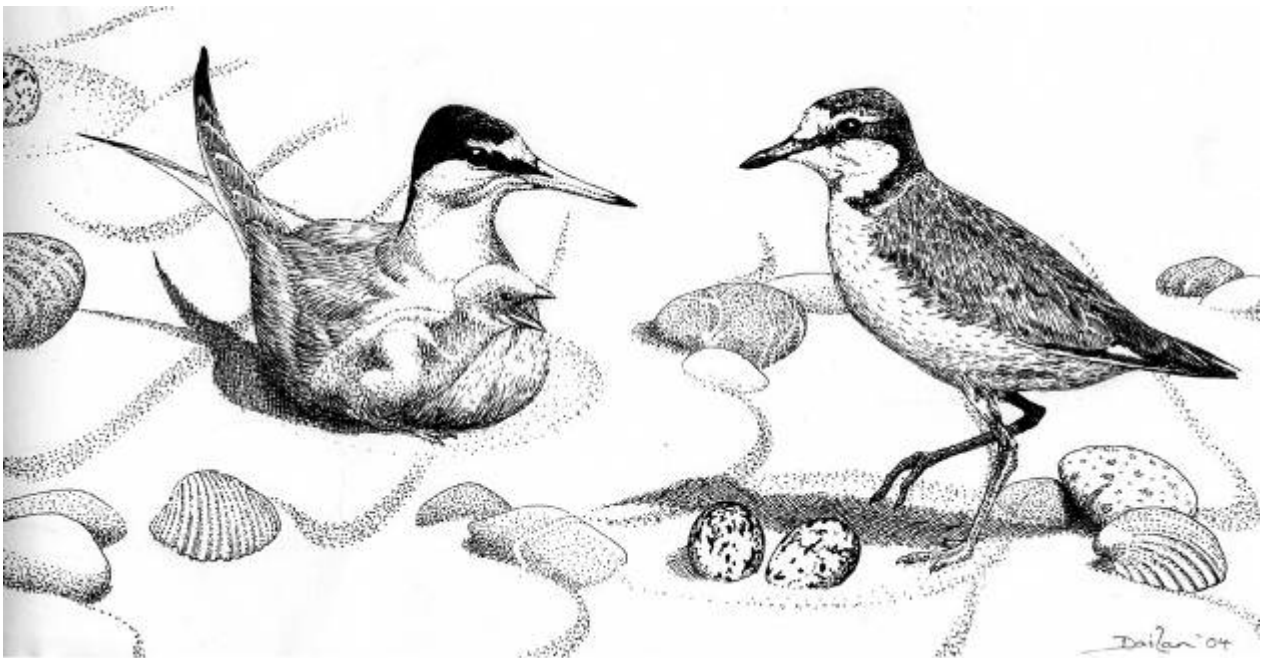
From 2001 I became involved with the Byron Environmental and Conservation Organisation - BEACON. I was President for a few years. I spent a lot of time on the biodiversity strategy and getting an environmental levy, taking climate change into account in coastal planning and implementing 'planned retreat', and implementing strategic planning for population growth and opposing inappropriate developments.

The biggest development issue I worked on at that time was Becton. In the early 2000's the community had to take on the Minister for planning to stop him approving Becton's proposed 379 holiday homes and retail centre on the edge of Byron Bay. We gathered 700 people on a march and 2,000 on the beach. A revised plan for 117 houses on the site was eventually approved though Becton went broke before they could commence it.

I have maintained an ongoing, though sporadic involvement in Byron Shire issues since.

In 2014 and 2015 I worked with the Byron Residents Group to try and stop a housing estate at West Byron. We had rallies attended by hundreds of people, but it didn't matter what we did. The Minister for Planning eventually approved over 1000 houses on the site, actually increasing density beyond what the developers were asking for, which is a major increase in Byron Bay/Suffolk Park's population and a significant increase in density.

We lost, but we have made it hard for them. What was most alarming was that the Department of Planning totally ignored our key concerns and instead backed whatever the developers wanted. They are no longer impartial players, instead seeing their role to promote and encourage development regardless of environmental and social consequences. In the process we did manage to convince Council to withdraw their support for another housing estate just up the road.



A lot of my time was spent fighting a losing battle to stop increasing recreational and tourism use affecting a significant shorebird nesting and roosting area at the mouth of the Belongil estuary.

