

SAVE COLONG bulletin

THE COLONG COMMITTEE • A National Wilderness Society

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"Between 500,000 and a million plant and animal species will become extinct before our grandchildren grow up. The ploughing under and paving over of wild lands to meet growing population needs and the exploitation of wild populations are nothing short of catastrophic."

H.R.H. Prince Philip, addressing the Los Angeles World Affairs Council.



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SOUTH-WEST TASMANIA

Colong Bulletin No. 74, the special issue which contained an article by Mr. Murray Wilcox, Q.C. establishing that the Commonwealth has both the responsibility and the power to protect the wilderness, has been read by the right people and has inspired a good deal of publicity. His opinion was supported by a senior officer of the Attorney-General's Department, Mr. D.J. Rose, who said that the Government was obliged to intervene and that any decision to the contrary must therefore be based "on political grounds".

It inspired a letter to the S.M.H. which rated a four column heading, from Dr. Terry Metherell M.P. State Liberal Opposition Shadow Minister for Transport. Dr. Metherell concluded that the Commonwealth could now act to make regulations to implement the UNESCO Convention and thereby save the South-West Wilderness. "Conservationists throughout the world", he wrote, "will be pressing to ensure it does."

In the Australian Parliament, Senator the Hon. Donald L. Chipp, who has rafted down the Franklin, moved on September 15th

"That in the opinion of the Senate the following is a matter of urgency:

The need for the Federal Government to fulfil its legislative responsibilities in relation to the Franklin and Gordon Rivers in Tasmania by legislating immediately to guarantee that the environment of the Franklin and Gordon Rivers is not destroyed by any development in the wilderness regions of South West Tasmania, and to urgently discuss with the Government of Tasmania adequate and reasonable compensation for any lost development opportunities."

Speaking to the motion, Senator Chipp described the controversy over the Franklin River as very much a national, and even international, issue. He said that "Letting Tasmanians alone - that is, about half the voting population of Tasmania - decide on the Franklin River is about the same as allowing the population of Alice Springs and Darwin to vote by referendum to have Ayers Rock crushed by bulldozers to make gravel for a

road in the middle of the Northern Territory. It is the same as allowing the populations of Townsville Cairns and Mackay decide that the Great Barrier Reef ought to be drilled for oil. The proposition is absolutely absurd".

Senator Chipp described the desecration of the beauty of Lake Pedder by a road gauged into the mountain, and similar work already under way in the mountains surrounding the Franklin; also the starting of a fire in this area, probably the first for 3000 years.

He gave credit to the A.L.P. for its Federal Conference decision to oppose the Franklin Dam and extend financial assistance to Tasmania, and also to the Young Liberals, who wholly support moves to save the Franklin. He contrasted the Commonwealth's refusal to intervene with its alacrity in invoking section 109 of the Constitution to override the Victorian Government's legislation on nuclear warships entering the port of Melbourne and quoted Mr. Wilcox's opinion, as given in Bulletin 74, that "As the UNESCO Convention is now in force it would appear that regulations could be made to implement the Convention and thus protect South-West Tasmania."

The Tasmanian Wilderness Society has used Mr. Wilcox's opinion as the basis of an article entitled "South-West Tasmania - A Federal Responsibility" in vol. 3 no. 4 of "Wilderness News".

A copy of the Bulletin was sent to Mr. Fraser, with a letter, drawing his attention to Mr. Murray Wilcox's article. We received the following reply from his Senior Adviser, Mr. G.W. Vance:

"I have been asked to let you know that Mr. Fraser appreciates the trouble you have taken to bring to his attention an article by Mr. Murray Wilcox, QC, President of the Australian Conservation Foundation, which appeared in a recent issue of your Committee's Bulletin."

Deborah Hope, reporting in the S.M.H. of 11th October states that:

"Mr. Fraser is believed to favour stopping the damming of the Gordon-below-Franklin area, although he has

serious reservations about the political implications of intervention."

It is significant that recent moves by the new Tasmanian Government to withdraw the Commonwealth Government's nomination of South-West Tasmania for the World Heritage List have been rejected by the Prime Minister.

MEETING WITH STATE LIBERAL MEMBERS

In Bulletin No. 73 we published correspondence with Mr. Nick Greiner, M.P. on the subject of Liberal Party conservation policy, in which the Colong Committee suggested a meeting with Mr. Dowd, Leader of the Opposition, Mr. Rizzoli, Deputy Leader of the Liberal Party and Mr. Greiner, M.P., member for Ku-ring-gai. We were disappointed not to receive a reply for some time, but early in September we received a letter from Mr. Greiner, saying that we had been expected on August 17th, but owing to a slip-up nobody had told us. However, the meeting took place on October 1st. and the Colong Committee representatives, Alex Colley and Peter Cook, received a very sympathetic hearing.

