



## CLARENCE ENVIRONMENT CENTRE

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## NEWSLETTER – WINTER 2011

In 1854, the “Great White Chief” in Washington made an offer for a large area of Indian land and promised a “reservation” for his people.

Chief Seattle's reply, copied below, has been described as the most beautiful and profound statement on the environment ever made.

However, there are serious doubts about the authenticity of the document, as the Chief apparently spoke in a native dialect which was later translated at least twice.

Under the circumstances, the Chief could have been excused for making a much different statement, and I can imagine the interpreter possibly being faced with having to translate a speech referring to the American President and his fellow politicians as a “pack of A---holes. A few discreet changes would be understandable.

All speculation aside, the current document is worth reading, so here goes.

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*“How can you buy or sell the sky, the warmth of the land? The idea is strange to us.*

*If we do not own the freshness of the air and the sparkle of the water, how can you buy them?*

### **All Sacred**

*Every part of this earth is sacred to my people. Every shining pine needle, every sandy shore, every mist in the dark woods, every clearing and humming insect is holy in the memory and experience of my people. The sap which courses through the trees carries the memories of the red man.*

*The white man's dead forget the country of their birth when they go to walk among the stars. Our dead never*

*forget this beautiful earth, because it is the mother of the red man.*

*We are part of the earth and it is part of us.*

*The perfumed flowers are our sisters; the deer, the horse, the great eagle are our brothers.*

*The rocky crests, the juices in the meadows, the body heat of the pony, and man – all belong to the same family.*

### **Not Easy**

*So, when the Great Chief in Washington sends word that he wishes to buy our land, he asks much of us. The Great chief sends word that he will reserve us a place so that we can live comfortably to ourselves.*

*He will be our father and we will be his children. So we will consider your offer to buy our land.*

*But it will not be easy. For this land is sacred to us.*

*This shining water that moves in the streams and rivers is not just water but the blood of our ancestors.*

*If we sell you land, you must remember that it is sacred, and you must teach your children that it is sacred and that each ghostly reflection in the clear water of the lakes tell of events and memories in the life of my people.*

*The Water's murmur is the voice of my father's father.*

### **Kindness**

*The rivers are our brothers, they quench our thirst. The rivers carry our canoes, and feed our children. If we sell you our land, you must remember and teach your children, the the rivers are our brothers and yours, and you must henceforth give the rivers the kindness you would give any brother.*

*We know that the white man does not understand our ways. One portion of land is the same to him as the next, for he is a stranger who comes in the night and takes from the land whatever he needs.*

*The earth is not his brother, but his enemy, and when he has conquered it, he moves on.*

*He leaves his father's graves behind, and he does not care. He kidnaps the earth from his children, and he does not care.*

*His father's grave, and his children's birthright, are forgotten, he treats his mother, the earth, and his brother, the sky, as things to be bought, plundered, sold like sheep or bright beads.*

*His appetite will devour the earth and leave behind only a desert.*

*I do not know. Our ways are different from your ways.*

*The sight of your cities pains the eyes of the red man. But perhaps it is because the red man is a savage and does not understand.*

*There is no quiet place in the white man's cities. No place to hear the unfurling of the leaves in spring, or the rustle of an insect's wings*

*But perhaps it is because I am a savage and do not understand.*

*The clatter only seems to insult the ears. And what is there to life if a man cannot hear the lonely cry of the whippoorwill or the arguments of frogs around a pond at night? I am a red man and do not understand.*

*The Indian prefers the soft sound of the wind darting over the face of a pond, and the smell of the wind itself, cleaned by a midday rain, or scented with the pinon pine.*

### **Precious**

*The air is precious to the red man, for all things share the same breath – the beast, the tree, the man, they all share the same breath.*

*The white man does not seem to notice the air he breathes. Like a man dying for many days, he is numb to the stench.*

*But if we sell you our land, you must remember that the air is precious to us, that the air shares its spirit with all the life it supports. The wind that gave our grandfather his first breath also receives his last sigh.*

*And if we sell you our land, you must keep it apart and sacred, as a place where even the white man can go to taste the wind that is sweetened by the meadow's flowers.*

### **One Condition**

*So we will consider your offer to buy our land. If we do decide to accept, I will make one condition: The white man must treat the beasts of this land as his brothers. I am a savage and I do not understand any other way.*

*I have seen a thousand rotting buffaloes on the prairie, left by the white man who shot them from a passing train.*

*I am a savage and do not understand how the smoking iron horse can be more important than the buffalo that we kill only to stay alive.*

*What is man without the beasts? If all the beasts were gone, man would die from a great loneliness of spirit.*

*For whatever happens to the beasts, soon happens to man. All things are connected.*

### **The Ashes**

*You must teach your children that the ground beneath their feet is the ashes of your grandfathers. So that they will respect the land, tell your children that the earth is rich with the lives of out kin.*

*Teach your children what we have taught our children, that the earth is our mother.*

*Whatever befalls the earth befalls the sons of the earth. If men spit upon the ground, they spit upon themselves.*

*This we know: The earth does not belong to man; man belongs to the earth. This we know.*

*All things are connected like the blood which unites one family. All things are connected.*

*Whatever befalls the earth befalls the sons of the earth. Man did not weave the web of life; he is merely a strand in it. Whatever he does to the web, he does to himself.*

*Even the white man, whose God walks and talks with him as friend to friend, cannot be exempt from the common destiny.*

*We may be brothers after all.*

*We shall see.*

*One thing we know, which the white man may one day discover – our God is the same God.*