9. Through the Looking Glass

On summer holidays I spent a lot of my childhood exploring rockpools and snorkeling. While this introduced me to the wonders of the underwater world, I did not pursue this interest later in life until 2003.

I represented conservation interests, as BEACON, on the Cape Byron Marine Park Advisory Committee from 2003-6. I knew little about the marine environment. So I undertook a lot of research and started doing a lot of snorkeling around Australia. I got a camera and now have photographed and identified over 700 different fish species, and managed to interact with lots of wonderful turtles and playful seals.

I attempted to negotiate with the other stakeholders over zoning of the Cape Byron Marine Park, and while most were willing to, the recreational fishers' representative refused to countenance any protection. Our attempted negotiations and submissions were taken into account in the final outcome. The Government ended up placing 27% in sanctuary zones in 2005, which is better than other NSW marine parks, and probably more than it could have been, though still inadequate.

This was a case of my activism inspiring my artwork, as I decided in 2007 that the marine environment would be a great subject to start oil painting. In part, I focused on highlighting the wonder of our new sanctuary zones.



The Bream Hole (I, II and III). Dailan Pugh 2008. Celebrating a sanctuary zone in the Cape Byron Marine Park.

The ocean coastline of the Cape Byron Marine Park is 39.8 km, of this 9.6 km (24%) is included in sanctuary zones in five areas. These sanctuary zones represent less than 5% of the 200 km of coast north from the Solitary Islands Marine Park to the Queensland border. In an act of political bastardry in March 2013 the National Party announced that, without any assessment of the consequences, shore-based fishing would be allowed in all of NSW's sanctuary zones for six months while a review was undertaken, It took over 20 months for the Government to recognise that they were wrong and restore protection to two-thirds of the sanctuary zones.

At the time of writing the Government is still making its mind up about the 2 remaining coastal sanctuary zones. This proposal to rescind these would remove over 4km (42%) of Cape Byron's coastal sanctuary zones.

My involvement in trying to achieve sanctuary zones in the Cape Byron Marine Park made me realise that there are no freshwater sanctuaries in NSW, with all National Parks and Nature Reserves open for fishing. In 2004 I was negotiating a property agreement with DIPNR for them to

pay \$73,500 towards rehabilitation of an area of degraded rainforest on a property I owned in return for me agreeing to protect the area in perpetuity and oversee the rehabilitation works. I prepared a rehabilitation plan and obtained development approval from Council.

My property had some of the most intact riparian rainforest left on any lowland reach of the Richmond River catchment, provided habitat for the Endangered Eastern Freshwater Cod, and was situated between two national parks. I reasoned that if I was going to protect half my property and spend considerable time regenerating it, then the State should do something in return. In April 2004 I wrote to the Minister for Fisheries informing him that I was only prepared to proceed if the Government would commit to the establishment of an aquatic reserve over 2.3 km of Cooper's Creek to complete the link between the two parks. The creek bed is Crown land. The Minister refused to consider the aquatic reserve and the agreement with DIPNR lapsed.

I believed that it was worthwhile trying to achieve a precedent in NSW by creating a freshwater aquatic reserve, so in January 2005 I wrote to the Minister for the Environment offering to gift 32.4 hectares of my land linking Goonengerry and Nightcap National Parks to the Department of Environment and Conservation (DEC) as an incentive for the Government to create the proposed Coopers Creek Aquatic Reserve as a sanctuary (no fishing). The Minister for Environment, Bob Debus, supported the proposal, and agreed to undertake regeneration works on the land to be gifted. The Minister for Fisheries, Ian McDonald, replied to Bob Debus' representations that he did not support the establishment of an aquatic reserve, as he would not support the banning of fishing *"until such time that there is community consensus on such a proposal"*.

As an indicator of community support, in February 2006 Byron Shire Council voted to support my proposal and write to the NSW Premier Morris Iemma. NSW conservation groups also wrote supporting letters to the Premier.

In late 2006 the NSW Premier wrote to both the Ministers for the Environment and Fisheries directing that a no-fishing Aquatic Reserve be created on Cooper's Creek and that the offer of land be accepted. I met with the Department of Primary Industries and DEC in November, where it was identified that the creation of the Aquatic Reserve was a simple process that would be completed in January and that the commitment to gift the land to DEC would be accepted in good faith. I was encouraged to gift the land as soon as possible. A site inspection in January with DEC and DPI staff confirmed the area to be of high conservation value and a very high priority for protection within the Richmond catchment.