At the outset the Colong Committee representatives pointed out that the N.S.W. Parliamentary Liberal Party occupied a key position on the two main conservation issues of the day - South-West Tasmania and rainforests. We hoped that the Party would not be bound by the anti-conservation policy of the Country Party. Electorally the conservation case on both issues was supported by a substantial majority of voters, and on many occasions the membership of the Liberal Party had expressed strong support for conservation objectives.

The Colong Committee representatives congratulated the Liberals on Dr. Terry Metherell's letter to the S.M.H. entitled "Tasmania is a National Issue," (see previous article). It was pointed out that support from N.S.W. could well sway the Federal Government on this issue.

On the subject of rainforests we said that, in view of the N.S.W. Government's policy that jobs came before trees, the key to saving our rainforest remnants was Senator Mason's Rainforest Preservation Agreements Bill, which would enable the Commonwealth to provide funds for the purpose. The Bill had the support of the A.L.P., and with the vote of one Liberal Senator, would be passed in the Senate. We expressed the hope that the State Parliamentary Liberal Party would try to influence the N.S.W. Liberal Senators to support the Bill. (See below letter to Liberal Senators).

Other topics discussed were the clearing of native forests for pine plantations, and overnight accommodation on the snow fields. We recalled the strong support the Colong Committee had received from the Opposition during the Colong and Boyd campaigns, and expressed the hope that the present Opposition could act as a spur to the Government on conservation issues. One method of doing this was parliamentary questions. We were told that the difficulty here was not that the Opposition did not desire to employ this method, but the drastic curtailment of its opportunity to put questions.

We did not expect that the Liberal Party would commit itself on the spot to endorsing the Colong Committee's policies, but the Party is receptive to our views and desirous of further discussions.

RAINFOREST PRESERVATION AGREEMENTS BILL

The Colong Committee has written to the Liberal Senators from N.S.W., Senators Carrick, Baume and Lajovic, as follows.

In a letter dated 10th August, 1981, addressed to all Federal parliamentarians, on the subject of Senator Mason's Rainforest Preservation Agreements Bill, the Colong Committee called for support for the Bill. It is now before the present session of Parliament. With the support of the N.S.W. Liberal Senators, its passage through the Senate will be ensured, since it has the support of the A.L.P.

and the A.D.P., and only one additional vote is required for its adoption.

Since the policy of the N.S.W. Government is to stop rainforest logging only if employment can be maintained, and the Government has not so far been prepared, by itself, to allocate funds for this purpose, the Bill may offer the last opportunity of preserving intact our irreplaceable rainforest remnants. We are therefore appealing to the three Liberal Senators from this State to recognise the problem as a national issue and vote for the Bill.

In our previous letter we expressed the view that the preservation of rainforests was not a party matter. Support for preservation comes from supporters of all parties, and is particularly strong in the Liberal Party. Some years ago the State Council voted for the preservation of the Border Ranges rainforest. In a McNair Anderson opinion poll, sponsored by the National Trust, 85% of the sample were in favour of preservation provided employment could be maintained. As the representatives of your state your support of the Bill would be in accord with the policy of the State Government, and, as representatives of the Liberal voters, it would be in accord with the views of the majority of your party members.

With this in mind we have discussed the issue with Messrs Dowd, Rizzoli and Greiner, who appear sympathetic to our views, though not of course able to commit the N.S.W. Parliamentary Liberal Party on policy. However, in view of the mounting support for rainforest preservation, the question will continue to embarrass the N.S.W. Government, whatever its party composition.

Support for the Bill would be wholly in line with the Liberal Party Platform, which calls for the Federal Government, in consultation with the States, to support the extension and development of national parks and reserves and to conserve our rich variety of flora and fauna, and to protect endangered species and threatened areas of the natural environment which are of particular

significance or outstanding natural beauty.

Passage of the Bill would also ensure that the recommendations of the Senate Standing Committee's report on Australia's Forestry and Forestry Product Industries are implemented. The report recommended reduction of logging "to a sustained yield level at least", and its concluding recommendations were that "All areas of rainforest in Australia be conserved, maintaining the characteristic diversity and vitality of the original forests." Since logging alters the species composition of the forests, and the trees take centuries to mature, the implementation of these recommendations cannot be ensured unless logging ceases.