*You may think now that you own Him as you wish to own our land; but you cannot. He is the God of man, and His compassion is equal for the red man and the white.*

*This earth is precious to Him, and to harm the earth is to heap contempt on its Creator.*

*The whites too shall pass; perhaps sooner than all other tribes. Contaminate your bed, and you will one night suffocate in your own waste.*

*But in your perishing you will shine brightly, fired by the strength of the God who brought you to this land and for some special purpose gave you domination over this land and over the red man.*

*That destiny is a mystery to us, for we do not understand when the buffalo are all slaughtered, the wild horses are tamed, the secret corners of the forest heavy with the scent of many men, and the view of the ripe hills blotted by talking wires*

*Where is the thicket? Gone*

*Where is the eagle? Gone*

*The end of living and the beginning of survival.*

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## Consequences of Chemical usage

An excellent report on the ABC's 7.30 Report, focused on the birth defect cluster near Lismore, pointing the finger at agricultural pesticides, specifically the herbicide Atrazine. This chemical, and another closely related weed killer, Simazine (both are Triazine based), are widely used in Australia, 2<sup>nd</sup> only to 'Roundup' and the quantities used.

Both chemicals were withdrawn from use in Europe 20 years ago, where they are still found in water supplies today, and in parts of the USA because of concerns over a wide range of threats to human health.

The Clarence Environment Centre raised the matter of excessive use of these and other herbicides on timber plantations, and highlighted the risks, some 5 years ago, without much success. Tens of thousands of hectares of plantations have been planted here since 2003, with no compliance checks on the use of the cocktails of chemicals being used.

One of the interviewed 'experts', Dr Tim Donovan, backed away from blaming agricultural chemicals because there was also an equivalent rise in the occurrence of birth defects in urban areas where agricultural chemicals are not likely to be the cause.

However, consider this, **What chemical is commonly used to kill algae in swimming pools?** You guessed it – **Simazine!**

I was shocked to hear that The Australian Pesticides and Veterinary Medicines Authority, which has been "reviewing" the use of these chemicals for over a decade, and issuing the usual "there is no credible evidence" response, is actually funded by the chemical companies, and not by the government.

Doesn't that fill one with confidence? Something has to change.

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## Coal seam gas mining comes to the Clarence Valley

Seismic testing by the gas miner, Metgasco, at Coaldale earlier this year, which was totally unheralded, shocked landowners into the realisation of what this move meant for them.

A subsequent residents' meeting at the Coaldale Hall, where Janet Cavanagh and I were invited to speak (Janet for the Greens and I as a representative of the Environment Centre), learned that, while landowners do have some rights, they have no power to prevent mining on their properties.

The American documentary, Gasland, has exposed the extreme effects of what this type of mining can have on the environment and the societies where the mining occurs. That film has now been screened in Australian cinemas, and has been followed up by local current affairs programs showing similar occurrences in Queensland, with communities outraged after their water supplies have been degraded, and their rural properties turned into a checkerboard of pipelines, roads, and well-heads.



Protest meetings have taken place across the State culminating in over 2,500 people on the march through the streets of Murwillumbah, as levels of concern over the potential environmental and social impacts escalate.

It was clear the community needed a clearer vision of the effects of coal seam gas mining, and their rights as landowners, so the Environment Centre, in partnership with the Clarence Valley Conservation Coalition (CVCC), asked the Environmental Defenders

Office (EDO) to address a meeting at the South Grafton Services Club on May 19.

The seminar, which doubled as the CVCC's bimonthly 'Earth Matters' series, attracted about 75 attendees, and the Centre's film production team undertook to record the proceedings.

The message was not encouraging. Firstly, nobody has any idea how the new NSW coalition government plans to control the industry. A 'coal and gas scoping paper' was placed on public exhibition in April, to which the Environment Centre made a submission, but that 'Paper' was part of a previous Labor Party strategy, so what impact it will have in terms of regulating the industry, is currently an unknown. However, nobody expects the current Government to risk losing the lucrative royalties that gas mining will pour into its coffers.

The EDO explained that gas exploration licences have been granted covering almost all the Clarence Valley, which allows the mining companies to 'explore' for gas without presenting any environmental impact assessment, which will only be required after a viable resource has been found and the mining company applies for an extraction licence. However, the granting of an exploration licence virtually guarantees that miners will be allowed to mine any resources they happen to find.

Before extraction can begin however, the company will have to present a Development Application under the Environmental Planning and Assessment Act, which brings the Native Vegetation, Threatened Species, and Fisheries Acts into play.

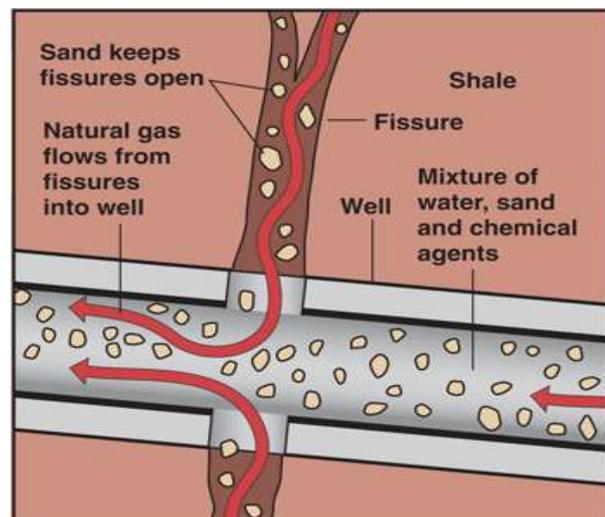
As well, the EDO informed the meeting that Federal legislation may also be triggered if the proposed operation impacts on "matters of national significance".