I was ready to proceed but I first wanted confirmation in writing. I waited and waited. In August 2007 I gave the Government 30 days to provide a firm commitment for the creation of the aquatic reserve or the land offer will be permanently withdrawn. The Government remained silent, McDonald had won. I eventually had the area rehabilitated and sold the whole property to the Government as a National Park in 2014, but there are still no freshwater aquatic reserves in NSW.

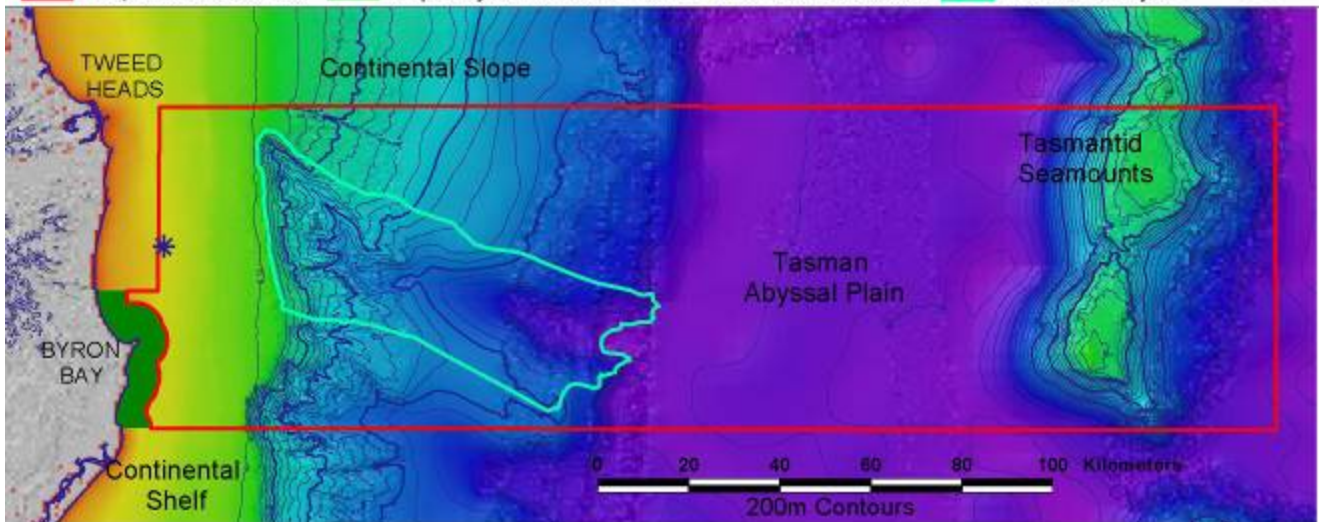
I expanded my involvement to Commonwealth waters in 2012. I became concerned that the Commonwealth dropped the Tweed Area for Further Assessment, which was identified adjacent to the Cape Byron Marine Park, from consideration as a federal marine reserve. I knew nothing about these off-shore areas. My initial inquiries of local marine scientists revealed a lack of information, so I spent a few months learning as much as I could and writing a proposal for the 15,000 km² Tweed-Byron Commonwealth Marine Reserve covering Commonwealth waters off the Tweed and Byron coasts.

I learned that 24km off-shore from Byron Bay the continental shelf has 2 km deep Canyons dropping down to the 5km deep Abyssal Plain and that 170 km off-shore are a chain of 4km high volcanic mountains developed in parallel with Mount Warning (with the Britannia seamount Mount Warning's offshore equivalent). It must be an amazing world, full of creatures that we don't even know exist.

Proposed Tweed-Byron Commonwealth Marine Reserve



Proposed Reserve Cape Byron Marine Park *Windarra Banks Tweed Canyon



I didn't succeed in getting my proposal up, though the Britannia seamount was incorporated into the Central Eastern Marine Reserve.

As an outcome of *the Sydney 2014 World Parks Congress* 'The Promise of Sydney' recommended that at least 30% of each marine habitat should be included in marine protected areas which have no extractive activities.