From the above two conclusions can be drawn. The first is that the responsibility for saving the N.S.W. rainforests rests upon the Liberal Senators from this State. The second is that it is an opportunity that will not recur, because rainforests once logged will not return to their original state in a time span relevant to human activities. We therefore urge you to support the Bill.

ONLY THE BEST FOR SAWMILLERS

"The deputy director of the Total Environment Centre, Mr. Jeff Angel, said Government reports showed that sawmills on the North Coast could be maintained by using timbers other than rain forest logs.

'Conservationists have constantly proposed policies which preserve both the rain forests and jobs,' he said.

He said trade union leaders were mistaken in supporting policies which led to the exhaustion of timber supplies and the amalgamation of mills, the two factors which were the main cause of job losses.

Under the Forestry Commission's policy, rain forest logging would be exhausted for milling in most North Coast forests in 1984-85 and in the Grafton area in 1990.

The conservationists' plan of using

alternative timbers would allow the saw mills and jobs to continue, while protecting the rain forests, said Mr. Angel.

'There is a strong suspicion that the sawmill companies want only the cream of the forest logs on the North Coast,' he said.

'When these logs are exhausted, the mills will close down and move to the pine forests of Bathurst or elsewhere in the south leaving the workers high and dry.'

S.M.H. report 16/10/82.

NIGHTCAP

Goonimbar State Forest, which contains considerable areas of virgin rainforest, lies immediately North of Nimbin and naturally is of great interest to the alternative society people living on Terania, Tuntabale and Mulgum Creeks which rise in the forest.

Portion of Terania Creek Basin lies in Goonimbar State Forest, as it was frequently mentioned during Mr. Simon Isaac's 1980/1 Inquiry, but there was no hint of the resident confrontation which was to come in August 1982.

The National Parks and Wildlife Service made an inspection of Blue Knob and the Sphinx areas in March 1980 and recommended a National Park to their Minister, but the Forestry Commission refused to allow any further research in their forest! Locked gates were placed on all main access roads under the trespass legislation hurriedly passed in the wake of the Terania Creek confrontations.

The Far North Coast branch of the National Parks Association began pushing the National Parks Association Park Proposal in mid 1981. They reopened the question of the Nightcap National Park dedicated by the Forestry Commission in 1937 but forgotten and largely logged during and after World War II.

By mid 1982, appalled at the devastation caused by logging in

Griers Scrub and frustrated by the failure of Cabinet to announce a policy on rainforest, about 100 locals formed the Nightcap Action Group (NAG) and began a campaign of harassment.

Throughout August and September the protests were non-violent obstruction such as blocking roads with vehicles and rocks and putting 'araldite' in locks. The logging contractors were forced to camp beside their bulldozers.

Feelings ran high, assaults took place and shots were fired. Police were constantly in attendance and arrests took place - first 2, then 7, then 13, then 32.

The demonstrators were extremely well organised and very determined.

At 4 p.m. on Wednesday 29th September, thirty police accompanied forty loggers and their bulldozers in order to set up a camp in the more sensitive Mr. Nardi compartments 81 and 82. The next day was chaotic with trees being felled at a great rate but on the Friday of the long weekend, Mr. Murray Wilcox, Q.C. obtained an injunction from Mr. Justice Cripps in the Land and Environment Court in Sydney.

The case was heard over 4½ days between the 7th and 13th October and judgement was given on 22nd October, Mr. Justice Cripps' finding against the Forestry Commission. He ruled that an Environmental Impact Statement is a necessary prerequisite of logging where there is likely to be a significant effect on the environment.

Mr. Justice Cripps was quick to grasp the points at issue and prevent time-wasting legalistic nonsense which turned the Terania Creek Inquiry into such a fiasco. On several occasions he stopped irrelevant cross-examination by simply asking the barrister "How does this help me?" Yet the proceedings were not completely informed. Once when photos presented to him as evidence of logging damage were challenged because the witness had not been present when they were taken, Justice Cripps wrongly remarked "This is a Class 4 Action - we're out of the realm of commonsense

into the real law."

At one stage in a legal argument in regard to the terms of the order sought, the Forestry Commission junior barrister said that if his side lost, "the Forestry Commission will behave itself". (It must have been a Freudian slip, because he subsequently denied having used the phrase).

Peter Prineas, Director of the National Parks Association, played a major role in the case, lining up witnesses, advising Murray Wilcox, and as a witness himself in regard to the National Parks Association's park proposal. Sparks flew when he was cross-examined - here was their chance to get back at him for Terania Creek and subsequent legal actions taken against the Forestry Commission.