The "Lock the Gate" movement, which is spreading across New South Wales and Queensland, has recommended placing a sign at property entrances, withdrawing permission to enter which, if not followed, will result in a charge of trespass. The idea being that gas companies will not be able to serve their

"Notice of Intent" to undertake exploration on the property.

The EDO believes this may encourage the miners to try a neighbouring property, but if 'push came to shove' all they have to do is send their Notice by registered post. Their advice is that, if approached by a mining company, to request time to discuss matters with your lawyer, whose 'reasonable' costs must be met by the mining company. Also, be prepared to evaluate all the impacts, especially financial, to ensure the greatest level of compensation possible. It is possible to negotiate new fences, roads and other infrastructure, as well as cash payments.

However, the strongest message of all was that the legislation, from an environmental viewpoint, is just plain wrong! There is a paucity of information and research in relation to the potential environmental impacts of coal seam gas mining, particularly the use of "fracking", hydraulic fracturing)



**Hydraulic fracturing, involves the injection of more than 4.5 million litres of water, sand and chemicals at high pressure into holes drilled to depths of up to 3,000 metres, fracturing subsurface rock layers and forcing the sand into the fissures, holding them open to release the gas, which is then forced up the pipe by the pressure of the pumped in water.**

Nobody can or will guarantee that fracturing subsurface rock layers will not lead to pollution of groundwater, or that underground aquifers will not be drained or diverted. Nor is there any guarantee that the wells won't leak.

Already almost 10% of the wells drilled in the Casino – Lismore district have been reported as leaking, and Metgasco was forced to fix the problem. The worrying thing is that all leaks were apparently reported by third parties, so we have no knowledge as to how many wells are leaking methane into the atmosphere, adding dramatically to the greenhouse effect.

Another big concern is the disposal of what is known as “produced water”, that polluted water that is used to force out the gas. Currently this is often pumped into holding ponds for disposal or treatment. However, in the recent Queensland floods, operators were forced to release, or were unable to prevent the release, of that poisonous water into the environment.

A number on affected councils in NSW have called for an embargo on the granting of any further exploration licences until guarantees are in place that the proposed processes are safe, that they will not impact adversely on future generations, and will not breach the Precautionary Principle, which states that scientific uncertainty cannot be used as an excuse to proceed with this monstrosity.

How often do we hear vested interests claim “there is no credible evidence to suggest our proposal will have any adverse impacts”? The point that needs to be made is we must consider the Precautionary Principle, and receive credible evidence that there will be no adverse impacts. Preservation of our most precious resource, water, be protected for future generations, who should also be able to share in the benefits of natural gas which, by all reports, will be exhausted within a single generation.

Our President, Jim Knight, asked that the meeting draft a resolution. In post-meeting discussions Councillor McKenna offered to put a resolution to Clarence Valley Council. As a result we drafted the following:

**“Currently, there are no guarantees in place that coal seam gas mining will not pollute ground water, will not destroy aquifers, will not add to atmospheric pollution through leaking wells and other infrastructure, and that poisonous “produced water” will not be**

**released into the environment as happened recently in the Queensland floods.**

**Given these facts, will Council lobby the NSW Government to place an immediate moratorium on all new coal seam gas exploration, until such time as those guarantees are provided?**

**On receipt of those scientifically supported guarantees, Council should also require Government to introduce an effective, independent, industry funded, compliance monitoring process, and impose heavy penalties for any pollution, or environmental damage caused directly, or indirectly, by the exploration or mining of coal seam gas”.**

Councillor McKenna subsequently put a reworded version of our motion to Council which was unanimously endorsed.

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**LAND FOR WILDLIFE**  
**Clarence Valley Branch**  
August 2011



Land for Wildlife continues to grow in NSW, with 640 properties now registered with the scheme Statewide. A quick round up of members in the Clarence Valley shows that we now have 57 registered

properties, representing around 1,315.16ha of land being managed as Land for Wildlife. This figure is in no way accurate as about twelve landholders still need to be contacted and their full information entered onto the database, so there could in the end be considerably more than this when all is brought together.

I do apologise for these people, who were mainly left out of the loop and missed our recent highly enjoyable field day. However a decision was made early on that without an email address contact it would become too time-consuming, and eventually too costly, to keep in touch by letters and snail mail. The Environment Centre is happy to subsidise things like trees, office administration and important mail items like assessment packages for the CEN head office, but mailing small letters would soon build up and either drain the petty cash or our own personal pockets. That said there are always exceptions, and one or two keen members without access to the Internet do receive posted mail, so, never say never.

The big event this year was the May Land for Wildlife forum in Sydney. My full intention was to attend this important event to represent our branch and the Clarence Environment Centre, but at the eleventh hour one demanding old horse and the thoughtless departure of the only baby-sitter I would entrust him with put paid to that idea. I have to say though that after seeing other groups' presentations I've been glad I didn't try to put one together. Next time, with some great examples to guide me, I'm sure I can do an acceptable job.

After the forum the next milestone was our own branch's get-together, which happened on Saturday 20 August. And what a lovely day that turned out to be. The weather was fine and a group of 17 members gathered at our Shannondale property to greet our State coordinator, John Asquith and his wife Nancy, who travelled down from Brisbane in a hire car that morning. Although few of us knew each other at the start, we certainly did by the end. The exchange of ideas and knowledge never stopped, the food flowed as freely as the talk and the day didn't finish up until quite late in the afternoon. Six of our Environment Centre members other than John and myself attended as land for wildlife members and greatly helped to make the day the success it was.