What I find most alarming is that across the 110,400 km² of Commonwealth waters comprising the continental shelf and slope within the Temperate East Marine Region (i.e. off the NSW Coast, including Sydney), the Commonwealth has included just 5% in marine reserves, and their intent is to only include a token 0.005% (5.6 km²) in Marine National Park zones that are actually protected from extractive activities. This makes a total mockery of 'The Promise of Sydney', the Commonwealth's own reserve criteria, and ecological principles.

My attempts at conservation of fresh and marine waters have not been overly successful, though I do not regret trying. I consider that my public attempts to improve marine conservation have helped raise public awareness, though have not been as successful as my forest work because of the lack of support from a dedicated local group.

We still have a long way to go with marine conservation, and when you are talking about square kilometers rather than hectares, and millions of square kilometers of public waters, the potential gains are great. My proposed Coopers Creek Aquatic Reserve and Tweed-Byron Commonwealth Marine Reserve are still needed and maybe one day they will be protected.

10. Forestry Revisited

After I retired as a NEFA coordinator I was relieved to stop inspecting devastated logged forest to assess compliance with the logging rules, and after the 2003 decision to protect Whian Whian and Wollumbin I had little to do with forestry. I became re-involved with forestry in late 2009 after inspecting a logging operation in Yabbra State Forest adjacent to where I used to live, but now rarely visited. It was a forest I knew well so I took the devastation to heart, particularly as they logged over my boundary.

During a brief preliminary inspection with botanists and zoologists, we found Forests NSW (they had another name change) had breached a total of 56 statutory licence conditions, variously applied under five acts of parliament, many on multiple occasions and some consistently. These included illegally trashing a 2.7ha stand of mapped rainforest, two wetlands and their buffers, and the buffers of numerous unmapped streams. It proved to me that because of lax regulation, and without independent oversight, Forests NSW were running amok.



A logged wetland in Yabbra SF that was meant to have an unlogged 10m buffer.

As a result of my complaints the Department of Environment, Climate Change and Water (DECCW) issued Forests NSW with 4 Penalty Infringement Notices (PINs) and corresponding \$300 fines for *“harvesting timber within IFOA mapped rainforest”*, *“the failure to mark Yellow-bellied Glider sap feed trees and feed trees”*, *“timber felling within a wetland and wetland exclusion zone”*, and *“machinery entry within a wetland and wetland exclusion zone”*. DECCW also issued a formal warning to Forests NSW for not identifying habitat and surveying for Richmond’s Frog, and inadequate mark-up of exclusion zones and retained habitat trees.

Fisheries NSW issued 2 PINs and corresponding \$500 fines for failing to mark exclusion boundaries on unmapped drainage lines and for logging, bulldozing and burning within 10m of these unmapped streams. As a result of our complaints Forests NSW also repaired drainage on four stream crossings and one track because they were not up to pollution control requirements.

The agencies only spent half a day inspecting our complaints and refused to undertake a comprehensive assessment to identify the scale of the breaches we had highlighted. The paltry fines were inconsequential as Forests NSW remained unrepentant. Though we did show that Forests NSW had been illegally logging the buffers of ""unmapped" streams for the past 5 years while Fisheries did nothing.

Forests NSW were meant to retain 60% of the basal area, and most of the remaining large old trees, though they hit it very hard. The worst aspect was that the lower elevations had been suffering from Bell Miner Associated Dieback for over 30 years. BMAD occurs when the forest structure is altered by logging, allowing lantana to take over the understorey and the aggressive Bell Miners to exclude most other birds. DECCW didn't care. The outcome for Yabbra was that BMAD spread throughout the logging area and most retained trees died. I have been keeping up the pressure on Forestry to rehabilitate the area, though after promising to do so, they reneged.



Forest dieback following logging in Yabbra SF.

Since then I have been trying to undertake a brief audit of at least one operation every year. In 2010 auditing logging operations in Girard and Doubleduke State Forest, in 2011 Wedding Bells State Forest, in 2012 Royal Camp State Forest, in 2013 Koreelah State Forest and private land at Whian Whian, in 2014 Donaldson State Forest and Richmond Range State Forest, and in 2015 Cherry Tree State Forest.