Despite the fact that Dr. Harry Recher has a Ph.D. from Stanford University and had done many years work for the Forestry Commission in the Eden Woodchip area, he was disparagingly inferred to by Forestry Counsel as a "self styled expert".

Commenting on the submission of Mr. John Ireland, barrister for Standard Sawmills, who said that compartment 82 and adjacent areas of Goonimbar State Forest had already been partly logged, and the effects of logging were to a high degree naturally reversed by the regeneration of trees, Mr. Justice Cripps said:

"The third wave of bombers that blasted Beirut did a lot of damage. You wouldn't say that it had no significant impact on the environment because it had already been done twice".

A subtle example of how "the truth, the whole truth and nothing but the truth" can take a hiding from the lawyers themselves became apparent when the Forestry Commission barrister objected with some asperity to Bren Claridge qualifying with the word "logged" his answer to the question "Is Limpinwood Nature Reserve rainforest?" A little later in the case District Forester Mervyn Harris submitted an affidavit in which he described each Nature and Flora Reserve in the district in order to show that

Nightcap in its unlogged condition was only one of many available to scientists and the public. Some were pointedly and correctly described as unlogged but when Harris (Forestry Commission) dealt with Limpinwood, which had been logged, the dreaded word was omitted. The Forestry Commission barrister remained silent; it was left to Murray Wilcox to draw out the truth. Is this the "real law?"

Perhaps the case is best judged by the Forestry Commission's barristers denigration of the local protest group as the MADCAP Action Group!

NEW THREAT TO NORTHERN BLUE MOUNTAINS

The Newnes Plateau, on the edge of the Wollongambe Wilderness, comprises some of the poorest country in the State. It contains no resources which are not found in abundance elsewhere. Nevertheless development projects which would pollute the streams flowing through the Wilderness and other parts of the Blue Mountains and Wollemi National Parks, and also introduce visual pollution, continue to be advanced.

There is good news of one of these - Elcom's proposed colliery at Birds Rock is likely to be shelved. The coal to be mined there was not even necessary for the Commission's electricity generation programme. It was intended mainly for export to Japan. Now the Japanese don't need it, and though the N.S.W. Minister for Energy, Mr. Landa, is doing his best to persuade the Japanese to buy it, he is unlikely to succeed.

As this threat recedes, another looms. Although silicon is the most abundant mineral on earth, a sand mining company has applied to the Katoomba City Council for permission to mine sand on the upper Wollongambe catchment. The Colong Committee has therefore written to the Mayor, Alderman Quirk, as follows, in support of a request from Dr. Myerscough of the Nature Conservation Council for the preparation of an Environmental Impact Statement.

Dear Alderman Quirk,

Dr. Myerscough has brought to our notice the proposal to mine sand in an area north of Bell station. Knowing your interest in the Blue Mountains parks we are sure that you will give sympathetic consideration to his request.

The Wollongambe Wilderness is probably the most accessible wilderness area in the state. It can be enjoyed without physical effort from many viewpoints, and contains some of the most scenic and unusual sandstone formations in the Blue Mountains. Keeping development such as gas pipe lines, coal mines, and pine forests out of it is a constant battle.

We hope that Dr. Myerscough's proposal for the submission of an Environmental Impact Statement will be supported by your Council.

DEVELOPMENT AT ANY COST

Writing in the New York Times, Philip Shabecoff reports that the Reagan administration has begun the most extensive transfer of public property to private control in recent American history. Millions of acres of Federal land and billions of dollars worth of minerals, energy sources, timber and other resources are to be transferred at a pace unmatched since the days of the frontier. "I want to open as much land as I can" Mr. James Watt, Secretary of the Interior, has stated.

The Administration wants to increase the amount of timber that private companies are allowed to cut in national forests, despite the existence of 30 billion board feet of sold but uncut timber, constituting about a three year supply for the nation.

In Western Australia, the Minister for Lands, Mr. Laurance, undeterred by the large and spreading areas of drifting sand in Western Australia caused by the cultivation of arid wheat lands, the many abandoned farms north of the Goyder line in South Australia, or the marginal wheat farms

abandoned at great cost in N.S.W., is releasing 5.1 million hectares of marginal agricultural land. K. and B. Newbey, of the Western Australian Land Release Study Group, report in the A.C.F. Newsletter for August that most of the soils are sandy and have the same or greater potential for wind erosion as adjacent farmland where unprecedented erosion is occurring. Salt encroachment will occur in other areas. Nearly all the land has a highly saline water table which will probably rise following clearing.