One important thing the Environment Centre is doing in conjunction with the Land for Wildlife program is the distribution of nest boxes to incoming members. A number of these have been provided by the Community Environment Network, with more to come. However 10 more beautiful boxes, specifically intended for sugar gliders, have been built and distributed by member Peter Turland out of recycled materials. In my view Peter has perfected the blueprint for these, which are his own design and superior to the plan used by the Gould's League. It is with pleasure and a sense of achievement that the Clarence Environment Centre is helping to fund the cost of materials for these boxes through the Land for Wildlife program. Out thanks to Pete for his great craftsmanship and dedicated work that has driven this effort, and thanks also to John Asquith for the original two dozen other important nest box distributions across the Valley.

Another thing we are doing now, and hope to be able to continue in the future, is the offer of tree tubestock to LfW members at a reduced cost of 50cts per tube. John Myer, owner of the Grafton Tree Farm, has generously agreed to sell seedlings to the Environment Centre at a significantly reduced price to aid the cause, and for this his has are sincere gratitude.

Another member, Tom Davidson, has been kept busy filling pots collected by the Environment Centre's recycled plant pot drive, and has successfully propagated seeds collected by members. Tom added to our tree distribution on the day with crates of tuckeroo and pink bloodwood seedlings, which were handed out free to anyone who bought a subsidised tree. A large number of seedlings, both purchased and free, were carried away on the day, but there is still a large number left. These will be on sale at the Environment Centre for the general public, but will still be available to our LfW

and CEC members at the reduced cost. So please let me know if and when you want to pick some up and I can make sure they are available when needed.

As a rough guide of species, we basically have Tom's tuckeroo and pink bloodwood, which are enjoyed by gliders and flying-foxes, and the larger *Eucalyptus tereticornis* (forest red gum), swamp mahogany (*E robusta*); tallowwood (*E microcorys*) and red mahogany (*E resinifera*), all of which are vital to support dispersing koalas. If enough of these species are planted on any one property they might even form the actual territory of a young koala. All these trees need to be planted out this season, so please don't forget to add them to your shopping list.

One thing I must ask everyone to do is to please return all empty tubes to the Environment Centre for reuse. Also any other disused plants pots you have in your sheds will be extremely welcome and put to good use, so don't forget to load them into your cars for when you are next in town.

On the registration front, we welcome our latest CEC members Julie and Graeme Hodges, whose land for wildlife forms part of a growing corridor of registered properties at The Pinnacles, protecting valuable bushland between the Fortis Creek National Park and the Corymbia Nature Reserve. This influx of registrations is due in the main to Julie's own great work and salesmanship, and we are sincerely grateful for her enthusiasm. Due to her efforts three other properties in the area are waiting for their assessment.

Also of particular note is the soon-to-be registration of Carmell Chester's brilliant property of wetland and coastal floodplain Endangered Ecological Community in the highly significant corridor vegetation of Kungala. This has received its assessment and awaits only the final report and notification. Carmell of course is well known as the CEC's dedicated op-shop manager, who does a great job in that all-important role.

Last but far from least we welcome Clarence Valley Council into the Land for Wildlife program, with the signing up of their significant coastal reserve surrounding the little hamlet of Diggers Camp. This is a real jewel, and we also sincerely thank Council for their support for the program through additional bridging funding, which has enabled registrations to go ahead before the next round of funding opens from the CEN. With this help we have managed to bring the last ten properties into the scheme.

Pat

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## World Environment Day at Woolli

The coastal hamlet of Woolli, in the Clarence Valley east of Grafton, has not had the best of years. Built on a virtual sand spit between the Woolli River estuary and the ocean, residents were told earlier this year that, over time, their homes will be lost to sea level rise as a result of climate change.



**Homes on the Woolli sandspit threatened by dune erosion**

Clarence Valley Council has effectively washed its hands of the problem, declaring a policy of planned retreat, leaving residents frustrated and alarmed.

Nevertheless, the community spirit was in evidence on World Environment Day with the small Woolli Public School putting on what we believe to be the only public event to mark the occasion in the Clarence Valley.

Naturally the Clarence Environment Centre was appreciative of the invitation to participate, and happy to put in an appearance, along with Landcare, the Solitary Islands Marine Park Authority, the now Office of Environment and Heritage, and various other stallholders, who all combined to make the day a memorable success.



There was entertainment and activities, a “school for jugglers”, live music, belly-dancing, and the school's students singing appropriate songs relating to sustainability and healthy living, something not altogether supported by the crowd's enthusiastic support for the sausage sizzle organised by the School's P&C (let's face it, we are all excused the occasional indulgence). Of course there was also an array of healthy home cooked fare available.

Sustainability and healthy living is clearly a priority at the school and their vegetable garden is a credit to all involved, portraying a grow-your-own philosophy that all children should be exposed to.

Thank you Woolli School for a truly enjoyable experience.

As an addendum we are delighted to learn that the Woolli School was declared the winner of Councils sustainability award granted at a ceremony on August 1. Congratulations to all involved.

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**Cutting the solar feed-in tariff**

Watching the NSW Coalition Government's energy minister squirm when grilled by Quentin Demster on the 7.30 report (May 20) over the proposed breaking of contracts with over 100,000 people across NSW to supply grid-feed solar electricity, gave little joy to those whose incomes from solar power production would likely be slashed by 33%, and only confirmed what most of us know already, that no political party can be trusted.