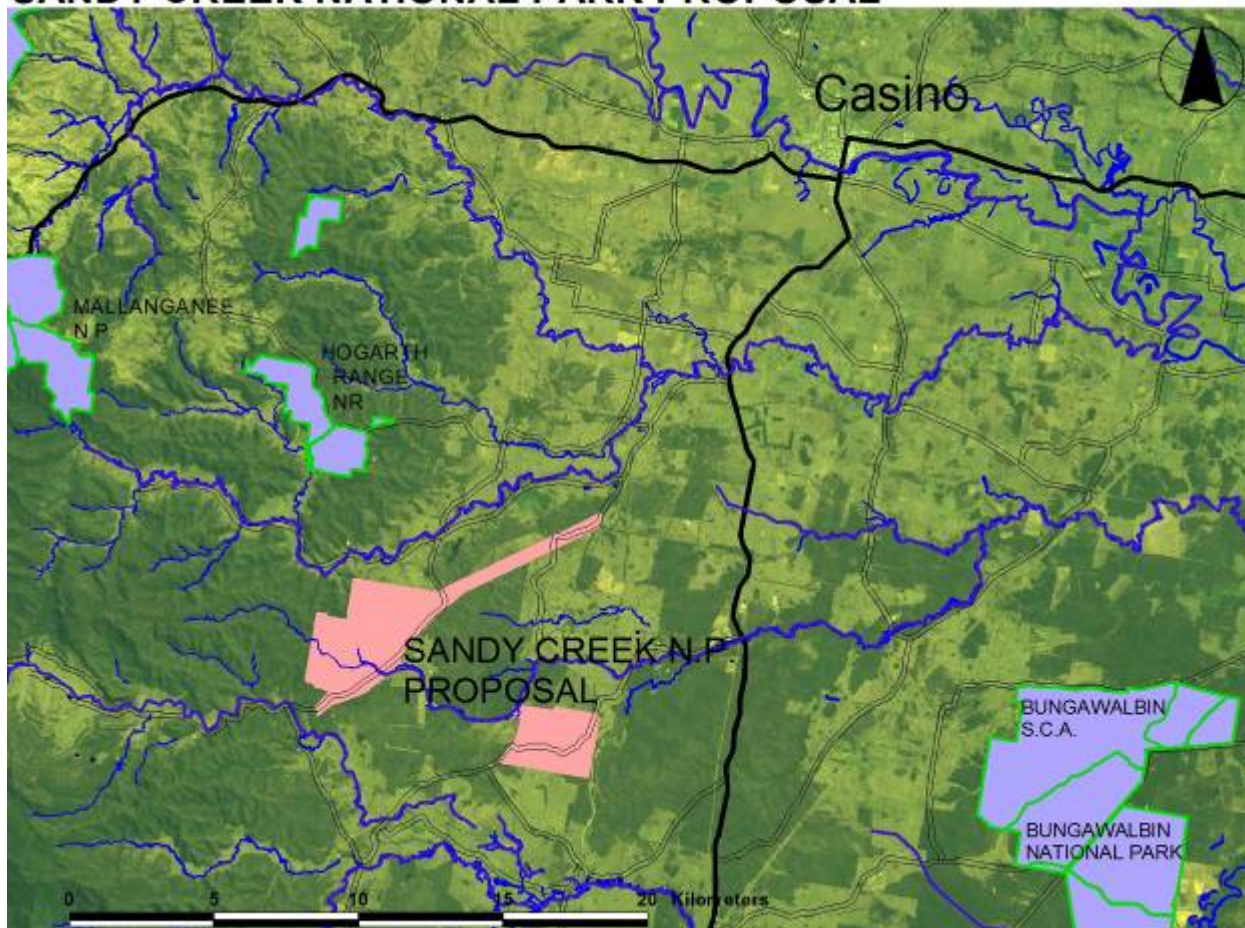
While we only sample a small part of their operations, we still regularly find numerous and significant breaches of prescriptions, including logging and roading of protected oldgrowth,

rainforest, wetlands, endangered ecological communities, Koala high use areas and exclusion areas for threatened plants. They are still trashing the large old habitat trees essential for a plethora of hollow-dependant animals and the essential recruits needed for the future, they are still logging well in excess of silvicultural limits, they still regularly fail to apply erosion mitigation conditions, and they are still carelessly spreading lantana and dieback through our public forests. The Environment Protection Agency (EPA) and Fisheries NSW are still incompetent regulators.

At least we have managed to audit some operations before logging was complete, with our surveys finding a variety of threatened species for which exclusion areas are required, which has resulted in some small areas of habitat being protected.