In "The Bulletin", Graeme O'Neill concludes an article entitled "Predictions of Grim Harvest for New Farmers", as follows:

"The new wheat farms are being carved out of a botanical equivalent of the Great Barrier Reef, a region, which annually launches a display of flowers unequalled anywhere in the world."

A.L.P. INTERIM ENVIRONMENTAL PLATFORM, 1982

Mr. Stewart West, M.H.R., A.L.P., Shadow Minister for the Environment, has sent us a copy of the above.

On the preservation of native hardwood forests, one of the three main objectives of the Colong Committee, the platform closely accords with our aim, and, we believe, springs from the Party's support of our Boyd campaign. It states that a Labor Government will "Stop all programmes designed to replace native hardwood forests with softwood plantations, and direct financial resources towards the development of softwood in areas where sufficient land which is already cleared of native forests is available".

We would, however question the need for any additional softwood plantations. We would agree with the intention of establishing a national reafforestation programme to promote revegetation and reafforestation of catchment areas, farm lands and abandoned cleared land.

On rainforests the Party's programme is meaningless. It calls for a conservation of rainforests, and

financial assistance to the states for this purpose, but this is to be achieved by "an eventual phasing out of logging," a policy which fails to recognise that there is not time for "an eventual phasing out" the timing of which may well correspond with the exhaustion of millable logs. The endorsement of the specious policy of "multiple use" simply means that logging will continue.

Many planks of the platform accord with Colong Committee policy. These include:

- * Provision of grants for conservation of areas of national significance
- * Arrest of desertification
- * Rehabilitation of degraded land
- * Funds for the purchase and restoration of available alienated coastline
- * Opposition to the construction of the Gordon dams together with assistance to the Tasmanian Government for other means of electricity generation and assistance to the tourist industry in order to provide additional employment opportunities
- * Ensuring approval by both Houses of Parliament of licenses issued for the extraction of mineral sands from areas listed on the Register of the National Estate.

SCIENCE LOOKS AT THE ENVIRONMENT

Dr. I. V. Newman has made a synopsis, available at the Total Environment Centre, of papers of environmental interest presented at the 52nd ANZAAS Conference. Subjects covered include the social significance of technological change, decentralisation, and the environmental dangers of nuclear power. The papers are available at the Technical Services Library, University of New South Wales.

Of particular interest is Dr. H. C. Coombs' paper "Technology, Income Distribution and the Quality of Life" which discusses the central issue of high immediate income versus environmental degradation. The article declares the most important economic effect of technological change to be

the redistribution of income; and it considers the effects of this on different sections of the community and on the way the new incomes are likely to be used. Do the rising flood of commodities produced by the economic system and the means of their production properly result in improved quality of life or in a basis for a healthy and happy human society? The article clearly raises the question of whether higher standards of living necessarily provide better quality of life. The need for Social Environment Impact Statements regarding technological and management innovations is stressed. Necessary reforms of the social system would require "a community whose values were less dominated by the ethos of the market place" than are ours.

STOP PRESS

RAINFORESTS SAVED

Seven years after the Colong Committee adopted the preservation of the Border Ranges as its principal conservation objective, State Cabinet has decided that the whole area proposed by the Committee shall become a national park, as will most of Washpool, the Hastings Valley, and other areas adopted later, a total of about 90,000 hectares.

The decision was made after a 10 hour debate, probably the longest Cabinet has had on a single issue.

The Government is to be congratulated on its attention to this problem, and on its far sighted decision, opposed not only by the Country and Liberal Parties, but by the development faction within the A.L.P. There can be no doubt however, that in overriding this opposition, the Wran Government has acceded to the wishes of the great majority of the people of New South Wales.

Full credit must be accorded to the National Parks and Wildlife Service for its appreciation, early in the campaign, of the significance of rainforest preservation and for its role in advising the Government.

As the Colong Committee has maintained,

the preservation of rainforest areas will not cause unemployment, provided the Government assists mills to use alternative timber supplies. It has been decided to provide \$1 million for this purpose, and it is to be hoped that the Rainforest Preservation Agreements Bill now before the Senate will enable the Commonwealth to augment this sum. The decision comes

at an appropriate time, when demand for timber is at a low ebb, thus facilitating supply from other areas, but it is to be expected that unemployment caused by the slump will be blamed on the rainforest decision.

A description of the Border Ranges campaign will be given in our next issue.



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