Claiming that they are honouring their pledge to support the solar bonus scheme, while breaching contracts by legislating to reduce payments, is morally corrupt.

We congratulate Catherine Cusack for her brave stand on the issue, and our local member, Steve Cansdell's claim he would 'consider' crossing the floor when the matter came to a vote in parliament.

The O'Farrell Government also claimed it will honour the much reduced payment for people who joined the scheme after the previous Labor Government cut the gross feed in tariff to 20c per kilowatt hour. That 20c figure is also under contract, but what happens when the price of electricity to consumers rises above 20c per kwh, which it will? We'll guarantee this unconscionable government will not raise payments to solar energy producers, but hold them to the 20c contracted price.

Ultimately, the public outcry forced an O'Farrell back-down, something I'm sure was influenced by the knowledge that any of the 100,000 solar energy producers who voted for the O'Farrell Government in March, were unlikely to vote for them next time if they had gone ahead with this price reduction.

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## The Big Lie

The gas mining industry is promoting gas as the interim fuel for power generation as Australia moves to a renewable energy future, claiming it is 60% cleaner than current coal-fired electricity, a 'line' which has been easy to sell to various Australian governments addicted to lucrative royalties.

It is widely acknowledged that the burning of gas to generate electricity produces far fewer emissions than coal. What gas mining companies are not promoting is the amount of polluting emissions that are created through the exploration, mining, transport and refining processes, not to mention methane released into the atmosphere from leaking pipes

Until now, this has not been accurately quantified, but in March 2011, scientists from the Cornell University in the USA released the results of a comprehensive assessment of the total emissions of various electricity generating fuels, including, coal; traditional (natural) gas; diesel, and shale gas (referred to locally as coal seam gas).

These collateral emissions from pipeline construction, refining, and machinery used in coal seam operations are enormous. It requires trucking in millions of litres of water, tonnes of sand, and a 10,000 horsepower engine to drive the 'fracking' operation (fracturing of underground rock strata) for each well. The scientists are at pains to explain that their

calculations, based on US Mining Department statistics, are conservative, and show that when the emissions of all aspects of production are considered, coal seam gas burning causes a greater amount of pollution than all other fuels. One interesting statistic was that, over the life of the project, between 3.6% and 7.9% of all gas mined becomes "fugitive methane", either 'vented' or flared directly into the atmosphere. Venting is the release of methane that unavoidably leaks or overflows into the atmosphere during the process, much of it during drilling, where it accompanies 'flowback' waste or 'produced water'. Flaring is the deliberate burning of surplus gas, a process that is banned in some countries.

The study's conclusion was, that rather than reducing greenhouse impacts, *"developing gas from shale formations is likely to aggravate global warming"*.

This is a powerful argument to place a permanent hold on all gas mining, particularly coal seam gas, and move directly to renewable energy.

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## Burrigan Road land clearing

Not unexpectedly, the Clarence Environment Centre has received a complaint about excessive clearing for a building envelope on the new subdivision on Burrigan Road, east of Coutts Crossing.



**The first clearing of the Burrigan Road wildlife corridor for rural residential development.**

At an on-site deputation to councillors last year, I predicted that this mapped regional wildlife corridor with its significant vegetation communities, would be destroyed by the proposed development.

At the time I was given assurances that landowners would be allowed to clear a maximum of one hectare for a building envelope. However, I found the current clearing, which was still in progress when I inspected the site on May 24 (apparently for 2 properties), has removed double the allowable area of forest.

I contacted Council asking that an immediate investigation be undertaken and appropriate penalties imposed if clearing has been excessive. Of course, that will be all too late for the biodiversity that is now lost forever, and I doubt any penalty will be imposed. However, we will stay on the case, and hopefully when the remaining 5 or 6 lots are cleared, the one hectare maximum clearing will not be exceeded.

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#### **Grey Nurse Shark under renewed threat.**

In June, the State Government put out a discussion paper on protection measures for Grey Nurse Shark, inviting comment from the public. As a result of the O'Farrell Government's ridiculous pandering to the Shooters Party by lifting fishing restrictions on a number of Grey Nurse aggregation sites such as Fish Rock, we made a submission (see our web site).

In the bigger picture, Grey Nurse Sharks are not the only marine species under threat. Around the world fisheries have dramatically collapsed as a direct result of over exploitation, and even here in Australia there has been a need to reduce the commercial take of several species, most recently the Blue-finned Tuna. So adequate marine parks and sanctuary zones that provide breeding grounds, to assist in the recovery of these fish stocks, is crucial.

According to the Public Consultation Discussion Paper: *"In 2010, research was published that concluded that the proportion of sharks that have been hooked at least once*

*has not declined and that the current protection measures have not succeeded in reducing hooking rates. During this research, grey nurse sharks at Fish Rock recorded the highest occurrence of retained fishing gear of 25 sites studied."*

Specifically, the protection currently provided to the sharks, a mere 200 metre radius critical habitat, and a 1,000 metre sanctuary zone around some (not all) aggregation sites has not reduced 'accidental' hooking.

The Paper uses the term "accidental hooking". However, we made the point that recreational fishers, using baits, are happy to catch any species of fish. Knowing that Grey Nurse Shark take baits means that there is no such thing as "accidental" hooking, unless we accept that any fish catch is accidental.

The 2003 recommendation that sanctuary zones be extended to 1,500 m around aggregation sites, was not adopted. However, in light of the latest research findings of no decrease in shark hooking, suggests either, that recreational fishers are not observing the sanctuary zones, or that the zones should be expanded.