In 2012 we caught them logging Koala High Use Areas in Royal Camp State Forest near Casino and by simply blowing the whistle, very loudly and publicly, managed to stop them. When they tried to restart in 2013 we went in and found extensive Koala High Use Areas where they had found nothing. This forest is now recognised as regionally significant for Koalas, and the Koalas in the vicinity as an endangered population. I expect they will never be able to resume logging and the 2,100 ha Sandy Creek National Park I proposed has reasonable prospects of success sometime in the future.

SANDY CREEK NATIONAL PARK PROPOSAL



Since 2013 the Forestry Corporation (another name change) have been routinely closing all forests in this region as soon as they start logging to try and stop us undertaking audits. I have to break the law just to stop them breaking the law.



Illegal roading through the Endangered Ecological Community Lowland Rainforest in Cherry Tree SF.

NEFA's efforts over many years to bring the Forestry Corporation to account have largely been in vain as breaches still occur with alarming regularity. For 6 months in 2015, while logging was underway in Cherry Tree State Forest, NEFA brought ongoing breaches to the attention of the Environment Minister and the EPA in an attempt to stop them occurring. Despite our efforts, when logging was finished we documented numerous breaches, including:

- Tracks were constructed through, and logging undertaken within, the Endangered Ecological Community 'Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions',
- A track constructed through rainforest occurred within what were supposed to be 20m buffers for over 26 vulnerable Onion Cedars, physically damaging at least 4 in the process,
- In the order of 2,000 (44%) of the habitat trees required to be protected were logged,
- There were over 1,600 breaches of habitat tree selection and retention requirements,
- Of the habitat trees marked for retention, 22% were physically damaged in the logging operation, with some 520 habitat trees likely to have suffered significant physical damage,
- There was a failure to search for Koalas ahead of logging,
- Numerous Yellow-bellied Glider sap-feed trees had not been identified and the required prescriptions applied,
- A number of tracks had not been properly drained,
- Cultural Heritage site, in part constituting a visual buffer along Cherry Tree Road, was significantly degraded, and
- Logging was undertaken within areas suffering from Bell Miner Associated Dieback.

I am once again a NEFA co-ordinator and focus my efforts on trying to stop the current NSW Government from opening up our hard won national parks for logging, trying to stop them winding back the still inadequate logging prescriptions, and trying to get them to recognise and redress the growing catastrophe that is BMAD. Though I only pursue this part time.

I no longer have any illusions that Ecologically Sustainable Forest Management is possible on public lands. Because of the evidence from our audits, the unfolding ecological crisis due to global warming, and the vital necessity to restore the health of our forests so that they can take in and store more of our carbon emissions, NEFA now opposes the logging of public native forests.

11. Lessons Learnt

I have no qualifications, I am self taught and I don't have a charismatic personality, in fact I am socially quite shy and uncomfortable in groups. Yet I believe I have achieved some worthwhile things with my life. I think my effectiveness comes from my passion, researching and taking informed positions on issues, seeking innovative solutions and most importantly from doggedly pursuing outcomes.

I find working with other dedicated people dramatically improves my success. Different people have different strengths and contribute different ideas and approaches. The more collective time spent on an issue the greater your chances are. I know that a small group of dedicated people can change the world.

I have learnt that it is vitally important to keep people informed about issues through the media. The public need to be informed about what is going on if you want to create the political will to change. Emails and social media certainly make this easier now than what it was like 30 years ago.

I consider it is essential to go in strong and hard for what you believe is the ideal (but justifiable) outcome, as more likely than not you will be forced into compromise. It's hard to compromise on a compromise.

At times you need to be very confronting in order to get attention and be listened to, though it is important to be respectful and non-violent, as violence begets violence and allows for extreme reactions.

You win some and you lose some. Therefore it is best to be working on a variety of issues so that you are not too disappointed by any one loss. Some campaigns may take a long time to be realised, so it is worth persisting. It is essential to not become embittered by your losses.

Nothing inspires and empowers like success. If we had of lost at Terania Creek I am sure that this region would be a very different place today.

Most importantly I have learned that you can usually make a difference if you try hard enough, even if the difference only comes down to raising community awareness and concern. These days my principal focus is on using media to raise public awareness of issues.

The biggest challenge is convincing people to care enough about an issue to actually do something meaningful about it. The success of the recent anti-CSG protests at Bentley prove that if enough people are willing to stand up for what they believe, then the State is powerless to stop them.