

From: [REDACTED]
To: [_ALL-EPA-Forestry-IFOARemake](#)
Subject: Objection to changes to Coastal Integrated Forest Operations Approval standards
Date: Sunday, 6 April 2014 7:51:45 PM

To the Proper Officer
Environment Protection Authority

Dear Sir / Madam,

I wish to object in the strongest possible terms to the changes being proposed to be made to the conditions attached to Coastal Integrated Forestry Operations Approvals (IFOAs).

I object to the conditions of logging and road-works in forestry operation in publicly owned State Forests being watered down to a set of un-enforceable guidelines which cannot guarantee the protection of the environment when forestry operations take place.

Further, I object to the idea that the State Forestry Corporation and the logging industry, (who *need* to be regulated to protect the environment because history has shown that they **cannot be trusted** to protect the environment left to their own devices), appear able to object, complain and have the regulations weakened or rescinded to suit them, apparently at will!

I object to the lack of a transparent, rigorous framework of regulation which is consistently and fearlessly enforced. I further object to a 'system' of regulation which is apparently incapable of resisting blatant attempts by the logging industry to defeat the goals of regulation.

I especially object to the reduction and removal of IFOA conditions which are intended to protect the habitat of Threatened Species of both plants and animals. The removal of these conditions, and the ongoing adverse impacts of logging and roadworks on Threatened Species, means that any and all pretence of these operations being ecologically sustainable have been stripped away, exposing this 'claim' as no more than a sick and twisted joke... and a broken promise.

I further object to the complete failure by Forestry Corporation officers to properly implement the existing measures for environmental protections, and the hopelessly inadequate processes of monitoring their effectiveness, being used as justification for further weakening of these vital environmental protection measures.

I also object to the limp, limited and lackadaisical approach of the Environment Protection Authority to the enforcement of the existing IFOAs. In my view the performance of the EPA in investigating complaints of the Forestry Corporation's and the timber industry's non-compliance with the prior IFOAs has been woeful, and just short of pathetic. It is to EPA's lasting shame that sadly, in reality, NGOs and private individuals would have done a better job.

And so I object to the continued suspension of the right of members of the public to bring proceedings to enforce the relevant environment protection laws and prevent harm to the environment, due to section 98 of the *Forestry and National Park Estate Act 1998* (NSW).

I most certainly object to the repeated failure, and the patent incompetence, of State Forestry Corporation officers, said to be 'supervising' the logging industry, in properly applying and enforcing the prior IFOAs, because there have

been numerous examples of breaches of the IFOA conditions. One is forced to ask has there been more non-compliance with the existing IFOAs than compliance?

Why has no **actual person** been prosecuted for the ongoing incompetence and intransigence of the Forestry Corporation and the logging industry in complying with the previous IFOAs? Why have the supposed 'professional' foresters not been held to account personally for their un-professional performance and for their repeated personal failures to observe and comply with the minimum standards? Why has EPA's response to allegations and evidence of breaches of existing IFOAs by the Corporation and industry, been delay and obfuscation?

Why have the individual staff of Forestry Corporation and individual logging companies who have been responsible for breaches of law been allowed to hide behind the cover of the Forestry Corporation itself, instead of being personally held to account? If a private sector corporation commits an offence, the relevant person as well as the corporation is held to account personally. Why is this not the case with breaches of environmental protection measures by Forestry Corporation officers? This is not a rhetorical question. Why are forestry workers exempt from basic community standards?

The arrogant, belligerent attitude adopted by Forestry Corporation and the logging industry, to threatened species and water quality and their ongoing opposition to need for their protection via IFOAs, as shown by the most recent demands for the winding back of these limited controls, indicates that there is no real interest, willingness or commitment by foresters or loggers to any goal except felling timber. They are not the benign harvesters of a renewable resource they claim to be. They are not committed to playing by the 'rules', they hate the rules and have done their level best to avoid, subvert and suspend the 'rules'. By their actions they are revealed as ruthless exploiters of the environment for profit, reckless 'bulls' in the china shop, who care nothing for the collateral damage they inflict on the environment.