The Discussion Paper claims that: *"Issues around grey nurse shark management are contentious and a range of views exist about the best way to manage activities that impact on grey nurse sharks, and the level of protection required for the species."*

These views appear to depend on whether one is a recreational fisherman or not, so we presented our view which included a need for an extension of sanctuary zones around all known shark aggregation sites, and a greater level of compliance monitoring. Also that, based on the scientific research findings detailed in the Discussion Paper, no bait fishing should be allowed within marine parks, with a complete ban on the use of jigs.

We asserted that the **worst** way to manage activities that impact on the Grey Nurse Shark is exactly what the Government has done at Fish Rock where, in a move designed to get Shooters Party support in the Upper House, it removed what little protection the sharks currently have,

and subjected them to the threats that have repeatedly been identified as harmful.



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**“The Process and Pattern of Eucalypt Forest Decline in the Absence of Fire”**  
(Jurskis and Walmsley, May 2011)

This document was co-authored by that well-known pyromaniac, Vic Jurskis, of Forests NSW, and appeared in the May issue of “Fire Note”, published by the Australasian Fire and Emergency Service Authorities Council. The document's findings are that trees, specifically *Eucalyptus* species, are healthier in forests that experience high frequency burning. Having read the article, I have to say it provides very little to support that claim.

The bulk of the research has apparently been done by real scientists, Dr John Turner *et al* who, Jurskis claims, “*shed new light on the processes that cause tree decline when fire is excluded from fire dependent ecosystems.*” The findings show that levels of nitrogen and phosphate in the soil increase dramatically some 6 years after burning, suggesting this increase in fertility is, in some situations having a detrimental effect on eucalypt health.

However, I found the assumptions far from compelling in the absence of any consideration of other factors, particularly logging history. The article sports four photographs of “long unburned” forests showing what the authors

claim are signs of unhealthy canopies, dead standing trees etc, with dense understories of Sheoaks and bracken fern.

One thing that stands out from those photographs is the relative absence of any trees larger than 30cm diameter at breast height, meaning the areas have been heavily logged. That logging process causes massive amounts of damage to smaller standing trees, many of which are partially debarked in the process, and ultimately die as a result. This, I believe, is the most likely cause of the standing dead trees in the photographs.



**The dead trees in this photo from Newfoundland State Forest, all died as a result of damage during previous logging. Locals from Pillar Valley know that fires have regularly burned in Newfoundland, so the claims that fire improves the health of these forests are nonsensical (cec photo).**

Quite clearly, those dead trees which, incidentally, provide crucial habitat for hollow dependent fauna, would not survive for long in frequently burned forests. Therefore, while it is true that more dead trees are found standing in infrequently burned forests, they are usually killed by careless machine operators during logging **not killed by the lack of fire** as the Jurskis would have us believe.

One well-known consequence of over-logging and opening up the forest canopy, is the subsequent vigorous understory growth which results from the increased sunlight penetrating to the ground level. This growth often comes in the form of native pioneer species, but more frequently in the form of introduced weeds like *Lantana*.



**Post harvest burning, preferred by most foresters because it gets rid of dead wood, old-growth trees, and leaves room for regrowth (cec photo).**

There are so many factors contributing to poor tree health, including the imbalance of predators to insect pests such as the case of Bell Miner Birds driving off insect-eating birds that predate on psyllids, that in turn defoliate trees, causing dieback. However, exploding Bell Miner populations are not the only problem. The removal of hollow-bearing trees reduce populations of the common Sugar Glider, another species that predate on psyllids.

In National Parks such as the Washpool, where there has been no logging for 25 years, tree canopy health is good, with no sign of dieback. It is a wet forest which includes eucalypt species and, as far as I'm aware, has not experienced fire during that period. This situation is the same in long-established nature reserves in the Glenreagh area. Therefore, I believe that it is over-logging, rather than lack of fire that triggers dieback.

One claim in the article with which I do agree, is that: *"The repeatedly burnt plots had lower levels of both litter and understorey"*. That of course equates to lower biodiversity, something all biodiversity management strategies identify as vital for the survival of mankind itself.

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### **Yellow-bellied Glider investigation at Clouds Creek**

In February, the Clarence Environment Centre organised a field day at Clouds Creek with forestry inspectors from the Department of Environment. The idea was to point out the breaches we alleged had occurred during recent logging, and learn how the Department assessed these breaches.

We had chosen Clouds Creek for the field day because of the appalling number of breaches we had identified, but despite this the inspectors were reluctant to accept that Forests NSW had done anything wrong, leaving us with the distinct impression that their role was to act as an apologist for the agency.

We compiled a comprehensive list of concerns and sent them to senior officers within the Department and demanded answers, one of which was as follows: *"In relation to habitat tree retention, I point out that the harvest plan identifies multiple records of Yellow-bellied Gliders along the entire length of Observation Road bordering Compartment 79, with modified operational zones extending across part of the 5 hectares of logged forest in question. Clearly this is core Yellow-bellied Glider habitat, and the removal of at least 30 large trees measuring to 1m diameter, most of which would have been hollow-bearing, makes this alleged breach even more significant."*

Modified operation zones are described under Forests NSW's Threatened Species Licence as follows: *"Within a 200 metres radius of a Yellow-bellied Glider call detection site record, **15 feed trees must be retained**. Retained feed trees must have good crown development and should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as feed trees where these are available."* Clearly late mature trees were available. About 30 large trees, described in the harvest plan as "reaching their economic endpoint", had been logged.

The Licence also requires that: *"The feed trees retained **must be marked for retention**"*, and goes on to describe specific requirements, explaining that the retained feed trees, *"should be trees that shed their bark in long strips, eg.*

*species from Blue, Flooded, Grey, Red and White Gum groups”.*

We received a response from the Department which cleared Forests NSW of any blame, claiming: *“Under the Threatened Species Licence, Forests NSW are able to meet tree retention requirements for Yellow-bellied Gliders by the use of existing exclusion zones. The Office of Environment and Heritage officers have determined that the modified operational zones in Compartment 79 of Clouds Creek State Forest overlap exclusion zones, including streams, rainforest, ridge and headwater habitat and areas of inherent hazard level (4).*

This assessment highlights the lack of basic knowledge or understanding of the threatened species under their care that never ceases to surprise us. It also suggests that the inspectors haven't even bothered to visit the site, because had they done so they would have noted that there were no marked feed trees anywhere, or the fact that almost all the identified exclusion zones consist of rainforest which does not contain any eucalypts, something we were quick to point out in a scathing letter, this time with a copy to the Director General, Lisa Corbin.

Incredibly, the response from Ms Corbin refuses to accept any wrong-doing claiming: *“In response to your specific concerns about Yellow-bellied Gliders in Clouds Creek State Forest, OEH has reviewed this matter and determined that Forests NSW have complied with the relevant provisions of the Integrated Forests Operations approval (IFOA) for the upper north east region”.*

*All except one of the areas of Yellow-bellied Glider habitat identified by the CEC overlap existing stream exclusion zones. These zones contain trees that satisfy the IFOA's requirements. I note your concerns that appropriate tree species may not occur in rainforest, however such exclusion zones capture the transitional area (ecotone) between the rainforest and forest which contains trees of a suitable species to meet Forests NSW licence requirements”.*

What a load of rubbish! What transitional areas? Almost all the suitable trees that could have supported Yellow-bellied Gliders, both for den hollows and sap feed, have now been logged in clear breach of the licence prescription, and the Department refuses to act.

\* \* \*

### **Endangered Weeping Paperbark protected at Tucabia**

The Weeping Paperbark (*Melaleuca irbyana*) has been listed as an endangered species because the NSW Scientific Committee has determined the species is at risk of extinction if current trends are not reversed.

In 2009-1010 alone, the Clarence Environment Centre reported three cases where the Paperbarks had been destroyed. This destruction is not only occurring on private property where landowners have unknowingly bulldozed them, but also on public land and by government agencies. One of the reported cases involved Forests NSW at the Grafton Agricultural Research Station, where an unknown number of the endangered trees were cleared and slashed to establish a pine plantation.



**Flowers of the Weeping Paperbark.**

Probably the worst destruction is part of the southernmost known population at Glenugie, which has been bulldozed to build the new Pacific Highway.

The Paperbarks are nowhere common, with most populations consisting of just a handful of trees, but of greater concern is the fact that none of the known populations occur within national

parks or conservation reserves. This means there is little protection for the species, in fact Forests NSW, under its Threatened Species Licence, can legally destroy up to 10% of these trees in each compartment during every logging cycle.

But now – a small but significant step in the right direction, a good news story. A campaign to protect a small population on crown land at Tucabia, spearheaded by one of our members, Peter Turland, has seen the Tucabia Public School, Landcare, and the Clarence Valley Council combine to create a park to protect the colony.

The park is a work in progress by Landcare, assisted by Catchment Management Authority grants over the past two years, that has enabled extensive tree planting of species common to the valley.

The plants, including endangered paperbarks, were propagated by Dennis Milne for Landcare, and Dennis himself was active on the day helping with the planting and instructing the children on the basics of plant recognition.

With so much environmental destruction still occurring across the Clarence Valley, it was an extremely positive experience to see the children so engrossed in planting and caring for the trees, with each child being responsible for planting their own tree which was then tagged with their name.



**Clarence Valley Mayor Richie Williamson, and Project Coordinator, Peter Turland with the children of Tucabia Public School.**

Mayor Richie Williamson representing the Clarence Valley Council, on whose land the park now stands, undertook the official opening, and praised the efforts of all those involved.

The CEC wholeheartedly endorses his words. Well done Guys – it's great to be able to report on a good news story.

\* \* \*

### **Flying-foxes and the Hendra Virus**

The Queensland Government has clearly failed to fully think through the implications of its knee-jerk reaction to the Hendra virus outbreak, by passing legislation to allow people to harass and drive away Flying-foxes.

There are a few matters that should have been taken into account. First, is the fact that there is still a lack of knowledge of how the Hendra virus is spread. We do know that humans can catch the virus from horses, and that some, not all, Flying-foxes carry the virus. There is also a correlation between occurrences of the disease and the presence of Flying foxes, leading to the assumption that horses catch the virus directly from these animals.

However, as I understand it, laboratory testing has so far failed to achieve the direct transfer of the virus from bats to horses, but has been able to transfer it directly from cats to horses. A recent discovery of a dog with the virus adds to the mystery as nobody appears to have researched the possible link between Flying-foxes and other domestic animals, particularly cats, which would undoubtedly predate on sick and dead animals, or the possible role of ticks which have been particularly active this past year.

Another fact that has emerged is that the rate of Hendra infection within Flying-fox populations has risen significantly in recent times, further adding to the belief that they are the problem. Other researchers believe that this increased occurrence of the virus in bats, is the direct result of stress, evidenced by the fact that there has been a recent noticeable increase in deaths of Flying-foxes from malnutrition for example, which could have been caused by the extreme climatic events in northern NSW and Queensland.