I specifically object to the complicity of the EPA in *constantly* revisiting the IFOAs over the last few years and repeatedly caving in to industry-based demands to steadily lower logging 'standards' and rescind and remove rigorous and enforceable conditions for logging and road construction.

The proposal, inherent in the new lame IFOAs on offer, to thwart all previous efforts at environmental protection by the omission of any legally enforceable standards for forestry operations, has put the credibility of the NSW EPA, as a *real* environmental protection authority, and the whole forestry operations licencing schema into deep and disturbing doubt.

The adoption of new Coastal IFOAs which further weaken the framework for regulating and controlling the logging industry will be the final straw for many people whose trust in the NSW EPA to protect the environment in the 'public interest' has already been deeply shaken by its recent poor performances.

A new set of Coastal IFOA conditions which fail the test of ecological sustainability by putting Threatened species further at risk, and the credibility test of pulling the Forestry Corporation and logging industry into line, will be met by many in the wider community with deserved derision and ridicule, as the regulation the industry was 'prepared to accept' and evidence of the EPA's abject capitulation.

New Coastal IFOA conditions which fail these tests will trigger very public indications of no-confidence in the IFOA 'system' (for want of a better word), in

the EPA itself as a competent regulatory agency committed to protecting the environment, and in the fundamental acceptability of the native state forest logging industry.

Bereft of an effective environmental champion, due to the 'taming' of the EPA by the industry, hindered in seeking legal avenues of redress due to the de-funding of the Environmental Defenders' Office, faced with pathetic un-enforceable conditions for logging and robbed of their ability to go to the court to enforce the law and prevent harm to the environment from logging, many members of the community, like me, have paused to consider how to respond.

If logging operations in publicly owned State Forests are to occur in the future, under new Coastal IFOAS without any effective 'rules', without any professional supervision, without the prospect of any accountability whatsoever, and without the superintendence of a genuinely credible regulator intent on demanding compliance, then the EPA, Forestry Corporation and the logging industry can hardly be surprised if those who oppose the logging industry - because of its hostility and intransigence to effective regulation - feel similarly exempt from any 'rules'.

If the so-called 'system' has been comprehensively rigged and rorted so that it utterly fails to provide environmental protection, due to political pressure and the machinations of a 'feral' industry, as I expect the new Coastal IFOAs will, it will not be surprising if concerned members of the community take the steps they consider necessary to protect the environment from the 'predator capitalism' of the logging industry.

One definition of 'anarchy' is 'the absence of any effective government action'... If the outcome of the review of the Coastal IFOAs is 'no effective government action' to protect the environment from the reckless carnage wrought by the logging industry, then isn't any ensuing 'anarchy' in the state's forests the direct result of the industry's lobbying and the inevitable outcome of government acquiescence.... and just what they both wanted?

'EPA' as 'environmental protection anarchy'?... it sounds catchy and edgy at the same time, doesn't it?

Whether this is the way of the future in the State Forests if NSW depends how effective the NSW EPA demonstrates it is as a regulatory and enforcement agency, and the strength of new Coastal IFOAs in preventing and controlling the serious environmental impacts of the rapacious logging industry.

Please do not take any part of this submission as a 'threat', because it is not intended as such.

Though the nuance might escape the logging industry, the NSW EPA should appreciate that these last statements of possible community responses to further environmental harm by the logging industry are meant as a blunt warning of how close to the edge of public credibility and acceptability the new IFOAS are sailing... Of course, the NSW EPA is free to ignore this warning by all means...

But the future of logging in our publicly owned state forests is in your hands..

Yours sincerely,

jrc

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John R Corkill OAM

Awarded a Medal in the Order of Australia
for services to forest conservation, 2003.