Returning to the Queensland Government's decision, and whatever the stress factors are that have increased the level of Hendra infection in Flying-foxes, the last thing we want is action guaranteed to add to that stress such as trying to hunt the animals away from their preferred roosting sites.

\* \* \*

### **More illegal logging**

On 10th July, our representatives combined with members of other environment groups to assess logging operations in Wedding Bells State Forest, just a stone's throw from northern NSW holiday town of Woolgoolga. This is what we discovered. A landscape reminiscent of Tasmanian clear felling, with supposedly protected rainforest in the background, where major damage has been identified.

The investigation, which included professional ecologists lasted only a few hours, so a comprehensive assessment was not possible at that time. However, we once again identified widespread breaches of the Threatened Species Licence, under which Forests NSW is supposed to operate, and which we have asked the Office of Environment and Heritage (OEH), the responsible regulatory authority, to immediately investigate.

The Crown Forestry Policy and Regulation section of OEH has already received a report on the logging from one of our members, Joe Sparks, and another from Dailan Pugh, representing NEFA, about the clearing of unmapped drainage lines and its impact on the endangered Oxleyan Pygmy Perch whose habitat would have been adversely impacted by erosion and subsequent pollution of downstream waterways. Collectively, in view of the ongoing problems with Forests NSW's continuous refusal to comply with Licence conditions, we demanded an immediate halt to logging until such time as the required Pygmy Perch conditions were enacted.

We also detailed other breaches relating to threatened Yellow-bellied Gliders and Koalas, both of which occur at the site, demanding regulatory action.

Time was limited at the first investigation, but we were able to confirm that widespread damage had been done to rainforest verges. Nevertheless it was important to confirm the exact rainforest types present as the legal requirements for their protection vary from one to the other, and our belief that endangered and other supposedly protected forest communities had been seriously impacted. To this end it was determined that we employ the services of an independent botanist.

So once again, despite OEH's promises to increase proactive monitoring, we have had to do OEH's work for it.



**Wedding Bell State Forest near Woolgoolga, a disaster zone.**

As expected, our botanist identified endangered Lowland Rainforest in some areas, with the comprehensive species list compiled from along just a 100m section of creek line, including 46 species listed by the NSW Scientific Committee as indicative of the presence of that community. We believe a comprehensive assessment of the Wedding Bells logging operation will identify many kilometres of Lowland Rainforest verge that has been destroyed.

In the limited time available, some 130 rainforest species were identified at two separate sites, with 90 of those species also known to occur in Warm-temperate Rainforest, suggesting that community is also present within Wedding Bells State Forest.



**Multiple breaches identified in this logged and trashed rainforest drainage line.**

Drainage lines have been bulldozed, threatened species destroyed, and tree crowns and logging debris have been pushed into the rainforest edges.

Therefore, we have also asked that a thorough investigation be undertaken along the many kilometres of rainforest verges that have been impacted upon by logging in what appears to be an attempt to further diminish the area of protected forest.

In the Preamble to Forests NSW's Threatened Species Licence, we read that part of the "Intent" of the Licence is to ensure:

*"Protection of features such as: rainforest, high conservation value old growth forest, habitat trees and riparian habitats (which) make substantial contribution to the conservation of a range of threatened species, protected fauna and protected native plants."*

Clearly there was no protection given in this instance. That preamble also makes a clear statement that:

*"This licence does not authorise the carrying out of an activity that is likely to harm an endangered ecological community"*

We contend that this particular endangered community has suffered considerable "harm", and "damage" to its habitat.

We took the opportunity to spell out the exact requirements of the relevant requirements relating to Warm-temperate Rainforest as set out in the Threatened Species Licence, including: *"A 20 metres wide exclusion zone must be implemented around all areas of warm temperate rainforest, as defined by RN 17 and mapped on Forestry Commission of New South Wales Forest Type maps."*

Another worrying trend in Forests NSW forest management, is something known as "Off-setting". The Operational Harvest Plan for Wedding Bells shows almost half the tract marked as "offset areas", and are therefore excluded from logging at this time.

This allows the remainder of the net harvest area to be virtually clear-felled, and still comply



**Another clear-felled landscape in Wedding Bells State Forest.**

with the Single Tree Selection requirement that logging of basal volumes not exceeding an average 40%. - And this is the result.

Large areas of Wedding Bells SF have been virtually clear-felled and parts then heavily disturbed and replanted with Blackbutt seedlings, a clear move to convert native forests into plantations. This is highly damaging to biodiversity, and to threatened species known to utilise these forests such as Yellow-bellied Gliders and Koalas, which have special food requirements that are not provided by Blackbutts.

Another concern is that there appears to be nothing in the regulations to prevent another harvest in two to three years time which could then remove similar quantities from the 'offset' areas. The Harvest plan for Compartments 536 – 7 and 548 claims that “*The stand has been regularly thinned from the 1950s until the early to late 90s where operations removed the highest quality and mature trees.*”

Incredibly, we are then told that “*Compartments 537 and 548 were last*

*harvested in 2007... using STS (single tree selection) silviculture*”, just 4 years ago! Surely this cannot be described as the Ecologically Sustainable Forest Management, the principle that supposedly underpins the Integrated Forests Operations Approval.

So what is slowly being lost through this continual encroachment into the beautiful rainforests of the Coffs Coast hinterland?

\* \* \*

**Voice or no voice, the people can always be brought to the bidding of the leaders. That is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in any country. - Hermann Goering, Nazi.**

\* \* \*

From  
Clarence Environment Centre  
31 Skinner Street, South Grafton



To :